

# Agenda



## Cabinet

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Dyddiad: Dydd Mercher, 5 Mai 2021

Amser: 4.00 pm

Lleoliad: Ystafell Bwyllgora 1 - Canolfan Ddinesig

At: Cynghorwyr: J Mudd (Cadeirydd), Councillor R Jeavons, P Cockeram, G Giles, D Harvey, D Mayer, Councillor R Truman, D Davies and M Rahman

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### Eitem

### Wardiau Dan Sylw

- 1 Ymddiheuriadau dros Absenoldeb
- 2 DATGAN BUDDIANNAU
- 3 COFNODION CYFARFOD MIS MAWRTH Y CABINET (*Tudalennau 3 - 16*)
- 4 ADOLYGIAD POLISI: POLISI CANMOLIAETH, SYLWADAU A CHWYNION A PHOLISI GWEITHREDOEDD ANNERBYNIOL GAN ACHWYNWYR (*Tudalennau 17 - 82*)
- 5 Y WYBODAETH DDIWEDDARAF AM YR YMATEB I COVID-19 A'R ADFERIAD OHONO (*Tudalennau 83 - 96*)
- 6 ADRODDIAD DIWEDDARU BREXIT (*Tudalennau 97 - 104*)
- 7 PSB Summary  
[Link to Sway version here](#)
- 8 RHAGLEN WAITH Y CABINET AR GYFER 2021-2022 (*Tudalennau 105 - 112*)
- 9 Live Event  
To view the Live Event, please click on the link below:  
  
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Date of Issue: Date Not Specified





# Minutes

## Cabinet

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Date: 7 April 2021

Time: 4.00 pm

Present: Councillors Councillor J Mudd (Chair), Councillor R Jeavons, P Cockeram, D Harvey, D Mayer, D Davies and M Rahman

Apologies: Councillors G Giles and Councillor R Truman and B Owen (Chief Executive)

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### 1 Apologies for Absence

As above.

### 2 Declarations of Interest

Councillor Jeavons, EAS Board Member. This was a non-prejudicial interest.

### 3 Minutes of the Last Meeting

Councillor Rahman requested the following amendments:

#### Item 6 Corporate Risk Register

Page 7, Second line "a survey conducted in 2019 by instructions of the Cabinet Member..." was included.

Page 7, Fourth and Fifth line 'with similar findings to that of the leisure centre.' Was deleted.

#### Agreed:

That the Minutes of 10 March 2021 were approved subject to the above.

### 4 Outcomes 2019-2020: Foundation Phase, Key Stage 2, Key Stage 3, Key Stage 4 and Key Stage 5

The Leader presented the report, informing members that due to changes in pupil outcome performance measures and the pandemic, Welsh Government cancelled all statutory pupil data outcome collections for the end of the academic year in summer 2020.

No school end of phase data was submitted to local authorities. Each school continued to record internal teacher assessment for their own pupil progression purposes. No moderation processes were held between schools in Wales.

Key Stage 4 and 5 external examinations were cancelled and replaced with a 'Centre Assessment Grade' system. Welsh Government did not collect or publish Key Stage 4 or 5 outcomes.

Due to the significant changes in the make-up of GCSE, vocational, AS and A Level courses and the absence of external examinations, any locally produced outcomes were not to be

used for accountability purposes. Data comparisons or trends were not to be used in an attempt to analyse this set of pupil outcomes.

The purpose of the report was to provide a contextual view of anonymised schools rather than the performance of the local authority or individual schools. The information was used sensitively and appropriately.

The local authority used a wider set of information to evaluate each of its schools. This included:

- The schools ability to self-evaluate
- The success of the School Development Plan
- The quality of teaching and learning
- The schools capacity for self-improvement

The report showed that there were significant increases in pupil outcomes but it was not possible to determine if this represented school improvement or sustainable improvement.

Charts within the report showed WJEC outcomes over ten years with noticeable gains of around 10% in the final column, which represented the August 2020 Centre Assessment Grades.

The Newport KS4 and 5 results represented the eight English medium secondary schools in the city. Our Welsh medium secondary school would have its first set of end of Key Stage 4 outcomes in summer 2021.

The Key Stage 4 results showed that Newport schools had the highest and lowest Capped 9 outcomes in the region. This was also evident in Key Stage 5 outcomes. To add context, it was noted that Newport had a diverse set of secondary schools with significant differences between the volumes of learners entitled to free school meals. Newport had one secondary school in the city with highest level of deprivation out of the 32 regional secondary schools, representing five local authorities.

The Council was exceptionally proud of its learners and the Centre Assessment Grades they were awarded.

This was against the backdrop of a pandemic and significant changes in teaching and learning that they adapted to in their last and most significant term of their GCSE, AS and A Level courses.

The Council would continue to work with all of its schools to prepare and support them for the further modifications in Centre Assessment Grades for summer 2021 and beyond, as well as ensuring that learners had the most appropriate transition between the next stages of their lives. This was whether it was within schools, in apprenticeships, the world of work, Further or Higher Education.

The Welsh Government was committed to supporting the capacity and conditions to allow each secondary school to have robust centre determined grades whilst maintaining whole system integrity for 2021. This provided public confidence and gave value to learners that the grades they would be awarded would have been through a very thorough validation process. To support this process Welsh Government was allocating funding to help centres with some increased capacity to:

- Attend professional learning offered by WJEC to support the centre determined grade process;
- Allow time and space for schools and colleges to develop an assessment approach and undertake internal quality assurance;

- Provide time for Headteachers and college leaders to discuss the process and outcomes with other schools and colleges, to provide reassurance and transparency for both centres and learners.

Every centre across the region would receive: £2988 this financial year to support these principles.

The Leader thanked Education Services, teachers, parent, pupils and everyone involved for their co-operation, dedication and hard work.

The Deputy Chief Education Officer add that it was an extraordinary year, with so many disruptions for pupils and he praised them for achievements they made under the difficult circumstances.

#### Comments of Cabinet Members:

Councillor Harvey echoed the response of the Leader adding her thanks for everyone's hard work.

Councillor Cockeram understood the difficulty that parents had experienced with home schooling and hoped it was appreciated that teachers did so much for pupils. He was also pleased that schools would be opening soon.

#### Decision:

That Cabinet noted the report and acknowledged the position regarding pupil performance.

## **5 Education Achievement Service (EAS) Business Plan 2021-2022**

The Leader introduced the report, advising that the EAS Business Plan 2021/22 was developed in collaboration with Newport, Torfaen, Monmouthshire, Caerphilly and Blaenau Gwent. The Business Plan would support all schools and settings, ensuring access to a range of professional learning and bespoke support, which is aligned to their own schools' improvement priorities.

Full consideration was given to the current climate in which schools and settings were operating. The business plan would build upon the good practice demonstrated during this challenging time (including blended, flexible learning), and support schools and their learners in the recovery phase to secure high quality teaching, learning and support for pupil well-being.

The EAS Business Plan included Newport-specific educational strategic priorities, which were aligned to Estyn recommendations. These ensured that local and regional school improvement priorities were connected in order to have the best opportunity for success.

The Plan went through a robust consultation process with Head teachers, Governing Bodies, Cabinet Members, Scrutiny Committees and young people. The plan will be submitted to Welsh Government later this month.

The plan will be monitored regularly to track its delivery and impact. This will be reported termly through the Joint Education Group (JEG), which includes the Chief Education Officer and Cabinet Member for Education in each of the five local authorities. The EAS Company Board, with representation from each local authority, will also report termly.

At this point, the Leader welcomed Ed Pryce, Assistant Director of the EAS, to describe the overall ambition and eleven key priorities set out within the plan.

Ed Pryce reminded Cabinet that the EAS was owned by the five local authorities and was our school improvement service and was not an independent company.

Because of the meaningful data the annex was not included but the EAS were working with partners to have more useful data to retrieve from schools rather than the end of stage data during this recovery phase.

It was critical that we returned with positivity and learned lessons with partners from what had happened over the last year.

Extensive training for over 200 school governors had also taken place over the Easter period. The service reached school leaders and practitioners in a way that had not been done before. Collaboration was key for this result.

Ed Pryce did not go through each of the 11 priorities as they reflected the five strategic priorities as also discussed at Performance Scrutiny Committee – Partnerships.

The EAS also ensure that schools using blended learning had the appropriate networks in place, and were continuing with the curriculum for Wales at the right pace.

The Finance elements of the plan saw that the delegation rate would remain at 94% and above, with small element of LA contribution.

Sarah Davies, EAS added that the relationship between themselves, schools and Local Authorities were a great strength and would continue to work together in the best interest of all learners, families and communities in Newport. Schools were a positive place and EAS were looking to build on and improve on the relationships which had been developed with families and pupils.

The Deputy Chief Education Officer considered the Business Plan presented at Cabinet was comprehensive plan and evidence based and was therefore confident it would help schools recover. The key thing was to assure that children were safe to return to school when they opened next week. It was hoped it would be an enjoyable experience and good summer with wellbeing and learning at the forefront.

#### Comments of Cabinet Members:

Councillor D Davies, thanked the EAS for their support for governors this year with the online meetings. The training, advice and support had been continuous to ensure that governors could do their carry out their work efficiently.

The Deputy Leader considered that the plan was always a detailed document, but this year was exceptional with some buzzwords mentioned such as partnership and positivity. As we move away from the pandemic, there will be a push in blended learning and back to normal schooling. The Deputy Leader was also pleased to see the needs of vulnerable children being addressed. Going forward, it was expressed that there is now no need for children to have time off with the remote facilities in place.

#### Decision:

That Cabinet were satisfied that the Business Plan enabled appropriate support and challenges for schools and that it addressed the areas for improvement that have been identified within Newport's Education Strategic Plan. Therefore, cabinet approved the EAS Business Plan 2021-2022.

## **6 Replacement Local Development Plan: Post Consultation Endorsement of Review Report and Delivery Agreement**

The Leader presented the report, highlighting that the Replacement LDP Review Report was a document which set out the key legislation and policy changes that had occurred since the adoption of the LDP back in 2015. The document also included an assessment of what LDP polices were working well and which needed to be reviewed.

The Replacement LDP Delivery Agreement was a timetable setting out how the Council intended to manage and deliver the LDP. It also set out who, when and how the Council would consult and engage during the production of the Replacement LDP.

Both of these draft documents were brought before Cabinet in October 2020 and it was agreed they would be subject to public consultation. This public consultation had taken place and Cabinet is being asked to consider the comments received, approve the suggested responses to those comments, and endorse both documents for presentation to full Council at the end of April. Following the endorsement by Full Council we would be able to formally submit to Welsh Government. Acceptance from Welsh Government would signal the legal commencement of the LDP review.

### **In respect of Consultation Feedback on the Review Report:**

Appendix A of the Cabinet Report set out all responses received. In general, comments were supportive of the Review Report and agreed that a review of the LDP should progress.

Some responses to note included:

- The Future Generations Commissioner for Wales noted that planning is a priority area in delivering the well-being goals.
- Requests to halt any development in the Gwent Levels. The impact of large renewable energy schemes was a particular concern.
- With the Welsh Government declaring a biodiversity and climate change emergency, the effectiveness of current policy to protect and enhance ecology was raised.
- The continuation of a brownfield strategy was supported along with the need to ensure the plan's strategy does not lead to social detriment.
- The role and importance of mineral planning for Newport and the region.
- The need to consider access to the river for recreation and lifeboat services.
- The need to review tourism policy and recognised important this was to Newport's economy.
- The impact from Covid 19 and using planning as a tool to aid recovery.
- The importance and opportunities that resulted from Heritage and its role in the Newport Offer.
- The need to focus on the regeneration of the City Centre, and
- The opportunities arising from national and regional public transport improvements.

### **In relation to the Delivery Agreement:**

Appendix B of the Report set out all responses received. Again, there was general support for the Delivery Agreement and some of the comments received included:

- Support for the proposed timetable.
- Helpful links to stakeholders not identified in the draft.
- Questions on the impact on engagement with Covid-19, and
- The need for transparency of decision making throughout the Replacement LDP process.

### **In Conclusion**

As a result of the public consultation, a small number of minor changes were made to both documents. These changes were set out in the appendices and links to the new draft documents were also contained within the report. Cabinet was asked to consider and

approve these documents and agree for them to be referred to Full Council with the intention of formally submitting to Welsh Government.

#### Comments of Cabinet Members:

Councillor Davies supported the comments in relation to the contributions made by external bodies to take the LDP forward. Councillor Davies also welcomed that residents of Newport wanted to participate in the process. It was an excellent document, with future consideration given to the points raised by residents.

#### Decision:

- Cabinet approved the recommended responses to the feedback received during consultation and endorsed the updated versions of the Review Report and Delivery Agreement.
- Cabinet recommended to Full Council that these documents be formally adopted and approved for formal submission to Welsh Government.

## **7 Anti-Fraud, Bribery and Corruption Policy Statement**

The Leader presented the report advising that it was important for the Council to have an up to date and relevant Anti-fraud, bribery and corruption policy statement in order to deter such activity within the organisation and with our partner organisations, to deal with any allegations appropriately and to strengthen overall governance arrangements. This was the first revision of this statement for a number of years.

The Council's Audit Committee agreed to note and endorse the Anti-fraud, Bribery and Corruption Policy Statement and recommended it to be formally approved by Cabinet.

Newport City Council was one of the largest organisations in the City. It controlled millions of pounds of public money and took seriously the high expectations of the public and the degree of public scrutiny to which the Council's affairs were subject.

Good corporate governance required that the Authority must demonstrate clearly that it was firmly committed to dealing with fraud and corruption and would deal equally with perpetrators from inside (Members and officers) and outside the Council. In addition, there would be no distinction made in investigation and action between cases that generate financial benefits and those that did not. The intention was to encourage a culture of deterring fraud and corruption whilst sending a very clear message that if such activity was identified it would be dealt with firmly, consistently and appropriately.

The policy statement embodied a series of measures designed to frustrate any attempted fraudulent or corrupt act and the steps to be taken if such action occurred, providing key contacts to report suspected fraud or corruption along with the responsibilities of key officers, Members and employees. It incorporated The Fraud Act 2006 which defined fraud through three key offences, provided a definition of corruption and also outlined The Bribery Act 2010 where there were four key offences.

The maximum sentence was 10 years imprisonment when found guilty of Fraud and or Bribery, with the potential of an unlimited fine when found guilty of Bribery.

This policy statement embodied a series of measures designed to frustrate any attempted fraudulent or corrupt act and the steps to be taken if such action occurs. For ease of understanding, it is separated into five areas as below:-

- Culture
- Prevention
- Deterrence



## Detection and Investigation Training

The Fraud Act 2006 defined fraud through three key offences:

- **Fraud by false representation** (where a person dishonestly made a false representation and intended by making the representation, to make a gain for himself or another or to cause or expose the risk of loss to another);
- **Fraud by failing to disclose information** (where a person dishonestly failed to disclose to another person information which he was under a legal duty to disclose; and intended by failing to do so, to make a gain for himself or another; or to cause or expose another to the risk of loss); and
- **Fraud by abuse of position** (where a person occupied a position in which he was expected to safeguard or not to act against the financial interests of another; dishonestly abuses that position with the intention to make a gain for himself or another or to cause or expose the risk of loss to another).

It also created new offences:

- Obtaining services dishonestly
- Possessing, making and supplying articles for use in frauds
- Fraudulent trading applicable to non- corporate traders.

The Act largely replaced the laws relating to obtaining property by deception, obtaining a pecuniary advantage and other offences that were created under the Theft Act 1978.

There was no universally accepted definition of corruption, although the World Bank defined it as '*offering, giving, receiving or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party*'.

Corruption was often associated with the act of bribery. The Bribery Act 2010 identified the criminal offence of bribery and identified four key offences:

- **Bribing another person** - (A person committing an offence by offering, promising or giving a financial or other advantage to another person, directly or through an intermediary: intending that advantage to induce a person to perform improperly a Function or to reward a person for so doing (whether or not it was the same person to whom the advantage was offered) or knowing or believing that accepting the advantage would itself be improper performance of a Function);
- **Being bribed** - (A person committing this offence by requesting, agreeing to receive or accepting a financial or other advantage, directly or through a third party, for his or her own or someone else's benefit: that person intended that, as a consequence, there was improper performance of a Function (whether as a reward, in anticipation of or as a consequence of the request, agreement or acceptance). The request, agreement or acceptance itself may be the improper performance of a Function);
- **Bribery of a Foreign Public Figure** (This offence would be committed if a person offered or gave a financial or other advantage to a foreign public official with the intention of influencing the foreign public official and obtaining or retaining business, where the foreign public official was neither permitted nor required by written law to be so influenced); and
- **Failing to prevent Bribery** – (A company was “strictly liable” for any bribe paid by a person performing services on its behalf, unless the organisation proves that adequate anti-bribery procedures were in place.)

The Bribery Act 2010 replaced the fragmented and complex offences at common law and in the Prevention of Corruption Acts 1889-1916.

Decision:

That the Anti-fraud, bribery and corruption policy statement be approved.

**8 Code of Corporate Governance - Update (2020)**

The Leader presented the report, informing colleagues that it was important for the Council to have an up to date and relevant Code of Corporate Governance. The Council's Annual Governance Statement was based on the Code of Corporate Governance. The Code was last revised in 2014 and approved by Cabinet.

Newport City Council's Code of Corporate Governance was updated and revised to comply with the Chartered Institute of Public Finance & Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE)'s published good practice "Delivering Good Governance in Local Government Framework 2016" and "Delivering Good Governance in Local Government Guidance Notes for Welsh Authorities 2016", which embraces the elements of internal financial control required by the "Code of Practice on Local Authority Accounting in the United Kingdom".

In order to meet the requirements of the Accounts and Audit (Wales) Regulations 2014, Newport City Council needed to present an Annual Governance Statement (AGS) with its Annual Statement of Accounts. The AGS was based on this revised Code of Corporate Governance since 2016/17.

This Code set out Newport City Council's approach to achieving and maintaining good corporate governance.

The Council saw Corporate Governance as aiming to do the right things in the right way for the right people, in a timely, inclusive, open, honest and accountable manner. It comprised the systems and processes, cultures and values by which the Council was directed and controlled whilst demonstrating its accountability and engagement with its citizens.

Strong, transparent and responsive governance enabled the Council to put citizens first by pursuing its aims and priorities effectively, and by underpinning them with appropriate mechanisms for managing performance and risk. In order to maintain citizens' confidence these mechanisms must be sound and be seen to be sound.

The system of internal control was a significant part of this framework and was designed to manage risk to a reasonable level. It provided reasonable but not absolute assurance of effectiveness. Internal control was based on an ongoing process designed to identify and prioritise any risks to the achievement of the Council's policies, aims and objectives, ensuring the Council's resources are used in an effective, efficient and economic way.

**The Governance Framework**

The Council's Code of Corporate Governance was revised in line with the following principles:

Overarching requirements for acting in the public interest:

- A Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law
- B Ensuring openness and comprehensive stakeholder engagement

In addition, achieving good governance in the Council required effective arrangements for:

- C Defining outcomes in terms of sustainable, economic, social, environmental and cultural benefits
- D Determining the interventions necessary to optimise the achievement of the intended outcomes
- E Developing the entity's capacity, including the capability of its leadership and the individuals within it
- F Managing risks and performance through robust internal control and strong public financial management
- G Implementing good practices in transparency, reporting and audit to deliver effective accountability.

The Council's Commitments to Corporate Governance were clearly set out in this Code along with the arrangements in place to support good corporate governance.

Decision:

That the revised Code of Corporate Governance be approved.

## 9 **Covid 19 Recovery Update**

The Leader presented the report, which was an update on the Council's (and its partners') response to the Covid-19 crisis supporting the City (Residents and Businesses) to comply with the current restrictions and progress in the Council's Strategic Recovery Aims and Corporate Plan.

The 23 March marked the anniversary of the United Kingdom going into its first lockdown and remembering all of our loved ones, friends and family members who have sadly lost their lives to Covid.

It was also an opportunity to reflect back and thank those people working on the front-line in our hospitals, social services, care homes, emergency services, teachers, refuse workers, shop workers and those who have given up their time to volunteer and support their communities, neighbours and those in need.

For Newport City Council this was an unprecedented year where we had faced many difficult decisions, seeing our residents and businesses in our wards impacted by Covid and the restrictions to protect the most vulnerable in our communities. There was not been one person who had not been impacted by this pandemic.

The Leader of the Council had seen how Councillors across all political parties, officers and our strategic partners in health, Newport Live, Shared Resource Service, Newport Norse and other service providers came together to solve emerging issues; finding innovative and new ways of delivering our services, and supporting those who needed help.

This Cabinet also knew that there was more to be done to support people and businesses out of this crisis.

There would be new opportunities for us to continue making Newport a better place to live, work and visit and to also improve the resilience of our communities.

### **Council's Covid-19 Response and Progress to date**

Since the previous report in March, further restrictions were eased by the Welsh Government enabling residents and businesses to slowly return back to normal routines.

Over April it was hoped to see further restrictions ease enabling non-essential shops and businesses return over the summer period. It will be important for everyone to support local businesses across Newport to reinvigorate and provide a sustainable economy for the future.

However, it is also important for all residents and business owners to keep to the social distancing measures and guidelines from Welsh Government to keep the case rate low and prevent any further lockdowns in the future as we continued on our journey to vaccinate people across our communities.

The rollout of the vaccine has now seen over 1.2 million people receive their first dose in Wales.

This Cabinet's message to residents in Newport was to take up the vaccine when it was offered and to encourage our family members, friends and our community groups to do the same. Not only would this help us all get back to normal it would enable us to meet our loved ones and do the things that we used to do.

Despite the challenges we have faced, officers and our partners had continued to deliver services across communities in Newport in the last 12 months.

This Cabinet had seen how resilient and resourceful officers had been in working from home, looking after their children, family members and home schooling. But also those officers, teachers, social service staff who continued to be out across Newport collecting waste, cleaning our streets, visiting and looking after the most vulnerable in the city.

The Council was also looking forward in shaping how services were sustainably delivered in the future. This included looking at new ways of working, developing models that would enable staff and service users to use technology and buildings differently.

This Council was committed to be a Net Zero Carbon Council and was looking at how to make this City a greener and cleaner city for residents, businesses and visitors.

Newport will also be evolving in the way in which we move around the City and use our public spaces differently for meeting up with our friends, shopping and leisure. The Active Travel work and developments of the Transporter Bridge, Leisure Centre, Market Arcade and the Information Station were just some of the work that we are doing.

### **Council Announcements**

In the last month the following key areas were delivered:

Newport started the trial of 10 KOMP devices aimed at senior residents to be digitally enabled and make video calls, share photos and send messages to their relatives in a safe, secure manner

Local businesses donated laptops and iPads to children in residential homes and in foster care to support their education.

The Council received its first electric refuse vehicle and is the first in Wales.

Major projects such as the new Leisure Centre, Transporter Bridge received Welsh Government funding to support their development.

The Council opened another residential home as part of Project Perthyn and confirmed further funding for a third residential home in the City.

A participatory budget with Health partners enabled community groups to bid and obtain funding that would enable them to deliver local projects to their residents across Newport. The public had the opportunity to select the winning bid. Over 80 bids received across the city with value of over £400,000 from these bids.

Further updates on the Council's progress would be provided next month.

#### Comments from Cabinet Members:

Councillor Mayer hoped that people remembered that the public sector had demonstrated that they were the people that had run everything during the pandemic. Councillor Mayor gave a big thanks to all public sector authorities and officers who continued to co-ordinate the services, especially Gold Command.

Councillor Mayor also referred to the initiatives within the participatory budget with several hundred people applying. With support from Councillor Cockeram, both councillors had been looking at communities for years to find out who needed help and support. This was out of left field and was a fabulous initiative, and it was hoped it could be repeated.

The Deputy Leader referred to the key points, with 1.2M people receiving their first vaccine dose, the council and Newport Live supporting the NHS and it was noted how efficiently these vaccine centres were run. The Deputy Leader thanked all involved for their hard work.

Councillor Cockeram echoed colleagues' comments and also gave a big thank you to the WG for providing the hardship fund which was a life saver for residents. They had led the way, and Wales was first country in the UK to roll out the Moderna vaccine.

Councillor Davies focussed on the budgeting plan bidding and pointed out the lack of engagement with the disengaged members of our community and the ability to hear their voice and this was a key opportunity. To see the level of engagement come grass roots to fruition was how we should move forward as a Local Authority.

Councillor Harvey echoed comments of the members and thanked Steve Ward, Newport Live and the NHS for their continued hard work during the vaccine roll out as we as highlighting how well we all worked together. The phenomenal help offered and received had kept Newport running.

The Leader concluded that partnership working within Gwent had achieved positive outcomes and would continue to do so. This was all done with a high level of support and engagement with WG. Newport had also worked with Deputy Minister for Equalities to encourage vaccines within the BAME community.

#### Decision:

That Cabinet noted the progress being made to date and the risks that were still faced by the Council.

## 10 **Brexit Update Report**

The Leader presented the report, updating Cabinet Members on the progress in the post Brexit / trade arrangements since 31 December 2020.

#### Trade Negotiations Update

- Since the United Kingdom left the European Union and the Single Market on 31 December 2020, businesses (importers / exporters) from the UK and EU were having to comply with the new custom arrangements.
- As the report highlighted, it was a difficult few months for businesses in Wales to meet these new requirements and there was a significant drop in the level of exports and

imports. It is yet to be seen what the full impact of these arrangements would be over the next 6 to 12 months due to the Covid restrictions.

- The future economic resilience of Newport and South East Wales was vital to ensure that existing and new businesses could sustainably thrive. It was also important that we promoted the 'Newport Offer' to homegrown entrepreneurs as well as global businesses.
- Having a diverse and sustainable economy that was able to provide sustainable growth would enable Newport's communities not just to 'level up' but also provided opportunities for our communities to thrive in the long term for Newport's future generations.
- The report also highlighted the new funding (Levelling Up Fund and UK Community Renewal Fund) that the UK Government were bringing in to replace the EU Structural funding that South East Wales and Newport had benefited from in the past.
- The Levelling Up Fund announced to enable potential large scale investment on transport, regeneration and cultural investment could support Newport in delivering key projects in the City and Newport was identified as a Category 1 area for investment
- The UK Community Renewal Fund was prioritised to 100 areas in the UK based upon their productivity, household income, unemployment skills and population density. Newport Council would be able to submit bids from local community groups, charities, the Council and tertiary education establishments up to £3million for funding as a lead authority.
- It was noted however that both of these Funds were determined by a competitive process and we were not guaranteed to receive any or all of the bids submitted. Furthermore, there was no guarantee that Newport and South East Wales would receive the same level of funding as we would have received under previous arrangements.
- What makes Newport a great City to live in, work in and visit is our diverse and inclusive communities and groups. Newport was always a welcoming City for people from all nations no matter their race, sexuality, and religion.
- It was concerning for Cabinet that we may have many EU citizens living and working in Newport that may still not have applied for EU Settled Status and those who were presenting themselves to the Council with no recourse to public funds.
- Newport Council alongside community groups and other organisations in Newport were promoting this scheme and encouraging people to apply. It was important to encourage family members, friends, work colleagues to apply before the 30 June. Anyone that was struggling or unsure how to apply should contact the Council or visit our website so that they could be signposted to the correct sites to apply.

### **Progress Update as outlined in the Report**

- Newport Council's communications team continued to share Welsh Government information on the new trade arrangements, business requirements and information for EU citizens. This was being shared through Social Media, Business newsletters and the Council's website.
- In the first three months of the new arrangement, Newport Council's services did not report any initial issues and/or concerns in the supply of goods and services.
- The Council's finance team (including Procurement) reported some increases in the cost of procurement but overall supply has operated as normal.
- As part of the Council's financial prudence, contingencies were made to manage Brexit / Covid impacts and as the risk stabilises in time this allocation would be re-prioritised.
- The Regulatory Services continued to offer support to businesses and Environmental Health staff have completed necessary training to complete health certificate checks.
- The Council's Community Cohesion officers continued to work with EU communities and offering support for vulnerable communities.
- Local groups / charities were also being offered the opportunity to access Food Poverty support that have been impacted by Brexit / Covid.
- Newport Council would be receiving additional funding in 2021/22 to support its Food Poverty work and there would be greater emphasis for our Community Hubs to provide debt and housing advice to those presenting themselves to the Council.

- The table in Appendix 1 of the report provided full details across the areas covered by the Task & Finish Group.

Decision:

Cabinet considered the contents of the report and noted the Council's Brexit response.

## 11 **Work Programme**

This was the regular monthly report on the work programme.

Decision:

That Cabinet moved acceptance of the updated programme.

Finally, the Leader was delighted to announce that the Mayor of Newport had completed a solo sponsored walk around Tredegar House in aid of Alzheimer's Cymru.

Councillor Tom Suller started his laps of Tredegar House at 10am today and completed his walk at 1pm, achieving 20,000 steps!

As a lot of traditional fundraising activities haven't been able to take place this year, the Mayor decided a solo sponsored walk would be ideal.

Newport was officially a dementia friendly city and Alzheimer's Cymru was very close to the Mayor's heart for personal reasons, it was an excellent charity that offered a wide range of support services to ensure people did not have to face the challenges of this devastating illness on their own.

Cabinet also congratulated Councillor Suller on his achievement.

Mae'r dudalen hon yn wag yn



# Report

## Cabinet

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### Part 1

Date: 5 May 2021

**Subject** **Policy Review; Compliments, Comments and Complaints and Unacceptable Actions by Complainants**

**Purpose** The purpose of this report is to ask Cabinet to review and endorse the updated policies concerning Compliments, Comments and Complaints (Appendix A), and Unacceptable Actions by Complainants (Appendix B). The Compliments, Comments and Complaints policy is based on the model document published by the Ombudsman under the Public Services Ombudsman (Wales) Act 2019, together with other legislative and statutory requirements specified under the amendments. These principles underpin the complaints handling process.

In light of the introduction of the updated policy it is also timely to ask Cabinet to review and endorse the provisions of the existing Policy for dealing with Unacceptable, Persistent or Unreasonable actions by Complainants.

**Author** Service Manager – Customer Experience

**Ward** All

**Summary** Changes to existing policies are required to ensure that the policies remain relevant and reflect the latest statutory and legislative requirements. This will ensure that feedback from residents is dealt with appropriately and equitably.

**Proposal** Cabinet are asked to review and endorse the proposed amendments to policies.

**Action by** Service Manager – Customer Experience

**Timetable** To be implemented from 10<sup>th</sup> May 2021

This report was prepared after consultation with:

- Policy and Partnerships
- Education
- Children's Services
- The Unacceptable Actions by Complainants forum

**Signed**

## **Background**

The existing Comments, Compliments and Complaints Policy was developed in 2015. At that time the policy was updated to reflect new regulations relating to the management of social care complaints were introduced by Welsh Government. The changes allowed the Council to move the responsibility for the administration of social care complaints to Customer Services to facilitate the degree of separation from services required by legislation.

The changes made in 2015 also reflected additional guidance released by the Public Services Ombudsman for Wales that placed an emphasis on resolving the complaint informally, but allows the complainant to move to a formal process if they wish.

This represented a step change in how comments, compliments and complaints were dealt with and as such they were adopted by full Cabinet with Cabinet Member approval.

The policy was reviewed in 2017 to reflect the legislative requirements of the revised Welsh Language Standards and the Equality Act 2011.

Further changes are required to ensure that the policy remains relevant and reflects the latest statutory and legislative requirements.

On 30<sup>th</sup> September 2020, the Ombudsman wrote to all Local Authorities to confirm that the Statement of Principles, Model Complaint Handling Process, and Guidance were in full effect and in compliance with Section 38 of the new Act requested all public bodies to reflect on how their own practices and procedures comply with the stated guidance and how they will ensure that all complaints are captured appropriately. All Councils have been asked to provide a copy of its updated complaints handling procedure by 31<sup>st</sup> March 2021, which NCC have complied with.

The Complaints Standards Authority (CSA) was also created within the Ombudsman's office which has been developing standards for complaints handling across the bodies within the Ombudsman's jurisdiction. It is also gathering data to identify trends and patterns in public service delivery and has been providing training and support to complaints handlers in public bodies.

The updated guidance recognises that organisations will need to interpret it in a way which is appropriate to their own circumstances. However, it is explicit that the arrangements for managing complaints behind the scenes must not detract from the service user's perception of a common approach, so elements such as the form, the timescales and the number of stages should be consistent for all.

In addition to the Ombudsman's requirements, there have been other changes to legislation that concern complaints handling which have been reflected in the updated policy. These are described in more detail in this report.

There have also been minor changes to the Council's policy for dealing with Unacceptable Actions by Complainants.

## **Amendments**

The updated information will ensure that the Council's arrangements continue to comply with the following legislation;

- Public Services Ombudsman (Wales) Act 2019
- The Regulated Fostering Services (Services Providers and Responsible Individuals) (Wales) Regulations 2019
- RISCA (Regulation and Inspection of Social Care (Wales) Act 2016)
- Welsh Language Standards Regulations (No.7) 2018
- Challenging Bullying – Rights, respect, equality: Statutory guidance for local authorities (2019)

### **Public Services Ombudsman (Wales) Act 2019**

The updates reflect the new legislation which was passed in 2019, and revised Policy and Guidance shared by the Complaints Standards Authority for Wales (CSA) which was published in October 2020. The updates reflect the changes published by the CSA, which focus on;

- Reporting and Monitoring
- Roles and Responsibilities
- Arrangements with partners and service providers commissioned by the Council to provide services on behalf of NCC.
- Increased signposting to advocacy and support services

### **Public Services Ombudsman (Wales) Act 2019**

Additionally, Section 115 of the Local Government and Elections (Wales) Act 2021 came into force on 1st April – and this changed the statutory functions of the new Governance and Audit Committee to include the responsibility to,

- Review and assess the authority's ability to handle complaints effectively;
- Make reports and recommendations in relation to the authority's ability to handle complaints effectively

Reporting and Monitoring arrangements that meet the requirements of both Acts are outlined in the policy as follows;

<b>Meeting</b>	<b>Frequency</b>	<b>Format</b>
Senior Leadership Team (SLT)	Quarterly Half Yearly	Electronic Report / Verbal
Complaint Standards Authority for Wales (CSA)	Quarterly	Electronic
Cabinet	Half Yearly	Report / Verbal
Audit Committee	Half Yearly	Report / Verbal
Overview And Scrutiny Committee	Annually	Report / Verbal

These changes meet the reporting and monitoring requirements specified by the Ombudsman.

### **The Regulated Fostering Services (Services Providers and Responsible Individuals) (Wales) Regulations 2019**

The changes made to the policy reflect the new requirements of the Regulations that were introduced last year, and provides greater clarity on the arrangements in place for those wishing to give feedback regarding fostering services. The policy relates to Parts 2 to 16 of The Regulated Fostering Services (Services Providers and Responsible Individuals) (Wales) Regulations 2019, regulation 42.

### **RISCA (Regulation and Inspection of Social Care (Wales) Act 2016)**

Care Inspectorate Wales Inspection have specified that the Council's service providers must have a specific policy in place with regards to complaints and other feedback, and that this must be referred to as part of their Statement of Purpose. This change will satisfy Regulation 64 of the statutory guidance under RISCA (Regulation and Inspection of Social Care (Wales) Act 2016).

### **Welsh Language Standards Regulations (No.7) 2018**

Greater clarification on the routes that residents can use for complaints about the Council's delivery against Welsh Language Standards, and how their feedback will be recorded and responded to has been added to the policy.

## Challenging Bullying – Rights, respect, equality: Statutory guidance for local authorities (2019)

The revised policy includes information about complaints related to bullying, including where to go for help and how to find more information and support.

### Unacceptable Actions by Complainants

The policy has been updated to refer to the most up to date legislation published by the Ombudsman. The policy has also been updated to contain details of the forum that meets on a regular basis to ensure that issues concerning behaviour outlined in the policy are addressed in a confidential, fair and objective manner. The forum has been in operation for some time and the policy formalises the approach taken by the Council to support staff in managing unreasonable behaviour, and to minimise the impact that unreasonably persistent complainants can have on the Council's ability to provide services to other residents.

The restrictions that may be placed on residents who fail to change behaviour considered unacceptable by the forum has been amended to include reduced access to the Council's social media accounts. Lastly, the policy has been re-titled Unacceptable Actions by Customers, to reflect that not all unacceptable behaviour is related to complaints.

### Revisions

The revisions to the policy have been developed through collaboration with;

- Policy and Partnerships
- Education
- Children's Services
- the Unacceptable Actions by Complainants Forum

Members are asked to consider the Compliments, Comments and Complaints policy attached at Appendix A and the Unreasonable Actions by Customers. For completeness a copy of the Ombudsman's guidance is attached as Appendix C.

### Financial Summary

There are no direct financial impacts associated with these changes.

### Risks

Failure to take appropriate action to update policies carries reputational and financial risk.

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 comply with current legislation	L	L	<ul style="list-style-type: none"><li>• Updating policies to reflect the most up to date legislative and statutory requirements.</li><li>• Communicating changes to staff.</li><li>• Publishing new policies on the internet and intranet.</li><li>• Providing ongoing training and guidance to staff.</li><li>• Regular reporting and monitoring in line with the policies.</li></ul>	Complaint Resolution Manager

\* Taking account of proposed mitigation measures

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

Monitoring of complaints and successful resolution of those complaints contribute to the following Well-Being goals within the Well-being of Future Generations Act (Wales) 2015, as it supports the provision of higher quality and more effective services to the public across all service areas. In addition, monitoring provides information on the level of satisfaction of the services provided corporately by the Council. The result of the monitoring enables each department to focus on areas of concern, to improve services and to monitor performance, ensure that any trends or issues raised are identified and dealt with to be avoided in the future and to ensure that corporate complaints are dealt with consistently and fairly across all service areas.

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities and thriving Welsh language
- A globally responsible Wales

## **Options Available and Considered**

Option 1 – That Cabinet endorse the revised Compliments, Comments and Complaints Policy, and the new Unacceptable Actions by Customers policy to be introduced from 10<sup>th</sup> May 2021 in order to meet statutory and legislative requirements.

Option 2 – That the authority retains the existing Policies which do not comply with up to date statutory and legislative requirements.

## **Preferred Option and Why**

**Option 1** is the preferred option for the reasons stated within the report. In summary, this option satisfies the statutory and legal requirements and ensures that complaints from residents are dealt with equitably.

## **Comments of Chief Financial Officer**

There are no direct financial issues resulting from this report, any costs incurred as a result of the proposed amendments to policy will be met from existing budgets.

## **Comments of Monitoring Officer**

There are no specific legal issues arising from the Report. The revised Compliments, Comments and Complaints policy is consistent with the model complaints handling procedure required by the Public Services Ombudsman for Wales under section 38 of the Public Services Ombudsman (Wales) Act 2019 and the standards for complaints handling required by the Complaints Standards Authority. The proposed revisions to the previous policy also reflect the updated Guidance published by the Ombudsman in October 2020 and legislative changes, particularly in relation to the conduct of specific social care and Welsh language complaints. The accompanying Policy for dealing with unacceptable actions provides a fair and consistent approach for staff dealing with vexatious or unreasonable complainants, but it should be used primarily for moderating the behaviour and actions of complainants towards staff rather than filtering out unmeritorious complaints. The reference to Unacceptable Actions by Customers also reflects the fact that not all unacceptable behaviour is in relation to corporate complaints.

## **Comments of Head of People and Business Change**

The revised Comments, Compliments and Complaints policy reflects new legislative requirements and continues to ensure a consistent approach to dealing with complaints across council services. The updated policy also includes clarification on the routes that residents can use for complaints about the Council's delivery against Welsh Language Standards, and how their feedback will be recorded and responded to.

The report outlines how the policy is in line with the sustainable development principle in the Well-being of Future Generations Act.

There are no human resources implications arising from this report.

### **Comments of Cabinet Member**

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

### **Local Issues**

Not applicable.

### **Equalities Impact Assessment and the Equalities Act 2010**

Monitoring of complaints via the Corporate Complaints policy addresses the Council's statutory duties under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and the Welsh Language Measure (Wales) 2011. A Fairness and Equalities Impact Assessment has been carried out and is attached as Appendix

### **Children and Families (Wales) Measure**

The policy specifies the arrangements and support available for young people in Newport who wish to provide feedback about Council services, or about schools. Although no targeted consultation takes place specifically aimed at children and young people, the Compliments, Comments and Complaints policy is relevant to all of residents regardless of their age.

### **Wellbeing of Future Generations (Wales) Act 2015**

This report contributes to the Well-being Goals as set out in Links to policies above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that the monitoring of the Council's handling of feedback across all service areas enables departments to focus on areas of concern. This supports service areas to improve services and to monitor performance to ensure that any issues raised are identified and dealt, and are avoided in future.

- Prevention – addressing the comments and complaints from residents and others can assist the Council in preventing problems occurring or getting worse. The feedback provided is monitored for 'Lessons Learnt' and continuous improvement to services which helps to prevent similar issues happening again.
- Involvement – the ability of residents and others to submit compliments, comments and complaints provides another avenue by which they can be involved in decisions that affect them. This feedback is acted upon for the individual, but also helps to create a bigger picture of anonymised data that feeds into changes and decisions made about service provision.
- Integration – The Council's policy enables an integrated, consistent approach to handling comments and receiving feedback as required by a range of legislation. This creates one clear pathway that residents can access to provide feedback to the Council.
- Collaboration – Responding to feedback from residents requires collaboration across the Council. The specific arrangements for monitoring feedback provides a transparent framework for services to collectively consider what is important to residents and to agree on appropriate actions as a result of the feedback.

### **Crime and Disorder Act 1998**

Not Applicable.

### **Consultation**

Not applicable. Consultation was carried out by the Ombudsman and Welsh Government as part of the changes to legislation described, prior to them being approved.

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**

Appendix A – Compliments, Comments and Complaints Policy

Appendix B – Unacceptable Actions by Customers Policy

Appendix C – Ombudsman's Guidance

Appendix D – FEIA

**Dated: 27 April 2021**

Mae'r dudalen hon yn wag yn



Newport City Council Customer Feedback Policy: Compliments, Comments  
and Complaints



### Document Control Information

Title of document:	Newport City Council Customer Feedback Policy: Comments, Compliments and Complaints Version 1.3
Supersedes:	Newport City Council Customer Feedback Policy: Compliments, Comments and Complaints Version 1.2
Placement in Organisation	Complaint Resolution Team
Consultation / Stakeholders	Public and Staff
Author (s) :	Complaint Resolution Manager Service Manager – Customer Experience
Department / Team	City Services – Complaint Resolution Team
Approved by:	Cabinet
Approved date:	5 <sup>th</sup> May 2021
Implementation date:	5 <sup>th</sup> May 2021
Implementation Method	Website/Practice
Table of Amendments	
5 <sup>th</sup> May 2021	Updated to reflect changes to legislation; <ul style="list-style-type: none"> <li>• Public Services Ombudsman (Wales) Act 2019</li> <li>• Regulation and Inspection of Social Care (RISCA) (Wales) Act 2016</li> <li>• Social Services and Wellbeing Act 2014</li> <li>• Code of Practice for the Local Authority Fostering Service (Wales) Regulations 2018</li> </ul>

### Our commitment

Newport City Council is committed to dealing effectively with any compliments, concerns or complaints you may have about the services we provide.

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Version 1.3

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## **Introduction**

The Policy and Guidance published by the Public Service Ombudsman for Wales under Section 36 of the Public Services Ombudsman (Wales) Act 2019 was used as a basis for this policy.

Newport City Council aims to follow six principles when dealing with complaints;

- Focussed on the complainant at the centre of the complaint process
- Providing a clear and simple process for complainants
- Treating complainants fairly, equally and with dignity
- Responding promptly to complaints with a thorough reply
- Being honest and clear in responses to complaints
- Using feedback from residents to make improvements to services and decisions.

This policy covers all complaints about services provided by the Council. Some of the special arrangements for complaints handling are set out in the next few paragraphs.

## **Social Services including Fostering Services**

We are committed to ensuring our services are of a high standard. If we have done something wrong or you want to tell us what we have done well, we want to hear from you.

You will be listened to and provided advice or support, where needed. We will tell you how we will look into your complaint or share your feedback.

We adhere to specific legislation and regulations to ensure we can meet specific standards and use feedback to improve services.

This policy will explain how you can share your compliment, comment or complaints about the service we have provided to you, or service you are entitled to receive.

The Policy incorporates the legislation of Social Services Complaints Regulations (Wales) 2014 for all social services functions, in accordance with the Social Services and Wellbeing (Wales) Act 2014. The Policy has considered the regulations as set out in the Code of Practice for the Local Authority Fostering Service (Wales) Regulations 2018, specifically regulation 39.

This Policy supports residential services to comply with the Regulation and Inspection of Social Care (RISCA) (Wales) Act 2016 and comply with the Social Services and Wellbeing Act 2014.

Services that are required to comply with the RISCA regulations are as follows:

- care home services
- secure accommodation services
- residential family centre services
- domiciliary support services

Further information on the Council's regulated service can be found on the council's website, calling 01633 656656, or email [info@newport.gov.uk](mailto:info@newport.gov.uk).

### **Safeguarding Complaints**

Complaints regarding safeguarding are subject to specific procedures. If the nature of your complaint is subject to the Gwent Safeguarding Board Complaints Procedure we will advise you of this, and refer your concerns to the Board.

Complaints investigations may be put on hold whilst safeguarding investigations are ongoing. However, we will explain this and advise you when your complaint can be considered, if appropriate, following the conclusion of safeguarding investigations.

[Gwent Safeguarding Board Complaints Procedure](#)

## Service Providers and Partners

The Council will at times ask other organisations to act on their behalf, or to provide a service to you. The Council will ensure that any partners or providers providing services on behalf of the Council deal with your complaint appropriately. In the first instance, we will encourage the service provider to put right any concerns you may have. However, if you feel this has not been resolved we will work with the partner or service provider to consider your complaint.

How this is handled will be agreed between the Council and service provider. Specific arrangements for each partner or service provider will be publicised in an appropriate way, for example, on the service providers website. If you are not sure where your complaint should be directed, please contact the Council for advice.

## Schools

Services provided by schools are subject to separate policies within each school. If you have a complaint regarding a school please approach the head teacher of the school in the first instance – further details about school complaints can be found on school websites or the Newport City Council website; [www.newport.gov.uk](http://www.newport.gov.uk)

Newport City Council are committed to ensuring that all schools comply with their statutory duties when dealing with your complaint. If you feel that the school have not handled your complaint in accordance with their complaints policy, you can ask us to look at this for you. This includes complaints about bullying.

Please ask the school to share their Bullying Policy with you if you have any concerns regarding bullying.

More information can be found here;

<http://www.newport.gov.uk/en/Schools-Education/Bullying.aspx>

## Coroners Service Complaints

The Coroners service is subject to specific legal and complaints procedures, dependent on the nature of the complaint. You may choose to raise a complaint or concern regarding the service with the Council, however, you may need to bring this to the attention of someone else, which can be explained to you.

[A Guide to Coroner Services for Bereaved People \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

## Civil Parking Enforcement Complaints

If you are dissatisfied with the service you received by a Civil Parking Enforcement officer or the service itself, you can raise your concerns with the Council. Where you wish to dispute a fine or challenge this, you will need to direct your concerns to <https://www.swpg.co.uk/LanguageChoice.aspx>

## Definition of Complaints, Compliments and Comments

### Complaints

The Council has adopted the following definition of a complaint suggested by the Public Services Ombudsman (Wales):

- An expression of dissatisfaction or concern.
- Written or spoken or made by any other communication method.
- Made by one or more members of the public
- About a public service provider's action, or lack of action. or the standard of service provided.
- Something which requires a response.

### Compliments

A compliment may be "An expression of praise concerning a high level of service delivery and/or customer care received."

### Comments

Comments may be "Proposals to help the Council improve its service delivery and/or aspects of customer care."

Comments and compliments will be recorded and monitored in line with arrangements included later in this policy. If it is appropriate a response will be provided within 10 working days.

## What is not a complaint?

A complaint is not:

- The first reporting of a fault, e.g. a faulty street light.
- An initial service request, e.g. fly tipping to be removed.
- A first request for information, or explanation of the Council's policies or decisions.



- A means to seek change to legislation or a 'properly made' decision. For example, legislation or policies have been correctly applied, e.g. the setting of council tax rates. However, if you think we have applied the policy incorrectly or unfairly you can make a complaint about how the policy was applied.
- A means for lobbying groups/organisations to seek to promote a cause.
- Complaints issues that are not the responsibility of the Council, for example those that are for other organisations such as Health Boards.
- A request under the Freedom of Information Act 2000. More information about this can be found here;

[Freedom of information | Newport City Council](#)

The Council does not consider the following to be complaints under this policy;

### **A request for service**

If you are telling us about something which you think needs to be done, for example, repairing a pothole, then you are requesting a service. You must first give us a chance to respond to the request for service.

However, if you make a request for service and you are not satisfied with our response, you will be able to complain using this policy as we describe below.

### **Appeals against a decision**

In some circumstances, you may have a right to appeal against a decision which the Council has made.

Some examples of these are:

- a refusal to grant you planning permission
- not giving your child a place in a particular school or nursery
- awards and decisions made regarding Housing Benefits
- reductions in provision of care
- the process for bidding for accommodation through Home Options
- decisions about Housing Benefits and Council Tax Reduction Scheme

When this is the case, we will explain to you how you can appeal.

## Complaints about Councillors

These are not covered by this policy but can be made directly to the Public Services Ombudsman (Wales). The relevant contact details can be found below.

## Complaints involving other legal or disciplinary proceedings

There are some circumstances where it is not appropriate for the Council to consider a complaint if such consideration would prejudice the conduct of certain proceedings or investigations. Those circumstances include:

- The complainant indicates in writing that they are taking or intend to start legal proceedings
- The Council is considering legal proceedings, for example, care proceedings of Court of Protection proceedings or enforcement notices.
- The Council is taking or proposing disciplinary proceedings against a staff member
- A prosecuting authority, for example, the police or the Care and Social Services Inspectorate for Wales, is investigating with a view to criminal prosecution
- If a complaint investigation may compromise any adult or child safeguarding process.

If any of these circumstances apply, it may be necessary to put the investigation of a complaint “on hold” until the conclusion of those other proceedings. In circumstances where a legal judgement has already been decided, you may be directed back to the Courts.

## Freedom of Information and Data Protection Act Enquiries

This policy does not apply if the matter relates to a Freedom of Information or Data Protection issue. In this circumstance, you should contact our Information Governance team on 01633 656 656 or [info@newport.gov.uk](mailto:info@newport.gov.uk)

## How to raise a complaint

### Informal resolution

If possible, we believe it is best to deal with things straight away rather than try to sort them out later. If you have a concern, raise it with the person you are dealing with. He or she will try to resolve it for you there and then. If there are any lessons to learn from addressing your concern, then the member of staff will record this in an appropriate way.

We will aim to do this within 10 working days. If the issue is not resolved at this stage you can request a formal investigation (see below).

## How to express concern or complain formally

You can express your concern in any of the ways below.

- You can ask for a copy of our complaint form from the person with whom you are already in contact. Tell them that you want us to deal with your concern formally.
- You can use the form on our website at: [www.Newport.gov.uk/complaints](http://www.Newport.gov.uk/complaints)
- You can e-mail us at: [complaints@newport.gov.uk](mailto:complaints@newport.gov.uk)
- You can call on: 01633 656 656 if you want to make your complaint over the phone.
- You can write a letter to us at the following address: Complaint Resolution, Newport City Council, Civic Centre, Newport, South Wales, NP20 4UR
- Feedback is welcomed in Welsh, English or other languages.

Copies of this policy and the complaint form are available in Welsh, and in alternative languages upon request, as well as audio, large print and Braille.

## What we expect from you

We believe that all complainants have the right to be heard, understood and respected. However, we also consider that Council staff have the same rights. We therefore expect you to be polite and courteous in your dealings with us. We accept that circumstances leading to a complaint may have been upsetting or distressing, but we will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence.

When we find that someone's actions are unacceptable, our [Unacceptable Actions by Customers Policy](#) will apply. The policy can be found on the Newport City Council website.

## The Welsh Language and Equalities

The Welsh Language Measure 2011 and the Equalities Act 2011 require the council to record, respond to, monitor and report on complaints on Welsh language and equalities matters. Further information on Welsh Language and Equalities can be found on the Council's website.

We keep a record and keep a copy of the complaints we have received each year about the Welsh language and the Welsh Language Standards. We report annually

on equalities and Welsh language. You can find more information on how we report on matters arising from complaints in the 'Learning Lessons section.'

The council will respond to any complaints made in Welsh, in Welsh, and to the same timescales and quality as an English language complaint. If you wish to discuss a matter with a member of staff you can do so in Welsh. If a Welsh speaking member of staff is not available we will offer simultaneous translation.

The Council encourages people to contact us first regarding any complaint, so that we can deal with the matter promptly and have the chance to put things right if possible. If you feel you have not received a Welsh language service, or are dissatisfied with the standard of the Welsh language service received, a complaint can also be made directly to the Welsh Language Commissioner. The Commissioner's contact details can be found in the 'Ombudsman and Welsh Language Commissioner' section. The Welsh Language Commissioner expects such complaints to be made within 12 months of you becoming aware of the problem.

If you feel that you have been treated unfairly or disadvantaged in any way by a service or lack of service by the council, we would like to hear from you so that we can put it right. However, the Council's complaints procedure would not be able to conclude if any discrimination has occurred under the Equalities Act 2010.

If you think your complaint involves the Council not meeting their duties under the Equality Act 2010, we will tell you who can support you.

You can seek support and advice from the Citizens Advice services;

<https://www.citizensadvice.org.uk/wales/>

### **Dealing with your concern**

The Council has a two stage approach to dealing with your concerns.

- We will formally acknowledge your complaint within 2 working days, for both stage 1 and 2 complaints
- If for any reason we cannot accept your complaint or we do not consider that investigation is appropriate, we will write to you explaining why. If possible we will identify any further action you can take and/or advise you of other organisations who may be able to help you.
- We will ask you to tell us how you would like us to communicate with you and establish whether you have any particular requirements – for example, if you have a disability.
- We will deal with your concern in an open and honest way.

- We will make sure that your dealings with us in the future do not suffer just because you have expressed a concern or made a complaint.
- If your complaint is complex, we may need up to 5 working days to make further enquiries. This will ensure we provide the best advice to you for handling your complaint.
- We will record your complaint within our recording system and provide you with a reference number.

### **Informal resolution (Stage 1)**

If possible, we believe it is best to deal with things straight away rather than try to sort them out later. If you have a concern, raise it with the person you are dealing with. He or she will try to resolve it for you there and then. If there are any lessons to learn from addressing your concern, then the member of staff will record this in an appropriate way.

We will aim to do this within 10 working days. If the issue is not resolved at this stage you can request a formal investigation (see below).

### **Formal investigation (stage 2)**

We will aim to resolve concerns as quickly as possible and expect to deal with the vast majority within 20 working days for complaints about most services. The vast majority of complaints about Social Services will be dealt with in 25 working days. If your complaint is more complex, we will:

- let you know within this time why we think it may take longer to investigate
  - tell you how long we expect it to take.
  - let you know where we have reached with the investigation
  - give you regular updates, including telling you whether any developments might change our original estimate.
1. We will tell you who we have asked to look into your concern or complaint. If there is a simple solution to your problem, we may ask you if you are happy to accept this. For example, where you asked for a service and we see straight away that you should have had received it, we will offer to provide the service rather than investigate and produce a report.
  2. If it is appropriate, we may use someone from elsewhere in the authority or outside the authority to investigate. For example, if the complaint is about Social Services we will appoint an Independent Investigator to complete the investigation.

3. The Officer investigating your complaint will set out our understanding of your concerns and ask you to confirm that we've got it right. They will also ask you to tell us what outcome you are hoping for.
4. The person who is investigating your concerns will establish the facts. The extent of the investigation will depend on how complex and how serious the issues you have raised are. The person looking at your complaint may need to see files we hold relevant to your complaint. If you don't want this to happen, it's important that you tell us.
5. In some instances, we may ask to meet you to discuss your concerns. Occasionally, we might suggest mediation to try to resolve disputes.
6. The Investigating Officer will look at relevant evidence. This could include files, notes of conversations, letters, e-mails or whatever may be relevant to your particular concern. If necessary, they will talk to staff or others involved and look at our policies and procedures, and any legal entitlement and guidance.

### How to express concern or complaint formally

You can express your concern in any of the ways below.

- You can verbally share your complaint with a member of staff who is supporting you or providing a service to you e.g. your support staff, housing officer, or social worker.
- You can ask for a copy of our complaint form from the person with whom you are already in contact. Tell them that you want us to deal with your concern formally.
- You can use the form on our website at: [www.Newport.gov.uk/complaints](http://www.Newport.gov.uk/complaints)
- You can e-mail us at: [complaints@newport.gov.uk](mailto:complaints@newport.gov.uk)
- You can call on: 01633 656 656 if you want to make your complaint over the phone.
- You can write a letter to us at the following address: Complaint Resolution Team, Newport City Council, Civic Centre, Newport, South Wales, NP20 4UR
- Feedback is welcomed in Welsh, English or other languages.

Copies of this policy and the complaint form are available in Welsh, and in alternative languages upon request, as well as audio, large print and Braille.

You can also share your compliment or comments in the same way.

## **Timescales**

Normally, we will only be able to look at your concerns if you tell us about them within 12 months. This is because it is better to look into your concerns while the issues are still fresh in everyone's mind.

We may exceptionally be able to look at concerns which are brought to our attention later than this. However, you will have to give us strong reasons why you have not been able to bring it to our attention earlier and we will need to have sufficient information about the issue to allow us to consider it properly. (In any event, regardless of the circumstances, we will not consider any concerns about matters that took place more than three years ago).

## **Representing somebody else and advocacy**

Any representative may make a complaint on behalf of someone else in the following circumstances:

- They have been asked to do so by the person they are representing
- The person they are representing is a child
- The person they are representing lacks capacity as defined by the Mental Capacity Act 2005
- The person they are representing is ill or has died (in appropriate circumstances)

**If you are expressing a concern on behalf of somebody else, we will need confirmation of their agreement to you acting on their behalf.**

If you are complaining as an organisation or group, we will ask that we have a point of contact who will represent the group as a sole point of contact.

## **What if there is more than one professional body or organisation involved?**

If your complaint covers more than one organisation e.g. Newport City Council and South Wales Police we will usually work with the other organisation to decide who should take a lead in dealing with your concerns. You will then be given the name of the person responsible for communicating with you while we consider your complaint.

If the complaint is about an organisation working on our behalf you may wish to raise the matter informally with them first. However, if you want to express your concern or complaint formally we will look into your complaint ourselves, unless we have agreed a contractual complaints process within the organisation providing the service. If a contractual complaints process is in place, we will still monitor complaints received and how the contractor deals with them.

## Outcome

If we formally investigate your complaint, we will let you know what we have found in keeping with your preferred form of communication. This could be over the phone, by letter or e-mail, for example. If necessary, we will produce a report. We'll explain how and why we came to our conclusions.

- If we find that we got it wrong, we'll tell you what happened and why it happened.
- If we find there is a fault in our systems or the way we do things, we'll tell you what it is and how we plan to change things to stop it happening again.
- If we got it wrong, we will always apologise.

## Putting Things Right

If we got something wrong we will apologise. If possible, we'll put right any mistakes we may have made.

- If we didn't provide a service you should have received, we will aim to provide it if that is practical and sensible
- If we didn't do something well enough we will try to do improve this
- If you have lost out as a result of a mistake on our part we'll try to put you back in the position you would have been in if we'd got it right.

## Privacy Notice

Please refer to our Privacy Notice that will provide you with information on how we use your data, and who we may need to consult with regarding your complaint, where appropriate.

If you do not wish for certain aspects of your information to be used or forwarded to others, you will need to let us know. However, please be advised that this may impact an investigation, as we may not be able to consider all information.

Newport City Council will provide a summary of complaints, responses and any subsequent action taken to the Welsh Ministers within 28 days upon request.



Anonymised quarterly complaints data is shared with the Public Service Ombudsman. More information about how anonymised data about compliments, comments and complaints are shared can be found in the

The Privacy Notice can be found here;

[Complaints and compliments privacy notice August 2019 \(newport.gov.uk\)](https://www.newport.gov.uk/complaints-and-compliments-privacy-notice-august-2019)

## Roles and Responsibilities

Newport City Council has the necessary resources available to support the delivery of this Policy, including:

**The Complaint Resolution Team:** The team is responsible for co-ordinating responses to all complaints which are not resolved at the informal stage. The team help to ensure that consistent, high quality responses are given to complainants within the timescales of this policy.

**The Scrutiny Committee:** The Committee ensures that the Policy is adopted and in place. It is not appropriate for the Scrutiny Committee to be involved in the investigation of individual complaints. However, the Scrutiny Committee will review regular reports on the number and type of complaints received, their outcomes and any remedial action taken as a consequence. These reports will be presented twice a year.

**The Senior Leadership Team (SLT):** The SLT will review regular reports on the themes and Lessons Learnt from the feedback received consequence.

**Responsible Officer:** The Complaint Resolution Manager is responsible for ensuring the Policy is adopted and the guidance is followed.

**All staff:** all staff are responsible for recording feedback from residents, and responding as appropriate.

## What we expect from you

We believe that all complainants have the right to be heard, understood and respected. However, we also consider that Council staff have the same rights. We therefore expect you to be polite and courteous in your dealings with us. We accept that circumstances leading to a complaint may have been upsetting or distressing, but we will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence.

When we find that someone's actions are unacceptable, our [Unacceptable Actions by Customers Policy](#) will apply. The policy can be found on the Newport City Council website.

## Monitoring

Reports are shared for monitoring purposes in the following ways;

Meeting	Frequency	Format
Senior Leadership Team (SLT)	Quarterly Half Yearly	Electronic Report / Verbal
Complaint Standards Authority for Wales (CSA)	Quarterly	Electronic
Cabinet	Half Yearly	Report / Verbal
Audit Committee	Half Yearly	Report / Verbal
Overview And Scrutiny Committee	Annually	Report / Verbal

## Training for Council Employees

We will provide training to staff to support them to deal with feedback effectively. This includes training on the Council's Comments, Compliments and Complaints Policy.

Training may be provided in English or Welsh depending on the requirements of the staff being trained.

## Ombudsman, Welsh Language Commissioner and Care Inspectorate Wales

## Public Service Ombudsman for Wales

If we do not succeed in resolving your complaint, you may complain to the Public Services Ombudsman for Wales. The Ombudsman is independent of all government bodies and can look into your complaint if you believe that you personally, or the person on whose behalf you are complaining:

- have been treated unfairly or received a bad service through some failure on the part of the organisation providing it
- have been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman expects you to bring your concerns to our attention first and to give us a chance to put things right. You can contact the Ombudsman by:

- phone: 0845 601 0987
- e-mail: [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk)
- the website: [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)
- writing to: Public Services Ombudsman for Wales,  
1 Ffordd yr Hen Gae,  
Pencoed  
CF35 5LJ

## The Welsh Language Commissioner

The Welsh Language Commissioner considers complaints regarding the provision of public services in Welsh.

You can contact the Welsh Language Commissioner by:

- phone: 0845 6033 221
- e-mail: [post@welshlanguagecommissioner.wales](mailto:post@welshlanguagecommissioner.wales)
- writing to: Welsh Language Commissioner,  
Market Chambers,  
5/7 St Mary Street,  
Cardiff  
CF10 1AT

The Welsh Language Commissioner will pass on complaints that Newport City Council has failed to provide a service in Welsh. The Council will consider the complaint using the two-step process explained in this policy.

Residents can complaint directly to the Council about failures to provide services in Welsh. The Council will consider the complaint using the two-step process explained in this policy. Complaints about failing to provide services in Welsh Language are reported to the Welsh Language Commissioner in the Council's Annual Complaint Report.

### Care Inspectorate Wales and Social Care Wales

Care Inspectorate Wales (CIW) register, inspect and take action to improve the quality and safety of services for the well-being of the people of Wales. You can also tell CIW if you remain unhappy about the outcome of a complaint raised with the registered service or local authority social service. We will review your concern and consider what appropriate actions we may take in response.

You can contact CIW by:

0300 7900 126

Welsh Government Office

Sarn Mynach

Llandudno Junction

LL31 9RZ

[ciw@gov.wales](mailto:ciw@gov.wales)

### [Raising a concern about care services | Care Inspectorate Wales](#)

Social Care Wales have three main aims, which are to develop the workforce, improve care and support and increase public confidence in care. These are designed to complement and support the work of the Welsh Government, the care sector and other organisations to secure the well-being of future generations in Wales.

For employers, workers or members of the public who want to raise a concern about a social care worker you can direct this to Social Care Wales who will be able to advise further.

Social Care Wales,

South Gate House,

Wood Street,

Cardiff,

CF10 1EW

[info@socialcare.wales](mailto:info@socialcare.wales)

### Learning lessons

We take your concerns and complaints seriously and try to learn from any mistakes we've made. A summary of all feedback (including those received about the Council's compliance against Welsh Language Standards) is shared with the Senior Leadership Team and Scrutiny Committee twice a year. This includes any themes identified, and Lessons Learnt.

Where there is a need for change, we will develop an action plan setting out what we will do, who will do it and when we plan to do it by.

### What if I need help?

Our staff will aim to help you make your concerns known to us. If you need extra assistance, we will try to put you in touch with someone who can help. In all circumstances we will pay due regard to your particular circumstances.

### Age Cymru

029 2043 1555

[advice@agecymru.org.uk](mailto:advice@agecymru.org.uk)

[Contact Age Cymru \(ageuk.org.uk\)](http://ageuk.org.uk)

Age Cymru,  
Ground Floor,  
Mariners House,  
Trident Court,  
East Moors Road,  
Cardiff,  
CF24 5TD.

### NYAS (National Youth Advocacy Service)

[help@nyas.net](mailto:help@nyas.net)

0808 808 1001

## **Shelter Cymru**

08000 495 495

[Contact us - Shelter Cymru](#)

## **Young People**

You can use this concerns, complaints and compliments policy if you are someone under the age of 18. You can contact the Complaint Resolution team who will support and help you use this concerns and complaints policy:

Contact details are:

Complaint Resolution Team

Newport Council Civic Offices  
NP20 4UR

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

If you are still unhappy or need further help, you can contact the Children's Commissioner for Wales. Contact details are:

Children and Young People's free phone number; 0808 801 1000

Or text 80 800 and start your message with COM

[post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)

[www.childcom.org.uk](http://www.childcom.org.uk)

Oystermouth House  
Phoenix Way  
Llansamlet  
Swansea  
SA7 9FS

## Other relevant Policies, Procedures and Guidance

- The Complaints Process Flow Charts
- The Unacceptable Actions by Complainants Policy
- Future Generations and Wellbeing Act 2014
- Gwent Safeguarding Board Complaints Procedure 2020
- Social Services Representations Procedure (Wales) 2014
- Regulation and Inspection of Social Care (Wales) Act 2016
- The Regulated Fostering Services (Services Providers and Responsible Individuals) (Wales) Regulations 2019
- The Equality Act 2010
- The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- The Welsh Language (Wales) Measure 2011
- The Welsh Language Standards (No.1) Regulations 2015 (in particular Standards 147,148 and 149)
- Environmental Protection Act 1990
- Rights, respect, equality: Statutory Guidance for Local Authorities
- Various Appeals Procedures, including but not limited to:
  - Refusal of Planning Permission
  - School Admissions
  - Special Education Needs (SEN)
  - Housing Benefit Decisions
  - Home Options
  - Planning Applications
  - Civic Parking Enforcement Notices (FPN)

Mae'r dudalen hon yn wag yn



Policy on dealing with Unacceptable Actions by Customers



**Document Control Information**

Title of document:	Newport City Council; Unacceptable Actions by Customers Version 1.3
Supersedes:	Newport City Council; Unacceptable Actions by Complainants Version 1.2
Placement in Organisation	Complaint Resolution Team
Consultation / Stakeholders	Public and Staff
Author (s) :	Complaint Resolution Manager Service Manager – Customer Experience
Department / Team	City Services – Complaint Resolution Team
Approved by:	Cabinet
Approved date:	5 <sup>th</sup> May 2021
Implementation date:	5 <sup>th</sup> May 2021
Implementation Method	Website/Practice
Table of Amendments	
5 <sup>th</sup> May 2021	Updated to reflect changes to terminology, Unacceptable Actions by Customers Forum and possible restrictions.

**1. Introduction**

- 1.1. Dealing with a concern or complaint is a straightforward process, but in a minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the council. This can happen either while their complaint is being investigated, or once the council has finished dealing with the complaint.
- 1.2. We are committed to dealing with all complaints equitably, comprehensively, and in a timely manner.
- 1.3. We will not normally limit the contact which customers have with council staff or offices.
- 1.4. We do not expect staff to tolerate unacceptable behaviour by customers or any customer. Unacceptable behaviour includes behaviour which is abusive, offensive or threatening and may include:
  - Using abusive or foul language on the telephone
  - Using abusive or foul language face to face
  - Sending multiple emails
  - Leaving multiple voicemails
- 1.5. We will take action to protect staff from such behaviour. If a customer behaves in a way that is unreasonably persistent or vexatious, we will follow this policy.

- 1.6. Raising legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent customer.
- 1.7. Similarly, the fact that a customer is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.

## **2. Aim of this policy**

- 2.1. The aim of this policy is to contribute to our overall aim of dealing with all customers in ways which are demonstrably consistent, fair and reasonable.
- 2.2. It sets out how we will decide which customers will be treated as abusive, vexatious or unreasonably persistent, and what we will do in those circumstances. The policy is for the information of staff, staff in Newport's partner organisations and councillors, as well as customers.

## **3. Definitions**

- 3.1. We define unreasonably persistent and vexatious customers as those customers who, because of the frequency or nature of their contacts with the council, hinder our consideration of their or other people's complaints. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular customer.
- 3.2. Examples include the way or frequency that customers raise their complaint with staff, or how customers respond when informed of our decision about the complaint.
- 3.3. Features of an unreasonably persistent and/or vexatious customer include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):
- 3.4. An unreasonably persistent and/or vexatious customer may:
  - have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that he or she does not admit or make obvious)
  - refuse to specify the grounds of a complaint despite offers of assistance
  - refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved
  - refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure (e.g. matters where there is a statutory right of appeal in place, decisions made under democratic process or decisions made by other bodies such as Welsh Government)
  - refuse to accept that issues are not within the power of the council to investigate, change or influence (examples could be a complaint about a private car park, or something that is the responsibility of another organisation)
  - insist on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice (insisting, for instance, that there must not be any written record of the complaint)
  - make what appear to be groundless complaints about the staff dealing with the complaints, and seek to have them dismissed or replaced

- make an unreasonable number of contacts with us, by any means in relation to a specific complaint or complaints
- make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the customer (an example of this could be a customer who insists on immediate responses to numerous, frequent and/or complex letters, faxes, telephone calls or emails)
- harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive and racist language
- raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process
- introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be taken into account and commented on
- change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed
- deny statements he or she made at an earlier stage in the complaint process
- electronically record meetings and conversations without the prior knowledge and consent of the other person involved
- adopt an excessively 'scattergun' approach, for instance, pursuing a complaint or complaints not only with the council, but at the same time with a Member of Parliament, other councils, elected councillors of this and other councils, Assembly Members, the council's independent auditor, the police, solicitors, and the Public Services Ombudsman for Wales.
- refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given
- make the same complaint repeatedly, perhaps with minor differences, after the complaints procedure has been concluded, and insist that the minor differences make these 'new' complaints which should be put through the full complaints procedure
- persistently approach the council through different routes about the same issue
- persist in seeking an outcome which we have explained is unrealistic for legal or policy (or other valid) reasons
- refuse to accept documented evidence as factual
- complain about or challenge an issue based on a historic and irreversible decision or incident
- combine some or all of these features

#### **4. Imposing restrictions**

- 4.1. We will ensure that the complaint is being, or has been, investigated properly according to the corporate complaints policy.
- 4.2. In the first instance the Unacceptable Actions by Customers forum will issue a warning to the customer. The service manager will contact the customer either by phone, in writing or by email to explain why this behaviour is causing concern, and ask them to change this behaviour. The service manager will explain the actions that the council may take if the behaviour does not change.

- 4.3. If the disruptive behaviour continues, the Unacceptable Actions by Customers forum will issue a reminder letter to the customer advising them that the way in which they will be allowed to contact us in future will be restricted. The Unacceptable Actions by Customers forum will make this decision and inform the customer in writing of what procedures have been put in place and for what period.
- 4.4. Any restriction that is imposed on the customer's contact with us will be appropriate and proportionate and the customer will be advised of the period of time the restriction will be in place for. In most cases restrictions will apply for between 3 and 6 months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis.
- 4.5. Restrictions will be tailored to deal with the individual circumstances of the customer and may include :
  - Banning the customer from making contact by telephone except through a third party e.g. solicitor/councillor
  - Banning the customer from sending emails to individual and/or all council officers and insisting they only correspond by letter
  - Banning the customer from accessing individual/any council building except by appointment
  - Requiring contact to take place with one named member of staff only
  - Restricting telephone calls to specified days / times / duration
  - Requiring any personal contact to take place in the presence of an appropriate witness
  - Restricting access to the Council's social media accounts
  - Letting the customer know that we will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence)
- 4.6. When the decision has been taken to apply this policy to a customer, the Complaint Resolution Team will contact the customer in writing (and/or as appropriate) to explain:
  - why we have taken the decision,
  - what action we are taking,
  - the duration of that action,
  - the review process of this policy, and
  - the right of the customer to contact the Public Services Ombudsman for Wales about the fact that they have been treated as a vexatious/persistent customer.
- 4.7. The Complaint Resolution Team will enclose a copy of this policy in the letter to the customer.
- 4.8. In some circumstances it may not be appropriate to write to the customer. For example, if the Unacceptable Actions by Customers consider that this may exacerbate or provoke further unacceptable behaviour.
- 4.9. Where a customer continues to behave in a way which is unacceptable, the Head of Customer Services and Digital Innovation , in consultation with the Head of Law and Regulations, may decide to refuse all contact with the customer and stop any investigation into his or her complaint.
- 4.10. Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, we will consider other options, for example reporting the matter to the

police or taking legal action. In such cases, we may not give the customer prior warning of that action.

## **5. New complaints from customers who are treated as abusive, vexatious or persistent**

- 5.1. New complaints from people who have come under this policy will be treated on their merits. The Unacceptable Actions by Customers forum will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint. We do not support a “blanket policy” of ignoring genuine service requests or complaints where they are founded.
- 5.2. The fact that a customer is judged to be unreasonably persistent or vexatious, and any restrictions imposed on our contact with him or her, will be recorded and notified to those who need to know within the council.

## **6. Review**

- 6.1. The status of a customer judged to be unreasonably persistent or vexatious will be reviewed by the Unacceptable Actions by Customers forum after three months and at the end of every subsequent three months within the period during which the policy is to apply.
- 6.2. The customer will be informed of the result of this review if the decision to apply this policy them has been changed or extended, unless the act of writing to the customer is deemed to provoke or exacerbate unacceptable behaviour.

## **7. Referring unreasonably persistent or vexatious customers to the Public Services Ombudsman for Wales**

- 7.1. In some cases, relations between councils and unreasonably persistent or vexatious customers break down completely while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the complaints procedure. Where this occurs the Ombudsman may be prepared to consider a complaint before the procedure has run its course.

## **8. Record keeping**

- 8.1. Adequate records will be retained by the appropriate service manager of the details of the case and the action that has been taken. The Unacceptable Action by Customers forum will retain a confidential record of
  - The name and address of each customers who is treated as abusive, vexatious or persistent
  - When the restriction came into force and ends
  - What the restrictions are
  - When the customer and departments were advised
- 8.2. A summary of all compliments and complaints is monitored under the arrangements in the Compliments, Comments and Complaints Policy – this will include anonymised information about customers who have been treated as vexatious/persistent as per this policy.

# Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with;

- The Equalities Act 2010
- Welsh language promotion (The Welsh Language (Wales) Measure 2011)
- sustainable development (Wellbeing of Future Generations (Wales) Act 2015),

and;

- the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

**Completed by:** Sarah Livingstone, in collaboration with Heather Powell and Leanne Rowlands

**Role:** Complaints Resolution Manager

**Head of Service:** Paul Jones      **Date:** 20/01/2020

**I confirm that the above Head of Service has agreed the content of this assessment**

**Yes / No**

**When you complete this FEIA, it is your responsibility to submit it to [impact.assessments@newport.gov.uk](mailto:impact.assessments@newport.gov.uk)**

**1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.**

This impact assessment relates to the impending review of the Newport City Council Customer Feedback Policy: Comments, Compliments and Complaints.

The purpose of the policy is to effectively deal with any compliments, concerns or complaints customers may have about the services we provide. To adhere to and follow the Principles of Good Administration and Good Records Management (as set out by the Public Services Ombudsman for Wales) when handling Comments, Compliments and Complaints. To ensure that a consistent and transparent process is adhered to, to also ensure a positive customer experience, whilst maintaining compliance.

The Corporate Complaints Policy was implemented in practice in 2019, however, since this time the Public Service Ombudsman for Wales has passed a new piece of legislation (Public Service Ombudsman Act 2019). This legislation includes complaints standards and guidance for all public bodies under Section 38 of the Act, which were re-published by the Ombudsman in September 2020. The Ombudsman expects Local Authorities to review and re-publish their policies to reflect these new standards by 1<sup>st</sup> April 2021. It is for this reason that the complaints policy requires a review.

As part of the review we have also identified some changes within Fostering Service when handling complaints, following the implementation of revised statutory guidance. This relates to Parts 2 to 16 of The Regulated Fostering Services (Services Providers and Responsible Individuals) (Wales) Regulations 2019, regulation 42. Implementing additions to the Council's Compliments, Comments and Complaints Policy will meet this requirement.

In addition, there have been changes to complaint handling standards within the social care sector. Care Inspectorate Wales Inspection have specified that provider services delivered by the Council require a specific policy in place, that is referenced as part of their Statement of Purpose. RISCA (Regulation and Inspections of Social Care (Wales) Act 2016) requires a specific process that staff can follow and that is reflected in a complaints policy for services users to raise their concerns. The current policy with some amendments can meet this requirement, where we reference specific details of the regulation.

The review will also consider the following:

- Strategic Equalities Plan 2020-2024
- Welsh Government- Rights, Respect and Equality Statutory Guidance
- Newport City Council's Anti Bullying Guidance and Model Policy 2020
- CIW inspection feedback – Social Services
- Analysis of complaints data and the lessons learnt
- Appeals and review processes for regulated services or those who have a statutory duty
- Welsh Language Standards complaints process
- Complaints relating to discrimination
- Reporting requirements- Ombudsman and Social Service regulations
- Continuous improvement monitoring
- Commission of services procedures- to adhere to 2 stage process

**2. Outline how you have/will consult with stakeholders who will be affected by the policy/proposal. Please refer specifically to FEIA guidance in relation to relevant Welsh language duties.**

The Public Service Ombudsman has received Royal Assent for the Public Services Ombudsman for Wales Act 2019, which had been consulted on formally prior. This consultation invited the public and local authorities to have their say during the consultation period that took place during 2019. This policy review is a direct result of this Act being passed and places a statutory requirement on the authority to ensure we are compliant. Further information of the democratic process can be sought from the Public Service Ombudsman.



Prior to and following the implementation of the Act the complaints team have worked closely with the Ombudsman's office to inform practice, improve customer experience and ensure compliance. Developments have been shared within monitoring reports.

Please see below links to the Public Service Ombudsman for Wales Guidance and any related documents:

[..\POLICIES REGS AND GUIDANCE\PSOW\1-CSA-Principles.pdf](#)

[..\POLICIES REGS AND GUIDANCE\PSOW\2-CSA-Model-Concerns-and-Complaints-Policy.pdf](#)

[..\POLICIES REGS AND GUIDANCE\PSOW\3-CSA-Guidance.pdf](#)

Council Officers and the public were invited to take part in a survey on complaints handling in 2019. The results indicated that Staff were focused on having clear and useful resources to help manage and record complaints, which would be supported by the policy review.

The results from the public indicated that they wanted to know what to expect when they made a complaint, that their complaint was acknowledged and that they could raise a complaint in a way that they chose. These requirements are already satisfied by the existing policy, and this will not be affected by the proposed review.

The survey also provides data for equality monitoring purposes.

Please see below the survey results from 2019:

[..\QUALITY ASSURANCE AND REPORTING\Cop of Bus Wi-Fi - Public Complaints Results \(Aug 19\).xlsx](#)

[..\QUALITY ASSURANCE AND REPORTING\results from survey - percentage 2019 .pdf](#)

A cabinet report was shared with the Cabinet and Senior Leadership Teams and was discussed by Cabinet in November 2020. The report shared the requirements to review our policy in line with the newly passed Ombudsman Act. This was received by the Cabinet and no concerns raised as a result. The report was endorsed and unanimously agreed. Please see link below for the minutes

<https://democracy.newport.gov.uk/mgAi.aspx?ID=8016&LLL=0>

This process allowed for Cabinet members and the Senior Leadership Team to reflect on the proposed amendments taking into account the views and feedback of their constituents.

Feedback from complaints received over the last 12 months from the public indicate that communication and complaint handling are key areas to be improved.

A draft of the proposed policy will be shared with the Ombudsman for comments before the policy is finalised.

In partnership with the Youth Council, the Council have implemented a new Anti- Bullying Policy following Welsh Government’s statutory guidance. This will be reflected in the revised Compliments, Comments and Complaints policy.

As part of the development of the council’s Strategic Equality Plan 2020-24, communities were consulted on proposed equality priorities for the council, which included their views on our customer service delivery. A number of specific actions in the plan were subsequently developed. These reflect the need to better monitor the demographics of people who make a complaint to the council, as well as develop more accessible ways of contacting the authority. A specific delivery group has been set up to take this work forward.

<http://www.newport.gov.uk/documents/Council-and-Democracy/Equalities-and-Welsh-language-/Strategic-Equality-Plan-2020-2024.pdf>

Further consultation around how the policy can be effectively implemented and promoted across the diverse communities of Newport will be undertaken as part of associated work/next steps.

Collaboration with the Welsh Language Officer and Connected Communities Manager has identified some gaps in the recording of Welsh Language complaints, and the handling of complaints that refer to discrimination. These will be addressed as part of the review.

Engaging with other Local Authorities at the AWCOG meeting will help ensure clear processes for commissioned providers, to ensure a transparent process for all customers.

**3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.**

Below you will find the Cabinet report for 2019-2020

<..\QUALITY ASSURANCE AND REPORTING\REPORTING\Annual Complaints Report 2019.2020 Cabinet November 2020.docx>

This report provides an overview of compliments, comments and complaints received for the period April 2019- March 2020. This contains information about complaints made by residents accessing this service. Quarterly data is also provided to the Ombudsman.

Feedback and monitoring of the service has been discussed as part of the Strategic Equality Plan and will be considered for further development to ensure we are able to identify specific equality data.

**4. Equalities and Welsh language impact**




Protected characteristic	Impact:	Provide further details about the nature of the impact in the section below. Does it: <ol style="list-style-type: none"> <li>1. Promote equal opportunity</li> <li>2. Promote community cohesion</li> <li>3. Help eliminate unlawful discrimination/</li> </ol>
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	Positive	Negative	Neither	harassment/ victimisation?
<b>Age</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The policy will have a positive impact for all ages as it will be easily accessible and transparent for all. The policy review will ensure clear signposting to other agencies or organisation who can support and advise, such as the Children’s Commissioner.</p> <p>The main body of the process will remain the same, but there is further work required to ensure easy read versions are available for all customers.</p> <p>School age children and parents/carers will be provided clear information on the responsibilities of all stakeholders concerning any bullying complaints.</p>
<b>Disability</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All customers making contact with the Council for their feedback will be treated equitably, taking into account any identified needs at point of contact.</p> <p>Options for making a complaint remain the same but with added information to ensure support is provided as necessary.</p> <p>Clarity on discrimination complaints will be reviewed and made clear to ensure that people making a complaint linked to discrimination are appropriately supported and signposted. Improvements around demographic monitoring alongside the implementation of this policy will also allow the council to better respond to specific need.</p>
<b>Gender reassignment/ transgender</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Clarity on discrimination complaints will be reviewed and made clear to ensure that people making a complaint linked to discrimination are appropriately supported and signposted. Improvements around demographic monitoring alongside the implementation of this policy will also allow the council to better respond to specific need.</p>
<b>Marriage or civil partnership</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Clarity on discrimination complaints will be reviewed and made clear to ensure that people making a</p>

				complaint linked to discrimination are appropriately supported and signposted. Improvements around demographic monitoring alongside the implementation of this policy will also allow the council to better respond to specific need.
<b>Pregnancy or maternity</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clarity on discrimination complaints will be reviewed and made clear to ensure that people making a complaint linked to discrimination are appropriately supported and signposted. Improvements around demographic monitoring alongside the implementation of this policy will also allow the council to better respond to specific need.
<b>Race</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clarity on discrimination complaints will be reviewed and made clear to ensure that people making a complaint linked to discrimination are appropriately supported and signposted. Improvements around demographic monitoring alongside the implementation of this policy will also allow the council to better respond to specific need.  The need for information in additional languages that represent the demographics in Newport will also be considered as part of the review.
<b>Religion or Belief or non-belief</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clarity on discrimination complaints will be reviewed and made clear to ensure that people making a complaint linked to discrimination are appropriately supported and signposted. Improvements around demographic monitoring alongside the implementation of this policy will also allow the council to better respond to specific need.
<b>Sex</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clarity on discrimination complaints will be reviewed and made clear to ensure that people making a complaint linked to discrimination are appropriately supported and signposted. Improvements around demographic monitoring alongside the implementation of this policy will also allow the council to better respond to specific need.
<b>Sexual Orientation</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clarity on discrimination complaints will be reviewed and made clear to ensure that people making a complaint linked to discrimination are appropriately

				supported and signposted. Improvements around demographic monitoring alongside the implementation of this policy will also allow the council to better respond to specific need.
<b>Welsh Language</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Welsh language complaints are treated no less favourably than English language complaints, and the Complaints Team work closely with the council's Welsh Language Officer to ensure appropriate response and action should a complaint be made in, or about, the Welsh language</p> <p>The review will provide further clarity around the Council's internal process for ensuring Welsh language complaints are addressed appropriately, and the relationship between corporate and Welsh Language Commissioner instigated reports.</p>

## 5 How has your proposal embedded and prioritised the sustainable development principle in its development? WELLBEING FUTURE REGENERATION

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p>The Ombudsman has set clear guidance to ensure that all Welsh LA's comply with standards when handling and monitoring complaints, whilst recognising continuous improvements. This review is a statutory requirement that has been passed following legislation.</p> <p>The policy as it stands is satisfactory but needs to be reviewed to remain compliant with the latest versions of legislation.</p> <p>A formal consultation was held prior to the Act being passed for compliance.</p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p>The proposed review of the policy is a direct result of working collaboratively with others, including the Ombudsman.</p> <p>Feedback from the public have been instrumental in understanding the needs of the public. The policy directly supports residents to share and improve public services. This contributes to the wellbeing objectives in many ways, including resilience, improving services, building cohesive and sustainable communities, promoting economic growth, and regeneration whilst protecting the environment.</p> <p>Learning lessons has helped inform our service and plan for continuous improvement</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>The feedback process promotes the views and feedback of residents.</p> <p>Compliments, comments and complaints from residents across may represent a wide range of individuals, of all ages, groups and different backgrounds.</p> <p>Surveys have been conducted to gather both staff and public feedback.</p> <p>The Public Service Ombudsman has passed legislation that influences the scope of the review, which was subject to public consultation.</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p data-bbox="233 456 333 479">Prevention</p> <p data-bbox="145 490 421 629">Putting resources into preventing problems occurring or getting worse</p>	<p data-bbox="459 309 1374 488">The policy review will ensure compliance and standards are met in line with the Public Service Ombudsman for Wales Act 2019. The policy will improve consistent practice across the Council in handling complaints and assisting customers. The policy will support a culture of continuous improvement.</p> <p data-bbox="459 495 1299 595">The policy will ensure that the Council are maintaining their statutory duties within specific services and support staff in handling complaints.</p>
 <p data-bbox="245 804 336 826">Integration</p> <p data-bbox="145 837 421 976">Considering impact on all wellbeing goals together and on other bodies</p>	<p data-bbox="459 640 1394 853">This proposal supports the “A resilient Wales” and “A more equal Wales” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition, the review proposal indirectly contributes towards Newport City Council’s objectives by listening and taking action following customer comments, compliments and complaints.</p>

**6. Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?**

This is a policy that will apply city-wide, so there is no specific impact on any geographical areas of Newport.

**7. How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission**

**Equal treatment whilst recognising difference:** The proposed review aims to ensure equality of access and service for all communities across Newport, whilst recognising that people also have individual needs that should be responded to.

**Mutual obligations between citizens and LA:** The council’s complaints policy sets out legal and ethical obligations that the authority has in delivering a fair process to citizens of Newport. In turn, the public are expected to engage appropriately with the process, as set out in the Unacceptable Actions by Complainant’s Policy

**Reciprocity and interdependency within relationships-** The policy review is a direct result of legislation that has set standards for the Council to meet. These standards improve customer experience, whilst ensuring consistency of practice. Customers will be treated fairly and equitably, in line with policy and procedures, regardless of protected characteristics or background.

**Transparency and accountability** – The review will ensure clarity around the complaints process, and outlines how the council is accountable to both the public and relevant monitoring/enforcement bodies.



## 8. Equality Impacts and Actions

Please complete the below action plan which sets out steps that will/will not be taken in order to mitigate any negative impacts that your assessment has identified.

<b>Impact identified</b>	<b>Who does it affect?</b>	<b>What will you do to mitigate the impact? If you plan to take no action, please justify your rationale</b>	<b>Who is responsible?</b>
<b>Need for Easy Read versions of the policy</b>	<b>Different age groups, visually impaired, children, disabled people</b>	<b>Create further resources if changes are agreed</b>	<b>Complaints team</b>
<b>Need for a range of resources for sharing with the public</b>	<b>Those who may not have access to internet (eg hard copied)</b>	<b>As above</b>	<b>Complaints team</b>
<b>Need for information in community languages</b>	<b>Citizens whom do not speak Welsh or English</b>	<b>Identify most used languages in Newport</b>	<b>Complaints team in collaboration with Equalities team</b>
<b>Need for improved monitoring of equalities data.</b>	<b>All protected characteristics</b>	<b>Feedback forms at completion of complaints process</b>	<b>Complaints team in partnership with Equalities team</b>

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## 9. Monitoring, evaluating and reviewing

How and when will the impact of the proposal/ policy be monitored and reported on?

At six monthly intervals

## 10. Involvement

How will people be advised of the changes and of the FEIA?

The FEIA and revised policy will be published and promoted.

# **Complaints Standards Authority – Wales**

Concerns and Complaints Policy for  
Public Services Providers in Wales

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## Preface

This model policy is designed for public services providers in Wales. It represents a minimum standard of complaint handling for public bodies in Wales.

The Policy is fully compatible with the Welsh Language Standards Regulations of 2018.

Please note that NHS bodies in Wales adhere to the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011, known as ‘Putting Things Right’.

When the content of this policy conflicts with the Putting Things Right regulations, the Putting Things Right regulations will take precedence, including when references are made to timescales.

Also, the Social Services Complaints Procedure (Wales) Regulations 2014 outline the procedure for handling complaints about Social Services issues in Wales.

## A Model Concerns and Complaints Policy

*[insert organisation name]* is committed to dealing effectively with any concerns or complaints you may have about our services. We aim to clarify any issues you may be unsure about. If possible, we'll put right any mistakes we may have made. We will provide any service you're entitled to which we have failed to deliver. If we did something wrong, we'll apologise and, where possible, try to put things right for you. We aim to learn from our mistakes and use the information we gain from complaints to improve our services.

### When to use this policy

When you express your concerns or complain to us, we will usually respond in the way we explain below. However, sometimes you may have a statutory right of appeal *[local authorities may want to add e.g. against a refusal to grant you planning permission or the decision not to give your child a place in a particular school]* so, rather than investigate your concern, we will explain to you how you can appeal. Sometimes, you might be concerned about matters that are not covered by this policy *[examples should be given here e.g. when a legal framework applies]* and we will then advise you about how to make your concerns known.

This policy does not apply to 'Freedom of Information' or data access issues. Please contact *[insert relevant contact details]*.

Complaints Officers can advise on the type and scope of complaints they can consider.



## Asking us to provide a service?

If you are approaching us to request a service, *[e.g. reporting a faulty street light, or requesting an appointment]* this policy doesn't apply. If you make a request for a service and then are not happy with our response, you will be able to make your concern known as we describe below.

## Informal resolution

If possible, we believe it's best to deal with things straight away. If you have a concern, please raise it with the person you're dealing with. They will try to resolve it for you there and then. If there are any lessons to learn from addressing your concern, the member of staff will draw them to our attention. If the member of staff can't help, they will explain why and you can then ask for a formal investigation.

## How to express concern or complain formally

**You can express your concern in any of the following ways:**

- Ask for a copy of our form from the person with whom you are already in contact. Tell them that you want us to deal with your concern formally.
- Get in touch with our central complaint contact point on *[\*\*\*\*\*]* if you want to make your complaint over the phone.
- Use the form on our website at *[www\*\*\*\*\*]*
- Email us at *[\*\*\*\*@\*\*\*\*]*
- Write to us at: *[\*\*\*\*\*]*  
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We aim to have concern and complaint forms available at all of our service outlets and public areas and also at appropriate locations in the *[include examples as appropriate here, e.g. libraries]*.


Copies of this policy and the complaint form are available in *[insert list of appropriate community languages]* and as audio, large print *[etc...]*.

## Dealing with your concern

- We will formally acknowledge your concern within *[the maximum time to be inserted here is 5 working days]* and let you know how we intend to deal with it.
- We will ask you to tell us how you would like us to communicate with you and establish whether you have any particular requirements – for example, if you need documents in large type.
- We will deal with your concern in an open and honest way.
- We will make sure that your dealings with us in the future do not suffer just because you have expressed a concern or made a complaint.

Normally, we will only be able to look at your concerns if you tell us about them within *[\*\*]* months *[the minimum time to be inserted here is six months, but you may extend this, should you need to consider complaints beyond this time]*. This is because it's better to look into your concerns while the issues are still fresh in everyone's mind.

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We may exceptionally be able to look at concerns which are brought to our attention later than this. However, you will have to explain why you have not been able to bring it to our attention earlier and we will need to have sufficient information about the issue to allow us to consider it properly. In any event, we will not consider any concerns about matters that took place more than three years ago.

If you're expressing a concern on behalf of somebody else, we'll need their agreement to you acting on their behalf.

## **What if there is more than one body involved?**

If your complaint covers more than one body *[insert appropriate examples here e.g. Housing Association and Council re: noise nuisance]* we will usually work with them to decide who should take the lead in dealing with your concerns. You will then be given the name of the person responsible for communicating with you while we consider your complaint.

If the complaint is about a body working on our behalf *[insert appropriate examples here, e.g. repair contractors]*, you may wish to raise the matter informally with them first. However, if you want to express your concern or complaint formally, we will look into this ourselves and respond to you.




## Investigation

We will tell you who we have asked to look into your concern or complaint. If your concern is straightforward, we'll usually ask somebody from the relevant service area to look into it and respond to you. If it is more serious, we may use someone from elsewhere in the *[insert name of body e.g. Council]* or, in certain cases *[local authorities should add "including those concerning social services where a statutory procedure applies"]*, we may appoint an independent investigator.

We will set out our understanding of your concerns and ask you to confirm that we are right. We'll also ask you to tell us what outcome you're hoping for.

The person looking at your complaint will usually need to see the files we hold relevant to your complaint. If you don't want this to happen, it's important that you tell us.

If there is a simple solution to your problem, we may ask you if you're happy to accept this. For example, where you asked for a service and we see straight away that you should have had it, we will offer to provide the service rather than investigate and produce a report.



We will aim to resolve concerns as quickly as possible and expect to deal with the vast majority within 20 working days *[if appropriate, bodies may wish to insert a shorter timescale here]*. If your complaint is more complex, we will:

- Let you know within this time why we think it may take longer to investigate.
- Tell you how long we expect it to take.
- Let you know where we have reached with the investigation, and
- Give you regular updates, including telling you whether any developments might change our original estimate.

The person who is investigating your concerns will firstly aim to establish the facts. The extent of the investigation will depend upon how complex and how serious the issues you have raised are. In complex cases, we will draw up an investigation plan.

In some instances, we may ask to meet with you to discuss your concerns. Occasionally, we might suggest mediation or another method to try to resolve disputes.

We'll look at relevant evidence. This could include information you have provided, our case files, notes of conversations, letters, emails or whatever may be relevant to your particular concern. If necessary, we'll talk to the staff or others involved and look at our policies, any legal entitlement and guidance.

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## Outcome

If we formally investigate your complaint, we will let you know what we find. If necessary, we will produce a report. We'll explain how and why we came to our conclusions.

If we find that we made a mistake, we'll tell you what happened and why.

If we find there is a fault in our systems or the way we do things, we'll tell you what it is and how we plan to change things to stop it happening again.

If we make a mistake, we will always apologise for it.

## Putting Things Right

If we didn't provide you with a service you should have had, we'll aim to provide it now, if that's possible. If we didn't do something well, we'll aim to put it right. If you have lost out as a result of a mistake on our part, we'll try to put you back in the position you would have been in if we'd done things properly.

If you had to pay for a service yourself, when we should have provided it for you, *[bodies providing funding, e.g. local authorities, grant making agencies, should add "or if you were entitled to funding you did not receive"]* we will try to refund the cost.



## The Ombudsman

If we do not succeed in resolving your complaint, you may complain to the Public Services Ombudsman for Wales. The Ombudsman is independent of all government bodies and can look into your complaint if you believe that you personally, or the person on whose behalf you are complaining:

- Have been treated unfairly or received a bad service through some failure on the part of the service provider.
- Have been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman normally expects you to bring your concerns to our attention first and to give us a chance to put things right. You can contact the Ombudsman by:

- Phone: 0300 790 0203
- Email: [ask@ombudsman.wales](mailto:ask@ombudsman.wales)
- The website: [www.ombudsman.wales](http://www.ombudsman.wales)
- Writing to: Public Services Ombudsman for Wales  
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

There are also other organisations that consider complaints. For example, the Welsh Language Commissioner's Office deals with complaints about services in Welsh. We can advise you about such organisations.

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## Learning lessons

We take your concerns and complaints seriously and try to learn from any mistakes we've made. Our senior management team considers a summary of all complaints quarterly *[or more often, as applicable]* and is made aware of all serious complaints. Our *[Council/Cabinet/Committee/Board]* also considers our response to complaints at least twice a year. We share summary (anonymised) information on complaints received and complaints outcomes with the Ombudsman as part of our commitment to accountability and learning from complaints.

Where there is a need for significant change, we will develop an action plan setting out what we will do, who will do it and when we plan to do it. We will let you know when changes we've promised have been made.

## What if you need help?

Our staff will aim to help you make your concerns known to us. If you need extra assistance, we will try to put you in touch with someone who can help. You may wish to contact *[insert examples appropriate to the service provider here e.g. advocacy services, Age Cymru, Shelter etc.]* who may be able to assist you.



You can also use this concerns and complaints policy if you are under the age of 18. If you need help, you can speak to someone on the Meic Helpline:

- Phone 0808 802 3456
- Website [www.meiccymru.org](http://www.meiccymru.org)

or contact the Children’s Commissioner for Wales. Contact details are:

- Phone 0808 801 1000
- Email [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)
- Website [www.childcom.org.uk](http://www.childcom.org.uk)

## What we expect from you

In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to a concern or a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined.

We believe that all complainants have the right to be heard, understood and respected. However, we also consider that our staff have the same rights. We therefore expect you to be polite and courteous in your dealings with us. We will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence. We have a separate policy to manage situations when we find that someone’s actions are unacceptable.

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## Appendix A

### Concern/Complaint form

**Please Note:** The person who experienced the problem should normally fill in this form. If you are filling this in on behalf of someone else, please fill in Section B.

#### A: Your details

Surname:	Forenames(s):	Title: Mr/Mrs/Miss/Ms/ if other please state
Address and postcode:		
Your email address:		
Daytime contact phone number:		

Please state how you would prefer us to contact you:

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**Your requirements:** if our usual way of dealing with complaints makes it difficult for you to use our service, for example if English or Welsh is not your first language or you need to engage with us in a particular way, please tell us so that we can discuss how we might help you.

## **B: Making a complaint on behalf of someone else: Their details:**

**Please note:** We have to be satisfied that you have the authority to act on behalf of the person who has experienced the problem.

Their name in full:	
Address and postcode:	
What is your relationship to them?	
Why are you making a complaint on their behalf?	

## **C: About your concern/complaint (Please continue your answers to the following questions on a separate sheet(s) if necessary)**

- C.1 Name of the department/section/service you are complaining about:
- C.2 What do you think they did wrong, or failed to do?
- C.3 Describe how you personally have suffered or have been affected:

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- C.4 What do you think should be done to put things right?
- C.5 When did you first become aware of the problem?
- C.6 Have you already put your concern to the frontline staff responsible for delivering the service? If so, please give brief details of how and when you did so:
- C.7 If it is more than six months since you first became aware of the problem, please say why you have not complained before now:

If you have any documents to support your concern/complaint, please attach them with this form.

**Signature:**

**Date:**

When you have completed this form, please send it to:

*[Name (central complaints handler)  
Address & Other Contact Details]*



## How to contact us

Phone 0300 790 0203

E-mail [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

Visit the website [www.ombudsman.wales](http://www.ombudsman.wales)

Write to: Public Services Ombudsman for Wales  
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

You can also follow us on Twitter: [@OmbudsmanWales](https://twitter.com/OmbudsmanWales)

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# Report

## Cabinet

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### Part 1

Date: 5 May 2021

**Subject** Newport City Council Covid-19 Response and Recovery Update

**Purpose** To present to Cabinet an update on the Council's progress being made towards recovering services and supporting Newport's communities as part of its Strategic Recovery Aims.

**Author** Chief Executive  
Head of People and Business Change

**Ward** All

**Summary** The Covid-19 health emergency has been ongoing for over a year when Newport received its first reports in February 2020. This crisis has impacted all communities and businesses across Newport as the City has continued to adapt and respond to the necessary restrictions to minimise the spread of the virus. Newport Council's response has been to ensure continuity of services with our strategic partners, support vulnerable residents across communities, support businesses and ensure the safety of staff. This report provides an overview of what action the Council has taken to date and the progress against the Strategic Recovery Aims.

Since the last Cabinet Report in April, restrictions have been easing with the Council and its partners continuing to monitor the Covid-19 cases in the City through its role at the multi-agency Strategic Co-ordination Group (SCG), the Council's Emergency Response Team (Covid Gold) and liaison with Welsh Government (WG) and Public Health Wales partners.

**Proposal** Cabinet is asked to consider the contents of the report and note the progress being made to date, the risks that are still faced by the Council.

**Action by** Corporate Management Team

**Timetable** Immediate

**Signed**

## Background

Since the last Cabinet Report on 7<sup>th</sup> April 2021, Newport Council and its partners have continued to monitor the Covid-19 cases in the City through its role at the multi-agency Strategic Co-ordination Group (SCG), the Council's Recovery Group (Covid Gold) and liaison with Welsh Government (WG) and Public Health Wales partners.

## NCC Covid-19 Response

In April Wales had continued to see further reductions in the Covid-19 case rate falling below 30 per 100,000 across Wales and the continued success of the vaccine rollout across the priority groups in Wales. The latest figures relating to Covid-19 cases and vaccination rollout can be accessed through the [Public Health Wales Covid-19 Dashboards](#). Over 1.5 million people in Wales have received their first dose of the vaccine whilst over 500,000 will have received their second dose. The Council, alongside Newport Live have been supporting the NHS with volunteers and facilities to help with the rollout of the vaccine. It is important that everyone including the City's BAME communities receive their vaccine and to also continue to follow the restrictions in place. Further information about the vaccine programme can be obtained from [Public Health Wales](#) and also includes Accessible information [here](#).

In consideration of the scientific data and as part of WG three week review process, further restrictions have been eased enabling the economy, schools and other sectors to re-open in conjunction with WG guidance. Since the last report in April, Wales has been slowly opening up and easing restrictions taking a cautious approach. In April and May depending upon the Welsh Government guidance it is planned for:

- From 26<sup>th</sup> April outdoor hospitality (pubs, cafes, restaurants); outdoor wedding receptions and outdoor activities were reopened.
- From 3<sup>rd</sup> May up to two families will be able to meet indoors with extended households with indoor facilities / activities such as gyms, leisure centres and fitness centres, children's indoor activities and community centres reopened.
- From 17<sup>th</sup> May indoor hospitality, cinemas, theatres and museums to reopen including organised activities such as wedding receptions allowed for up to 30 people.

Newport Council's services have continued to operate adhering to the restrictions in place. Many areas of the Council's buildings remained closed but front line services have remained operational. Residents and businesses can access the necessary information from the Council's [website](#) or contact the Council's contact centre.

## Newport Council Activity and Progress in delivering Strategic Recovery Aims

Newport Council's Recovery Group (consisting of the Chief Executive and Heads of Service) are continuing to regularly meet to monitor and report on emerging Covid-19 issues; and to support the Welsh Government and Public Health Wales in implementing necessary legislative changes. In June 2020, this Cabinet agreed its Strategic Recovery Aims that have enabled the Council to recover its services and support the City's communities and economy to recover in addition to its commitment in delivering against its Wellbeing Objectives set in the Corporate Plan 2017-22. As part of the Council's Performance Framework, service areas aligned their Service Plans 2020/21 to the four Strategic Recovery Aims as well as providing monthly updates to Cabinet on their ongoing response to the Covid crisis.

At the end of every financial year, service areas provide their end of year review of its performance which are presented to the Council's Scrutiny Committees and Cabinet. Service area reviews also support the Council's Annual Report which self-reflects back on its performance in the year, lesson learned and its plans moving forward. This year's Annual Report 2020/21 will include a reflection back on the Council's response to the Covid-19 pandemic and how we have delivered against our Strategic Recovery Aims, how we will move forward in the final year of delivering this Corporate Plan and developing the next iteration of the Corporate Plan from 2022. Remaining actions and work from the Strategic Recovery Aims will be incorporated into their service plans for 2021/22.

Summarised below and also in Appendix 1 of this report, is a summary (by exception) of Council work to 1<sup>st</sup> May 2021:

Strategic Recovery Aim	Summary of Council's activities to 1 <sup>st</sup> May 2021
<b>Strategic Recovery Aim 1</b> – Supporting Education & Employment	<ul style="list-style-type: none"> <li>• In line with Welsh Government guidelines, schools fully reopened from 12<sup>th</sup> April.</li> <li>• Lateral flow tests are available for staff who work in schools and settings. Sufficient tests have been ordered for staff and these will be available for use twice a week on a voluntary basis from the start of the Summer Term 2021.</li> <li>• Where rate of attendance has fallen below 50% this academic year to date, Education Welfare Officers will be working to engage these pupils and their families from 12th April when school resumes for all pupils.</li> <li>• Out of the 3714 digital devices ordered using the WG EdTech funding, 3266 have been delivered to schools.</li> <li>• Work &amp; Skills has been successful in securing a sub contract delivery offer from all Providers on the Commercial Agreement for the provision of Employment and Health Related Services (CAEHRS) Framework for the Department for Work &amp; Pensions Restart Scheme. The successful provider will be announced in due course with an implementation period of 9 weeks.</li> </ul>
<b>Strategic Recovery Aim 2</b> – Supporting the Environment and the Economy	<ul style="list-style-type: none"> <li>• Following an uplift to our Social Housing Grant funding for the financial year 2021/22, we will be working with Registered Social Landlords (RSL) partners over the coming weeks to identify additional affordable housing schemes suitable for this funding.</li> <li>• Planning application has been submitted by the Carbon Reduction Team for a 2.4MW Solar Farm to be built adjacent to Docksway Recycling Centre. This scheme will contribute towards the decarbonisation of the city.</li> </ul>
<b>Strategic Recovery Aim 3</b> – Supporting the Health & Wellbeing of Citizens	<ul style="list-style-type: none"> <li>• The vaccination programme delivered 2nd doses to the majority of social care staff and to all older people in care home settings.</li> <li>• Lateral flow tests are being distributed to providers and to NCC front facing social care staff to support recovery plans.</li> <li>• Integrated Care Funding confirmed for the development of a third residential home in Newport to ensure looked after children can be cared for in the city and closer to their families.</li> <li>• Newport Council delivering £9.4m Active Travel projects in Newport for 2021/22.</li> <li>• Newport Live's Sport Wales additional 'recovery' funding (21/22) will create a new engagement programme aimed at increasing physical activity levels and improving mental wellbeing as part of Covid recovery; building on the <i>#happyandhealthyathome</i> campaign.</li> </ul>
<b>Strategic Recovery Aim 4</b> – Supporting Citizens post Covid-19	<ul style="list-style-type: none"> <li>• Participatory Budget funding was awarded to 24 projects which will provide support across a range of the worst affected groups and themes.</li> <li>• Re-open all libraries from 19<sup>th</sup> April with limited browsing at six sites whilst our three smallest sites will operate a click and collect service only. This will be the first time we have offered access across all our sites since the first Covid lockdown commenced.</li> </ul>

### Financial Summary

The Council's financial (revenue and capital) update is reported separately as part of the Council's budget management. The Covid-19 impact is reported to Cabinet and as highlighted in previous finance reports, the Council's financial position continues to be closely monitored in light of significant reductions in income and increase in costs to deliver services during the crisis.

## Risks

Through the Council's Risk Management process, the Covid-19 risk is reported every quarter to the Council's Cabinet and Audit Committee. Below is the latest update taken from the Quarter 3 2020/21 risk report update.

Risk	Impact of Risk if it occurs* (1-5)	Probability of risk occurring (1-5)	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?
Covid 19 Pandemic Risk (Corporate Risk)	5	4	Mitigation measures outlined in the report.	Corporate Management Team

### Links to Council Policies and Priorities

Corporate Plan 2017-22  
Strategic Recovery Aims

### Options Available and considered

1. To consider and note the contents of the report and for Cabinet / Cabinet Members to receive updates from officers as part of their portfolio.
2. To request further information or reject the contents of the report

### Preferred Option and Why

1. To consider and note the contents of the report and for Cabinet / Cabinet Members to receive updates from officers as part of their portfolio briefings.

### Comments of Chief Financial Officer

Welsh Government have been supporting local authorities through the pandemic with a Hardship Fund intended to reimburse for all Covid related spend over and above existing budgets and within a set criteria. The fund also includes loss of income compensation; again, within a set criteria. The fund will run to the end of the current financial year. It is continually developing and evolving to support specific initiatives as and when required.

In essence, Covid related, eligible expenditure is predominantly funded by the WG. A revenue budget monitor to end of November was reported to January Cabinet and confirmed a positive overall position for the Council and included the impact of the financial assistance provided from the Hardship Fund as well as the normal and routine budget issues that affect the Council.

### Comments of Monitoring Officer

There are no specific legal issues arising from the Report, which provides an update on the actions taken to deliver the Council's Strategic Recovery Aims and progress since the previous report. Any legal issues will be picked up at the appropriate time as part of the operational delivery of the individual actions, within service areas. Since the last report, the numbers of cases being referred to TTP for contact tracing and the positivity rates have continued to reduce significantly, with the impact of the lock-down restrictions and the roll-out of increased testing and the vaccination programme. As the restrictions are relaxed, then further enforcement work will be required, to ensure that businesses continue to comply with the revised Regulations and guidance and that proper safety measures are in place.

## **Comments of Head of People and Business Change**

Newport Council has continued to build on the strong collaborative work through 2020/21. The Strategic Recovery Aims alongside the Council's Corporate Plan has enabled the Council to focus on its core delivery requirements whilst ensuring we comply with the Welsh Government and Public Health Wales legislation. The role of Civil Contingencies, emergency planning, and the Council's Test, Trace and Protect has been vital to ensure the risk to the City's communities are minimised and that the Council continues to deliver its services to residents and businesses.

The Council's supporting services and our partners are building on the advancements made to ensure we are able to operate safely and maintain the necessary social distance guidelines. The progress detailed in this report highlights the continuous work that is being made and build up resilience in the long term.

The HR implications are as outlined in the report as we continue to support the workforce through provision of equipment and a range of wellbeing measures.

## **Comments of Cabinet Member**

The Leader of the Council is briefed on all aspects of the Council's strategic recovery.

## **Local issues**

Members to be aware of the impacts that Covid is having on our Local Communities and business.

## **Scrutiny Committees**

Not Applicable

## **Equalities Impact Assessment**

The findings outlined in the Council's Covid-19 Community Impact Assessment have informed the development of the Strategic Recovery Aims as well as future strategic and operational decision making.

## **Children and Families (Wales) Measure**

Not applicable.

## **Wellbeing of Future Generations (Wales) Act 2015**

The areas covered in this report demonstrate the progress being made against the Strategic Recovery Aims which also support the Council's Corporate Plan 2017-22.

In consideration of the sustainable development principle, 5 ways of working:

**Long Term** – The progress reported against the Strategic Aims support the long term aims of the Council to improve people's lives.

**Preventative** – The preventative work outlined in the report support the Council's approach to minimising future Covid 19 outbreaks and as necessary provide targeted support to those that need it. Re-establishing services in line with necessary legislation and regulation enables the Council to operate in the new normal.

**Integration** – The Strategic Recovery Aims have been integrated with the Council's Wellbeing Objectives set in the Corporate Plan as well as Service Plans. Recommendations from the Community Impact Assessment will also shape how the Council can improve the delivery of services across communities.

**Involvement** – Included in this report are actions to involve Newport's communities to provide assurance and shape the way in which services are being delivered by the Council. Their feedback and involvement in the process will enable the Council to consider how services are delivered in the long term.

**Collaboration** - The actions in the report are being undertaken in collaboration with partners from the Council's Public Services Board but also strategic partners within each service area. The collaborative work enables the Council to share resources and build expertise and knowledge.

## **Crime and Disorder Act 1998**

Not applicable.

## **Consultation**

Senior Leadership Team

Corporate Management Team

Officer leads across the Authority

## **Background Papers**

Cabinet Report (Strategic Recovery Aims) – July 2020

Corporate Plan 2017-22

Strategic Recovery Aims

[Responding to the 'New Normal' Report to Overview and Management Scrutiny Committee](#)

**Dated: 28 April 2021**





**Strategic Recovery Aim 1 – Supporting Education & Employment.**

Understand, and respond to, the additional challenges, which Covid19 has presented, including loss of employment, impact on business and on the progress, achievement and wellbeing of both mainstream and vulnerable learners.

**Supports Wellbeing Objective 1 – To improve skills, education and employment opportunities.**

<b>Strategic Aim Step</b>	<b>May'21 Update (By Exception)</b>
and enhanced support for digitally excluded learners	From 1 <sup>st</sup> April 2021, EdTech funding is available to pay the carrier charges on 502 MiFi devices up to 31 <sup>st</sup> July 2021. To support pupils who need access to connectivity and do not have a MiFi device, Welsh Government has negotiated mobile data uplifts with a number of mobile network operators (BT Mobile, EE, SMARTY, Tesco Mobile, Three, Virgin Mobile and Vodafone). To date, 149 parents who have existing contracts with these providers have applied for mobile data uplifts via the school and local authority.
Support and enable people that are digitally excluded to access community IT programmes, Council services and other public services.	Additional laptops have been purchased out of the Legacy funding to support IT resource for residents across the City.  Public PC access will re-commence at the Central Library from 19 <sup>th</sup> April. Public PC access will be established at other sites during May.
Support people who have been affected by unemployment to access new opportunities through training and re-employment required for post Covid 19 businesses.	Work & Skills has been successful in securing a sub contract delivery offer from all Providers on The Commercial Agreement for the provision of Employment and Health Related Services CAEHRS Framework for the Department of Work and Pensions (DWP) Restart Scheme. The successful provider will be announced in due course with an implementation period of 9 weeks.  An additional 4 Kick start opportunities have been identified within the Housing Team.
Ensure our diverse communities are appropriately supported through tailored interventions specific to their needs, including consideration of language, culture and points of access.	Rural Development Programme Digital Transformation Project will run until the end of September 2021. Targeted at Seniors and using the KOMP device, it is a one button computer. KOMP will allow family members to make video calls, share photos and send messages to their relatives in a safe, secure and inclusive manner. This will help address loneliness for those unable to use more complex devices. Newport will be trialling 10 of these devices and we are in the process of identifying potential users.  Tablets and dongles have also been provided for those residents most in need via the REACH Programme (Refugee Integration). Through the Child Development Fund, Flying Start has purchased 50 Tablets and 30 WiFi packs, to loan to families who would otherwise be digitally excluded from accessing these services. The first kits are due to go out w/c 8th March 2021 to families.  Speech and Language/Parenting interventions continue to be delivered virtually.  Newport Live's Alternative Education programme (vulnerable learners) is in full operation, with full-time and part-time pupil placements (30+ young people) via Bridge Achievement Service, and various Secondary Schools.

**Strategic Recovery Aim 1 – Supporting Education & Employment.**

Understand, and respond to, the additional challenges, which Covid19 has presented, including loss of employment, impact on business and on the progress, achievement and wellbeing of both mainstream and vulnerable learners.

**Supports Wellbeing Objective 1** – To improve skills, education and employment opportunities.

Strategic Aim Step	May'21 Update (By Exception)
	<p>Positive Futures continue to engage with identified families ‘on their doorsteps’ working with children in a mentoring capacity, with children 15 children per week being met from Tredegar Park, Alway, Maindee and Pillgwenlly Primary Schools – linked to Safer Newport.</p> <p>The Levelling the Playing Fields project in Newport, part of a national programme with Alliance of Sport and the London Marathon Trust, using sport to engage and improve health / life outcomes of BAME children and young people who are at risk of entering the Criminal Justice System locally by Newport Live in partnership with Youth Justice Service.</p>

**Strategic Recovery Aim 2 – Supporting the Environment and the Economy**

Understand and respond to the impact of Covid19 on the city’s economic and environmental goals to enable Newport to thrive again.

**Supports Wellbeing Objective 2** – To promote economic growth and regeneration whilst protecting the environment.

Strategic Aim Step	May'21 Update (By Exception)
<p>Maintain our focus on regenerating Newport to deliver existing and new investment projects.</p>	<p>Roll out of WG Covid-19 support ongoing – 700 Spring Restrictions Grants paid totalling £1.4m plus 102 additional grants under the Cultural Freelancer scheme totalling £255k.</p> <p>Property Enhancement Grants awarded to support redevelopment of Kings Chambers and Olympia House</p>
<p>Enable and support the construction industry to re-establish the supply of new and affordable housing.</p>	<p>Following an uplift to our Social Housing Grant funding for the financial year 2021/22, we will be working with RSL partners over the coming weeks to identify additional affordable housing schemes suitable for this funding.</p>
<p>Enable and support businesses to re-establish normal operations whilst maintaining the health and safety of their workers and customers.</p>	<p>Regulatory Services will be supporting businesses reopening as restrictions are eased over the next two months.</p>
<p>Enable and support businesses to prepare for future trade arrangements resulting from Brexit negotiations.</p>	<p>See separate Brexit Report to Cabinet in May 2021. The Council is progressing with bids for the Levelling Up Fund and UK Community Renewal Fund which have to be submitted to UK Government by Noon 18<sup>th</sup> June 2021. The Council is continuing to work with partners to encourage and support EU Citizens with their EUSS applications which need to be completed by 30<sup>th</sup> June 2021.</p>

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<b>Strategic Recovery Aim 2 – Supporting the Environment and the Economy</b>	
Understand and respond to the impact of Covid19 on the city's economic and environmental goals to enable Newport to thrive again.	
<b>Supports Wellbeing Objective 2 – To promote economic growth and regeneration whilst protecting the environment.</b>	
<b>Strategic Aim Step</b>	<b>May'21 Update (By Exception)</b>
Protect and improve the environment, including air quality and decarbonisation of the city for its residents, businesses and visitors.	<p>Planning application has been submitted by the Carbon Reduction Team for a 2.4MW Solar Farm to be built adjacent to Docksway Recycling Centre. This scheme will contribute towards the decarbonisation of the city.</p> <p>A Climate Change Workshop with Senior Managers in the Council took place on 16th of April. This is the first step for Newport Council in developing their own Climate Action Plan for the organisation, and how we can affect wider change in terms of the need for the whole City to decarbonise by 2050.</p> <p>The building retrofit project will target decarbonisation across the council's built estate. Invitation to Tender is currently being developed for first phase of works on 16 buildings.</p>
Continuing support and safe delivery of the Council's City services including waste, cleansing and highways.	City Services introduced its first electric refuse vehicle. The first one in Wales. The City Services are also making good progress installing new solar panels / farm to enable clean energy power its electric fleet. For Newport these are major steps in its work to becoming net zero carbon by 2030.

<b>Strategic Recovery Aim 3 – Supporting the Health &amp; Wellbeing of Citizens</b>	
Promote and protect the health and wellbeing of people, safeguarding the most vulnerable, and building strong, resilient communities	
<b>Supports Wellbeing Objective 3 – To enable people to be healthy, independent and resilient</b>	
<b>Strategic Aim Step</b>	<b>May'21 Update (By Exception)</b>
Support people to remain living independently in their homes and communities.	For the first time there are no Newport care homes in incident and plans are being developed to safely resume indoor visits. Monitoring systems remain in place.
Fully restore Children and Adult Services, supporting partners that have been impacted by Covid 19 and ensuring service users and staff are supported and protected.	The vaccination programme has delivered 2 <sup>nd</sup> doses to the majority of social care staff and to all older people in care home settings. Lateral flow tests are being distributed to providers and to NCC front facing social care staff to support recovery plans.
Assess the impact and the long-term sustainability of the social care sector in Newport informing future service requirements.	WG hardship funding to support the social care sector has been extended for 6 months. The terms of this funding is not yet known - the detail will influence our 21/22 fee negotiations.

**Strategic Recovery Aim 3 – Supporting the Health & Wellbeing of Citizens**

Promote and protect the health and wellbeing of people, safeguarding the most vulnerable, and building strong, resilient communities

**Supports Wellbeing Objective 3 – To enable people to be healthy, independent and resilient**

<b>Strategic Aim Step</b>	<b>May'21 Update (By Exception)</b>
Safeguard and support children and young people to remain safely with their families.	Local companies in the City donated laptops and iPads to children in residential homes and foster care to help them with their school work. Welsh Government Integrated Care Fund has awarded capital funding for Project Perthyn which is aimed at bringing children back into the City where they can receive better standards of care and be closer to their families. The funding will be used towards the development of a third home in the City which can be used by other Councils in Gwent for children with complex needs.
Improve opportunities for Active Travel and work towards improved air quality.	In collaboration with Network Rail further development has been made with the installation of a new accessible walkway from Devon Place to Queensway. Network Rail have announced that this winter they will close the line that will enable the necessary works to take place. The new footbridge will provide a safer route for pedestrians and improve access for disabled people in the city.  The Council also received fantastic news that it will have £9.4m to deliver Active Travel schemes in Newport in 2021/22.
Regulate businesses and support consumers / residents to protect and improve their health.	Regulatory Services will be supporting businesses reopening as restrictions are eased over the next two months.
Work with key partners to safely re-open cultural and leisure facilities including the promotion of the city's parks, open spaces and coastal paths.	Permission to Start has been approved for the Transporter Bridge project.  Newport Live's Sport Wales additional 'recovery' funding (21/22) will create a new engagement programme aimed at increasing physical activity levels and improving mental wellbeing as part of Covid recovery; building on the #happyandhealthyathome campaign.
Sustain a safe, healthy and productive workforce.	Risk assessment for the Civic Centre has been reviewed and an audit will be undertaken by the end of the month by the Health and Safety Manager.

**Strategic Recovery Aim 4 – Supporting Citizens post Covid-19**

Provide people with the resources and support that they need to move out of the crisis, considering in particular the impact that Covid 19 has had on our minority and marginalised communities.

**Supports Wellbeing Objective 4 – To build cohesive and sustainable communities**

<b>Strategic Aim Step</b>	<b>May'21 Update (By Exception)</b>
Work together with our partners to reduce poverty, address homelessness and support our	HSG spend plan finalised to include a number of supported housing projects, posts and research that will help reduce homelessness. HSG funding to prioritise services developed during the pandemic and to support WG phase 2 capital

**Strategic Recovery Aim 4 – Supporting Citizens post Covid-19**

Provide people with the resources and support that they need to move out of the crisis, considering in particular the impact that Covid 19 has had on our minority and marginalised communities.

**Supports Wellbeing Objective 4 – To build cohesive and sustainable communities**

<b>Strategic Aim Step</b>	<b>May'21 Update (By Exception)</b>
most vulnerable people as a priority.	<p>projects. Emergency accommodation continues to be reviewed and has been secured for a further 6 months to ensure continuity of service.</p> <p>Faith based humanitarian groups have supported rough sleeping strategies, providing drop in services, food, showers, clothing etc as well as a signposting service and collaborative approach to managing rough sleeping and homelessness in the City.</p> <p>ABUHB have utilised a mosque to host pop up vaccination site for the community.</p>
<p>Assess and address the inequalities that Covid 19 has highlighted or contributed to within our communities.</p> <p>16 94</p>	<p>The Policy, Partnership and Involvement Team has been leading on 'Our Voice, Our Choice, Our Port' Participatory budgeting project. This project is focused on enabling community projects to access health funding to help support their work. Using the NCC Community Impact Assessment on Covid 19, we identified eight vulnerable groups to have been highly affected and five cross cutting themes were identified as affecting multiple groups.</p> <p>The Participatory Budget Steering Group (consisting of public sector, third sector and community members) provided support in the development of videos and bids. Over 80 applications were received. On 27th and 28th March around 400 Newport residents took part in online events Participatory Budgeting events to vote for the community projects that they wanted to receive funding. Funding was awarded to 24 projects which will provide support across a range of the worst affected groups and themes.</p>
Identify, develop and seek to sustain any positive developments emerging during the crisis.	The Council's Chief Executive contributed towards an Audit Wales review and how we worked together in the Council, our partners and with communities.
Developing opportunities for people to access suitable and affordable housing	Following an uplift to our Social Housing Grant funding for the financial year 2021/22, we will be working with RSL partners over the coming weeks to identify additional affordable housing schemes suitable for this funding.
Deliver a community cohesion programme that effectively responds to community tensions and creates a shared sense of identity across the city.	<p>Welcome to Newport App under development in partnership with Cardiff University and Software Academy; design being led by refugees, asylum seekers and migrants and focussed on creating a share narrative of living in Newport</p> <p>Hate Crime training delivered to Hungarian and Polish communities in community languages.</p> <p>Hong Kong Citizens Support steering group established in preparation to welcome newcomers to the city and anticipate demand for services.</p> <p>EU Citizens Rights session delivered with partners to around 80 professionals working across NCC and other organisations, focussed on reducing risk of discrimination experienced by EU citizens in Newport</p>

**Strategic Recovery Aim 4 – Supporting Citizens post Covid-19**

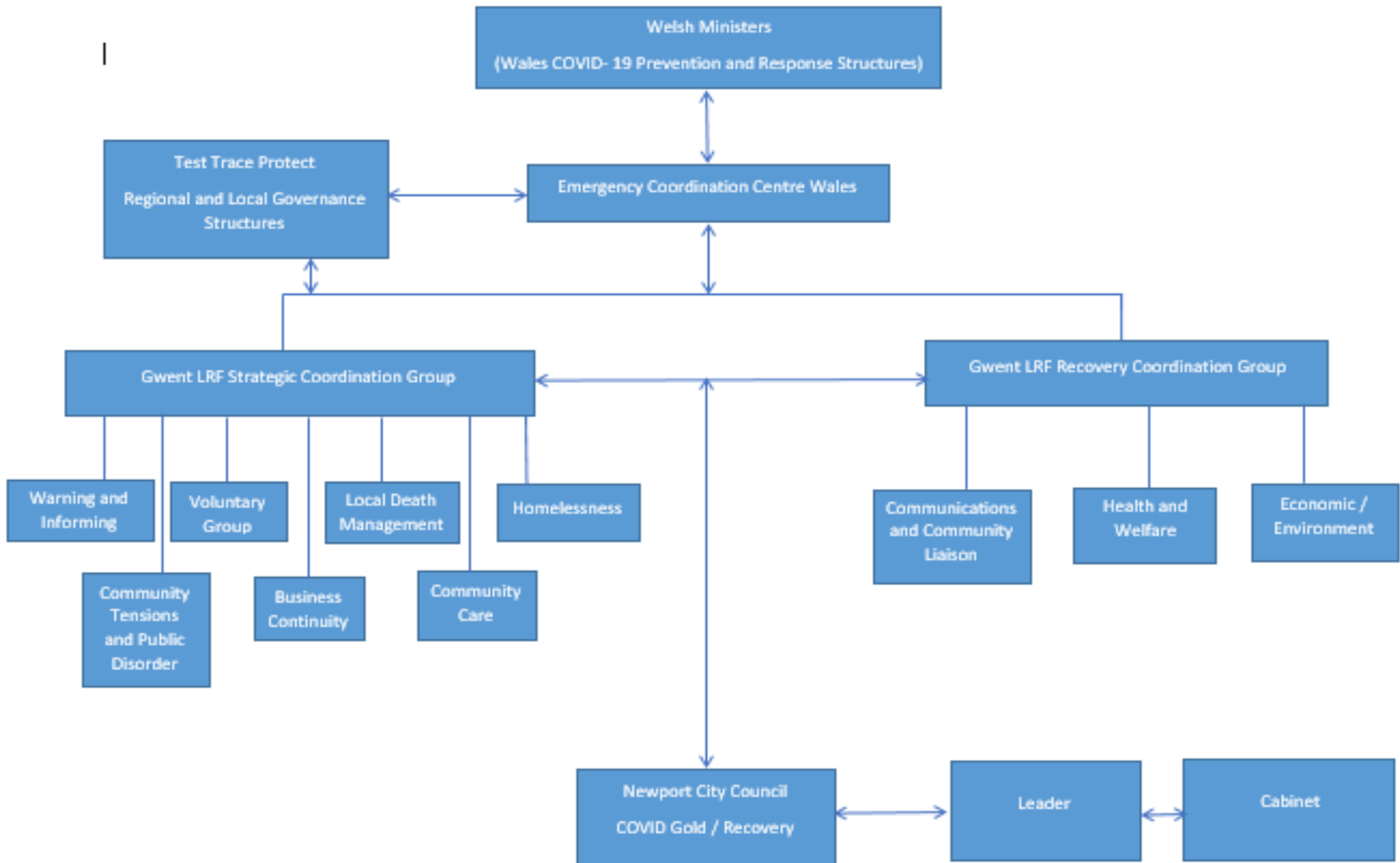
Provide people with the resources and support that they need to move out of the crisis, considering in particular the impact that Covid 19 has had on our minority and marginalised communities.

**Supports Wellbeing Objective 4 – To build cohesive and sustainable communities**

<b>Strategic Aim Step</b>	<b>May'21 Update (By Exception)</b>
Prevent and address instances of antisocial behaviour (ASB) impacting upon the residents and the business community of Newport	<p>Referrals continue to be received for young people being involved with ASB, but the number of referrals continue to be low. Police officers are trying to identify young people involved but continues to prove challenging. The direct work with young people will hope to commence as soon as restrictions lift.</p> <p>A number of partners are making contact with young people offering remote support. The ASB group is due to meet and areas to be discussed include - Post Covid support, Data sharing, Planning for new financial year. Partners met to discuss how we could improve the voice of the community. Further work is needed to establish the best fit to managing this. The data sharing group has met and progress is being made.</p>
Re-establish Community Regeneration facilities and services where it is safe to do so for staff and its service users.	<p>Four libraries re-opened for limited browsing on March 29th. Service is aiming to re-open all libraries from April 19th. Limited browsing will operate at six sites – Central; Bettws; Malpas; Rogerstone; Ringland and Tredegar House. Our three smallest sites will operate a click and collect service only. This will be the first time we have offered access across all our sites since the first Covid lockdown commenced.</p> <p>Face to face teaching within Adult Community Learning will re-commence from 12th April in line with WG guidance. Blended learning will continue alongside face-to-face teaching and several classes will remain fully online.</p>
Develop opportunities for community involvement participation and engagement.	<p>The Policy, Partnership and Involvement Team has been leading on 'Our Voice, Our Choice, Our Port' Participatory budgeting project. This project is focused on enabling community projects to access health funding to help support their work. Using the NCC Community Impact Assessment on Covid 19, we identified eight vulnerable groups to have been highly affected and five cross cutting themes were identified as affecting multiple groups.</p> <p>The Participatory Budget Steering Group (consisting of public sector, third sector and community members) provided support in the development of videos and bids. Over 80 applications were received. On 27th and 28th March around 400 Newport residents took part in online events Participatory Budgeting events to vote for the community projects that they wanted to receive funding. Funding was awarded to 24 projects which will provide support across a range of the worst affected groups and themes.</p>

## Appendix 2 – Covid 19 Prevention and Response Structure

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# Report

## Cabinet

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### Part 1

Date: 5 May 2021

**Subject** Post Brexit / Trade Agreement – Newport City Council Update

**Purpose** To present an update to Cabinet on the UK and EU relationship including an update on Newport City Council's response and monitoring of the post UK/EU after 31<sup>st</sup> December 2020.

**Author** Chief Executive  
Head of People and Business Change

**Ward** All

**Summary** Since the last report to Cabinet on 7<sup>th</sup> April 2021, the UK and EU arrangements have been in place for over four months and the UK and EU are still adapting to these new changes and there are many uncertainties on what the medium to long term impact(s) of these new arrangements will be for Newport and Wales.

The deadline for EU citizens to apply for EU Settled Status is getting closer with the 30<sup>th</sup> June deadline. The Council and its partners have been promoting and supporting people through the process. However, it remains unknown how many people have not applied and what the outcomes could be for those who have not applied or unsuccessful after the deadline.

In March, the UK Government announced two subsidy schemes that will replace EU Structural Funding that many areas in South East Wales including Newport benefited from. These are outlined in the report and Newport Council will be submitting bids to access the funding.

**Proposal** Cabinet is asked to consider the contents of the report and note the Council's Brexit response.

**Action by** Corporate Management Team

**Timetable** Immediate

This report was prepared after consultation with:

- Heads of Service and officer Brexit 'Task and Finish' group

**Signed**

## Background

The UK officially left the European Union and the Single Market on 31<sup>st</sup> December 2020. The UK and EU have agreed a trade arrangement that will prevent tariffs being imposed on EU and UK goods. But the new regulations now require businesses that trade with the EU to complete a number of forms and documents in order to continue to meet the new arrangements. As the economy reopens through the easing of Covid restrictions this may reveal some of the impacts that Brexit has had on the economy in Wales over the medium to long term.

Since the UK left the EU, there remains many legislative areas to be ratified across the UK. In March, the UK Government announced two subsidy schemes that will replace EU Structural Funding that many areas in South East Wales including Newport benefited from:

### 1. [Levelling Up Fund](#)

£800m has been allocated to the devolved nations (although the exact amount Welsh authorities will receive are unknown) to priority areas. Newport has been categorised as a Priority 1 area and will focus on three investment themes: transport investments; regeneration and town centre investment and cultural investment. Local authorities will be able to submit one bid for every MP that lies in their boundary which means Newport will be able to submit two bids. Bids can also be submitted in collaboration with neighbouring authorities on cross boundary schemes.

Newport Council is currently examining potential options for the City and over the next month will be pulling together bids for the fund.

### 2. [UK Community Renewal Fund \(precursor to the UK Shared Prosperity Fund\)](#)

The UK Community Renewal Fund is the precursor to the UK Shared Prosperity Fund that will be available for 2021/22. The UK Government announced £220 million of investment but it is not clear at the time of this report how much Wales will be able to access this fund. The UK Government has also identified 100 priority areas most in need based upon productivity, household income, unemployment, skills and population density. For Newport, we were not identified as a priority area under this criteria but we can still submit bids for funding albeit subject to tighter evaluation requirements in comparison to the Top 100 areas. The Council, local community groups, education establishments will be able to submit bids (Up to £3m) to the Lead Authority (Newport Council) which will have to be assessed and selected by panel before formally submitted to the UK Government.

Both of these funds will require Newport Council to submit bids to the UK Government which will be subject to an assessment and compete with other local authorities across the UK. Therefore it will not be guaranteed that Newport will be successful with this bids. Both funds must have bids submitted by June 2021 and there will be further work which the Council and partners need to do to identify and submit robust proposals.

Newport Council has launched a webpage on the [Council's website](#) for groups to apply for the funding and will have until 21<sup>st</sup> May to apply.

This work will also support the Welsh Government (WG) position published in its '[End of Transition Action Plan](#)' which sets out the WG priority areas. In addition to this WG has also published its paper [The New relationship with the EU](#) which outlines what the new trade arrangements, security, travel and rights of UK / EU Citizens. New migration and travel rules have also come into place from the 1<sup>st</sup> January 2021 including:

- New points based immigration system for all non UK residents (excluding Irish Citizens) looking to move and work in the UK.
- Travellers into and out of the UK will have to follow new rules including travel insurance with health cover. From 2022 UK nationals will have to pay for an electronic authorisation to travel to the EU.
- UK citizens looking to move to the EU will no longer have an automatic right to live or work and will require necessary resident permits or requirements of that country.

## **EU Settled Status / Post Brexit Rights**

The deadline for EU citizens to apply for EU Settled Status is drawing closer at 30<sup>th</sup> June. EU Citizens living and working in Newport significantly contribute towards the City's economy and its communities. To date over 8,000 applications have been made in Newport. It will be important that we ensure all EU families and individuals living in the City apply before the deadline and to ensure that they are not disadvantaged after this date. Since the scheme has been in operation, Newport Council alongside our partners at Newport City Homes, Newfields Law, Citizens Advice Bureau and others have been working closely with our communities to support them through this process. Welsh Government alongside the WLGA are very aware of the uncertainty and issues being faced by EU Citizens and are seeking assurances from the Home Office over their rights after the deadline and if the deadline can be extended due to the issues faced because of the lockdown measures.

In March, Newport Council and Newfields Law hosted an event to businesses and organisations explaining the rights of EU people living in Newport to continue to provide services effectively and fairly.

The Council has raised these concerns with the Welsh Government Local Government Association Brexit Co-ordinators Group and Welsh Government. The Council alongside its partners will also work to provide necessary advice, guidance and support to businesses and residents.

A summary of the Council's ongoing work is outlined below:

**Communication** – Newport Council has launched its webpage for the UK Community Renewal Fund and will be promoting this fund through our various communication channels. We have been sharing communications from the Council and Welsh Government on EUSS, Business support and providing services to EU residents in the city. The Council's internal communications team will also be sharing further information on EUSS and post Brexit rights.

**Finance** – The Council's Finance team are monitoring the impact that the new arrangements will have on the delivery of Council services and major capital projects. There are no specific reserves or contingencies currently that deal exclusively with Brexit but the Council's budget includes a 'general budget contingency' of £1.5m to deal with short term / in-year budget pressures and consideration will need to be given to any specific reserves/contingencies required as part of 2021/22 budget setting.

**Procurement** – Since the new trade arrangements came into place, no significant issues have been reported by service areas in relation to the supply chain as a result of the new trade arrangements. Some areas of the Council have noted price increases in the purchasing of goods and services but it is difficult to determine whether it is as a result of Covid or the new Brexit arrangements. Social Services residential homes, care providers and Education services have not reported any issues relating to food, medicine and other supplies. The Council's IT Provider (Shared Resource Service) have identified supply issues relating to IT equipment such as laptops. However, major IT manufacturers have been struggling to keep up with demand due to the pandemic and there is a delay in the supply of key microchips.

**Regulatory Services and Environmental Health** – The Council's Regulatory Service have appointed an officer who is contacting businesses in Newport establishing if they require any support with Covid and Brexit compliance. Environmental Health Food Safety team are now fully trained to undertake EU Health Certificate checks. Civil Contingencies and Regulatory Services have not identified any issues with Newport Port.

**Education** – Education Services have agreed to provide free school meals to children that have no recourse to public funds.

**Community Cohesion / EUSS** – Community Cohesion officers continue to engage with EU Citizens and community leaders encouraging the uptake of the EU Settled Status application before 30<sup>th</sup> June 2021. Food Poverty work continues and are offering small grants to Newport Food organisations to support

households impacted by Covid and Brexit. The work of Community Cohesion officers is also focusing on post-Brexit rights and access to key services in the City.

The Council will also be receiving additional funding in 2021/22 to support communities with Food Poverty with additional emphasis on providing Housing and debt advice / support.

The council are aware of a growing number of EU and non-EU nationals who are finding themselves with no recourse to public funds as a result of EUSS outcomes, and the hidden demand for support which is at present masked by extended COVID duties which require LAs to house people with no recourse to public funds (NRPF), as well as the current restrictions on private evictions. As we move into a period where people are more at risk of having an insecure migration status, or living unlawfully in the UK, these risks will be compounded.

The full list of areas being monitored by the Task & Finish group are included in Appendix 1 of this report. The areas covered above and in Appendix 1 are being undertaken within existing resources.

### Financial Summary

As part of the Council's financial monitoring, the Council's Finance team are monitoring any impacts on budgets due to Covid-19 and Brexit.

### Risks

The Council's Brexit risk is recorded on the Council's Corporate Risk Register which is presented to Cabinet and Audit Committee every quarter.

Risk	Impact of Risk if it occurs* (1-5)	Probability of risk occurring (1-5)	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?
Brexit	4	2	See Report.	Corporate Management Team and Brexit Task & Finish Group

### Links to Council Policies and Priorities

Corporate Plan  
Strategic Recovery Aims  
Risk Management Strategy

### Options Available and considered

1. To consider and note the contents of the report and for Cabinet / Cabinet Members to receive updates from officers as part of their portfolio.
2. To request further information or reject the contents of the report

### Preferred Option and Why

1. To consider and note the contents of the report and for Cabinet / Cabinet Members to receive updates from officers as part of their portfolio.

### Comments of Chief Financial Officer

The financial impact of Brexit is still uncertain, however, there are indications that there could be an impact on prices and supply of goods that may further impact on both capital and revenue budgets.

Budget / Service managers, with finance team colleagues, will continue to monitor these on a regular basis and any issues arising will be highlighted through the regular monitoring and budget setting processes.

Any negative financial impact arising from Brexit, whether it be through price increases or funding reductions could present a significant challenge to the Council. There are no specific reserves or contingencies currently that deal exclusively with Brexit but:

- £828k was allocated in the 2021/22 revenue budget for increased adult social care costs in relation to market stability, Covid recovery and Brexit;
- As part of the considerations of uses for the projected 2020/21 revenue budget underspend and further one-off funding that the 2021/22 new budget will also generate, the Head of Finance recommends that these, in part, are set aside for the Brexit / Covid residual risks in the short term. As the risk stabilises with time, any unused provision/reserve can then be re-allocated into other priorities. More details on this will be made in the 2020/21 revenue budget outturn and 2021/22 new budget reports to Cabinet.

Officers will continue to explore the possibilities of accessing the various grants that are being made available to public bodies in supporting the potential impact of the new arrangements.

### **Comments of Monitoring Officer**

There are no specific legal issues arising from the Report, which provides an update for Cabinet regarding the Council's Brexit preparations. The specific risks associated with the withdrawal have now been mitigated by the belated trade deal, subject to ratification by the member states. However, despite the agreement regarding no tariffs and quotas on imported and exported goods, there is still remaining uncertainty regarding the impact on other areas, such as services and data security. Any legal implications for existing contracts for supplies, services and care provision, data security matters and any regulatory enforcement issues, particularly in relation to port health, will be addressed once the details of the trade agreement are clarified and implemented in national legislation. Despite the non-imposition of tariffs and quotas, additional port health checks will be required in terms of certifying compliance with new Regulations. Environmental Health officers have now been trained to undertake import and export food health certificate checks, and this will have significant resource implications once the port activity increases. Local business advice and support is also being provided in relation to Brexit compliance. The UK Shared Prosperity Fund and the implementation of the Internal Markets legislation will have implications in terms of public sector contracts and procurement and also equivalent state-aid, fair competition requirements.

### **Comments of Head of People and Business Change**

The new trade arrangements with the EU will provide much certainty for businesses and the Council and has significantly reduced the risk for the Council and businesses in Newport. It is encouraging to see a large uptake in the number of residents applying for EUSS and the Council is making every effort alongside its partners to encourage those that have yet to apply, to do so by the deadline. The Council's Brexit Task and Finish officer group will continue to monitor and report on the progress being made by the Council and to raise any further risks and issues as they arise.

### **Comments of Cabinet Member**

The Leader of the Council is briefed on all aspects of risk management within the Council and related Brexit issues and work.

### **Local issues**

Members to be aware the impacts that Brexit can have on our Local Communities and business.

### **Scrutiny Committees**

The Council's Audit Committee receives regular risk register updates on the Council's Risk Register which includes the Brexit Risk.

## **Equalities Impact Assessment**

A paper is being prepared for consideration by the Brexit task and finish group which will assess the potential impact on communities post-December, as well as identifying risks associated with the changes to immigration rules.

## **Children and Families (Wales) Measure**

Not applicable.

## **Wellbeing of Future Generations (Wales) Act 2015**

There are potential long term impacts of Brexit Trade Negotiations which could affect the future demand on our services to provide the necessary support, advice and guidance. There may also be opportunities that could arise and the Council will need to make preparations to accordingly. In preparation we have been working collaboratively across the Council and with our partners to make sure that our services to prevent any scenario where services are disrupted and to provide resilience across the City and to our local partners.

We have also been involving our stakeholders and where necessary providing the necessary advice and guidance to those that need our support. Going forward we will continue to monitor and report where necessary any impacts which Brexit could have on the delivery of our services.

## **Crime and Disorder Act 1998**

Not applicable.

## **Consultation**

Corporate Management Team  
Brexit Task & Finish Group

## **Background Papers**

Welsh Government website '[Preparing Wales to leave the EU](#)'  
Welsh Local Government Association '[Brexit Website](#)'  
Newport City Council's '[Brexit Webpage](#)'

**Dated: 28 April 2021**

## Appendix 1 – Summary actions taken through the Task & Finish Group

Theme	Progress of Activity completed by Newport Council to 1 <sup>st</sup> May 2021
<b>Your Organisation (Communications)</b>	<p>We have been sharing communications from the Council and Welsh Government on EUSS, Business support and providing services to EU residents in the city. The Council's internal communications team will also be sharing further information on EUSS and post Brexit rights.</p> <p>The team has also prepared the webpage for groups in Newport to apply for the UK Community Renewal Fund.</p>
<b>Your Organisation (Finance and Funding)</b>	<p>The Council's Finance team are monitoring the impact that the new arrangement will have on the delivery of Council services and major capital projects. There are no specific reserves or contingencies currently that deal exclusively with Brexit but the Council's budget includes a 'general budget contingency' of £1.5m to deal with short term / in-year budget pressures and consideration will need to be given to any specific reserves/contingencies required as part of 2021/22 budget setting. The Council will be considering the prospectuses of the Shared Prosperity Fund and Levelling Up Fund to support key projects in Newport.</p>
<b>Supplies and Services (including social services and ICT)</b>	<ul style="list-style-type: none"> <li>• Since the new trade arrangements came into place, no significant issues have been reported by service areas in relation to the supply chain as a result of the new trade arrangements.</li> <li>• Some areas of the Council have noted price increases in the purchasing of goods and services but it is difficult to determine whether it is as a result of Covid or the new Brexit arrangements.</li> <li>• Social Services residential homes and care providers and Education services have not reported any issues relating to food, medicine and other supplies.</li> <li>• The Council's IT Provider (Shared Resource Service) have identified supply issues relating to IT equipment such as laptops. However, major IT manufacturers have been struggling to keep up with demand due to the pandemic and there is a delay in the supply of key microchips.</li> </ul>
<b>Security / Data Protection arrangements</b>	<ul style="list-style-type: none"> <li>• The Council's IT provider SRS have necessary virus protection and firewalls in place and continuously monitoring threats to its systems.</li> <li>• Information Commissioner's Office have confirmed EU Data Flow arrangements have been extended for 6 months. NCC audit of key IT suppliers and arrangements have not identified any such arrangements in place.</li> </ul>
<b>Supplies and Services (Regulatory Services)</b>	<ul style="list-style-type: none"> <li>• The Council's Regulatory Service have appointed an officer who is contacting businesses in Newport establishing if they require any support with Covid and Brexit compliance.</li> <li>• Enquiries are being received by the team.</li> <li>• Animal feed imports have been received at the port and their surveillance has increased since EU Exit.</li> <li>• Environmental Health Food Safety team are now fully trained to undertake EU Health Certificate checks.</li> </ul>
<b>Local Community (Civil Contingencies)</b>	<ul style="list-style-type: none"> <li>• Civil Contingencies and Regulatory Services have not identified any issues with Newport Port.</li> <li>• No issues have been identified since the transition impacting on Civil contingencies in Newport but the team will continue to monitor these.</li> </ul>
<b>Local Community (Community Cohesion)</b> <ul style="list-style-type: none"> <li>• EU Settled Status / EU communities</li> </ul>	<ul style="list-style-type: none"> <li>• Community Cohesion officers continue to engage with EU Citizens and community leaders encouraging the uptake of the EU Settled Status application before 30th June 2021.</li> </ul>

Theme	Progress of Activity completed by Newport Council to 1 <sup>st</sup> May 2021
<ul style="list-style-type: none"> <li>• <b>Food Poverty</b></li> <li>• <b>Homelessness (EU Citizens)</b></li> <li>• <b>Community cohesion</b></li> </ul>	<ul style="list-style-type: none"> <li>• Post Brexit rights webinar has been held in March and further engagement work will be undertaken to encourage EU Citizens to apply.</li> <li>• Food Poverty work continues and are offering small grants to Newport Food organisations to support households impacted by Covid and Brexit.</li> <li>• Newport Council will be receiving new funding from April 2021 to support more food poverty work and providing housing / debt advice.</li> <li>• The work of Community Cohesion officers is also focusing on post-Brexit rights and access to key services in the City.</li> <li>• The council are aware of a growing number of EU and non-EU nationals who are finding themselves with no recourse to public funds as a result of EUSS outcomes, and the hidden demand for support which is at present masked by extended COVID duties which require LAs to house people with no recourse to public funds (NRPF), as well as the current restrictions on private evictions.</li> <li>• Education have confirmed that children that are in NRPF families will have access to free school meals.</li> <li>• As we move into a period where people are more at risk of having an insecure migration status, or living unlawfully in the UK, these risks will be compounded.</li> </ul>



# Report

## Cabinet

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### Part 1

Date: 5 May 2021

**Subject** Cabinet Work Programme

**Purpose** To report and agree the details of the Cabinet's Work Programme.

**Author** Governance Team Leader/Cabinet Office Manager

**Ward** All Wards

**Summary** The purpose of a work programme is to enable Cabinet to organise and prioritise the reports and decisions that are brought to each meeting. Effective forward planning by Cabinet also impacts positively upon the Council's other Committees, in particular Scrutiny, because work needs to be coordinated on certain reports to ensure proper consultation takes place before a decision is taken.

The current work programme runs to May 2022, but it is a working document. It is important that the work programme is owned and prioritised by Cabinet Members directly, so each month the Cabinet Office Manager brings a report updating Cabinet on any changes, so that the revised programme can be formally approved.

The updated work programme is attached at Appendix 1.

**Proposal** To agree the updated work programme.

**Action by** Cabinet Office Manager /Governance Team Leader

**Timetable** Immediate

This report was prepared after consultation with:

- Chief Officers
- Monitoring Officer
- Head of Finance
- Head of People and Business Change

## Background

The purpose of a work programme is to enable Cabinet to organise and prioritise the reports and decisions that are brought to each meeting. Effective forward planning by Cabinet also impacts positively upon the Council's other Committees, in particular Scrutiny, because work needs to be coordinated on certain reports to ensure proper consultation takes place before a decision is taken.

The Wales Audit Office's Corporate Assessment of Newport City Council, published in September 2013, highlighted the need to "strengthen committee work programming arrangements to ensure they are timely, meaningful, informative, transparent, balanced, monitored, and joined up". Since that report was published, these monthly reports have been introduced to provide Cabinet with regular updates on its work programme, and the opportunity to comment upon and shape its priorities as an executive group. The Democratic Services team have also been working to improve the links between this and other work programmes under its management (e.g. Council, Scrutiny, Audit) to ensure the various programmes are properly coordinated.

The current work programme runs to May 2022, but it is a working document. It is important that the work programme is owned and prioritised by Cabinet Members directly, so each month the Cabinet Office Manager brings a report updating Cabinet on any changes, so that the revised programme can be formally approved.

The updated work programme is attached at Appendix 1.

## Financial Summary

There is no direct cost to adopting a programme of work.

## 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?
No action taken	M	L	Work programming arrangements are in place to ensure they are timely, meaningful, informative, and transparent, balanced, monitored, and joined up.	Head of Democratic Services
The process is not embraced by report authors and members	M	M	If there is proliferation of unplanned or late items, the opportunity to ensure work programming is timely, meaningful, informative, and transparent, balanced, monitored, and joined up will diminish	Head of Democratic Services

## Links to Council Policies and Priorities

These proposals will help the Council provide the best possible service to members and will provide information to the public and elected members.

### **Options Available and considered**

- To adopt the process and adopt or amend the work programme
- To consider any alternative proposals raised by Cabinet members
- To take no action

### **Preferred Option and Why**

To adopt the proposals which should help to ensure work programming arrangements are timely, meaningful, informative, and transparent, balanced, monitored, and joined up.

### **Comments of Chief Financial Officer**

There are no financial implications in adopting a programme of work.

### **Comments of Monitoring Officer**

There are no legal implications in adopting a programme of work.

### **Staffing Implications: Comments of Head of People and Business Change**

There are no specific staffing implications in adopting a programme of work.

### **Comments of Cabinet Member**

The Chair has approved the report for consideration by cabinet.

### **Local issues**

There are no local issues as this report relates to the Council's processes

### **Scrutiny Committees**

Monthly update reports allow the Scrutiny and Cabinet work programmes to be better coordinated. The Scrutiny team and Members are currently developing new ways of working through the new Committees, and continually reviewing the work programmes to focus more on risk, and ensure all scrutiny activity has a defined purpose and constructive outcome.

### **Equalities Impact Assessment and the Equalities Act 2010**

This does not apply to this procedural report.

### **Children and Families (Wales) Measure**

This procedural report does not impact on Children and Young People although certain reports contained in the programme may do and will need appropriate consultation and comment when they are presented to cabinet.

### **Wellbeing of Future Generations (Wales) Act 2015**

This is a procedural report but reports contained within the programme will need to show how consideration has been given to the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act.

### **Crime and Disorder Act 1998**

This does not apply to this procedural report

### **Consultation**

As set out above

### **Background Papers**

[Newport City Council Corporate Assessment](#), Wales Audit Office (September 2013)

[Newport City Council – Corporate Assessment Follow Up 2015](#), Wales Audit Office (May 2015)

**Dated: 5 May 2021**

Mae'r dudalen hon yn wag yn

# Cabinet

## Work Programme: June 2021 to May 2022

Meeting	Agenda Items	Lead Officer
<b>Cabinet 02/06/21</b>	<ul style="list-style-type: none"> <li>▪ Newport City Council – Senior Management Structure Review</li> <li>▪ Corporate Risk Register Update (Q4)</li> <li>▪ Replacement LDP Consultation Approval for Integrated Sustainability Appraisal Scoping Report</li> <li>▪ School Reorganisation Proposal to Expand Bassaleg School</li> <li>▪ MIM Strategic Partnership Agreement</li> <li>▪ Welsh Language Annual Report</li> <li>▪ Covid Update Report</li> <li>▪ Brexit Update Report</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ CX</li> <li>▪ HP&amp;BC</li> <li>▪ HRIH</li> <li>▪ CEdO</li> <li>▪ CEdO</li> <li>▪ HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ GTL</li> </ul>
<b>Council 29/06/21</b>	<ul style="list-style-type: none"> <li>▪ Council Appointments</li> <li>▪ PSPO</li> </ul>	<ul style="list-style-type: none"> <li>▪ DSM</li> <li>▪ HL&amp;R</li> </ul>
<b>Cabinet 07/07/21</b>	<ul style="list-style-type: none"> <li>▪ 2020/21 Treasury Management Year End Report</li> <li>▪ 2020/21 Revenue Budget Outturn</li> <li>▪ 2020/21 Capital Outturn and Additions</li> <li>▪ Responding to the New Normal Report</li> <li>▪ Annual Safeguarding Report</li> <li>▪ Covid Update Report</li> <li>▪ Brexit Update Report</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ HoF</li> <li>▪ HoF</li> <li>▪ HoF</li> <li>▪ HP&amp;BC</li> <li>▪ SD People</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ GTL</li> </ul>
<b>Council 20/07/21</b>	<ul style="list-style-type: none"> <li>▪ Council Appointments</li> <li>▪ 2020/21 Treasury Management Year End Report</li> </ul>	<ul style="list-style-type: none"> <li>▪ DSM</li> <li>▪ HoF</li> </ul>
<b>Cabinet 15/09/21</b>	<ul style="list-style-type: none"> <li>▪ Revenue Budget Monitor</li> <li>▪ Capital Budget Monitor</li> <li>▪ WAO Annual Improvement Report</li> <li>▪ Corporate Risk Register Update (Quarter 1)</li> <li>▪ Covid Update Report</li> <li>▪ Brexit Update Report</li> <li>▪ PSB Summary of Business</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ HoF</li> <li>▪ HoF</li> <li>▪ HP&amp;BC</li> <li>▪ HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ HP&amp;BC</li> <li>▪ GTL</li> </ul>
<b>Council 28/09/21</b>	<ul style="list-style-type: none"> <li>▪ Council Appointments</li> <li>▪ Scrutiny Annual Report</li> </ul>	<ul style="list-style-type: none"> <li>▪ DSM</li> <li>▪ HL&amp;R</li> </ul>

<b>Cabinet</b> <b>13/10/21</b>	<ul style="list-style-type: none"> <li>▪ Corporate Plan Annual Report</li> <li>▪ WAO Certificate of Compliance 1</li> <li>▪ Replacement LDP Strategy for Growth Options and Feedback on Integrated Sustainability Appraisal.</li> <li>▪ Risk Management Strategy</li> <li>▪ Annual Report on Compliments, Comments and Complaints Management 2020</li> <li>▪ Strategic Equality Plan Annual Report</li> <li>▪ Covid Update Report</li> <li>▪ Brexit Update Report</li> <li>▪ PSB Summary of Business</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ HP&amp;BC</li> <li>▪ HP&amp;BC</li> <li>▪ HRIH</li>   <li>▪ HP&amp;BC</li> <li>▪ Customer Services Mgr</li> <li>▪ HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ HP&amp;BC</li> <li>▪ GTL</li> </ul>
<b>Cabinet</b> <b>10/11/21</b>	<ul style="list-style-type: none"> <li>▪ Revenue Budget Monitor</li> <li>▪ Capital Budget Monitor and Additions</li> <li>▪ Forecast Numbers of LAC</li> <li>▪ Covid Update Report</li> <li>▪ Brexit Update Report</li> <li>▪ PSB Summary Document (for information/awareness)</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ HoF</li> <li>▪ HoF</li> <li>▪ SD - People</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ HP&amp;BC</li> <li>▪ GTL</li> </ul>
<b>Council</b> <b>23/11/21</b>	<ul style="list-style-type: none"> <li>▪ Council Appointments</li> <li>▪ Democratic Services Annual Report</li> <li>▪ Standards Committee Annual Report</li> <li>▪ Strategic Equality Plan Annual Report</li> </ul>	<ul style="list-style-type: none"> <li>▪ DSM</li> <li>▪ HL&amp;S</li> <li>▪ HL&amp;S</li> <li>▪ HP&amp;BC</li> </ul>
<b>Cabinet</b> <b>15/12/21</b>	<ul style="list-style-type: none"> <li>▪ 2022/23 Revenue Budget and MTFP: Draft Proposals</li> <li>▪ 2021/22 Treasury Management 6 monthly Report</li> <li>▪ Corporate Risk Register Update (Quarter 2)</li> <li>▪ WAO Certificate of Compliance 2</li> <li>▪ Director of Social Services Annual Report</li> <li>▪ WESP – 2021/2025</li> <li>▪ Covid Update Report</li> <li>▪ Brexit Update Report</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ HoF</li> <li>▪ HoF</li> <li>▪ HP&amp;BC</li> <li>▪ HP&amp;BC</li> <li>▪ SD - People</li> <li>▪ SD – People</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ GTL</li> </ul>
<b>Cabinet</b> <b>12/01/22</b>	<ul style="list-style-type: none"> <li>▪ Revenue Budget Monitor</li> <li>▪ Capital Budget Monitor</li> <li>▪ Mid-Year Performance Analysis 2020/21</li> <li>▪ Verified Key Stage 4 and 5 Pupil Outcomes</li> <li>▪ Welsh In Education Strategic Plan Approval</li> <li>▪ Brexit Update</li> <li>▪ Covid Recovery</li> <li>▪ PSB Summary Document (for information/awareness)</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ HoF</li> <li>▪ HoF</li> <li>▪ HP&amp;BC</li> <li>▪ CEdO</li> <li>▪ CEdO</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ For info</li> <li>▪ GTL</li> </ul>
<b>Council</b> <b>25/01/22</b>	<ul style="list-style-type: none"> <li>▪ Council Appointments</li> <li>▪ 2021/22 Treasury Management 6 monthly report</li> <li>▪ Council Tax Reduction Scheme</li> <li>▪ Director of Social Services Annual Report</li> <li>▪ Schedule of Meetings 2022/23</li> <li>▪ Mayoral Nomination 2022/23</li> </ul>	<ul style="list-style-type: none"> <li>▪ DSM</li> <li>▪ HoF</li> <li>▪ HCS</li> <li>▪ SD – People</li> <li>▪ GTL</li> </ul>

<b>Cabinet 09/02/22</b>	<u>Budget:</u> <ul style="list-style-type: none"> <li>▪ 2022/23 Capital Strategy and Treasury Management Strategy</li> <li>▪ 2022/23 Revenue Budget and MTFP: Final Proposals</li> <li>▪ Replacement LDP Feedback on Growth Options and Vision/Objectives</li> <li>▪ Covid Recovery Update</li> <li>▪ Brexit Update</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ HoF</li> <li>▪ HoF</li> <li>▪ HRIH</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ GTL</li> </ul>
<b>Council 22/02/22</b>	<u>Budget:</u> <ul style="list-style-type: none"> <li>▪ Council Appointments</li> <li>▪ 2022/23 Council Tax and Budget</li> <li>▪ 2022/23 Capital Strategy and Treasury Management Strategy</li> <li>▪ National Non-Domestic Rates: Discretionary Relief: High Street Relief Scheme 2022-23</li> </ul>	<ul style="list-style-type: none"> <li>▪ DSM</li> <li>▪ HoF</li> <li>▪ HoF</li> <li>▪ HoF</li> </ul>
<b>Cabinet 09/03/22</b>	<ul style="list-style-type: none"> <li>▪ Pay and Reward Statement 2022/23</li> <li>▪ EAS Business Plan 2020/21</li> <li>▪ Corporate Risk Register Update (Quarter 3)</li> <li>▪ Covid Recovery Update</li> <li>▪ Brexit Update</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ HP&amp;BC</li> <li>▪ CEoO</li> <li>▪ HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ GTL</li> </ul>
<b>Cabinet 06/04/22</b>	<ul style="list-style-type: none"> <li>▪ Annual Corporate Safeguarding Report</li> <li>▪ Covid Recovery Update</li> <li>▪ Brexit Update</li> <li>▪ PSB Summary Document (for information/awareness)</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ HC&amp;YPS</li> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ For info</li> <li>▪ GTL</li> </ul>
<b>Council 26/04/22</b>	<ul style="list-style-type: none"> <li>▪ Council Appointments</li> <li>▪ IRP Annual Report</li> <li>▪ Pay and Reward Statement 21/22</li> </ul>	<ul style="list-style-type: none"> <li>▪ DSM</li> <li>▪ HoL&amp;R</li> <li>▪ HP&amp;BC</li> </ul>
<b>Cabinet 04/05/22</b>	<ul style="list-style-type: none"> <li>▪ Covid Recovery Update</li> <li>▪ Brexit Update</li> <li>▪ Work Programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ CX/HP&amp;BC</li> <li>▪ CX/HP&amp;BC</li> <li>▪ GTL</li> </ul>
<b>Council 10/05/22</b>	<u>AGM:</u> <ul style="list-style-type: none"> <li>▪ Council Appointments</li> </ul>	<ul style="list-style-type: none"> <li>▪ DSM</li> </ul>

Mae'r dudalen hon yn wag yn