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CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Mr Richard Parry Jones, BA, MA.
Prif Weithredwr – Chief Executive

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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR GWAITH	THE EXECUTIVE
DYDD LLUN 20 EBRILL 2015 10.00 o'r gloch	MONDAY 20 APRIL 2015 10.00 am
SIAMBR Y CYNGOR SWYDDFEYDD Y CYNGOR LLANGFNI	COUNCIL CHAMBER COUNCIL OFFICES LLANGFNI
Swyddog Pwyllgor	Ann Holmes 01248 752 518 Committee Officer

Annibynnol/Independent

R Dew, K P Hughes, H E Jones and Ieuan Williams (Cadeirydd/Chair)

Plaid Lafur/Labour Party

J A Roberts (Is-Gadeirydd/Vice-Chair) and Alwyn Rowlands

Aelod Democratiaid Rhyddfrydol Cymru /Welsh Liberal Democrat (Heb Ymuno / Unaffiliated)

Aled Morris Jones

COPI ER GWYBODAETH / COPY FOR INFORMATION

I Aelodau'r Cyngor Sir / To the Members of the County Council

Bydd aelod sydd ddim ar y Pwyllgor Gwaith yn cael gwahoddiad i'r cyfarfod i siarad (ond nid i bleidleisio) os ydy o/hi wedi gofyn am gael rhoddi eitem ar y rhaglen dan Reolau Gweithdrefn y Pwyllgor Gwaith. Efallai bydd y Pwyllgor Gwaith yn ystyried ceisiadau gan aelodau sydd ddim ar y Pwyllgor Gwaith i siarad ar faterion eraill.

A non-Executive member will be invited to the meeting and may speak (but not vote) during the meeting, if he/she has requested the item to be placed on the agenda under the Executive Procedure Rules. Requests by non-Executive members to speak on other matters may be considered at the discretion of The Executive.

Please note that meetings of the Committee are filmed for live and subsequent broadcast on the Council's website. The Authority is a Data Controller under the Data Protection Act and data collected during this webcast will be retained in accordance with the Authority's published policy.

A G E N D A

1 DECLARATION OF INTEREST

To receive any declarations of interest from any Member or Officer in respect of any item of business.

2 URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HIS APPOINTED OFFICER

No urgent matters at the time of dispatch of this agenda.

3 MINUTES (Pages 1 - 8)

To submit for confirmation, the minutes of the meeting of the Executive held on 16th March, 2015.

4 MINUTES FOR INFORMATION (Pages 9 - 16)

To submit for information, the draft minutes of the meeting of the Corporate Parenting Panel held on 9th March, 2015.

5 THE EXECUTIVE'S FORWARD WORK PROGRAMME (Pages 17 - 28)

To submit the report of the Head of Democratic Services.

6 ANNUAL DELIVERY DOCUMENT (IMPROVEMENT PLAN) 2015/16 (Pages 29 - 54)

To submit the report of the Programme and Business Planning Manager.

7 CONSTITUTIONAL CHANGES - AUDIT COMMITTEE TERMS OF REFERENCE (Pages 55 - 62)

To submit the report of the Head of Function (Council Business)/Monitoring Officer.

8 CONSTITUTIONAL CHANGES - POWERS OF THE CHIEF EXECUTIVE (Pages 63 - 66)

To submit the report of the Head of Function (Council Business)/Monitoring Officer.

9 REGULATION OF INVESTIGATORY POWERS ACT (RIPA) (Pages 67 - 124)

To submit the report of the Head of Function (Council Business)/Monitoring Officer.

10 PUBLIC SECTOR HOUSING CAPITAL PROGRAMME 2015/16 (Pages 125 - 130)

To submit the report of the Head of Housing Services.

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- 11** **MARITIME FEES AND CHARGES** (Pages 131 - 138)
To submit the report of the Head of Economic and Community Regeneration.
- 12** **LOWERING THE ADMISSION AGE FOR YSGOL LLANFAIRPWLL** (Pages 139 - 154)
To submit the report of the Director of Lifelong Learning.
- 13** **LOWERING THE ADMISSION AGE FOR YSGOL GORONWY OWEN** (Pages 155 - 172)
To submit the report of the Director of Lifelong Learning.
- 14** **PROCUREMENT POLICY AND STRATEGY** (Pages 173 - 188)
To submit the report of the Interim Head of Function (Resources)/Section 151 Officer.
- 15** **ROLL OUT OF E-PROCUREMENT WITHIN THE AUTHORITY** (Pages 189 - 192)
To submit the report of the Interim Head of Function (Resources)/Section 151 Officer.
- 16** **SCRUTINY OUTCOME PANEL - SICKNESS ABSENCE** (Pages 193 - 216)
To submit the report of the Scrutiny Outcome Panel on sickness absence.
- 17** **SCRUTINY OUTCOME PANEL - EFFICIENCY SAVINGS 2014/15** (Pages 217 - 226)
To submit the report of the Scrutiny Outcome Panel on efficiency savings.
- 18** **EXCLUSION OF THE PRESS AND PUBLIC** (Pages 227 - 228)
To consider adoption of the following:-

“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test”.
- 19** **BEAUMARIS PIER - ACEP** (Pages 229 - 234)
To submit the report of the Interim Head of Function (Resources)/Section 151 Officer.

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THE EXECUTIVE

Minutes of the meeting held on 16 March 2015

- PRESENT:** Councillor Ieuan Williams (Chair)
- Councillors R Dew, K P Hughes, A M Jones, H E Jones and Alwyn Rowlands
- IN ATTENDANCE:** Chief Executive,
Deputy Chief Executive,
Corporate Director (Community),
Corporate Director (Lifelong Learning),
Corporate Director (Sustainability),
Interim Head of Democratic Services (JHJ) (for items 5 & 6),
Policy and Strategy Manager (CWO) (for item 6),
Head of Function (Council Business)/Monitoring Officer (for item 8),
Head of Environment and Technical (for items 14 & 15),
Programme Manager (Education) (EB) (for items 11 & 12),
Revenue & Benefits Services Manager (GJ) (for item 7),
Head of Adults Services (for item 17),
Strategic Transformation Manager (JD) (for item 17),
Solicitor (TR) (for item 17),
Committee Officer (MEH).
- ALSO PRESENT:** Councillors Ann Griffith, John Griffith, T.V. Hughes, Llinos M. Huws, R.L.I. Jones, R. Meirion Jones, Bob Parry OBE.
- Canon Robert Townsend (for item 11).
- APOLOGIES:** Councillor J A Roberts

1 DECLARATION OF INTEREST

Declarations of interest were made as follows:

Councillor K.P. Hughes declared a personal and prejudicial interest in respect of item 12 on the agenda and withdrew from the meeting during the discussion and voting thereon.

Councillor H.E. Jones declared that he is a Governor of both Brynsiencyn and Llanddaniel Primary School but having sought the advice of the Monitoring Officer he was able to take part and vote as his interest was not prejudicial on account that he has no family at either school.

2 URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HIS APPOINTED OFFICER

None to report.

3 MINUTES

The minutes of meetings held on 9 February, 2015 and 16 February, 2015 were submitted and confirmed.

RESOLVED that the minutes of the following meetings of the Executive be confirmed as correct :-

- 9 February, 2015
- 16 February, 2015

4 MINUTES FOR INFORMATION

The draft minutes of the Voluntary Sector Liaison Committee held on 16th January, 2015 were submitted for information.

RESOLVED to accept, for information, the draft minutes of the Voluntary Sector Liaison Committee held on 16th January, 2015.

5 THE EXECUTIVE'S FORWARD WORK PROGRAMME

The report of the Interim Head of Democratic Services incorporating the Executive's Forward Work Programme for the period April – November 2015 was submitted for consideration.

The Interim Head of Democratic Services reported that Items 1 and 2 on the Work Programme have been delegated for decisions by the relevant Portfolio Holders and will be published in March 2015.

He further noted that additional items have been included in the Work Programme as follows :-

26 May, 2015 meeting – Items 17,18,19 and 20

15 June, 2015 meeting – Item 22

19 October, 2015 meeting – Item 35

It was RESOLVED to confirm the updated Forward Work Programme for the period April – November, 2015, subject to the additional changes outlined at the meeting.

6 ANNUAL EQUALITY REPORT

Submitted – a report by the Interim Head of Democratic Services in relation to the above.

The Policy and Strategy Manager reported that the Public Sector Equality Duty (PSED) requires that all public authorities covered under the Equality Act 2010 Statutory Duties (Wales) Regulations 2011 must publish an annual equality report by 31 March in the year following each reporting period.

It was RESOLVED to approve the Council's Annual Equality Report 2013/14 for publication by 31 March, 2015.

7 NEW BUSINESS RATES RELIEF FOR CHARITIES AND NON PROFIT-MAKING ORGANISATIONS

Submitted – a report by the Interim Head of Function (Resources)/Section 151 Officer in relation to the above.

It was **RESOLVED** :-

- **To adopt the current Discretionary Business Rates Relief Policy-Charities and Non-Profit Making Organisations for the financial year 2015/16 only and to instruct the Acting Head of Function (Resources)/Section 151 Officer to ensure that administrative procedures before 31 March, 2015 advise relevant charities and non-profit making organisations that the policy will apply for 2015/16 and will cease on 31 March, 2016.**
- **To authorise the Portfolio Holder (Finance) and the Acting Head of Function (Resources)/Section 151 Officer to review the current policy during 2015/16 and, if applicable, undertake a public consultation process. If, as a consequence of the review and any consultation undertaken, changes are recommended to the policy, it is the Executive's view that adequate lead time is given for Charities and non-profit making organisations to take into account the effect of any such changes on their organisations.**

(Councillor A.M. Jones declared an interest in respect of this item)

8 CHANGES TO THE CONSTITUTION - CONTRACT PROCEDURE RULES

Submitted – a report by the Head of Function (Council Business)/Monitoring Officer in relation to the above.

The Head of Function (Council Business)/Monitoring Officer reported that the Council's Contract Procedure Rules (CPR) set out the framework under which all procurement activity is undertaken. The current CPR requires updating and the reasons were set out within the report.

Councillor R. Meirion Jones stated that whilst he welcomed the amended version of the Contract Procedure Rules however he would have likely to have seen a reference that the Council gives priority to local businesses. He further referred to the heading 'Exceptions' at 4.9.3 of Appendix 1 – he considered that the Executive should reserve authority if Officers disagree on a particular matter. The Head of Function (Council Business)/Monitoring Officer responded that a guide on public procurement has been published for Members on the Council's website which explains in the introduction the Council's legal obligation as a best value authority which means that there are limitations on favouring local businesses in the procurement arena. She stated that she would discuss with Councillor Jones the changes to the public regulations 2015 in due course.

It was RESOLVED to recommend to the full County Council that Council approves the new Contract Procedure Rules and delegate authority to the Monitoring Officer to incorporate the new Contract Procedure Rules ('CPRs') into the Constitution.

9 INDEPENDENT SECTOR RESIDENTIAL AND NURSING HOME FEES 2015/16

Submitted – a report by the Head of Adult's Services in relation to the above.

The Head of Adult's Services reported that the Local Authority is required to review Independent Sector Care Home fees annually to coincide with Central Government's changes to benefit and pension levels which come into effect on 7 April, 2015. Throughout the work of developing the methodology, considerable emphasis is placed on enhancing

quality of care provided for care home residents and the numbers residing therein. This has included a review of the number of care, domestic and management hours required to support residents based on staff rota statistics from a number of care homes across the region. The North Wales Methodology has recommended an increase of between 1.69% and 1.88% across the 4 categories of care.

It was RESOLVED :

- **To adopt the North Wales Fee Methodology as implemented hitherto by the Authorities in North Wales as a basis for setting fees in Anglesey during 2015/16;**
- **To increase fee levels as noted in the table contained within the report;**
- **To increase fee levels for high cost/low volume placements (i.e. Learning Disability/Mental Health/Substance Abuse and Physical Disability) arranged through the North Wales Commissioning Centre, namely an increase of 1.7% in core fees (up to £549) and 0% above that threshold for every resident in high cost placements as agreed with the other North Wales Authorities and as approved by NWSSIC;**
- **Approve an increase of 0% (as approved by NWSSIC on 27/02/15) in high cost placements for children and young people arranged through the North Wales Regional Commissioning Centre;**
- **In line with other Authorities, authorize the Social Services and Finance Departments to respond to any requests from homes to explore their specific accounts and to utilize the exercise as a basis to consider any exceptions to the agreed fees;**
- **To enable the Department to agree exceptions which can be met within their budgets in consultation with the Portfolio Holder.**

10 CHILDCARE SUFFICIENCY ASSESSMENT

Submitted – a report by the Corporate Director (Lifelong Learning) in relation to the above.

It was reported that in April 2008, formal guidance was issued to Local Authorities specifying their statutory obligations under the Childcare Act 2006. A comprehensive assessment is prepared every 3 years with an annual refresh noting any changes.

It was RESOLVED to accept the report as a refresh of the Childcare Sufficiency Assessment 2014 and to agree to the actions proposed.

11 SCHOOL MODERNISATION - RHOSYR AREA

Submitted – a report by the Corporate Director (Lifelong Learning) in relation to options on the way forward for the primary education provision in the Bro Rhosyr and Bro Aberffraw areas.

Councillor Ann Griffith as a Local Member thanked the Officers for conducting a thorough consultation process in the Rhosyr and Aberffraw areas. She stated that she has attended all the meetings locally with teaching staff, parents and community council representatives. It is inevitable that local communities do not wish to see their local school closing. The

community of Bodorgan believes that closing the school would cause that part of the island with no local school as Aberffraw Primary School was closed in 2011. Councillor Griffith believed that the decision could impact on the Welsh language. The Bodorgan community has stated that they naturally turn to the direction of Llangefni and therefore Ysgol Henblas would make more sense as an alternative if Bodorgan Primary School was to close. The response of Newborough and Dwyran areas was that Dwyran Primary School is a Community School with activities taking place with the school. Concerns were also expressed regarding the possibility of children having to travel a distance to a new school if the schools in the area were to close.

The response of the Diocese of Bangor is that they do not wish to see any reduction to any school which is under the voluntary management of the Church in Wales. The parents at Parc y Bont have chosen to send their children to a Church in Wales school and have further expressed that the children attend after school clubs, youth clubs and the Urdd.

The Chair invited Canon Robert Townsend to address the meeting as a representative of the Diocese of Bangor. Canon Townsend welcomed the options put forward by the Education Authority and would encourage the parents and the local communities of Rhosyr and Aberffraw to respond to the consultation exercise in respect of the school modernisation agenda within the Rhosyr area.

Councillor H.Eifion Jones also thanked the Education Authority for conducting the consultation with parents, governors and staff at the six primary schools in the area. The two options put forward by the Education Authority will allow the communities to contribute to the statutory consultation process.

It was RESOLVED to authorise the Officers to proceed to the formal or statutory consultation process wherein they will consult on Options A and B noted within the report.

(Councillor H.E. Jones declared that he is a Governor of both Brynsiencyn and Llanddaniel Primary School but having sought the advice of the Monitoring Officer he was able to take part and vote as his interest was not prejudicial on account that he has no family at either school).

12 SCHOOL MODERNISATION - LLANNAU AREA

Submitted – a report by the Corporate Director (Lifelong Learning) in respect of an Outline Business Case for a new primary school in North West Anglesey.

It was reported that the Outline Business Case five main sections i.e. Strategic, Economic, Commercial, Financial and managerial. The Outline Business Case will be submitted to Welsh Government following approval by the Executive and considered by its Business Case Scrutiny Group and Capital Investment Panel in April 2015.

It was RESOLVED :-

- **To approve the Outline Business Case (OBC) for the new Primary School in North West Anglesey;**
- **To approve the submission of the Outline Business Case to Welsh Government.**

13 GWE JOINT COMMITTEE GOVERNANCE ARRANGEMENTS

Submitted – a report by the Corporate Director (Lifelong Learning) in respect of the amended governance arrangements for GwE and the changes to the membership of the GwE Joint Committee in response to the adoption of the National Model for Regional Joint Working.

It was RESOLVED to approve the amended governance arrangements for GwE as noted within the report.

14 COLLABORATION WITH HORIZON ON HIGHWAY IMPROVEMENTS

Submitted – a report by the Head of Environment and Technical in respect of the partnership working proposals in relation to securing improvements to the A5025 and other highways to facilitate the development proposals of Horizon Nuclear Power.

The Portfolio Holder (Economic Development, Tourism and Leisure) reported that he welcomed the proposals to improve the highways infrastructure in respect of the proposals for the new nuclear power station at Wylfa. However, he expressed his concerns that the highway from Cemaes to Amlwch has not been included for improvements. He requested that the Officers should further negotiate with Horizon Nuclear Power and to report back to the Executive within a period of 3 months.

The Head of Environment and Technical reported that the Partnership and Regeneration Scrutiny Committee held on 11 March, 2015 raised that the Cemaes to Amlwch highways had not been included for improvements. He further stated that the Scrutiny Committee stressed the importance that North Wales based contractors should be utilised for highway improvement works.

It was RESOLVED :-

- **To authorise the entering into by the Council as Highway Authority of a Collaboration Agreement with Horizon Nuclear Power in accordance with the Heads of Terms set out within the report;**
- **The entering into such further agreements or exercising such powers as are considered by the Head of Service (Environment & Technical) as necessary to give effect to the terms of the Collaboration Agreement and to allow any highways works covered by the terms of the Collaboration Agreement to be delivered.**
- **That a report be submitted to the Executive within 3 months following negotiations in respect of the need to improve the highway from Cemaes to Amlwch and stressed the importance to Horizon of utilising contractors based in North Wales for the highway improvement works.**

15 THE COUNCIL'S ENERGY POLICY

Submitted – a report by the Head of Environment and Technical in relation to the Council's Building Energy Policy.

Councillor A.M. Jones stated that the Authority needs to be an exemplar in the field on energy efficient within the services of the Council. He considered that energy efficiency measures in respect of Leisure Centres should be dealt with as a matter of urgency. Councillor Jones considered that the energy efficiency team should be placed under the Energy Island section of the Council. He requested that an update report be submitted to

the Executive within 3 months to monitor the proposed schemes to provide energy savings to the authority.

It was RESOLVED to adopt the Energy Policy and Action Plan and implement energy efficient schemes in order to demonstrate the authority's commitment to saving energy and reduce carbon emissions.

16 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED to adopt the following :-

“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test.”

17 SALE OF GARREGLWYD RESIDENTIAL CARE HOME

Submitted – a report by the Strategic Transformation Manger in relation to the sale of Garreglwyd Residential Care Home.

It was reported that Garreglwyd was openly marketed for disposal by way of informal tender with a guide price as noted within the report. The sale of Garreglwyd will realise anticipated annual revenue savings of £141,000 together with a capital receipt for the property. Residents will be able to stay in the home and the care and wellbeing of current elderly residents is assured. The terms of the sale also include an assurance that the current cohort staff will be transferred into the new undertaking in accordance with TUPE conventions.

It was further noted that the prospective purchaser is an employee of the Authority. The Head of Service has given assurance that as soon as the person registered an interest in purchasing the business any involvement they had with Garreglwyd was ceased. The prospective purchaser intends to leave the employment of the Council once the purchase has been completed.

RESOLVED :-

- **To sell Garreglwyd as a freehold for the price noted within the report;**
- **That Officers undertake the actions necessary to effect this as soon as possible and in accordance with the Asset Management Policy and Procedures;**
- **In conducting the sale, Adult Services will continue to assure the care and wellbeing of residents.**

(In making the recommendation the Executive were advised that the prospective purchaser was currently a member of staff within Adult Services, but that the Head of Service gave complete assurance that arrangements had been made to ensure that the individual had not been involved in any aspect of either the transaction or the running of Garreglwyd, nor had they had access to any information that was not also available to other interested parties. In addition the individual has confirmed that as soon as a contract for sale has been agreed they will be leaving the employment of the Authority.)

The meeting concluded at 11.10 am

COUNCILLOR IEUAN WILLIAMS
CHAIR

CORPORATE PARENTING PANEL

Minutes of the meeting held on 9 March, 2015

- PRESENT:** Mr R. P. Jones (Chief Executive) (Chair)
- Councillor Ieuan Williams (Council Leader & Portfolio Member for Education)
Councillor Kenneth Hughes (Portfolio Member for Housing & Social Services)
Councillor Ann Griffith (Corporate Scrutiny Committee)
Councillor Dylan Rees (Partnership & Regeneration Scrutiny Committee)
Sue Willis (Continuing Care Service Manager, BCUHB)
Mr Douglas Watson (Chair, Anglesey Foster Carers' Association)
Alison Jones (NYAS)
Dr Gwynne Jones (Director of Lifelong Learning)
Mrs Delyth Molyneux (Head of Learning)
Llyr Bryn Roberts (Principal Officer – Corporate Parenting & Partnerships)
Natalie Woodworth (Principal Officer – Operations)
Dawn Owen (Child Placement Team Manager)
Heulwen Owen (LAC Education Liaison Officer)
Llinos Edwards (LAC Nurse)
Llio Johnson (Delivery Manager – Children & Young People)
Ann Holmes (Committee Officer)
- APOLOGIES:** Mrs Gwen Carrington, Anwen Huws, Mrs Rona Jones, Debbie Reid, Sean McClearn
- ALSO PRESENT:** Eleri Thomas (Chief Executive, Office of the Children's Commissioner for Wales), Elizabeth Hall (Children and Adolescent Mental Health Service – CAMHS)
-

The Chair welcomed all those present to the meeting and he extended a particular welcome to Eleri Thomas, Chief Executive of the Office of the Children's Commissioner for Wales and to Elizabeth Hall, from CAMHS who were present for items 2 and 4 on the agenda respectively.

The Chair expressed disappointment at the absence of a number of key service officers from this meeting of the Panel in light of the business to be conducted and the presence of external speakers. He commented that it was his expectation that the panel should be amongst Social Services Officers' highest priorities and that he as Chief Executive had always accorded the panel that priority based on the Authority's vital responsibilities as a corporate parent.

Councillor Kenneth Hughes, Portfolio Member for Housing and Social Services said that he shared the Chair's disappointment.

1 DECLARATION OF INTEREST

No declaration of interest was received.

2 PRESENTATION BY ELERI THOMAS, CHIEF EXECUTIVE OF THE OFFICE OF THE CHILDREN'S COMMISSIONER FOR WALES

The Chair formally introduced Eleri Thomas, Chief Executive of the Office of the Children's Commissioner for Wales to the Panel. He said that he understood that Mr Keith Towler who had addressed this Panel early in his tenure as Children's Commissioner for Wales had now completed his term in the post, and that the Panel subsequently wished to thank him for his very valuable work in his role as Children's Commissioner for Wales.

Eleri Thomas said that she would be providing an overview of the work undertaken during Mr Keith Towler's term of office as Children's Commissioner for Wales which came to a close at the end of

February, 2015 with particular reference to the importance of holding a strong vision for children in keeping children's rights and the voices of children and young people at the centre of everything that is done. The new Children's Commissioner, Sally Holland will be commencing in post on 20th April, 2015 and in the interim period, she as the Deputy Commissioner would be acting as Commissioner and utilising the powers under that post. She said that she would wish to return the Panel's recognition of Mr Keith Towler's work by acknowledging the challenges and great progress which Anglesey has made for its children through the dedication and commitment both of the Chief Executive in his stewardship of the Panel, and his fellow officers within the Council.

Eleri Thomas addressed the Panel as follows –

- The office of the Children's Commissioner for Wales was established in 2000 following the production and conclusion of the Waterhouse Inquiry with the aim that it should be a strong, human rights institution for young people, and it was the first of its kind in the United Kingdom. Its principal objective is to safeguard and promote the rights and welfare of children and young people. It is based on a vision that seeks to see Wales as a country where children and young people are respected, valued, listened to and supported to lead happy and safe lives.
- Under the powers vested in the Office of the Children's Commissioner, the person appointed to act as Commissioner can review the effects of policies and practices and the delivery of services; examine cases and provide advice to individual children and young people; provide assistance to children and young people and make representations to the Welsh Government and local authorities.
- The important role of the Children's Commissioner should be in being the first and the last place that individuals can come – the first place to find out where locally people can provide support, guidance and assistance and to ensure that families who require support can connect with the right professionals, and the last place in terms of taking on individual cases to try to work with agencies to achieve resolution. Working in partnership with agencies to achieve resolution at the earliest possible point for children and young people has been a key theme of Keith Towler's term of office. That has been the approach in working with Social Services departments and local councils, namely to identify where there are difficulties and to seek to unlock those as easily as possible.
- The essential theme for Keith Towler's term of office has been to set a clear and co-ordinated vision for children and young people. The conclusion of that period is that there has never been a more important time than the present to listen to children and young people and to be a champion for them. It needs to be recognised that whilst much has been achieved, there remains a significant amount of work to do especially given the reality of the climate in which those challenges are being addressed - the clear resource implications facing local authorities are significant and cannot be underestimated. These are very challenging times when the need has perhaps never been greater but where the resource implications are significant for example, in the context of the Corporate Parenting Panel's role, the increasing number of children and young people coming into the care system and the significant challenges that brings - these are self-evident but real.
- The key messages around rights and voice have endured since the publication of the findings of the Waterhouse tribunal. Keith Towler sought to ensure that his priority was to consider the role of his office in relation to looked after children, and he started that journey in reviewing services for the transition for young people when they approach independent living resulting in the publication of the Lost After Care report which looked at the experiences of young people as they moved to independence. This report recognised that sometimes, actions in terms of planning and preparation are taken too late – the recent CSSIW inspection report on safeguarding reinforces the message that key practical issues need to be considered for children and young children in relation to early preparation and planning, engaging young people and helping them to build a trusting relationship with their social workers. There has also been a transformation of services for young people as they reach 15 years of age in terms of services working more coherently together which is critical.
- Lost After Care also focussed attention on the number of children who still said they did not know how to access advocacy or had not experienced having the opportunity of an advocate. Since 2011, Keith Towler has published a series of reports – Missing Voices – which have concentrated on the experiences of children and young people in relation to their access to independent advocacy and particularly, statutory access to advocacy encompassing looked after children and young people, children in need and children leaving care. The first report in the series in 2011

found that there were significant inconsistencies across Wales as regards children and young people's access to advocacy and this in the context of the second recommendation of the Waterhouse Report – ensuring that children and young people when not living with their families can have the support of an independent champion to help them be heard. The Children's Commissioner's Office has been working very strongly with the Welsh Government and local authorities to try to achieve a way forward in relation to advocacy provision across Wales. A strategic leadership group has been established at national level and this in turn has set up a task group led by ADSS to look at strengthening the experience of children and young people's access to advocacy across Wales. There are challenges in ensuring that advocacy as a safeguarding service is critically provided for all children and young people in the looked after system. The work of the Corporate Parenting Panel is of critical importance in terms of making sure that the accountability to ensure children's voices are heard, is absolute.

- Keith Towler also called for the re-emergence of the investigation into historic abuse in North Wales which has led to Operation Pallial. Keith Towler has served on the Co-ordinating Group for Operation Pallial and has been pleased with the work which the agencies have done in respect of re-examining historic abuse cases. Of critical importance is making sure that it is never too late in investigating concerns but the challenge this poses is in achieving a balance between managing resources and capacity in investigating historic allegations with the delivery of safeguarding services for children and young people who are in care today. Keith Towler published a report on Learning the Lessons from Operation Pallial shortly before he left office and the report pays testament to the multi-agency work which has led to multiple convictions.
- An emerging area of significant concern is in relation to child sexual exploitation. The recent Alexis Jay report into failings in Rotherham in relation to making sure that children are protected, safeguarded and listened to has provided a salutary reminder of how important this work is. Keith Towler held an all Wales meeting of relevant stakeholders in November, 2014 to try to pose the question how can assurance be obtained that a situation like Rotherham will not happen in Wales. The initial conclusion is that existing all Wales child protection procedures and guidance on safeguarding and child sexual exploitation are strong, but work needs to be done in achieving assurance as regards the picture across the whole of Wales. Subsequent to a further meeting in February, Welsh Government has undertaken to develop an Action Plan for Wales alongside local authorities, ADSS and the Police that fits with the recommendations of the Alexis Jay report and is framed within the UK Government context but recognises the made in Wales work that is happening. Of critical importance is tracking and thinking about missing children along with good strategic collaborative working with the police in relation to safeguarding.
- Much progress has been made in relation to promoting and safeguarding children's rights and much can be achieved if children are listened to and their voices heard and responded to. Critical to this endeavour is building trusting relationships with children and young people in care; building cultures that listen to children, recognising the many pressures and challenges of delivering services in the current climate but at all times aspiring to do the best collectively for children and young people.

The Chair thanked Eleri Thomas for her overview of some of the key themes of Mr Keith Towler's term as Children's Commissioner for Wales. There followed a question and answer session in which the Panel's Members were given the opportunity to seek the views of Eleri Thomas on matters of interest to them in relation to their responsibilities as corporate parents.

The Panel acknowledged the presentation made by the Chief Executive of the Office of the Children's Commissioner for Wales and noted the messages arising therefrom.

NO FURTHER ACTION ARISING

3 MINUTES 8 DECEMBER, 2014 MEETING

The minutes of the previous meeting of the Corporate Parenting Panel held on 8th December, 2014 were presented and confirmed as correct.

4 MATTERS ARISING

4.1 Children and Adolescent Mental Health Service (CAMHS)

The Chair welcomed Elizabeth Hall to the meeting and said that she was present to respond to the Panel's concerns regarding the accessibility and availability of the CAMHS service.

Elizabeth Hall reported as follows –

- That one of the issues that makes it difficult sometimes for services to work together is the existence of different criteria, different standards and different drivers. CAMHS has criteria which determine whether a young person is accepted for a mental health assessment or whether he/she is directed to the early intervention/prevention part of the service.
- That this is not a locally or arbitrarily set decision but falls within national service frameworks, the Mental Health Measure and Government drivers. CAMHS is there for children with significant mental health disorders and difficulties and for those where there is an overlap e.g. attachment disorders where those involve a co-morbid mental health condition alongside.
- That behavioural difficulties are not routinely part of the service which CAMHS is commissioned to provide unless they are so severe as to impact on a young person's mental health. This is a grey area which does give rise to some issues.
- That any professional practitioner can make a referral to CAMHS which is directed to the Service's single point of access. There is a team available to speak to directly between 1 and 3 in the afternoon and the administrative process including managerial scrutiny of every referral happens after that time. An urgent referral is dealt with there and then.
- That the Service's referral and acceptance criteria have been agreed across BCUHB and are compliant with Welsh Government standards and directives.
- That there may be under use of the early intervention and prevention service. Whilst that provides access to specialist consultation it does not take the onus about managing the young person's emotional needs away from the social worker or the teacher. It means that the early intervention/prevention practitioner will provide consultation, advice and support thus enabling the professional to do some of the work, or school based counselling or education welfare.
- The CAMHS is not set up to say that every child who is struggling needs a mental health service but is set up to provide mental health assessment and therapy for those that are ill or have significant co-morbid needs, and to provide consultation to the community and to help build capacity therein.
- Social Services might take the view that a child going into care needs a mental health assessment as a vulnerable child. However the other part of the equation is what the child/young person wants. CAMHS seeks to engage them in services where appropriate but is aware that it needs to be mindful that it can be negative for a child already experiencing difficulties through no fault of his own to be told that he/she needs a mental health assessment.

There ensued a detailed discussion about issues around the service's diagnostic parameters and what is and is not covered. It was noted from a Social Services' perspective that every looked after child has a therapeutic need be that low level or otherwise which Social Services do not have the strategic framework to address. If those children do not qualify for CAMHS then their needs must be met in other ways. From an Education Service's perspective the concerns were in relation to the heavy and therefore potentially more risky caseload which the School Counselling Service is having to carry and the need therefore to better understand the access criteria to CAMHS.

The Chair suggested that it would be informative for the Panel to receive a presentation on the CAMHS that would assist it in better understanding the issues arising around the criteria for accessing the service. He further suggested that Service Managers from both Social Services and Education consult on what are the key issues that need to be brought back to the Panel to be discussed at a future meeting.

It was agreed to note the information and to thank Elizabeth Hall for her time in attending the meeting.

ACTION ARISING: Principal Corporate Parenting and Partnerships Officer to facilitate consultation between Social Services and Education Service Managers on the key issues in relation to CAMHS that need to be brought back to the Panel at a future meeting for a substantive discussion.

4.2 Awards for Looked After Children

The Principal Corporate Parenting and Partnerships Officer informed the Panel that a task group has been established to develop and take forward ideas about formally recognising the diverse achievements of looked after children and young people and that Elected Members' input to the Group would be especially welcome. The intention is to hold an awards ceremony on 16 October, 2015 at a venue to be confirmed and it the group's view that the success of all looked after children from the age of five upwards should be recognised and that that should be done across a broad range of categories not confined to academic attainment alone but celebrating attendance, sports, creativeness, compassion, contribution to community etc. Officers and Members' will be invited to attend the event.

The Chair thanked the Task Group for its work and said that it is appropriate that the Panel and the Council corporately celebrates the achievements of those children and young people in its care and that it is hoped they in turn will derive inspiration from the acclaim received.

It was suggested that the Task Group might consider seeking sponsorship for the event from local businesses. The Chair said that any suggestions for the Task Group regarding the support and staging of the event should be channelled through the Principal Corporate Parenting and Partnerships Officer.

It was agreed to note the information.

ACTION ARISING: Principal Corporate Parenting and Partnerships Officer to provide the Panel's Elected Members with information about the Task Group's meetings and to forward to the Task Group any suggestions received regarding the awards event.

4.3 Children Missing from Local Authority Care

A report by the Principal Officer – Operations setting out the current situation with regard to children/young people missing from the Authority's care along with ongoing work and areas of development was presented for the Panel's information in line with a request made at a previous meeting.

The Principal Officer – Operations highlighted the extent of the work that has been undertaken by the Authority in relation to better understanding child sexual exploitation and developing an awareness of the risks around this issue which has resulted in a level of knowledge and expertise which has drawn positive feedback from the UK Border Agency and the Home Office.

The Panel noted the information and acknowledged the work being carried out.

It was agreed to accept the report for information purposes.

ACTION ARISING: Principal Officer – Operations to circulate to the Panel's Members the data relating to children/young people placed out of county in residential care and/or foster care which had been inadvertently omitted from the report.

5 REPORT OF THE INDEPENDENT REVIEWING OFFICER

The report of the Independent Reviewing Officer incorporating data in respect of the Looked After population on Anglesey during Quarter 3 2014/15 was presented for the Panel's consideration.

The Panel noted that the number of children/young people looked after by the Authority had increased slightly from 79 in the previous quarter to 84 in Quarter 3. The Panel paid particular attention to the risks and concerns raised by the Independent Reviewing Officer in her report and was especially keen to obtain clarification of point (v) under section 4 of the report in which the IRO urged caution in considering or making a decision to return out of county children to the Island on the basis of financial savings. The Panel sought assurance that care placements and/or any decisions to return out of county children to the Island are determined by what best meets the child or young person's individual needs, and that financial considerations are not an influencing factor

in such decisions. The Panel requested that an explanatory report be brought back to the next meeting to address the issue raised by the Independent Reviewing Officer.

The Panel also noted that the risks and concerns set out might be better defined in terms of priority by according them RAG status as is the practice with corporate risks.

The Principal Officer – Operations in response to the comment under paragraph (u) of the report confirmed that there is an established protocol for implementing recommendations made within LAC reviews which she described. In relation to the point made by the IRO under paragraph (y) of her report regarding the rationale for Care Plans making provision for very young children to be transported onto the Island for contact with their parents and whether these decisions meet the needs of the child, the Officer said that whilst Care Plans are always made in the best interests of the child, court proceedings can sometimes direct that the Authority address parental needs as well.

It was resolved to accept the report and to note its contents.

ACTION ARISING: Head of Children’s Services to provide the Panel at its next meeting with a report in clarification of the process for determining care placements and/or changes in placements and the considerations involved.

6 NYAS ADVOCACY SERVICE

The report of the NYAS Senior Advocate for Quarter 3 2014/15 was presented for the Panel’s consideration. The report provided a statistical breakdown of the referrals made during the quarter and any trend/pattern emerging therefrom.

The Panel noted that this would be the final report by NYAS as the provider of advocacy services for Anglesey’s looked after population.

The Principal Officer – Operations said that the decrease in referrals might be due to the fact that NYAS provides an issue based advocacy service meaning that children/young people must first have a specific issue in order to warrant a referral. It could thus be interpreted that not so many children within the Authority’s care have issues which they want to discuss with an advocate. The level of referrals is affected by the way the advocacy service operates and is not indicative of a lack of support for children to have an advocate.

The Senior Advocate for NYAS clarified that it is also a matter of making individuals aware of the service so they can make their own referrals.

It was agreed to accept the report and to note its contents and to also thank NYAS for its work during its contract term.

NO FURTHER ACTION ARISING

7 SERVICE REPORTS

7.1 The report of the LAC Education Liaison Officer for Quarter 3 was presented for the Panel’s consideration.

The Panel noted and was concerned by the implications of the potential loss of the LAC Learning Coach post because of a change in the grants arrangements that support education as documented in the report, and requested that a report be brought back to the Panel in respect of the impact which the post has had on the learning attainments of the looked after population and the prospective arrangements after the post has ceased.

It was agreed to accept the report and to note its contents.

ACTION ARISING: Head of Learning to provide the Panel at its next meeting with a report on the impact of the LAC Learning Coach on the looked after school population and the arrangements for when the post has ceased.

7.2 The report of the LAC Nurse for Quarter 3, 2014/15 was presented and noted.

NO FURTHER ACTION ARISING

7.3 The report of the LAC Team Manager for Quarter 3 2014/15 was presented and noted.

NO FURTHER ACTION ARISING

7.4 The report of the Child Placement Team Manager for Quarter 3 was presented and noted.

NO FURTHER ACTION ARISING

7.5 The report of the Leaving Care Co-ordinator for Quarter 3 2014/15 was presented and noted.

NO FURTHER ACTION ARISING

8 PALLIAL RELATED MATTERS

The report of the Children's Commissioner for Wales on Learning the Lessons from Operation Pallial was presented and was noted by the Panel for information purposes.

The Chair confirmed that the report is being given consideration by Social Services.

NO FURTHER ACTION ARISING

9 WELSH GOVERNMENT CONSULTATION – RAISING THE AMBITIONS AND EDUCATIONAL ATTAINMENT OF CHILDREN WHO ARE LOOKED AFTER IN WALES

The Welsh Government's consultation document was presented for the Panel's consideration and comment.

The Panel noted that the consultation document identifies a number of issues and potential actions for all key stakeholders at a time of financial constraints for both schools and local authorities and made the point about whether they were realistic or achievable in that context.

The Director of Lifelong Learning confirmed that the Education Service as part of its response to the Welsh Government document will be highlighting actions which may involve significant investment. The LAC Education Liaison Officer said that a number of actions identified are undertaken already.

The Panel noted that what the Welsh Government document proposes in terms of raising the educational attainments of looked after children runs counter to its actions in changing the terms and conditions of grants that support education thus putting at risk the post of the LAC Learning Coach which promotes the educational attainment of looked after children (as discussed under item 7.1). The Panel proposed that its concerns regarding this contradiction and the potential effects of the changes in grant arrangements be incorporated within the response to the Consultation document.

It was agreed to note the document and the information contained therein.

ACTION ARISING: Head of Learning to incorporate within the response to the Welsh Government consultation document the Panel's concern regarding the change in grant arrangements that support education and the potential effects in terms of the loss of the LAC Learning Coach post.

10 CORPORATE PARENTING PANEL ACTION GROUP

The minutes of the meeting of the Corporate Parenting Panel Action Group held on 4 February, 2015 were presented and their contents noted by the Panel.

11 FOSTER CARERS IDENTITY CARDS

The report of the Fostering Recruitment and Marketing Officer regarding the proposed introduction of Foster Carer Identity Cards was presented for the Panel's consideration. The report set out the benefits of the proposal, the practicalities of implementation as well as considerations in relation to putting in place the necessary safeguards for the use of the cards.

The Panel supported the proposal with the proviso that the scheme and the way it is used does not stigmatise children who are looked after.

It was agreed to support the introduction of Foster Carers Identity Cards on the lines described in the report.

NO FURTHER ACTION ARISING

12 ANY OTHER BUSINESS

The Principal Corporate Parenting and Partnerships Officer confirmed that Rebecca Wilde from Barnardo's Cymru would be attending the Panel's next meeting.

13 METINGS OF THE PANEL FOR THE FORTHCOMING YEAR

The Panel's schedule of meetings for 2015/16 was presented and noted.

**Mr R.P.Jones
Chair**

DRAFT

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	The Executive
Date:	20 April 2015
Subject:	The Executive's Forward Work Programme
Portfolio Holder(s):	Cllr Ieuan Williams
Head of Service:	Lynn Ball Head of Function – Council Business / Monitoring Officer
Report Author: Tel: E-mail:	Huw Jones, Head of Democratic Services 01248 752108 JHuwJones@anglesey.gov.uk
Local Members:	Not applicable

A –Recommendation/s and reason/s
<p>In accordance with its Constitution, the Council is required to publish a forward work programme and to update it regularly. The Executive Forward Work Programme is published each month to enable both members of the Council and the public to see what key decisions are likely to be taken over the coming months.</p> <p>The Executive is requested to:</p> <p>confirm the attached updated work programme which covers May – December 2015;</p> <p>identify any matters subject to consultation with the Council's Scrutiny Committees and confirm the need for Scrutiny Committees to develop their work programmes further to support the Executive's work programme;</p> <p>note that the forward work programme is updated monthly and submitted as a standing monthly item to the Executive.</p>

* Key:
Strategic – key corporate plans or initiatives
Operational – service delivery
For information

B – What other options did you consider and why did you reject them and/or opt for this option?

-

C – Why is this a decision for the Executive?

The approval of the Executive is sought before each update is published to strengthen accountability and forward planning arrangements.

D – Is this decision consistent with policy approved by the full Council?

Yes.

DD – Is this decision within the budget approved by the Council?

Not applicable.

E – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	The forward work programme is discussed at Heads of Service meetings ('Penaethiaid') on a monthly basis (standing agenda item). It is also circulated regularly to Corporate Directors and Heads of Services for updates.
2	Finance / Section 151 (mandatory)	
3	Legal / Monitoring Officer (mandatory)	
5	Human Resources (HR)	
6	Property	
7	Information Communication Technology (ICT)	
8	Scrutiny	
9	Local Members	Not applicable.
10	Any external bodies / other/s	Not applicable.

* Key:

Strategic – key corporate plans or initiatives

Operational – service delivery

For information

2

F – Risks and any mitigation (if relevant)	
1	Economic
2	Anti-poverty
3	Crime and Disorder
4	Environmental
5	Equalities
6	Outcome Agreements
7	Other
FF - Appendices:	
The Executive's Forward Work Programme: May – December 2015.	

G - Background papers (please contact the author of the Report for any further information):
<p>Previous forward work programmes. Part 4.2.12 of the Council's Constitution.</p>

* Key:
Strategic – key corporate plans or initiatives
Operational – service delivery
For information

THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: May – December 2015

Updated: 8 April 2015



The Executive's forward work programme enables both Members of the Council and the public to see what key decisions are likely to be taken by the Executive over the coming months.

Executive decisions may be taken by the Executive acting as a collective body or by individual members of the Executive acting under delegated powers. The forward work programme includes information on the decisions sought, who will make the decisions and who the lead Officers and Portfolio Holders are for each item.

It should be noted, however, that the work programme is a flexible document as not all items requiring a decision will be known that far in advance and some timescales may need to be altered to reflect new priorities etc. The list of items included is therefore reviewed regularly.

Page 20 Reports will required to be submitted from time to time regarding specific property transactions, in accordance with the Asset Management Policy and Procedures. Due to the influence of the external market, it is not possible to determine the timing of reports in advance.

The Executive's draft Forward Work Programme for the period **May – December 2015** is outlined on the following pages.

** Key:*

S = Strategic – key corporate plans or initiatives

O = Operational – service delivery

FI = For information

THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: May – December 2015

Updated: 8 April 2015

Subject & *category and what decision is sought	Decision by which Portfolio Holder or, if a collective decision, why	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Scrutiny (if applicable)	Date to Executive or, if delegated, date of publication	Date to Full Council (if applicable)
MAY 2015						
1	The Executive's Forward Work Programme (S) Approval of monthly update.	The approval of the full Executive is sought to strengthen forward planning and accountability.	Deputy Chief Executive Huw Jones Head of Democratic Services Cllr Ieuan Williams		The Executive 26 May 2015	
2	Corporate Scorecard – Quarter 4, 2014/15 (S) Quarterly performance monitoring report.	This is a matter for the full Executive as it provides assurance of current performance across the Council.	Deputy Chief Executive Deputy Chief Executive Cllr Alwyn Rowlands	11 May 2015	The Executive 26 May 2015	
3	2014/15 Revenue and Capital Budget Monitoring Report – Quarter 4 (S) Quarterly financial monitoring report.	This is a matter for the full Executive as it provides assurance of current financial position across the Council.	Deputy Chief Executive Richard Micklewright Interim Head of Function - Resources Cllr Hywel Eifion Jones	11 May 2015	The Executive 26 May 2015	
4	Housing Act (Wales) 2014 (S) Homelessness legislation and power to decide whether or not to apply intentionality test.	Executive decision stipulated within the Act's Code of Guidance.	Community Shan L Williams Head of Housing Services Cllr Kenneth P Hughes		The Executive 26 May 2015	

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THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: May – December 2015

Updated: 8 April 2015

Subject & *category and what decision is sought	Decision by which Portfolio Holder or, if a collective decision, why	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Scrutiny (if applicable)	Date to Executive or, if delegated, date of publication	Date to Full Council (if applicable)
5	Llangefni Golf Course (S) To give further consideration to the future of the golf course.	Sustainable Development	Dylan Williams Head of Economic and Community Regeneration Cllr Aled Morris Jones		The Executive 26 May 2015	
JUNE 2015						
6	The Executive's Forward Work Programme (S) Approval of monthly update.	Deputy Chief Executive	Huw Jones Head of Democratic Services Cllr Ieuan Williams		The Executive 15 June 2015	
7	Welsh Language Scheme Monitoring Report 2014/15 (O) To ratify the annual report for submission to the Welsh Language Commissioner.	Deputy Chief Executive	Huw Jones Head of Democratic Services Cllr Ieuan Williams		Delegated decision June 2015	
8	Corporate Policy Management (O) - approval of funding to acquire a corporate policy management system.	Deputy Chief Executive	Lynn Ball Head of Function – Council Business / Monitoring Officer Cllr Alwyn Rowlands		The Executive 15 June 2015	

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THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: May – December 2015

Updated: 8 April 2015

Subject & *category and what decision is sought	Decision by which Portfolio Holder or, if a collective decision, why	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Scrutiny (if applicable)	Date to Executive or, if delegated, date of publication	Date to Full Council (if applicable)
9 Annual Report – Statutory Director of Social Services (S) - Endorsement of report for submission to Council.	This is a public report on the performance and priorities of Social Services within the Council's statutory arrangements. It is expected that there is ownership and understanding of the work programme, successes and challenges across the Council's work. It would not be appropriate, considering the public requirement, that the report is restricted to the attention of the portfolio holder only.	Community	Gwen Carrington Director of Community Cllr Kenneth P Hughes		The Executive 15 June 2015	29 September 2015
10 Llawr y Dref – options for the future (S & O) Approval of strategic direction.	Social Services and Housing Portfolio Holder.	Community	Shan L Williams Head of Housing Services Cllr Kenneth P Hughes		Delegated decision June 2015	
11 Council Housing Development Strategy 2015 – 2020 (S) Approval of strategic direction.	Decision to be taken by the full Executive (unless powers will be deputised to the new Housing Services Board), links to the HRA business plan which is a statutory document.	Community	Shan L Williams Head of Housing Services Cllr Kenneth P Hughes		The Executive 15 June 2015	

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THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: May – December 2015

Updated: 8 April 2015

	Subject & *category and what decision is sought	Decision by which Portfolio Holder or, if a collective decision, why	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Scrutiny (if applicable)	Date to Executive or, if delegated, date of publication	Date to Full Council (if applicable)
12	Housing Services (S) To consider governance model to include Housing Revenue Account.	Decision to be taken by the full Executive as it relates to the governance of the new Housing Services Board being established.	Community	Shan L Williams Head of Housing Services Cllr Kenneth P Hughes		The Executive 15 June 2015	
13	Llangefni link road – purchase of land (O) Purchase of land associated with scheme.	The approval of the full Executive is sought as the decision involves a bid for funding which is beyond the limit of the portfolio holder's responsibility.	Sustainable Development	Dewi Williams Head of Environment and Technical Cllr Richard Dew		The Executive 15 June 2015	
14	School Modernisation – Llannau area (S) Purchase of land associated with scheme.	The approval of the full Executive is sought as the decision involves a bid for funding which is beyond the limit of the portfolio holder's responsibility.	Sustainable Development	Dewi Williams Head of Environment and Technical Cllr Richard Dew		The Executive 15 June 2015	

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THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: May – December 2015

Updated: 8 April 2015

Subject & *category and what decision is sought	Decision by which Portfolio Holder or, if a collective decision, why	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Scrutiny (if applicable)	Date to Executive or, if delegated, date of publication	Date to Full Council (if applicable)
JULY 2015						
15	The Executive's Forward Work Programme (S) - Approval of monthly update.	The approval of the full Executive is sought to strengthen forward planning and accountability.	Deputy Chief Executive	Huw Jones Head of Democratic Services Cllr Ieuan Williams		The Executive 20 July 2015
16	Lowering the admission age for Ysgol Llanfairpwll and Ysgol Goronwy Owen (O) Final decision.	The approval of the full executive is sought as the portfolio holder is the Chair of Governors at one of the schools.	Lifelong Learning	Dr Gwynne Jones Director of Lifelong Learning Cllr Ieuan Williams		The Executive 20 July 2015
17	Libraries Service Review (S) To consider options for future service delivery.	The approval of the full Executive is sought as it is a strategic and transformational decision affecting the future delivery of the service.	Lifelong Learning	Dr Gwynne Jones Director of Lifelong Learning Cyng Ieuan Williams	6 July 2015	The Executive 20 July 2015
18	Cultural Services Review (S) To consider options for future service delivery.	The approval of the full Executive is sought as it is a strategic and transformational decision affecting the future delivery of the service.	Lifelong Learning	Dr Gwynne Jones Director of Lifelong Learning Cllr Ieuan Williams	7 July 2015	The Executive 20 July 2015

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THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: May – December 2015

Updated: 8 April 2015

Subject & *category and what decision is sought	Decision by which Portfolio Holder or, if a collective decision, why	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Scrutiny (if applicable)	Date to Executive or, if delegated, date of publication	Date to Full Council (if applicable)
19	Youth Service (S) To consider options for future service delivery.	Lifelong Learning	Dr Gwynne Jones Director of Lifelong Learning Cllr Ieuan Williams	7 July 2015	The Executive 20 July 2015	
SEPTEMBER 2015						
20	The Executive's Forward Work Programme (S) Approval of monthly update.	Deputy Chief Executive	Huw Jones Head of Democratic Services Cllr Ieuan Williams		The Executive 21 September 2015	
21	Annual Performance Report (Improvement Plan) 2014/15 (S) Approval of report and recommendation to full Council.	Deputy Chief Executive	Deputy Chief Executive Cllr Alwyn Rowlands		The Executive 21 September 2015	29 September 2015
22	Corporate Scorecard – Quarter 1, 2015/16 (S) Quarterly performance monitoring report.	Deputy Chief Executive	Deputy Chief Executive Cllr Alwyn Rowlands	14 September 2015	The Executive 21 September 2015	

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THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: May – December 2015

Updated: 8 April 2015

Subject & *category and what decision is sought	Decision by which Portfolio Holder or, if a collective decision, why	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Scrutiny (if applicable)	Date to Executive or, if delegated, date of publication	Date to Full Council (if applicable)
23 2015/16 Revenue and Capital Budget Monitoring Report – Quarter 1 (S) Quarterly financial monitoring report.	This is a matter for the full Executive as it provides assurance of current financial position across the Council.	Deputy Chief Executive	Richard Micklewright Interim Head of Function - Resources Cllr Hywel Eifion Jones	14 September 2015	The Executive 21 September 2015	
24 Safeguarding Arrangements for Vulnerable Adults (S) Progress report.	Social Services and Housing Portfolio Holder.	Community	Alwyn Jones Head of Adults' Services Cllr Kenneth P Hughes		Delegated decision September 2015	
25 Common Allocations Policy (S) Adoption of new Common Allocations Policy.	This is a matter for the full Executive to decide as it involves a key Council policy.	Community	Shan L Williams Head of Housing Services Cllr Kenneth P Hughes		The Executive 21 September 2015	
OCTOBER 2015						
26 The Executive's Forward Work Programme (S) Approval of monthly update.	The approval of the full Executive is sought to strengthen forward planning and accountability.	Deputy Chief Executive	Huw Jones Head of Democratic Services Cllr Ieuan Williams		The Executive 19 October 2015	
27 Weekly waste collection – options appraisal re 3 or 4 weekly collections (S) Agreement on future option.	A decision is sought from the full Executive as this matter would involve a significant change to working practice.	Sustainable Development	Dewi Williams Head of Environment and Technical Cllr Richard Dew	TBC	The Executive 19 October 2015	

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THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: May – December 2015

Updated: 8 April 2015

Subject & *category and what decision is sought	Decision by which Portfolio Holder or, if a collective decision, why	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Scrutiny (if applicable)	Date to Executive or, if delegated, date of publication	Date to Full Council (if applicable)
NOVEMBER 2015						
28	The Executive's Forward Work Programme (S) Approval of monthly update.	The approval of the full Executive is sought to strengthen forward planning and accountability.	Deputy Chief Executive	Huw Jones Head of Democratic Services Cllr Ieuan Williams		The Executive 30 November 2015
29	Corporate Scorecard – Quarter 2, 2015/16 (S) Quarterly performance monitoring report.	This is a matter for the full Executive as it provides assurance of current performance across the Council.	Deputy Chief Executive	Deputy Chief Executive Cllr Alwyn Rowlands	16 November 2015	The Executive 30 November 2015
30	2015/16 Revenue and Capital Budget Monitoring Report – Quarter 2 (S) Quarterly financial monitoring report.	This is a matter for the full Executive as it provides assurance of current financial position across the Council.	Deputy Chief Executive	Richard Micklewright Interim Head of Function - Resources Cllr Hywel Eifion Jones	16 November 2015	The Executive 30 November 2015
DECEMBER 2015						
31	The Executive's Forward Work Programme (S) Approval of monthly update.	The approval of the full Executive is sought to strengthen forward planning and accountability.	Deputy Chief Executive	Huw Jones Head of Democratic Services Cllr Ieuan Williams		The Executive 14 December 2015

* Key:

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O = Operational – service delivery

FI = For information

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	The Executive
Date:	20.4.15
Subject:	Annual Delivery Document 15/16
Portfolio Holder(s):	Alwyn Rowlands
Head of Service:	
Report Author: Tel: E-mail:	Gethin Morgan 752111 GethinMorgan@anglesey.gov.uk
Local Members:	Not applicable

A –Recommendation/s and reason/s
<p>The Executive is asked to authorize Officers through the Portfolio Holder to undertake the task of completing the final draft and recommend for adoption the Annual Delivery Document for 15/16 by full Council at their meeting on the 20th of May, 2015.</p> <p>The plan identifies the work of the Council aligned to the priorities of the Corporate Plan scheduled for delivery during 2015/16. In addition, the plan also incorporates the elements of improvements (prioritised) as outlined in the recent self-assessment (January 2015).</p> <p>For the purposes of clarity the Annual Delivery Document is otherwise known as the Improvement Plan (outlined in the Constitution).</p>

B – What other options did you consider and why did you reject them and/or opt for this option?
<p>No other options were considered as it is part of the Policy Framework which identifies the need for such a document to be adopted by Full Council.</p>

C – Why is this a decision for the Executive?

This is a decision for the Executive as it outlines the main areas for improvement and delivering the council's corporate priorities during 2014-15 which discharges our duty for continuous improvement under the Local Government Measure – Wales and the 'Wales Programme for Improvement'.(2009, 2011)

CH – Is this decision consistent with policy approved by the full Council?

Yes

D – Is this decision within the budget approved by the Council?

Yes

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	Agreed with operational direction for 15/16
2	Finance / Section 151 (mandatory)	
3	Legal / Monitoring Officer (mandatory)	
4	Human Resources (HR)	
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	

E – Risks and any mitigation (if relevant)

1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	

5	Equalities	
6	Outcome Agreements	
7	Other	

F - Appendices:	
Annual Delivery Document 2015/16	

FF - Background papers (please contact the author of the Report for any further information):	
Corporate Plan 2013-17 as adopted by full Council in December 2013	



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

**Isle of Anglesey County Council
Annual Delivery Document
(Improvement Plan)
2015/16
DRAFT**

ANNUAL DELIVERY DOCUMENT 2015-2016

INTRODUCTION

The **aim** for Anglesey Council as stated in our 2013-2017 Corporate Plan is that by 2017 –

“We will be a professional and well-run council, innovative and outward looking in our approach, committed to developing our people and partnerships in order to deliver efficient and effective services of good quality, that are highly valued by our citizens”

In order to achieve that aim, as a Council we will need to transform our services. An essential part of transforming our Council is listening to what our citizens, service users and businesses think – and acting on it. Some of the most far-reaching engagement and consultation we have ever undertaken helped to create our Corporate Plan

During the engagement and consultation exercises since 2012, citizens were asked their views about which Anglesey County Council services were most important to them, and which they felt weren't as important. Across demographics, geographies and different consultation mechanisms the overwhelming and consistent priorities are:

- Supporting the most vulnerable
- Developing the Economy
- Raising the standards of and modernising our schools

These priorities are the basis of the focus areas in our Corporate Plan which sets out our strategic intention over the period between 2013-2017, and this is the second year where we have produced an Annual Delivery Document.

This document outlines how we will now deliver on our promises over the forthcoming twelve months (2015/16) and demonstrates our willingness and drive to discharge our duty of continuous improvement as expected of Local Authorities under the Welsh Government measure 2009.

We will continuously monitor the delivery of the following themes and outcomes through our established performance management processes and procedures, inclusive of regular monitoring of performance indicators and other supporting information.

That We Transform Older Adult Social Care

People are living longer and as such, we expect to see an increase in the number of people over 85 living on the Island over the next 10 years. The Isle of Anglesey has one of the highest older people's populations in Wales. There is also an increase in the number of people with long-term complex conditions including dementia. Last year, in order to provide the necessary level of support required to meet the growing complexities in demand (in terms of both finance and workforce) the Council recognised the need to change the way it delivers adult social care to ensure sustainability now and for future generations. In order to begin that transformational process, we will be undertaking the following during 2015/16.

How will we do this in 2015/16?

We will develop and establish in collaboration with partners 2 extra care housing schemes in the North and centre of the Island with planning for a further extra care housing scheme in the South of the Island by :

- Implementing a phased approach in Llangefni and in the North by securing build partners, approving final designs and commencing building work on site.
- Progressing the agenda in the South of the Island with decision taken on final proposals re: land sites , formulating a business case to be approved before commencing work identifying Build partners prior to approving final designs and commencing building work

Improve the range and availability of community based services for older people which will reduce the reliance and need for residential care homes by:

- Implementing the "A Place to Call Home" Action Plan which will re-focus on the individual and provide Older people with independent advocacy, ensure better quality of care or support as a result of safeguarding issues when moving directly from hospital to a care home or from another care home. This is inclusive of staff training in dementia awareness and access to Mon Enhanced Care
- Developing, agreeing and beginning to implement the 'Community Hub' model , in which the broad range of support and services that are provided by local (and often informal) communities are enhanced and "joined up" so that improved support and care is provided by and through the community that is local to the older person in need.
- Further embed the Single Point of Access model which will support more effective access to information, advice and assistance and integrate individuals with other local resources.

Re-develop our re-ablement service to support and help people to get better and regain independence using support plans which are outcome based by:

- Strengthening the market and implementing a programme to externalise homecare further whilst developing a specialist model of internal provision
- establishing an agreed model of Local Authority homecare provision which will provide re-ablement and specialist dementia support

In partnership with the Health Board, develop joint service delivery and management in particular in relation to dementia, older people services in general and support for carers by

- Introducing a North Wales specification for the provision of enriched residential care for dementia sufferers
- Embed multi-disciplinary working within our co-located teams in Llanfairpwll, Amlwch and Holyhead to ensure we respond to service users' needs in the community in a timely and efficient way.
- Develop a greater integration of Learning Disability services including consideration of joint commissioning and joint budgets

Summary Statement:

In realising the above we will have achieved by the end of the financial year 2015/16 the completion of all planning and processes to enable commencement of building two extra care housing in Amlwch and Llangefni and identified a 3rd site in the south of the island.

We will also have continued to focus on our priority to reduce the need for residential care through our allied community based plans and policies such as "A Place to Call home". This will go hand in hand with developing our specialised domiciliary, home care and reablement priorities in the field of dementia.

We will also have progressed our further integration of Health and Social Care practices in the field of Learning Disability.

Regenerate Our Communities and Develop the Economy

Improving the local economy, creating jobs and improving prosperity for local residents remains a key priority for the County Council. The economy is a significant issue for many with new job creation seen as critical by our communities to provide a sound base for improving the island's quality of life and reducing inequalities. Whilst it is acknowledged that inward investment by the private sector is a critical economic driver, the Council has a role in establishing an environment for growth where local businesses can grow and new businesses can be established and flourish

Greater local, regional and national collaboration will be integral to the progress of our economic development priorities, in particular in relation to improving the vibrancy of our rural and urban communities and supporting the needs of the island's tourism sector.

The Energy Island Programme provides a once in a generation opportunity to create substantial new jobs as a result of the planned investment and growth potential of the low carbon energy sector. The Council will look at developing schemes which increase employment opportunities for young people, improve infrastructure and support the regional supply chain.

How will we do this in 2015/16?

Work with the Welsh Government and other partners to strengthen the competitiveness of the island's economy by improving infrastructure, skills availability and supporting local companies by

Developing Projects to capitalise upon local and regional regeneration opportunities - minimum of 10 robust Business Cases / Feasibility Studies for the following priority areas, including:

- Regional Supply Chain
 - Business Support
 - Strategic Sites & Premises Project (Phase 2)
 - Llangefni Strategic Infrastructure
 - Strategic Utilities Infrastructure
 - Holy Island Visitor Gateway
 - Physical regeneration schemes
 - NDA Socio-Economic (Phase 3)
 - Local Heritage & Culture Tourism
 - Outdoor Tourism
 - Cycling Tourism
 - Local Food Tourism & Supply Chains
 - Llangefni Active Travel
-
- Creating 5 new jobs, safeguarding 10 jobs & supporting 10 businesses (new or existing) through the Holyhead Investment Fund (HIF)

- Collaborating with the public, private and third sectors to improve opportunities for jobs, growth and increased prosperity
- Maximising European and domestic funding opportunities by submitting external funding applications (including 2014-2020 EU Structural Funds and the Rural Development Plan).
- Providing support, guidance and advice to 50 island businesses

Have through its destination management plan support for the visitor economy by working with partners to promote Anglesey's image and distinctive strengths by:

- increasing tourism visits by 2% during 2015-2016
- Establishing 6 new tourist information points in key settlements on the Island
- Hosting the Friends Life Tour of Britain Grant Depart on the 6th of September
- Developing the island's Cruise economy by welcoming 26 Cruise ships (15,164 passengers) to the Port of Holyhead
- Working with partners to develop and promote Anglesey's image and distinctive strengths
- Supporting and assisting five local tourism events
- Letting 400 Annual Moorings and generate £83,730 of income and register 1000 boats and personal watercraft (generating £47,920 income)
- Undertaking a review of maritime statutory byelaws

Work with partners to overcome infrastructure constraints (for example broadband width and mobile technologies) to enable development, investment and job creation by

- Constructing 3 new business units in Llangefni
- Clearing 0.54 hectares of land in Llangefni for redevelopment
- Collaborating with Scottish Power Energy Network to improve Anglesey's electrical infrastructure
- Working with Welsh Water to identify potential improvements to water and sewerage infrastructure on Anglesey
- Collaborating with private sector developers to ensure the island's residents can capitalise upon local and regional opportunities for jobs, growth and prosperity
- Managing a supply chain programme on behalf of the North Wales Economic Ambition Board to ensure the region can capitalise upon opportunities arising from the low carbon energy sector

Effectively undertake our planning responsibilities in relation to all major projects on Anglesey, ensuring that potential negative impacts are lessened and positive community benefits maximised by

- Co-ordinating and investing in the Major Energy Programme Delivery Team
- Securing adequate and timely funding through Planning Performance Agreements to enable developer contributions to the statutory planning consenting processes undertaken by the Council
- Maximising the socio-economic benefits of major developments through the statutory planning process
- Co-ordinating and progressing the Energy Island Programme's activities to help secure major energy developments and de-risk the projects
- Identifying, defining and developing Isle of Anglesey County Council's major energy projects legacy aspirations and vision (statutory and non-statutory)
- Securing adequate and timely funding through Planning Performance Agreements to enable developer contributions to the statutory planning consenting processes undertaken by the Council
- Maintaining collaboration with the Department for Energy and Climate Change and Welsh Government

Drive community regeneration and develop holistic town and community plans for the island's main settlements, prioritising Holyhead, Llangefni and Amlwch by

- Maximising local benefits from proposed major projects through non statutory processes and mechanisms (including voluntary community benefit contributions)
- Ensuring that Holyhead fully benefits from all major Economic regeneration opportunities (in line with Welsh Government priorities) by managing and co-ordinating the Vibrant & Viable Places (VVP) Programme
- Levering in £150,000 of private sector investment into Holyhead
- Successfully support the Llangefni Town Centre / Regeneration initiative

Summary Statement:

In actioning the above we will therefore hope to have achieved by the end of the financial year 2015/16 10 robust Business Cases for varied initiatives across a range of strategic priority areas (e.g. Llangefni Strategic Infrastructure, Holy Island Visitor Gateway, Rural Development Plan Projects Culture and Heritage tourism Food supply chain etc.)

We will also hope to have created or safeguarded a number on new to existing jobs through supporting new and existing businesses. We will have continued to focus on tourism by increasing visitor numbers by 2% and have established 6 new tourist information points and let 400 Annual Moorings and registered 1000 boats.

We will have also progressed the Energy Island and enterprise zone programmes to secure additional employment and a lasting legacy for Ynys Mon. In addition, we will have focussed effort on our the Vibrant & Viable Places initiative and spent £325,000 on Jobs & Business , £575,000 on Active Community and £180,000 on Sustainable Delivery.

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Improve Education, Skills and Modernise our Schools

The Council wants every child, every young person, every learner, wherever they are, irrespective of background and circumstance to achieve their full potential and be prepared to play an active role as future responsible citizens and community champions. In order to realise this, and to contribute to the Welsh Government's ambitious vision for education in Wales, we accept that we need to raise the standard of education in Anglesey. In this respect an accepted priority for the Council is to challenge current thinking, encourage innovation and develop a school infrastructure that will drive up standards of teaching and attainment, reduce surplus places, improve educational outcomes for children and young people and be responsive to our socio-economic and community improvement programme.

How will we do this in 2015/16?

Continue to raise the standards in educational attainment rates and attendance by

- Making appropriate use of all available data to agree challenging targets for all primary and secondary schools in relation to achievement at Foundation Stage, expected level and expected level+1 at FP, KS2, 3 and KS4;
- Using core data sets and national categorisation model to challenge individual school performance;
- Implementing the revised Partnership Agreement to target schools requiring focused support and monitoring and schools requiring substantial support, and continuing to develop the role of Elected Members in reviewing progress;
- Utilising a robust escalation process to challenge schools not making sufficient progress, and ensuring the use of excellent practitioners (both local and regional) to secure improvement through the self-improving (school to school) initiative, and focused Challenge Advisor support and challenge for school staff and Governors;
- Embedding Local Authority expectations that schools implement targeted interventions to support all pupils to fulfil their potential, and ensure robust arrangements for standardising and moderating assessments at Foundation Phase, KS2 and KS3.

Develop and agree a school modernisation strategy to guide long term decisions which will include the provision of 2 new area primary schools by

Pending appropriate permissions and approvals, that construction will have commenced on a new school in the Llannau area and Holyhead. • Approvals and permissions will have been agreed for the Rhosyr (Brynsiencyn / Parc y Bont / Dwyran / Newborough / Llangaffo / Bodorgan) area modernisation programme by April 2016.

- Consultation for the Seiriol area will have commenced (Beaumaris and Llangoed schools, including Llanfaes and Llanddona villages).

Adopt and deliver a regional skills strategy which enables Anglesey and North Wales to up-skill its workforce and align itself with future opportunities by

- Developing further collaboration between Anglesey schools and the Energy Island Transformation Board to ensure the best possible environment for high standard teaching and learning for STEM, and other related skills for employment in the context of future Energy Island and the Regional Skills Ambition Board developments.
- Further developing the Gwynedd and Mon Post-16 Learning Consortium.
- Developing the use of effective post 16 tracking and performance data to identify best practice and improve performance at A and AS level.
- Developing more effective use of e-learning at A and AS level, within the Learning Partnership.
- Continuing to collaborate with Cwmni Prentis Menai to ensure that Anglesey's young people have opportunities to access excellent work-related training and apprenticeships.
- Undertake a review of the Youth Service to deliver the demands of the Youth Engagement and Progression framework, and ensure a sustainable and efficient youth service for Anglesey.

Summary Statement:

In actioning the above we will therefore hope to have achieved by the end of the financial year 2015/16 a trend of improvement in the educational attainment rates at KS1, 2, 3 and 4. In addition, we will have made significant moves to ensure that new schools are opened in the Llannau area by September 2016 and Cybi site in Holyhead by last quarter 2016. We will also have approved Business Cases and identified sites for the Rhosyr and Seiriol area schools.

We will also have continued in our role of identifying, challenging and supporting schools that are under performing, as well as have ensured that more able and talented pupils are challenged to fulfil their potential. Finally, we will have developed further collaboration between Anglesey schools and the Energy Island Programme to promote related skills for employment in the context of future Energy Island developments, and Cwmni Prentis Menai to ensure that Anglesey's young people have opportunities to access excellent work-related training and apprenticeship

We increase Our Housing Options & Reduce Poverty

Having a quality and affordable place to live is important to ensure that all our citizens live in a safe and appropriate home that allows them to gain maximum benefit for access to jobs, leisure, amenities, education and to gain associated social and economic benefits that they both desire and deserve. With major global energy companies working towards a significant investment in Anglesey we will continue to work with landlords in the social and private sector to maximise the number and quality of homes for contractors. We will also continue our efforts to develop the housing market for local people with particular emphasis being placed on working with partners to plan, develop and establish a greater number of affordable housing options for our citizens.

In order to achieve this, we will be undertaking the following during 2015/16 -

Work with partners to modernise and co-ordinate the benefits advice service so as to improve independence and work towards our anti-poverty strategy and mitigate the effects of welfare reform by:

- Establishing more prominent links between anti-poverty funded programmes for example Môn Communities First, Families First, and Flying Start] through for example Common Outcomes Framework pilot, and maximise community benefits opportunities between Môn Communities First, Lift and Viable and Vibrant Places programme [VVP]
- Providing advice and support services to help households protect and maximise their income
- Awarding discretionary housing payments to households impacted by Welfare Reform
- Leading and supporting the implementation of the Corporate Welfare Reform Action Plan with the aim of reducing the likelihood of the Island's citizens experiencing poverty and homelessness
- Supporting the implementation of Universal Credit, through offering support to new claimants
- Finding ways to overcome landlord concerns about Welfare Reform issues especially payment of Housing Benefit.
- Placing a greater emphasis on preventing homelessness.
- Reducing the number of homeless prevention cases?

Increase the affordable housing options island wide and bring empty homes back into use by

- Completing 24 one and two bed housing units funded through Small Homes grant

- Completing 34 Housing Units through Social Housing Grant Scheme and Housing Finance Grant
- Acquire an additional 10 Council housing units
- Bringing 60 long term empty properties back into use

Explore options to support young people to enter the housing market by

- Assist 8 households through Anglesey Home Buy scheme

Work with partners to support apprenticeship opportunities for young people by

- Creating 10 job opportunities / apprenticeships through the construction of affordable housing schemes
- Creating job opportunities / apprenticeships through our Council housing capital plan, investing over £9.8 million during 2015-2016 on planned maintenance, fire risk management, central heating works, environmental works and remodelling of existing properties

Support those at risk of becoming homeless and homeless individuals to find permanent homes by:

- Sourcing 10 additional properties from Private landlords per quarter through use of Anglesey Landlord Incentive Package and establishing a comprehensive database of landlords operating on the island
- Increasing the numbers of landlords in touch with Anglesey Housing Services (ie on database) by a minimum of 20 per quarter
- Granting Planning Permission for 20 new affordable homes

Summary Statement:

In actioning the above we will therefore hope to have achieved by the end of the financial year 2015/16 an Increase in affordable housing options island wide – by bringing 60 empty homes back into use; completing 24 one and two bed housing units funded through Small Homes grant and VVP and completing 34 Housing Units through Social Housing Grant Scheme and Housing Finance Grants. We will increase our Council Housing stock by 10 units and will have identified suitable sites for developing new Council Housing units on the Island.

We will also have created 10 job opportunities / apprenticeships through the construction of affordable housing schemes. We will have also taken the lead in supporting the implementation of the Corporate Welfare Reform Action Plan with the aim of reducing the likelihood of the Island's citizens experiencing poverty and homelessness. We will have also Sourced 10 additional properties from Private landlords per quarter through use of Anglesey Landlord Incentive Package.

Transform our Leisure & Library Provision

Our leisure facilities and activities continue to be popular and valued. They support and maintain the health and well-being of service users. We are committed to adopting a more commercial approach to leisure provision, together with carrying out a number of improvements to modernise the quality and accessibility of existing facilities and activities.

Our focus will concentrate on increasing participation in leisure activities to improve income generation and reduce our reliance on core Council funding; investing in improved facilities to offer more varied activities and meet customer expectations; introducing modern leisure payment and booking systems and enhancing customer care to reflect the changing needs of users.

We want to keep our place and presence at the heart of communities with our library provision. This will mean more partnership working and shared premises, to give local people improved, simplified and seamless access to the information and services they need.

How will we do this in 2015/16?

Develop and implement a medium term leisure strategy to guide decision making which will decrease the need for council investment over the life of this plan by

- Implementing key projects outlined in the 2014 - 2017 Leisure Plan
- Adopting a more commercial approach to the management of facilities and provision of activities at Amlwch, Holyhead, Llangefni and Menai Bridge Leisure Centres
- Increasing participation numbers at our Leisure Centres to 540,000 per year (or higher)
- Investing in more flexible, fit for the future facilities in response to changing customer needs
- Transferring the outdoor facilities in Holyhead to alternative management organisations
- Developing and implementing a Leisure Customer Care Improvement Programme
- Delivering a mix of outreach activities to increase attendances and improve participation

Interlink our indoor sports hall type facilities with our secondary school provision and explore with external community providers to run the facilities in the evening, weekends and school holidays by

- Implementing key projects outlined in the 2014 - 2017 Leisure Plan
- Adopting a more commercial approach to the management of facilities and provision of activities at Amlwch, Holyhead, Llangefni and Menai Bridge Leisure Centres

Encourage to develop and support the provision of sport and leisure activities within communities, by communities by

- Implementing key projects outlined in the 2014 - 2017 Leisure Plan
- Successfully transfer the management of Llangefni Golf Course and Driving Range to alternative management organisation (until April 2017)

Explore options and implement a revised Library provision model by

- Gaining approval for the initial Library transformation models, undertaking public consultation and agreeing the preferred model for delivery from April 2016.

Explore options surrounding the delivery of the cultural experience offered at heritage sites and implement the agreed preferred option

- Gaining approval for the initial Heritage transformation models, undertaking public consultation and agreeing the preferred model for delivery from April 2016.

Summary Statement:

In actioning the above we will therefore hope to have achieved by the end of the financial year 2015/16 enhanced facilities with improved participation, customer experience, and increased income at all our leisure centres. We hope that this will increase participation numbers at our Leisure Centres to 540,000 per year (or higher)

We will also work towards transferring the outdoor facilities in Holyhead to alternative management organisations as well as developing and implementing a Leisure Customer Care Improvement Programme and delivering a mix of outreach activities to increase attendances and improve participation

We will also have agreed new models for delivery of the Library and Cultural services, established a new management structure for Llangefni Golf Driving Range and completed the outsourcing of five outdoor / community facilities in the Holyhead area.

Becoming Customer, Citizen & Community Focused

We still have a long way to go on standardising and simplifying processes and through our work with other Councils we envisage securing further efficiencies in our supporting functions and better resilience for specialist services and scarce skills. An essential part of transforming our Council will be listening to what our citizens, service users and businesses think – and acting on it. Over the past two years we have demonstrated a real commitment in improved service provision which will only get better. We will maximise our bilingual communication techniques through the use of social media such as Facebook and twitter as well as traditional face to face focus groups, citizen panels and public roadshows.

How will we do this in 2015/16?

Develop, agree and sign up to a robust and valid customer charter which in particular sets out our expectation of staff in dealing with customers by

- Delivering a project to contribute to the corporate aim of establishing an excellent customer, citizen and community focus. Building on the adoption of the customer service charter for IoACC. We will be ensuring that all services will be meeting the service charter standards and that monitoring arrangements will be in place to ensure continuity of good practise.
- Developing a tool to attract and retain a flexible workforce to meet our expectation and values for our organisation going forward. Recruiting the right people and modifying the attitudes of existing staff through value alignment questions for new and existing staff
- Developing and strengthening our engagement with and involvement of Anglesey citizens in the Council's decision making and accountability processes by Supporting the 4 year "Gwrandewch/Listen" Community Voices Project partnership so as to increase engagement of individuals and communities of interest in the design and delivery of public services on Anglesey

Explore the quality of the buildings in which customers receive their service, aiming to achieve a consistent standard across the Council that presents the right image for the services available by

- the smarter working programme we will be consolidating our main and some outlying receptions to provide a one stop shop approach to serve customer needs at the point of contact.

Ensure the promotion of the Welsh language and Welsh culture through the implementation of a developed Welsh Language strategy by

- Identifying the main priorities for the Welsh Language Strategy through regular meetings of the Welsh Language Forum

Summary Statement:

In actioning the above we will therefore hope to have achieved by the end of the financial year 2015/16 delivery of a project to contribute to the corporate aim of establishing an excellent customer, citizen and community focus, and taken steps to ensure we have a recruitment policy and process that recruits the right people for the right jobs.

We will also have further developed and strengthened our engagement with and involvement of Anglesey citizens in the Council's decision making and accountability processes by supporting the 4 year "Gwrandewch/Listen" Community Voices Project partnership.

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Transform our Information and Communication Technologies (ICT)

In transforming our services, the Council's resources will be used more efficiently and effectively to achieve targets identified and plan accordingly. The Council will become a 24/7 organisation by using channels such as websites and social media, methods already being used by our customers to access many of their other personal or business needs such as banking or shopping. This way, our customers can access what they need to, when they need to, wherever they are and in the language they prefer.

All interaction, internal and external, will be enabled electronically. Face to face and other routes will exist, for those who need it. By changing the systems it will free staff up to get on and 'do their job' within clear boundaries and using processes which are robust yet agile. Our systems will support our priorities and rigorous rationalisation will ensure that those that do not are no longer used.

How will we do this in 2015/16?

Enable staff to access the computer systems they need securely from any location by

- Implementation of the Smarter Working Programme that will include the development of robust and sustainable solutions to enable remote access which will mean that staff will be able to work more flexibly to meet the needs and demands of our customers.

Enable customers and citizens to communicate with the Council electronically over the web at a time and place convenient to them by

- Developing and enhancing the single financial assessment service within the Resources Function by incorporating the agreed parts of Social Services Client Finance
- Establishing e-forms system for Social Care & Corporate use.
- Establishing e-form systems for Revenue & Benefits and review for Corporate use
- Developing further the use of e forms for members to register interests, e forms for electoral registration and administration of elections

Ensure services use technology more widely to provide more efficient and effective service delivery by

- Driving the following initiatives forward : –
 - Financial Management system
 - Dynamic Web enabled Human Resource system

- Performance & Project Management system
- Records Management system
- Systems that facilitate Remote Access
- Recruitment and retention tool (RRT)

We expect that this will empower our customers to access our services when they need them most in the way that they want to receive it.

Seek out and embrace emerging ICT technologies to meet current and future needs of the Council and the Island's citizens by

- Reviewing, re-drafting and adopting a comprehensive ICT Strategy document that will outline the authority's approach to and use of technology to ensure service delivery and secure business improvements
- Developing and delivering a robust backup solution to support the business critical IT systems which will under-pin the Authority's transformation

Summary Statement:

In actioning the above we will therefore hope to have achieved by the end of the financial year 2015/16 more joined up and more accessible services for customers dealing with the council. This will be inclusive of improving or acquiring in-house systems that will make the council and its staff more efficient and effective in dealing with the public's needs

Prioritisation of other Improvements

During February 2015 the Council underwent a Corporate Assessment carried out by The Wales Audit Office and identified, through our own self-assessment, a number of areas and issues that needed improving if we were to fully meet the requirements of our 6 Key Themes- the principles and practices we aspire towards in order to become one of the best performing councils in Wales. As can be seen, these improvements tie in with many of those already identified above, or alternatively help drive and support our Corporate Plan priorities. The Council has prioritised the improvement actions in order to prepare for the next Corporate Assessment in 2 years time – but some of this work has already started or is on-going, or due to be completed within the next 2 years. .

THEME 1 – Professional and Well-Run “We are committed to developing a democratic and professional partnership that will deliver effective, strong leadership and establish the necessary professional and organisational behaviours required to secure improvement”	Prioritisation	
	Year 1	Year 2
Introduce a more corporate approach by SLT and increase delegation to HoS	✓	
Improve and refine internal financial management arrangements	✓	
Embed our internal communications framework, including monthly Member briefing sessions, and an entitlement for staff to be communicated with	✓	
Further strengthen team approaches between Senior Officers working with Academi Wales		✓
Implement the new Corporate Risk Management arrangements	✓	
Revise and update the Audit Committee ‘Terms of Reference’		✓
Clarify the role of the Shadow Portfolio Holders and further develop the Scrutiny work plan and stakeholder engagement		✓
Deliver on the Corporate Procurement Project	✓	
Develop Business Continuity arrangements, both corporately and at service level	✓	
THEME 2 – Innovative, Ambitious and Outward Looking “Establishment of an environment and culture that encourages and nurtures innovation, and creative ideas and solutions. The Council will look beyond the organisation to seek ambitious solutions that will benefit customers, citizens and communities”		
Sustain the progress on the Transformation Programme	✓	
Reflect the impact of Wylfa Newydd and other major initiatives in our future service planning		✓
Implement Smarter Working	✓	
Implement a programme of cultural change	✓	

Implement an ICT Strategy that supports innovation	✓	
Further develop and implement a staff suggestion scheme		✓
THEME 3 – Customer, Citizen and Community Focused “The Council will value and develop its people so that they are skilled, motivated and always professional in the way that they work. It will recognise success and innovation and a commitment to providing exceptional customer experience”		
Establish and embed a corporate and partnership approach to engagement		✓
Improve the quality and number of channels for Customers to access our services	✓	
Fully implement Customer Charter Action Plan	✓	
Introduce a Values Assessment Tool to assist in staff recruitment and staff development		✓
Revise Communications Strategy		✓
THEME 4 – Valuing and Developing People “The Council will value and develop its people so that they are skilled, motivated and always professional in the way that they work. It will recognise success and innovation and a commitment to providing exceptional customer experience”		
Progress the development of service Workforce Development Plans and Corporate workforce planning in a bilingual environment	✓	
Develop a tool to use in the recruitment process to ensure candidates have core values that align with ours, and provide targeted support to existing staff to align values and attitudes.		✓
To take full advantage of a computerised workforce (HR) system	✓	
Develop the process for identifying staff with potential through our Talent Management Strategy, and provide opportunities for progression	✓	
PDRs developed as part of the electronic staff record and with clearer links between corporate, service and individual objectives	✓	
Introduce a 360° PDR process for Heads of Service and SLT		✓
Implement a policy management system for the Council that will cover key corporate policies, procedures and protocols		✓
THEME 5 – Committed to Partnership “We understand that we cannot deliver the required transformation on our own and are committed to working in partnership with public, voluntary and private sector partners in order to deliver sustainable growth and development.”		
Improve Scrutiny evaluation of regional, sub-regional and local partnership arrangement to secure benefits for the citizens of Anglesey and alignment with the Local Service Board (LSB)	✓	
Develop communication strategy for LSB		✓
Increased pace and intensity of partnership arrangement with Town & Community Councils	✓	
Strengthen certain governance arrangements	✓	

Develop a Partnership Policy with clear guidance on criteria for entering into partnership and expected governance models	<input checked="" type="checkbox"/>	
THEME 6 – Achieving <i>“The Council is results and outcome-orientated and strives to improve performance in important areas of our work.”</i>		
Further developing the Corporate Plan Delivery Scheme	<input checked="" type="checkbox"/>	
Achieving consistency in the standard of Service Delivery Plans	<input checked="" type="checkbox"/>	
Continue to refine Corporate and Service Scorecards	<input checked="" type="checkbox"/>	
Ensuring implementation of Service Performance Review actions	<input checked="" type="checkbox"/>	
Build on the success of CTPBs and underpinning processes	<input checked="" type="checkbox"/>	
Procure and implement a corporate electronic performance management system, secure the required analytical skills, and empower staff through training to better manage performance.		<input checked="" type="checkbox"/>

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Further Information

To find out more about anything in this document or to make any comments please contact:

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This document is available on tape, in braille and on the Council's website:

<http://www.anglesey.gov.uk/corporateplan>

Further information may also be obtained as follows:

Policies, plans and strategies published by the Council can be accessed at: www.anglesey.gov.uk

The Annual Improvement Report (AIR) is available on the Council's website by clicking on this link:

www.anglesey.gov.uk/airwao

Audit and Inspection Reports produced by the Council's Regulators are available from their respective websites, as follows:

•Wales Audit Office:

www.wao.gov.uk

•Care and Social Services Inspectorate Wales:

www.cssiw.org.uk

•Estyn:

www.estyn.gov.uk

If you do not have access to the internet, or would like to obtain a document that is not listed above, please contact the Council via the contact details outlined at the top of this page.

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ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive and Council
Date:	20th April 2015 14th May 2015
Subject:	Audit Committee Terms of Reference
Portfolio Holder(s):	Alwyn Rowlands
Head of Service:	Lynn Ball
Report Author: Tel: E-mail:	Awena Walkden 2563
Local Members:	N/A

A –Recommendation/s and reason/s
<p>The Executive recommends to Council that the Council approve the changes to the Council’s Constitution, being new terms of reference for the Audit Committee as contained in the Appendix to this Report.</p> <p><u>Reasons</u></p> <p>The Deputy Chief Executive requested that changes be made to the Audit Committee’s terms of reference to reflect changes in good practice as anticipated in the Public Sector Internal Audit Standards (2013), Local Government Measure 2011, Audit and Accounts Regulations 2010 and, especially, the CIPFA Guidance 2014.</p> <p>Having reviewed the new CIPFA Guidance, against the current terms of reference of the Audit Committee, the Head of Profession (Internal Audit) is of the opinion that the terms of reference do not clearly set out the purposes of the Committee. So, at a meeting on the 10th December 2014, the Audit Committee decided to recommend to Council a change of name to the Audit and Governance Committee and to make the enhanced role of the Committee more apparent. On the 9th February 2015 the Committee agreed new terms of reference in accordance with the Appendix to this Report.</p>

B – What other options did you consider and why did you reject them and/or opt for this option?
<p>The only other option available would be to maintain the status quo. However, it is recognised corporately, and by the Audit Committee, that the terms of reference need to be amended to comply with current best practice and CIPFA Guidance.</p>

C – Why is this a decision for the Executive?
As this is a constitutional change requiring the Executive’s view prior to the report being presented to full Council.

CH – Is this decision consistent with policy approved by the full Council?
Yes

D – Is this decision within the budget approved by the Council?
Yes

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	Initiated by the Deputy Chief Executive
2	Finance / Section 151 (mandatory)	
3	Legal / Monitoring Officer (mandatory)	Report author
4	Human Resources (HR)	
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	Head of Profession (Internal Audit) and all Members of the Council’s Audit Committee

E – Risks and any mitigation (if relevant)	
1	Economic
2	Anti-poverty
3	Crime and Disorder
4	Environmental
5	Equalities
6	Outcome Agreements
7	Other

F - Appendices:

Suggested new terms of reference

FF - Background papers (please contact the author of the Report for any further information):

Current terms of reference are to be found at <http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-3-responsibility-for-functions/constitution-34-regulatory-and-other-committees/>

Isle of Anglesey County Council

3.4.8 Audit & Governance Committee – PROPOSED DRAFT Terms of Reference

3.4.8.1 Purpose

3.4.8.1.1 The Audit and Governance Committee is a key component of the Council's governance framework providing independent and high level resource to support good governance and strong public financial management.

3.4.8.1.2 The Committee provides to those charged with governance independent assurance on the adequacy of the governance and risk management frameworks, the internal control environment, and the integrity of the financial reporting. By overseeing internal and external audit and other regulators it makes an important contribution to ensuring that effective assurance arrangements are in place.

3.4.8.1.3 The terms of reference of the Audit and Governance Committee are set out below.

3.4.8.1.4 The Committee shall be advised by the Head of Function (Resources) as the officer with responsibility for financial administration, and by the both the external and internal auditors. They may additionally, within an approved budget, seek independent advice from outside the Council.

3.4.8.1.5 The external/internal auditors of the Council shall have the right to request the Chair of the Audit Committee to consider any matter which the auditors believe should be brought to the attention of the Council.

3.4.8.2 Corporate Governance

3.4.8.2.1 Review the Council's arrangements for corporate governance and agree actions to ensure compliance with best practice.

3.4.8.2.2 Monitor the Council's compliance with its own and other published standards and controls including compliance with statutory requirements including Health and Safety.

3.4.8.2.3 Ensure that the Council has a sound system of internal control which facilitates the effective exercise of functions and which includes arrangements for the management of risk and adequate and effective financial management.

3.4.8.2.4 Monitor the effectiveness of the control environment, including arrangements for ensuring value for money.

3.4.8.2.5 Review the effectiveness of internal control at least once a year and oversee the production and recommend the adoption of the Annual Governance Statement at the time the draft annual accounts are signed and dated by the relevant financial officer at the latest.

3.4.8.2.6 Provide an annual report to the Council on the Committee's performance and effectiveness.

3.4.8.2.7 Keep under review the governance arrangements relating to significant partnerships to which the Council is a party and keep under review the effectiveness of the Council's arrangements for dealing with partnership working.

3.4.8.2.8 The Committee may review the corporate governance, risk management and internal control issues in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the audit role, it may require any member or officer of the Council to attend before it to explain in relation to matters within their remit:

- (i) compliance or otherwise with Council procedures;
 - (ii) compliance or otherwise with established corporate governance standards;
 - (iii) the degree to which risk has been considered and addressed;
- and it is the duty of those persons to attend if so required.

3.4.8.3 Risk Management

3.4.8.3.1 To develop and keep under review the Risk Management Strategy for the Council.

3.4.8.3.2 Review the development, operation and embedding of risk management within the Council including making reports and recommendations to the Council on the adequacy of those arrangements.

3.4.8.3.3 Review the Corporate Risk Register and, where appropriate, request a response from management on actions to manage risks.

3.4.8.3.4 Review the risk profile of the Council and assurances that action is being taken on risk related issues, including those relating to significant partnerships.

3.4.8.3.5 To raise awareness of risk management within the Council and to ensure that training and education needs in respect of risk management are identified and addressed

3.4.8.3.6 To ensure appropriate and effective communication reporting lines are in place in the context of Risk Management

3.4.8.4 Financial Accounts

3.4.8.4.1 Review and scrutinise the Council's statement of accounts prior to its adoption by the full Council ensuring that proper accounting policies have been followed and that all concerns arising from the financial statement or the audit are brought to the attention of the Council through appropriate reports and recommendations.

3.4.8.4.2 Scrutinise the Council's Treasury Management Strategy and the Annual Report on Treasury Activities prior to approval by the Council.

3.4.8.4.3 Receive six monthly reports on Treasury Management in order to monitor developments and trends.

3.4.8.4.4 Review the Council's risk exposure and its ability to manage risk in relation to its Treasury Management activities.

3.4.8.4.5 To give any instructions concerning accounting records and control systems as may be required by the Accounts and Audit Regulations (Wales) 2005.

3.4.8.5 Internal and External Audit

3.4.8.5.1 Approve the Internal Audit Charter and ensure that the Charter provides the required level of organisational independence and authority for internal audit to carry out their work effectively.

3.4.8.5.2 Approve decisions regarding the appointment and removal of the chief audit executive and the remuneration of the chief audit executive.

3.4.8.5.3 Consider the audit planning strategies of the internal and external auditors including the external audit fee.

3.4.8.5.4 Approve the risk based Internal Audit Plan and ensure that adequate internal audit budget and resources are available to complete.

3.4.8.5.5 Consider the annual reports and opinions of the internal and external auditors including consideration of the external auditor's Annual Letter.

3.4.8.5.6 Consider individual internal audit and external regulator reports including from the Wales Audit Office.

3.4.8.5.7 Review progress in delivering the Internal Audit Plan and Internal Audit Strategy through the receipt and consideration of quarterly progress reports from the chief audit executive.

3.4.8.5.8 Consider management's response to issues raised by the internal auditor and external regulators and where appropriate request a response from management.

3.4.8.5.9 Review the performance of the internal and external auditors on an annual basis.

3.4.8.5.10 The external and internal auditors of the Council shall have the right to request the Chair of the Audit and Governance Committee to consider any matter which the auditors believe should be brought to the attention of the Council.

3.4.8.5.11 To consider the Audit Manager's Annual Report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.

3.4.8.6 Countering Fraud and Corruption

3.4.8.6.1 Review Council policies and procedural arrangements for officers and members to raise concerns in confidence about possible wrongdoing in financial reporting and other matters, including appropriate follow up action.

3.4.8.6.2 Review the Council's policy and procedures for preventing, detecting, investigating and prosecuting fraud and corruption.

3.4.8.6.3 Review the Council's systems and controls for the prevention of bribery and receive reports on non-compliance.

3.4.8.6.4 Receive an annual report on all suspected irregularities including any instances of fraud and corruption, from the Corporate Fraud Officer.

3.4.8.6.5 To receive an annual report from the Head of Function (Resources) on the implementation of the policy.

3.4.8.7 Advisory Resources

3.4.8.7.1 The Committee shall be advised by the designated Section 151 Officer as the officer with responsibility for financial administration, and by the both the external and internal auditors. They may additionally, within an approved budget, seek independent advice from outside the Council.

3.4.8.8 Frequency

3.4.8.8.1 Minimum 4 meetings per year.

3.4.8.8.2 The Committee must meet if the Council as a whole resolves that it should or if at least one-third of the members of the committee requisition a meeting in writing to the Chairman of the Committee.

3.4.8.9 Membership

3.4.8.9.1 Eight members of the Council, to be politically balanced, plus a maximum of two lay co-opted members to be appointed by the Committee.

3.4.8.9.2 Members of the Executive will not be eligible to be members of this Committee. The Portfolio Holder for Finance is required, as far as is possible, to attend each Audit and Governance Committee meeting.

3.4.8.9.3 The co-opted members, not being members of the Council, to be recruited for skills appropriate to the Audit and Governance Committee's work, and who shall be appointed by the Councillor members of the Audit and Governance Committee for a fixed term to be determined by them when the appointment is made.

3.4.8.9.4 All members of the Committee shall have a vote.

3.4.8.9.5 The Audit and Governance Committee will appoint its Chairperson who will not be a member of any of the groups represented on the Executive except when all groups are represented on the Executive (and could be a co-opted member).

JEF PROPOSED DRAFT

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive and Council
Date:	Executive 20 April 2015 Council 14 May 2015
Subject:	Chief Executive – Authority to Change Scheme of Delegation
Portfolio Holder(s):	Alwyn Rowlands
Head of Service:	Lynn Ball – Head of Function (Council Business)/Monitoring Officer
Report Author: Tel: E-mail:	Awena Walkden – Solicitor (Corporate Governance) Ext. 2563 apxce@anglesey.gov.uk
Local Members:	N/A

A –Recommendation/s and reason/s
<p>The Executive recommends to Council that:</p> <ol style="list-style-type: none"> 1. Council amend the Constitution to enable the Chief Executive to make structural changes to the Scheme of Delegation to Officers without going through the Executive and full Council. 2. Council authorises the Monitoring Officer to implement the change by adding a new paragraph to the Scheme of Delegation in line with Appendix 1, and thereafter to implement any relevant decisions of the Chief Executive. <p><u>Issues</u></p> <ol style="list-style-type: none"> 3. Under the current wording of the Constitution, at Article 15.2.1, any changes to the Constitution must be approved by the full Council after consideration by the Executive. 4. This process is slow and bureaucratic, so it is recommended that flexibility be introduced by allowing the Chief Executive to make some amendments to the Scheme of Delegation to Officers without taking a full report to the Executive and Council; thereby authorising the Chief Executive to amend the Scheme of Delegation at Part 3.5 and Part 7. 5. Heads of Service already have authority to restructure their own Services, provided that the restructure remains within budget and complies with HR policies and legal requirements. 6. This proposed amendment would allow the Chief Executive authority to restructure the posts of the Heads of Service, Heads of Function, Directors and Deputy Chief

Executive without going to full Council – such changes would involve transfer of roles and responsibilities from one party to another, changes in responsibilities and changes to job titles. It would not include decisions outside budget and would be subject to compliance with HR Policies and legal requirements.

7. In exercising this power the Chief Executive would consult with the relevant parties affected, having first consulted with the Head of Profession (HR) and the relevant Portfolio Holder(s).

B – What other options did you consider and why did you reject them and/or opt for this option?

Maintain the status quo. The reasons against this are described in Section A of this Report.

C – Why is this a decision for the Executive?

The implementation of the Recommendations will result in Constitutional changes which can only be approved by the full Council after consideration by the Executive.

CH – Is this decision consistent with policy approved by the full Council?

Yes

D – Is this decision within the budget approved by the Council?

Yes

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	Initiated by the Deputy Chief Executive and agreed by the Chief Executive
2	Finance / Section 151 (mandatory)	Any adjustments that have the effect of changing the delegation to the S151 Officer needs to be a decision of full Council and this needs to be made clearer. The S151 Officer has confirmed that the proposed changes set out in Appendix 1 address his concerns.

3	Legal / Monitoring Officer (mandatory)	Joint author of Report so comments are included here
4	Human Resources (HR)	Required consultation and other HR processes to be followed regarding any proposed restructures.
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	Approved in principle by the Group Leaders for a decision by Council

E – Risks and any mitigation (if relevant)		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	

F - Appendices:
Suggested amendment to the Scheme of Delegation

FF - Background papers (please contact the author of the Report for any further information):

3.5.2.11 Bydd gan y Prif Weithredwr awdurdod i ddiwygio teitlau swyddi, a meysydd cyfrifoldeb yr Uwch Dîm Arweinyddiaeth, Penaethiaid Swyddogaeth a'r Penaethiaid Gwasanaeth fel y bydd ef / hi yn ei ystyried yn angenrheidiol er mwyn darparu swyddogaethau'r Cyngor, blaenoriaethau gweledigaeth ac o ganlyniad i ad-drefnu staff, mewn ymgynghoriad â'r Swyddog Adran 151, Swyddog Monitro, Pennaeth Proffesiwn / AD a'r Deilydd(ion) Portffolio perthnasol. Bydd unrhyw newidiadau o'r fath o fewn cyllideb ac yn cydymffurfio â pholisïau a phrosesau AD y Cyngor. I osgoi amheuaeth, rhaid cyfeirio unrhyw newidiadau arfaethedig all gael effaith andwyol ar allu'r Swyddog Adran 151 neu'r Swyddog Monitro i wneud eu rolau statudol yn effeithiol i'r Cyngor llawn ar gyfer eu cymeradwyo lle bo'r Swyddog Adran 151 neu'r Swyddog Monitro yn gofyn am hynny.

3.5.2.11 The Chief Executive shall have authority to amend the job titles, and areas of responsibility of the Senior Leadership Team, the Heads of Function and the Heads of Service as he/she considers necessary to deliver the Council's functions, vision, priorities and as a consequence of staff reorganisation, in consultation with the s.151 Officer, Monitoring Officer, Head of Profession (HR) and the relevant Portfolio Holder(s). Any such changes will be within budget and compliant with the Council's HR policies and processes. For the avoidance of doubt, any proposed changes that may have an adverse impact on the S.151 Officer's or the Monitoring Officer's ability to carry out their statutory roles effectively must be referred to full council for approval where the S151 Officer or Monitoring Officer so requests.

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive
Date:	20 th April 2015
Subject:	Regulation of Investigatory Powers Act (RIPA) - Adoption of RIPA Policy
Portfolio Holder(s):	Alwyn Rowlands
Head of Service:	Lynn Ball
Report Author: Tel: E-mail:	Awena Walkden 01248 752563 awxce@anglesey.gov.uk
Local Members:	n/a

A –Recommendation/s and reason/s
<p>To adopt a RIPA Policy (as attached in the Appendix) to :-</p> <ol style="list-style-type: none"> 1. Reflect changes made to the Home Office Codes of Practice; 2. To implement recommendations from the Office of the Surveillance Commissioners; AND 3. To authorise the Monitoring Officer (also the Senior Responsible Officer ‘SRO’) to make minor (legislative) amendments to the Policy as and when required (and after appropriate consultation) and to republish any revised Policy on the Council’s website; 4. To agree reporting on RIPA authorisations by the Corporate Information Officer and / or the SRO to the Audit Committee on an annual basis and/or when the number of RIPA authorisations exceeds 5 within a 12 month period; 5. To authorise two corporate registers to be maintained by the Corporate Information Officer and RIPA SRO to centrally record all RIPA and non-RIPA authorisations. <p><u>Background</u></p> <p>In the last audit of this Council the Office of the Surveillance Commissioners concluded that:-</p> <p><i>“the Authority has sound procedures in place for complying with RIPA and for using its RIPA powers when required”</i>, but recommended that the Council adopt a RIPA Policy as well as ensuring that relevant officers undergo further RIPA training.</p> <p>The training has taken place. The draft Policy is appended to this Report.</p>

What is RIPA?

The Regulation of Investigatory Powers Act 2000 (RIPA) provides a mechanism for conducting surveillance for the purpose of preventing or detecting crime, or of preventing disorder. RIPA is intended to provide a balance between preserving citizens' rights to privacy whilst enabling intelligence gathering for legitimate and effective enforcement action.

It is not RIPA itself which gives permission to the Council to carry out surveillance / collect data, The RIPA Policy sets out a framework for the Council to use surveillance in a way that ensures compliance with the European Convention on Human Rights, thereby increasing the likelihood of successful enforcement and limiting the chance of successful challenge.

Typical examples of when RIPA authorisations may be used are set out in this non-exhaustive list:-

- (i) Surveillance of environmental crimes;
- (ii) Surveillance of potential benefit "fraudsters";
- (iii) Surveillance of staff suspected of a criminal offence;
- (iv) "Loan sharks";
- (v) Underage sales of knives, alcohol, solvents and tobacco.

RIPA should be used to regulate surveillance whenever a criminal sanction which would be imposed on those surveilled could amount to at least a six month prison sentence, or the statutory "seriousness" threshold is met. RIPA surveillance requires the prior authority of a Magistrate. RIPA does not apply to civil actions.

Where surveillance needs to be carried out, but does not meet the "RIPA" threshold, the RIPA procedures and forms should still be used and recorded centrally as the Office of the Surveillance Commissioners now review non-RIPA procedures as part of their regular audits.

How we use RIPA

RIPA is used infrequently within this Council, and the last two annual returns of RIPA authorisations presented to the Office of Surveillance Commissioners were "nil". "Non-RIPA" surveillance does take place here, although there are no procedures in place to log these centrally. The recommendations in this Report will address this issue.

B – What other options did you consider and why did you reject them and/or opt for this option?

None, as the implementation of the Policy was recommended by the Office of the

Surveillance Commissioners.

C – Why is this a decision for the Executive?

The Policy does not fall within the Policy Framework, requiring Council approval, so, by default, is an Executive function under Section 13(2) Local Government Act 2000.

CH – Is this decision consistent with policy approved by the full Council?

Yes

D – Is this decision within the budget approved by the Council?

Yes

DD – Who did you consult? What did they say?

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	Approved
2	Finance / Section 151 (mandatory)	
3	Legal / Monitoring Officer (mandatory)	Joint author of this report and therefore comments are included here
4	Human Resources (HR)	
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	Policy agreed with all authorising officers and relevant Services

E – Risks and any mitigation (if relevant)

1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	

5	Equalities	
6	Outcome Agreements	
7	Other	Adoption of the policy is a mitigation

F - Appendices:
RIPA Policy (draft)

FF - Background papers (please contact the author of the Report for any further information):



**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

Policy and Procedures

Regulation of Investigatory Powers Act 2000

Use of Covert Directed Surveillance

Use of Covert Human Intelligence Sources

Accessing Communications Data

Revised
December 2014

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INTRODUCTION

1. The Regulation of Investigatory Powers Act 2000 (“the Act”) came into force on 25 September 2000. The Act regulates the use of powers connected with the *interception of communication data* (“ICD”) and provides a framework for the authorisation and oversight of *directed surveillance* (“DS”) and the use of *covert human intelligence sources* (“CHIS”). The Act was passed to ensure that law enforcement and other operations are consistent with the duties imposed on public authorities by the Human Rights Act which incorporates the rights and freedoms of the European Convention on Human Rights into our domestic law. It is unlawful for a public authority to act against a Convention right or the Data protection Act 1998 (“DPA”).
2. This policy and procedures document (“the Policy”) sets out the means of compliance with, and use of, the Act by Anglesey County Council (“the Council”) It is based upon the requirements of the Act and the Home Office’s Codes of Practice on Covert Surveillance and Covert Human Intelligence Sources, together with the Revised Draft Code of Practice on Accessing Communications Data. This version of the Policy and Guidance has been updated to take account of the changes in the Protection of Freedoms Act 2012 and SI2012/1500
3. The Council has numerous statutory powers and duties to investigate activities of private individuals, groups and organisations within its jurisdiction for the benefit and protection of the public (collectively known as the Council’s “Core Functions”). Such investigations may require the use of DS, CHIS and / or ICD. (There are many reasons why the Council might need to investigate, such as Trading Standards, licensing, audit investigation, benefit fraud, health & safety compliance, environmental health and pollution control, planning enforcement, control of building works and investigation of its own employees for the purposes of disciplinary proceedings ; this list is not intended to be exhaustive. Some of these areas are Core Functions and, as such, covered by RIPA; others are not and will, therefore, not fall within the RIPA framework.)
4. For the purposes of this Policy and Procedure document, surveillance is deemed to include such ICD as the Council is permitted to carry out under the Act, DS and the use of a CHIS. The Act provides for the authorisation of certain investigations using such surveillance.
5. The Council’s stated objective is compliance with the provisions of the Human Rights Act 1998, and in particular the provisions of Article 8 obliging respect for an individual’s privacy. However, this is a qualified right, not an absolute one, and all investigations involve a legitimate breach of this privacy to a greater or lesser extent ; there are many circumstances where the Council will have a legitimate reason to use ICD, DS or a CHIS as part of the investigation. The Council will always use the Act and the DPA to authorise these activities, so long as the investigation is a Core Function.
6. RIPA is not available to use for investigations that do not form part of the Council’s Core Functions, where no criminal offence is disclosed or where the ‘seriousness threshold’ is not met, but this does not preclude the Council’s investigators from using DS or CHIS. In the event that an investigation into one of these areas requires the use of these techniques, the investigator must apply in the same way, using the same forms, to the same Authorising Officer, endorsing the forms clearly in red ink, “NON-RIPA”.

7. **No regulated activity must take place until Judicial Approval has been obtained.** The procedure for Judicial Approval is explained in [Appendix Eleven](#). Before undertaking surveillance and applying for Judicial Approval, the Council must be satisfied that it is undertaken either in connection with a Core Function or with a function that any ordinary employer might have (an “Ordinary Function”), such as the investigation of false claims for sick pay. As all surveillance is likely to intrude upon someone’s human rights (for example, the right to respect for privacy and family life, home and correspondence), it is important that the investigator is able to justify that the breach of privacy is necessary, proportionate and lawful. It is also ESSENTIAL that the reasoning is documented and the correct authorisations gained, in order that the Council may be accountable for their actions.
8. The Authority hereby appoints all investigation officers and managers to make applications under this part (in accordance with s. 223(1) of the Local Government Act 1972), subject to their inclusion in the approved list by the RC. The Authority authorises the RC to appoint as many investigation officers and managers to make applications under this part as she sees fit. Those officers must be listed at appendix 1(a) and any additions to or deletions from that list must be notified to members as part of the regular reporting protocols.
9. The authoritative position on the Regulation of Investigatory Powers is, of course, the Act itself and any Officer who is unsure about any aspect of this Policy and Procedure Document should contact, at the earliest possible opportunity, the Council’s Head of Legal Services for advice and assistance.
10. The Council shall ensure that Officers with responsibility for authorising or carrying out surveillance or accessing communications data are aware of their obligations to comply with the Act and with the Council’s policy. Furthermore, Officers shall receive appropriate training or be appropriately supervised in order to carry out functions under the Act. The list of Authorising Officers appears at [Appendix One](#) to this Document; however, even if a person is identified in the list, the person is **not** authorised to sign any RIPA forms **unless** he has been certified by the Head of Legal Services to do so.
11. The Solicitor shall act as the “*RIPA Co-ordinator (RC)*” for all applications, the Principal Solicitor shall act as the Gatekeeper”, the Council’s Head of Legal Services shall discharge the duties of the “*Senior Responsible Officer (SRO)*”, the Council’s Chief Executive or in their absence, the person acting as Head of Paid Service, shall act as the “*Senior Authorising Officer (SAO)*”. Juvenile Sources, Vulnerable Individuals and where knowledge of confidential information is likely to be acquired must be authorised by the SAO.
12. This Policy shall be reviewed from time to time in light of changes in legislation, case law or for the better performance of the Policy. Where Authorising Officers have suggestions for continuous improvement of this Policy these must be brought to the attention of the Head of Legal Services.
13. **Failure to follow these provisions of this Policy (for example: carrying out surveillance without following the requirements of this Policy) is a breach of the Council's rules, policies and procedures and could be deemed as gross misconduct potentially leading to dismissal.**

TYPES OF SURVEILLANCE

1. Surveillance includes
 - ⇒ monitoring, observing, listening to persons, watching or following their movements, listening to their conversations and other such activities or communications
 - ⇒ recording anything mentioned above in the course of authorised surveillance
 - ⇒ surveillance by or with the assistance of appropriate surveillance devices

Surveillance can be overt or covert.

2. **Overt Surveillance**

Most of the surveillance carried out by the Council will be done overtly – there will be nothing covert about it. In many cases, Officers will be behaving in the same way as a normal member of the public or will be going about Council business openly (such as conducting a site visit for planning enforcement purposes)

Similarly, surveillance will be overt if the subject has been told that it will happen (for example, where a licensee has been made aware that officers may conduct visits without notice to check that conditions applied to a licence issued under the Licensing Act 2003 are being complied with)

The following are NOT normally Directed Surveillance :

- Activity that is observed as part of normal duties, e.g. by an officer in the course of day-to-day work.
- CCTV cameras (unless they have been directed at the request of investigators) – these are overt or incidental surveillance, and are regulated by the Data Protection Act.
- Targeting a “Hot spot”, e.g. licensing officers standing on a street to monitor private hire cars plying for hire illegally where this is not part of a planned operation, or surveillance on fly tipping and dog fouling clear up. (Home Office Guidance refers.)
- Test purchases, unless they involve an officer supervising an under-age sales operation, where the supervising officer is observing the attempted purchase.

3. **Covert Surveillance**

For surveillance to be covert it must be carried out in a way that is intended to make sure that the subject of the surveillance is not aware that it is happening (Section 26(9)(a) RIPA). It is about the intention of the surveillance, not about whether they are actually aware of it; it is possible to be covert in Council uniform where, for example, the person is intended to mistake the reason for the officer being there.

RIPA regulates two types of covert surveillance, Directed Surveillance and Intrusive Surveillance, and the use of Covert Human Intelligence Sources (CHIS).

4. Directed Surveillance

Directed surveillance is surveillance which ~

- ⇒ is covert; and
- ⇒ is not intrusive surveillance
- ⇒ is not carried out in an immediate response to events which would otherwise make seeking authorisation under the Act unreasonable; and
- ⇒ is undertaken for the purpose of a **specific investigation** or operation in a manner **likely to obtain private information** about an individual (whether or not that person is specifically targeted for the purposes of an investigation)

Private Information in relation to a person includes any information relating to his private and family life, his home and his correspondence. The fact that covert surveillance occurs in a public place or on business premises does not mean that it cannot result in the obtaining of private information about a person. Prolonged surveillance targeted on a single person will undoubtedly result in the obtaining of private information about him and others that he comes into contact, or associates, with.

Expectations of Privacy :

Two people are holding a conversation on the street and, even though they are talking together in public, they do not expect their conversation to be overheard and recorded by anyone. They have a 'reasonable expectation of privacy' about the contents of that conversation, even though they are talking in the street. The contents of such a conversation should be considered as private information. A directed surveillance authorisation would therefore be appropriate for a public authority to record or listen to the conversation as part of a specific investigation or operation and otherwise than by way of an immediate response to events.

A Surveillance officer intends to record a specific person providing their name and telephone number to a shop assistant, in order to confirm their identity, as part of a criminal investigation. Although the person has disclosed these details in a public place, there is nevertheless a reasonable expectation that the details are not being recorded separately for another purpose. A directed surveillance authorisation should therefore be sought.

Private life considerations are particularly likely to arise if several records are to be analysed together in order to establish, for example, a pattern of behaviour, or if one or more pieces of information (whether or not available in the public domain) are covertly (or some cases overtly) obtained for purposes of making a permanent record on that person or for subsequent data processing to generate further information. In such circumstances, the totality of information gleaned may constitute private information even if individual records do not. Where such conduct includes surveillance, a directed surveillance authorisation may be required.

Reconnaissance :

Officers wish to drive past a café for the purposes of obtaining a photograph of the exterior. Reconnaissance of this nature is not likely to require a directed surveillance authorisation as no private information about any person is likely to be obtained or recorded. If the officers chanced to see illegal activities taking place, these could be recorded and acted upon as ‘an immediate response to events’.

If, however, the officers intended to carry out the exercise at a specific time of day, when they expected to see unlawful activity, this would not be reconnaissance but directed surveillance, and an authorisation should be considered.

Similarly, if the officers wished to conduct a similar exercise several times, for example to establish a pattern of occupancy of the premises by any person, the accumulation of information is likely to result in the obtaining of private information about that person or persons and a directed surveillance authorisation should be considered.

5. Intrusive Surveillance

RIPA does not authorise local authorities to carry out intrusive surveillance. Intrusive surveillance occurs when the surveillance is

- ⇒ covert
- ⇒ relates to residential premises and private vehicles; and
- ⇒ involves the presence of a person in the premises or in the vehicle or is carried out by a surveillance device in the premises / vehicle. Surveillance equipment mounted outside the premises will not be intrusive, unless the device consistently provides information of the same quality and detail as might be expected if they were in the premises / vehicle.

Council Officers must NOT carry out intrusive surveillance

Notes about ‘Intrusive’ :

Surveillance is generally ‘Intrusive’ only if the person is on the same premises or in the same vehicle as the subject(s) of the surveillance. Carrying out surveillance using private residential premises (with the consent of the occupier) as a ‘Static Observation Point’ does not make that surveillance ‘Intrusive’.

A device used to enhance your external view of property is almost never an *intrusive* device. A device would only become *intrusive* where it provided a high quality of information from inside the *private residential premises*.

If premises under surveillance are known to be used for legally privileged communications, that surveillance must also be treated as *intrusive*.

Examples :

Officers intend to use an empty office to carry out surveillance on a person who lives opposite. As the office is on the 4th floor, they wish to use a long lens and binoculars so that they can correctly identify and then photograph their intended subject covertly. This is NOT intrusive surveillance, as the devices do not provide high quality evidence from inside the subject’s premises.

Officers intend using a surveillance van parked across the street from the subject's house. They could see and identify the subject without binoculars but have realised that, if they use a 500mm lens, as the subject has no net curtains or blinds, they should be able to see documents he is reading. This IS intrusive surveillance, as the evidence gathered is of a high quality, from inside the premises, and is as good as could be provided by an officer or a device being on the premises.

Notes about 'Private Residential Premises' (PRP) :

Premises count as PRP if they are currently used as a residence, and this includes temporary use.

Examples :

- Flats, houses, caravans etc. used as a residence are PRP
- Hotel rooms are PRP
- Lorry cabs and camper vans are PRP
- Communal areas (like stairs in a block of flats) are not PRP **but**
- A stairwell in a block of flats, known to be used by a homeless person as their temporary residence **is** PRP
- Canteens and dining areas are not PRP
- Front gardens are not PRP
- Setting up a local authority house for a covert operation (and, therefore) for non-residential purposes is not PRP.

Examples of different types of surveillance

Type of Surveillance	Examples
Overt	Civil Enforcement Officer on patrol Signposted CCTV cameras (in normal use) Recording noise from outside the premises, providing that the occupier has been warned that this will take place Enforcement Officer conducting a site visit, providing any legislative requirements as to notice have been complied with
Covert Directed	Officers following an individual over a period to establish whether he is working whilst claiming benefit
Intrusive	Planting a listening or other device in a person's home or in their private vehicle THE COUNCIL CANNOT AUTHORISE THIS ACTIVITY USING RIPA AND FORBIDS ITS OFFICERS FROM CARRYING OUT INTRUSIVE SURVEILLANCE.

CONDUCT AND USE OF COVERT HUMAN INTELLIGENCE SOURCES (CHIS)

1. Who is a CHIS

A CHIS is someone who establishes or maintains a personal or other relationship for the covert purpose of helping the covert uses of the relationship to obtain information

RIPA does not apply to circumstances where members of the public volunteer information to the Council or to contact numbers set up to receive such information (such as a benefit fraud hotline). Note, however, that should a member of the public repeatedly provide information that might reasonably be expected to have been gained using a personal or other relationship and should the Council intend to act upon or otherwise use this information, consideration should be given to registering the information provider as a CHIS and taking steps to secure that person's safety.

A relationship is covert if it is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of its purpose.

If a person who provides information voluntarily is asked to obtain further information, it is likely that they would either become a CHIS or that DS authorisation should be considered.

Examples of a CHIS may include:

- Licensing Officers, working with the Police, covertly building a business relationship with a cab company which is believed to be using unlicensed drivers.
- Whistleblowing, when you actively "recruit" an employee to gather information on another employee who is the subject of a criminal investigation, provided this is undertaken within a formal framework (refer to the Council's Raising Concerns at Work (Whistleblowing) Policy).
- Food Safety Officers posing as customers to get information on what is being sold at premises and developing a relationship with the shopkeeper beyond that of supplier and customer.

2. What must be authorised?

Officers must not create or use a CHIS without prior authorisation.

Creating (or "Conduct of") a CHIS means procuring a person to establish or maintain a relationship with a person so as to secretly obtain and pass on information. The relationship could be a personal or 'other' relationship (such as a business relationship) and obtaining the information may be either the only reason for the relationship or be incidental to it. Note that it can also include asking a person to continue a relationship which they set up of their own accord.

Use of a CHIS includes actions inducing, asking or assisting a person to act as a CHIS and the decision to use a CHIS in the first place.

3. **Test Purchases**

A normal test purchase does not usually involve the conduct or use of a CHIS. If the test purchase does not require the purchaser to establish a relationship with the supplier with the covert purpose of obtaining information, the purchaser will not be a CHIS. In other words, if the purchaser acts in a manner entirely consistent with being an ordinary member of the public in making the test purchase, then no CHIS authorisation is needed.

By contrast, if a relationship is developed with the person in the shop, for example, to obtain information about supplies of goods (for example, food unfit for human consumption), then this is likely to amount to the conduct or use of a CHIS. Similarly, if the test purchaser uses hidden devices, such as cameras or other recording devices, to record what is going on in the shop, then this will require authorisation, albeit in the form of covert directed surveillance. In some instances, a combined authorisation may be required.

Note that it is not just members of the public who can be a CHIS; an officer acting in this manner should be considered as a CHIS.

4. **Use of juveniles as CHIS**

A juvenile is a person under the age of 18. Special safeguards apply to the authorisation where the CHIS would be a child.

Authorisations for juvenile CHIS must not be granted unless: -

- ⇒ A risk assessment has been undertaken as part of the application, covering the physical dangers and the psychological aspects of the use of the child
- ⇒ The risk assessment has been considered by the Authorising Officer and he is satisfied that any risks identified in it have been properly explained; and
- ⇒ The Authorising Officer has given particular consideration as to whether the child is to be asked to get information from a relative, guardian or any other person who has for the time being taken responsibility for the welfare of the child.

N.B.: A child under the age of 16 must never be asked to give information against his parents or any person who has parental responsibility for him

Authorisations must not be granted unless the Authorising Officer is satisfied that management arrangements exist which will ensure that there will at all times be a person who has responsibility for ensuring that an appropriate adult will be present between any meetings between Council representatives and a CHIS under 16 years of age.

Authorisations for the use of a juvenile as a CHIS can only be granted by the SAO as Head of Paid Service or, in her absence, the person acting as Head of the Paid Service.

5. **Use of vulnerable individuals as a CHIS**

A vulnerable individual is a person who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of himself, or unable to protect himself against significant harm or exploitation.

Any vulnerable individual should only be authorised to act as a CHIS in the most exceptional circumstances.

Authorisations for the use of a vulnerable individual as a CHIS can only be granted by the SAO as Head of Paid Service or, in her absence, the person acting as Head of the Paid Service.

6. **Additional notes on the conduct or use of CHIS can be found in the Home Office Code of Practice – see [Appendix Three](#).**

THE INTERNET AND RIPA

Nowadays investigators make much use of the internet in the course of their enquiries. Many of these enquiries are simple 'open source' enquiries and are unlikely to amount to either Directed Surveillance or the use of a Covert Human Intelligence Source. There are, however, circumstances under which RIPA authorisation may be appropriate.

1. Normal usage

Where an investigator makes normal background checks on the internet, accessing pages that are in the public domain on a single occasion, this would be considered normal usage. Under these circumstances, whilst full records must obviously be kept (in order to comply with the Criminal Procedure and Investigations Act) there is no need for investigators to seek authorisation to make these enquiries. During the course of the investigation, it would be normal for an investigator to make very occasional checks on pages, in order to confirm the information contained therein or, for example, to check for changes just prior to interview.

If, on the other hand, investigators wish to make regular checks on pages, in order to keep check on a suspect's activities, this may amount to Directed Surveillance.

2. Directed Surveillance

Where investigators make regular checks of a page, in order to monitor activity, this may amount to Directed Surveillance. This is because the person, whilst posting to a public forum, site or page, may well not expect the Local Authority to be watching them.

An analogy must be drawn between the electronic world and the 'real' world – if investigators were to go to a public house, in order to listen to a conversation that the suspect was having, this would amount to Directed Surveillance ; visiting an online forum for the same purpose is no different.

You wish to covertly watch a shop, in order to see if the shopkeeper is selling unlawful items. This is Directed Surveillance. That same shopkeeper has an online shop that you wish to check every day. What is the difference?

3. Covert Human Intelligence Source

Looking at publicly available pages is normally considered 'Open Source' investigation but the situation changes if investigators are required to request access, in order to view the page.

If investigators have to create or maintain a 'personal or other relationship' in order to access information, this probably amounts to becoming a Covert Human Intelligence Source. A good example of this is 'Facebook', where a profile may be available for all to view ('Open Source' or Directed Surveillance) or may require investigators to send a friend request and have that request accepted.

An exception would be where, for example, the officer uses an identity that is manifestly overt (Anglesey Trading Standards) and sends the request from this identity. Under these circumstances, the viewing of the page would amount to monitoring and not Directed Surveillance or becoming a Covert Human Intelligence Source.

Officers are instructed to use the procedures outlined in this policy (either RIPA or Non-RIPA), if the above circumstances apply.

AUTHORISATION PROCEDURES FOR DIRECTED SURVEILLANCE AND CHIS

1. Directed Surveillance and the conduct or use of a CHIS can only be lawfully carried out if properly authorised and if it is carried out in strict accordance with that authorisation. Appendix Two provides a flow chart of the process to be followed.

2. **Authorised Officers**

DS and CHIS can only be authorised by Authorised Officers or the SAO who are named in this policy; the list of Authorised Officers appears at [Appendix One](#). Authorised Officers will be removed from the list if they do not attend the required training programmes. The Appendix will be kept up to date by the SRO and amended as needs require. In addition, the SRO has delegated authority to add, delete or substitute posts as required.

Authorisations under RIPA are separate from, and in addition to, any delegated authority that may be required to act under the Council's Scheme of Delegation to Officers. RIPA authorisations are for specific investigations only, and must be renewed or cancelled once the specific surveillance is complete or about to expire.

Only the SAO can authorise the use of a CHIS who is a juvenile or vulnerable person or in the case of confide

3. **Training Records**

Authorising Officers must attend proper training before being entitled to authorise surveillance applications under this policy. Training will be given or approved by the SRO who will maintain a central register of all those individuals who have undergone such training.

4. **Application Forms**

- (a) Only the currently approved RIPA forms, available on the Home Office website, may be used. Any other forms will be rejected by the Authorising Officer and the RC.
- (b) A Gatekeeper role is conducted by Lynn Ball, Monitoring Officer who, if requested to do so by an applicant for an Authorisation, will check the quality of applications before these are submitted to an Authorised Officer and advise whether the application demonstrates sufficient grounds for authorisation.
- (c) The RC role is conducted by, Awena Walkden, Solicitor (Corporate Governance) and the extent of this role is explained in Appendix Six.

5. **Grounds for Authorisation**

An authorisation may be granted by an Authorising Officer where he believes that the authorisation is necessary in the circumstances of the particular case. Section 28(3) and 29(3) of the Act set out the grounds of necessity in terms of authorisations.

These grounds are limited, for Local Authorities, to "...the purpose of preventing and detecting crime or of preventing disorder". [Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003]

Recent guidance from the Home Office has confirmed that this limitation to the circumstances where directed surveillance can be undertaken or a CHIS used does not cover the investigation of circumstances which may lead to the issue of a statutory notice (for example, an enforcement notice or an abatement notice). The Home Office has expressed the view that prior to the issue of a statutory notice only overt surveillance may be undertaken.

6. Assessing the Application Form

Before an Authorising Officer signs a Form he must:

- (a) be mindful of the Council's Policy and Procedures Document, the training provided and any other guidance issued, from time to time, by the RC and SRO ;
- (b) satisfy himself that the RIPA authorisation is:
 - ⇒ **in accordance with the law** ;
 - ⇒ **necessary** in the circumstances of the particular case on the ground available to the Council ; and
 - ⇒ **proportionate** to what it seeks to achieve ;
- (c) in assessing whether the proposed surveillance method is proportionate, consider whether there are other methods of gathering the information. The least intrusive method will normally be considered to be the most proportionate method unless, for example, it is impractical or would undermine the investigation;
- (d) take into account the risk of intrusion to the privacy of persons other than the specified subject of the surveillance (**collateral intrusion**). Measures must be taken to avoid or minimise (so far as is possible) collateral intrusion and this may be relevant to the issue of proportionality;
- (e) set a date for the review of the authorisation;
- (f) allocate a Unique Reference Number for the application as follows:

Year / Division / Number of Application; and
- (g) Ensure that a copy of the RIPA form is forwarded to the RC for entry onto the Central Register **within 48 hours of the relevant authorisation being given**.

NB: The application MUST make it clear how the proposed intrusion is necessary and how an absence of this evidence would have a prejudicial effect on the outcome of the investigation. If it does not, the application MUST be refused.

Showing 'Necessity'

The application should identify the specific offence being investigated (including section and act) and the specific point(s) to prove that surveillance is intended to gather evidence about. The applicant must show that the operation is capable of gathering that evidence and that such evidence is likely to prove that part of the offence.

7. Additional Safeguards when authorising a CHIS

When authorising the conduct of use of a CHIS, the Authorised Officer **must also**:

- (a) be satisfied that the **conduct** and / or the **use** of the CHIS is proportionate to what is sought to be achieved;
- (b) be satisfied that **appropriate arrangements** exist for the management and oversight of the CHIS; this includes health and safety issues;
- (c) consider the likely degree of intrusion of all those potentially affected, including assessing the privacy impact of the proposed surveillance;
- (d) consider any adverse impact on community confidence that may result from the use or conduct or the information obtained; and
- (e) ensure **records** contain particulars and are not available except to those persons who have a need to know.

8. Urgent Authorisations

Urgent Authorisations should not normally be necessary. In exceptional circumstances, however, urgent authorisations may be given orally if the time that would elapse before the Authorising Officer was available to grant the authorisation would, in the judgement of the person giving the authorisation, be likely to endanger life or jeopardise the investigation or operation for which the authorisation was being given. (A common reason is where DS arises unexpectedly, during an officer's normal duties, and they have an opportunity to 'phone the Authorising Officer for permission to continue.)

Since the requirement to obtain judicial approval has been enacted, urgent authorisations are no longer available to Local Authorities under RIPA. If, exceptionally, they are required they will have to be treated as 'Non-RIPA' authorisations and dealt with accordingly. They must be recorded in writing on the standard form as soon as practicable and the extra boxes on the form must be completed to explain why the authorisation was urgent.

If an officer wishes to obtain urgent oral authorisation for surveillance, he must telephone an Authorising Officer to provide the following information:

- Full details of the person to be subject of the surveillance;
- The offence being investigated, and its seriousness;
- How the investigation is necessary to the business of the Council;
- How surveillance is necessary to the investigation;
- How surveillance is proportionate bearing in mind the offence, the expectation of privacy and the collateral intrusion; and
- What the impact of ceasing surveillance and obtaining a written authorisation would be.

A request for authorisation is not to be treated as urgent where the need for an authorisation has been neglected or the urgency is of the Authorising Officer's own making.

9. Duration

The RIPA authorisation must be reviewed in accordance with the time stated and cancelled once it is no longer needed.

The authorisation to carry out / conduct the surveillance lasts for three months from authorisation for Directed Surveillance and twelve months from authorisation for a CHIS.

How to calculate the expiry of an authorisation:

An Officer applies for permission to carry out surveillance, on a named subject, which is necessary to the proof of a case of serious fraud. The Authorising Officer considers that it is proportionate, and approves and signs the RIPA1 form at 3.35pm on 23rd March 2011.

Applications for *Directed Surveillance* last for three months.

The expiry is midnight on the final day of the authorisation: 22nd June 2011.

Urgent authorisation, if not ratified by written authorisation, will cease to have effect after 72 hours, beginning from the time when the authorisation was granted.

Authorisations can be renewed when the maximum period has expired. The Authorising Officer must consider the matter afresh, including taking into accounts the benefit of the surveillance to date, and any collateral intrusion that has occurred.

The renewal will begin on the day when the authorisation would have expired. In exceptional circumstances, renewals may be granted orally in urgent cases and these would last for a period of 72 hours.

To renew or not

Cases that are likely to be renewed would include the following:

- The surveillance has gathered three-quarters of the evidence required but is still crucially short of what is needed for a successful prosecution. The reason for this is that the investigator's car broke down on the last occasion.
- The surveillance has only just managed to establish a pattern of behaviour to allow for a full investigation to take place.

Cases that are unlikely to be renewed would include the following:

- The investigators have been watching the subject for the last three months and have not seen him commit the offence. They are, however, sure he's 'at it' and would like another three months to have a look.
- Surveillance has shown that the case involves more people than originally suggested, and the surveillance operation is to be widened to gather evidence against them ; In this case the extant authorisation should be cancelled and a fresh application submitted.

10. Confidential Information

The Act does not provide any special protection for "confidential information", but there are slight differences in the process. However, particular care should be taken in cases where the subject of the investigation or operation might reasonably expect a high degree of privacy or where confidential information is involved.

Confidential material is anything which is:

- ⇒ subject to legal privilege
- ⇒ communications between a Member of Parliament and another person on constituency matters
- ⇒ confidential personal information
- ⇒ confidential journalistic material

Action which may lead to such confidential information being acquired is subject to additional safeguards under this policy.

Material subject to legal privilege

Section 98 of the Police Act 1997 describes those matters that are subject to legal privilege. Legal privilege does not apply to communications made with the intention of furthering a criminal purpose (whether the lawyer is acting unwittingly or culpably). Thus legal communications will lose their protection if there are grounds to believe, for example, that the professional legal adviser is intending to hold or use them for a criminal purpose. Privilege is not, however, lost if a professional legal adviser is properly advising a person who is suspected

of having committed a criminal offence. The concept of legal privilege applies to the provision of professional legal advice by any individual, agency or organisation qualified to do so.

Legally privileged information is particularly sensitive and surveillance which acquires such material may engage Article 6 as well as Article 8 of the Human Rights Act 1998. Legally privileged information obtained by surveillance is extremely unlikely ever to be admissible as evidence in criminal proceedings. Moreover the fact that such surveillance has taken place may lead to related criminal proceedings being stayed as an abuse of process.

NOTE: Directed surveillance is treated for the purposes of RIPA as intrusive surveillance, where the surveillance takes place in locations where it is known that legal consultations are taking place. Local Authorities may not authorise *intrusive surveillance* using RIPA.

Confidential constituent information

Confidential constituent information is information relating to communications between a Member of Parliament and a constituent in respect of constituency matters. Again, such information is held in confidence if it is held subject to an express or implied undertaking to hold it in confidence or it is subject to a restriction on disclosure or an obligation of confidentiality contained in existing legislation.

Confidential Personal Information

Confidential personal information is information held in confidence relating to the physical or mental health or spiritual counselling concerning an individual (whether living or dead) who can be identified from it. This information is likely to be considered personal data, as defined by s.1 DPA, and as such is subject to protection.

Such information, which can include both oral and written communications, is held in confidence if it is held subject to an express or implied undertaking to hold it in confidence or it is subject to a restriction on disclosure or an obligation of confidentiality contained in existing legislation. In addition to the traditional action for breach of confidence, any misuse of this information is likely to involve a breach of the DPA, which could result in monetary penalties or criminal convictions.

Spiritual counselling means conversations between an individual and a minister of religion acting in his official capacity, where the individual being counselled is seeking or the minister is imparting forgiveness, absolution or the resolution of conscience with the authority of the Divine Being(s) of their faith.

Confidential Journalistic Material

Confidential Journalistic Material includes material acquired or created for the purposes of journalism and held subject to an undertaking to hold it in confidence, as well as communications resulting in information being acquired for the purposes of journalism and held subject to such an undertaking.

11. Additional Safeguards for Confidential Information

Directed Surveillance

An application for the use of surveillance which is likely to result in the acquisition of confidential information should only be made in exceptional and compelling circumstances. Full regard should be had to the particular proportionality issues such surveillance raises.

The application for authorisation should, in addition to the reasons why it is considered necessary, contain ~

- ⇒ An assessment of how likely it is that confidential information will be acquired
- ⇒ Whether the purpose (or one of the purposes) of the use of surveillance or a CHIS is to obtain such confidential information

Additional safeguards are also to be imposed in that: -

- ⇒ The Authorising Officer must be the SAO or, in her absence, the person acting as Head of the Paid Service.
- ⇒ Those involved in the surveillance must be advised that confidential material may be obtained.
- ⇒ Confidential material will not be retained or copied unless there is a clear, relevant and specific purpose for doing so.
- ⇒ Confidential material will only to be disclosed to those who have a clear and substantial need to know and for a specific and proper purpose. (Handling Code 4 or 5).
- ⇒ Confidential material must be clearly marked as such and accompanied by a clear warning of its confidentiality (Handling Code 4 or 5).

N.B.: If you have any doubt about the handling and dissemination of confidential information, seek advice from a legal adviser within the Council before any further dissemination of the material takes place.

Where an Authorising Officer does authorise an application where confidential material may be obtained it will be highlighted and drawn to the attention of the Surveillance Commissioner or his Inspector during the next available inspection.

12. Covert Surveillance Equipment

The use of recording devices in private residential premises, after the subject of the recording (normally a nuisance neighbour) has been told they will be monitored by the use of such devices, is not surveillance, it is monitoring. (Officers must, however, be aware of the risk to health and safety of the person allowing you to use their premises.)

Set Up of Noise Monitoring or Recording Devices

Devices that make a record of noise levels are unlikely to be considered as a surveillance device, provided the guidance in this section has been followed.

Devices that record sound could be subject to suggestions that they are surveillance devices. This Council is clear that this is not the case, as the subject has been clearly informed that their noise levels will be monitored. Furthermore, the device is only recording noise that is clearly audible outside the monitored premises (such as in a neighbour's house or from the public highway).

Devices that record sound must be set so as to only record noise at the levels that are normally audible to the human ear at the location in which the device is located.

Devices that are not set up in accordance with the instructions in this section could be the source of complaints that they amount to unauthorised intrusive surveillance.

Officers are expressly forbidden from setting up devices EXCEPT as set out in this section.

In the event that Officers wish to carry out surveillance other than monitor noise by use of surveillance devices, they must seek urgent advice from the RC. The rules under which covert surveillance equipment may be installed on private premises are complex, and RIPA may not authorise the Council to act in this way.

Surveillance equipment will only be installed in residential premises if a member of the public has requested help or referred a complaint to the Council. Any permission to locate surveillance equipment on residential premises must be obtained in writing from the householder or tenant.

Surveillance devices designed or adapted for the purpose of providing information regarding the location of a vehicle alone do not necessarily constitute directed surveillance if no private information about any individual is obtained but only information about the location of that particular device at any one time. However, the subsequent use of that information coupled with other surveillance activity which may obtain private information, could interfere with Article 8 rights.

Examples of Where Covert Surveillance Equipment Might be Used

A contractor is suspected of stealing supplies. Officers gain authorisation to observe the supply depot and to photograph any persons entering or leaving and to video any loading or unloading that takes place, using a concealed video camera.

A benefit claimant is suspected of working in a market. Officers gain authorisation to observe the market stall and to photograph the subject, if he engages in trading activity, using a concealed still camera.

A person is suspected of mis-selling service to persons on the street. Officers gain authorisation to approach the man and record the conversation, using a concealed tape recorder.

Any request by a Council Officer to a resident to keep a video / audio / written diary as part of a Covert evidence-gathering exercise will be regarded as a Covert Surveillance exercise conducted on behalf of the Council and must be authorised appropriately.

Generally, information gained under this type of operation will be given a dissemination code of 4 or 5, that is access will generally only be allowed to limited and prescribed parties, including law enforcement agencies, and prosecution agencies, and would have special condition attached to its use.

All information captured using a surveillance device and stored within recording media used during directed surveillance or as part of the conduct of a source, whether used or unused

material, must be recorded and retained and revealed to the prosecutor according to the Criminal Procedure and Investigations Act (CPIA).

13. **Additional notes on the conduct or use of CHIS, relating to the management of sources, taken from the Home Office's Code of Practice on CHIS can be found at [Appendix Four](#).**

ACCESSING COMMUNICATIONS DATA

1. The Regulation of Investigatory Powers (Communications Data) Order 2003 gives the Council power to acquire certain forms of communications data.

2. **Communications Data**

Communications data is defined in Section 21(4) of the Act. However, the Council may only acquire communications data falling within sections 21(4)(b) and 21(4)(c) of the Act.

In essence, the Council may acquire certain information held by Communication Service Providers (CSPs) (telecom, internet and postal companies) relating to their customers.

Communications data does NOT include the content of any communication.

3. The Council may only acquire communications data if it is necessary to do so for the purpose of preventing or detecting crime or of preventing disorder.

For the purposes of RIPA, detecting crime is defined as including;

- ⇒ establishing by whom, for what purpose and by what means and generally in what circumstances any crime was committed; and
- ⇒ the apprehension of the person by whom any crime was committed

4. **Accessing Communications Data**

The Act provides two different ways of authorising access to communications data: through an authorisation under section 22(3) and by a notice under section 22(4). An authorisation would allow the Council to collect or retrieve the data itself. A notice is given to a postal or telecommunications operator and requires the operator to collect or retrieve the data and provide it to the Council. A designated person decides whether or not an authorisation should be granted or a notice given. For practical reasons, generally the Council will only be using the Notice route to access communications data.

Applicant

The applicant is a person involved in conducting an investigation or operation who makes an application in writing or electronically for the acquisition of communications data. The applicant completes an application form, setting out for consideration by the designated person, the necessity and proportionality of a specific requirement for acquiring communications data.

Applications may be made orally in exceptional circumstances, but a record of that application must be made in writing or electronically as soon as possible.

Applications, which must be retained by the public authority, must:

- ⇒ include the name and position held by the person making the application;
- ⇒ include a unique reference number;
- ⇒ include the operation name (if applicable) to which the application relates;

- ⇒ specify the purpose for which the data is required, by reference to a statutory purpose under 22(2) of the Act; for local authorities this only be for the purposes of section 22(2)(b) – prevention or detection of crime or of preventing disorder
- ⇒ describe the communications data required, specifying, where relevant, any historic or future date(s) and, where appropriate, time period(s);
- ⇒ explain why the acquisition of that data is considered necessary and proportionate to what is sought to be achieved by acquiring it;
- ⇒ consider and, where appropriate, describe any meaningful collateral intrusion the extent to which the privacy of any individual not under investigation may be infringed and why that intrusion is justified in the circumstances, and identify and explain the time scale within which the data is required.

Designated Person

The designated person is a person holding a prescribed office in the same public authority as the applicant, who considers the application and records his considerations at the time (or as soon as is reasonably practicable) in writing or electronically. If the designated person believes it appropriate, both necessary and proportionate in the specific circumstances, an authorisation is granted or a notice is given.

Designated persons must ensure that they grant authorisations or give notices only for purposes and only in respect of types of communications data that a designated person of their office, rank or position in the relevant public authority may grant or give.

The designated person shall assess the necessity for any conduct to acquire or obtain communications data taking account of any advice provided by the Single Point of Contact (SPoC).

Designated persons should not be responsible for granting authorisations or giving notices in relation to investigations or operations in which they are directly involved, although it is recognised that this may sometimes be unavoidable, especially in the case of small organisations or where it is necessary to act urgently or for security reasons.

Individuals who undertake the role of a designated person must have current working knowledge of human rights principles, specifically those of necessity and proportionality, and how they apply to the acquisition of communications data under this Act.

Single Point of Contact

The single point of contact (SPoC) is either an accredited individual or a group of accredited individuals trained to facilitate lawful acquisition of communications data and effective co-operation between a public authority and CSPs. To become accredited an individual must complete a course of training appropriate for the role of a SPoC.

An accredited SPoC promotes efficiency and good practice in ensuring only practical and lawful requirements for communications data are undertaken. This encourages the public authority to regulate itself. The SPoC provides objective judgement and advice to both the applicant and the designated person. In this way the SPoC provides a "guardian and gatekeeper" function ensuring that public authorities act in an informed and lawful manner.

The SPoC should be in a position to:

assess whether the acquisition of specific communications data from a CSP is reasonably practical or whether the specific data required is inextricably linked to other data;

- ⇒ advise applicants and designated persons on the interpretation of the Act, particularly whether an authorisation or notice is appropriate;
- ⇒ provide assurance to designated persons that authorisations and notices are lawful under the Act and free from errors;
- ⇒ provide assurance to CSPs that authorisations and notices are authentic and lawful;
- ⇒ assess any cost and resource implications to both the public authority and the CSP of data requirements.

Public authorities unable to call upon the services of an accredited SPoC should not undertake the acquisition of communications data.

The SPoC may be an individual who is also a designated person.

Since the 1st December 2014, the Home Office have revoked all Local Authority SPoC PINs except for those held by SPoCs employed by the National Anti-Fraud Network.

The Council therefore determines to use NAFN as its SPoC.

AUTHORISATION PROCEDURES FOR ACCESSING COMMUNICATIONS DATA

1. Accessing communications data can only be lawfully carried out if properly authorised and if it is carried out in strict accordance with that authorisation. Generally the Council will only be using the Notice route to access communications data.

2. **Designated Persons**

Approval for the accessing of communications data can only be given by a 'designated person' who holds a certificate from the Head of Legal Services. This is not to be confused with those officers authorising covert directed surveillance. A list of Designated Persons within the Council for the purpose of approving access to communications data is contained within [Appendix One](#). The Appendix will be kept up to date by the RC and amended as needs require. In addition, the RC has the delegated authority to add, delete or substitute posts from the list as required.

Authorisations under RIPA are separate from and in addition to delegated authority that may be required to act under the Council's Scheme of Delegation to Officers. RIPA authorisations are for specific investigations only, and must be renewed or cancelled once the specific surveillance is complete or about to expire.

3. **Training Records**

Designated Persons must attend proper training before being entitled to sign any RIPA forms under this policy. Training will be given or approved by the SRO who will maintain a central register of all those individuals who have undergone such training.

4. **Application Forms**

Only the currently approved RIPA forms, available on the Home Office website, may be used. Any other forms will be rejected by SPoC.

5. **Grounds for Application**

An application for accessing communications data may be granted by a Designated Person where he believes that the authorisation is necessary in the circumstances of the particular case. However, the only statutory ground under which the Council can access communications data is for the purpose of preventing or detecting crime or of preventing disorder.

6. **Nature of Communications Data to be accessed**

Only data falling within sections 21(4)(b) and 21(4)(c) of the Act may be accessed. This could be the name of customer, address for billing, contact number, subscriber's account information such as bill paying arrangements (but note the risk of collateral intrusion), services the customer subscribes to, activity including itemised records of telephone calls (numbers dialled), internet connections, dates and times/duration of calls, text messages sent. In respect of postal items, data means anything written on the outside of the item.

Local Authorities are not permitted to access *traffic data* as defined by section 21(4)(a) of the Act.

7. Assessing the Application Form

Once an applicant has completed the application form, it should be submitted to the SPoC for consideration.

The SPoC will either reject the application and provide the applicant with a Rejection Report setting out the reasons for the rejection or prepare a SPoC Report and draft the Notice which will be submitted to the Designated Person together with the application.

The Designated Person will consider the documentation received from the SPoC and before signing the application and therefore approving the issue of a Notice he must ~

- (a) Be mindful of the Council's Policy and Procedures Document, the training provided and any other guidance issued, from time to time, by the Head of Legal Services
- (b) Satisfy himself that the RIPA authorisation is ~
 - ⇒ **in accordance with the law**
 - ⇒ **necessary** in the circumstances of the particular case on the ground available to the Council
 - ⇒ **proportionate** to what it seeks to achieve
- (c) In assessing whether the accessing of communications data is proportionate, consider whether there are other methods of gathering the information. The least intrusive method will be considered to be the most proportionate method.

8. Communications Data Notice

The Designated Person should complete the Designated Person's Consideration Form and if appropriate sign the Notice and return all documentation to the SPoC.

9. Single Point of Contact

All Notices should be channelled through the Single Point of Contact (SPoC) as the CSPs will only deal with requests from authorised/accredited SPoCs.

The SPoC must have undergone accredited training and can ~

- ⇒ assess whether access to communications data is reasonably practicable for the postal or telecommunications operator
- ⇒ advise applicants and designated person on the practicalities of accessing different types of communications data from different postal or telecommunications operators
- ⇒ advise applicants and designated persons whether the communications data sought falls into the categories of data which the Council can seek
- ⇒ provide safeguards for authentication
- ⇒ assess any cost and resource implications to both the Council and the postal or telecommunications operator

Once in receipt of a duly issued Notice from a Designated Person the SPoC will forward the Notice to the CSP for action and will act as the liaison between the Council and the CSP.

10. **Urgent Approvals**

There is NO provision for the Council to grant urgent approvals for accessing communications data. Applications can only be made in the appropriate manner.

11. **Duration**

The RIPA authorisation to access communications data lasts for a maximum of 1 month commencing when the authorisation is granted or the notice is given. An Authorising Office should specify a shorter period if that is satisfied by the request, since this may go to the proportionality requirements.

For “future” communications data, disclosure may only be required of data obtained by the postal or telecommunications operator **within** this period

For “historical” communications data, disclosure may only be required of data in the possession of the postal or telecommunications operator

A notice may be renewed at any time during the month it is valid, by following the same procedure as for obtaining a fresh authorisation or notice. A renewed authorisation takes effect at the point at which the authorisation or notice it is renewing expires

An Authorising Officer shall cancel an authorisation or notice as soon as it is no longer *necessary*, or the conduct is no longer *proportionate* to what is sought to be achieved. **The duty to cancel a notice falls on the Authorising Officer who issued it.** In the case of a notice being cancelled, the relevant postal or telecommunications operator must be informed of the cancellation by the SPoC.

WORKING WITH / THROUGH OTHER AGENCIES

1. When some other agency (for example, Police, HM Revenue and Customs etc) has been instructed on behalf of the Council to undertake any action under RIPA, this Policy and the Forms in it must be used (as per the normal procedure) and the agency must be advised or kept informed, as necessary, of the various requirements. They must be made explicitly aware of what they are authorised to do and provided with a copy of the authorised application form (which may, if necessary, be redacted).
2. When some other agency wishes to use the Council's resources (for example, a CCTV surveillance system or audio recording system) that agency must use its own RIPA procedures. Before any Officer agrees to permit the use of Council resources, he must obtain a copy of that agency's RIPA form for the record, a copy of which must be passed to the Head of Legal Services in the usual manner) and / or relevant extracts from the form which are sufficient for the purposes of protecting the Council and the use of its resources
3. **If in doubt, you should consult with the Head of Legal Services at the earliest opportunity**

THE "POLICING" OF RIPA

1. RIPA is overseen by Surveillance Commissioners, who have all held high judicial office prior to their appointment. They are tasked to ensure that RIPA is being applied properly. Inspections are carried out at regular intervals. Information about inspections and the Office of the Surveillance Commissioner (OSC) can be found at www.surveillancecommissioners.gov.uk
2. This Council has, in following the general advice from the OSC appointed a SRO (see Appendix 9 part 2), who is responsible for corporate oversight of the RIPA process. The SRO is Lynn Ball, who is the Council's Monitoring Officer.
3. Any person who, being an employee of the local authority or person contracted to carry out duties by the local authority, knowingly or recklessly acts, or fails to act, in a way that tends to, or is likely to, obstruct or mislead any person carrying out the duties of an inspector during an inspection by the Office of the Surveillance Commissioner, may be considered to have committed 'gross misconduct' and be liable to disciplinary proceedings.
4. Any person aggrieved by the way a local authority carries out covert surveillance as defined by RIPA can apply to a Tribunal under the Act for redress within a year of the Act complained of or any longer period that the Tribunal thinks it just and equitable to allow.

The Tribunal can quash any authorisation and can order the destruction of information held or obtained in pursuit of it.

It cannot, as yet, award compensation, but its findings may be of use in a Human Rights case challenge or as a defence to a case brought by the Council, or in a referral to the local government Ombudsman, or a complaint to the Information Commissioner, from where compensation awards can flow.

CONSEQUENCES OF NON COMPLIANCE

Where covert surveillance work is being proposed, this Policy and Guidance must be strictly adhered to in order to protect both the Council and individual officers from the following:

1. **Inadmissible Evidence and Loss of a Court Case / Employment Tribunal / Internal Disciplinary Hearing** – there is a risk that, if Covert Surveillance and Covert Human Intelligence Sources (both defined at Section 4) are not handled properly, the evidence obtained may be held to be inadmissible. Section 78 of the Police and Criminal Evidence Act 1984 allows for evidence that was gathered in a way that affects the fairness of the criminal proceedings to be excluded. The Common Law Rule of Admissibility means that the court may exclude evidence because its prejudicial effect on the person facing the evidence outweighs any probative value the evidence has (probative v prejudicial).
2. **Legal Challenge** – as a potential breach of Article 8 of the European Convention on Human Rights, which establishes a “right to respect for private and family life, home and correspondence”, incorporated into English Law by the Human Rights Act (HRA) 1998. This could not only cause embarrassment to the Council but any person aggrieved by the way a local authority carries out Covert Surveillance, as defined by RIPA, can apply to a Tribunal – see section 15.
3. **Offence of unlawful disclosure** – disclosing personal data as defined by the DPA that has been gathered as part of a surveillance operation is an offence under Section 55 of the Act. Disclosure can be made but only where the officer disclosing is satisfied that it is necessary for the prevention and detection of crime, or apprehension or prosecution of offenders. Disclosure of personal data must be made where any statutory power or court order requires disclosure.
4. **Fine or Imprisonment** – Interception of communications without consent is a criminal offence punishable by fine or up to two years in prison.
5. **Censure** – the Office of Surveillance Commissioners conduct regular audits on how local authorities implement RIPA. If it is found that a local authority is not implementing RIPA properly, then this could result in censure.
6. **Disciplinary Action** – Failure of officers to comply with this Policy and Guidance is a disciplinary offence under the Council’s Policies and Procedures.

COMPLAINTS

1. If any person complains about matters covered by this policy, they will be directed to the Council's Complaints Procedure, and invited to use it if they wish to make a complaint regarding breach of this Policy and Guidance. ANY complaint received will be treated as serious and investigated in line with this authority's policy on complaints. **Regardless of this, the detail of an operation, or indeed its existence, must never be admitted to as part of the complaint handling process.** This does not mean it will not be investigated, just that the result of any investigation would be entirely confidential and not disclosed to the complainant.
2. Unlawful access or disclosure of information is likely to breach the Data Protection Act 1998, the Information Commissioner will investigate complaints and may take punitive action.
3. The Surveillance Tribunal is available to anyone who believes that their Article 8 rights have been unlawfully breached by an authority using the RIPA authorisation process. The 2000 Act establishes an independent Tribunal. This Tribunal is made up of senior members of the judiciary and the legal profession and is independent of the Government. The Tribunal has full powers to investigate and decide any case within its jurisdiction. Details of the relevant complaints procedure can be obtained from the following address:

Investigatory Powers Tribunal
PO Box 33220
London
SW1H 9ZQ

020 7035 3711.
4. Furthermore, *Judicial Review* is available to any person who believes their rights have been unlawfully breached outside the scope of RIPA authorisation.

NON-RIPA SURVEILLANCE

1. RIPA does not grant any powers to carry out surveillance, it simply provides a framework that allows public authorities to authorise surveillance in a manner that ensures compliance with the European Convention on Human Rights.
2. Equally, RIPA does not prohibit surveillance from being carried out or require that surveillance may only be carried out following a successful RIPA application.
3. Whilst it is the intention of the Council to use RIPA in all circumstances where it is available, for a local authority, this is limited to preventing or detecting crime or disorder. The Council recognises that there are times when it will be necessary to carry out covert directed surveillance when RIPA is not available to use. This is known as Non-RIPA Surveillance.

Non-RIPA Surveillance

If your investigation is into internal matters that may lead to criminal proceedings, RIPA may be available for you to use, but this is not always the case.

Example

If you are investigating allegations that a member of staff is claiming vehicle mileage when they are actually using public transport, and you are intending to use the evidence you gain for disciplinary purposes only, then RIPA would not be available for you to use. If you intended to take civil proceedings to recover expenses, RIPA would not be available to use. In both cases, any intended surveillance would be Non-RIPA Surveillance

If, however, you intended to prosecute that member of staff for fraud, RIPA may be available for you to use.

4. Under such circumstances, where it is intended to carry out Non RIPA Surveillance, a RIPA application must be completed and clearly endorsed in red 'NON-RIPA SURVEILLANCE' along the top of the first page.
5. The application must be submitted to a RIPA Authorising Officer in the normal fashion, who must consider it for Necessity and Proportionality in the same fashion as they would a RIPA application.
6. The normal procedure of timescales, reviews and cancellations must be followed.
7. The authorisation or refusal, the outcome of reviews or renewal applications and eventual cancellation must be notified to the RC in the normal way.
8. The RC will keep a separate record of Non-RIPA activities, and monitor their use in the same manner as RIPA authorised activities.

OVERSIGHT BY MEMBERS

1. The Audit Committee shall have oversight of the Policy and shall review that Policy as and when appropriate.
2. The Audit Committee shall receive a report on the use of RIPA regulated activity by officers of the Council as and when appropriate, and at least once every year.
3. The report to members shall be produced by the RC and presented to the Audit Committee by the RC and the SRO. The report must not contain any information that identifies specific persons or operations but must be clear about the nature of the operations carried out and the product obtained.
4. Within the report, officers may propose to the Audit Committee such amendments as they deem necessary to the Policy for approval by the members but may make such changes that are necessary to ensure that the policy is up to date with current legislation, and to change the details of relevant officers as detailed in Appendix 1 without having to obtain the consent of Elected Members.
- 5.. Elected Members or the Audit Committee may not interfere in individual authorisations. Their function is to, with reference to the reports; satisfy themselves that the Policy is robust and that it is being followed by all officers involved in this area. Although it is elected members who are accountable to the public for council actions, it is essential that there should be no possibility of political interference in law enforcement operations.

APPENDIX ONE

LIST OF AUTHORISING OFFICERS

POST	NAME
Chief Executive Officer	Richard Parry Jones
Deputy Chief Executive Chief Public Protection Officer	Dave Riley
Revenue and Benefits Manager Corporate Counter Fraud Officer	Geraint H Jones Hywel Ellis

LIST OF DESIGNATED PERSONS FOR APPROVING THE ISSUE OF A NOTICE IN RESPECT OF ACCESS TO COMMUNICATIONS DATA

POST	NAME
Chief Executive Officer	Richard Parry Jones
Chief Trading Standards Officer	Dave Riley

Trading Standards Operations Manager (Consumer Protection)	Huw A Thomas
Environmental Health Operations Manager (Environmental Protection)	Emma Jones

NON-STATUTORY ROLE

Gatekeeper Monitoring Office	Lynn Ball
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IMPORTANT NOTES

- A. Even if a post is identified in the above list, the persons currently employed in such posts are not authorised to sign RIPA forms unless they are certified by the Head of Legal Services to do so and are NAMED in the list.
- B. Only the Chief Executive or, in his absence, Deputy Chief Executive or Dave Riley is authorised to sign forms relating to Juvenile Sources, Vulnerable Individuals and where knowledge of confidential information is likely to be acquired.
- C. If a Director or a Head of Service wishes to add, delete or substitute a post, he must refer such a request to the Head of Legal Services for consideration.

COUNCIL'S AUTHORISED APPLICANTS

In order for the Authority's RIPA authorisations to take effect, they must be approved by a Magistrate. That process requires applicants in person to appear for the Authority and the official court service guidance makes it clear that these should be investigators not lawyers.

Any person from this Authority wishing to make an application must be named in this annex and must take to court a copy of this annex and their official identification.

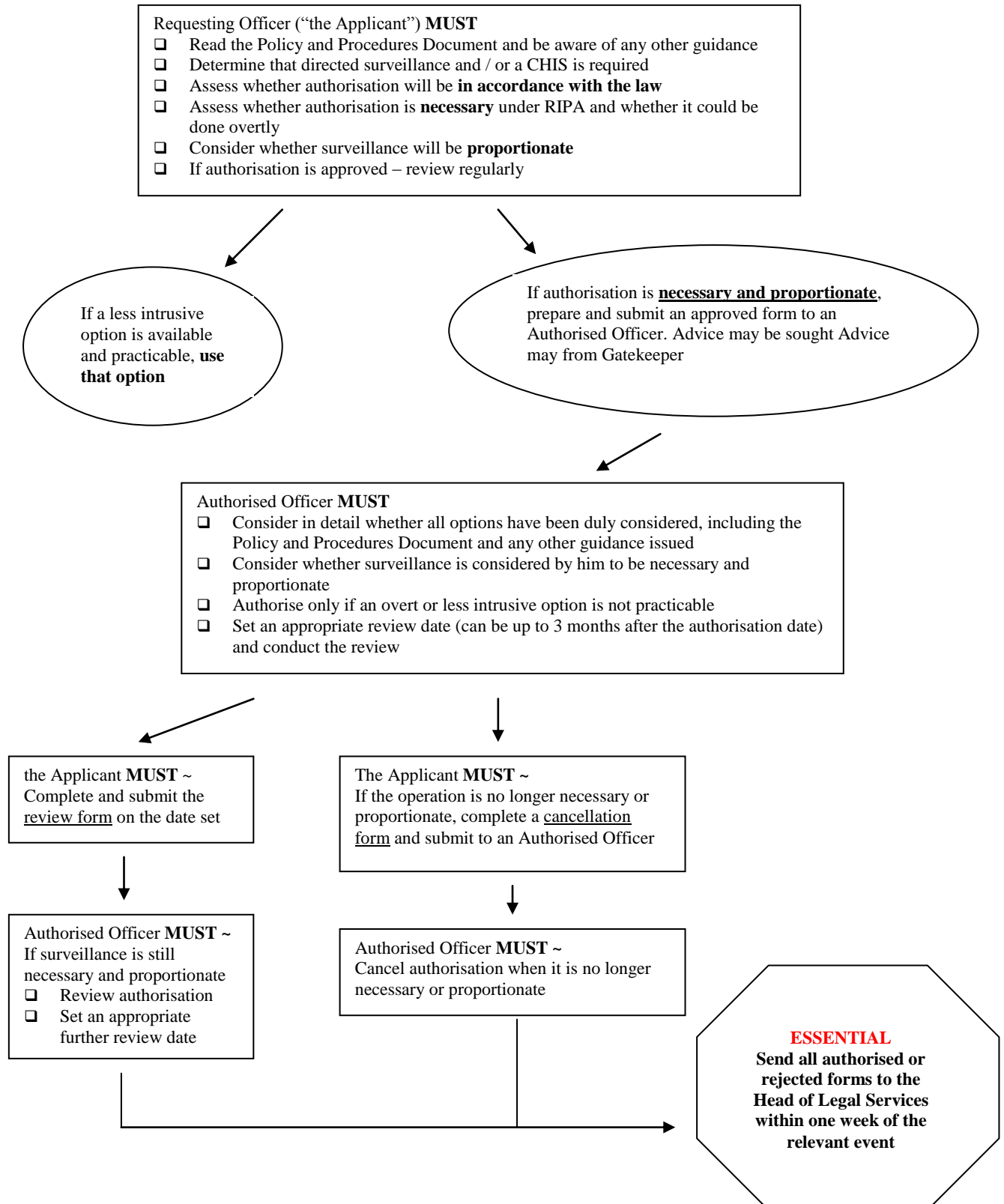
I certify that the following have been appointed under section 223(1) of the Local Government Act 1972 to appear for the Authority and are approved applicants in accordance with section 7a of this policy :

Name	Section	Appointed from	Appointment terminated

RIPA Co-ordinator

APPENDIX TWO

RIPA FLOW CHART FOR DIRECTED SURVEILLANCE AND CHIS



RIPA Forms, Codes of Practice and Advice

The policy requires you to use the most up-to-date versions of forms and codes of practice. Rather than reproduce forms and codes of practice that are subject to change, we have provided links to the currently approved versions. You should access the document you require by following the relevant link.

- The most up-to-date RIPA forms must always be used. These are available from the Home Office website and may be found by following this link :

<https://www.gov.uk/government/organisations/home-office/series/ripa-forms--2>

- The full text of the Codes of Practice are available here :

—Covert Surveillance and Property Interference

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa/forms/code-of-practice-covert>

—Covert Human Intelligence Sources

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa/forms/code-of-practice-human-intel>

—Acquisition & Disclosure of Communications Data

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa/forms/code-of-practice-acquisition>

Guidance for Local Authorities obtaining judicial approval prior to using covert techniques <https://www.gov.uk/government/publications/changes-to-local-authority-use-of-ripa>

- The Act is available here :

<http://www.legislation.gov.uk/ukpga/2000/23/contents>

- The Office of Surveillance Commissioners website has some useful information and advice and is available here :

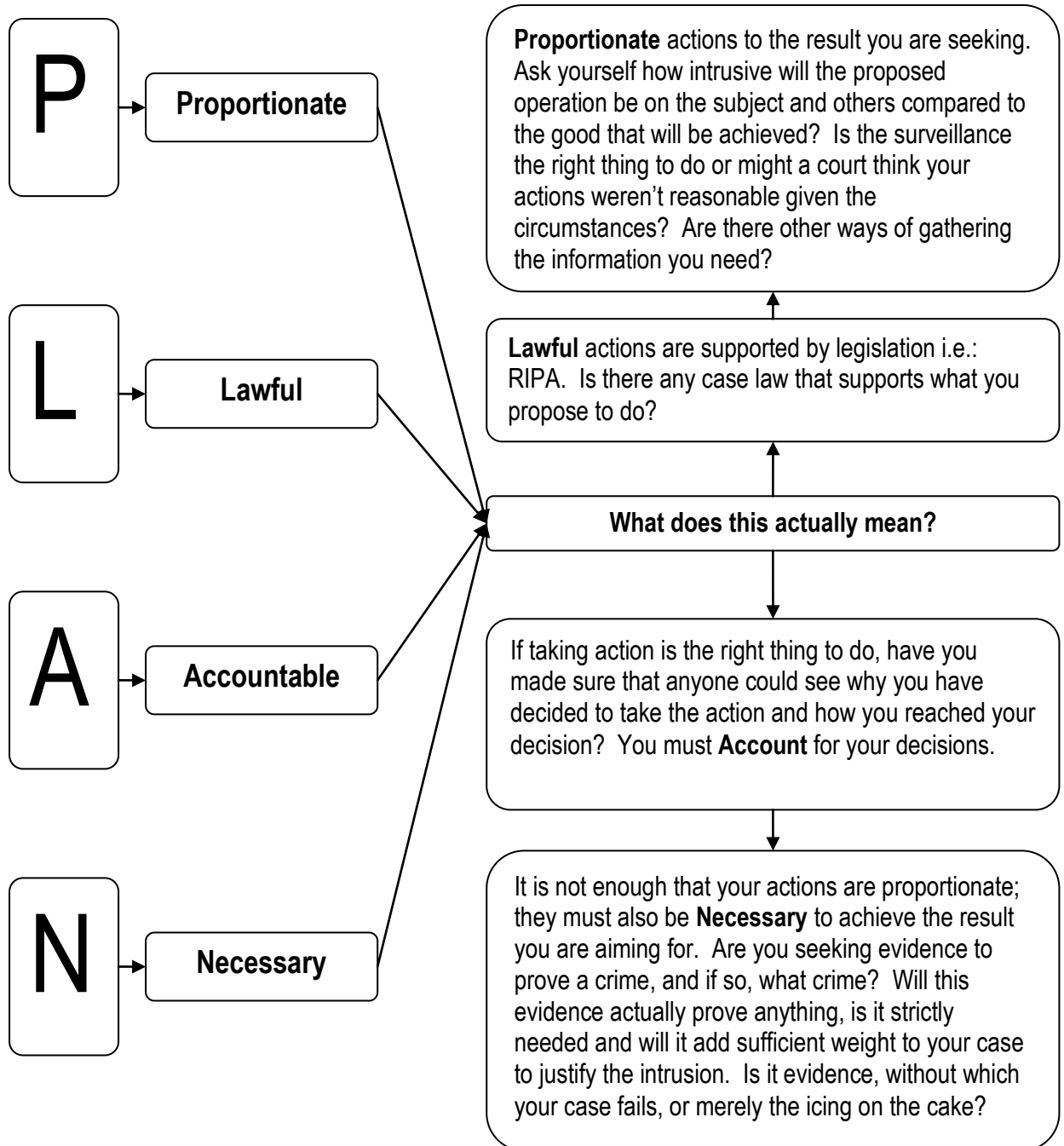
<http://surveillancecommissioners.independent.gov.uk/>

- You can ask for advice from ITS Training by emailing help@its-training-uk.com ; this is a free service to investigation officers only.

If you have any problems accessing these links, you must report this immediately to the SRO.

APPENDIX FOUR

Notes for Guidance for Authorisation – Directed Surveillance



Authorising Officer's Statement

12. Authorising Officer's Statement. [Spell out the "5 Ws" – Who; What; Where; When; Why and the following box.]	<p>You must start by fully explaining what operation you are authorising. State why the surveillance is necessary to the case, what will be achieved, how it will be carried out, how many people used, what equipment / vehicles / technology you authorise the use of and where the operation will happen.</p> <p>Make sure it is clear <u>exactly</u> what it is that you are authorising.</p>
<p>I hereby authorise directed surveillance defined as follows: [Why is the surveillance necessary directed against, Where and When will it take place, What surveillance activity/equipment achieved?]</p>	
13. Explain why you believe the directed surveillance is necessary. [Code paragraph 2.4] Explain why you believe the directed surveillance to be proportionate to what is sought to be achieved by carrying it out. [Code paragraph 2.5]	

Now you must explain your decision. Simply stating that you "agree with the officer who applied for the reasons they gave" is not acceptable. You must give, in your own words, a detailed account of how you came to decide that the operation was necessary and proportionate. Make sure that you review the guidance in section seven and show how the evidence is necessary to the offence, and how the offence is one that it is necessary to investigate. Now ensure that you demonstrate how the officer has shown the need to obtain the evidence to be proportionate, when balanced against the person's expectation of privacy, the privacy of innocent third parties and the seriousness of the offence.

If you have completed a surveillance authorisation worksheet, go back over this as you should have already stated your reasons there.

You must explain why you feel it is in the public interest to carry out the action; is it serious, prevalent in the area, an abuse of position, premeditated? Why do you think that the investigation will be prejudiced without surveillance? Are you certain there is no other obvious and less intrusive way of obtaining the information? Does it need to be done? Record everything in this section.

This section must stand on its own, if you are called to court to justify your authorisation.

Authorising Officer's Statement

<p>14. (Confidential Information Authorisation.) Supply detail demonstrating compliance with 3.1 to 3.12</p>	
<p>This should be no more than four weeks from the date of authorisation. If you wish to restrict the length of time an officer may carry out surveillance for, you can use this box to set an early review date.</p>	
<p>Date of first review</p>	
<p>Programme for subsequent reviews of this authorisation: [Code paragraph 4.22]. Only complete dates after first review are known. If not or inappropriate to set additional review dates then leave</p>	
<p>This section is to be completed only by the Senior Authorised Officer if confidential information might be obtained. They should explain why they felt it to be appropriate for the surveillance to be carried out. To comply with the codes, show how further measures, such as more regular reviews and stricter limitations, have been put in place due to the particularly sensitive nature of the operation.</p>	
<p>Use this box to record dates for review. The normal review period is no longer than every four weeks. It doesn't have to be completed but is useful to do so, especially when a shorter review period is appropriate.</p>	
Name (Print)	Grade / Rank
Signature	Date and time
Expiry date and time [e.g.: authorised on 30 June 2005, 23.59]	Expiry date and time [e.g.: authorised on 1 April 2005 - expires
<p>Finally, write your name, sign the form giving the date and time. You must also record the expiry date. This is always three months, to the minute, from the date that the authorisation was given, no longer, or shorter. The operation can be cancelled before this date if appropriate. (See 7.14 (above) for guidance.)</p>	

Sections 15 and 16:

These sections relate to oral authorisations that may be granted or renewed only in urgent cases. In the case that an oral authorisation is granted, the AO should record the reasons why they considered the case urgent and why they believed it was not practicable to delay in order for the investigator to complete an application. Urgent oral authorisations last for seventy-two hours from the time of the authorisation. The officer carrying out the surveillance must complete a written application at the earliest opportunity, not necessarily at the end of the seventy-two hours.

Checklist – Can the Council use RIPA?

Authorisation will be required for a proposed activity if the answer is 'Yes' to all of the following questions.

If the answer is 'No' to any of the following questions, the proposed activity falls outside the scope of RIPA.

1. Is the proposed activity 'surveillance'?

The Officer must decide whether the proposed activity will comprise monitoring, observing or listening to persons, their movements, their conversations or their other activities or communications, recording anything monitored, observed or listened to in the course of the proposed activity and whether a surveillance device will be used.

2. Is it 'covert'?

The Officer must decide whether the proposed activity will be carried out in a manner calculated to ensure that the target(s) will be unaware that it is or may be taking place.

3. Is it 'directed'?

The Officer must decide whether the proposed activity is for the purposes of a specific investigation / operation.

4. Is it likely to result in obtaining private information about this person?

The Officer must decide whether any information about the target's / targets' private or family life is *likely* to be obtained. This test is different from: "Is there the faintest chance that I will obtain private information"?!

5. Is it a 'foreseen / planned response'?

The Officer must decide whether the proposed activity is something other than an immediate response in circumstances where it is not reasonably practicable to get authorisation. If the proposed activity has been planned in advance and not just the immediate reaction to events happening in the course of the Officer's work, it is not unforeseen and requires authorisation if all the answers to questions 1 to 4 have also been 'Yes'.

6. Is it a 'core function' of the Council?

In order to use RIPA, the investigation *must* pertain to one of the 'core functions' of the Council – that is a function that you carry out because you are a local authority (such as investigating benefit fraud or looking into allegations of fraudulent subletting). If the investigation is an 'ordinary function' of the Council (such as allegations of fake sickness or theft from the stationary cupboard, which would lead to internal disciplinary action) RIPA is *not* available to use.

APPENDIX SIX

The Role of the RIPA Co-ordinator

The RC for the Council is .Awena Walkden, Solicitor (Corporate Governance)

The RC will maintain a register centrally of all authorisations, grants, refusals, reviews, renewals and cancellations. The role of the RC includes: -

- Reviewing decisions and raising concerns with Authorising Officers (AOs).
- Arranging three or four monthly moderation meetings between AOs so that they can ensure consistency of approach.
- Arranging training and refreshers.
- Keeping records of those allowed to authorise.
- Removing people from list if code not followed / training skipped etc.
- Checking for updated advice (OSC website etc.).
- Drawing to Head of Paid Service and Leader of the Council's notice of potential problems.

Each individual authorised officer is personally responsible for reporting the following information to the RC as soon as possible and, in any event, within one working day: -

- Authorisation of DS / CHIS.
- Review of DS / CHIS.
- Renewal of DS / CHIS.
- Cancellation of DS / CHIS.
- Any unexpected deviations from normal practice or procedure.
- Any unauthorised surveillance operations.
- Any surveillance authorised outside of RIPA.
- Any other matter concerning the authorisation of surveillance that may harm the council's interests.

The RC will keep the records for three years to comply with Home Office Guidance.

The Authorised Officer should also keep the following. There is no requirement for this to form part of the central register maintained by the RC:

- a copy of the application, authorisation and supplementary documentation and notification of approval given by the Authorised Officer;
- a record of the period over which the surveillance has taken place;
- frequency of reviews prescribed by the Authorised Officer;
- a record of the result of each review of an authorisation;
- a copy of any renewal of an authorisation, and supporting documentation submitted when it was requested; and
- the date and time any instruction was given by the Authorised Officer.

Records must be retained in accordance with the DPA.

Storage of Authorisation Forms

The Policy makes the Chief Executive and each Executive Head of the Council responsible for organising sufficient systems within their service.

The original forms must be retained on the investigation file. Copies must be retained by both the Authorising Officer and the RC within the Central Monitoring Record. The RC must be sent a notification, **within two working days**, of all grants, refusals, reviews, cancellations and renewals of authorisations to satisfy Home Office Code of Practice recommendations.

The RC will retain records for at least three years after the completion of the investigation. All officers are reminded of Data Protection requirements about retention and storage of documents. If in doubt, advice must be sought from the RC.

APPENDIX SEVEN

The RIPA 1 Form – Guidance Notes on Completion

Directed Surveillance Unique Reference Number (URN) (to be supplied by the central monitoring officer).		Unique reference number. This must be provided by the Authorising Officer
PART II OF THE REGULATION OF INVESTIGATORY POWERS ACT (RIPA) 2000		
APPLICATION FOR AUTHORISATION TO CARRY OUT DIRECTED SURVEILLANCE		
Public Authority <i>(including full address)</i>	What public body do you work for? Record it here	
	Unit/Branch /Division	What dept / unit do you work in? Record it here.
Full address	Full address of your dept / office / building.	
Contact details	You can give the operation a name if you wish.	
Investigation/Operation Name (if applicable)		
Investigating Officer (if a person other than the applicant)	If the person who is the investigator in the case is someone other than you, record their name here.	
Details of application:		
1. Give rank or position of authorising officer in accordance with the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003; No. 3171. For local authorities the exact position of the authorising officer should be given. For example, Head of Trading Standards.		
You must give the position of the Authorised Officer who will be reviewing the application. You do not need to give their name. This should be their full job title, rank or position.		

Record your name. Not the name of the officers carrying out the surveillance (unless that is you).

Give a phone number, email address and / or fax number to contact you on.

Page Two

<p>What methods will you use for the surveillance? What are the technical aspects? Who, what, when, where, how long, how many, equipment etc. Mention everything. You will not be authorised to do things you don't mention here.</p>	<p>2. Describe the purpose of the specific operation or investigation.</p>	<p>Enter a summary of the reason for the operation and what you are planning to do. Be brief: what will you do, why are you doing it and what will you get out of it?</p>
	<p>3. Describe in detail the surveillance operation to be authorised and expected duration, including any premises, vehicles or equipment (e.g. camera, binoculars, recorder) that may be used.</p>	
	<p>4. The identities, where known, of those to be subject of the directed surveillance.</p> <p>Name:</p> <ul style="list-style-type: none">• Address:• DOB:• Other information as appropriate:	<p>Who are you intending to gather evidence on? If you do not know the identity of all parties you must describe them as best as you are able.</p>
	<p>5. Explain the information that it is desired to obtain as a result of the directed surveillance.</p>	
	<p>What evidence do you intend to obtain from the surveillance? Specify exactly what you intend to get, how much and what types. This is so a judgement can be made on the weight of the evidence that you will get. Be careful what you write here: when you have achieved these aims the surveillance must stop immediately.</p>	

Page Three

6. Identify on which grounds the directed surveillance is necessary under Section 28(3) of RIPA. Delete that are inapplicable. Ensure that you know which of these grounds you are entitled to rely on. (SI 2003 No.3171)

- In the interests of national security;
- For the purpose of preventing or detecting crime or of preventing disorder;
- In the interests of the economic well-being of the United Kingdom;
- In the interests of public safety;
- for the purpose of protecting public health;
- for the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a government department;

Cross out the conditions that do not apply to you. In the case of a local authority, the only one that *does* is prevention or detecting crime or disorder.

Specify the offences that you are investigating or preventing. State why the information has to be obtained by surveillance, why do you need it for the reason you specified? How is it essential to the case?

7. Explain why this directed surveillance is necessary on the grounds you have identified [Code paragraph 2.4]

8. Supply details of any potential collateral intrusion and why the intrusion is unavoidable. [Bear in mind Code paragraphs 2.6 to 2.10.]

Describe precautions you will take to minimise collateral intrusion

Collateral intrusion is where the operation interferes with the private lives of those not intended to be subject to the surveillance. This could be members of the suspect's family, their partners, colleagues or members of the public. You must identify where there is a risk that you will gather this sort of information. You must take steps to minimise this risk and show that the risk left is unavoidable: what times are you conducting surveillance? Can you avoid catching others on camera? Do you have facilities to remove identifying features? The AO must be satisfied that the need to carry out the operation outweighs this risk.

Page Four

This is where you must justify your actions as proportionate. You should have completed a planner and decided that surveillance is necessary and the last resort. Record here what you have done already and what you cannot do as it'll prejudice the investigation. Tell the AO why the need to carry out the action outweighs the suspect's right to privacy. How serious is the matter? How intrusive will the operation be on the suspect and on others? What might happen if you don't carry out surveillance? Why can't you get the information in other ways? What will be achieved by gathering the evidence?

9. Explain why this directed surveillance is proportionate to what it s...
 be on the subject of surveillance or on others? And why is this
 surveillance in operational terms or can the evidence be obtained
 2.5] ... asive might it
 by the need for
 as? [Code paragraph

10. Confidential information [Code paragraphs 3.1 to 3.12]:
 INDICATE THE LIKELIHOOD OF ACQUIRING ANY CONFIDENTIAL INFORMATION:

11. Applicant's details

Name (print)		Tel No:	
Grade/Rank		Date	
Signature			

Confidential information is *special knowledge* of a person's religious, political or medical life or information of a confidential journalistic nature (journalistic sources). Communications subject to legal privilege are also confidential. If there is a chance that you might gather this sort of information, indicate the risk here. The authorisation can then only be given by the person within your public body designated by the RIPA code of practice for this purpose.

Finish by giving your name, telephone number, job title or rank. Date the form and sign it.

General Best Practice Advice from the OSC and Code of Practice

1. The following are not statutory requirements or formal provisions of this code, but should be considered as best working practices by all *public authorities* with regard to all *applications* for *authorisations* covered by this code:
 - a. *applications* should avoid any repetition of information;
 - b. information contained in *applications* should be limited to that required by the relevant legislation, as laid out in Chapters 5, 6 and 7 of this code;
 - c. where *authorisations* are granted orally under urgency procedures (see Chapters 5, 6 and 7 on authorisation procedures), a record detailing the actions authorised and the reasons why the urgency procedures were used should be recorded by the *applicant* and *authorising officer* as a priority. There is then no requirement subsequently to submit a full written *application*;
 - d. an *application* should not require the sanction of any person in a *public authority* other than the *authorising officer*;
 - e. where it is foreseen that other agencies will be involved in carrying out the surveillance, these agencies should be detailed in the *application*;
 - f. *authorisations* should not generally be sought for activities already authorised following an application by the same or different *public authority*.
2. Furthermore, it is considered good practice that within every relevant *public authority*, a senior officer should be responsible for:
 - a. the integrity of the process in place within the *public authority* to authorise directed and intrusive surveillance and interference with property or wireless telegraphy;
 - b. compliance with Part II of the 2000 Act, Part III of the 1997 Act and with this code;
 - c. engagement with the Commissioners and inspectors when they conduct their inspections, and
 - d. where necessary, overseeing the implementation of any post-inspection action plans recommended or approved by a Commissioner.
 - e. The senior responsible officer should be a person holding the office, rank or position of an *authorising officer* within the relevant *public authority*.

Extract from the Consolidating Orders

LOCAL AUTHORITIES

353 local authorities in England, 22 in Wales, 32 in Scotland and 26 in Northern Ireland are able to use service use and subscriber data in order to prevent or detect crime or disorder in connection with their statutory functions. Many of these functions are their sole responsibility.

Examples of investigations where covert techniques enable local authorities to trace investigations back to a source individual at a specific address and offer evidence against them in legal proceedings include:

- trading standards (eg action against loan sharks and rogue traders, car fraud, consumer scams, deceptive advertising, counterfeit goods, unsafe toys and electrical goods);
- enforcement of anti-social behaviour orders and legislation relating to unlawful child labour;
- housing/planning (eg intervening to stop and take remedial action against unregulated and unsafe building, breaches of preservation orders, cases of landlord harassment);
- benefits fraud (eg housing benefits, investigating 'living together' and 'working whilst in receipt of benefit' allegations, council tax evasion); and
- environment protection (eg action to stop large-scale waste dumping, the sale of unfit food and illegal 'raves').

The advantages of being able to use communications data to help criminal investigation especially in trade and consumer scams is becoming more important with the growth of the internet and distance selling. Many transactions are now done without buyer and seller coming into contact and the only way of linking offenders to these transactions is by communications data.

A series of media articles last year reported some local authorities' use of covert techniques against activities such as dog fouling and littering. The Government and the Local Council Association have separately made it clear that using RIPA authorisations in these instances would not be a proportionate response. The Home Office is working closely with the Department for Communities and Local Government and the relevant Commissioners to address instances of inappropriate use of covert techniques. The statutory RIPA Codes of Conduct which provide guidance to practitioners are being revised accordingly.

Some media articles have confused what RIPA allows local authorities to do with the more intrusive forms of covert activity conducted by intelligence and law enforcement agencies. Under RIPA local authorities cannot intercept communications (*such as telephone 'tapping' or reading someone's e-mails, texts or post*) or enter anyone's house covertly. RIPA limits these covert activities to those public authorities with a national security remit or which are operating against a level of 'serious' crime substantially above that tackled by local authorities.

WHO? (Authorisation Grade)	WHAT? (Covert Technique)	WHY? (Statutory Purpose)
ENGLAND, WALES, SCOTLAND & N IRELAND Assistant Chief Officer, Assistant Head of Service, Service Manager or equivalent	RIPA S21(4) (b) service use (c) subscriber data	RIPA S22(2) (b) preventing or detecting crime or disorder
ENGLAND & WALES Assistant Chief Officer, Assistant Head of Service, Service Manager or equivalent	RIPA S26(1) (a) directed surveillance (c) conduct & use of CHIS	RIPA S28(3) & S29(3) (b) preventing or detecting crime or disorder
The Head of Paid Service or (in his/her absence) a Chief Officer ... (Scotland & N Ireland omitted)	Where Confidential information is likely to be obtained or when a vulnerable person/juvenile is to be used as a CHIS	

(Consolidating Orders and Codes of Practice, page 43)

APPENDIX TEN

GLOSSARY

Application	a request made to an authorising officer to consider granting (or renewing) an authorisation for directed or intrusive surveillance (under the 2000 Act), or interference with property or wireless telegraphy (under the 1994 or 1997 Act). An application will be made by a member of a relevant public authority.
Authorisation	an application which has received the approval of an authorising officer. Depending on the circumstances, an authorisation may comprise a written application that has been signed by the authorising officer, or an oral application that has been verbally approved by the authorising officer.
Authorising Officer	a person within a public authority who is entitled to grant authorisations under the 2000 or 1997 Acts or to apply to the Secretary of State for such warrants. Should be taken to include senior authorising officers.
CHIS	covert human intelligence sources
Confidential information	confidential personal information (such as medical records or spiritual counselling), confidential journalistic material, confidential discussions between Members of Parliament and their constituents, or matters subject to legal privilege.
Core Functions	the statutory powers and duties given to the Council to investigate activities of private individuals, groups and organisations within its jurisdiction for the benefit and protection of the public
Council	Anglesey County Council
CSP	Communication Service Provider (a service provider that transports information electronically)
DPA	Data Protection Act 1998
DS	directed surveillance
Gatekeeper	a person with the role of advising on the completion and the quality of applications under RIPA
Handling Code	the code for disseminating of information from the <i>National Intelligence Model</i>
ICD	interception of communication data

Legal privilege	matters subject to legal privilege are defined in section 98 of the 1997 Act. This includes certain communications between professional legal advisers and their clients or persons representing the client.
Member	an employee of an organisation, or a person seconded to that organisation (for example, under the terms of section 24 of the Police Act 1996).
Officer	an officer of a police force, HMRC or the Competition and Markets Authority (CMA), or a person seconded to one of these agencies as an officer.
OSC	Office of the Surveillance Commissioner which carries out inspections at regular intervals to ensure that RIPA is properly applied
Prescribed Office	those offices, ranks and position prescribed for the purposes of section 30(1) of RIPA for the purposes of granting authorisations under sections 28 and 29 of RIPA
Public authority	any public organisation, agency or police force (including the military police forces).
Private information	any information relating to a person in relation to which That person has or may have a reasonable expectation of privacy. This includes information relating to a person's private, family or professional affairs. Private information includes information about any person, not just the subject(s) of an investigation.
RIPA	Regulation of Investigatory Powers Act 2000
RC	RIPA Co-ordinator
Secretary of State	any Secretary of State (in practice this will generally be the Home Secretary).
Senior Authorising Officer	a person within a public authority who is entitled to grant intrusive surveillance authorisations under the 2000 Act or to apply to the Secretary of State for such warrants. See also Authorising officer
SPoC	Single Point of Contact
SRO	Senior Responsible Officer who is responsible for corporate oversight of the RIPA processes and that all authorising officers are of an appropriate Standard. Where an inspection report by the OSC has concerns about the standards of authorising officers, the SRO will be responsible for ensuring the concerns are addressed.

URN

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the Unique Reference Number stating the year, division and number of each application for authorisation for directed surveillance and CHIS

Procedure for Judicial Approval

Judicial Oversight

1. The *Protection of Freedoms Act* brought into law the Judicial oversight of all RIPA approvals by Local Authorities. It inserts sections into the 2000 Act which mean that authorisations, whilst still given by LA staff, do not take effect until a Magistrate has approved them. The Judicial oversight does not take the place of the current authorisation process – it is an oversight function and not an authorisation function. **The Authority may not undertake the regulated activity until *Judicial Approval* has been given.**
2. Once the application has been approved by an officer listed in Appendix 1, the Authority must apply to the Magistrates Court for an order confirming that :
 - a. the person who granted or renewed the authorisation, or the notice was entitled to do so ;
 - b. the grant or renewal met the relevant restrictions or conditions ;
 - c. there were reasonable grounds for believing (at the time it was made or renewed) that obtaining the information described in the form was both necessary and proportionate; and
 - d. it is still (at the time the court considers it) reasonable to believing the grant / renewal to be both necessary and proportionate.
3. The oversight will be determined at a hearing in front of a single Magistrate. An officer appointed to do so (and listed at Appendix 1A) must approach the court office to arrange the hearing.

CPR 2012 r.6 Section 2 : General Rules

6.3 Exercise of court's powers

(1) Subject to paragraphs (2) and (3), the court may determine an application for an order, or to vary or discharge an order—

- (a) at a hearing (which will be in private unless the court otherwise directs), or without a hearing; and
- (b) in the absence of—
 - (i) the applicant,
 - (ii) the respondent (if any),
 - (iii) any other person affected by the order.

4. There is a form (held on the Authority's intranet) that must accompany all applications. The officer who made the initial application (normally the *Officer in Charge* of the case) must complete this form electronically, once the *Authorising Officer* has approved the application. (This also applies to requests for renewal of authorisations.)
5. Once the form has been completed, the applicant must submit this, along with electronic copies of any accompanying documents (set out in 7.15.7 below) to the *Authorising Officer* for checking. Once satisfied with the standard of the form and any attachments, the *AO* must submit the bundle electronically to the *RC* for onward transmission to the courts.
6. The bundle for submission to the courts must include :
 - a. the application for the order approving the authorisation ;
 - b. the authorised application or renewal form ;
 - c. any supporting information that, exceptionally, does not form part of the form ;
 - d. any information you have that might show a reason to refuse the application ;

- e. an extract from the relevant legislation showing the offence being investigated and that it carries the relevant maximum sentence (unless it is one of the offences provided for in 7A(3)(b) of the 2010 regulations (see 6.1.3 above) ; and
- f. a copy of annexes 1 and 1A to this policy, showing that the *Authorising Officer* and the applicant are both persons duly approved to carry out those functions by the Authority.

The following are things that you should normally disclose to the Court when making your application to them :

- You have made previous applications under RIPA and these have been turned down.
- There have been other investigations into the same subject or at the same address, regardless of whether or not they were successful.
- The proposed subject or someone living with them has alleged harassment against any person associated with the Authority.
- There have been any complaints made to the Authority by the proposed subject or anyone living with them.

N.B. : These are just examples – you must disclose anything that might influence a Magistrate in making their decision.

7. The form requires that the applicant makes a declaration of truth and disclosure, as part of the application for Judicial approval. **It is important that this is not signed lightly** ; check that all material facts have been disclosed within the bundle and that the contents are accurate and true.

6.3 Exercise of court's powers

(4) The court must not make, vary or discharge an order unless the applicant states, in writing or orally, that to the best of the applicant's knowledge and belief—

- (a) the application discloses all the information that is material to what the court must decide; and
- (b) the content of the application is true.

8. The applicant must attend the hearing and assert the accuracy of the application. They must also be prepared to answer any questions about the application and the investigation which the Magistrate may have. At the end of the application, the magistrate will give the court's decision.
9. Once the bundle has been submitted, the *RC* will note this in the central record. Within 24 hours of receiving the Court's decision, the Applicant must notify the *RC* and the *Authorising Officer* by sending them an email. Both parties must also be sent copies of any court order. The original must be retained on the investigation file. The *RC* will note the record with the outcome.
10. In the event that the Court refuses the application, the applicant, the *Authorising Officer* and the *RC* will review the decision within 24 hours and decide if they wish to make representations to the Court before a *Quashing Order* is made.

Challenging a Refusal

If the court refuses your request, it is required to give its reasons. Check the reasons carefully to see what they disclose :

<i>You have omitted something from the application that makes it deficient in some way.</i>	Rectify the deficiency and submit to the court.
<i>The Magistrate has made a mistake of fact (for example that the offence you are investigating does not meet the seriousness criteria).</i>	Evidence the correct facts and submit to the court.
<i>The Magistrate believes it is not Proportionate to investigate the matter in this way.</i>	Ensure that you have fully evidenced the impact of the matter on the community. Check that you have not sought to use disproportionate methods (such as seeking to carry out lengthy, mobile surveillance when short static surveillance would produce the required results).
<i>The Magistrate believes it is not Necessary to investigate the matter in this way.</i>	Ensure that you have clearly shown that the evidence you are seeking is essential to the case in hand. Check that you could not obtain the evidence by another means (such as open source investigations).
<i>The AO refers to other documents in reaching the decision to approve it but these documents are not attached to the submission.</i>	Forward the missing documents to the court.

It is, obviously, far better that you carry out these checks before making the submission to the court.

11. If the Authority decides to make representations about a refused application, the AO RC will immediately notify the court officer of this and request a hearing. Grounds for the submission should be set out in writing and notified to the court before the hearing. It must be drafted by the applicant and approved by the AO. It must contain the standard declaration a set out above.
12. If the Authority elects to seek a hearing, the applicant, AO and RC will attend the hearing. At the conclusion of the hearing, the RC will note the outcome in the central record.

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ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive Committee
Date:	20th April 2015
Subject:	Public Sector Housing Investment Programme 2015 - 2016
Portfolio Holder(s):	Councillor Kenneth P Hughes Councillor H E Jones
Head of Service:	Shan Lloyd Williams, Head of Housing Services Richard Micklewright, Section 151 Officer
Report Author: Tel: E-mail:	Dafydd J Rowlands 01248 752240 drxhp
Local Members:	N/A

A – Recommendation/s and reason/s
<p>RECOMMENDATION Members are asked to note and approve the allocation of capital budget for 2015/16.</p> <p>1.0 INTRODUCTION</p> <p>1.1 The attached Planned Maintenance Programme for 2015 – 2016 (Appendix 1) in the sum of £8.589m allocates the capital resources previously included in our approved 2015 – 2045 Housing Revenue Account (HRA) Business Plan. The overall budget will include for carried forward commitment and slippage from the approved budget for 2014 – 2015. Total budget including commitment is in the sum of £9.889m. The proposed programme is underpinned by independently collected stock condition data and will contribute towards our Housing Management Strategy and the Corporate Asset Management Strategy.</p> <p>1.2 Moving forward, the Public Sector Investment Programme post Housing Revenue Account Subsidy buy out, will form part of the corporate Capital plan from 2016/17. In</p>

principle it will adopt the same annual Capital bidding process as the corporate Capital plan, with delegated authority being granted to the new Housing Services Board for individual schemes to be financially evaluated and prioritised. It is anticipated that the constitution of the proposed Board will include the Section 151 Officer and the Finance Manager for Social Care and Housing . A further report will be presented to the Executive Committee during June of this year proposing the new governance arrangements and Terms of Reference for the proposed Board.

1.3 In the table in Appendix 1 Balance brought forward on current contracts relates to existing Planned Maintenance Contracts where contractors are currently on site, but the work is not yet complete.

1.4 It is anticipated that all the 2015/16 Budget will be spent in the financial year, therefore no Balance brought forward on current contracts is forecasted for 2016/17 or 2017/18

2.0 2015 – 2016 INVESTMENT PROGRAMME

2.1 Internal Investment Programme

We are satisfied that, wherever practically possible, all properties meet WHQS with the exception of refusals of acceptable fail criteria. Improvement works on past refusals are automatically carried out at Change of Tenancy and we will continue to allocate capital funding for this programme until all work has been completed.

This budget will also be utilised for the continued management of asbestos within the housing stock or, where appropriate, the removal of asbestos containing materials.

2.2 Traditional External Planned Maintenance

During 2014-15 five new contracts were awarded which involved expenditure in the region of £4m on over 160 dwellings. The general scope of the work undertaken or currently on site typically involves re-roofing, the application of an insulated render system, replacement windows and doors where appropriate, external works to include paths, fencing and boundary walls. As part of this programme 24 dwellings also benefited from the installation of Solar PV systems.

The Housing Service is pleased to confirm that all 5 contracts were awarded to contractors based in North Wales following open tender notices posted via sell2wales.

Home improvement in all the above mentioned schemes will significantly improve the comfort and appearance of the homes as well as making them more affordable to heat.

Similar external refurbishment schemes will form the basis of our Capital Investment Plan for 2015-2016. It is our intention to continue utilising the sell2wales web portal to advertise tender opportunities and we expect to issue a minimum of five contract notices during 2015.

The Housing Service fully supports the Welsh Government's Wales Procurement Policy Statement and all new procurement schemes over £500k from April, 2015 will be measured for impact on the local economy via the 'Value Wales Community Benefit Tool'.

It is the Housing Service's aim that the above contracts and procurement strategy will afford local contractors every opportunity to bid for capital investment works.

2.3 Fire Risk Management

To facilitate continued compliance with the Regulatory Fire Reform Order 2005 we propose to allocate funds towards upgrading and/or renewal of fire fighting equipment and fire detection systems in accordance with fire risk assessments undertaken.

2.4 Central Heating Works

In order to ensure that our properties are as fuel efficient as practically possible we will continue to invest in modern and efficient central heating on a cyclical basis when boilers and/or systems have reached the end of their useful life cycles.

2.5 Environmental Works

The WHQS Environmental Standard requires homes to be located in 'attractive and safe environments to which residents can relate and in which they can be proud to live'. Our approach to deliver environmental improvements include funding the Environmental and Community Improvement Fund whereby tenants are invited to make formal bids for funding towards community improvements. In addition, we propose to carry out further improvements to communal paths, parking areas and associated garages.

2.6 Review of Sheltered Accommodation / Remodelling of Existing Stock

The Housing Service has undertaken an option appraisal of accommodation designated for the elderly in Llangefni and a separate report will be presented to the Executive Committee for consideration during June of this year.

2.7 Development of New Properties / Acquisition of Existing Properties

As included within the approved HRA Business Plan 2015 – 2045 and subject to the successful completion of the Housing Revenue Account Subsidy (HRAS) buy out, during 2015 – 2016 we will commence a development programme of new properties as a result of the future self financing HRA regime.

During the first quarter of the financial year a Development Strategy will be developed for approval which will set out the councils priorities in relation to new developments which we envisage will be based 2/3rd new build and 1/3rd purchase of existing dwellings such as former Right to Buy (RTB) properties within our existing estates.

During 2015 – 2016 a provision of £1.372m has been included within the capital budget for the acquisition of 10 dwellings. Whilst we intend to target former RTB properties that have been empty for more than 6 months for purchase, we will also give consideration to acquiring other properties that may be offered for sale such as completed new-build properties from property developers in areas where the need for affordable housing have been identified.

2.8 Funding for Public Sector Adaptations

In order to maximise funding available to support stock retention the Executive Committee resolved during September, 2006 that public sector housing adaptations expected to exceed £10k in value shall be funded via statutory Disabled Facility Grants Funding. Following completion of the WHQS programme, we propose that from 2015 / 16 housing adaptations in the public sector will revert back to being funded by Housing Services. This will ease pressure on limited General Fund finance for Disabled Facility Grants.

B – What other options did you consider and why did you reject them and/or opt for this option?

N/a

C – Why is this a decision for the Executive?

To approve the allocation of capital budget

CH – Is this decision consistent with policy approved by the full Council?**D – Is this decision within the budget approved by the Council?**

It is within the budget of the HRA Business Plan submitted to the Executive during February 2015.

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	To be confirmed
2	Finance / Section 151 (mandatory)	No further comments – Report prepared in consultation with Finance
3	Legal / Monitoring Officer (mandatory)	No comments
4	Human Resources (HR)	No comments
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	

E – Risks and any mitigation (if relevant)

1	Economic	
2	Anti-poverty	HRA self-financing will provide additional revenue to improve property standards and with the additional borrowing capability, we can commence a Council housing development programme in 2016.
3	Crime and Disorder	

4	Environmental	Environmental programme will enhance the appearance of the environment.
5	Equalities	
6	Outcome Agreements	
7	Other	

F - Appendices:
Appendix 1: Planned Maintenance Programme 2015 - 2016

FF - Background papers (please contact the author of the Report for any further information):
Housing Revenue Account Business Plan 2015 – 2045

Capital Programme HRA 2015/16

Scheme	Financial Year		
	2015/16 (£ '000)	2016/17 (£ '000)	2017/18 (£ '000)
Slippage	1,300		
WHQS Internal Works Package & Asbestos Management	750	750	750
Traditional Planned Maintenance	3,787	3,754	4,091
Fire Risk Management	250	0	0
Central Heating Works	250	250	250
Environmental works	500	500	250
Remodelling of Existing Stock	1,530	832	0
Acquisition of Existing Properties	1,372	1,959	714
New build	0	3,710	1,470
Public Sector Adaptations	150	150	150
	9,889	11,905	7,675

Funding:	Financial Year		
	2015/16 (£ '000)	2016/17 (£ '000)	2017/18 (£ '000)
Major Repair Allowance	2,650	2,650	2,650
Capital Receipts	170	0	0
Revenue Contribution	5,769	6,635	5,025
Carried Forward Commitment	1,300		
Borrowing	0	2,620	0
	9,889	11,905	7,675

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ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive Committee
Date:	20th April 2015
Subject:	Maritime Fees & Charges 2014/15 & 2015/16
Portfolio Holder(s):	Cllr Aled Morris-Jones & Cllr Hywel E Jones
Head of Service:	Dylan Williams
Report Author:	Iwan Huws
Tel:	Ext: 2493
E-mail:	iwanhuws@ynysmon.gov.uk
Local Members:	Relevant to all coastal Ward Members

A –Recommendation/s and reason/s
<p>There has been much scrutiny of the maritime function over the past year (Scrutiny Committee 25/09/14; Executive Committee 01/12/14 and an informal Executive Committee workshop held 12/02/14).</p> <p>Following further discussion and research of neighbouring maritime authorities, the recommended fees and charges schedule for 2014/15 and 2015/16 is attached at Appendix 1. This follows advice received by the Monitoring Officer on 05/02/15 and concerns raised by the Executive at the informal workshop on 12/02/15.</p> <p>The new charging policy is to be backdated to 1st April 2014 and is to be in force for two Financial Years. For 2016/17 the fees and charges schedule will include incentives and penalties for early and late fee payers.</p> <p>The Executive Committee on 1st December 2014 has already resolved to “write off” the debt of the uncollected 2013/14 commercial charter boat fees as a good-will gesture to the commercial operators in Amlwch Port.</p> <p>A “flat fee” approach was originally advocated, but anchorage and commercial charter boat fee elements are charged for separately. There is also the issue of port and harbour facilities across the Island being of different standards.</p> <p>The Charter Boat element (not the annual berthing fees) is to be discontinued for operators at Amlwch Port to provide a much needed boost to the local tourism industry.</p> <p>Commercial operators using both Beaumaris and St George’s Pier, Menai Bridge will pay £400 (£480 with VAT) to use the Council’s facilities. There will be no discount applied on subsequent boats owned by the same operator (as resolved by the Executive on 1st December). There has been substantial investment in the refurbishment of Beaumaris Pier and income generating options need further investigation (including the passenger levy option).</p>

It is also recommended to re-start charging at the Fish Dock, Holyhead after a period of four years. No charges have been made due to the poor state of the floating pontoons which have now been removed. We have invested in minor H&S improvements in the Fish Dock such as new ladders and lights.

B – What other options did you consider and why did you reject them and/or opt for this option?

Portfolio Holder decision 15th July 2014

1. The Portfolio Holder's decision of the 15th July 2014 indicates that discussions had been taking place between the Maritime Officers, the users, and the local Members regarding the level and setting of commercial pleasure boat fees, that more discussion and direction was required on this element of the fees, and, as such, the Report recommended to the Portfolio Holder that this element of the fee structure be referred to Scrutiny.
2. Commercial pleasure boat fees, and charter fees, are the same thing and it is clear that the Portfolio Holder's decision of the 15th July 2014 excludes "commercial pleasure boat/charter fees". The Portfolio Holder did, though, decide to approve all other maritime fees and charges for 2014/15 as set out in the Appendix; this included the anchorage fees applicable to commercial pleasure boats.

Executive 1st December 2014

1. The Executive considered commercial charter/pleasure boat fees in this meeting following on from the recommendation of the Portfolio Holder to refer the commercial pleasure boat fee decision to the Scrutiny Committee for a view. The Scrutiny Committee had met on the 25th September 2014 to consider the issue and failed to agree on next steps, instead recommending that the matter of charter/pleasure boat fees 2014/15 be referred to the Executive.
2. The Executive decided, in the meeting on 1st December 2014, that the 2014/15 and 2015/16 Charter Boat Fees should be a flat payment of £400 plus VAT with no discount applied on subsequent boats owned by the same operator.

C – Why is this a decision for the Executive?

This is an income generating matter which has proved controversial. Strong views have been expressed from our Port and Harbour users in Beaumaris, Menai Bridge, Porth Amlwch and the Fish Dock. Stakeholder Groups have been established and have already met. Terms of Reference for all Groups have been circulated to the stakeholders. Communications have been improved.

CH – Is this decision consistent with policy approved by the full Council?

The maritime function generates an income for the Council and therefore needs to set maritime fees and charges annually. We need to maximize this income but at the same time we need to be seen to be supporting the commercial fishing industry and chartering/tourism operators on the Island.

D – Is this decision within the budget approved by the Council?

A Zero Base Budget Exercise (ZBBE) has been undertaken for the maritime budget in 2014/15. This has set a new budget for the maritime function in the forthcoming 2015/16 FY.

More realistic income targets have now been set for all maritime income streams attached in the full schedule. An incentive/penalty scheme will be introduced in 2016/17 as late payers are problematic.

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	
2	Finance / Section 151 (mandatory)	<ol style="list-style-type: none"> 1. The Zero Base Budget was based on averages or worst case scenario in total for calculating the 2015-16 Budget 2. The Calculation for specific Fees and Charges were based on 2014-15 approved budgets which included the Flat Fee of £400 for Commercial Fishing. 3. There have been increased charges for certain elements and removal of others when considering the 2015-16 fees and charges. 4. It is up to the Function to determine the impact on the Budget for 2015-16 having reviewed the charges in isolation.
3	Legal / Monitoring Officer (mandatory)	
4	Human Resources (HR)	
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	

E – Risks and any mitigation (if relevant)		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	Stakeholder relationships.

F - Appendices:
Appendix 1 – Anglesey Maritime Fees & Charges schedule 2014/15 and 2015/16.

FF - Background papers (please contact the author of the Report for any further information):
Zero Base Budget of the Maritime Function as part of the Budget-setting for IoACC 2015-16 (January 2015). URS Maritime facilities review & Maritime Prospectus (October 2014).

Ffioedd Morwrol Ynys Môn 2014/15 & 2015/16 Anglesey Maritime Fees 2014/15 & 2015/16

PIER SAN SIOR - PORTHAETHWY - ST GEORGE'S PIER - MENAI BRIDGE	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL
Glanio wrth y Pier/Laying at Pier					
Dros Nos/Overnight (y dydd / per day)	£15.00	0%	£15.00	£3.00	£18.00
Cyflenwad Dwr Croyw/Freshwater Supply					
Cychod Bach fesul tro/Small Boats per occasion		0%			Am ddim / Free
Cychod dros 15 tonnell/Pris y Tunnell o ddwr Vessels over 15 tonnes/Price per tonne of water	£6.08	0%	£6.08	£1.22	£7.30
Defnyddio'r Pier i Godi a Glanio Teithwyr Sy'n Talu Ffioedd Embark and Disembark Fare Paying Passengers					Use of Pier to
Blynyddol/ Annual	£400.00	0%	£400.00	£80.00	£480.00

PIER BIWMARIS / BEAUMARIS PIER	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL
Glanio wrth y Pier/Laying at Pier					
Dros Nos/Overnight (y dydd / per day)	£15.00	0%	£15.00	£3.00	£18.00
Cyflenwad Dwr Croyw/Freshwater Supply					
Cychod Bach fesul tro/Small Boats per occasion		0%			Am ddim / Free
Defnyddio'r Pier i Godi a Glanio Teithwyr Sy'n Talu Ffioedd Embark and Disembark Fare Paying Passengers					Use of Pier to
Blynyddol /annual	£400.00	0%	£400.00	£80.00	£480.00
Key/Allwedd	£12.50	0%	£12.50	£2.50	£15.00
Replacement Lost Key/Amnewid Allwedd a gollwyd	£41.67	0%	£41.67	£8.33	£50.00

FFIOEDD TRWYDDEDAU ANGORI - MOORING LICENCE FEES	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL
Traeth Coch a Cymyran/Red Wharf Bay and Cymyran (Per metre x area)					
Sefydlog/Constant	0.57p	0%	0.57p	zero	0.57p
Biwmaris , Porthaethwy a Bae Fryars/ Beaumaris, Menai Bridge and Fryars Bay (Per metre x area)					
Sefydlog/Constant	0.89p	0%	0.89p	zero	0.89p

HARBWR ALLANOL AMLWCH - AMLWCH OUTER HARBOUR	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL
Ffioedd Angori/Berthing Fees					
Lotiau Ymwelwyr a Badau Pleaser/Visiting Yachts and Pleasure Craft	£15.00	0.0%	£15.00	£3.00	£18.00
Ffioedd Trwyddedau Angori y medr y flwyddyn/Mooring Licence Fees per metre per year (all craft except Commercial Fishing)	£31.62	0.0%	£31.62	£6.32	£37.94

Pysgota masnachol ffioedd Trwyddedau Angori y medr y flwyddyn/commercial fishing Mooring Licence Fees per metre per year	£65.01	0%	£65.01	£13.00	£78.01
Cyflenwad Dwr Croyw/Freshwater Supply					
Cychod Bach fesul tro/Small Boats per occasion		0%			Am ddim/ free
Cychod dros 15 tonnell/Pris y Tunnell o ddwr Vessels over 15 tonnes/Price per tonne of water	£6.08	0%	£6.08	£1.22	£7.30
Tanker/Bowser Tanker/Bowser	£35.00	0%	£35.00	£7.00	£42.00
Gwerthu Tanwydd Sale of Fuel					Pris y Farchnad/Market Price
Ffi Codi Allan (Llongau i gyd) Lifting Out Fee (All Vessels)					
Y medr / per metre	£4.86	3%	£5.00	£1.00	£6.00
Storio Cychod ar y Lan - Pinau Allanol. Boat Storage Ashore - Outer Pens					
<=21 diwrnod / days					Am ddim / Free
> 21 diwrnod (y medr yr wythnos) >21 days (per metre per week)	£7.34	0%	£7.34	£1.47	£8.81
> 21 diwrnod (y medr y dydd) >21 days (per metre per day)	£3.55	0%	£3.55	£0.71	£4.26
Ffi Cadwraeth/Harbwr Fesul Llong Drwyddedig/Conservancy/harbour Fee all Vessel	£43.05	<17%	£50.00	zero	£50.00

HARBWR MEWNOL AMLWCH - AMLWCH INNER HARBOUR	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL
Ffioedd Trwyddedau Angori y medr y flwyddyn/Mooring Licence Fees per metre per year (all craft except Commercial Fishing)	£31.62	0.0%	£31.62	£6.32	£37.94
Pysgota masnachol ffioedd Trwyddedau Angori y medr y flwyddyn/commercial fishing Mooring Licence Fees per metre per year	£65.01	0%	£65.01	£13.00	£78.01
Llongau Heb Drwydded/Non Licensed Vessels					
Lotiau Ymwelwyr a Badau Pleser/Visiting Yachts and Pleasure Craft	£15.00		£15.00	£3.00	£18.00
Ffi Cadwraeth/Harbwr Fesul Llong Drwyddedig/Conservancy/harbour Fee all Vessels	£43.05	<17%	£50.00	zero	£50.00

DOC PYSGOTA CAERGYBI - HOLYHEAD FISH DOCK	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL
Ffioedd Angori/Berthing Fees/meter/year, South Quay	£0	in line with Amlwch	£65.01	£13.00	£78.01
Cychod Pleser Blynyddol/Pleasure Boat Annual	£0.00		£400.00	£80.00	£480.00
Lotiau Ymwelwyr a Badau Pleser/Visiting Yachts and Pleasure Craft	£0.00		£15.00	£3.00	£18.00
Cyflenwad Dwr Croyw/Freshwater Supply					

Cychod Bach fesul tro/Small Boats per occasion		0%			Am ddim / Free
Cychod dros 15 tonnell/Pris y Tunnell o ddwr Vessels over 15 tonnes/Price per tonne of water	£6.08	0%	£6.08	£1.22	£7.30

REGISTRATION OF ALL POWER DRIVEN CRAFT (under 10hp. NO LAUNCH FEE)					
Cofrestru Blynyddol / Annual Registration	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL
Trwy'r post neu yn Llangefni post or in Llangefni	By £15.00	0%	£15.00	zero	£15.00
Wrth y llithrfa / At slipway	£20.00	0%	£20.00	zero	£20.00
Wrth lithrfeydd preifat drwy bartneriaeth / At private slipways in partnership.	£20.00	0%	£20.00	zero	£20.00
(£15.00 Cyngor / £5 Gwerthwr) (£15.00 Council / £5 Seller)	£15/£5	0%	£15/£5	zero	£15/£5
(Yn cynnwys TAW / including VAT)					
Ffioedd Lawnsio / Launching Fees	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL
Ffi Ddyddiol / Daily Charge	£13.33	0%	£13.33	£2.67	£16.00
Trwydded Flynyddol / Annual permit	£133.33	0%	£133.33	£26.67	£160.00
Gostyngiad Trwydded Blynyddol am Dystysgrif Cychod Pwer Annual Permit Reduction for Power Boat Certificate	£87.50	0%	£87.50	£17.50	£105.00
Cwmniau sy'n lansio i arddangos neu profi offer (cytundeb ysgrifenedig) Companies launching to demonstrate or test (written agreement)	£66.56	0%	£66.67	£13.33	£80.00

Masnachol / Commercial	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL
Cerbyd Lawnsio Masnachol / Commercial Launching Vehicle	£75.00	0%	£75.00	£15.00	£90
50 Lansladau Cyntaf / First 50 Launches	£140	0%	£140.00	£28.00	£168
Pob 50 wedyn / Every 50 thereafter	£184	0%	£183.75	£36.75	£220.50
Cychod diogelwch ar gyfer digwyddiadau/Safty boats for events					rhad ac am ddim (ond dal angen cais)/free (but application still required)
Crefft masnachol (profi ac arddangos)/commercial craft (testing and demonstration)			£70.00	zero	£70.00

Miscellaneous	2014/15	Increase	2015/16	TAW / VAT	CYFANSWM / TOTAL

Defnydd o Flaendraeth gan Criw Ffilmio/Digwyddiadau ayyb. Use of Foreshore by Film Crews/Events etc					
Hanner Diwrnod / Half Day	£340	0%	£340	£68	£408
Diwrnod Llawn / Full Day	£600	0%	£600	£120	£720
Defnydd o Flaendraeth gan Sefydliadau Elusenol Use of Foreshore by Charitable Organisations					Ar disgresiwn staff yr Adran Morwrol/At the discretion of Maritime Section staff

Cyfleusterau Hyfforddi Peilot Chwaraeon Dwr / Watersports Pilot Training Facility					
Ffioedd Llogi Ystafelloedd / Room Hire Charge					
Nid ar gyfer sefydliadau elw / Not for Profit Organisations:				TAW / VAT	
Yr awr / Per hour	-		£10.00	£2.00	£12.00
Hanner Diwrnod / Per half day	-		£30.00	£6.00	£36.00
Diwrnod Llawn / Per full day	-		£50.00	£10.00	£60.00
Sefydliadau Masnachol / Commercial Organisations:					
Yr awr / Per hour	-		£11.67	£2.33	£14.00
Hanner Diwrnod / Per half day	-		£35.00	£7.00	£42.00
Diwrnod Llawn / Per full day	-		£57.50	£0.00	£57.50
Defnydd gan Ysgolion Lleol / Use by Local Schools			£0.00	£0.00	£0.00
Cawod / Showers					Codir ar raddfa mesur penodol / Charged at set meter rate

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive Committee
Date:	20th April, 2015
Subject:	Lowering the admission age of Ysgol Llanfairpwllgwyngyll to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015.
Portfolio Holder(s):	Councillor Ieuan Williams
Head of Service:	Delyth Molyneux
Report Author: Tel: E-mail:	Gareth Jones 01248 752947 dgjed@ynysmon.gov.uk
Local Members:	Councillor Alun Mummery Councillor Jim Evans Councillor Meirion Jones

A –Recommendation/s and reason/s
<p>1. The Council should move to issue a statutory notice to lower the admission age of Ysgol Llanfairpwllgwyngyll to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015</p> <p>2. The Council should consider allowing officers to move immediately on the proposal if no objections are received within the 28 day period to the statutory notice. This would greatly facilitate arrangements for the local community. This to be followed up with a report to the Council.</p> <p>3. The Authority and the school to plan for using the “Gorlan” through an official agreement with the Community Council for the 2015/16 school year. The aim is to educate the nursery children within the main building by September 2016.</p> <p>The Authority has consulted on the proposal and no objections were received. Report on the consultation attached.</p>

B – What other options did you consider and why did you reject them and/or opt for this option?

The only other option would be to not continue with the proposal but there is support from parents, the Cylch meithrin Committee, Estyn and the school.

C – Why is this a decision for the Executive?

The decision concerns the change of the statutory age of admission of an individual school and is within the scope of the School Organisation Code (Statutory Code Document 006/2013 Welsh Government).

CH – Is this decision consistent with policy approved by the full Council?

Yes. The arrangements within the proposal are in force in 39 primary schools in the Authority.

D – Is this decision within the budget approved by the Council?

Yes

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	
2	Finance / Section 151 (mandatory)	No comments
3	Legal / Monitoring Officer (mandatory)	
4	Human Resources (HR)	No comments
5	Property	
6	Information Communication Technology (ICT)	

7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	

E – Risks and any mitigation (if relevant)		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	

F - Appendices:	
1. The Consultation Report. 2. The Consultation Document.	

FF - Background papers (please contact the author of the Report for any further information):	



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

REPORT ON THE CONSULTATION
REGARDING PROPOSALS TO LOWER THE
ADMISSION AGE OF YSGOL
LLANFAIRPWLLGWYNGYLL
AS FROM
31 AUGUST 2015

A. Background.

Following a request by the Governing Body of Ysgol Llanfairpwllgwyngyll, the Authority consulted on the proposal to lower the admission age of Ysgol Llanfairpwllgwyngyll to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015.

Currently pupils are admitted to Ysgol Llanfairpwllgwyngyll on a full time basis in the September following their 4th birthday while Cylch Meithrin Llanfairpwllgwyngyll are the current providers of early years education in the area from the beginning of term following the 3rd birthday to the September following the 4th birthday.

B. The Consultation Process.

The Authority published a consultation document on the County Council's website and the document was discussed in a public meeting at the school on 14 January 2015. Then paper copies were sent to a list of consultees according to the list in the consultation document. The consultation period came to an end on 23 February 2015.

C. Responses.

1. There was a total of 31 people, including parents, members of the Cylch Meithrin Committee and staff from the Cylch, at the public meeting. The document was carefully discussed and there was an open discussion on the proposal. No objections were raised to the proposal.

2. Written responses were received from

- One parent
- One member of the public
- One elected member
- Chairperson of Ysgol Brynsiencyn's Governing Body
- Cylch Meithrin Llanfairpwll's committee
- Estyn

The parent was in favour as the proposal would improve the children's education.

Whilst accepting the Cylch's good provision the member of the public was of the opinion that the expertise, resources and professionalism of the school would be a positive step forward for three year old children.

The elected member was in favour of the proposal and stated that the Community Council were keen to facilitate the new arrangements if they came into being.

Ysgol Brynsiencyn's Governing Body has no objection to the proposal.

Cylch Meithrin Llanfairpwll's committee are in favour of the proposal but they are concerned about the timing of the decision. Better to decide as soon as possible so

that arrangements can be put into place for September 2015 in terms of staffing and finance. The Cylch have already started looking into the possibility of providing a care service for the area.

Estyn are of the opinion that the proposal is likely to at least maintain the standard of provision in the area. Issues that need addressing are

- i) how is the proposal part of a wider strategic plan
- ii) what is the likely effect of presenting the Foundation Phase curriculum in a building on the school site but set apart from the main building and its facilities. The proposal also does not consider the implications of accepting two and a half year old children into the same building.
- iii) the effect of the proposal on vulnerable groups including children with special educational needs

3. Authority Comments.

The Authority has expressed concerns about placing the nursery class in the Gorlan in the long term. The Gorlan is the building in the ownership of the Community Council but is located on the school grounds. The Community Council at present rents out the two rooms to the Cylch Meithrin but they are willing to rent one room to the school. The Authority's stance is that the nursery class should be within the main building so that the class, children and staff are an integral part of the school. The school is discussing changes to its internal organisation to ensure this within a year.

E. Main issues to be considered.

1. The effect of educating the nursery children in a building apart from the main building needs to be considered. The Authority has started discussions with the school on completing changes within the building so that the nursery class is located within this main building. It is agreed to use the Gorlan through an official agreement with the Community Council for a year. This is to ensure time to complete the alterations and to give the Cylch time to develop a care business plan for the future.

2. Consideration needs to be given to ways of putting draft plans into place before the final decision by the Council. This will facilitate arrangements for the school and the cylch with parents knowing the likely situation for September 2015.

3. The Council's wider long term plan can be seen within the Strategic Outline Programme and the Modernisation Strategy. Ysgol Brynsiencyn is part of an ongoing consultation in the Bro Rhosyr area and they have expressed an interest in lowering the age of admission. The Authority will consider this over the coming months.

4. Any vulnerable group within the nursery class including children with special educational needs will be cared for in the same way as the rest of the children at the school. The school has careful arrangements in place. The Authority also provides support for children with special educational needs within the cylch.

F. Conclusions.

1. The Council should move to issue a statutory notice to lower the admission age of Ysgol Llanfairpwllgwyngyll to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015
2. The Council should consider allowing officers to move immediately on the proposal if no objections are received within the 28 day period to present objections. This would greatly facilitate arrangements for the local community. This to be followed up with a report to the Council.
3. The Authority and the school to plan for using the Gorlan through an official agreement with the Community Council for the 2015/16 school year. The aim is to educate the nursery children within the main building by September 2015.



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

CONSULTATION DOCUMENT REGARDING
PROPOSALS TO LOWER THE ADMISSION AGE
OF YSGOL LLANFAIRPWLLGWYNGYLL
AS FROM
31 AUGUST 2015

CONSULTATION DOCUMENT REGARDING PROPOSALS TO LOWER THE ADMISSION AGE OF YSGOL LLANFAIRPWLLGWYNGYLL AS FROM 31 AUGUST 2015

Introduction –

This consultation is on a proposal by the Education Authority , following a request by the Governing Body of Ysgol Llanfairpwllgwyngyll , to lower the admission age of Ysgol Llanfairpwllgwyngyll to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015.

Before moving forward with its proposals, the Authority wishes to seek the views of all those with a likely interest in the proposal so that their views can be taken into account before decisions are made.

This consultation process will consist of

- contacting and providing a copy of this consultation document to all interested parties, including the Authority, who are listed in Appendix 1
- holding a meeting for interested parties on Wednesday, 14 January, 2015 at 6 pm at the school.
- making copies available of this consultation document at the school, at the relevant non-maintained settings and on the Isle of Anglesey website.
- submission of views by interested parties in writing to:

Mr Gareth Jones, Education Officer,
Lifelong Learning Department
Ffordd Glanhwfa
LLANGFNI
Ynys Môn
LL77 7EY

or you can e-mail: dgjed@anglesey.gov.uk

All views must be received by

no later than midday Monday, 23 February 2015.

- holding a meeting with the School Council to discuss their views on the proposal

Background

If the proposal were to be implemented Ysgol Llanfairpwllgwyngyll may well attract future 3 year old pupils who may have attended other schools with existing 3 year old provision in the immediate area. In the case of Ysgol Llanfairpwllgwyngyll the schools in the immediate area are Ysgol Y Borth, Ysgol Esceifiog and Ysgol Parc y Bont. The following school, Ysgol Brynsiencyn, is also in the immediate area but they do not have existing part time provision for 3 year olds but they could also be affected as families of children who would normally attend the school may well apply for places at Ysgol Llanfairpwllgwyngyll so as to benefit from the provision at Ysgol Llanfairpwllgwyngyll.

The relevant details of the schools including Ysgol Llanfairpwllgwyngyll are-

Details	Ysgol Llanfairpwll	Ysgol y Borth	Ysgol Esceifiog	Ysgol Parc y Bont	Ysgol Brynsiencyn
Location	YSGOL LLANFAIRPWLL GWYNGYLL Llanfairpwll, Ynys Môn LL61 5TX	YSGOL Y BORTH Porthaethwy, Ynys Môn LL59 5DS	YSGOL ESCEIFIOG Gaerwen, Ynys Môn LL60 6DD	YSGOL PARC Y BONT Llanddaniel, Ynys Môn LL60 6HB	YSGOL BRYNSIENCYN Brynsiencyn, Llanfairpwll LL61 6HZ
Category	Community school for 4-11 year olds	Community school for 3-11 year olds	Community school for 3-11 year olds	Community school for 3-11 year olds	Community school for 4-11 year olds
Language	Bilingual	Bilingual	Bilingual	Bilingual	Bilingual
Capacity	322	218	141	109	79
Admission number for part time pupils	Not relevant	19	17	12	Not relevant
Admission number for full time pupils	46	28	17	13	11

Number of part time pupils on roll as in January	Not relevant	2014 - 32 2013 - 28 2012 - 29 2011 - 0 2010 - 0	2014 - 18 2013 - 12 2012 - 21 2011 - 18 2010 - 0	2014 - 14 2013 - 12 2012 - 17 2011 - 9 2010 - 16	Not relevant
Number of full time pupils on roll as in January	2014 - 307 2013 - 291 2012 - 291 2011 - 294 2010 - 283	2014 - 186 2013 - 177 2012 - 183 2011 - 187 2010 - 179	2014 - 97 2013 - 99 2012 - 88 2011 - 82 2010 - 79	2014 - 90 2013 - 89 2012 - 88 2011 - 85 2010 - 75	2014 - 50 2013 - 48 2012 - 40 2011 - 49 2010 - 51
Total pupil number forecasts	2015 - 302 2016 - 300 2017 - 301 2018 - 293 2019 - 300	2015 - 227 2016 - 229 2017 - 240 2018 - 241 2019 - 253	2015 - 119 2016 - 126 2017 - 132 2018 - 137 2019 - 137	2015 - 109 2016 - 109 2017 - 113 2018 - 111 2019 - 113	2015 - 45 2016 - 44 2017 - 42 2018 - 38 2019 - 35
Condition of school building as measured by survey in EC Harris, 09/10 on behalf of Welsh Government	B Satisfactory	B Satisfactory	B Satisfactory	B Satisfactory	B Satisfactory

Both the school and the Cylch are required to operate within the Authority's Welsh Language Policy and Welsh Language provision would not be diminished but would be enhanced as the pupils would be taught according to the Welsh Language Policy for schools.

If the proposal were to be implemented the new class established would become a part of the school and the Governing Body would be answerable to the Authority for the standards and provision of the new class and the new class would be subject to all of the school's policies and procedures.

The table below sets out the judgements within the last available Estyn report for the school and the Cylch.

<u>Aspect</u>	Ysgol Llanfairpwllgwyngyll Date November 2010	Cylch Llanfairpwllgwyngyll Date June 2014
<u>Key Question 1: How good are the outcomes?</u>	Good	Good

Standards	Good	Good
Wellbeing	Excellent	Good
<u>Key Question 2: How good is provision?</u>	Good	Good
Learning Experiences	Good	Good
Teaching	Good	Good
Care, support and guidance	Good	Good
Learning environment	Excellent	Good
<u>Key Question 3: How good are leadership and management?</u>	Good	Good
Leadership	Good	Good
Improving Quality:	Adequate	Good
Partnership working	Excellent	Good
Resource management	Good	Good
The school's / Cylch's current performance	Good	Good
The school's / Cylch's prospects for improvement	Good	Good

The proposal –

The proposal is to lower the admission age of Ysgol Llanfairpwllgwyngyll to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015.

Cylch Meithrin Llanfairpwllgwyngyll are the current providers of early years education in the area from the beginning of term following the 3rd birthday to the September following the 4th birthday. Cylch Meithrin Llanfairpwllgwyngyll meets in the Gorlan, a building owned by the Community Council and sited on the school grounds. The

Community Council rents the building, which has two rooms, under an agreement to the Cylch's Committee up to May 2021. The Cylch meets for four mornings a week for one group of children who are 3 years old, 8.50 to 11.20; and for four afternoons(1 – 3) and one morning for another group who are three years old. The younger children meet for specific periods over 5 days. There is also a Ti a Fi group who meet for one afternoon a week.

There are currently 37 pupils who had achieved their 3rd birthday by 1 September 2014, and 19 pupils who had not achieved their 3rd birthday by 1st September 2014, attending Cylch Meithrin Llanfairpwllgwyngyll.

Pupils are admitted to Ysgol Llanfairpwllgwyngyll on a full time basis in the September following their 4th birthday. In September 2014 there were 307 pupils on roll who are taught in 11 classes as follows:

<u>Class</u>	<u>Age</u>	<u>Number of Pupils</u>
1	Reception	23
2	Reception	22
3	Years 1/2	27
4	Years 1/2	27
5	Years 1/2	25
6	Years 3 / 4	31
7	Years 3 / 4	30
8	Years 3 / 4	30
9	Years 5 / 6	31
10	Years 5 / 6	30
11	Years 5 / 6	31

If the proposal to admit 3 year olds to the school on a part time basis is implemented the nursery pupils would be shared into two groups and educated within one room in the Gorlan, one group in the morning and one group in the afternoon. The Authority will discuss terms for this with the Community Council. Ysgol Llanfairpwllgwyngyll

would be the local providers for children from the September following their 3rd birthday.

Early Years education up to the September following the 3rd birthday would still be provided by Cylch Meithrin Llanfairpwllgwyngyll.

The Cylch Meithrin would accept pupils once they are 2.5 years old.

In terms of funding the school would receive additional funding through the Authority's formula based on the number of additional part time pupils registered at the school. This would provide for additional staff in terms of teachers and Foundation Phase assistants in accordance to statutory guidelines.

The Cylch would continue to receive a contribution towards running costs but at a lower level due to the decrease in pupils who are eligible for the part time statutory education entitlement of 10 hours a week. The Cylch have already started to consider a Business Plan should the proposal be implemented.

Educational standards would not decrease and are expected to rise as the pupils would be taught by a qualified teacher under the direction of the head teacher and answerable to the school's Governing Body.

The statutory process

The consultation process is subject to the requirements of the School Organisation Code, document number 006/2013.

Following the end of this consultation, 23.2.15, the Authority will publish a report on the consultation which will be available on the Isle of Anglesey web site.

Authority officers will then present the report to the Executive Committee in April 2015 along with a recommendation.

If the recommendation is to continue with the proposal and this is accepted by the Executive Committee then a statutory notice will be issued and a 28 day consultation period will begin. A report will be published on the views expressed to the Authority and will be available on the Isle of Anglesey web site.

Authority officers will then present the report to the Executive Committee in July 2015 along with a final recommendation.

Response Pro-forma

A response pro-forma for comments, including an opportunity for consultees to register their wish to be notified of publication of the consultation report, is attached to the consultation document.

Atodiad 1 / Appendix 1.

Rhestr o ymgynghoreion i dderbyn copi o'r Ddogfen Ymgynghorol.

List of consultees to receive a copy of the Consultation document

Cyrff / Bodies
Cadeirydd / Chair Ysgol Llanfairpwll
Cadeirydd / Chair Ysgol Y Borth
Cadeirydd / Chair Ysgol Esceifiog
Cadeirydd Ysgol / Chair Parc y Bont
Cadeirydd / Chair Ysgol Brynsiencyn
Cadeirydd / Chair Ysgol David Hughes
Cadeirydd / Chair Cylch Meithrin Llanfairpwllgwyngyll
Gweinidog Addysg a Sgiliau Llywodreth Cymru Minister for Education and Skills Welsh Government
AS / MP Albert Owen
AC / AM Rhun ap Iorwerth
Prif Arolygydd / Chief Inspector Estyn
Aelodau Fforwm Undebau / Union Forum Members
Cadeirydd Consortiwm Addysg Gogledd Cymru Chair North Wales Education Consortium
Prif Weithredwr / Chief Executive GwE
Comisiynydd Heddlu a Throsedd Gogledd Cymru North Wales Police and Crime Commissioner

Cyngorau Cymuned / Community Councils –

Cyngor Bro Llanfairpwllgwyngyll Community Council
Swyddfa'r Cyngor Bro / Community Council Office
Neuadd Goffa / Memorial Hall
Llanfairpwll
LL61 5JB

Cynghorwyr Sir / County Councillors-

Alun Mummery

Meirion Jones

Jim Evans

Cymdeithas Darparwyr Cyn-ysgol Cymru

Wales Pre-school Providers Association (WPPA)

Mudiad Meithrin (MM)

Partneriaeth Môn a Gwynedd Partnership

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive Committee
Date:	20th April, 2015
Subject:	Lowering the admission age of Ysgol Goronwy Owen to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015.
Portfolio Holder(s):	Councillor Ieuan Williams
Head of Service:	Delyth Molyneux
Report Author: Tel: E-mail:	Gareth Jones 01248 752947 dgjed@ynysmon.gov.uk
Local Members:	Councillor Derlwyn Hughes Councillor Vaughan Hughes Councillor Ieuan Williams

A –Recommendation/s and reason/s
<p>1. The Council should move to issue a statutory notice to lower the admission age of Ysgol Goronwy Owen to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015</p> <p>2. The Council should consider allowing officers to move immediately on the proposal if no objections are received within the 28 day period. This would greatly facilitate arrangements for the local community. This to be followed up with a further report.</p> <p>The Authority has consulted on the proposal and no objections were received. Estyn has provided formal comments following their second inspection visit with the school (17 March, 2015).</p> <p>Report on the consultation attached.</p>

B – What other options did you consider and why did you reject them and/or opt for this option?

The only other option would be to not continue with the proposal but there is support from parents, the Benllech Play Group Committee and the school for the proposal.

C – Why is this a decision for the Executive?

The decision concerns the change to the statutory age of admission of an individual school and is within the scope of the School Organisation Code (Statutory Code Document 006/2013 Welsh Government).

CH – Is this decision consistent with policy approved by the full Council?

Yes. The arrangements within the proposal are in force within 39 primary schools in the Authority.

D – Is this decision within the budget approved by the Council?

Yes

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	
2	Finance / Section 151 (mandatory)	No comments
3	Legal / Monitoring Officer (mandatory)	
4	Human Resources (HR)	No comments
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	

8	Local Members	
9	Any external bodies / other/s	

E – Risks and any mitigation (if relevant)		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	

F - Appendices:
1. Consultation Report 2. Consultation Document 3. Estyn’s response to the Consultation

FF - Background papers (please contact the author of the Report for any further information):



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

REPORT ON THE CONSULTATION
REGARDING PROPOSALS TO LOWER THE
ADMISSION AGE OF
YSGOL GORONWY OWEN
AS FROM
31 AUGUST 2015

A. Background.

Following a request by the Governing Body of Ysgol Goronwy Owen ,the Authority consulted on the proposal to lower the admission age of Ysgol Goronwy Owen to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015.

Currently pupils are admitted to Ysgol Goronwy Owen on a full time basis in the September following their 4th birthday while Cylch Meithrin Benllech and Benllech Playgroup are the current providers of early years education in the area from the beginning of term following the 3rd birthday to the September following the 4th birthday.

B. The Consultation Process.

The Authority published a consultation document on the County Council's website and the document was discussed in a public meeting at the school on 13 January 2015. Following this paper copies were sent to a list of consultees according to the list in the consultation document. The consultation period came to an end on 23 February 2015.

C. Responses.

1. There was a total of 13 people, including parents, staff and members of the Benllech Play Group Committee, at the public meeting. The document was carefully discussed and there was an open discussion on the proposal. No objections were raised to the proposal.
2. A written response was received from the Chair of Ysgol Goronwy Owen's Governing Body and he was in favour of the proposal.
3. Verbal confirmation was received from the head teacher at Ysgol Pentraeth that there was no objection to the proposal from the school.
4. At the public meeting Benllech Play Group's Committee were in favour of the proposal but they are concerned about the timing of the decision. Better to decide as soon as possible so that arrangements can be put into place for September 2015 in terms of staffing and finance.
5. Estyn will formally reply following their second inspection visit with the school (17 March, 2015).

E. Main issues to be considered.

1. Estyn's judgement needs to be considered before proceeding with the process. .
2. Consideration needs to be given to ways of putting draft plans into place before the final decision by the Council. This will facilitate arrangements for the school and the cylch with parents knowing the likely situation for September 2015.

F. Conclusions.

1. Following the receiving of a positive opinion from Estyn the Council should move to issue a statutory notice to lower the admission age of Ysgol Goronwy Owen to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015
2. The Council should consider allowing officers to move immediately on the proposal if no objections are received within the 28 day period to present objections. This would greatly facilitate arrangements for the local community. This to be followed up with a report to the Council.
3. In the event of receiving an unfavourable opinion from Estyn, officers will re-present a report to the Council.



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

CONSULTATION DOCUMENT REGARDING
PROPOSALS TO LOWER THE ADMISSION AGE
OF YSGOL GORONWY OWEN, BENLLECH
AS FROM
31 AUGUST 2015

CONSULTATION DOCUMENT REGARDING PROPOSALS TO LOWER THE ADMISSION AGE OF YSGOL GORONWY OWEN, BENLLECH AS FROM 31 AUGUST 2015

Introduction –

This consultation is on a proposal by the Education Authority , following a request by the Governing Body of Ysgol Goronwy Owen , to lower the admission age of Ysgol Goronwy Owen to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015.

Before moving forward with its proposals, the Authority wishes to seek the views of all those with a likely interest in the proposal so that their views can be taken into account before decisions are made.

This consultation process will consist of

- contacting and providing a copy of this consultation document to all interested parties, including the Authority, who are listed in Appendix 1
- holding a meeting for interested parties on Tuesday, 13 January, 2015 at 5.30 at the school.
- making copies available of this consultation document at the school, at the relevant non-maintained settings and on the Isle of Anglesey website.
- submission of views by interested parties in writing to:

Mr Gareth Jones, Education Officer,
Lifelong Learning Department
Ffordd Glanhwfa
LLANGFNI
Ynys Môn
LL77 7EY

or you can e-mail: dgjed@anglesey.gov.uk

All views must be received by

no later than midday Monday, 23 February, 2015.

- holding a meeting with the School Council to discuss their views on the proposal

Background

If the proposal were to be implemented Ysgol Goronwy Owen may well attract future 3 year old pupils who may have attended other schools with existing 3 year old provision in the immediate area. In the case of Ysgol Goronwy Owen the schools in the immediate area are Ysgol Moelfre, Ysgol Llanbedrgoch and Ysgol Pentraeth.

The relevant details of the schools including Ysgol Goronwy Owen are-

Details	Ysgol	Ysgol	Ysgol	Ysgol
Location	Ysgol Goronwy Owen, Benllech, Ynys Môn LL74 8SG	Ysgol Moelfre, Moelfre, Amlwch, Ynys Môn LL72 8NA	Ysgol Llanbedrgoch, Llanbedrgoch, Llangefni, Ynys Môn LL76 8SX	Ysgol Pentraeth, Pentraeth, Ynys Môn LL75 8UP
Category	Community school for 4-11 year olds	Community school for 3-11 year olds	Community school for 3-11 year olds	Community school for 3-11 year olds
Language	Bilingual	Bilingual	Bilingual	Bilingual
Capacity	153	96	60	135
Admission number for part time pupils	Not relevant	11	6	15
Admission number for full time pupils	21	12	7	17
Number of part time pupils on roll as in January	Not relevant	2014 - 9 2013 - 9 2012 - 8 2011 - 13 2010 - 11	2014 - 2 2013 - 6 2012 - 8 2011 - 7 2010 - 7	2014 - 16 2013 - 14 2012 - 13 2011 - 11 2010 - 11
Number of full time pupils on roll as in January	2014 - 106 2013 - 111 2012 - 121 2011 - 124 2010 - 143	2014 - 63 2013 - 56 2012 - 62 2011 - 50 2010 - 46	2014 - 50 2013 - 52 2012 - 48 2011 - 44 2010 - 41	2014 - 83 2013 - 80 2012 - 79 2011 - 83 2010 - 80
Total pupil number forecasts	2015 - 104 2016 - 101 2017 - 97 2018 - 97	2015 - 75 2016 - 78 2017 - 78 2018 - 75	2015 - 55 2016 - 50 2017 - 49 2018 - 49	2015 - 96 2016 - 101 2017 - 102 2018 - 104

	2019 – 95	2019 – 70	2019 – 42	2019 – 107
Condition of school building as measured by survey in EC Harris, 09/10 on behalf of Welsh Government	B Satisfactory	A Good	B Satisfactory	B Satisfactory

Both the school and the two pre-school settings are required to operate within the Authority's Welsh Language Policy and Welsh Language provision would not be diminished but would be enhanced as the pupils would be taught according to the Welsh Language Policy for schools.

If the proposal were to be implemented the new class established would become a part of the school and the Governing Body would be answerable to the Authority for the standards and provision of the new class and the new class would be subject to all of the school's policies and procedures.

The table below sets out the judgements within the last available Estyn report for the school and the two pre-school settings.

<u>Aspect</u>	Ysgol Goronwy Owen Date January 2014	Cylch Meithrin Benllech Date January 2014	Benllech Play Group Date January 2014
<i><u>Key Question 1: How good are the outcomes?</u></i>	Adequate	Not relevant because of pupil numbers	Good
Standards	Adequate	-	Good
Wellbeing	Adequate	-	Good
<i><u>Key Question 2: How good is provision?</u></i>	Adequate	Good	Good
Learning Experiences	Adequate	Good	Good
Teaching	Adequate	Good	Good
Care, support and guidance	Adequate	Good	Good

Learning environment	Adequate	Good	Good
<u>Key Question 3:How good are leadership and management?</u>	Adequate	Good	Good
Leadership	Adequate	Good	Good
Improving Quality:	Adequate	Good	Good
Partnership working	Adequate	Good	Good
Resource management	Adequate	Good	Good
The school's current performance	Adequate	Good	Good
The school's prospects for improvement	Adequate	Good	Good

The proposal –

The proposal is to lower the admission age of Ysgol Goronwy Owen to admit pupils on a part time basis from the September following their 3rd birthday with effect from 31 August 2015.

Cylch Meithrin Benllech and Benllech Playgroup are the current providers of early years education in the area from the beginning of term following the 3rd birthday to the September following the 4th birthday.

Cylch Meithrin Benllech meets in the school for four afternoons a week for those children who are 3 years old, 12.20 to 2.50.

There are currently 2 pupils who had achieved their 3rd birthday by 1 September 2014, and 5 pupils who had not achieved their 3rd birthday by 1st September 2014, attending Cylch Meithrin Benllech.

Benllech Playgroup meets in a cabin on school grounds for five mornings a week for those children who are 3 years old, 9.00 – 11.30.

There are currently 6 pupils who had achieved their 3rd birthday by 1 September 2014, and 13 pupils who had not achieved their 3rd birthday by 1st September 2014, attending Benllech Playgroup.

Pupils are admitted to Ysgol Goronwy Owen on a full time basis in the September following their 4th birthday. In September 2014 there were 107 pupils on roll who are taught in 5 classes as follows:

<u>Class</u>	<u>Age</u>	<u>Number of Pupils</u>
1	Reception / Year 1	26
2	Year 2	16
3	Year 3/4	24
4	Year 4/5	26
5	Year 6	15

If the proposal to admit 3 year olds to the school on a part time basis is implemented the nursery pupils would be admitted in the mornings and taught within a classroom in the school for two hours a day (exact details to be confirmed). Ysgol Goronwy Owen would be the local providers for children from the September following their 3rd birthday.

Early Years education up to the September following the 3rd birthday would still be provided by the two pre-school settings.

The Cylch Meithrin would accept pupils once they are 2.5 years old.

Benllech Playgroup would accept pupils once they are 2 years old.

In terms of funding the school would receive additional funding through the Authority's formula based on the number of additional part time pupils registered at the school. This would provide for additional staff in terms of teachers and Foundation Phase assistants in accordance to statutory guidelines.

The pre-school settings would continue to receive a contribution towards running costs but at a lower level due to the decrease in pupils who are eligible for the part time statutory education entitlement of 10 hours a week.

Educational standards would not decrease and are expected to rise as the pupils would be taught by a qualified teacher under the direction of the head teacher and answerable to the school's Governing Body.

The statutory process

The consultation process is subject to the requirements of the School Organisation Code, document number 006/2013.

Following the end of this consultation, 23.2.15, the Authority will publish a report on the consultation which will be available on the Isle of Anglesey web site.

Authority officers will then present the report to the Executive Committee in April 2015 along with a recommendation.

If the recommendation is to continue with the proposal and this is accepted by the Executive Committee then a statutory notice will be issued and a 28 day consultation period will begin. A report will be published on the views expressed to the Authority and will be available on the Isle of Anglesey web site.

Authority officers will then present the report to the Executive Committee in July 2015 along with a final recommendation.

Response Pro-forma

A response pro-forma for comments, including an opportunity for consultees to register their wish to be notified of publication of the consultation report, is attached to the consultation document.

Atodiad 1 / Appendix 1.

Rhestr o ymgynghoreion i dderbyn copi o'r Ddogfen Ymgynghorol.

List of consultees to receive a copy of the Consultation document

Cyrff / Bodies
Cadeirydd / Chair Ysgol Goronwy Owen
Cadeirydd / Chair Ysgol Llanbedrgoch
Cadeirydd / Chair Ysgol Moelfre
Cadeirydd / Chair Ysgol Pentraeth
Cadeirydd / Chair Ysgol Syr Thomas Jones
Cadeirydd / Chair Cylch Meithrin Benllech
Cadeirydd / Chair Benllech Playgroup
Gweinidog Addysg a Sgiliau Llywodreth Cymru Minister for Education and Skills Welsh Government
AS / MP Albert Owen
AC / AM Rhun ap Iorwerth
Prif Arolygydd Estyn Chief Inspector
Aelodau Fforwm Undebau / Union Forum Members.
Cadeirydd Consortiwm Addysg Gogledd Cymru Chair North Wales Education Consortium
Prif Weithredwr / Chief Executive GWE
Comisiynydd Heddlu a Throsedd Gogledd Cymru North Wales Police and Crime Commissioner

Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council

Mr Griff E Pritchard
Llys Newydd
Dwyran
Llanfairpwll
Ynys Môn
LL61 6UU

Cynghorwyr Sir / County Councillors-

Ieuan Williams

Derlwyn Hughes

Vaughan Hughes

Cymdeithas Darparwyr Cyn-ysgol Cymru

Wales Pre-school Providers Association (WPPA)

Mudiad Meithrin (MM)

Partneriaeth Môn a Gwynedd Partnership

Introduction

This report has been prepared by Her Majesty's Inspectors of Education and Training in Wales.

Under the terms of the School Standards and Organisation (Wales) Act 2013 and its associated Code, proposers are required to send consultation documents to Estyn. However Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer.

This consultation proposal is from the Isle of Anglesey County Council, following a request from the governing body of Ysgol Goronwy Owen. The proposal is to lower the admission age of Ysgol Goronwy Owen to admit pupils on a part time basis from the September following their third birthday, with effect from 31 August 2015.

Summary/ Conclusion

It is Estyn's opinion that the proposal is likely to at least maintain the standard of education provision in the area.

Description and benefits

The local authority has not explained clearly enough how the proposal fits into its wider strategic vision for educating three year olds in the local authority.

The proposer acknowledges that if the proposal is implemented, it would impact on the number of pupils attending the pre-school settings in the immediate area. It also acknowledges that the pre-school settings would continue to receive a contribution towards running costs but at a lower level due to the decrease in pupils who are eligible for the part time statutory entitlement of 10 hours a week. The last available Estyn report judged the outcomes and provision for Benllech Playgroup to be 'good' in all areas. Cylch Meithrin Benllech was judged 'good' for provision (with insufficient numbers to report a judgement for pupil outcomes).

The possibility that Ysgol Goronwy Owen might attract future three-year old pupils who could have attended other schools in the area is also recognised in the proposal. However, the implications for the three schools identified, Ysgol Moelfre, Ysgol Llanbedrgoch and Ysgol Pentraeth are unclear. Projected pupil number forecasts are comfortably within capacity for these schools, while Ysgol Goronwy Owen has a projected surplus of more than 50 places for the same timescale.

The proposal appears to have taken sufficient account of the impact on Welsh medium provision within the local authority as currently both the school and the two pre-school settings operate within the local authority's Welsh Language Policy.

Educational aspects of the proposal

The proposal states that if the new class is established, it would be subject to all of the school's policies and procedures. As part of the school, the Governing Body would be answerable to the authority for the standards and provision. The additional funding anticipated through the council's formula based on the number of additional part time pupils registered at the school is expected to provide for additional staff in terms of teachers and Foundation Phase assistants in accordance with statutory guidelines.

The proposal asserts that educational standards are expected to rise as the pupils would be taught by a qualified teacher under the direction of the head teacher and answerable to the school's governing body. In its latest Estyn report, Ysgol Goronwy Owen was judged as 'adequate' in terms of current provision and prospects for improvement. However the school has made sufficient progress to be removed from Estyn monitoring (March 2015). The monitoring visit highlighted the good progress made by the school against the recommendations of the inspection team.

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ISLE OF ANGLESEY COUNTY COUNCIL	
REPORT TO:	EXECUTIVE
DATE:	20 APRIL 2015
SUBJECT:	PROCUREMENT STRATEGY AND PROCUREMENT POLICY
PORTFOLIO HOLDER(S):	CLLR HYWEL EIFION JONES
HEAD OF SERVICE:	RICHARD MICKLEWRIGHT
REPORT AUTHOR:	SIGNED ROWLANDS
TEL:	01248 752136
E-MAIL:	sionedrowlands@anglesey.gov.uk
LOCAL MEMBERS:	

A - Recommendation/s and reason/s
<p>As part of the transformation project, and particularly the Procurement Improvement Project, the Council has produced this Procurement Strategy. Its purpose is to set out a framework for all procurement decisions, so that they are taken in the context of the Council policies and procedures, as well as the legal and other regulatory requirements. It, therefore, aims to provide improved value for money in the procurement process, thereby assisting the achievement of value for money in the delivery of services or the purchasing of goods.</p> <p>This new Procurement Strategy places greater emphasis on local procurement issues, sustainable development, the National Procurement Service and the Welsh Government's efficiency agenda as well as directing and promoting professional procurement processes across the Authority.</p> <p>Procurement decisions for the Authority will be made to deliver best 'value for money' outcomes for the Authority and will deliver results that 'best serve' the needs of the local community.</p>
B - What other options did you consider and why did you reject them and/or opt for this option?
N/A
C - Why is this decision for the Executive?
We need to seek approval for the procurement strategy and policy.
CH - Is this decision consistent with policy approved by the full Council?
D - Is this decision within the budget approved by the Council?
N/A

DD - Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	APPROVED 23 March 2015
2	Finance / Section 151 (mandatory)	This is a Section 151 Officer report
3	Legal / Monitoring Officer (mandatory)	Comments received and documents amended to reflect the changes
4	Human Resources (HR)	
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	
E - Risks and any mitigation (if relevant)		
1	Economic	Comments received and document amended to reflect the changes.
2	Anti-poverty	N/A
3	Crime and Disorder	N/A
4	Environmental	N/A
5	Equalities	Equalities covered within the Strategy.
6	Outcome Agreements	
7	Other	
F - Appendices:		
<p>APPENDIX A - PROCUREMENT STRATEGY 2015-2018 APPENDIX B - PROCUREMENT POLICY APPENDIX C - ACTION PLAN TO DELIVER THE PROCUREMENT STRATEGY</p>		
FF - Background papers (please contact the author of the Report for any further information):		

PROCUREMENT STRATEGY 2015-2018

1. Introduction

- 1.1 Procurement is a devolved function within the Authority, many of the processes are paper based and manual. Procurement spend is circa £90m annually. The Authority issues circa 29,000 purchase orders each year and receives 49,692 invoices, of which 11,000 invoices are under £50.00.
- 1.2 It has become clear that there are a wide range of activities taking place across different department where skills and knowledge differ within departments.
- 1.3 The Procurement Improvement Programme will provide Isle of Anglesey County Council with an approach that will address the shortfalls identified in recent Internal Audit reports and the KPMG report; it will help to shape Procurement going forward. In addition, it will give better control over annual expenditure for goods and service contracts and provide services with the appropriate expertise and guidance to deliver value for money throughout the Authority in its strategic and day to day requirements. Internal Audit provided a report that indicated that there was a need for better management of the existing de-centralised Framework Agreements and Contracts to provide visibility and ensure ongoing adherence and compliance with current EU and UK legislation on Public Sector spend, these findings were also supported by the Value Wales Fitness Check.
- 1.4 This new Strategy takes greater account of local procurement issues, sustainable development, the National Procurement Services and the Welsh Assembly Government's efficiency agenda as well as directing and promoting professional procurement across the Authority.

2. Background

- 2.1 The Strategy will set the framework through which the Isle of Anglesey County Council will ensure that its procurement activities deliver value for money and directly contribute to the achievement of the Authority's Transformation Programme.
- 2.2 It recognises that the procurement of goods, works and services has a major impact on many aspects of the Authority's corporate aims, including the savings agenda and economic development.
- 2.3 These are, therefore, reflected in the Council's Procurement Policy, practice and improvement outcomes. The Isle of Anglesey County Council believes that services, supplies and works procured by the Council should be high quality, achieve value for money and, above all, be customer/user focused. In this regard, the Council operates a 'mixed economy' in relation to procurement. Goods, works and services can be delivered directly via in-house provision, in partnership with other service providers or by contract through numerous external suppliers and contractors.
- 2.4 Effective procurement is fundamental to the Isle of Anglesey County Council and the delivery of value for money, community well-being and sustainability through procurement will only be achieved by the adoption and practice of the procurement vision and aims promoted by this Strategy.

3. What do we mean by Procurement?

- 3.1** Procurement is defined as ‘the process of acquiring goods, works and services, covering both acquisitions from third parties and from in-house providers. The process spans the whole cycle from identification of needs, through to the end of a service’s contract or the end of the useful life of an asset. It involves option appraisal and the critical “make or buy” decision which may result in the provision of services in-house in appropriate circumstances’.
- 3.2** Procurement decisions for the Authority will be made to deliver best ‘value for money’ outcomes for the Authority and will deliver results that ‘best serve’ the needs of the local community.
- 3.3** It is vital that these services are delivered to the highest possible standards within existing budget constraints and we must demonstrate that we have explored all areas of possible savings. This will, therefore, lead to a contracting process that affords the greatest value for the Council and the community.

4. Our Vision for Procurement

- 4.1** The Isle of Anglesey County Council will demonstrate continuous improvement and the achievement of value for money through the effective procurement of its goods, works and services.
- 4.2** The Authority will advertise all procurement opportunities over the tender threshold on Sell2Wales in order to maximise the opportunities for local SME’s and all other contractors and ensure best value for money.

5. To Achieve this Vision

- 5.1** The Isle of Anglesey County Council will procure goods, services and works by the most efficient, sustainable and cost effective means to help ensure that its needs and those of the local community are met.
- 5.2** This will be within a clear framework of accountability and responsibility that adopts legally compliant, best practice procurement procedures and techniques.

6. How do we get there?

- 6.1** The Authority has set up a new team within procurement, the team will assist departments with tenders and contract. They will provide advice and guidance on the best route to market and ensure compliance with Internal Contract Procedure Rules and EU Regulations. We also need to ensure that a collaborative approach is implemented, whereby the procurement knowledge, experience and expertise already within the Council is pooled across the organisation supported by the specialist knowledge of the Central Procurement Unit. Any gaps in local knowledge, experience and expertise should be filled by collaborative arrangement with other public sector organisations.
- 6.2** This Procurement Strategy sets out the priorities for procurement in the Council and will play a vital part in helping us to achieve value for money and compliance with regulations.

7. Welsh Language Requirements

The Welsh Language (Wales) Measure 2011 modernises the legal framework regarding the use of the Welsh language in the delivery of public services. The Measure enables Welsh Ministers to specify standards of conduct relating to the Welsh language. Standards will gradually replace the existing system of Welsh language schemes provided for by the Welsh Language Act 1993. We will be required to comply with the Welsh Language standards that will be set by the Welsh Language Commissioner.

8. Aims of the Strategy

8.1 Supporting the Local Economy

8.1.1 Procurement legislation does not allow the Council to simply favour small or local businesses over others. Its supplier selection and tender evaluation procedures must be transparent, non-discriminatory and based on best value. However, it is possible to take sustainability and quality into account, such as response times etc, when service delivery options are being considered. Legislation allows factors such as carbon footprint, replacement cycles and social benefits to be taken into consideration wherever it is appropriate to the contract. Social benefits would clearly have to be defined beforehand in order to be taken into consideration.

8.1.2 The correct stage to address local sustainability issues is right at the beginning of the procurement process – during the formation of the business case and in the writing of the specification. In order to do this successfully, those involved in the procurement and commissioning process need to be knowledgeable and familiar with what the market can offer in terms of added value and this can only come about by regular dialogue and consultation with providers and potential providers. To ensure the Council gives appropriate opportunity and consideration to the local business community:-

8.1.2.1 The Council has signed up and is fully committed and supported to the principles of the Welsh Assembly Government's Opening Doors Charter and will fully apply all details of that Charter to help ensure that local small to medium size enterprises are given full opportunity to compete for and provide goods, services and works to the Authority.

8.1.2.2 Working in connection with Business Wales, the Council will engage with the local business community and aim to raise awareness of "how to do business with the Council".

8.1.2.3 The Council will seek to encourage, support and develop Small to Medium Size Enterprise (SME's) markets where possible to maximise the local benefit of procurement opportunities, subject to compliance with relevant procurement regulation.

8.1.2.4 The Council will look to adopt whole life costing principles to major procurement activities, by recognising the impact on the social, economic and environmental wellbeing within the Island.

8.1.2.5 The Authority holds 'meet the buyer' events prior to the tendering process in order to ensure that current and potential suppliers are aware of any commercial opportunities that will arise. We work with Business Wales, they are there to guide suppliers on filling in the tender documents, example would be 'repairs and maintenance' framework.

8.2 Sustainability

8.2.1 The Council recognises it has a vital role in furthering sustainable development, through its procurement of goods, works and services. Procurement decisions have a major socio-economic and environmental implication, both locally and globally, now and for future generations. In this respect the Council will, therefore, strive comply with the following:-

- Educate, train and encourage internal purchasers to review their consumption of goods and services, reduce usage and adopt more environmentally friendly alternative products;
- Develop and communicate a sustainable procurement policy to all staff, suppliers and stakeholders;
- Promote and embed best practice for sustainable procurement;
- Consider the costs and benefits of environmentally preferable goods, suppliers and services and build these, as applicable, into the procurement process;
- Investigate opportunities for recycling, reduced usage, bulk delivery and better packaging;
- Fully support the Council's commitment to Small Businesses (the Opening Doors Charter);
- Ensure that, where appropriate and allowable, sustainability criteria are part of the supplier evaluation process and are used in the awarding of contracts;
- Within contracts, we could build in 'community benefits' clauses and encourage contractors to use local sub-contractors or use local produce, a good example would be the school meals contract. Community benefits can be differentiated between core and non-core;
- Address perceived barriers to the Council doing business with small businesses & the third sectors;
- Comply with relevant legislation in relation to sustainability;
- Support achievement of Council targets for sustainable improvement.

8.3 How procurement can contribute to delivering the Efficiency Strategy

8.3.1 It is recognised that efficiencies in procurement will make a vital contribution towards the Council's overall savings targets. The Isle of Anglesey County Council will procure goods, services and works by the most efficient, sustainable and cost effective way to ensure we achieve value for money.

8.3.2 The Council's Efficiency Strategy 2014-2017 reflects eight efficiency principles as follows:-

- Ensuring Value for Money;
- Reducing the cost of management, democracy and bureaucracy;
- Transforming statutory services;
- Working with others to save money/services;
- Getting the most out of our staff;
- Increasing Income;
- Challenging delivery of non-statutory services where others can/could provide them.

8.3.3 Procurement will work with the National Procurement Services and will utilise their framework agreements for all common and repetitive spend contracts. The Corporate Procurement Team will also test the market on all areas of non-compliance of spend.

8.3.4 In order to achieve these efficiencies, Procurement will contribute through:-

- **Collaboration:** working with other public sector bodies and Value Wales (Procurement) to obtain better value from contracts by combining buying power and sharing the costs of tendering;
- **Standardisation:** ensuring procurement processes and documentation are standardised throughout the Council to the maximum extent possible. Please refer to the Procurement Handbook;
- **E-Procurement:** implementation of an electronic procurement system throughout the Council and using modern procurement tools such as Purchase Cards and E-Tendering to drive down process costs and tools such as E-Auctions to drive down purchase prices;
- **Aggregation of Demand:** we shall continue to analyse historical purchasing management information to identify areas where corporate contracts can bring better economies of scale;
- **Consolidation of Supply:** by consolidating our requirements, we shall aim to work with fewer suppliers, helping to ensure that those we do work with see us as an important customer and provide an appropriate level of service.

8.4 Process Control and Framework

8.4.1 European Union Procurement Directives, The Public Contracts Regulations 2015 as well as the Contract Procedure Rules for the Isle of Anglesey County Council and other regulatory guidance set out the bases within which all procurement must take place. It is fundamental that there is openness and transparency in procurement and all processes that we employ or are to adopt must reflect this fact whilst still remaining responsive to the modernising agenda for the Welsh and UK local government.

8.4.2 To deliver an effective purchasing and process control framework, the Council will:-

- Ensure adoption of procurement practices in line with legislative regulations and Council policy and work to maintain individual compliance in relation to these;
- Monitor and measure procurement activity to ensure best practice, legal compliance and compliant spend issues are identified;
- Ensure Financial Regulations and Procedures provide appropriate internal rules of control are reviewed to take account of any future changes in procurement practice e.g. electronic procurement;
- Update and develop the Procurement Handbook to provide specific procedural guidance to Council staff. The document to be revised to take account of developing and emerging issues that are currently of focus within UK government and also to take account of those issues that are being brought to the fore by the current economic climate;
- Up-date the 'Corporate Contracts Register', encompassing all major procurements that are due in the following 2-5 years;
- Continue to develop our Contracts Register to ensure that there is awareness of the Council's existing and future contractual arrangements. Ensure visibility of this is provided not only across the Council but also to external businesses who may wish to be considered for future opportunities;
- Ensure that the Contract Register is visible on the Council's website.

8.5 Capability, Development and Communication

- 8.5.1** The Council will be open with all internal and external stakeholders in terms of how, when and why it is undertaking procurement activities. It will, therefore, develop a specific communications plan to provide information to all officers of the Isle of Anglesey County Council as well as to current and prospective suppliers. The Council aims to provide equality of opportunity and access to the best suppliers for the Council.
- 8.5.2** The Council will ensure fairness and transparency within their procurement process. This includes ensuring that we satisfy statutory duty to equality and ensure that subcontractors/suppliers comply with the Equality Act 2010. We will carry this out through:-
- Focus on providing information to all Companies in line with the 'Working with Anglesey Document';
 - Provide visibility of our Contracts Register to all Suppliers;
 - Ensure the Council's principles of equality are incorporated in to procurement activity by ensuring suppliers / contractors satisfy all diversity requirements;
 - Ensure that all procurement activity with all potential providers is in accordance with best practice guidelines and relevant legislation;
 - Give opportunity for debrief to those who have been unsuccessful in our procurement exercises, to develop and make them better equipped for any future Council procurement exercise they may become involved in;
 - Ensure that internal communication (via the intranet, the Strategic Procurement Group) is developed and supportive of a corporate ethos for procurement being embedded across the Authority;
 - Provide training sessions to raise the awareness of procurement issues and to deliver the desired quality of procurement across the organisation;
 - Ensure that all departments will comply with procurement regulations;
 - Provide initial training to Members as part of the Member training programme.

8.6 Electronic Procurement

The Council's Vision for E-Procurement

- 8.6.1** The Isle of Anglesey County Council will make best use of Information & Communication Technology (ICT) to reduce the cost of the procurement process for both the Council and its suppliers and contractors.
- 8.6.2** E-procurement is not seen as an opportunity to drive down prices at the expense of suppliers and contractors. Savings are anticipated from greater controls over 'on-contract' spending, reduced transaction and processing costs and appropriate discounts with suppliers and contractors who may receive high volumes of business from the Council. For staff across the Authority, it is intended that E-procurement will be easy, secure and user friendly. Whether by a fully integrated procurement system or the use of purchasing cards and online ordering systems, the chosen procurement method needs to integrate with the Council's accounting systems to enable 'real-time' financial management of procurement expenditure. E-procurement will mean that procurement management information is available. The detail of information (never previously available) will be directly used to help develop and improve services provided for Anglesey.
- 8.6.3 Implementing Electronic Procurement**
- E-Procurement Strategy**

8.6.4 Through the application of E-procurement, the Council will achieve efficiencies in the procurement cycle especially for regular procurement activities. By improving the tools available, together with the use of purchasing cards, the Council will add value to our current purchasing arrangements. It will communicate electronically with suppliers where possible and look to access appropriate E-Marketplace sites. The Council will look to implement new E-sourcing tools such as E-tendering and E-auctions. As these new facilities become embedded, the Council will increase collaborative working and sharing of information with other Public Sector Bodies.

8.6.5 All contracts will make provision for E-procurement processes to be used wherever practicable. The adoption of E-procurement will assist procurement activities to move from a devolved operational focus to a consolidated strategic approach. This, in turn, will consolidate spend and prevent duplication of processes and enable greater all-round visibility. This will facilitate and allow for the management of spend across the Authority to be scrutinised.

8.6.6 The Council's key aims for E-procurement are:-

Development of a comprehensive E-procurement infrastructure, which will deliver best practice E-procurement solutions for the Council. To map out the way forward on reforming and continuously improving the procurement function across the Council, whilst still reflecting the core values and corporate objectives. The Council therefore aim to:-

- E-enable the E-sourcing tools;
- Encourage local business to trade electronically with the public sector;
- Standardise procurement documentation and procedures;
- Provide detailed management information;
- Information of best value, compliant procurement activity.

8.6.7 To develop and implement our E-procurement vision and aims, the Council will:-

- Identify and evaluate E-procurement solutions which will widen the E-procurement capability of the Council;
- Ensure that any such solutions and Business Cases are compatible with the Council's overall strategies and policies;
- Ensure that any such solutions include and provide efficiencies & benefits to back-office systems as well as traditional procurement activity. Introduce appropriate electronic procurement solutions, including Portals/marketplace(s), quotations, tendering and auctions;
- To identify key areas of spend and categorise them into groups appropriate to each E-procurement solution.

8.7 Collaboration

8.7.1 The Isle of Anglesey County Council seeks to gain from sharing best practice and is committed to maximising opportunities for delivering better value for money through collaborative procurement arrangements. It recognises the value that appropriate collaboration with our public sector partners has in maximising economies of scale and buying power. To work actively to exploit the benefits from continued and new collaborative opportunities we will:-

- Work with the National Procurement Services;
- Increase levels of financial benefit and service delivery by the delivery of collaborative contracts in line with an agreed work plan;
- Give appropriate consideration to the increasing range of collaborative contract opportunities available to Public Sector Organisations via the Crown Commercial Services and other Purchasing Organisations;
- Work in partnership with other Authorities on relevant procurement issues to gain knowledge, share information and work to build any results obtained into our future procurement activity.

8.7.2 Any level of collaboration should meet the following key principles:-

- Collaboration to be considered if one or more authorities, or other sectors, identify the opportunity where a common theme exists;
- The principle that collaborations can be considered at different levels:- regionally, sub-regionally, nationally or locally with non Local Authority partners ;
- Full considerations must be given to all options supported by a robust business case before committing to any collaboration project;
- Collaboration must only be undertaken where there is a clear benefit to the Authority;
- The Council's Welsh language policy must always form part of any collaboration scheme involving Anglesey.

8.8 Managing our Suppliers and Contractors

8.8.1 The Council recognises the need to encourage a mixed range of suppliers that help to deliver best value for money via a varied and competitive market place. The Council is, therefore, committed to developing our arrangements with contractors and suppliers in a way that is appropriate to best practice procurement principles and where it provides the best outcomes.

8.8.2 In addition, the Council recognise that effective contract management will increase value for money and quality of service provided and we will strive to achieve and maximise benefits that sound contractual relationships deliver.

8.8.3 To assist in 'best practice' management of our supply base the Council will:-

- Assess and evaluate our suppliers and contractors in line with criteria relevant to the contract being undertaken;
- Ensure that relationship management of Companies and contracts is matched to the value and business risk of the purchase;
- Consider financial strength, stability and other criteria considered relevant of companies in relation to suitability of ability to tender and/or in relation to potential award of business;
- Evaluate and manage risk in relation of companies and related procurement exercises in accordance with the Council's Risk Strategy;
- Manage major procurement activity in line with the Council's Project Management Toolkit and in line with the principles of the 'Gateways' approval process.

PROCUREMENT POLICY

Each year, the Isle of Anglesey County Council spends approximately £90 million with external suppliers. Not surprisingly, therefore, procurement is viewed as a key business process; not only because of its financial impact but also because of the essential role good procurement plays in the successful achievement of our business goals and objectives. The purpose of this Procurement Policy is to succinctly describe the key principles that underpin IoACC's approach to procurement and its relationship with the supply market upon which it relies.

Our approach to procurement and its associated processes and procedures reflect and support the following key principles:-

1. Value for Money

- 1.1 Procurement decisions are based upon achieving best value for money for the Authority. Best value for money is defined as the optimum combination of whole life cost and quality to meet the customer's requirements.
- 1.2 This demands adopting a balanced approach to procurement which, wherever practicable, considers whole life cost rather than simply purchase price, together with other key considerations such as:-
 - Quality, reliability and fitness for purpose;
 - Environmental and sustainability implications;
 - Risk evaluation and management;
 - Health and safety;
 - Suppliers' capacities and capabilities to meet our needs, including technical, managerial and delivery capabilities.
- 1.3 'Whole life cost' represents the total cost of ownership of the goods or services we purchase and includes not only the purchase price but also such factors as ongoing operating costs (including energy consumption), spares, repairs and maintenance, upgrades and disposal costs.

2. Procurement best practice

- 2.1 We are committed to employing procurement best practice across the Authority. By doing so, we aim to continuously improve procurement contribution to achievement of our business goals. This ongoing aim is supported by our Corporate Procurement Team whose role is to:-
 - Work closely with its internal Customers to develop and deliver procurement solutions, which fully meet their business needs;
 - Encourage and facilitate the use of best practice procurement processes, procedures, tools and techniques throughout the Authority;
 - Ensure all procurement is undertaken in line with the principles embodied in this Procurement Policy, Contract Procedure Rules, Procurement Strategy and the Financial Procedure Rules;
 - Be a source of professional procurement advice and guidance across the Authority, to our suppliers and to our customers;
 - Monitor compliance with our internal Contract Procedure Rules and European procurement legislation.
- 2.2 The role, remit and responsibilities of the Corporate Procurement Team are described further in the 'Procurement Role Statement'.

3. Compliance with our Contract Procedures Rules

3.1 We expect all our staff to demonstrate values in all our activities and to fully comply with the Authority's Contract Procedure Rules. Staff should maintain a high standard of personal behaviour in all business dealings relating to procurement process, they are required to:-

- Be objective in all dealings with suppliers and ensure that procurement decisions are supported by an appropriate 'audit trail';
- Treat all suppliers fairly and respectfully;
- Not divulge commercially confidential information provided by any supplier to other suppliers or third parties;
- Avoid any potential conflict of interest;
- Not accept gifts, other than those of token value, such as calendars or diaries.

3.2 We expect that our suppliers' behaviour will conform to these same standards.

4. Working with Suppliers who can meet our needs

4.1 With a procurement spend of circa £90m, we recognise the importance of suppliers who help us to deliver our front line services and ensure we meet our corporate values. We are looking to work with suppliers who:-

- Understand and have the capabilities to respond to our business requirements;
- Are responsive to changes in business needs and circumstances;
- Are financially stable;
- Are innovative and proactive – always seeking ways of improving their products/services and offering increased value.

4.2 We actively encourage new suppliers – particularly SMEs – to compete for our business. To this end, we use the Sell2Wales website, whenever possible, to advertise our upcoming requirements and have adopted the commitments set out in 'Opening Doors – the Charter for SME Friendly Procurement'.

5. Prompt Payment

5.1 Payment terms will be agreed with all suppliers before contract award or order placement. It is our policy to:-

- Adhere to these terms unless agreed otherwise by both parties;
- Consistently pay all suppliers within 30 days of receipt of a valid invoice;
- Inform suppliers promptly if invoices are contested and to deal with all supplier invoice related issues and queries speedily.

6. Legislative Compliance

6.1 It is the Isle of Anglesey County Council's policy to fully comply with all relevant regulations relating to Procurement, with particular relevance to the EU procurement regulations, both in terms of procedural compliance and adherence to its basic principles of non-discrimination, equal treatment, transparency and proportionality.

7. Procurement Role Statement

7.1 The Corporate Procurement Team is currently responsible for:-

- Monitoring compliance with internal procedures and European procurement legislation;
- Provide advice and guidance on all areas relating to tenders and contracts;
- Manage all EU Procurement Projects;
- Management of the purchase card programme;
- Working with other organisations to identify collaborative procurement opportunities.

The Corporate Procurement Team contribution will, therefore, shift 'upstream' so that procurement staff are engaged more strongly in the development of procurement and contract strategies through multi-functional project teams and become less involved in the detailed preparation of contract documentation. This change of emphasis will be accompanied and supported by appropriate training under the guidance of the Corporate Procurement Team. To ensure adequate review and control, critical and high value contracts will be referred to the Corporate Procurement Team. To ensure more efficient and effective management of low value high volume transactions, collaborative arrangements and mechanisms such as frameworks and call off contracts will be utilised to make purchasing straightforward and speedy whilst retaining adequate control of commercial risk and compliance issues. Centralising budgets for common and repetitive spend will also take place in order to achieve savings.

7.2 Departments are also responsible for their procurement but complex tenders and projects should be referred to the Corporate Procurement Team.

7.3 The main role of the Corporate Procurement Team will be to:-

- Lead continuous improvement of the procurement process and relevant controls in line with our procurement policy;
- Work closely with its internal Customers to develop and deliver procurement solutions which fully meet their business needs, manage commercial risk effectively and deliver value for money;
- Provide leadership in the field of environmental procurement in Wales;
- Encourage and facilitate the use of best practice procurement processes, procedures, tools and techniques throughout the organisation;
- Be a source of professional procurement advice and guidance across the Authority, to our suppliers and to our citizens;
- Monitor compliance with our internal contract procedures rules and European procurement legislation;
- Facilitate collaboration with other public sector organisations where beneficial and consistent with our principles and objectives;
- Establish corporate frameworks and call off contracts where appropriate;
- Monitor all contracts above the tender threshold in order to ensure adherence to contracts procedure rules and EU Regulations.

ACTION PLAN TO DELIVER THE PROCUREMENT STRATEGY

The Procurement Strategy will be delivered within the Authority against the following actions. Actions have been split into sub headings as follows:-

ACTION	TARGET DATE	RESPONSIBILITY
<p>Supporting the Local Economy</p> <ul style="list-style-type: none"> • Procurement team to arrange ‘meet the buyer events’ prior to advertising tenders – this will ensure that all local suppliers are aware of commercial opportunities and also the route to market. • Ensure that ‘Business Wales’ are aware of tendering opportunities and attend ‘meet the buyer’ events in order to help suppliers to complete documents. • Ensure that all tendering opportunities are advertised on ‘sell2wales’. • Complete ‘How to do business with the Council’ document in order to ensure that all suppliers are aware of what we require from suppliers. • Promote the use of ‘SQUID’ (Supplier Qualification Information Database) in order to minimise the work for suppliers, they will only need to fill in document once. 	<p>On-going</p> <p>On-going</p> <p>On-going</p> <p>July 2015</p> <p>July 2015</p>	<p>Corporate Procurement Team / Department</p> <p>Corporate Procurement Team / Department</p> <p>Corporate Procurement Team</p> <p>Corporate Procurement Team</p> <p>Corporate Procurement Team</p>
<p>Sustainability</p> <ul style="list-style-type: none"> • Develop a checklist that will be used by departments to ensure that sustainability issues are considered within tender documents. • Ensure that ‘community benefits’ clauses are included within the specifications of tenders where necessary. • Ensure that ‘community benefits’ are monitored. 	<p>July 2015</p> <p>On-going</p> <p>On-going</p>	<p>Corporate Procurement Team</p> <p>Departments / Corporate Procurement Team</p> <p>On-going</p>
<p>Value for money</p> <ul style="list-style-type: none"> • Ensure that all tenders above £25k are advertised on Sell2Wales. • Working with departments to ensure that they are choosing the best ‘route to market’ in order to achieve better value for money. • ‘Centralising budgets’ for common and repetitive spend. • Realising saving opportunities. 	<p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p>	<p>Corporate Procurement Team</p> <p>Corporate Procurement Team</p> <p>Corporate Procurement Team</p> <p>Corporate Procurement Team / Department</p>

<ul style="list-style-type: none"> • Challenge departments on specifications to realise smarter ways of working, ie cheaper to run the service in house or outsource. • Maximise the use of the 'National Procurement Services' Tenders, these will bring economies of scales and lead to better value for money. 	<p>On-going</p> <p>On-going</p>	<p>Corporate Procurement Team</p> <p>Corporate Procurement Team</p>
<p>Communication</p> <ul style="list-style-type: none"> • Attend 'Heads of Service' meetings to ensure that they are aware of the Procurements Strategy and Policy and to ensure early 'buy-in'. • Ensure that there is a 'Procurement Champion' in each department, they will be the key link to all procurement issues. • Ensure that all personnel responsible for procurement receive training on 'sell2wales', Contract Procedure Rules and the new EU Procurement Regulations. • Ensure that departments are aware of the frameworks available from the National Procurement Services and the fact that they are mandatory. 	<p>May 2015</p> <p>On-going</p> <p>July 2015</p> <p>July 2015</p>	<p>Corporate Procurement Manager</p> <p>Corporate Procurement Team</p> <p>Corporate Procurement Team</p> <p>Corporate Procurement Team</p>
<p>E-Procurement</p> <ul style="list-style-type: none"> • Roll out of pilot exercise for E-tender Wales, if successful roll out throughout the Authority. • Ensure that the best possible options are utilised for central contracts, eg electronic catalogues or punch out direct to suppliers websites 	<p>June 2015</p> <p>On-going</p>	<p>Corporate Procurement Team</p> <p>Corporate Procurement Team</p>

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ISLE OF ANGLESEY COUNTY COUNCIL	
REPORT TO:	EXECUTIVE
DATE:	20 APRIL 2015
SUBJECT:	ROLL OUT OF E-PROCUREMENT WITHIN THE AUTHORITY
PORTFOLIO HOLDER(S):	CLLR. HYWEL EIFION JONES
HEAD OF SERVICE:	RICHARD MICKLEWRIGHT
REPORT AUTHOR:	SIONED ROWLANDS
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LOCAL MEMBERS:	

A – Recommendation/s and reason/s

Nature and reason for reporting

To seek approval to roll out E-Procurement across the Authority. We will carry out a pilot in the first instance.

INTRODUCTION/BACKGROUND

What is an E-Procurement system?

The combined use of information and communication technology to procure a wide range of goods and services. An e-procurement system can simplify all aspects of the purchasing process whilst applying tighter controls over spending and product preferences. The e-procurement service aims to provide public sector buyers and their suppliers with access to online and offline tools that makes it easy to source, order and pay online. It saves time and money by ensuring best value is delivered in buying goods or services.

Current Set up within the Authority:-

Procurement is a devolved function within the Authority; many of the processes are paper based and manual. Procurement spend is circa £90m annually. No standard templates are in place to cover the procurement processes.

It has become clear that there are a wide range of activities taking place across different departments where skills and knowledge differ within departments.

Some electronic tendering is taking place within the Authority; tenders are returned via Sell2Wales but there is no means of electronically evaluating tenders, these are all paper based which is time consuming and resource intensive.

Proposal:-

As part of the Procurement Improvement Project, a procurement strategy, procurement policy and a procurement handbook have been drafted in order to direct procurement within the Authority and ensure that all processes are compliant and efficient. The handbook has been designed in order for all departments to procure in accordance with the Authority's Contract Procedure Rules and EU Regulations. Standard forms and documents as well as process maps of different procurement routes have been designed. We will also deliver training to departments on the use of E-tender Wales.

We are proposing to roll out E-tender Wales, benefits would include:-

- Structured best practice process for consistency;
- Security, audit trails and high availability infrastructure;
- Functionality to reduce administration and allow better focus on robust evaluation and better decision making;
- Electronic approach supports sustainability agendas;
- Faster turnaround time;
- Reduction of administrative overheads;
- Available fraud protection mechanisms;
- Access to information 24 hours a day;
- Ease and speed to notify of changes or clarifications to the tender documents;
- Ability of bidders to modify or withdraw their bids at any time prior to the close of the tender;
- Elimination of arithmetic errors;
- Incomplete bids are automatically rejected, thereby giving bidders the opportunity to correct them;
- Arguably expands the market by allowing smaller companies greater access, regardless of location, to respond in a cost-effective way without the traditional concerns of how to get the bid in on time;
- Arguably expands the market to a greater number of bidders and to bidders to a greater number of projects.

The benefits to Suppliers include:-

- Access to your projects at any time, anywhere via web portal;
- Eliminates postal, printing and storage costs;
- Structured process and online questionnaires help you achieve compliant responses;
- Electronic approach means a faster process meaning less time spent on administration and faster award decisions.

Why should the Authority be interested?

From the small number of authorities who have implemented fully working e-tendering solutions, there is growing evidence that e-tendering solutions can deliver benefits to an authority:-

Savings in process costs of up to 15% for a Request for quotation, up to 25% for a non-Official Journal of the European Union (OJEU) tender and up to 28% for an OJEU tender.

Valuable intangible benefits such as better management of the tender process, increased transparency of decision making and a reduced potential for disputes.

B – What other options did you consider and why did you reject them and/or opt for this option?

With reference to the ‘Smarter Working Project’

The Corporate Plan 2013-17 states that in the future *“all interaction, internal and external, will be enabled electronically. Face to face and other routes will exist, for those who need it. By changing the systems it will free staff up to get on and ‘do their job’ within clear boundaries and using processes which are robust yet agile.”*

The work being undertaken through the *Smarter Working Programme* is helping to shape Anglesey’s ICT Strategy. It is through understanding how we will be working going forward that will define the direction and use of ICT in the IoACC.

In order to deliver on our corporate objectives, it is recognised that there are a number of pre-requisites that must be achieved, which includes:-

- Services must be supported in adopting wider use of technology to enable more efficient and effective delivery of their services.

It is envisaged that the work streams within the *Smarter Working Programme* will support the Authority in meeting the pre-requisites, whilst also:-

- Enabling staff to move and work easily between roles and services as a result of standardised equipment and processes;
- Improving service delivery through the integration and harmonisation of ICT processes; and
- Reducing the overhead running costs of the Council.

Guidance on Efficiencies and Good Practice

Through the development of the project, a number of areas of good, and not so good, practice were identified. There is an opportunity to bring together a number of key areas for improvement that can be addressed, in part, by offering the right guidance and signposting.

It is the recommendation of this case that a policy for staff is developed covering effective working practices.

Local Economy – with regards to the Local SME’s, Business Wales are working to promote the SQID (Supplier Qualification Information Database) in order for suppliers having only to respond once to questions relating to tenders. Information will be held on the database and suppliers will only be required to fill in once, leading to less work for the suppliers. All opportunities are advertised via Sell2Wales in order to promote competition and ensure SME’s have the opportunity to submit a bid for tenders.

There is no cost associated with purchasing the system, it’s free of charge via Welsh Government, however, if we were to use Electronic Auctions etc. there would be costs associated.

C – Why is this a decision for the Executive?

We are seeking approval to roll out E-procurement within the Authority.

CH – Is this decision consistent with policy approved by the full Council?

D – Is this decision within the budget approved by the Council?

N/A

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	Approved in SLT 23 March 2015
2	Finance / Section 151 (mandatory)	This is a Section 151 Officer report.
3	Legal / Monitoring Officer (mandatory)	Comments received and documents amended to reflect the changes
5	Human Resources (HR)	
6	Property	
7	Information Communication Technology (ICT)	
8	Scrutiny	
9	Local Members	
10	Any external bodies / other/s	
E – Risks and any mitigation (if relevant)		
1	Economic	Comments received and document amended to reflect the changes
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	
F - Appendices:		
FF - Background papers (please contact the author of the Report for any further information):		

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	The Executive
Date:	20 April 2015
Subject:	Scrutiny Outcome Panel – Sickness Absence Management Review
Portfolio Holder(s):	Councillor Alwyn Rowlands
Head of Service:	Not Applicable
Report Author: Tel: E-mail:	Scrutiny Outcome Panel of the Corporate Scrutiny Committee care of : (01248) 752039 care of : gwrce@anglesey.gov.uk
Local Members:	Not Applicable

A –Recommendation/s and reason/s
As outlined in the attached Report

B – What other options did you consider and why did you reject them and/or opt for this option?
Not Applicable

C – Why is this decision for the Executive?
As outlined in the Scrutiny Procedure Rules in the Council’s Constitution

CH – Is this decision consistent with policy approved by the full Council?
Yes

D – Is this decision within the budget approved by the Council?
Not Known

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	To submit verbal comments at the Executive meeting
2	Finance / Section 151 (mandatory)	The savings identified in the report is a misleading figure that would not be achieved as cash saving. If a decision is to be made to extend the Sickness Co-coordinator it should be done only after a more detailed analysis is carried out. Any extension would also need to be funded from an identified budget.
3	Legal / Monitoring Officer (mandatory)	No observations on the report
4	Human Resources (HR)	<p>Head of Profession and a Human Resources representative attended a number of the Scrutiny Outcome Panels as contributors.</p> <p>Sickness absence levels in Table 1 represent the figure at March 2013 (14.45 days). This figure had reduced to 12.38 days in March 2014.</p> <p>Human Resources have concerns about the legitimacy and practicality of requesting fit notes after 3 days absence which contravenes national standard practice. Doctors are not obliged to produce fit notes until after 7 days absence and may charge a fee (some may not provide one at all in which case employees will be unable to comply).</p> <p>Some of the Sandwell initiatives are already provided by the Authority and were not discussed during the meeting when Human Resources were present.</p> <p>Current levels of support provided to managers by the Sickness Absence Co-coordinator will not be sustainable in Human Resources if the post is not extended.</p>
5	Property	Not Applicable
6	Information Communication Technology (ICT)	Not Applicable
7	Scrutiny	Scrutiny Outcome Panel was set up following the Corporate Scrutiny Committee's monitoring of the Scorecard and negative press report concerning sickness absence in the Council during April 2014.
8	Local Members	Not Applicable
9	Any external bodies / other/s	Not Applicable

F – Risks and any mitigation (if relevant)		
1	Economic	Not Applicable
2	Anti-poverty	Not Applicable
3	Crime and Disorder	Not Applicable
4	Environmental	Not Applicable
5	Equalities	Not Applicable
6	Outcome Agreements	Not Applicable
7	Other	Not Applicable

FF - Appendices:
Appendix : Scrutiny Outcome Panel Report – Sickness Absence Management Review

G - Background papers (please contact the author of the Report for any further information):
Chair of the Scrutiny Outcome Panel. (C/O Geraint Wyn Roberts, Scrutiny Unit, Isle of Anglesey County Council, Council Offices, Llangefni LL77 7TW

ISLE OF ANGLESEY COUNTY COUNCIL	
SUBJECT:	Scrutiny Outcome Panel Report – Sickness Absence Management Review
DATE:	20 April 2015
REPORT AUTHOR:	Scrutiny Outcome Panel of the Corporate Scrutiny Committee (together with assistance from the Scrutiny Manager).
Report Considered by Corporate Scrutiny Committee on:	24/3/15
Tel: E-mail:	care of: 01248 752039 care of: gwrce@anglesey.gov.uk

1) **RECOMMENDATIONS:**

- 1.1 Extend the Sickness Co-ordinator post. Since the post was created during 2013 the Sickness Co-ordinator post has been instrumental in bringing down the sickness rates in the Council from 14.45 days (32,143.35 p.a.) to 12.38 days (29,109.5 p.a). Using the daily average salary of £76.37 we can estimate a saving of productivity of £231,694 and reducing the additional costs we incur having to bring in cover e.g direct social care jobs. *[cross-ref: Conclusion 5.1]*

- 1.2 That the Executive should consider opening discussions with unions with a view to reaching an agreement that employees must provide a fit note from their Doctor after 3 working days sickness absence (instead of current 7 days) and that the Executive consider whether or not it would be financially possible for the Council to reimburse the medical fee (if any) incurred by the employee in obtaining a fit note. *[Cross ref:C5.3]*

- 1.3 That the Executive ensures that **all** Senior Officers and Managers receive training on the Managing Sickness Policy and that all employees are made aware of the importance of reducing sickness levels within the authority to protect delivery of frontline services. The report articulates the Key Priorities of managing the Process for Managers in Appendix B.

- 1.4 That an additional team award for best attendance be added to the annual ceremony held in the Chamber. This would be for the Managers to manage via MyView and Human Resources (HR) on the Northgate system at the

end of year. [Cross ref:5.2]

- 1.5 Consideration should be given to rewarding individual employees with an outstanding attendance record.
- 1.6 That the Council pursue some of the examples outlined in the report under paragraph 5.4 .The Sickness Co-ordinator's post would be best placed to pursue such a programme and to further bring down the high sickness figures experienced in the Council. [Cross ref: 5.4]

2) REASON FOR REPORT:

- 2.1 In April 2014 the Council received bad press coverage stating Anglesey Council employees were among the highest in Wales for taking days off sick. Although this meant we had the lowest number of total days lost in comparison to other North Wales Councils, as a percentage of the total number of staff employed it was the highest (see Table 1).

Table 1. North Wales Councils' Comparisons per year	Total number of days lost	Total No of days lost as a percentage of staff Numbers
Flintshire	60,926	11.03
Wrexham	49,252	9.9
Gwynedd	43,980	8.5
Conwy	37,300	10.8
Denbighshire	34,184	8.6
Anglesey/Ynys Mon	32,143	14.45

- 2.2 The Corporate Scrutiny Committee agreed this Panel be set up to try to add value by reviewing the current practices and offering some ideas for a way forward to lower the days off and thus make savings for the council to enable more monies to reach the front line services.

3) METHODOLOGY:

- 3.1 The Scrutiny Panel members completed the Scrutiny Proforma/Project plan for the task and finish Panel along lines discussed by the Scrutiny Committee (**Appendix D**)
- 3.2 A completed Proforma sets out in writing the Terms of Reference for the Panel and the outcome(s) they are seeking. The proforma assists with a number of headings to create consistency with Scrutiny Reviews and it thus also helps to

avoid going off on any tangents as is so easily done when reviewing a topic. The proforma also aids keeping to a set timeframe.

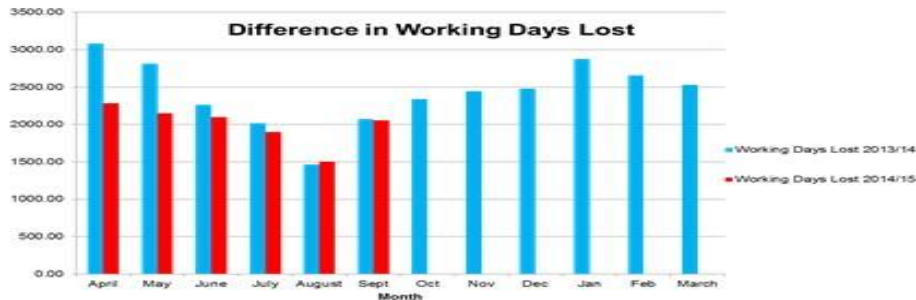
- 3.3 The Proforma also helps concentrate the Panels minds to decide on who should contribute to their review(s), when the review(s) should start and finish and what and how they wish to gather evidence.
- 3.4 A discussion took place among the Panel on 10th November 2014 where they completed the drafting of their Proforma and drew up a list of questions that they wished answering during the Review. This would enable them to draw some conclusions to assist in their considerations before making any recommendations.
- 3.5 The Panel in the first instance sought data from the Human Resources Section (HR). They requested a presentation from the Head of HR on the Managing Absence Policy as it stood now. In addition, they also sought the Sickness Absence Co-ordinator to attend the next Panel Meeting.
- 3.6 The Panel would seek to cost any recommendation as a result of this review.

4.0 FINDINGS:

- 4.1 The Chartered Institute for Personnel Development (CIPD) 2011 estimated costs per day at £100 or we could use Anglesey's daily average salary rate to estimate the cost saving being made with reducing sickness absence rates. The Committee chose the latter figure. (cross ref: 1.1)
- 4.2 The IOACC has revised its Absence Policy and it covers a vast number of reasons why staff may be absent, the Panel felt a context should be established; they wanted to know what would be the return on investment to compare the sickness absences figures against other absences? This would establish if sickness absence was the area to concentrate on, as the category of absence costing the Council the most.
- 4.3 On the 2nd December 2014 members received a presentation by the the Head of H.R's and answers to a **number of questions** the Panel Members had drawn up and circulated earlier to enable officers to prepare for the meeting (**Appendix A**).
- 4.4 Answers to questions as listed in Appendix A shows that there are no records of special or compassionate leave recorded only Sickness which in effect meant this was the category of absence the Panel should concentrate on.

4.5 **Appendix A & B** identified the breakdown of days lost monthly in Anglesey Council and the comparison year on year 2013/14 to 2014/15.

4.6 The data represented in the graph below shows that an assumption often made, that December is the month were most staff are off ill, is not true and is in fact April. The winter months are higher than summer and autumn but the 3 spring months of March, April & May are still slightly higher than the 3 months of winter.



5) **CONCLUSIONS:**

5.1 In reference to Appendix B (para 4 'Return to Work Interviews' and related Para 5 'Managing Short Term Absence') and receiving anecdotal evidence, the members concluded that the 'return to work interviews' were now being used as a tick box exercise to meet the pressure to report by sending the forms forward to the centre for corporate performance scorecard purposes.

Although recording is important, the key priority of their use is to ensure the Managers/Supervisors are holding a discussion with their staff ,after each and every absence, to ensure staff realise they are valued but also to enable managers, who are under pressure, to record emerging trends. This is a consequence of financial cutbacks resulting in smaller teams and thus less capacity to cover. Service delivery is hit immediately once a person is off and this is part of the 'raising of awareness' work the Sickness Absence Co-coordinator post has been undertaking with Officers.

5.2 The Panel liked the idea of praise rather than the normal negative messages going out to staff and in reference to the answer to question 9 (Appendix A) it intimated that Services should be sending a letter of congratulation to staff who have 100%

attendance, it was mooted this could be extended to the now established Team Awards, that take place in the chamber and published on the Council's WEB pages.

- 5.3 Members also did some literature research and in particular based their recommendation 1.2, following perusal of the Local Government Employers extensive Report 2007 on the prevention & management of sickness absence, specifically in regard notification and certification of sickness. In addition, discovered an article in the Management Journal, November, 2014, covering how Sandwell Council got to grips with sickness rates. They have reduced their sickness rates steadily downwards from an average 11.8 days in 2008, to 8.1 today.

YEAR	2008	2010	2011	2012	2013	2014
No. of Days	11.8.	10.6	9.7	9	8.5	8.1

- 5.4 Sandwell Council realised fine words in a Policy are not enough and set about making the following practical changes;-
- i. First they modernised making it quicker & easier for managers to record absence, via implementation of new technology, cutting out delays.
 - ii. Second, employees calling in sick now have to ring the occupational health team rather than their manager. This meant they got quick direct advise on how to manage the symptoms of their illness; agree how long it was likely to take to get better, get follow up treatment and if appropriate offers of treatments.
 - iii. HR realised they could not do it all themselves and sought specialist contributors: a specific charity to help them design a programme to help those on long term sick
 - iv. Obtain assistance from charities to encourage and support colleagues going through cancer treatments.
 - v. A counselling service, part of a wider employee benefits package
 - vi. Retail pharmacy, which provided free-to-employees 'flu jabs'

- vii. Launched a wellbeing group, with the banner 'Taking control of Your Health Your Future', this brought together existing employee welfare initiatives and targeted the 3 main causes of sickness absence: Stress – Infections – muscular skeletal conditions. They worked with public health to share information and resources. Again they sought other willing outside specialists, willing to support the initiative.
- viii. Their Outcomes were measurable: e.g. 850 staff had health checks, the employees slimwell club estimated a loss of over 26 stones in weight from its membership. The event focusing on stress cut working days lost for this reason to 8.7% and the infection event, chalked up an 11% cut. Money wise they estimated these 2 events and a muscular skeletal event have saved more than £200,000 in lost time.

6. NOTE REGARDING RECOMMENDATIONS: *In Scrutiny reports the 'Recommendations' are moved to the beginning of the report as they are considered the most important i.e Outcome of the Scrutiny Panel. **The report format:** sets out the way in which the Panel's Review would take place (Methodology, Why holding a Review (Purpose of the Review/Report), what information was gathered (Findings) to draw deductions from (Conclusions). These conclusions then lead to the recommendation the Panel propose to their parent Committee. If the Scrutiny Committee agrees with the report then the report becomes the substantive Report from Scrutiny and thus covered by the Council's Constitution and must be received by the Executive at its earliest convenience*

Author: Ms B.A.Symonds, on behalf of the Scrutiny Outcome Panel Members and their parent 'Corporate Scrutiny Committee'.

Job Title: Scrutiny Manager

Date: January 2015

APPENDIX A- List of Questions from Panel Members to HR Officers and their Answers received 2nd December, 2014.

APPENDIX B- Summary Notes re presentation from Head Of HR received by Panel on 2nd December

APPENDIX C- Extract from the HR web pages on the IOACC intranet 'Monitor'

APPENDIX D- Scrutiny Template to Plan a Project Proforma: For the Scrutiny Outcome Panel (SOP) reviewing Sickness Absence Management - version3 (Final).

Appendix: A

1. How many categories of Absence are there covered under the Managing Absence Policy?
 - a) Sickness Absence only
 - b) Human Resources do not hold any data records on special leave; jury duty, parental leave.
 - c) Managerial responsibility

2. What are they? N/A

3. Do you collect data on these categories? If Yes...
 - a) Yes, we categorise each sickness into categories suggested by Occupational Health due to the different reasons given for sickness.
 - b) Sickness Reasons is mandatory as it holds a lot about the support we can offer staff i.e. Occupational Health for Back problems, Medra Counselling for stress
 - c) Cold Flu / Stomach bugs are the majority of sickness reasons given

4. Can you provide data for the last 3 years on them?
 - a) No, the Co-ordinator Post only been in-situ from 01/04/2013

5. With regard the 'sickness absence category... Do you have a further breakdown of these e.g. By department, By illness e.g. Stress/ skeletal /cold flu etc., Long-term V Short term?
 - a) Yes, Breakdown of service is published on the corporate scorecard with a split of long term v short term, number of Work Related Stress, number of RTW completed.
 - b) Not required to report on sickness reasons. Service info provided on a monthly basis to Heads Of service and individual medical information is confidential and shared with Occupational Health.

6. Is Short-term absence analysed further into 1 day 2 days 3 days etc. up to certification i.e. after 7days?
 - a) No, Northgate does not contain this information

7. When does short term become long term for recording purposes?
 - a) Long Term absence is regarded as absence where the employee is away from work for a period of four weeks or more

8. How much training have the Managers received on dealing with sickness absence procedures?
- a) Human Resources have completed 6 sessions of Sickness Absence Management training, total of 95 managers have responded to our invitation and have attended, and 12 on the waiting list, next training due Jan 2015.
 - b) Information is continuously available to managers via the Managers section on Monitor and the self service system "MyView", templates and info sheets available and via access directly to the sickness absence co-ordinator at anytime
 - c) All Anglesey Managers also now have the Managers Toolkit Folder, the first section containing guidance on the managing of absence.
9. How do you inform staff regarding the sickness rates ?
- a) Sickness Bulletin, HR Bulletin is provided to managers with the expectation that they will forward to their staff.
 - b) Heads of Service receive monthly sickness results
 - c) The HR Co-ordinator arranges regular sessions with the Service directorate co-ordinators bringing them up to date with important changes to the policy, and gaining valuable feedback on their concerns within the service.
 - d) Services should be sending a letter of congratulation to staff who have 100% attendance
10. Do you ever move to dismiss due to sickness problems? If yes...
- a) Yes, but dismissal should be last resort.
11. Have you got figures showing how many people have left each year, over the past 3 years via this process?
- a) Only last 2 years
 - b) During 2012/13, 16 members of staff who were on long term sickness absence left the Authority, 8 of whom retired on ill-health grounds and the employment of 8 members of staff was terminated on the grounds of long term sickness.
 - c) During 2013/14, 14 members of staff who were on long term sickness absence left the Authority, 2 of whom retired on ill-health grounds, the employment of the remaining members of staff being terminated on ill-health grounds.
 - d) Unable to complete short term as Capability Panel was only introduced April 2014.
12. Which departments have lower sickness rates than others? Have you an explanation for this?
- a) Corporate Scorecard will show which department have lower sickness rates.
 - b) Adult services have the highest sickness rate due to the nature of their work.

13. When do you refer staff to Occupational Health?

a) The manager refers to Occupational Health following a period of sickness absence normally 1 month or several short term absences within a period of time. Managers should refer immediately any causes of mental health issues such as stress/depression/anxiety or any cases of musculoskeletal or back problems.

14. Do you know how much time your team spend on policing and recording data re corporate sickness? What about the time spent in the directorates? Do you have an ICT system to assist with this recording?

a) The corporate system used to record sickness absence is Northgate and that records all sickness absence.

b) Co-ordinators in each service are responsible for inputting all sickness absence data for their service; this data provides management information report for managers and the sickness absence coordinator.

c) Ensure accuracy by checking the report for obvious anomalies

d) Attend some team meetings in services

15. What is the average time it takes to process a dismissal on poor attendance grounds?

a) Every circumstances and individual and context are different

b) We have introduced the Capability Panel to dismiss on poor attendance; this is new since April 2014.

c) Can't give an average time, 6-12 months – all processes must be followed and authority must act reasonable at all times. Dismissal is last resort after exploring other options.

16. How much time in HR is taken up with Appeals on these grounds?

a) Appeals, take usually a couple of hours before a members panel + prep time beforehand.

APPENDIX B

1. Principles

- Key priority of Isle of Anglesey County Council is to reduce sickness absence and maximise attendance at work
- The manager needs to be up to date with the absence levels in their team.
- Managers should understand the cause of absence as this may reflect a trend or patterns in absence that impacts across the organisation.

2. Notification

Employees must notify their line managers personally before 9.30 am on the first morning of sickness indicating the **nature of their sickness** and **expected date of return**.

Priority

Self-certification for the first seven days, followed by the requirement for a Statement of Fitness for Work ("Fit note", formally referred to as a "sick note) on the eighth day.

Care Home/Shift Workers before start of shift.

3. Maintain Contact with Absent Employees

Regular contact with members of staff should be maintained during a period of absence, which should be **documented** and **monitored**. You should be maintaining regular contact at fortnightly and then weekly intervals with the employee during periods of long term sickness.

Priority

Manager should take positive steps to keep in touch so that the employee knows the organisation is interested in his or her health and support is available

4. Return to Work Interviews

On the day of return to work after any period of absence, the line manager **must** conduct a return to work interview with the employee.

Priority

Complete within **5** working days

Consider whether Trigger levels have been reached

Send relevant paper work on to service Sickness Co-ordinator to be kept in personal file

+ input details on Northgate.

5. Managing Short Term Absence

When a pattern of recurring short-term sickness absence is identified, the line manager must arrange an Attendance Review Meeting with the employee concerned.

Priority

"MyView" Manager Module allows you to view these trends and should be monitored on a regular basis at least once a month.

6. Attendance Review Meeting (ARM)

Level of Absence reaches the Authority's "Trigger" level

Three or more periods of sickness absence within a financial year

Recognisable pattern of absence (frequent Mondays, Fridays or more than one indication that an employee is regularly falling just short of a trigger)

Other circumstances considered by the manager to be sufficiently problematic, such as

failure to record a valid reason for absence

Frequent periods of longer-term absence

Attendance Review Meeting (ARM)

The purpose of the Attendance Review Meeting will be to explore reasons for absence from work and to identify underlying issues that may need to be address. Council's amended policy includes a referral to the **Capability Panel** of any case where sickness

absence has not improved following the Attendance Review process.

7. Long Term Sickness Absence

Long term absence is regarded as any absence where the employee is away from work for a period of four weeks or more.


Employee must submit relevant medical certificate

Managers must refer to Occupational Health

8. Phased Return to Work

It is recognised that in certain circumstances, e.g. following a prolonged or debilitating illness, after surgery or whilst recovering from an injury, it may be not be appropriate for the employee to return immediately to their full contracted duties and hours of work

Authority has a duty to consider reasonable adjustment in disability cases



SICKNESS BULLETIN

CURRENT POSITION

	Qtr. 1	Qtr. 2
2013/14	3.4	2.36
2014/15	2.78	2.34
TOTAL: April – September 14/15		5.12
TOTAL Working Days Lost April - September 14/15		11,983.51

Corporate Target 14/15 - 10 days

RETURN TO WORK INTERVIEWS

On the day of return to after any period of absence, the line manager must conduct a return to work interview within 5 working days.

Can you please remember to use the corporate version of the RTW form, **Monitor – Human Resources – Managers Section – Managing Absence Policy**

% RTW completed:

	Qtr. 1	Qtr. 2
2013/14	32%	52%
2014/15	80%	82%

ACTION GOING FORWARD

Long Term Sickness recording form - Long term absence is regarded as any absence where the employee is away from work for a period of four weeks or more. The manager should take positive steps to keep in touch so that the employee knows that the organisation is interested in his or her health and wellbeing, and that support is available.

Keeping in contact with employees on long term sickness absence - A template letter can be found on Monitor for managers to send to employees, requesting their preferred method of contact during their period of absence.

Regular contact with members of staff should be maintained during a period of absence
Important to maintain regular contact with employees on long term sickness, this should be documented and monitored on the available recording form on Monitor.

Attendance Review Meeting
When a pattern of recurring short-term sickness absence is identified and trigger points are reached, the line manager must arrange an Attendance Review Meeting with the employee concerned **within two weeks** of Return to Work.

My View manager module - Reminder that the "MyView" system enables Managers to view a Planner showing the absences of their team or individual members of their team, from which they can identify absence patterns, for example (Friday and Monday patterns).

Managing absence training - if you feel a manager within your department / service would find it beneficial to attend then please send your nominations to HR.


Stress Questionnaire - if reasons for absence is Work Related Stress, we will be requesting the employee to complete a stress Questionnaire in order to try to identify the cause.

Occupational Health - The referral form should always be signed by the staff member, this ensures that the staff member is fully aware of the information being shared with Occupational Health. A signed form also ensures that the worker understands that they agree to attend arranged appointments.

www.ynysmon.gov.uk
www.anglesey.gov.uk

CONTACT

Alun Roberts,
Sickness Absence Co-ordinator
01248 751 890
Email: atrcs@anglesey.gov.uk



**CYNGOR IŴ
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

Sickness Reasons within Northgate

Accident – other	Neurological (Headaches and Migraine) Shingles
Accident at Work	Asthma
Back or neck problems	Heart, blood pressure & circulation
Pregnancy related	Stomach, liver, kidney & digestion (include stomach upset, bowel related illness)
Stress other	Genitro – Urinary (Menstrual problems)
Work related stress	Dental issues
Operation - pre and post	Cancer / Cancer
Musculoskeletal problem–Fractures, Muscles Tendons Ligaments	Depression
Cold / Flu	Be reavement
General infections - (ear/nose/throat/eye)	Endocrine (Under/Over Active Thyroid)
Chest & Respiratory - chest infections	Diabetic
Anxiety, neurasthenia, fatigue & mental health	

www.ynysmon.gov.uk
www.anglesey.gov.uk



APPENDIX: C.

EXTRACT FROM IOACC INTRANET WEB PAGES:

- [Sickness leave](#)
- Employees must notify their line managers before 9.30 am on the first morning of sickness indicating the nature of their sickness and expected date of return.
- [Sickness Absence](#)

Found in attached file(s)

- [Self Certification Form](#) - Adobe PDF
- [Long term sickness absence management](#) - Adobe PDF
- [Sickness Process](#) - Adobe PDF
- [Long term sickness - keeping in touch](#) - Adobe PDF
- [Return to work interview record form](#) - Word
- [Working hours and time off work](#)
- Information on annual leave, special leave arrangements, sickness, time off work for parents and time off in lieu.
- [Managing Absence Policy](#)
- Sickness absence management is a key process by which the employer aims, through various methods, to achieve better employee attendance at work.
- [Corporate courses](#)

Found in attached file(s)

- [Sickness Absence Course](#) - Adobe PDF

OCCUPATIONAL HEALTH: Isle of Anglesey County Council now provides an Occupational Health service to all the Council's employees.

The service is provided by Gwynedd Council Occupational Health Unit, and has been available since October 2011. A Nurse led clinic is held in Council Headquarters, Llangefni every Tuesday and Thursday.

Line Managers have a 'duty of care' to their staff members and as such should always:

- Refer in good time – immediately in cases of mental health issues such as stress/ depression / anxiety or in cases of musculoskeletal illness/ problems
- Monitor absences / Recognize trigger points
- Address Short Term Absences by conducting Return to work interviews
- Ensure Occupational Health are informed of planned absences e.g. elective surgery

It has been proven time and time again that early contact by a manager / Occupational Health gets people back to work sooner. *There are Line Manger referrals and Employee counselling referrals.*

SCRUTINY PROJECT PLAN



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

CORPORATE SCRUTINY COMMITTEE'S - SCRUTINY OUTCOME PANEL

Review Topic **Managing Absence Policy, specifically Sickness absence.**

<p>Terms of Reference:</p> <p><i>(Set specific objectives – be clear as to <u>what is</u> and <u>what is not</u> to be included in the topic)</i></p>	<p>In April 2014 IOACC again received bad press coverage, stating Anglesey Council employees were among the highest in Wales for taking days off sick. The Chartered Institute for Personnel Development (CIPD) 2011 estimated an average cost per day at £100. Thus the Committee agreed this Panel be set up to try to add value by reviewing the current practices and offering some ideas for a way forward to lower the days off & thus make savings for the Council to enable more monies to reach the front line services and save jobs with redundancies looming .</p> <p>The IOACC has revised its Absence Policy and it covers a vast number of reasons why staff may be absent. The Panel felt a context should be established, they want to know what would be the return on investment to compare the sickness absences figures against other absences. This would establish if this was the area to concentrate on as the one costing the Council the most.</p> <p>The aim then would be to review current practice and contrast with other authorities with better outcomes and suggest further actions for improvement, if possible. Panel would seek to cost any recommendation as a result of this review.</p>
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<p>Evidence Gathering</p> <ul style="list-style-type: none"> Documents (What? Why?) 	<ul style="list-style-type: none"> IOACC Absence Management Policy...which includes ref to manager sickness absence Occupational Health Procedures Numbers of employee on the books? Establish; training in place Communication of the policy too (a) Managers(b) rest of staff
<ul style="list-style-type: none"> Internal Contributors (Both Members & Officers – Who? Why?) 	<ul style="list-style-type: none"> Head of HR Sickness Absence co-ordinator HR Officers

<ul style="list-style-type: none"> • External Contributors (E.g., Service Users, Community Representatives, Key Stakeholders, Experts, Other Organisations – Who? Why?) 	Not decided at this time
<ul style="list-style-type: none"> • Site Visits (Optional – e.g., Users, Community representative, Key Stakeholders, Recognised Experts, Other Organisations, etc. – Who? Why) 	Depends on Members view in to the process re; value of going out to meet public or other stakeholders for consultation
<p>Consultation /Research</p> <p>(Other methods – Who? Why? What?)</p> <p>(Does the committee wish to publicise their reviews?)</p>	Report back to the Executive to expedite possible savings to be made 2014-15 budget but definitely for the 2015-16 budget.

<p>Format of Meetings</p> <ul style="list-style-type: none"> • Venue of Meetings (Can they be held in the Community?) 	<ul style="list-style-type: none"> • 1st meeting - Chair & Scrutiny Manager to meet HR Officers to agree useful way forward as not to duplicate work already undertaken • 2nd Meeting – 10/11/14 – Intro Head of HR to the Panel Members, draft the Panels Proforma for Cttee’s approval to proceed • 3rd Meeting – 2 December’14- Presentation from HR summarising the main points of the Absence Management Policy and how we are where we are. Private V Public sector. Plus outline progress planned to mitigate issues. • Q How do you think we could help? etc., (see bottom of table for more questions from Panel to be answered.
<ul style="list-style-type: none"> • Frequency of Meetings <p>(Members availability, getting contributors)</p>	<p>1 meeting every 6 wks</p> <p>Aim to complete at end of Q3 2014-15.</p>
<ul style="list-style-type: none"> • Co-Options 	<p>(Does the Committee wish to co-opt members onto the committee for the investigation? If so, why?) – Not at this point.</p>

<ul style="list-style-type: none"> • Member Involvement (Full Committee, Task & Finish Working Group) 	<p>Panel Members.</p> <ul style="list-style-type: none"> • Cllr Meirion Jones (Chair Corporate Scrutiny Cttee) • Cllr Gwilym Jones (V/C) • Cllr Victor Hughes • Cllr Jim Evans • Cllr Peter Rogers (initial meeting) <p>Officers consulted:</p> <ul style="list-style-type: none"> • Scrutiny Manager, Bev Symonds • Head of HR • HR Officer • Sickness Absence Co-ordinator
<ul style="list-style-type: none"> • + Responsible officer to complete as review progresses) 	<p>Version 3 Final Jan 2015. B.A.Symonds. Scrutiny Manager.</p>

Panel worked up QUESTIONS:

Q How many categorises of Absence are covered under the Managing Absence Policy? Q What are they?

Q Do you collect data on these categories? If Yes... Q Can you provide data for the last 3 years on them?

Q With regard the 'sickness absence category... Do you have a further breakdown of these

e.g. By department, By illness eg. Stress/ skeletal /cold flu etc., Long- term V Short term? Q Is Short-term analysed further into 1 day 2 days 3 days etc. up to certification i.e. after

7days?

Q When does short term become long term for recording purposes?

Q How much training have the Managers received on dealing with sickness absence procedures?

Q How do you inform staff re the sickness rates?

Q Do you ever move to dismiss due to sickness problems? If yes...

Q Have you got figures showing how many people have left each year, over the past 3 years via this process?

Q Which departments have lower sickness rates than others? Have you an explanation for this?

Q When do you refer staff to Occupational Health?

Q Do you know how much time your team spend on policing and recording data re corporate sickness? What about the time spent in the directorates? Do you have an ICT system to assist with this recording?

Q What is the average time it takes to process a dismissal on poor attendance grounds? Q How much time in HR is taken up with Appeals on these group

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ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	The Executive
Date:	20 April 2015
Subject:	Scrutiny Outcome Panel – Efficiency Savings 2014/2015
Portfolio Holder(s):	Councillor Hywel Eifion Jones
Head of Service:	Not Applicable
Report Author:	Scrutiny Outcome Panel of the Corporate Scrutiny Committee
Tel:	care of : (01248) 752039
E-mail:	care of: gwrce@anglesey.gov.uk
Local Members:	Not Applicable

A –Recommendation/s and reason/s
As outlined in the attached report.

B – What other options did you consider and why did you reject them and/or opt for this option?
Not Applicable

C – Why is this decision for the Executive?
As outlined in the Scrutiny Procedure Rules in the Council's Constitution.

CH– Is this decision consistent with policy approved by the full Council?
Yes

D – Is this decision within the budget approved by the Council?
Not Known

DD– Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	To submit verbal comments at the Executive meeting
2	Finance / Section 151 (mandatory)	To submit verbal comments at the Executive meeting
3	Legal / Monitoring Officer (mandatory)	No observations
4	Human Resources (HR)	Not Applicable
5	Property	Not Applicable
6	Information Communication Technology (ICT)	Not Applicable
7	Scrutiny	The Corporate Scrutiny Committee appointed a Scrutiny Outcome Panel to review efficiency savings following its Budget Scrutiny Report during February 2014. The Panel met on several occasions.
8	Local Members	Not Applicable
9	Any external bodies / other/s	Not Applicable

E– Risks and any mitigation (if relevant)		
1	Economic	Not Applicable
2	Anti-poverty	Not Applicable
3	Crime and Disorder	Not Applicable
4	Environmental	Not Applicable
5	Equalities	Not Applicable
6	Outcome Agreements	Not Applicable
7	Other	Not Applicable

F - Appendices:
Scrutiny Outcome Panel Report – Efficiency Savings 2014/2015

FF - Background papers (please contact the author of the Report for any further information):
Chair of the Scrutiny Outcome Panel (C/O: Geraint Wyn Roberts, Scrutiny Unit, Isle of Anglesey County Council, Council Offices LI77 7TW)

ISLE OF ANGLESEY COUNTY COUNCIL	
SUBJECT:	Scrutiny Outcome Panel Report – Efficiency Savings 2014/2015
DATE:	20 April 2015
REPORT AUTHOR:	Scrutiny Outcome Panel of the Corporate Scrutiny Committee (together with assistance from the Scrutiny Manager and input from the Interim S151 Officer).
Report Considered by Corporate Scrutiny Committee on:	14/1/15, 10/2/15 and 24/3/15
Tel:	care of: 01248 752039
E-mail:	care of: gwrce@anglesey.gov.uk

RECOMMENDATIONS

R1. Recommend to the Executive:

- I. To note the analysis by the Scrutiny Outcome Panel (who monitored at periods 5 and 8 the 2014-15 budget with regard to efficiency savings) which showed that it is unlikely to be achieved in full because it was underachieved in period 5 by £1.782m and in period 8 by £1.084m.
- II. To take the figures into consideration before setting the 2015-16 Council Budget.

R2. Recommend to the Executive that future budget setting reporting should contain:

- I. A column identifying the impact in real terms on the citizen of proposed savings by services to the corporate centre (which is charged with coordinating the annual budget setting process).
- II. Identify the saving figure being offered as a percentage of the total budget from which it comes.

R3. Recommend to the Executive that a Panel of Scrutiny Members continues to monitor the savings put up by the service directorates into next year by monitoring on a quarterly basis the 2015-16 Budget.

R4. Recommend to the Executive that it continue to support the Finance Service in pursuing the system(s) necessary to deliver corporate monthly budget reporting (as other Local Authorities have had for some years).

R5. Recommend to the Executive that this report may be a useful tool for Heads of Service development in respect of their future saving proposals and/or making bids for new projects to the corporate centre.

1. METHODOLOGY

- i. The methodology for conducting a scrutiny review, leading to a Scrutiny Committee report, is governed by completing the agreed Scrutiny Pro-forma / Project Plan for a task and finish Page 219 'Scrutiny Outcome Panel' (also referred to as a

Scrutiny Review).

- ii. The pro-forma sets out the Terms of Reference for the Scrutiny Panel. The Panel Members use the rest of the pro-forma to guide the scrutiny process in respect of evidence gathering and which contributors to invite etc.
- iii. As the review moves forward the pro-forma is updated by the Scrutiny Supporting Officer to capture the record of the Panel's work and assist the Officer in drafting the final Panel Report.

2. PURPOSE OF SCRUTINY REVIEW

- i. The Corporate Scrutiny Committee is charged with monitoring the Council's corporate performance and budget, as stipulated in its Constitution, which it does quarterly. However, it is also charged with scrutinising the setting of the Council's next year's Corporate Budget. Due to the austere financial times facing the public sector the Council instigated a savings programme from 2010/11, known as the Affordable Priorities Programme [APP], which later developed into the 'Efficiency Strategy'. It is becoming increasingly difficult each year to find more savings.
- ii. The Corporate Scrutiny Committee [CSC] felt it was important because in previous years the APP did not deliver on its entire proposed savings thus impacting on the following year's corporate budget.
- iii. After scrutinising the setting of the Corporate Budget for 2014-15 it was concluded the amount of efficiency savings put forward were unrealistic and difficult to achieve in only a year.

The Committee wished to be proactive to add value and thus decided to assist the Executive by setting up a Scrutiny Review. The Corporate Scrutiny Committee took nominations from their membership and set up their own Scrutiny Outcome Panel to monitor and start tracking the expected proposed efficiency savings for 2014-15 corporate budget. The plan was to enable an alert and expedite a response to any shortfalls so as not to shackle the setting of the Budget for 2015-16.

3. FINDINGS

- F1.** The Scrutiny Panel found the exercise of scanning the budget saving lines, although painstaking, a valuable one. Members felt it was worthwhile as they learnt more about how the budgets of services were structured, the extent to which services were bearing the brunt but enlightening to the behaviours and thinking of the services towards corporate budgeting (the residing culture).

Finance officers involved in supporting the Panel undertook to continue to support the Panel in its deliberations.

This had been productive work for the non-executive members and officers. It has hopefully resulted in a helpful and insightful report from Scrutiny to the Executive tracking the Council's Budget 2014-15 savings and showing the consequences to date.

- F2.** The Panel analysed the corporate efficiency savings 2014-15 focusing on progress at two points in the year, namely months 5 (please see examples at F4 below) and 8.

- F3.** In information provided for month 8 the Panel considered the various Services Management Feedback data.

- F4** Some examples of the 'notes' received **Page 20**:-

- *A saving of £130k was applied. This policy will not be implemented in 2014/15. It is expected that £14k of the efficiency target will not be achieved*
- *£35k On target will be achieved for 14/15, will not be achieved in future years due to Regional working*
- *Achieved by not filling a vacant post*
- *Not expected to be achieved*
- *Saving not achieved, target too challenging*
- *Saving already taken in 2013/14*
- *£69 has been double counted*
- *The £83k will not be achieved, current overspent by £84k*
- *£30K taken as a 2013-14 saving double counted*
- *Only £8k of £17K achievable*
- *£75k income not being achieved, significant risk*
- *£34k not achievable + £7k overspend*
- *£15k will be recharged to services*
- *£15k, 105k & 50K will not be achieved looking to compensate in other areas*
- *£215K not expected to be achieved, significantly overspent currently*
- *Support for £180k gone*
- *In one service, 6 lines of savings put up, 5 not likely to be achievable*
- *36K Heads of Service costs, double counted*

F5 The above list is not exhaustive but provides an example of the number of amounts from services not likely to be met. The following shows some of the reasons given are similar, i.e. notes from services accompanying their efficiency saving figures:-

- Will not be implemented 2014-15**
- Achieved by not filling a vacant post**
- Target too challenging**
- Double counted**
- Remains unidentified**
- Not be achieved, current overspent**
- Will be recharged to services**
- Will not be achieved looking to compensate in other areas**

F6 Further analysis from the Panel regarding the above received Notes (a) - (g):

- The Panel considered that the efficiency savings identified for 2014-15 could have been improved by a greater level of precision and definition. In particular proposals should not be included unless there was a reasonable certainty of delivery. If a proposal to save money in 2014-15 could not be achieved in 2014-15 then why was it included?
- Care should be taken to ensure that carrying vacancies is not mistakenly seen as an efficiency saving and consideration needs to be given underlying workloads. If duties are not being covered then the service is affected, equal to a cut in service, even if for a temporary time. A vacancy is only a financial windfall if you have not been able get a replacement. If you permanently cut the post and none of the duties are reassigned then you are cutting capacity within a Service – it is not an efficiency saving.
- Targets should be set in a manner that provides for challenge but with a prospect of delivery. Unattainable targets serve no purpose and can be demoralising.
- Double counting should be avoided. This implies a lack of communication between Services and Finance and should be corrected before the budget savings are set

into the annual corporate budget.

- e) All savings should be on the basis of clear charges and plans showing how they will be delivered. Badly defined “savings” that are in effect balancing figures are a recipe for problems.
- f) Recharge to services - Shows a lack of understanding ‘a saving’ or an ‘efficiency saving’ in the setting of a corporate budget exercise. A recharge, just shifts a cost to another area of the organisation, it is not an efficiency saving or otherwise for the corporate budget.
- g) within the current IOACC budget setting process it is the heads of service’s responsibility with the assistance of their service accountants, to advise members on possible saving areas that could be made in their departments, not just come up with a figure and then make the saving somewhere else if they cannot achieve it.

4. CONCLUSIONS

- C1.** In last year’s Scrutiny Report on the proposed Executive Budget 2014-15 a request was made that it would be useful, when examining the savings figures being put up by Services, for finance to add a column outlining their total budget. This would assist Members with an idea of the percentage ‘saving’ V budget’ spend. The 151 finance officer stated this could be done and the overall total savings in addition could be provided as a percentage. All savings proposals need to be clearly defined to allow Members to consider them. There should be no changes to the proposals other than with Member approval.
- C2** The Panel was of the view that the scrutiny exercise over the efficiency savings has been a valuable one and there would be a benefit in examining the 2015-16 savings similarly. The section 151 Officer indicated that support and assistance was available to help the Panel in that task.
- C3** The Panel’s members were concerned and irritated by explanations referred to in F5(h) “will not be achieved looking to compensate in other areas” - it is the responsibility of the Council Members to agree the areas of service to be reduced or cut to affect corporate budget savings as it is their responsibility to stand by these choices when explaining them to the public. These sorts of statements are not satisfactory to inform a corporate budget setting process or the follow up monitoring of a corporate budget. Panel members were concerned at the said ‘Notes’ explanations for under achieving on the targets – as the Services themselves put up the efficiency savings for 2014-15. It showed some lack of understanding regarding the process of constructing a corporate budget.

NOTE: REGARDING RECOMMENDATIONS

In Scrutiny reports the ‘Recommendations’ are moved to the beginning of the report as considered the most important, that is the outcomes from the Scrutiny Panel. The report format: sets out the way in which the Panel’s Review would take place (Methodology, Why holding a Review (Purpose of the Review/Report), what information was gathered (Findings) to draw deductions from (Conclusions). These conclusions then lead to the recommendation the Panel propose to their parent Committee. If the Scrutiny Committee agrees with the report, then the report becomes the substantive Report from Scrutiny and thus covered by the Council’s Constitution and must be received by the Executive at its earliest convenience.

SCRUTINY PROJECT PLAN



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

CORPORATE SCRUTINY COMMITTEE'S-SCRUTINY OUTCOME PANEL

Review Topic: **Efficiency Strategy & Savings for 2014-15**

Terms of Reference:

(Set specific objectives – be clear as to what is and what is not to be included in the topic)

To monitor the implementation of the **Budget Scrutiny Report 2014-15** delivered to the 10th Feb Executive, specifically in relation to:-

- **Establish the linkages** in the Council Plan, the Medium Term Financial Strategy (MTFS) and the Annual Delivery Document (ADS); to
 - (a) *Clarify the Council Priorities: (b) establish the costings,*
- **Monitor and assess** how on track the efficiency savings are, to deliver stated Efficiency Savings 2014/15; thus help...
 - mitigate burden for the 2015/16 budget setting process
- **Acquire List** of Statutory and non-statutory Services to:-
 - Enable a discussion on services that possibly could be stopped
- Examine the Affordable Priorities Program 2011-13 & the subsequently morphed into 'Efficiency Strategy 2014-15, identifying those which were not met, to:-
 - See if could be delivered now.

** Monitoring of the Budget 2014-15 will be continued as normal via the quarterly arranged Corporate Scrutiny Committee via the Finance Section's Quarterly budget reports.*

** Scrutiny has also given a commitment of their involvement at an earlier stage this year in assisting the Executive in the setting of the, 2015-16 Budget Process.*

** This Scrutiny Outcome Panel will contribute to the budget process for 2015-16.*

<p>Evidence Gathering</p> <ul style="list-style-type: none"> • Documents (What? Why?) 	<ul style="list-style-type: none"> • Council Plan, • The latest Medium Term Financial Strategy (MTFS) • Annual Delivery Document (ADS) <p>To establish linkages thus clarify the Council's Priorities</p>
<ul style="list-style-type: none"> • Internal Contributors (Both Members & Officers – Who? Why?) 	<ul style="list-style-type: none"> • Portfolio Holder for Finance (Cllr H.E.Jones) • Officers on the Senior Leadership Team • Statutory Officers; 151 and the Monitoring officer
<ul style="list-style-type: none"> • External Contributors (E.g., Service Users, Community Representatives, Key Stakeholders, Experts, Other Organisations – Who? Why?) 	<p>Not decided at this time</p>
<ul style="list-style-type: none"> • Site Visits (Optional – e.g., Users, Community representative, Key Stakeholders, Recognised Experts, Other Organisations, etc. – Who? Why?) 	<p>Depends on Members view in to the process re; value of going out to meet public or other stakeholders for consultation</p>
<ul style="list-style-type: none"> • Consultation / Research (Other methods – Who? Why? What?) (Does the committee wish to publicise their reviews?) 	<ul style="list-style-type: none"> • Budget Scrutiny 2014-15 Report, 10th Feb Executive • Council Plan <ul style="list-style-type: none"> ○ Definitive list of Council Priorities • Medium Term Financial Strategy (MTFS) <ul style="list-style-type: none"> ○ Definitive list of cost of Services • Statutory and non-statutory Services • Annual Delivery Document (ADD) and... • Outcome Agreement- both together includes definitive list of service to be delivered for 2014-15 • Efficiency Savings Strategy: -for 2012/13, 13/14, & 2014/15; • Affordable Priorities Programme 2010/11-11/12; • Budget Bids 2014-15

<p>Format of Meetings</p> <ul style="list-style-type: none"> • Venue of Meetings (Can they be held in the Community?) 	<p>Finance Conference Room - May 15th @ 1pm – To discuss completing this Scrutiny Proforma to map out the project's Terms of Reference; to avoid going off on any tangents, to plan for data required to be scrutinised and start drafting of Recommendations for a Report.</p>
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<ul style="list-style-type: none"> • Frequency of Meetings (Members availability, getting contributors) 	<ul style="list-style-type: none"> • Bi-monthly; - and 1 of each date per month, to be confirmed. 28/29 Jan) TBC • 27/28May) TBC <p>Resulted in to date;-</p> <ul style="list-style-type: none"> • 1st meeting – 15 May 2014 - initial meeting providing background to the panel being set up and introductions to the new interim 151 Officer • 2nd meeting 23 July - agreed & drafted Proforma for the Scrutiny Review. • 3rd Meeting 24 Sept - <i>Went through the savings proposals for period 5, to find some 80% look like not being achieved , as oppose to the 151 Officer stating as far as he knew the savings were on 90% track to being achieved</i> • 4th meeting - 25 Nov – went through figures for finance Period 8 to check progress, and previously missing or unfathomable explanation’s from Services, against period 5 • Instructed - to draft report • 5th Meeting - 7th Jan ’15 – with Chairman to finalise any amendments to the final draft, forward to Cttee 13.1.15 for Ratification.
<ul style="list-style-type: none"> • Co-Options 	<p>(Does the Committee wish to co-opt members onto the committee for the investigation? If so, why?) – Not at this point.</p>
<ul style="list-style-type: none"> • Member Involvement (Full Committee, Task & Finish Working Group) 	<p>Scrutiny Outcome Panel. Nominations received and approved April 17 2014 :</p> <ul style="list-style-type: none"> • Cllr Meirion Jones (Chair Corporate Scrutiny Committee) • Cllr Llinos Medi Huws • Cllr Victor Hughes <p>Also Present:</p> <ul style="list-style-type: none"> • Interim 151 Officer, Richard Micklewright • Scrutiny Manager, Bev Symonds • First meeting- Ruth Jones (Finance) • Accountants-Paula Gledhill and Bethan Owen attended 2 meetings
<ul style="list-style-type: none"> • + Responsible officer to complete as review progresses) 	<p>Version 3. Jan 2015 B.A.Symonds (Scrutiny Manager).</p>

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DDIM I'W GYHOEDDI NOT FOR PUBLICATION

PIER BIWMARES – PAAYM / BEAUMARIS PIER - ACEP

PRAWF BUDD Y CYHOEDD PUBLIC INTEREST TEST

Paragraff(au) 14 Atodlen 12A Deddf Llywodraeth Leol 1972 Paragraph(s) 14 Schedule 12A Local Government Act 1972	
Y PRAWF – THE TEST	
<p>Mae yna fudd y cyhoedd wrth ddatgan oherwydd / There is a public interest in disclosure as:-</p> <p>Mae'r mater yn ymwneud ag arian cyhoeddus ac mae budd i'r cyhoedd ynglyn ag atebolrwydd ar gyfer gwario arian o'r fath.</p> <p>The matter involves public money and there is a public interest regarding the accountability for spending such monies.</p>	<p>Y budd y cyhoedd with beidio datgelu yw / The public interest in not disclosing is:-</p> <p>Gwybodath yn ymwneud â materion ariannol neu fasnachol unigolyn penodol (gan gynnwys yr awdurdod sy'n dal y wybodaeth), a all neu A allai beidio ag arwain at achos cyfreithiol.</p> <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information), which may or may not result in Legal proceedings.</p>
<p>Mae budd y cyhoedd wrth gadw'r eithriad o bwys mwy na budd y cyhoedd wrth ddatgelu'r wybodaeth</p> <p>The public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	

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