

# Public Document Pack



CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL

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

CYNGOR SIR YNYS MÔN  
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<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>
<b>PWYLLGOR GWAITH</b>	<b>THE EXECUTIVE</b>
<b>DYDD MAWRTH 26 MAI 2015 10.00 o'r gloch</b>	<b>TUESDAY 26 MAY 2015 10.00 am</b>
<b>SIAMBR Y CYNGOR SWYDDFEYDD Y CYNGOR LLANGFNI</b>	<b>COUNCIL CHAMBER COUNCIL OFFICES LLANGFNI</b>
Swyddog Pwyllgor	<b>Mairwen Hughes</b> 01248 752 516 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 draft minutes of the meeting of the Executive held on 20<sup>th</sup> April, 2015.

**4 THE EXECUTIVE'S FORWARD WORK PROGRAMME (Pages 9 - 22)**

To submit the report of the Head of Democratic Services.

**5 CORPORATE SCORECARD - QUARTER 4, 2014/15 (Pages 23 - 36)**

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

**6 RISK MANAGEMENT POLICY AND CORPORATE RISK REGISTER (Pages 37 - 42)**

To submit the report of the Interim Head of Function (Resources)/Section 151 Officer.

**7 HOUSING ACT (WALES) 2014 (Pages 43 - 80)**

To submit the report of the Head of Housing Services.

**8 PROGRAMME MANAGER POST FOR TRANSFORMING LIBRARIES, CULTURE AND YOUTH SERVICES (Pages 81 - 86)**

To submit the report of the Director of Lifelong Learning.

**9 EXCLUSION OF THE PRESS AND PUBLIC (Pages 87 - 88)**

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”.

**10 LLANGEFNI GOLF COURSE (Pages 89 - 106)**

To submit the report of the Head of Economic and Community Regeneration.

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**11     EXCLUSION OF THE PRESS AND PUBLIC (Pages 107 - 108)**

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”.

**12     OLDER ADULT ACCOMMODATION - PLAS PENLAN (Pages 109 - 114)**

To submit the report of the Director of Community.

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## THE EXECUTIVE

### Minutes of the meeting held on 20 April, 2015

- PRESENT:** Councillor Ieuan Williams (Chair)  
Councillor J. Arwel Roberts (Vice-Chair)
- Councillors Richard Dew, H. E. Jones, Kenneth Hughes, Aled Morris Jones, Alwyn Rowlands.
- IN ATTENDANCE:** Chief Executive  
Director of Lifelong Learning  
Director of Sustainability  
Director of Community  
Interim Head of Resources & Section 151 Officer  
Head of Council Business/Monitoring Officer  
Head of Learning  
Head of Democratic Services  
Housing Services Technical Manager  
Programme and Business Planning Manager (GM)  
Acting Accountancy Services Manager (BHO)  
Principal Development Officer (IH)  
Corporate Procurement Officer (SR)  
Committee Officer (ATH)
- APOLOGIES:** None received
- ALSO PRESENT:** Councillors John Griffith, Llinos M. Huws, R. Llewelyn Jones, R. Meirion Jones, Alun Mummery, R. G. Parry, OBE
- 

The Chair referred with sadness to the death of Mr R. L. Owen, Beaumaris a former Councillor and Chairman of the Isle of Anglesey County Council. The Members and Officers stood in silence as a mark of respect and sympathy.

#### 1 DECLARATION OF INTEREST

No declaration of interest was received.

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

None to report.

#### 3 MINUTES

The minutes of the previous meeting of the Executive held on 9<sup>th</sup> March, 2015 were presented for confirmation.

**It was resolved that the minutes of the previous meeting of the Executive held on 9<sup>th</sup> March, 2015 be confirmed as a true record.**

#### 4 MINUTES FOR INFORMATION

The draft minutes of the Corporate Parenting Panel held on 9<sup>th</sup> March, 2015 were presented for the Executive's information.

**It was resolved that the draft minutes of the meeting of the Corporate Parenting Panel held on 9<sup>th</sup> March, 2015 be noted for information purposes.**

## **5 THE EXECUTIVE'S FORWARD WORK PROGRAMME**

The report of the Head of Democratic Services incorporating the Executive's Forward Work programme for the period from May to December, 2015 was submitted for consideration.

The Head of Democratic Services informed the Executive of new items included on the Forward Work Programme viz. item 5 scheduled for consideration at the May, 2015 meeting and items 7, 8, 11 and 12 scheduled for consideration at the June, 2015 meeting. The Officer also drew the Executive's attention to a request by the Finance Service that the May, 2015 meeting of the Executive also considers an item on Risk Management Policy and the Corporate Risk Register.

**It was resolved to confirm the Executive's updated Forward Work Programme for the period from May to December, 2015, subject to the inclusion of Risk Management Policy and Corporate Risk Register for consideration at the Executive's May, 2015 meeting.**

## **6 ANNUAL DELIVERY DOCUMENT**

The report of the Programme and Business Planning Manager incorporating the draft Annual Delivery Document for 2015/16 was presented for the Executive's consideration.

The Portfolio Member for Performance Transformation, Corporate Plan and Human Resources reported that the Authority is obligated to publish an Annual Delivery Document as soon as possible after April each year and that the Delivery Document for 2015/16 identifies the work of the Council aligned to the priorities of the Corporate Plan scheduled for delivery during 2015/16. In addition, the Document also incorporates the priorities for improvements as outlined in the January, 2015 Corporate Self-Assessment. The draft Delivery Document was scrutinised by the Corporate Scrutiny Committee at its meeting held on 16<sup>th</sup> April, 2015 and its input will be taken into account in finalising the Document.

The Chair said that he would appreciate an opportunity to look through the draft Annual Delivery Document with the Portfolio Member and Programme and Business Planning Manager ahead of its finalisation and publication.

**It was resolved –**

- **To authorise the Officers through the Portfolio Holder for Performance Transformation, Corporate Plan and Human Resources to undertake the task of completing the final draft and,**
- **To recommend the adoption of the Annual Delivery Document for 2015/16 by the full Council at its meeting on 14<sup>th</sup> May, 2015.**

## **7 CONSTITUTIONAL CHANGES – AUDIT COMMITTEE TERMS OF REFERENCE**

The report of the Head of Council Business/ Monitoring Officer in respect of proposed changes to the Council's Constitution being new terms of reference for the Audit Committee set out in the Appendix to the report, was presented for the Executive's consideration.

The Head of Council Business reported that the changes have been made at the request of the Senior Auditor to reflect CIPFA Guidance, 2014. Whilst the proposed new terms of reference do not take anything away from the existing terms of reference, the main purpose of the changes is to ensure that the terms of reference reflect the Audit Committee's corporate governance responsibilities as well as its financial oversight responsibilities.

**It was resolved to recommend to the full Council that it approves the changes to the Council's Constitution, being new terms of reference for the Audit Committee, as contained in the Appendix to the report.**

## **8 CONSTITUTIONAL CHANGES – POWERS OF THE CHIEF EXECUTIVE**

The report of the Head of Council Business/Monitoring Officer seeking the Executive's support to 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 was presented.

The Head of Council Business reported that the request for the amendment was made by the former Deputy Chief Executive to allow greater flexibility to the Chief Executive and to facilitate decision making. The exercise of the extended powers which the amendments propose is subject

to certain limitations and safeguards in terms of what it allows along with the requirement to consult with the Portfolio Member and relevant officers and to comply with the budget and policy framework as described in the report.

**It was resolved to recommend to full Council that –**

- **It amends 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.**
- **It 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.**

## **9 REGULATION OF INVESTIGATORY POWERS ACT (RIPA)**

The report of the Head of Council Business/Monitoring Officer seeking the Executive's approval for the adoption of a RIPA Policy to reflect changes made to the Home Office Codes of Practice and to implement recommendations from the Office of Surveillance Commissioners was presented.

The Head of Council Business reported that in the last audit of the Council, the Office of the Surveillance Commissioners recommended that the Council adopt a RIPA Policy as well as ensuring the Officers undergo further RIPA training. The training has taken place and the draft policy is submitted for approval. In addition it is proposed that certain other elements are covered from a governance perspective which will take the form of an annual report on RIPA authorisations to the Audit Committee and the establishment of two corporate registers to centrally record all RIPA and non RIPA authorisations.

The Executive endorsed the proposals for overseeing the use and application of RIPA powers via the Audit Committee and the establishment of central registers.

**It was resolved –**

- **To adopt a RIPA Policy as attached in the Appendix to the report and,**
- **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.**
- **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.**
- **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.**

## **10 PUBLIC SECTOR HOUSING INVESTMENT PROGRAMME 2015-2016**

The joint report of the Head of Housing Services and the Section 151 Officer setting out the allocation of the capital budget for 2015/16 was presented for the Executive's consideration.

The Portfolio Member for Housing and Social Services reported that the Planned Maintenance Programme for 2015/6 in the sum of £8.589m allocates the capital resources previously included in the approved 2015 – 2016 HRA Business Account. The overall budget will include for carried forward commitment and slippage for the approved budget for 2014. The total budget including commitment is in the sum of £9.889m.

The Housing Services Technical Manager confirmed in response to a question by the Portfolio Member for Finance that work on preparing an application to the Welsh Government to suspend the right to buy scheme is ongoing, and that he would confirm the timetable once finalised. He noted the concern with regard to the need to protect the Council's housing stock particularly any planned new stock but said that right to buy criteria do have safeguards e.g. a minimum purchase price.

**It was resolved to approve the allocation of capital budget for 2015/16 as set out in the Planned Maintenance Programme for 2015/16 under Appendix 1 to the report.**

## **11 MARITIME FEES AND CHARGES**

The report of the Head of Economic and Community Regeneration incorporating a proposed maritime fees and charges schedule for 2014/15 and 2015/6 was presented for the Executive's consideration. The new charging policy is to be backdated to 1<sup>st</sup> 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 payers.

The Portfolio Member for Economic Development, Tourism and Leisure reported that the proposed fees and charges schedule is designed to more fairly reflect the actual facilities/services available and used.

The Executive welcomed the schedule as being more equitable but on the understanding that there is a mechanism for ensuring that the fees due to the Council are paid and/or collected in a timely way.

**It was resolved to approve the Maritime fees and charges schedule for 2014/15 and 2015/16 as set out under Appendix 1 to the report.**

## **12 LOWERING THE ADMISSION AGE FOR YSGOL LLANFAIRPWLL**

The report of the Director of Lifelong Learning on the outcome of the consultation on the proposal to lower the admission age of Ysgol Llanfairpwllgwyngyll to admit pupils on a part-time basis from the September following their third birthday with effect from 31 August, 2015 was presented for the Executive's consideration.

The Portfolio Member for Education reported that whilst there is general support for the proposal Estyn has raised the issue of the effect of educating nursery children in the Gorlan as a building set apart from the main school building.

The Head of Learning said that the Authority has agreed the use of the Gorlan building with the Community Council for the 2015/16 school year but is hopeful that changes to the internal organisation of the school can be effected within a year thus enabling the nursery class to be integrated within the main school building sooner.

Councillors Alun Mummery and R. Meirion Jones addressed the meeting as Local Members. The former referred to the challenge of completing the necessary changes within a year and the costs involved and urged the Education Authority in effecting planned adaptations to the school to have regard for the future in terms of the expanding population of Llanfairpwll. The latter said that ideally completion of alterations to the school should coincide with the implementation of the lowered admission age so that the nursery class can be accommodated within the main school from the outset.

**It was resolved –**

- **That 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 third birthday with effect from 31 August, 2015.**
- **To allow Officers to move immediately on the proposal if no objections are received within the 28 day period to the statutory notice. This to be followed up by a further report.**
- **That the Authority and the school should plan for the use of the "Gorlan" through an official agreement with the Community Council for the 2015/16 school year with the aim of educating the nursery children within the main building by September, 2016.**

## **13 LOWERING THE ADMISSION AGE FOR YSGOL GORONWY OWEN**

The report of the Director of Lifelong Learning on the outcome of the consultation 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 third birthday with effect from 31 August, 2015 was presented for the Executive's consideration.

The Head of Learning reported that Benllech Playgroup Committee supports the proposal and is keen for it to be implemented without delay. The response of Estyn has also been positive.

**It was resolved -**



- **That 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 third birthday with effect from 31 August, 2015.**
- **To allow Officers to move immediately on the proposal if no objections are received within the 28 day period. This to be followed up by a further report.**

#### **14 PROCUREMENT POLICY AND STRATEGY**

The report of the Interim Head of Resources and Section 151 Officer incorporating a proposed Procurement Strategy and Policy was presented for the Executive's consideration.

The Portfolio Member for Finance reported that the purpose of the Procurement Strategy and Policy is to set out a framework for all procurement decisions so that they are taken in the context of the Council's policies and procedures as well as legal and other regulatory requirements. It aims to provide improved value for money in the procurement process and to place greater emphasis on local procurement issues. The Procurement Strategy with the support of the SLT is to be implemented and applied corporately across the Council.

The Corporate Procurement Officer reported on how the Strategy will meet language requirements and the needs of the local economy.

The Executive was agreed in endorsing the Strategy's approach in accentuating value for money and local procurement. Councillor Aled Morris Jones, Portfolio Member for Economic Development, Tourism and Leisure requested that a progress report be presented to the Executive in 3 to 6 months to establish how successful the Strategy has been in engaging local businesses in the procurement process.

**It was resolved to approve the Procurement Strategy and Policy as set out under Appendix A to the report.**

#### **15 ROLL OUT OF E-PROCUREMENT WITHIN THE AUTHORITY**

The report of the Interim Head of Resources and Section 151 Officer seeking the Executive's approval to roll out E-Procurement across the Authority was presented.

**It was resolved to approve the roll out of E-Procurement within the Authority on the lines described within the report.**

#### **16 SCRUTINY OUTCOME PANEL – SICKNESS ABSENCE MANAGEMENT REVIEW**

The report of the Scrutiny Outcome Panel on the outcome of the scrutiny review of current sickness absences management practices was presented for the Executive's consideration.

Councillor R. Meirion Jones as the Panel's Chair elaborated on its Panel's findings and recommendations for a way forward.

**It was resolved to accept and note the report of the Scrutiny Outcome Panel.**

#### **17 SCRUTINY OUTCOME PANEL – EFFICIENCY SAVINGS 2014/15**

The report of the Scrutiny Outcome Panel on the outcome of the scrutiny review of the realisation of efficiency savings for 2014/15 was presented for the Committee's consideration.

Councillor R. Meirion Jones as the Panel's Chair elaborated on its findings and recommendations for a way forward.

**It was resolved to accept and note the report of the Scrutiny Outcome Panel.**

#### **18 EXCLUSION OF THE PRESS AND PUBLIC**

It was resolved under Section 100(A) (4) of the Local Government Act 1972, to exclude the press and public from the meeting during the discussion of the following item on the grounds that it involved the disclosure of exempt information as defined in Schedule 12A of the said Act and in the Public Interest Test presented.

## **19 BEAUMARIS PIER – ACEP**

The report of the Interim Head of Resources and Section 151 Officer setting out recommendations for concluding matters on the scheme's contract and related considerations was presented for the Executive's consideration.

### **It was resolved –**

- **To proceed in accordance with the recommendations of the report, and**
- **That the Officers be asked to investigate the feasibility of taking steps to recover additional costs incurred.**

**Councillor Ieuan Williams  
Chair**

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>The Executive</b>
<b>Date:</b>	<b>26 May 2015</b>
<b>Subject:</b>	<b>The Executive's Forward Work Programme</b>
<b>Portfolio Holder(s):</b>	<b>Cllr Ieuan Williams</b>
<b>Head of Service:</b>	<b>Lynn Ball Head of Function – Council Business / Monitoring Officer</b>
<b>Report Author:</b> Tel: E-mail:	<b>Huw Jones, Head of Democratic Services</b> <b>01248 752108</b> <a href="mailto:JHuwJones@anglesey.gov.uk">JHuwJones@anglesey.gov.uk</a>
<b>Local Members:</b>	<b>Not applicable</b>

<b>A –Recommendation/s and reason/s</b>
<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 <b>June 2015 – January 2016</b>;</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.

<b>E – Who did you consult?</b>		<b>What did they say?</b>
1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (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	<b>Finance / Section 151</b> (mandatory)	
3	<b>Legal / Monitoring Officer</b> (mandatory)	
5	<b>Human Resources (HR)</b>	
6	<b>Property</b>	
7	<b>Information Communication Technology (ICT)</b>	
8	<b>Scrutiny</b>	
9	<b>Local Members</b>	Not applicable.
10	<b>Any external bodies / other/s</b>	Not applicable.

\* Key:

*Strategic – key corporate plans or initiatives*

*Operational – service delivery*

*For information*

2

<b>F – Risks and any mitigation (if relevant)</b>	
<b>1</b>	<b>Economic</b>
<b>2</b>	<b>Anti-poverty</b>
<b>3</b>	<b>Crime and Disorder</b>
<b>4</b>	<b>Environmental</b>
<b>5</b>	<b>Equalities</b>
<b>6</b>	<b>Outcome Agreements</b>
<b>7</b>	<b>Other</b>
<b>FF - Appendices:</b>	
The Executive's Forward Work Programme: June 2015 – January 2016.	

<b>G - Background papers (please contact the author of the Report for any further information):</b>

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 For information



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.

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Reports will need 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 **June 2015 – January 2016** is outlined on the following pages.

\* Key:

*S = Strategic – key corporate plans or initiatives*

*O = Operational – service delivery*

*FI = For information*

	<b>Subject &amp; *category and what decision is sought</b>	<b>Decision by which Portfolio Holder or, if a collective decision, why</b>	<b>Lead Department</b>	<b>Responsible Officer/ Lead Member &amp; contact for representation</b>	<b>Pre-decision / Scrutiny (if applicable)</b>	<b>Date to Executive or, if delegated, date of publication</b>	<b>Date to Full Council (if applicable)</b>
<b>JUNE 2015</b>							
1	<b>Welsh Language Scheme Monitoring Report 2014/15 (O)</b>  To ratify the annual report for submission to the Welsh Language Commissioner.	Economic Development, Leisure and Tourism Portfolio Holder.	Deputy Chief Executive	Huw Jones Head of Democratic Services  Cllr Ieuan Williams		Delegated decision  June 2015	
2	<b>Llawr y Dref – options for the future (S &amp; O)</b>  Approval of strategic direction.	Social Services and Housing Portfolio Holder.	Community	Shan L Williams Head of Housing Services  Cllr Aled Morris Jones		Delegated decision  June 2015	
3	<b>The Executive's Forward Work Programme (S)</b>  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  15 June 2015	
4	<b>2014/15 Revenue and Capital Budget Monitoring Report – Quarter 4 (S)</b>  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		The Executive  15 June 2015	

\* Key:

S = Strategic – key corporate plans or initiatives

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FI = For information

	<b>Subject &amp; *category and what decision is sought</b>	<b>Decision by which Portfolio Holder or, if a collective decision, why</b>	<b>Lead Department</b>	<b>Responsible Officer/ Lead Member &amp; contact for representation</b>	<b>Pre-decision / Scrutiny (if applicable)</b>	<b>Date to Executive or, if delegated, date of publication</b>	<b>Date to Full Council (if applicable)</b>
5	<b>Corporate Policy Management (O)</b>  - approval of funding to acquire a corporate policy management system.	The approval of the full Executive is sought as the decision involves a bid for finance.	Deputy Chief Executive	Lynn Ball Head of Function – Council Business / Monitoring Officer  Cllr Alwyn Rowlands		The Executive  15 June 2015	
6	<b>Council Housing Development Strategy 2015 – 2020 (S)</b>  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 Aled Morris Jones		The Executive  15 June 2015	
7	<b>Housing Services (S)</b>  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 Aled Morris Jones		The Executive  15 June 2015	

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	<b>Subject &amp; *category and what decision is sought</b>	<b>Decision by which Portfolio Holder or, if a collective decision, why</b>	<b>Lead Department</b>	<b>Responsible Officer/ Lead Member &amp; contact for representation</b>	<b>Pre-decision / Scrutiny (if applicable)</b>	<b>Date to Executive or, if delegated, date of publication</b>	<b>Date to Full Council (if applicable)</b>
8	<b>Llangefni link road – purchase of land (O)</b>  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 Service Environment and Technical  Cllr J Arwel Roberts		The Executive  15 June 2015	
9	<b>School Modernisation – Llannau area (S)</b>  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 Service Environment and Technical  Cllr J Arwel Roberts		The Executive  15 June 2015	
<b>JULY 2015</b>							
10	<b>The Executive's Forward Work Programme (S)</b>  - 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	
11	<b>Constitutional Changes – Scrutiny Procedure Rules (O)</b>  Approval and recommendation to full Council.	Implementation of the recommendations would result in constitutional changes which can only be approved by full Council after consideration by the Executive.	Deputy Chief Executive	Lynn Ball Head of Function – Council Business / Monitoring Officer  Cllr Alwyn Rowlands		The Executive  20 July 2015	29 September 2015

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FI = For information

	<b>Subject &amp; *category and what decision is sought</b>	<b>Decision by which Portfolio Holder or, if a collective decision, why</b>	<b>Lead Department</b>	<b>Responsible Officer/ Lead Member &amp; contact for representation</b>	<b>Pre-decision / Scrutiny (if applicable)</b>	<b>Date to Executive or, if delegated, date of publication</b>	<b>Date to Full Council (if applicable)</b>
12	<b>Annual Report – Statutory Director of Social Services (S)</b>  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 Aled Morris Jones	6 July 2015	The Executive  20 July 2015	
13	<b>Lowering the admission age for Ysgol Llanfairpwll and Ysgol Goronwy Owen (O)</b>  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 Kenneth P Hughes		The Executive  20 July 2015	

\* Key:

S = Strategic – key corporate plans or initiatives

O =Operational – service delivery

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	<b>Subject &amp; *category and what decision is sought</b>	<b>Decision by which Portfolio Holder or, if a collective decision, why</b>	<b>Lead Department</b>	<b>Responsible Officer/ Lead Member &amp; contact for representation</b>	<b>Pre-decision / Scrutiny (if applicable)</b>	<b>Date to Executive or, if delegated, date of publication</b>	<b>Date to Full Council (if applicable)</b>
14	<b>Libraries Service Review (S)</b>  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 Kenneth P Hughes	6 July 2015	The Executive  20 July 2015	
15	<b>Cultural Services Review (S)</b>  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 Kenneth P Hughes	7 July 2015	The Executive  20 July 2015	
16	<b>Youth Service (S)</b>  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 Kenneth P Hughes	7 July 2015	The Executive  20 July 2015	

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17	<b>Schools Modernisation</b>  Holyhead Area: Full Business Case.	The approval of the full Executive is sought before submitting the Full Business Case to Welsh Government.	Lifelong Learning	Dr Gwynne Jones Director of Lifelong Learning  Cllr Kenneth P Hughes		The Executive  20 July 2015	
<b>SEPTEMBER 2015</b>							
18	<b>Safeguarding Arrangements for Vulnerable Adults (S)</b>  Progress report.	Social Services and Housing Portfolio Holder.	Community	Alwyn Jones Head of Adults' Services  Cllr Aled Morris Jones	15 September 2015	Delegated decision  September 2015	
19	<b>The Executive's Forward Work Programme (S)</b>  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  21 September 2015	
20	<b>Annual Performance Report (Improvement Plan) 2014/15 (S)</b>  Approval of report and recommendation to full Council.	Forms part of the Council's Policy Framework - a collective decision is required to make a recommendation to the full Council.	Deputy Chief Executive	Deputy Chief Executive  Cllr Alwyn Rowlands		The Executive  21 September 2015	29 September 2015
21	<b>Corporate Scorecard – Quarter 1, 2015/16 (S)</b>  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	14 September 2015	The Executive  21 September 2015	

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22	<b>2015/16 Revenue and Capital Budget Monitoring Report – Quarter 1 (S)</b>  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	
23	<b>Common Allocations Policy (S)</b>  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 Aled Morris Jones		The Executive  21 September 2015	
<b>OCTOBER 2015</b>							
24	<b>The Executive's Forward Work Programme (S)</b>  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	
25	<b>Schools Modernisation - North West Anglesey Area (Llannau)</b>  Full Business Case.	The approval of the full Executive is sought before submitting the Full Business Case to Welsh Government.	Lifelong Learning	Dr Gwynne Jones Director of Lifelong Learning  Cllr Kenneth P Hughes		The Executive  19 October 2015	

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26	<b>Schools Modernisation – Rhosyr Area</b>  Formal Consultation	Executive decision required to decide the final configuration of schools in the area.	Lifelong Learning	Dr Gwynne Jones Director of Lifelong Learning  Cllr Kenneth P Hughes	14 September 2015	The Executive  19 October 2015	
27	<b>Weekly waste collection – options appraisal re 3 or 4 weekly collections (S)</b>  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 J Arwel Roberts	TBC	The Executive  19 October 2015	
<b>NOVEMBER 2015</b>							
28	<b>The Executive's Forward Work Programme (S)</b>  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	<b>Corporate Scorecard – Quarter 2, 2015/16 (S)</b>  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	

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30	<b>2015/16 Revenue and Capital Budget Monitoring Report – Quarter 2 (S)</b>  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	
<b>DECEMBER 2015</b>							
31	<b>The Executive's Forward Work Programme (S)</b>  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	
<b>JANUARY 2016</b>							
32	<b>The Executive's Forward Work Programme (S)</b>  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  25 January 2016	

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>REPORT TO:</b>	<b>EXECUTIVE COMMITTEE</b>
<b>DATE:</b>	<b>MAY 26, 2015</b>
<b>SUBJECT:</b>	<b>SCORECARD MONITORING REPORT - QUARTER 4 (2014/15)</b>
<b>PORTFOLIO HOLDER(S):</b>	<b>COUNCILLOR ALWYN ROWLANDS</b>
<b>HEAD OF SERVICE:</b>	
<b>REPORT AUTHOR:</b>	<b>GETHIN MORGAN</b>
TEL:	01248 752111
E-MAIL:	<a href="mailto:GethinMorgan@anglesey.gov.uk">GethinMorgan@anglesey.gov.uk</a>
<b>LOCAL MEMBERS:</b>	n/a

<b>A - Recommendation/s and reason/s</b>
<p><b>1.1</b> This is the final scorecard of the financial year 2014/15. It portrays the position of the Council against its operational objectives for the year.</p> <p><b>1.2</b> It demonstrates that the continuous improvement agenda which the current Administration has established is being realised in that –</p> <ul style="list-style-type: none"> <li><b>1.2.1</b> Attendance rates have improved</li> <li><b>1.2.2</b> The adherence to policies and management of sickness via the completion of return to work interviews are improving</li> <li><b>1.2.3</b> Stress related sickness has decreased</li> <li><b>1.2.4</b> The number of concerns raised and the number of referrals to the ombudsman have decreased</li> <li><b>1.2.5</b> Performance targets have been reached in the majority of indicators with 20 out of 27 indicators seeing an improvement</li> </ul> <p><b>1.3</b> Further annual analysis of performance and comparator data with other local authorities will be completed via the Annual Performance report to be considered by both the Scrutiny Committee and the Executive over the coming months.</p> <p><b>1.4</b> The Committee is requested to scrutinise the scorecard and note the areas which the Senior Leadership Team are managing to secure improvements into the future. These can be summarised as follows –</p> <ul style="list-style-type: none"> <li><b>1.4.1</b> <i>Sickness Management – continuation of and further embedding of good management processes and practices with regards to learning from each other during 2015/16 so as to improve further on our sickness rates, costs and</i></li> </ul>

*management as an Authority.*

**1.4.2** *Financial Management – it is recommended that further consideration is given to the reporting of financial information within the scorecard for 15/16 quarterly reporting.*

**1.4.3** *Performance Management – it is recommended that the Council revises 2015/16 targets in the revised scorecard to ensure they are challenging but achievable.*

**1.4.4** *Customer Service – Embed the principles of our Customer Charter throughout the Council and ensure the mystery shopper exercise is completed twice during 2015/16 to provide a baseline of customer focused data.*

**1.5** The Committee is asked to accept the mitigation measures outlined above and note that further workshop/s will be held with SLT / Executive and shadow executive members to revise the corporate scorecard for 2015/16 during late May / June 2015.

**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?**

This matter is delegated to 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?**

<b>1</b>	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	This was considered by the SLT at their meeting on the 11th of May and their comments are reflected in the report
<b>2</b>	<b>Finance / Section 151</b> (mandatory)	No comment
<b>3</b>	<b>Legal / Monitoring Officer</b> (mandatory)	No comment
<b>4</b>	<b>Human Resources (HR)</b>	
<b>5</b>	<b>Property</b>	
<b>6</b>	<b>Information Communication Technology (ICT)</b>	
<b>7</b>	<b>Scrutiny</b>	
<b>8</b>	<b>Local Members</b>	
<b>9</b>	<b>Any external bodies / other/s</b>	

**E - Risks and any mitigation (if relevant)**

<b>1</b>	<b>Economic</b>	
<b>2</b>	<b>Anti-poverty</b>	
<b>3</b>	<b>Crime and Disorder</b>	
<b>4</b>	<b>Environmental</b>	
<b>5</b>	<b>Equalities</b>	

<b>6</b>	<b>Outcome Agreements</b>	
<b>7</b>	<b>Other</b>	
<b>F - Appendices:</b>		
Appendix A - Scorecard Monitoring Report – Quarter 4, 2014/15 & Scorecard		
<b>FF - Background papers (please contact the author of the Report for any further information):</b>		
<ul style="list-style-type: none"> <li>• 2014/15 Scorecard monitoring report - Quarter 3 (as presented to, and accepted by, the Executive Committee in February 2015).</li> </ul>		

**SCORECARD MONITORING REPORT – QUARTER 4 (2014/15)**

**1. INTRODUCTION**

- 1.1 This is the final scorecard of the financial year 2014/15. It portrays the position of the Council against its operational objectives for the year.
- 1.2 It demonstrates that the continuous improvement agenda which the current Administration has established is being realised in that –
  - 1.2.1 Attendance rates have improved
  - 1.2.2 The adherence to policies and management of sickness via the completion of return to work interviews are improving
  - 1.2.3 Stress related sickness has decreased
  - 1.2.4 The number of concerns raised and the number of referrals to the ombudsman have decreased
  - 1.2.5 Performance targets have been reached in the majority of indicators with 20 out of 27 indicators seeing an improvement
- 1.3 Further annual analysis of performance and comparator data with other local authorities will be completed via the Annual Performance report to be considered by both the Scrutiny Committee and the Executive over the coming months.
- 1.4 Quarter 1 is the quarter where as a Council, we need to further develop the scorecard for the forthcoming year and its associated indicators to clarify our performance priorities for 2015/16. This process will be commenced during May, 2015.

**2. CORPORATE SCORECARD**

- 2.1 The scorecard continues to develop and embed, reflecting changes from year to year. Indicators included within the current scorecard were decided through a process of engagement and consultation with the Pennaethiaid, SLT, the Executive and Shadow Executive. This exercise will now be re-commenced for 2015/16.
- 2.2 The scorecard (Appendix 1) portrays the current end of quarter 4 position and is requested to be considered by the Executive & Corporate Scrutiny Committee (minus financial information).

**3. CONSIDERATIONS**

- 3.1 This is the second year of collating and reporting performance indicators in a co-ordinated manner. The Council is seeing trends establish themselves with regards to a number of those indicators.
- 3.2 It is important to note that the formulation of this year's scorecard requested –
  - further trend analysis
  - look back at previous year's performance
  - acknowledgement of specific indicators in relation to the quartile positioning

This assists the quarterly analysis and enables performance to be considered using a number of different comparator elements.

- 3.3 For the purpose of quarter 4 analysis the introduction of data relating to year on year trends against performance has been included. i.e. to demonstrate whether indicators have improved or declined over the past year.

### 3.4 PEOPLE MANAGEMENT

- 3.4.1 Quarter 4 sickness rates (*indicator 1 on scorecard under people management*) have seen a very slight improvement against Q3 results, with an end of year average of 11.54 days/shifts lost per FTE against a target of 10 days for the year.

- 3.4.2 This is an improvement of approx. 1 day per FTE sickness compared to 2013/14 data. The improvement can be seen in the graph below (Table 1). This is a positive result to the year and is testimony to the continued drive to improve sickness absence throughout the Council. However, it is important to note that we continue to be 1.5 days per FTE over our current corporate target of 10.

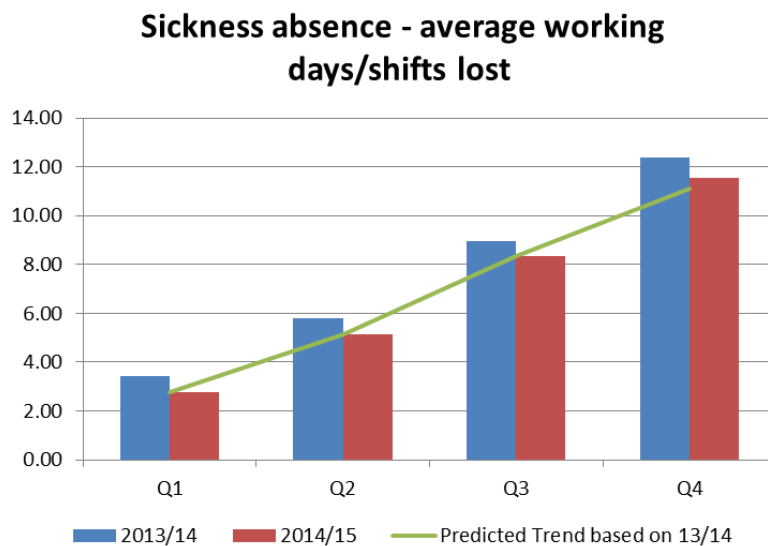


Table 1

- 3.4.3 Analysis of the associated data shows that one of the main reasons for not achieving our corporate target this year, was due to the Long Term Sickness rates which have declined year on year. (see Table 2 below). This year we saw an approximate 2,000 days increase lost due to long term sickness.

## LONG TERM SICK DAYS

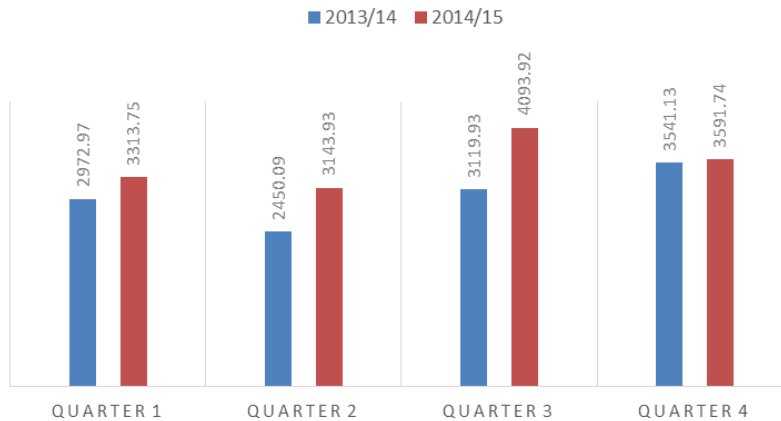


Table 2

- 3.4.4** Long Term sickness equated to 53% of our sickness for 2014/15 compared to 49% for 2013/14.
- 3.4.5** Our short term sickness for Quarter 4 (3,886.81 days) improved again from the same period last year (4,446.54 days) taking our overall short term sickness to 12,777 days sickness, an improvement of near 3,500 days sickness lost to short term sickness compared to 13/14 (16,272 days). This is illustrated below in Table 3.

## SHORT TERM SICK DAYS

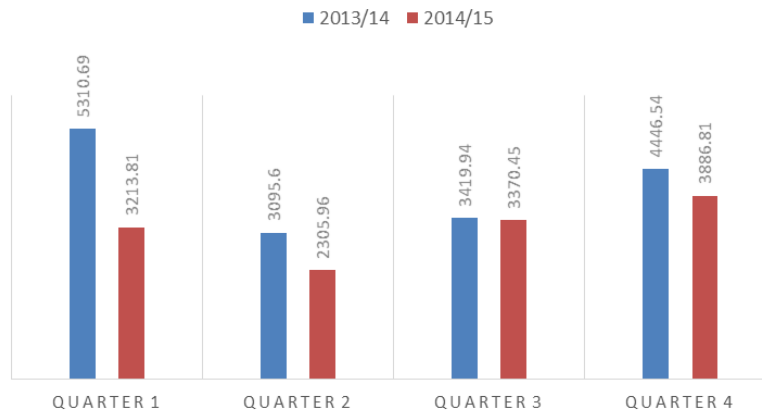


Table 3

- 3.4.6** Whilst this is a positive step in the right direction it would however, still demonstrate a poor performance in comparison with the rest of Local Authorities in Wales where it is envisaged our performance would be placed in the lower quartile.
- 3.4.7** Sickness rates for 2014/15 were identified as an indicator of national significance and have been categorised as a Public Accountability Measure (PAM) by Welsh Government. This means that its performance as comparator data will be used to provide a story for sickness across local authorities in Wales.

**3.4.8** *It is recommended therefore by the SLT, that Officers explore and manage the reasons behind our increased long term sickness rates and continue with our drive to decrease overall sickness rates for the future.*

**3.4.9** In relation to sickness absence figures – each service has been attributed a different sickness target based on historical sickness data / trends. These targets have been calculated in a way which makes targets more achievable and as a result meaningful to the Services as a whole.

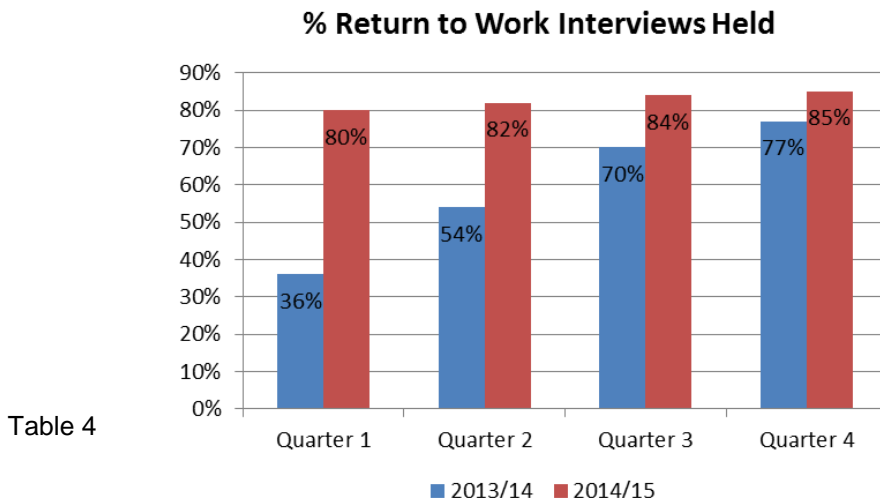
**3.4.10** If all targets were met, the Council would have met its sickness absence target of 10 days per FTE.

**3.4.11** *It is recommended therefore, that all Services receive their revised sickness absence targets for 2015/16 with associated methodology through the SLT by the end of the 1<sup>st</sup> quarter which will clearly articulate the Council’s desire to decrease sickness rates further.*

**3.4.12** Associated with sickness rates is the ‘management’ of sickness. An integral part of the management process within the Council is staff’s compliance with corporate sickness policies which include return to work interviews (*indicator 5 on scorecard*).

**3.4.13** The Council continues to embed this working practice across its services. This improvement has been further embedded during the Q4, with Return To Work (RTW) interviews increasing from a year end position of 59% in 2013/14 to a cumulative figure of 85% achieved in 2014/15 (see table 4).

**3.4.14** Q4 performance of 89% is further testimony to this improvement.



**3.4.15** With regards to the ‘management’ of sickness, and staff’s compliance with corporate sickness policies, significant improvements have been evidenced regarding return to work practise (see 3.3.10).

**3.4.16** *It is recommended by the SLT, that further consideration and focus is given to the management of recurring short-term sickness absence where trigger points are reached and the completion of attendance review meetings (ARM’s) are undertaken.*

**3.4.17** A 'worrying trend' identified in the Q2 report was the % of staff who received professional development reviews within timeframe (*indicator 9 under People Management*). The sample of 10% of staff, undertaken by HR, resulted in a figure of only 53% of all staff within the Authority who were provided a review.

**3.4.18** Following the PDR window in Q4, HR again sampled 10% of staff and following the analysis a total of 76% were completed within the timeframe (*performance indicator 9 in people management*). This demonstrates improvements on last years achievement but also indicates that further improvements are required to align staff working practises with service and Council priorities.

**3.4.19** *The SLT recommends therefore to continue to further embed good management processes and practices with regards to sickness management by learning from each other during 2015/16 so as to improve further on our sickness rates, costs and management as an Authority.*

## **3.5 FINANCIAL MANAGEMENT**

**3.5.1** No financial information for Q4 was available for the completion of this report.

**3.5.2** *The SLT therefore recommends that further consideration is given to the reporting of financial information within the scorecard for 15/16 quarterly reporting.*

## **3.6 PERFORMANCE MANAGEMENT**

**3.6.1** The scorecard for Performance Management has been amended for this quarter to show performance against a year on year trend. This has been completed for two reasons –

- 3.6.1..1 to ease analysis
- 3.6.1..2 demonstrate improvements.

It can be seen from these trends that 20 of the indicators have improved while 7 of the indicators have declined year on year.

**3.6.2** At the end of Q4 we have 6 indicators that are underperforming against their annual target for the year.

**3.6.3** One indicator within Adult Services shows an underperformance –

(i) 03 - SCA/018b - the % of carers of Adults who had a review/assessment of their needs which shows as **RED** on the scorecard. The result for Q4 (57.1%) has improved in comparison with the out-turn for Q3 (50.3%), however the result is well below its target of 70%.

A total of 564 requested an assessment or review and 92% (521) of these where assessed. In addition to these an additional 348 clients who declined assessment must be calculated within this performance indicator. These additional clients give the false impression of low performance within this PI.

It is noted that this result for 14/15 would continue to place us in the upper quartile when compared with the 13/14 and therefore a revised target setting should be sought for 15/16.



**3.6.4** One indicator within Childrens Services shows an underperformance –

(i) 11 – SCC/041a – *the % of eligible, relevant and former relevant children that have pathway plans as required* shows as **RED** on the scorecard. The result for the year of 78.26% is a slight improvement on last year but would still result in us being in the lower quartile when compared to 2013/14 results.

The reason for not hitting our target for this indicator is that 4 of 23 relevant young people had chosen not to participate in this process.

**3.6.5** One indicator within Housing shows an underperformance –

(i) 14 - HHA/017a – *The average number of days all homeless households spent in bed & breakfast* is **RED** on the scorecard. The result for 2014/15 (76.9 days) has improved when compared with 2013/14 (90.8 days) but we again would continue to be in the lower quartile when compared to 2013/14 results.

**3.6.6** Two indicators within Learning shows an underperformance –

(i) 17 – LCL/004 – *The no. of library materials issued during the year* is **RED** on the scorecard. The result of 287.5k issues is down 21.5k from the 2013/14 result of 309k. When compared to 2013/14 national results we would still see this indicator in the lower median quartile for the year.

Although the above indicator has declined, the service managed to increase visits to the library service (indicator 16 on the scorecard) by 73k from 219k to 292k during the year.

The Council now needs to ensure that these extra visits result in an increased number of materials issued for 2015/16, whilst also continuing to increase visits to the libraries.

(ii) 23 – *No of days lost to temp exclusion – Primary* is shown as **RED** on the scorecard. There has been 27 days lost due to exclusions during the Autumn Term. This compares unfavourably against last years grand total of 37.5 days for the whole of the 2013/14 academic year.

Data for the Spring Term was not available at the time of preparing this report and will be presented in the Q1 scorecard for 2015/16.

**3.6.7** One indicator within Economic & Community Regeneration shows an underperformance –

(i) 19 – LCS/002b – *The number of visits to local authority sport and leisure centres during the year where visitors will be participating in physical activity* is **RED** on the scorecard. The result of 591k visits is 29k below the target of 620k and is a decrease in performance from the 13/14 result of 614k.

This indicator has been hitting the targets throughout the year and was not foreseen to miss the target during Q4. However, it is believed that works in Holyhead Leisure Centre and a decrease in visits to Outdoor facilities, namely Llangefni Golf Course are the reasons for the decrease in performance.

The performance for the year when compared to 13/14 results would see us drop a quartile from the upper median to the lower median.

It should also be noted therefore that future performance is likely to remain in the lower quartile due to the closure of the golf course. This can and should be offset however by a projected and planned for increase of visits to the leisure centres during 2015/16 (11,000).

**3.6.8** Whilst the remaining indicators are all ragged **GREEN** within the performance management section it should be noted that this does not mean that our position on a national basis will improve across all areas. Based on 13/14 quartile results we would achieve a change in quartile for 7 of our indicators –

- 3.6.8.1 5 of which would improve on their 13/14 quartile result
- 3.6.8.2 2 of which would see a decline.

**3.6.9** Whilst this is a positive story overall, we will not know how we have performed in comparison with others until the results for 14/15 are published in September. The overall picture will be articulated in the body of our Annual Performance Report, to be considered by the Corporate Scrutiny Committee and the Executive prior to adoption by the Council in the autumn.

**3.6.10** A large amount of the indicators have hit their targets for the year. This is encouraging and demonstrates improvements locally. However, if we are to progress and improve our standing as an achieving Council, ***the SLT is recommended that to revise 2015/16 targets to ensure they are challenging yet achievable*** and that we do not rest on our laurels.

### **3.7 CUSTOMER SERVICE**

**3.7.1** Regarding Customer Complaints Management, by the end of Q4 65 formal complaints were received. 61 of the 65 have received a response and of these complaints 5 were upheld in full, 11 were partially upheld whilst the remaining 45 were not upheld. The final figure of 65 complaints is the same as it was for 13/14.

**3.7.2** A total of 90.8% of complaints have been responded to within timescale with only 6 late responses. This reflects the council's overall management of arising issues and trying our utmost to become customer, citizen and community focused as noted in the Corporate Plan 2013-17.

**3.7.3** With regards to adopting a customer centred approach one area which Officers have demonstrated a difficulty in achieving target is that of responding to FOI requests within timeframe. The final result of 65% is below the target of 80% for the year, however this has improved over the year and is a step in the right direction. In total there were 894 FOI requests received during the year with 3541 separate questions for the services to answer. This equates to approximately 14 questions a day.

**3.7.4** Another important indicator when looking at a customer centred approach would be the % of telephone calls abandoned (*number 12 on the customer service table*). This indicator has seen a drop to 16%, below the 15% target, for the first time this year. This will be monitored again during 2015/16 and will be tracked as one of the indicators associated with our Customer Charter which will need to be fully embedded during the year.

**3.7.5** As the Customer Charter has been in a pilot period and has not been fully embedded within working practise, the indicators which form part of the Mystery Shopper exercises have not been completed as anticipated. ***The SLT recommends therefore that a baseline of customer focused data be recorded during 2015/16 as part of the Customer Service Excellence Project and that the mystery shopper exercise is completed twice to achieve this.***

## 4. RECOMMENDATIONS

**4.1** The Committee is requested to scrutinise the scorecard and note the areas which the Senior Leadership Team are managing to secure improvements into the future. These can be summarised as follows –

*4.1.1 Sickness Management – continuation of and further embedding of good management processes and practices with regards to learning from each other during 2015/16 so as to improve further on our sickness rates, costs and management as an Authority.*

*4.1.2 Financial Management – it is recommended that further consideration is given to the reporting of financial information within the scorecard for 15/16 quarterly reporting.*

*4.1.3 Performance Management – it is recommended that the Council revises 2015/16 targets in the revised scorecard to ensure they are challenging but achievable.*

*4.1.4 Customer Service – Embed the principles of our Customer Charter throughout the Council and ensure the mystery shopper exercise is completed twice during 2015/16 to provide a baseline of customer focused data.*

**4.2** The Committee is asked to accept the mitigation measures outlined above and note that further workshop/s will be held with SLT / Executive and shadow executive members to revise the corporate scorecard for 2015/16 during late May / June 2015.

## Corporate Scorecard C-Q4

Customer Service	Actual	Target	RAG	Trend	13/14 Result
01) No of Complaints received	65	65	Green	→	65
02) No of Complaints upheld	16	15	Amber	→	15
03) % of Complaints acknowledged within 5 working days	100%	100%	Green	→	-
04) % of written responses within 20 days	100%	100%	Green	→	-
05) Number of concerns	71	92	Green	↓	92
06) Number of compliments	521	-	-	-	-
07) No. of Ombudsman referrals upheld	0	2	Green	→	2
08) Mystery Shopper Scores 0-4	-	-	-	-	-
09) Mystery Shopper Scores 5-7	-	-	-	-	-
10) Mystery Shopper Scores 8-10	-	-	-	-	-
11) Average time taken to answer telephone (sec)	9	15	Green	→	-
12) % of telephone calls abandoned	16%	15	Amber	↓	-
13) % of correspondance acknowledged to within 5 working days (mystery shopper)	-	-	-	-	-
14) % of correspondance repied to within 15 working days (mystery shopper)	-	-	-	-	-
15) % of FOI Requests Responded to Within Timescale	68%	80%	Red	→	-
16) Number of FOI Requests Responded to Within Timescale	608	-	-	-	-

People Management	Actual	Target	RAG	Trend	13/14 Result
01) Sickness absence - average working days/shifts lost	11.53	10	Red	→	12.38
02) No of staff with attendance of 100% (Headcount)	777	-	-	↑	775
03) Short Term sickness	12777	-	-	-	-
04) Long Term sickness	14143	-	-	-	-
05) % of RTW interview held	85%	80%	Green	-	59%
06) % of stress related sickness	5%	9%	Green	-	10%
07) No. of occupational health referrals	374	-	-	-	362
08) No. or workplace injuries	257	315	Green	↑	315
09) % of PDR's completed within timeframe	76%	80%	Amber	↑	53%
10) Number of staff authority wide, including teachers and school based staff (FTE)	2335.77	-	-	-	2366
11) Number of staff authority wide, excluding teachers and school based staff(FTE)	1361.85	-	-	-	1395
12) Local Authority employees leaving (%) (Turnover) (Annual)	6%	-	-	-	4%
13) Local Authority employees made redundant (compulsory)	29	-	-	-	-
14) No. of Agency Staff	21	-	-	→	18
15) No of grant funded posts	122.5	-	-	→	128.75
16) % of staff with email facility	57%	-	-	↑	53%

Financial Management	Spend (£)	Variance (%)	RAG	Trend	13/14 Result
01) Projected end of year position	-	-	-	-	-
02) Spend v Profile (Over / under spending) Service 1	-	-	-	-	-
03) Spend v Profile (Over / under spending) Service 2	-	-	-	-	-
04) Spend v Profile (Over / under spending) Service 3	-	-	-	-	-
05) Achievement against efficiencies (over/under) Service 1	-	-	-	-	-
06) Achievement against efficiencies (over/under) Service 2	-	-	-	-	-
07) Achievement against efficiencies (over/under) Service 3	-	-	-	-	-
08) Income v Targets – (Under / Overachieving) Service 1	-	-	-	-	-
09) Income v Targets – (Under / Overachieving) Service 2	-	-	-	-	-
10) Income v Targets – (Under / Overachieving) Service 3	-	-	-	-	-
11) Aged debt analysis across all categories of debt	-	-	-	-	-
12) Spend v Salary (£)	-	-	-	-	-
13) Spend v Salary (% of budget)	-	-	-	-	-
14) Cost of agency staff (£'000)	-	-	-	-	-
15) Cost of sickness absence – direct & indirect (Notional cost)	-	-	-	-	-
16) Grants Income – Welsh Government	-	-	-	-	-
17) Grants Income - European	-	-	-	-	-
18) Grants Income – Other	-	-	-	-	-

Performance Management	Actual	Target	RAG	Trend	Year on Year Trend	13/14 Result	13/14 Quartile
01) SCA/002a: The rate of older people (aged 65 or over) supported in the community per 1,000 population aged 65 or over at 31st March	49.46	55	Green	↓	↑	54.41	Lower
02) SCA/002b: The rate of older people (aged 65 or over) whom the authority supports in care homes per 1,000 population aged 65 or over at 31 March	23.28	23	Green	↑	↓	18.16	Upper Median
03) SCA/018b: The percentage of carers of adults who had an assessment or review of their needs in their own right during the year	57.1	70	Red	↑	↓	63.2	Upper
04) SCA/018c: The % of carers of adults who were assessed or re-assessed in their own right during the year who were provided with a service	96	75	Green	↑	↑	73.9	Upper Median
05) SCA/019: The % of adult protection referrals completed where the risk has been managed	91.92	90	Green	↓	↑	88.9	Lower
06) SCC/004: The percentage of children looked after on 31 March who have had three or more placements during the year	3.41	8	Green	↑	↑	7.79	Upper Median
07) SCC/011a: The % of initial assessments that were completed during the year where there is evidence that the child has been seen by the Social Worker	95.89	100	Green	↑	↑	91.63	Upper
08) SCC/042a: The % of initial assessments completed within 7 working days	94.77	85	Green	↓	↑	90.86	Upper
09) SCC/014: The % of initial child protection conferences due in the year which were held within 15 working days of the strategy	98.15	100	Green	↑	↑	92.66	Lower Median
10) SCC/025: The % of statutory visits to looked after children due in the year that took place in accordance with regulations	93.53	100	Green	↓	↑	90.54	Upper Median
11) SCC/041a: The percentage of eligible, relevant and former relevant children that have pathway plans as required	78.26	100	Red	↓	↑	77.78	Lower
12) SCC/43a: The % of required core assessments completed within 35 working days	77.88	85	Green	↓	↑	71.68	Lower
13) HHA/002 The average number of days between homeless presentation and discharge of duty for households found to be statutorily homeless	362	600	Green	↓	↑	531	Lower
14) HHA/017a The average number of days all homeless households spent in bed and breakfast.	76.9	42	Red	↑	↑	90.8	Lower
15) HHA/017b the average number of days that all homeless households spent in other forms of temporary accommodation	372.4	650	Green	↓	↑	621.6	Lower
16) LCL/001b: The no. of visits to public libraries during the year	292k	219k	Green	↑	↑	219k	Lower
17) LCL/004: The no. of library materials issued, during the year	287.5k	310k	Red	↑	↓	309k	Lower Median
18) No. of attendances (young people) at sports development / outreach activity programmes	144k	102k	Green	↑	↑	130k	-
19) LCS/002b: The number of visits to local authority sport and leisure centres during the year where the visitor will be participating in physical activity	591k	620k	Red	↓	↓	614k	Upper Median
27) THS/011c: The % of non-principal (C) roads that are in an overall poor condition	15.8	17	Green	↑	↑	17.6	Lower
28) Jobs Created	30	25	Green	↑	↓	41	-
30) The number of actual missed bin collections	224	480	Green	↓	↓	152	-
32) HLS/010c: Average number of days to complete routine void repair	10.5	30	Green	↓	↑	19.3	-
31) PLA/004c: The percentage of householder planning applications determined during the year within 8 weeks	90	85	Green	↑	↑	-	-
35) School Modernisation Programme	-	-	Green	-	-	-	-
36) Older Adult Social Care Programme	-	-	Green	-	-	-	-
37) Leisure Project	-	-	Green	-	-	-	-
38) Library Project	-	-	-	-	-	-	-
39) Adoption and compliance with a timetable for close of accounts and production of Statement of Accounts	Yes	Yes	Green	-	-	-	-
22) No. of Permanent Exclusions	0	0	Green	-	-	0	-
20) Attendance - Primary (%)	94.6	94.5	Green	-	-	94.6	Lower Median
21) Attendance - Secondary (%)	93.2	93.3	Green	-	-	93.4	Lower Median
23) No. of days lost to temp exclusion - Primary	34.5	25	Red	↑	-	37.5	-
24) No. of days lost to temp exclusion - Secondary	169	94	Red	↓	-	140.5	-
25) KS4 - % 15 year olds achieving L2+	-	56	-	-	↑	53.8	Lower Median
26) KS4 - % 15 year olds achieving L1	-	96.2	-	-	↑	96	Upper
29) No of new apprenticeships under 'Prentisiaeth Menai'	13	-	-	→	↑	9	-
33) % of repairs (BMU) completed first time	-	-	-	-	-	-	-
34) Outcome Agreements	-	-	Green	-	-	-	-

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>REPORT TO:</b>	<b>EXECUTIVE</b>
<b>DATE:</b>	<b>26 MAY 2015</b>
<b>SUBJECT:</b>	<b>RISK MANAGEMENT POLICY AND APPETITE</b>
<b>PORTFOLIO HOLDER(S):</b>	<b>CLLR HYWEL EIFION JONES</b>
<b>HEAD OF SERVICE:</b>	<b>RICHARD MICKLEWRIGHT</b>
<b>REPORT AUTHOR:</b>	<b>JULIE JONES</b>
TEL:	<b>01248 752609</b>
E-MAIL:	<a href="mailto:juliejones@anglesey.gov.uk" style="color: blue; text-decoration: underline;">juliejones@anglesey.gov.uk</a>
<b>LOCAL MEMBERS:</b>	

<b>A - Recommendation/s and reason/s</b>
<p>It is recommended that the Executive approves the new Risk Management Policy and Risk Assessment Criteria (Risk Appetite) as these documents provide a consistent basis for embedding risk management and managing risks throughout the Council.</p> <p>There have been longstanding weaknesses in managing risks which the review undertaken by Caerus Consulting in the autumn of 2014 confirmed. Several recommendations were made on how to strengthen risk management, including:</p> <ul style="list-style-type: none"> <li>• Clarifying roles and responsibilities for risk management, including for Members</li> <li>• Clarify the relationship between Corporate and Service risks</li> <li>• Revise and simplify the Risk Management Policy and Guidance to reflect current needs</li> </ul> <p>The new Risk Management Policy provide the vision, objectives, principles, and roles and responsibilities in respect of managing risks, which sets risk at the heart of the decision making process and clarifies the roles and responsibilities for risk management.</p> <p>The Risk Assessment Criteria provides an objective basis to prioritise and escalate risks consistently and is to be used for Corporate and Service risks. Prioritisation is key to deciding where to focus risk management efforts. The combination of impact and likelihood results in a risk exposure, which is the basis for taking further action or escalating the risk. The Risk Assessment Criteria has set the Council's Risk Appetite at a level where both SLT and the Executive will be involved when risks are viewed as Major or Critical.</p>

<b>B - What other options did you consider and why did you reject them and/or opt for this option?</b>
N/A

<b>C - Why is this a decision for the Executive?</b>
We need to seek approval for the Risk Management Policy and Risk Appetite

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

Yes

**D - Is this decision within the budget approved by the Council?**

N/A

<b>DD - Who did you consult?</b>		<b>What did they say?</b>
1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	Approved 23 March 2015
2	<b>Finance / Section 151</b> (mandatory)	This is a Section 151 Officer report
3	<b>Legal / Monitoring Officer</b> (mandatory)	As a member of Penaethiaid (see below)
4	<b>Human Resources (HR)</b>	
5	<b>Property</b>	
6	<b>Information Communication Technology (ICT)</b>	
7	<b>Scrutiny</b>	
8	<b>Local Members</b>	
9	<b>Any external bodies / other/s</b>	Penaethiaid – approved 10 March 2015

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

**F - Appendices:**

APPENDIX A – RISK MANAGEMENT POLICY  
 APPENDIX B – RISK ASSESSMENT CRITERIA

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



# Risk Management Policy

## Context

The Isle of Anglesey County Council is a diverse organisation committed to providing quality, sustainable and value for money services to the community. By providing strong community leadership and working in partnership, the Council is committed to realising the vision of our community strategy and Corporate Plan.

Risk is defined as *“an event that, should it occur, would impact our ability to successfully achieve our objectives”*. The Council recognises that there are risks involved in all our activities and that we have a duty to manage these risks in a balanced, structured and cost effective way. The process for identifying, assessing, managing and monitoring risk is, therefore, considered an integral part of the management process. As a result, we will be in a stronger position to enhance our service delivery capabilities, achieve our objectives and value for money.

## Vision

The vision for risk management is that it provides a framework to manage risk within agreed limits in order that the desired outcomes are achieved at a corporate, service and project level.

Failing to identify, assess and manage risks may result in considerable unbudgeted expenditure, damage to the Council’s reputation and community confidence.

It is recognised that some risk must be accepted in order that objectives can be achieved. The Council’s policy is, therefore, to ensure a culture of knowledgeable risk taking where it is explicit which risks the Council has chosen to accept, and those we have chosen not to accept.

## Objectives

The objectives of the Council’s risk management policy are to:

1. Develop a consistent approach to risk management across the Council.
2. Embed risk management as an integral part of the management process within the Council, and ensure clear links with Service Plans.
3. Ensure a proactive risk aware culture across all parts of the Council, where risk is taken (and not taken) knowledgeably in all major decisions and actions.
4. Maintain and improve customer confidence in our ability to deliver on our commitments.
5. Reduce the possibility of unplanned activity or financial costs, and the impact of such surprises on the Council’s reputation and ability to deliver our objectives.
6. Manage risk in accordance with best practice, statutory obligations and the Wales Programme for Improvement.
7. Work with our partners and providers to develop a common approach to achieving these risk management objectives.

## Principles

The following key principles set out how the Council will achieve our risk management objectives:

1. Risk management is a continuous process and not an event. The process for managing risk ensures that key risks are identified, evaluated, continuously monitored, and mitigated where necessary to an acceptable level.
2. The identification, assessment, management and reporting of risk information is timely, accurate, relevant and gives adequate coverage of the key risks in order to support management decision making.
3. The process for managing risk is an integral part of management and the successful completion of any activity, project or process.
4. Risk management is all encompassing but not burdensome or bureaucratic, nor adds unreasonably to the cost of running the Council.

## Roles and Responsibilities

The key roles and responsibilities are:

- *Chief Executive & SLT*  
The Chief Executive is responsible for effective management of risk across the Council, supported by the Senior Leadership Team and those officers charged with statutory responsibility for particular services. The Chief Executive and SLT are responsible for ensuring that the Corporate Risk Register is accurate and that risks are being well managed.
- *Heads of Service & Penaethiaid*  
Each Head of Service is responsible for implementing the Risk Management Policy and ensuring that service risks are well managed within their area of responsibility, and collectively the Penaethiaid are responsible for supporting the Chief Executive and SLT to manage Corporate Risks.
- *Elected Members*  
Responsible for good governance in the delivery of services to the community and overseeing that Council Officers have effective risk management arrangements in place.
- *Executive Committee*  
Responsible for approving the Council's Risk Management Policy, Risk Appetite and for overseeing the Corporate Risk Register.
- *Audit Committee*  
Responsible for reviewing the appropriateness of the risk management and assurance processes.
- *Corporate Scrutiny Committee*  
Scrutinise major critical risks.
- *All Employees*  
All employees have a duty to manage risk.

## Risk Management Procedures





Further guidance to support how this policy is implemented is provided in the Council's Risk Management Guidance.

MEINI PRAWF ASESU RISK / RISK MANAGEMENT CRITERIA

TEBYGOLRWYDD / LIKELIHOOD	Digwyddiad bron yn sicr o ddigwydd yn y rhan fwyaf o amgylchiadau / Event is almost certain to occur in most circumstances	>70%	Bron Yn Sicr / Almost Certain	A	[Green]	[Yellow]	[Orange]	[Red]	[Red]
TEBYGOLRWYDD / LIKELIHOOD	Bydd y digwyddiad o bosib yn digwydd ar ryw adeg / Event will possibly occur at some time	10-30%	Posib / Moderate	C	[Green]	[Yellow]	[Orange]	[Red]	[Red]
TEBYGOLRWYDD / LIKELIHOOD	Digwyddiad prin fydd ond yn digwydd mewn amgylchiadau eithriadol / Event rare and may occur only in exceptional circumstances	<1%	Prin / Rare	E	[Green]	[Yellow]	[Orange]	[Red]	[Red]
					Dinod / Insignificant	Bychan / Minor	Cymedrol / Moderate	Sylweddol / Major	Trychinebus / Catastrophic
Gwasanaeth / Service					Dim effaith ar ansawdd y gwasanaeth, tarfu gyfyngedig i weithrediadau / No impact to service quality, limited disruption to operations	Mân effaith ar ansawdd y gwasanaeth, nid yw safonau gwasanaeth mân yn cael eu bodloni, amhariad tymor byr i weithrediadau / Minor impact on service quality, minor service standards are not met, short term disruption to operations	Gostyngiad sylweddol yn ansawdd y gwasanaeth, amhariad difrifol i safonau gwasanaeth / Significant fall in service quality, serious disruption to service standards	Effaith sylweddol ar ansawdd gwasanaethau, safonau gwasanaeth lluosog heb eu bodloni, amhariad tymor hir i weithrediadau / Significant impact on service quality, multiple service standards not met, long term disruption to operations	Gostyngiad trychinebus yn ansawdd y gwasanaeth a safonau gwasanaeth allweddol ddim yn cael eu bodloni, ymyrraeth trychinebus hirdymor i weithrediadau / Catastrophic fall in service quality and key service standards are not met, long term catastrophic interruption to operations
Enw Da / Reputation					Pryder cyhoeddus wedi ei gyfyngu i gwynion lleol / Public concern restricted to local complaints	Mân sylw anffafriol lleol / cyhoeddus / cyfryngau a chwynion / Minor adverse local / public / media attention and complaints	Sylw andwyol lleol difrifol neu sylw andwyol mân yn y wasg rhanbarthol neu chenedlaethol / Serious adverse local or minor adverse regional or national media attention	Beirniadaeth rhanbarthol neu genedlaethol difrifol negyddol / Serious negative regional or national criticism	Condemniad rhanbarthol a chenedlaethol hir / Prolonged regional & national condemnation
Côst Ariannol / Financial Cost (£)					< £50k	£50k - £250k	£250k - £750k	£750k - £3m	>£3m

EFFAITH / IMPACT

Allwedd Difrifoldeb Risg Corfforaethol / Corporate Risk Severity Key

	Dinod / Minor	Risg a reolir yn hawdd yn lleol - dim angen trafferthu rheolwyr / Risk easily managed locally – no need to involve management
	Cymedrol / Moderate	Risg gallu cael ei reoli ar lefel gwasanaeth - efallai bydd angen rhoi gwybod i uwch reolwyr a'r UDA / Risk containable at service level - senior management and SLT may need to be informed
	Sylweddol / Major	Ymyrraeth gan yr UDA a / neu gyfranogiad Pwyllgor Gwaith / Intervention by SLT and / or Executive Committee involvement
	Allweddol / Critical	Ymyrraeth sylweddol gan yr UDA a Pwyllgor Gwaith / Significant SLT and Executive Committee intervention

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>Executive Committee</b>
<b>Date:</b>	<b>26 May 2015</b>
<b>Subject:</b>	<b>Housing (Wales) Act 2014</b>
<b>Portfolio Holder(s):</b>	<b>Councillor Aled Morris Jones</b>
<b>Head of Service:</b>	<b>Shan Lloyd Williams</b>
<b>Report Author:</b>	<b>Mark Prichard</b>
Tel:	<b>01248 752286</b>
E-mail:	<b>markprichard@anglesey.gov.uk</b>
<b>Local Members:</b>	<b>All</b>

<b>A –Recommendation/s and reason/s</b>
<p><b>Recommendations</b></p> <ol style="list-style-type: none"> <li>1. That the Executive Committee notes the changes in homelessness administration arising from Part 2, Chapter 2 of the Housing (Wales) Act 2014, and the implications for service delivery and resources.</li> <li>2. That the Executive Committee approves that, for the purpose of deciding whether homeless applicants are owed the most substantive homelessness housing duty (under section 75 of the 2014 Act), from 1 July 2015 the Council will, for all priority need categories, have regard to whether persons became homeless intentionally.</li> <li>3. That the Executive Committee approves the proposed minor changes to the current Housing Allocation Policy, to ensure it complies with the changes in homelessness legislation, to take effect once the Council’s partner Registered Social Landlords have been consulted.</li> </ol> <p><b>Background: The Housing (Wales) Act 2014</b></p> <p>The Housing (Wales) Act 2014 received Royal Assent on 17 September 2014. Most of the provisions concerning homelessness came into effect on 27 April 2015. The previous statutory framework governing the assistance given to homeless persons (contained in Housing Act 1996, Part 7) has been replaced for persons applying for help on or after 27</p>

April 2015.

The purpose of the homelessness reforms are to strengthen the focus on preventing homelessness, ensure interventions to prevent homelessness are more effective, increase customers' engagement in the assessment process, strengthen the duty on Registered Social Landlords (RSLs) and the Social Services Authority to cooperate in the discharging of homelessness functions, and to enable privately rented accommodation to be used to discharge housing duties. To achieve these policy objectives the legislation provides a new assessment procedure, places new duties on the Council to take reasonable steps to help all applicants in their efforts to secure accommodation (irrespective of the applicant's priority need status), and introduces other associated provisions.

The Council must undertake a statutory assessment wherever a person applies for help in obtaining or retaining accommodation and there is reason to believe s/he may be homeless or become homeless within 56 days (formerly 28 days). The Council is now subject to a variety of strengthened duties in relation to how homeless applicants must be assessed and notified at various stages in the statutory process. In addition applicants have additional opportunities to appeal decisions and certain aspects of the assessment by requesting that a statutory review is carried out by a senior officer.

The Council is subject to significant additional burdens as a result of the new legislation, albeit for purposes consistent with the corporate priorities of delivering customer-focused services, increasing housing options and reducing poverty. Complying with the strengthened duties requires Housing Options Officers to undertake additional tasks, and to adopt an 'active casework management' approach for all persons who may be at risk of homelessness. The extension of the 'threatened with homelessness' threshold from 28 to 56 days and the lessened importance of priority need status is likely to significantly increase demand, both in terms of the number of persons assessed and helped, and the tasks that must be undertaken in respect of each case.

Welsh Government funding of £113,404 has been approved for 2015/16 to cover additional financial burdens. This includes developing a bespoke ICT software module that will reduce manual recording, and help frontline officers meet the new duties, which has been identified as a key priority to ensure the onerous new duties can be efficiently administered, and demand for additional staff resources is minimised.

In addition, the Housing Options service is in the process of being restructured, so as to increase the resilience of those functions relating to housing needs assessments and the sourcing of accommodation, including privately rented accommodation.

### **Intentional homelessness**

Where persons apply for help as homeless the Council is currently obliged to consider whether they have become homeless intentionally to determine the duty owed. Intentional homelessness has a detailed statutory definition (HA 1996, s.191; HWA 2014, s.77).

Broadly speaking a person's homelessness is intentional if it was caused by the applicant ceasing to occupy reasonable accommodation because of their own deliberate actions, e.g. not paying rent, failing to ensure housing benefit was claimed, or vacating accommodation without having arranged alternative housing.

The new legislation allows authorities to consider whether a homeless person in priority need (e.g. a vulnerable person, or someone with dependent children) became homeless intentionally when deciding whether the most substantive housing duty is owed under HWA 2014, s.75. However, to have regard to intentionality the Council must now decide which priority need groups the test will apply to (s.78). A list of the priority need groups is contained in the Intentionality Regulations, which are attached as an appendix.

It is proposed the Council adopts the power to have regard to intentionality for all priority need groups, for the following reasons:

1. It is a desirable policy objective that persons whose homelessness was caused by their own actions should not receive the highest form of housing duty.
2. The availability of the sanction deters potential applicants from deliberately ceasing to occupy suitable accommodation.
3. Persons deemed to have become homeless intentionally will ordinarily be accommodated temporarily, and receive help to secure alternative accommodation, and the new homelessness legislation has strengthened what help must be provided in several key respects. It will ordinarily only apply in cases where initial attempts to help homeless applicants secure accommodation for a period of up to 56 days (under HWA 2014, s.73) have been unsuccessful.
4. There should be parity in the priority awarded for permanent social housing between homeless applicants who are assessed before and after the new legislation came into effect.
5. The Council finds only a small proportion of homeless applicants intentionally homeless (10 cases in all of the past three years 2012/13, 13/14 and 14/15, respectively representing 4.5, 4.2 and 3.9 per cent of all homeless decisions), suggesting the sanction is reserved for cases where officers are satisfied it is warranted and where attempts to prevent homelessness have been unsuccessful.
6. Retaining the intentionality test for all priority need categories will enable the Council to monitor the impact of the new legislation and how the sanction operates within the new regime.

### **Housing Allocation Policy**

The authority must have a policy governing priorities and the procedure to be followed in allocating permanent social housing. The statutory framework for allocations is contained in Part 6 of the Housing Act 1996. This remains largely unchanged by the 2014 Act, but there are minor consequential amendments resulting from the homelessness changes.

The Council operates a Common Housing Register on behalf of the Anglesey Housing

Partnership which includes Clwyd Alyn Housing Association, Grŵp Cynefin, and North Wales Housing. The Council is in the process of developing a new Common Housing Allocation Scheme with these RSL partners.

### **Impact on the Housing Allocation Policy**

Pending the conclusion of the aforementioned review, minor amendments are required to the Housing Allocation Policy, to reflect legislative changes.

How 'reasonable preference' (or the 'head start' in terms of priority for housing) for persons must be given effect by the policy for persons who are homeless has to be amended, as a result of amendments to section 167(2) of the Housing Act 1996 by 2014 Act.

The proposed changes to the policy are set out and highlighted in the accompanying Housing Allocation Policy at Appendix 1. The purpose of the changes is to give effect to the changes brought about by Schedule 3 to the 2014 Act, while broadly retaining parity between persons whose homelessness was assessed *before* the new legislation came into force on 27 April 2015 and those assessed *on or after* this date.

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

#### **Recommendation 2**

Alternative option (a): to not exercise the power to consider intentionality for any priority need groups. Alternative option (b): to not exercise the power in respect of categories where applicants are likely to be particularly vulnerable. Both alternative options were rejected for the reasons given on Page 3.

#### **Recommendation 3**

We did not consider any other options than amending the policy, given it is a legal requirement.

### **C – Why is this a decision for the Executive?**

***Intentional homelessness***: Matters relating to the homelessness function have been delegated to the Head of Service under the Constitution (paras 3.5.3.12.5 and 17). The Welsh Government has suggested it may be appropriate for the Executive to determine whether the power to have regard to intentionality is exercised, because it is a new statutory provision, and because of the potential implications for Children's Services (e.g. the possibility of an increase in requests for assistance under section 20 of the Children Act 1989 and section 21 of the National Assistance Act 1948).



**Housing allocation policy:** Although matters relating to the allocation function were delegated to the Portfolio Holder by Executive on 30 November 2010 it is expedient to consider the allocation amendments at the same time as a decision on adopting the intentionality power.

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

Yes.

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

Yes.

<b>E – Who did you consult?</b>		<b>What did they say?</b>
1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	
2	<b>Finance / Section 151</b> (mandatory)	There is insufficient evidence at this stage to indicate the financial implications of the new legislation. Significant additional monitoring will be required.
3	<b>Legal / Monitoring Officer</b> (mandatory)	
5	<b>Human Resources (HR)</b>	No comment.
6	<b>Property</b>	
7	<b>Information Communication Technology (ICT)</b>	
8	<b>Scrutiny</b>	
9	<b>Local Members</b>	
10	<b>Any external bodies / other/s</b>	

**F – Risks and any mitigation (if relevant)**

1	<b>Economic</b>	
2	<b>Anti-poverty</b>	
3	<b>Crime and Disorder</b>	
4	<b>Environmental</b>	

5	<b>Equalities</b>	The Housing Allocation Policy and the power to consider intentional homelessness are relevant to the Council's general and specific equality duties to promote equality and eliminate discrimination. The Housing Allocation Policy is also relevant to the duty to promote and protect human rights (Article 8). No changes have been introduced that impact on the authority's equality duties.
6	<b>Outcome Agreements</b>	
7	<b>Other</b>	

<b>FF - Appendices:</b>
<p>Housing Allocation Policy (July 2013) showing proposed amendments.</p> <p>The Homelessness (Intentionality) (Specified Categories) (Wales) Regulations 2015, SI No 1265 (W.65)</p>

<b>G - Background papers (please contact the author of the Report for any further information):</b>
<p>Housing Act 1996</p> <p>Housing (Wales) Act 2014</p> <p>The Housing (Wales) Act 2014 (Commencement No.3 and Transitory, Transitional and Savings Provisions) Order 2015, SI No 1272 (W.88)</p> <p>Code of guidance to local authorities on the allocation of accommodation and homelessness 2015 (Welsh Government, April 2015)</p>



CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL

**ISLE OF ANGLESEY COUNTY COUNCIL**

**HOUSING SERVICES**

**HOUSING ALLOCATION POLICY**

**~~JULY 2013~~MAY 2015**

## **INTRODUCTION**

The allocation of social rented housing is largely governed by the legislative framework set out in Part 6 of the Housing Act 1996. Amendments under the Homelessness Act 2002 revoked the *duty* to keep a Housing Register although there remains the requirement to have an allocations scheme which shows the priorities and procedures used to allocate accommodation. The scheme must contain a statement of the Authority's policies on choices and preferences.

Section 159 of the Housing Act 1996 defines the allocation of housing accommodation by housing authorities as:

- selecting a person to be a secure or introductory tenant of accommodation held by the local authority;
- a nomination to such tenancies of accommodation held by another person (ie, as stipulated in Section 80 Housing Act 1985);
- a nomination to an assured tenancy (including assured shorthold tenancy) of accommodation held by Registered Social Landlords.

The broad framework sets out who is eligible/ineligible for inclusion in the allocations scheme and identifies groups of people who must be given reasonable preference.

The Welsh Government's 'Code of Guidance for Local Authorities [on the Allocation of Accommodation and Homelessness 2015](#); ~~Allocation of Accommodation and Homelessness 2012~~' must also be taken into account.

The following Statutory Instruments also apply:

'The Allocation of Housing (Wales) Regulations 2003' cites two cases where the provisions of Part 6 do not apply:

- Where a local authority secures the provision of suitable alternative accommodation under Section 39 of the Land Compensation Act 1973 (3) (duty to rehouse residential occupiers)
- In relation to the grant of secure tenancy under Sections 554 and 555 of the Housing Act 1985 (4) (grant of tenancy to former owner-occupier or statutory tenant of defective dwelling-house).

'The Allocation of Housing (Wales) (Amendment) Regulations 2006' amended the 2003 provisions which prescribe classes of persons who are subject to immigration control who are eligible to include persons having humanitarian protection.

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## **1.0 COMMON HOUSING REGISTER**

- 1.1** The Isle of Anglesey County Council maintains a common housing register for its residential properties, as well as for those housing associations in the area that have chosen to participate in the Ynys Môn Housing Partnership - Cymdeithas Tai Eryri, Clwyd Alyn, and North Wales Housing.
- 1.2** This document sets out the Council's detailed procedures for processing new applications for social housing and applications from existing tenants wishing to transfer to alternative accommodation, and the processes involved in allocating dwellings.
- 1.3** The Council is committed to promoting equal opportunities and all applicants will be treated equally and without any discrimination.
- 1.3A** The Council will, when administering the allocation scheme, comply with the public sector equality duty. The Council shall have due regard to those matters listed in section 149(1) of the Equality Act 2010, including the need to eliminate discrimination, harassment and victimisation, the need to advance equality of opportunity, and the need to foster good relations between persons who share 'protected characteristics' and other persons.
- 1.3B** The Council will, where necessary, take appropriate steps to meet the needs of persons who share a protected characteristic, and to remove or minimise disadvantages they suffer. In this context, the protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender, and sexual orientation.
- 1.3C** Applicants shall be asked a series of questions, as part of the application process, and allocations shall be monitored, to enable the Council to monitor equality of opportunity, and the impact of the allocation scheme on persons who share protected characteristics.
- 1.3D** The Council shall make this policy and any associated documentation or literature available in another language or format, where necessary for the purpose of advancing equality of access, including to an individual applicant, upon receiving a request to do so.
- 1.4** The policy seeks to ensure that people in the greatest housing need have the highest priority for being housed or rehoused in the area of their choice.

## 2.0 ELIGIBILITY FOR SOCIAL HOUSING

2.1 Everyone is entitled to go onto the Housing Register unless they are excluded under the Housing Act 1996 [and the regulations concerning eligibility \(The Allocation of Housing and Homelessness \(Eligibility\) Wales Regulations 2014\)](#) ~~as amended by the Homelessness Act 2002.~~

### 2.2 Statutory Exclusion

Applicants who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996(c.49) are not eligible **unless**:

- a) they are existing secure or introductory tenants or assured tenants of housing accommodation allocated by a local housing authority;
- b) the applicant is a British Citizen;
- c) a Commonwealth citizen who has the right of abode in the UK;
- d) a citizen of a member country within the European Economic Area;
- e) a person who has been granted refugee status;
- f) a person who has been granted exceptional leave to enter or remain in the UK which is not subject to a condition requiring him/her to maintain and accommodate him/herself and any dependants without recourse to public funds;
- g) a person who has a current leave to enter or remain in the UK which is not subject to any time limit or condition. (Other than a sponsored immigrant who has been here for at least 5 years and whose sponsor(s) is still alive.)

2.3 Persons who are not habitually resident within the Common Travel Area of the UK, Republic of Ireland, Isle of Man and Channel Islands.

2.4 Nationals of the European Economic Area with no right to reside. A person who is a national of a country within the EEA and who is notified by the Home Secretary that he/she no longer has a right to reside in the UK.

2.5 A person who is excluded from entitlement to Housing Benefit by Section 115 of the Immigration and Asylum Act 1999 (c.33).

2.6 Discretionary Exclusion (power to exclude on basis of unacceptable behaviour).

The Council will only exclude those persons falling within the statutory provisions. This approach ensures that the allocation policy is not only inclusive but accurately reflects housing need on the island. This does not necessarily mean that all

applicants will be actively considered for housing. Please refer to Paragraph 12.0 'SUSPENDED APPLICATIONS'.

- 2.7 Applicants who feel they should become eligible can reapply to the Housing Authority at any time but will be required to demonstrate that their circumstances have changed.

### **3.0 DATA PROTECTION**

- 3.1 The Council will not disclose information regarding a person's application for housing to any third party or member of the public without their express consent unless required to do so by law. By signing the Housing Register application form, the applicant gives consent to the Council to make relevant enquiries in connection with their application and their suitability to be a tenant.

### **4.0 MAKING AN APPLICATION**

- 4.1 The Council will provide advice and information free of charge to potential applicants about their right to join the Housing Register, including an application form. The Council will also provide help directly or indirectly in making an application, free of charge, to anyone on the island who is likely to have difficulty applying without assistance.
- 4.2 The Council will endeavour to provide information in alternative formats upon request.

### **5.0 APPLICATIONS FROM 16/17 YEAR OLDS**

- 5.1 Section 1 of the Law of Property Act 1925 prevents minors from holding a legal estate in land. Consequently applicants will normally only be considered where the Council has a duty under the homelessness legislation or the Children Act 1989 and an appropriate adult will be required to enter into a guarantee in relation to the tenancy agreement. There may also be a requirement for appropriate support arrangements. The offer of permanent accommodation before an applicant is 18 is at the discretion of the Head of Housing Services.
- 5.2 The housing and support needs of lone parents under 18 years of age will be subject to joint assessment with Social Services and other agencies (where relevant). The consent of the applicant must be sought unless there are child protection concerns.



## **6.0 ELIGIBILITY CRITERIA FOR SPECIFIC PROPERTY TYPES / SIZE**

- 6.1** Priority for houses will be given to households with children under the age of 16 years or with children 16 - 18 who are in full time education or training.
- 6.2** To qualify for OAP bungalows/flats, an applicant must be 60 years of age or over.
- 6.3** To qualify for sheltered accommodation, an applicant must be 60 years of age or over OR be registered disabled. Offers of accommodation will be made subject to an assessment of housing and support needs by a Panel comprising Allocation Officers, Occupational Therapists and Disability Advisors.
- 6.4** To qualify for properties designed or adapted for special needs (e.g. disabled person) an applicant or a member of the applicant's household, must be medically assessed as requiring such specialised accommodation.
- 6.5** The Council assesses the size of home each applicant requires, according to their household size and composition. Size is expressed in terms of the number of bedrooms. Applicants will be prioritised for accommodation of a size that accords with their bedroom requirement, which shall be assessed using the following criteria.

One bedroom shall be deemed necessary for each of the following persons in the applicant's household:

- a single person or couple aged 16 or over; and
- two children of the same gender, where both of the children are aged under 16; and
- two children aged under 10, regardless of gender; and
- any remaining child.

In addition, an additional bedroom shall be deemed necessary where:

- the tenant or his or her partner is disabled, and they require a non-resident overnight carer, providing that the Council is satisfied that the prospective tenant is able to afford the accommodation; or
- it is unreasonable for two persons to share a bedroom, as the result of an illness or disability, providing that the Council is satisfied that the prospective tenant is able to afford the accommodation.

For the purpose of the above calculation, foster children and persons whose principal home is elsewhere shall not be included.

Where, in respect of a particular allocation, there is no applicant eligible for that size of property, or where all the eligible applicants have refused an offer, households with other bedroom requirements may be considered for an allocation, subject to an assessment of their ability to afford the rent and other household expenses.

Couples will be considered for 2 bedroomed OAP bungalows ahead of single applicants. Prospective allocations to OAP bungalows will be subject to an affordability assessment.

**6.6** A single -parent household is entitled to the same size of accommodation as a two-parent household with the same number of children

**6.7** Households that include a pregnant woman expecting her first child are assessed after 6 months as if the baby had already been born when being considered for houses.

#### **6.8 EXCEPTIONS**

**a)** When the Independent Community Specialist recommends increasing the required property size on medical grounds, subject to an affordability assessment.

**b)** The Head of Housing Services may allocate property types/sizes outside the eligibility criteria if there are no eligible applicants and/or it is in the best interest of the Council to do so in terms of managing its housing stock, meeting genuine housing need and minimising rent loss on void properties. The Head of Housing Services may also authorise the use of such properties as temporary accommodation for households towards whom the Council has a statutory duty under Part 7, Housing Act 1996 as amended by the Homelessness Act 2002.

#### **7.0 JOINT TENANCIES**

The Council encourages joint tenancies, where two adults in a household become joint tenants in the same Council property. Both tenants are then jointly and individually responsible for ensuring the tenancy agreement is kept to. Both parties must individually qualify to join the housing register and be eligible to be considered for offers of accommodation. If the Council refuses to grant a joint tenancy, it will provide written notification detailing the reasons for the refusal.

## **8.0 RIGHT TO GENERAL INFORMATION**

- 8.1** Eligible applicants have the right to request such general information as will enable them to know how their application is likely to be treated, what preference they are likely to be given, what kind of accommodation is likely to be made available to them, and when such accommodation is likely to become available.

## **9.0 CHOICE**

- 9.1** All eligible applicants have the opportunity to state preferences on property type, size and areas/neighbourhoods, subject to the following provisions, including the removal of area choice for homeless households after a period of three months.
- 9.2** All eligible applicants have the opportunity to register an interest in being accommodated by any of the participating Registered Social Landlords (Housing Associations) and approved Private Landlords.
- 9.3** Low turnover and high demand for some areas means that it may not always be possible to meet applicants' preferences for particular types of accommodation or areas on the island. Offers of accommodation will however be suitable for the applicant's needs even if they do not meet their preferences as regards location.
- 9.4** Applicants to whom the Council owes the main homelessness housing duty (Housing Act 1996, section 193) or the corresponding 'threatened with' duty under section 195(2), shall have the opportunity to express, via letting area choices, a preference about the location of accommodation they wish to be offered. At the end of the period of three months, beginning with the acceptance of the homelessness duty, the Council may unilaterally widen the letting areas for which the applicant may be considered. This will only be done where it is considered that accommodation in the additional letting areas would most likely be suitable for the needs of the applicant and his or her household members, for the purpose of discharging the main homelessness duty.

## **10.0 THE PROCESSING OF APPLICATIONS**

- 10.1** Applicants will be required to provide relevant documents to support their application before they will be made an offer including proof of identification and proof of residency. If an applicant fails to provide the requisite information within the specified timescale, the application will be cancelled.

- 10.2** References will be required from a landlord or mortgage provider and further checks will be undertaken where there are concerns that the behaviour of the applicant (or a member of his/her household) may affect their suitability to be a tenant.
- 10.3** Applicants with convictions subject to a custodial sentence will be required to have undergone a risk assessment
- 10.4** Any children included in an application must normally be dependent on and reside with the applicant before they are taken into account when assessing the points levels.
- 10.5** Applicants will be sent an acknowledgement letter within 5 working days and will be notified of the status of their application within the following 30 days once it has been processed. This will enable them to establish their prospects of being rehoused.
- 10.6** Applicants will be removed from the register at their own request provided it is made in writing. Written confirmation will be provided where a forwarding address is known.
- 10.7** If information is received which infers that an applicant already on the list is ineligible, he will be informed in writing and advised of the reasons.
- 10.8** Should the applicant request information about their application over the telephone, they will be asked to confirm their N.I. number or any other information known only to them.
- 10.9** Making a false statement or withholding relevant information to obtain a tenancy is a Ground for Possession (eviction) and a criminal offence for which a fine is payable on summary conviction. Any such applications identified prior to allocation will be cancelled.
- 10.10** If it is found that an applicant has purposely changed address or acted otherwise to worsen his/her circumstances to increase the award of points the application will be pointed as if such a change had not been made for a period of 12 months or, where the applicant is found to be intentionally homeless, until such time as there is a change in circumstances which would overturn the finding of intentionality.
- 11.0 CHANGE OF CIRCUMSTANCES**
- 11.1** Applicants are required to notify the Council in writing of any changes to their personal circumstances so that their details can be amended accordingly.

**11.2** Periodic reviews of the Housing Register are undertaken and applicants who fail to return the review form within the specified timescale will be removed from the register.

## **12.0 SUSPENDED APPLICATIONS**

**12.1** In some circumstances applications will be suspended, ie, they will be credited with housing need/local connection points but will not be actively considered when a property becomes available for letting. Suspensions can last up to a maximum of 12 months at which time the case will be reviewed. The decision on whether to suspend will be made on the basis of the facts of individual cases and applicants will be notified in writing of the reasons for the suspension and afforded the opportunity to request a review of the decision. See Paragraph 22.0 'RIGHT TO REVIEW OF DECISIONS'.

**12.2** Suspensions will be applied in the following circumstances (this list is not exhaustive):-

**12.2.1** At applicant's own request.

**12.2.2** Pending further information required to process an application, eg, proof of divorce / legal separation / property settlement / property sale and equity released / pregnancy / residence arrangements for children.

**12.2.3** Eligible applicants with tenancy related debts with any Local Authority, RSL or Private Landlord (arrears/recharges/court costs). Applicants will be required to enter into and maintain an agreed repayment schedule. While suspensions will be lifted when the debt is equivalent to 4 weeks rent net of any benefit, the offer of accommodation before the debt is cleared in full will be at the discretion of the Head of Housing Services or the Housing Associations / Private Landlords, and only then in exceptional circumstances.

**12.2.4** Applicant is in prison.

**12.2.5** Applicant is in HM Forces pending confirmation of discharge from Commanding Officer.

**12.2.6** Applicant has refused two reasonable offers in the areas of his choice. Suspension for 12 months.

- 12.2.7** Applicant is occupying tied accommodation – pending receipt of Notice to Terminate Employment.
- 12.2.8** Applicant has adequate financial resources to secure own accommodation at market rent or purchase. The average rental cost or purchase price in the applicant's areas of choice will be considered at the time of the assessment. For rental purposes applicants with an annual income of £35,000 will be deemed to have adequate resources to house themselves. Applicant will still be given appropriate advice and assistance.
- 12.2.9** Applicant is a freehold, leasehold or shared owner unless they have a minimum of 20 housing need points (excluding local connection). Applicants will only be considered when they are in the process of disposing of the property and have obtained a completion date unless:-
- a)** urgent re-housing is required on medical grounds (must have minimum 20 medical points) and it is not possible to adapt current accommodation OR applicant needs to live in close proximity to a carer (property must be in the process of being sold or applicant will be required to give a written undertaking to dispose of it within 12 months);
  - b)** the applicant is a joint owner at relationship breakdown and the property is not being disposed of as one partner is to continue to live in it (written confirmation from solicitor required)
  - c)** the property is considered to be 'difficult to let' (property must be in the process of being sold or applicant will be required to give a written undertaking to dispose of it within 12 months).
- 12.2.10** There are issues relating to current/recent anti-social behaviour which are considered relevant to the applicant and/or household members in terms of their suitability as tenants. Consideration will be given to the need to strike a balance between the rights of the individual and the interests of the wider community. Where there is evidence to suggest that an applicant's unacceptable behaviour is due to disability, the application will not be suspended if the Council is satisfied that the person would be able to maintain a tenancy satisfactorily with appropriate support. Any decision will be based on consultation with relevant agencies, eg, GP, Social Services, Mental Health Team, support providers.

- 12.2.11** Transfer applicants who have not occupied their present home for a minimum of 12 months unless there has been a change of circumstances which means they now fall within the reasonable preference categories. (The Head of Housing Services may allow a transfer in exceptional circumstances, which will be recorded on the applicant's file).
- 12.2.12** Transfer applicants with rent arrears/recharges/court costs until they enter into and maintain an agreed repayment schedule. While suspensions will be lifted when the debt is equivalent to 4 weeks rent net of any benefit, the offer of accommodation before the arrears are cleared in full will be at the discretion of the Head of Housing Services or the Housing Associations/Private Landlords and only then in exceptional circumstances.
- 12.2.13** Transfer applicants where their present home does not meet acceptable standards of cleanliness and decoration (the standard required is such that a new tenant could reasonably move into the dwelling straight away if the tenant left today).
- 12.2.14** Transfer applicants pending making good defects which are the tenant's responsibility.
- 12.2.15** Transfer applicants pending bringing garden area to a reasonable standard (having regard to his physical capabilities and those of his family members).
- 12.2.16** Transfer applicants where there are issues relating to current/recent anti-social behaviour which has warranted intervention by the Council.

Applicants will be notified in writing of the reasons for the deferral and, where necessary, how to remedy the situation and the proposed review dates. Applicants suspended on the basis of anti-social behaviour will be required to demonstrate to the reasonable satisfaction of the Council, why they consider themselves suitable to be a tenant.

### **13.0 PRIORITISING APPLICATIONS**

**13.1** Eligible applicants are awarded points to reflect housing need and other factors.

**13.2** Reasonable preference must be given to the following categories of people set out in s167(2) Part 6 Housing Act 1996 (as amended):

a) people who are homeless (within the meaning of Part 2 of the Housing (Wales) Act 2014

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ab) people who are owed a duty by a local authority under s66, s73 or s75 of the Housing (Wales) act 2014; ~~people who are homeless within the meaning of Part 7 of the Housing Act 1996;~~

bc) people who are owed a duty by any housing authority under Section 190(2), 193(2) or 195(2) of the 1996 Act (or under Section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under Section 192(3);

ed) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;

de) people who need to move on medical or welfare grounds including grounds relating to disability;

ef) people who need to move to a particular locality in the area of the housing authority, where failure to meet that need would cause hardship (to themselves or to others).

**13.3** When distinguishing between applications, the Council will take into account the following factors:

- a) the financial resources available to applicants to meet their own housing need;
- b) any behaviour of the applicant or a member of that household which affects the applicant's suitability to be a tenant;
- c) any local connection between the applicant and the district.

**13.4** The Council also has the power under s167(2E) to allocate particular housing accommodation to persons of a particular description regardless of whether or not they fall under s167(2). Any such specific lettings plans would be ancillary to the main Allocation Policy and would allow accommodation developed for a specific purpose to be allocated either primarily or exclusively to a specific category of people irrespective of whether or not they would attract priority under other provisions of the 1996 Act or the Allocation Policy.

## **14.0 HOUSING NEED POINTS**

### **14.1 HOMELESSNESS, UNSETTLED OR INSECURE ACCOMMODATION**



- a) The applicant is threatened with homelessness within 56 days and is owed a s66 duty - **10 points**; OR ~~The applicant is homeless/threatened with homelessness unintentionally - **20 points**; OR~~
- b) The applicant is homeless and is owed a s73 duty~~The applicant is homeless, unintentionally and in priority need as a result of violence or threats of violence likely to be carried out - **30** points; OR~~
- c) The applicant is homeless unintentionally, in priority need and is owed a s75 duty~~The applicant is homeless and in priority need but homeless intentionally - **520** points; OR~~
- d) The applicant is homeless as a result of being subject to domestic abuse and is owed a s75 duty - **30 points**; OR
- de) The applicant is living in lodgings, staying with family/friends - **10 points**; OR
- ef) The applicant is in local authority care or has been living in a hostel/ supported housing project for a minimum period of 6 months and written confirmation has been received that they are ready to move on - **45 points**; OR
- fg) The applicant has been placed in temporary local authority or private leased accommodation under Section 193 of the Housing Act 1996 or Section 75 of the Housing (Wales) Act 2014~~accommodation under Section 193(2) of the Housing Act 1996 (as amended) - **20 points**~~. This category will also attract **10 points** after the first 6 months spent in the temporary accommodation and an additional **10 points** after every further 6 month period they spend in temporary accommodation (at 12, 18, 24 months, and so on), up until the applicant has occupied the temporary accommodation for 5 years.
- h) The applicant is homeless within the meaning of Part 2 of the Housing (Wales) Act 2014 but does not otherwise qualify for priority under any of the other categories in this section (14.1) - **10 points**.

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**NB** If an applicant pointed under 14.1 (c) (d) or (g) refuses a final offer of suitable accommodation under Part 6 (allocation of housing), ~~the any homelessness points awarded under those categories will be removed. Similarly, w~~where the s66 or s73 duty has ~~been come to an end ended~~, the homelessness points will be removed. ~~14.1(a) (b) or (f) refuses a final offer of suitable accommodation under Part 6 (allocation of housing), the homelessness points will be removed. This also applies to non-priority~~

~~need applicants.~~ Such applicants will remain entitled to priority under 14.1 (h).

#### **14.2 OCCUPYING ACCOMMODATION WHICH IS UNSANITARY, OR LIVING IN UNSATISFACTORY HOUSING CONDITIONS (APPLIES TO TENANTS AND OWNER OCCUPIERS)**

- a) applicants lacking cooking facilities - **5 points**
- b) applicants living in poor housing conditions - **up to 20 points**

The assessment will be undertaken by an Environmental Health Officer using the Housing Health and Safety Rating System risk assessment framework. Rating scores will be calculated for each hazard identified based on the severity of each hazard, and its potential to cause injury to the occupiers.

#### **RATING SCORE:**

<b>5 - 25</b>	<b>5 points</b>
<b>30 - 45</b>	<b>10 points</b>
<b>50 - 65</b>	<b>15 points</b>
<b>over 70</b>	<b>20 points</b>

#### **14.3 OVERCROWDING**

Points will be awarded for each bedroom deficiency, using the following criteria of the household's need for bedrooms:

One bedroom is deemed necessary for each of the following persons in the applicant's household:

- a single person or couple aged 16 or over; and
- two children of the same gender, where both of the children are aged under 16; and
- two children aged under 10, regardless of gender; and
- any remaining child.

In addition, an additional bedroom shall be deemed necessary where:

- the tenant or their partner is disabled, and they require a non-resident overnight carer every day; or
- it is unreasonable for two persons to share a bedroom, as a result of illness or disability.

For the purposes of the above calculation, foster children and persons whose principal home is elsewhere shall not be included - **20 points for each bedroom deficiency.**

#### **14.4 MEDICAL POINTS**

Applicants, who maintain that their present accommodation is detrimental to their health, may apply for medical points. The Council utilises the services of an independent Community Medicine Specialist to undertake such assessments. Requests for adapted accommodation are referred to the 'Housing Link' panel which comprises Housing and Social Services staff.

Medical points will only be awarded when a move to more suitable accommodation would be beneficial in alleviating their medical condition. The degree of urgency in the need for alternative accommodation will be reflected in the points awarded as follows:

- a) to improve quality of life (although existing accommodation is not detrimental to applicant's health) - **5 points**
- b) some medical benefit in moving - **10 points**
- c) significant medical benefit in moving - **20 points**
- d) unable to be discharged from hospital or live in present accommodation - **30 points**

#### **14.5 HARDSHIP POINTS**

Applicants wishing to move to a particular locality to avoid hardship to themselves or others, eg, to give/receive care and support and rehousing would dispense with the need for services to be provided by the local authority - **10 points.**

#### **14.6 SOCIAL STRESS / SOCIAL MANAGEMENT POINTS**

Points will only be considered in this category in exceptional circumstances where the applicant's personal/housing circumstances are not met by other needs factors. This category would mainly be to assist Social Services to fulfil their duties under the Children Act 1989 (section 17 (1)) "*.....duty of every local authority...:*

- a) *to safeguard and promote the welfare of children within [the] area who are in need; and*
- b) *so far as is consistent with that duty, to promote the upbringing of such children by their families,*

- c) *by providing a range and level of services appropriate to those children's needs."*

Under section 27 of the Children Act 1989, Social Services can ask Housing Services to help in delivering services for children in need and they must comply to the extent that it is compatible with their own statutory duties and other obligations and does not unduly prejudice the discharge of any of their own functions. Points variable and will only be awarded for one offer only.

#### **14.7 CHILDREN IN FLATS**

If the applicant has a child under the age of 11 and is living in;

- a) a ground floor flat or maisonette without the sole use of a garden - **20 points**  
b) a maisonette or flat above ground floor - **30 points**

#### **14.8 PREGNANCY**

Applicants who are over 6 months pregnant and living in a flat or maisonette above ground floor - **10 points**

#### **14.9 SHARING POINTS**

Applicants who have to share facilities with separate households will be awarded points (A separate household does not include relations who have jointly occupied or owned the accommodation with the applicant for a substantial period of time immediately prior to applying for housing).

Points will be awarded for shared:

- living room - **5 points**
- kitchen - **5 points**
- toilet - **5 points**
- bathroom - **5 points**

#### **14.10 UNDER OCCUPATION (COUNCIL/PARTNER HOUSING ASSOCIATION TENANTS ONLY)**

In order to give priority to existing council and partner housing association tenants who are under occupying accommodation which is too large for their current needs, points will be awarded for each bedroom in excess of their needs.

In assessing those needs it will be assumed that separate bedrooms are required for a single person or couple aged 16 years or above; two children of the same gender where both children are aged under 16; two children aged under 10 regardless of gender; and any remaining child; with no more than 2 persons treated as occupying one bedroom - **30 points for each bedroom in excess of need.**

#### **14.11 FOSTER CARERS**

Applicants who are registered foster carers and whose present accommodation is unsuitable in terms of size or location to prevent them from providing that care - **30 points**

#### **14.12 ADAPTED PROPERTIES**

Applicants releasing an adapted property (council or housing association partner) where there is an identified need for the property, ie, Social Services have identified an applicant for whom the adaptations are appropriate - **30 points**

#### **14.13 TIED ACCOMMODATION**

Applicants occupying accommodation as a condition of employment with the council or partner housing association leaving through no fault of their own e.g. retirement, redundancy, ill health - **30 points**

#### **14.14 SMALLHOLDINGS**

Applicants occupying council owned smallholdings leaving through no fault of their own - **30 points**

#### **15.0 TRANSFER APPLICANTS**

Transfer applicants (i.e. all existing tenants of the Council or participating Housing Associations) - **10 points**

#### **16.0 LOCAL CONNECTION POINTS**

The Council aims to prevent the dispersal and break up of local communities and strengthen family support networks.

Local connection points will be awarded:-

- a) for each year an applicant has had his/her place of work, or had his/her only or principal home in Anglesey, up to 10 years - **3 points for each year up to 10 years; OR**
- b) if the applicant's mother, father, sister, brother or children have been living in Anglesey for at least 5 years - **10 points; OR**
- c) applicant has been living in Anglesey for 6 out of the last 12 months - **1 point; OR**
- d) Special circumstances e.g. need to be near special medical or support services only available in Anglesey - **5 points**

Up to 20 additional points will be awarded if the applicant has had his/her place of work, or had his/her only or principal home in the parish that they wish to be rehoused for a period of 10 years - **2 points per year up to 10 years.**

## 17.0 VERIFICATION VISITS

A Council Officer may visit the applicant to verify that the housing circumstances are as set out in the application form and that the correct points have been awarded. Applicants are expected to allow access to all parts of their home.

## 18.0 SELECTION OF APPLICANTS AND GRANTING TENANCIES

***The operation of the allocations scheme is delegated to the Head of Housing Services and his staff.***

- 18.1 When a property becomes available for letting, the Lettings Officer will draw up a short list of the highest pointed eligible applicants who have requested that type of property in that particular area.
- 18.2 Consideration will be given to the overriding need to make the best use of the Council's stock, the nature of the stock in the locality, turnover rates and levels of local need.
- 18.3 Where there are more than one equally pointed suitable applicants the original date of application will be taken into account
- 18.4 Successful applicants will be notified in writing that the offer is made provisionally and will not constitute a legally binding contract until the tenancy agreement is signed.

## **19.0 ROLE OF ELECTED MEMBERS IN THE ALLOCATION PROCESS**

**19.1** Local Members are responsible for approving, adopting and monitoring the implementation of allocations policies that comply with the Housing Act 1996 (as amended by the Homelessness Act 2002), the Welsh Assembly Government's 'Code of Guidance for Local Authorities: Allocation of Accommodation and Homelessness 2012' and equalities legislation.

**19.2** The Local Housing Authorities (Prescribed Principles for Allocation Schemes) (Wales) Regulations 1997 (Statutory Instrument 1997 No 45) prevent an Elected Member from being part of a decision-making process, when either:

- a) The unit of housing accommodation concerned is situated in their electoral ward; or
- b) The person subject to the decision has their sole or main residence in the Member's electoral ward.

This is reinforced in the Code of Guidance referred to in Paragraph 19.1

**19.3** Local Members enquiring about the status of a property will be advised whether it is currently void or has been allocated. However, to comply with the Data Protection Act 1998, personal information in relation to the new tenant cannot be disclosed.

**19.4** Local Members may make written enquiries on behalf of applicants within their constituency only in relation to the status of their housing register application provided that the written consent of the applicant is held on file by the Council.

## **20.0 NOMINATIONS TO HOUSING ASSOCIATIONS**

The Allocation Policy not only dictates the selection of applicants for council tenancies, but also covers nominations to assured/assured shorthold tenancies offered by Housing Associations. Associations with properties on the island are required to offer a proportion of their lettings to the Council (minimum 50%). When a vacancy is offered for nomination, the Council will nominate the 3 highest pointed applicants. The Association will then decide which of the nominated applicants is the most suitable in the context of their own eligibility criteria.

## **21.0 RIGHT TO INFORMATION ABOUT DECISIONS**

**21.1** Applicants have the right to be notified in writing of any decision:

- a) to exclude them from the Housing Register
- b) to suspend their application
- c) to remove them from the register

The Council must give clear grounds based on relevant facts of the case, state the duration of the exclusion/suspension and how the decision may be reversed.

- 21.2** Applicants have the right, on request, to be informed of any decision about the facts of their case which have been or are likely to be, taken into account in considering whether to make an allocation to them.

## **22.0 RIGHT TO REVIEW OF DECISION**

- 22.1** Applicants have the right, on request, to review a decision mentioned in 21.1 or 21.2 above.

Request for review must be made within 21 days of the date of the notification letter and the review will be based on written representations submitted by the applicant or someone acting on their behalf. Representations must be made within 14 days of the date the Council notifies the applicant that it is undertaking the review.

The review will be conducted by someone not involved in the original decision and senior in position to the person who made the original decision.

The local authority will make a decision within 8 weeks of the date the review was requested. Applicants will be notified in writing of the decision on review. If it confirms the original decision, they will be notified of the reasons for the decision.

Following the review, the applicant has no further right to challenge but may appeal to the High Court for a judicial review on a point of law.

If the applicant is dissatisfied with any aspect of the process followed in dealing with the application, he may seek redress through the Council's Complaints Procedure and, if still dissatisfied, may complain to the Public Services Ombudsman for Wales.

## **23.0 MONITORING AND REVIEW**

The Allocation Policy is regularly monitored to ensure compliance with legislative changes, case law and guidance documents. The Council is committed to ongoing training for staff and elected members.



## 24.0 ALLOCATIONS EXCLUDED FROM THE ALLOCATION SCHEME

- a) Offers of secure tenancies of their current home to introductory tenants;
- b) [Offers of non-secure tenancies to homeless households in pursuance of duties owed under Part 2 of the Housing \(Wales\) Act 2014](#); ~~Offers of non-secure tenancies to homeless households in pursuance of duties owed under Part 7 Housing Act 1996 (as amended)~~;
- c) Transfer of tenancies in pursuance of Court Orders in the course of divorce or other family proceedings;
- d) Statutory succession to secure or introductory tenancies on the death of the tenant;
- e) Assignment of secure or introductory tenancies to a person who is qualified to succeed;
- f) Mutual exchanges;
- g) Other circumstances may be prescribed by the Secretary of State.



**2015 Rhif 1265 (Cy. 85)**

**2015 No. 1265 (W. 85)**

**TAI, CYMRU**

**HOUSING, WALES**

**Rheoliadau Digartrefedd  
(Bwriadoldeb) (Categoriâu  
Penodedig) (Cymru) 2015**

**The Homelessness (Intentionality)  
(Specified Categories) (Wales)  
Regulations 2015**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

*(This note is not part of the Regulations)*

Mae adran 78(2) o Ddeddf Tai (Cymru) 2014 (“y Ddeddf”) yn darparu na chaiff awdurdod tai lleol roi sylw i ba un a yw ceisydd wedi dod yn ddigartref yn fwriadol ai peidio at ddibenion adrannau 68 a 75 wrth asesu ceisydd am gymorth ynghylch digartrefedd, oni bai ei fod wedi penderfynu rhoi sylw i un neu ragor o'r categorïau o geiswyr a bennwyd gan Weinidogion Cymru. Mae adran 78(1) o'r Ddeddf yn gosod rhwymedigaeth ar Weinidogion Cymru i wneud rheoliadau i bennu categorïau o'r fath.

Section 78(2) of the Housing (Wales) Act 2014 (“the Act”) provides that when assessing an applicant for help with homelessness, a local housing authority may not have regard to whether or not an applicant has become homeless intentionally for the purposes of sections 68 and 75, unless it has decided to have regard to one or more of the categories of applicants specified by the Welsh Ministers. Section 78(1) of the Act places an obligation on the Welsh Ministers to make regulations to specify such categories.

Yn y Rheoliadau hyn, mae Gweinidogion Cymru yn pennu rhestr o gategoriâu o geiswyr at ddibenion adran 78. Mae'r rhestr hon yn rheoliad 2. Mae wedi ei seilio ar adran 70 o'r Ddeddf, sy'n nodi'r rhestr o'r personau sydd mewn angen blaenoriaethol am lety.

In these Regulations, the Welsh Ministers specify a list of categories of applicants for the purposes of section 78. This list is in regulation 2. It is based on section 70 of the Act, which sets out the list of persons who have a priority need for accommodation.

Gan ddibynnu ar y pŵer sydd wedi ei gynnwys yn adran 142(2)(c) o'r Ddeddf, mae'r Rheoliadau hyn hefyd yn gwneud darpariaethau canlyniadol, atodol a throsiannol. Disgrifir y rhain isod.

These Regulations, in reliance on the power contained in section 142(2)(c) of the Act, also make incidental, supplementary and transitional provisions. These are described below.

Mae rheoliad 3 yn darparu bod rhaid i awdurdod tai lleol roi hysbysiad ysgrifenedig o'i benderfyniad i roi sylw i fwriadoldeb i Weinidogion Cymru, o leiaf 14 o ddiwrnodau cyn iddo gael effaith. Rhaid i'r hysbysiad bennu'r categori neu gategoriâu o geiswyr y bydd yr awdurdod tai lleol yn ystyried bwriadoldeb mewn perthynas â hwy. Rhaid i'r hysbysiad hefyd gynnwys rhesymau dros benderfynu rhoi sylw i'r categori neu'r categorïau a bennwyd.

Regulation 3 provides that a local housing authority must give written notice of its decision to have regard to intentionality to the Welsh Ministers, at least 14 days before it takes effect. The notice must specify the category or categories of applicants in relation to which the local housing authority will consider intentionality. The notice must also contain reasons for deciding to have regard to the category or categories specified.

Mae rheoliadau 4 a 5 yn gwneud darpariaeth ar gyfer cyhoeddi hysbysiad o benderfyniad i geiswyr a rhanddeiliaid. Yn benodol, rhaid cyhoeddi'r hysbysiad ar wefan yr awdurdod tai lleol, os oes ganddo un, a rhaid bod copi ohono ar gael, yn ddi-dâl, i'r ceiswyr yr effeithir arnynt.

Mae rheoliad 6 yn darparu na chaniateir diwygio'r penderfyniad fwy na dwywaith mewn cyfnod o 12 mis. Mae hefyd yn egluro bod rhaid cyhoeddi hysbysiadau o benderfyniadau a ddiwygiwyd mewn ffordd debyg i'r hysbysiadau gwreiddiol.

Mae rheoliad 7 yn atal awdurdod tai lleol rhag ystyried bwriadoldeb mewn perthynas â cheiswyr presennol y mae'r ddyletswydd o dan adran 62(1) o'r Ddeddf yn ddyledus iddynt, cyn bod yr awdurdod yn penderfynu rhoi sylw i fwriadoldeb.

Mae rheoliad 8 yn gymwys i geisydd presennol am gymorth, y mae dyletswydd i asesu o dan adran 62(1) o'r Ddeddf yn ddyledus iddo ar yr adeg pan fo unrhyw newidiadau yn cael eu gwneud i gategoriâu. Mae rheoliad 8(1)(a) yn darparu na chaiff yr awdurdod roi sylw i fwriadoldeb mwyach wrth asesu cais os yw ceisydd o'r fath mewn categori sy'n cael ei dynnu o'r rhestr o gategoriâu.

Ar y llaw arall, os yw ceisydd o'r fath mewn categori sydd wedi ei gynnwys mewn rhestr o gategoriâu tra bo'r cais am asesiad yn cael ei ystyried, yna mae rheoliad 8(1)(b) yn darparu na fydd yr hysbysiad yn effeithio ar y ceisydd hwnnw ac na chaiff awdurdod roi sylw i fwriadoldeb y ceisydd hwnnw.

Regulations 4 and 5 make provision for publication of a notice of decision to applicants and stakeholders. In particular, the notice must be published on the local housing authority's website, if it has one, and a copy of the notice must be made available, without charge, to affected applicants.

Regulation 6 provides that the decision may not be revised more than twice in a 12 month period. It also clarifies that notices of revised decisions must be published in a similar manner to the original notices.

Regulation 7 prevents a local housing authority from considering intentionality in relation to existing applicants to whom the duty under section 62(1) of the Act is owed, prior to a decision by the authority to have regard to intentionality.

Regulation 8 applies to an existing applicant for help, to whom a duty to assess under section 62(1) of the Act is owed at the time of any changes of categories. Regulation 8(1)(a) provides that if such an applicant is in a category which is removed from the list of categories, the authority must no longer have regard to intentionality when assessing the application.

If, on the other hand, such an applicant is in category which is included in a list of categories while the application for assessment is pending, then regulation 8(1)(b) provides that the notice will not affect that applicant and that an authority may not have regard to the intentionality of that applicant.

**2015 Rhif 1265 (Cy. 85)**

**2015 No. 1265 (W. 85)**

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**Rheoliadau Digartrefedd  
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Penodedig) (Cymru) 2015**

**The Homelessness (Intentionality)  
(Specified Categories) (Wales)  
Regulations 2015**

*Gwnaed* 21 Ebrill 2015

*Made* 21 April 2015

*Yn dod i rym* 27 Ebrill 2015

*Coming into force* 27 April 2015

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd iddynt gan adrannau 78(1) a 142(2) o Ddeddf Tai (Cymru) 2014(1).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 78(1) and 142(2) of the Housing (Wales) Act 2014(1).

Gosodwyd drafft o'r offeryn hwn gerbron Cynulliad Cenedlaethol Cymru a'i gymeradwyo drwy benderfyniad ganddo yn unol ag adran 142(3)(b)(ii) o'r Ddeddf honno.

A draft of this instrument was laid before and approved by resolution of the National Assembly for Wales in accordance with section 142(3)(b)(ii) of that Act.

**Enwi, cychwyn a dehongli**

**Title, commencement and interpretation**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Digartrefedd (Bwriadoldeb) (Categoriâu Penodedig) (Cymru) 2015.

1.—(1) The title of these Regulations is the Homelessness (Intentionality) (Specified Categories) (Wales) Regulations 2015.

(2) Daw'r Rheoliadau hyn i rym ar 27 Ebrill 2015.

(2) These Regulations come into force on 27 April 2015.

(3) Yn y Rheoliadau hyn—

(3) In these Regulations—

ystyr "rhestr o gategoriâu penodedig o geiswyr" ("list of specified categories of applicants") yw'r categori neu'r categorïau o geiswyr(2) y mae awdurdod tai lleol wedi penderfynu rhoi sylw i ba un a yw ceiswyr wedi dod yn ddigartref yn fwriadol ai peidio mewn cysylltiad â hwy(3);

"have regard to intentionality" ("rhoi sylw i fwriadoldeb") means to have regard to whether or not an applicant has become homeless intentionally for the purposes of sections 68 and 75;

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(1) 2014 decc 7.

(2) Fel y'u diffinnir gan adran 62(3).

(3) Gweler adran 78(2).

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(1) 2014 anaw 7.

ystyr “rhoi sylw i fwriadoldeb” (“*have regard to intentionality*”) yw rhoi sylw i ba un a yw ceisydd wedi dod yn ddigartref yn fwriadol ai peidio at ddibenion adrannau 68 a 75.

(4) Yn y Rheoliadau hyn, mae cyfeiriadau at adrannau yn gyfeiriadau at adrannau o Ddeddf Tai (Cymru) 2014.

“list of specified categories of applicants” (“*rhestr o gategoriâu penodedig o geiswyr*”) means the category or categories of applicant(1) in respect of which a local housing authority has decided to have regard to whether or not applicants have become homeless intentionally(2).

(4) In these Regulations, references to sections are references to sections of the Housing (Wales) Act 2014.

## RHAN 1

### Categoriâu Penodedig

#### Categoriâu o geiswyr at ddiben adran 78

2. Mae'r canlynol yn gategoriâu o geiswyr at ddiben adran 78 (penderfynu rhoi sylw i fwriadoldeb)—

- (a) menyw feichiog neu berson y mae'n preswyllo gydag ef neu y gellid disgwyl yn rhesymol iddi breswyllo gydag ef;
- (b) person y mae plentyn dibynnol yn preswyllo gydag ef neu y gellid disgwyl yn rhesymol iddo breswyllo gydag ef;
- (c) person—
  - (i) sy'n hyglwyf o ganlyniad i reswm arbennig (er enghraifft: henaint, salwch corfforol neu feddyliol neu anabledd corfforol neu feddyliol), neu
  - (ii) y mae person sy'n dod o fewn is-baragraff (i) yn preswyllo gydag ef neu y gellid disgwyl yn rhesymol iddo breswyllo gydag ef;
- (d) person—
  - (i) sy'n ddigartref neu o dan fygythiad o ddigartrefedd o ganlyniad i argyfwng megis llifogydd, tân neu drychineb arall, neu
  - (ii) y mae person sy'n dod o fewn is-baragraff (i) yn preswyllo gydag ef neu y gellid disgwyl yn rhesymol iddo breswyllo gydag ef;
- (e) person—
  - (i) sy'n ddigartref o ganlyniad i wynebu camdriniaeth ddomestig, neu
  - (ii) y mae person sy'n dod o fewn is-baragraff (i) yn preswyllo gydag ef (ac eithrio'r sawl sy'n cam-drin) neu y gellid disgwyl yn rhesymol iddo breswyllo gydag ef;

## PART 1

### Specified Categories

#### Categories of applicant for the purpose of section 78

2. The following are categories of applicant for the purpose of section 78 (deciding to have regard to intentionality)—

- (a) a pregnant woman or a person with whom she resides or might reasonably be expected to reside;
- (b) a person with whom a dependent child resides or might reasonably be expected to reside;
- (c) a person—
  - (i) who is vulnerable as a result of some special reason (for example: old age, physical or mental illness or physical or mental disability), or
  - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
- (d) a person—
  - (i) who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster, or
  - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
- (e) a person—
  - (i) who is homeless as a result of being subject to domestic abuse, or
  - (ii) with whom a person who falls within sub-paragraph (i) resides (other than the abuser) or might reasonably be expected to reside;

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(1) As defined by section 62(3).

(2) See section 78(2).

- (f) person—
- (i) sy'n 16 neu'n 17 oed pan fo'r person yn gwneud cais i awdurdod tai lleol am lety neu gymorth i gadw neu gael gafael ar lety, neu
  - (ii) y mae person sy'n dod o fewn is-baragraff (i) yn preswyllo gydag ef neu y gellid disgwyl yn rhesymol iddo breswyllo gydag ef;
- (g) person—
- (i) sydd wedi cyrraedd 18 oed, pan fo'r person yn gwneud cais i awdurdod tai lleol am lety neu gymorth i gadw neu gael gafael ar lety, ond nid 21 oed, sy'n wynebu perygl arbennig o gamfanteisio rhywiol neu ariannol, neu
  - (ii) y mae person sy'n dod o fewn is-baragraff (i) yn preswyllo gydag ef (ac eithrio camfanteisiwr neu gamfanteisiwr posibl) neu y gellid disgwyl yn rhesymol iddo breswyllo gydag ef;
- (h) person—
- (i) sydd wedi cyrraedd 18 oed, pan fo'r person yn gwneud cais i awdurdod tai lleol am lety neu gymorth i gadw neu gael gafael ar lety, ond nid 21 oed, a oedd yn derbyn gofal, yn cael ei letya neu'n cael ei faethu ar unrhyw bryd pan oedd o dan 18 oed, neu
  - (ii) y mae person sy'n dod o fewn is-baragraff (i) yn preswyllo gydag ef neu y gellid disgwyl yn rhesymol iddo breswyllo gydag ef;
- (i) person—
- (i) sydd wedi gwasanaethu yn lluoedd arfog rheolaidd y Goron sydd wedi bod yn ddigartref ers gadael y lluoedd hynny, neu
  - (ii) y mae person sy'n dod o fewn is-baragraff (i) yn preswyllo gydag ef neu y gellid disgwyl yn rhesymol iddo breswyllo gydag ef;
- (j) person sydd â chysylltiad lleol ag ardal yr awdurdod tai lleol ac sy'n hyglwyf o ganlyniad i un o'r rhesymau canlynol—
- (i) bod wedi bwrw dedfryd o garchar o fewn ystyr adran 76 o Ddeddf Pwerau Llysoedd Troseddol (Dedfrydu) 2000(1),
- (f) a person—
- (i) who is aged 16 or 17 when the person applies to a local housing authority for accommodation or help in obtaining or retaining accommodation, or
  - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
- (g) a person—
- (i) who has attained the age of 18, when the person applies to a local housing authority for accommodation or help in obtaining or retaining accommodation, but not the age of 21, who is at particular risk of sexual or financial exploitation, or
  - (ii) with whom a person who falls within sub-paragraph (i) resides (other than an exploiter or potential exploiter) or might reasonably be expected to reside;
- (h) a person—
- (i) who has attained the age of 18, when the person applies to a local housing authority for accommodation or help in obtaining or retaining accommodation, but not the age of 21, who was looked after, accommodated or fostered at any time while under the age of 18, or
  - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
- (i) a person—
- (i) who has served in the regular armed forces of the Crown who has been homeless since leaving those forces, or
  - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
- (j) a person who has a local connection with the area of the local housing authority and who is vulnerable as a result of one of the following reasons—
- (i) having served a custodial sentence within the meaning of section 76 of the Powers of Criminal Courts (Sentencing) Act 2000(1),

- (ii) bod wedi ei remandio mewn carchar neu ei draddodi i garchar gan orchymyn llys, neu
- (iii) bod wedi ei remandio i lety cadw ieuenctid o dan adran 91(4) o Ddeddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwyr 2012(1),

neu berson y mae person o'r fath yn preswyllo gydag ef neu y gellid disgwyl yn rhesymol iddo breswyllo gydag ef.

- (ii) having been remanded in or committed to custody by an order of a court, or
- (iii) having been remanded to youth detention accommodation under section 91(4) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(1),

or a person with whom such a person resides or might reasonably be expected to reside.

## RHAN 2

### Gweithdrefn ar gyfer rhoi sylw i fwriadoldeb

#### **Hysbysiad o benderfyniad i roi sylw i fwriadoldeb i Weinidogion Cymru**

3.—(1) Rhaid i awdurdod tai lleol sy'n penderfynu rhoi sylw i fwriadoldeb ddarparu hysbysiad ysgrifenedig i Weinidogion Cymru o'i benderfyniad.

(2) Rhaid i'r hysbysiad ysgrifenedig bennu—

- (a) y rhestr o gategoriâu penodedig o geiswyr, a
- (b) y rheswm neu'r rhesymau dros roi sylw i'r categori neu gategoriâu sydd wedi eu cynnwys yn y rhestr o gategoriâu penodedig o geiswyr.

(3) Rhaid darparu hysbysiad ysgrifenedig i Weinidogion Cymru dim llai na 14 o ddiwrnodau cyn gweithredu'r penderfyniad i roi sylw i fwriadoldeb.

#### **Cyhoeddi hysbysiad o benderfyniad i roi sylw i fwriadoldeb**

4.—(1) Rhaid i awdurdod tai lleol sy'n penderfynu rhoi sylw i fwriadoldeb gyhoeddi hysbysiad o'i benderfyniad—

- (a) ar wefan yr awdurdod (os oes ganddo un), a
- (b) drwy osod copi o'r hysbysiad yn y swyddfeydd lle y daw ceisiadau am gymorth ynghylch digartrefedd i law,

dim llai na 14 o ddiwrnodau cyn gweithredu'r penderfyniad i roi sylw i fwriadoldeb.

5.—(1) Rhaid i awdurdod tai lleol gymryd camau rhesymol i roi gwybod i'r canlynol am ei benderfyniad o dan reoliad 4(1)—

- (a) ceiswyr a'u cynghorwyr; a

## PART 2

### Procedure for having regard to intentionality

#### **Notification of decision to have regard to intentionality to the Welsh Ministers**

3.—(1) A local housing authority which decides to have regard to intentionality must provide a written notice to the Welsh Ministers of their decision.

(2) The written notice must specify—

- (a) the list of specified categories of applicants, and
- (b) the reason(s) for having regard to the category or categories contained in the list of specified categories of applicants.

(3) The written notice must be provided to the Welsh Ministers no less than 14 days prior to the implementation of the decision to have regard to intentionality.

#### **Publication of notice of decision to have regard to intentionality**

4.—(1) A local housing authority which decides to have regard to intentionality must publish a notice of its decision—

- (a) on the authority's website (if it has one), and
- (b) by posting a copy of the notice at the offices where applications for help with homelessness are received,

no less than 14 days prior to the implementation of the decision to have regard to intentionality.

5.—(1) A local housing authority must take reasonable steps to notify its decision under regulation 4(1) to—

- (a) applicants and their advisers, and

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(1) 2012 p. 10.

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(1) 2012 c. 10.

(b) y fath awdurdodau cyhoeddus neu awdurdodau lleol, sefydliadau gwirfoddol neu bersonau eraill y mae'n eu hystyried yn briodol.

(2) Rhaid i awdurdod tai lleol sicrhau bod copi o'r hysbysiad o'i benderfyniad ar gael, yn ddi-dâl, i geiswyr y bydd y penderfyniad yn effeithio arnynt.

### **Terfynau ar ddiwygio rhestr o gategoriâu penodedig o geiswyr**

6. Ni chaiff awdurdod tai lleol sydd wedi penderfynu rhoi sylw i fwriadoldeb ddiwygio'r rhestr o gategoriâu penodedig o geiswyr fwy na dwywaith mewn cyfnod o 12 mis. Mae rheoliadau 3, 4 a 5 yn gymwys i benderfyniad i ddiwygio rhestr fel y maent yn gymwys i'r penderfyniad gwreiddiol.

## **RHAN 3**

### **Penderfyniadau ar fwriadoldeb mewn perthynas â cheiswyr presennol**

#### **Effaith penderfyniad i roi sylw i fwriadoldeb ar geisydd presennol**

7.—(1) Ni chaiff awdurdod tai lleol sy'n penderfynu rhoi sylw i fwriadoldeb yn unol ag adran 78 roi sylw i fwriadoldeb mewn perthynas â cheisydd presennol.

(2) Yn y rheoliad hwn, ystyr "ceisydd presennol" ("*existing applicant*") yw ceisydd y mae'r ddyletswydd yn adran 62(1) yn ddyledus iddo ar yr adeg pan fo penderfyniad i roi sylw i fwriadoldeb yn cael ei wneud.

#### **Effaith newidiadau i restr o gategoriâu penodedig o geiswyr ar geisydd presennol**

8.—(1) Ni chaiff awdurdod tai lleol sy'n rhoi sylw i fwriadoldeb roi sylw i fwriadoldeb mewn perthynas â cheisydd presennol—

- (a) os yw'r awdurdod wedi tynnu un neu ragor o gategoriâu o'i restr o gategoriâu penodedig o geiswyr ac oni bai am hynny y byddai'r ceisydd presennol wedi dod o fewn y rhestr o gategoriâu penodedig o geiswyr, neu
- (b) os yw'r awdurdod wedi cynnwys un neu ragor o gategoriâu yn ei restr o gategoriâu penodedig o geiswyr ac o ganlyniad i hynny mae'r ceisydd hwnnw yn dod o fewn y rhestr o gategoriâu penodedig o geiswyr.

(2) Yn y rheoliad hwn, ystyr "ceisydd presennol" ("*existing applicant*") yw ceisydd—

- (a) sydd wedi ei ddisgrifio ym mharagraff (1)(a) neu (b), a

(b) such public or local authorities, voluntary organisations or other persons as it considers appropriate.

(2) A local housing authority must make a copy of the notice of its decision available, without charge, to applicants who will be affected by the decision.

### **Limitation on revision of list of specified categories of applicants**

6. A local housing authority that has decided to have regard to intentionality may not revise the list of specified categories of applicants more than twice in a 12 month period. Regulations 3, 4 and 5 apply to a decision to revise a list as they apply to the original decision.

## **PART 3**

### **Decisions on intentionality in relation to existing applicants**

#### **Effect on existing applicant of decision to have regard to intentionality**

7.—(1) A local housing authority that decides to have regard to intentionality in accordance with section 78 must not have regard to intentionality in relation to an existing applicant.

(2) In this regulation, "existing applicant" ("*ceisydd presennol*") means an applicant to whom the duty in section 62(1) is owed at the time when a decision to have regard to intentionality is made.

#### **Effect on existing applicant of changes to a list of specified categories of applicants**

8.—(1) A local housing authority having regard to intentionality must not have regard to intentionality in relation to an existing applicant if—

- (a) the authority has withdrawn one or more categories from its list of specified categories of applicants and but for that withdrawal the existing applicant would have been fallen within the list of specified categories of applicants, or
- (b) the authority has included one or more categories in its list of specified categories of applicants and as a result of the inclusion that applicant falls within the list of specified categories of applicant.

(2) In this regulation, "existing applicant" ("*ceisydd presennol*") means an applicant—

- (a) described in paragraph (1)(a) or (b), and



(b) y mae'r ddyletswydd yn adran 62(1) yn ddyledus iddo ar yr adeg pan fo newid yn cael ei wneud i'r rhestr o gategoriâu penodedig o geiswyr.

(b) to whom the duty in section 62(1) is owed at the time when a change is made to the list of specified categories of applicant.

*Lesley Griffiths*

Y Gweinidog Cymunedau a Threchu Tlodi, un o  
Weinidogion Cymru  
21 Ebrill 2015

Minister for Communities and Tackling Poverty, one  
of the Welsh Ministers  
21 April 2015

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>Executive Committee</b>
<b>Date:</b>	<b>26<sup>th</sup> May 2015</b>
<b>Subject:</b>	<b>Ensuring sustainable and efficient services for the future: approve funds for Programme Manager post for Transforming Libraries, Culture and Youth Services.</b>
<b>Portfolio Holder(s):</b>	<b>Councillor Kenneth P. Hughes</b>
<b>Head of Service:</b>	<b>Delyth Wyn Molyneux</b>
<b>Report Author:</b> Tel: E-mail:	<b>Delyth Wyn Molyneux</b> <b>01248 752916</b> <a href="mailto:delythmolyneux@ynysmon.gov.uk">delythmolyneux@ynysmon.gov.uk</a>
<b>Local Members:</b>	<b>NA</b>

<b>A –Recommendation/s and reason/s</b>
<p><b>Recommendation</b></p> <p>To seek the Executive’s approval to:</p> <ul style="list-style-type: none"> <li>a) Invest in the role of Programme Manager for the Transformation of Libraries, Culture and Youth Services from the Corporate Transformation Budget, for up to £50k a year over two years (£100,000). The Programme Manager will undertake a dual role as Project Manager for all three projects, i.e. reviewing the Libraries, Culture and Youth services. This investment will be reviewed at the end of the first year; and</li> <li>b) Ensure resources to support the wide-ranging statutory and non-statutory consultation programme of £15k per year over two years (£30,000). This will be reviewed at the end of the first year.</li> </ul> <p><b>Reasons.</b></p> <p>1.1 The national and local agendas and financial challenges make it necessary for us to review the way that we provide our Youth, Museum, Cultural and Library services.</p>

1.2 The Programme will oversee the realisation of the commitment made in the Corporate Plan for IOACC 2013-2017 to:

- o Investigate options and establish a reviewed Libraries provision
- o Investigate options about our cultural and heritage sites, and introduce new management arrangements (if appropriate), and
- o Investigate and establish a reviewed youth service.

This will mean:

- o Introducing new management models for libraries, Culture and Youth services,
- o Focused and sustainable provision in all three areas.

1.3 The initial suggestions to instigate these transformations were presented to the SLT and the Transforming Service Excellence Board, and the first draft of the PID and PDD have received their approval, with the decision that all three projects be governed by one Programme Board.

#### Aims of the Programme

Aim 1: Develop a list of options to present to the Executive Committee for their approval to go out to consultation, by July 2015.

Aim 2: Undertake a public statutory and non-statutory consultation on the list of options by the end of November 2015.

Aim 3: Based on the findings of the consultation, present a favoured option for each of the Libraries, Culture and Youth services (including final costs and savings) , approved by the Executive Committee, by January 2016.

Aim 4: New management models actioned, by April 2017.

Financial aim: To ensure sustainable services and release savings of between 20-60% (£200 - £600k) across the three services by April 2017.

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

The option of not employing a Programme Manager to review the three service areas was considered.

This option was rejected as there is a need to ensure sufficient capacity within the Lifelong Learning Department to undertake the review of these key areas within a specified timetable.

It will not be possible to complete the reviews of the three services without appropriate staffing levels.

**C – Why is this a decision for the Executive?**

The approval of the Executive is necessary in order to secure the finance needed for the Programme Manager role.

**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, cost of change.

<b>DD – Who did you consult?</b>		<b>What did they say?</b>
<b>1</b>	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	Supportive of the proposal.
<b>2</b>	<b>Finance / Section 151</b> (mandatory)	Verbal confirmation of support given.
<b>3</b>	<b>Legal / Monitoring Officer</b> (mandatory)	No objections.
<b>4</b>	<b>Human Resources (HR)</b>	No objections.
<b>5</b>	<b>Property</b>	No comments.

<b>6</b>	<b>Information Communication Technology (ICT)</b>	No comments.
<b>7</b>	<b>Scrutiny</b>	
<b>8</b>	<b>Local Members</b>	
<b>9</b>	<b>Any external bodies / other/s</b>  <b>Head of Economic and Community Regeneration:</b> <b>Dylan Williams</b>  <b>Head of Children’s Services:</b> <b>Anwen Hughes</b>	Supportive of proposal.  Supportive of proposal, suggested including possible savings in the report. This has been added.

<b>E – Risks and any mitigation (if relevant)</b>		
<b>1</b>	<b>Economic</b>	RISK: The review of library services may affect jobless citizens’ ability to seek work through access to IT services within libraries. MITIGATION: these effects will be considered fully as part of the public consultation, Equality Impact Assessment and when developing favoured options for the service.
<b>2</b>	<b>Anti-poverty</b>	RISK: The review of library services may affect identified groups and disadvantaged citizens’ ability to access information and IT services within libraries. MITIGATION: these effects will be considered fully as part of the public consultation, Equality Impact Assessment and when developing favoured options for the service.
<b>3</b>	<b>Crime and Disorder</b>	
<b>4</b>	<b>Environmental</b>	

5	<b>Equalities</b>	<p>RISK: The review of all three services may affect identified groups, disadvantaged citizens and those who are unable to leave their homes' ability to access services.</p> <p>MITIGATION: these effects will be considered fully as part of the public consultation, Equality Impact Assessment and when developing favoured options for the services</p>
6	<b>Outcome Agreements</b>	
7	<b>Other</b>	<p>RISK: The result of the review of Cultural services may affect tourism, access to the arts and creative experiences, and the island as a tourist destination.</p> <p>MITIGATION: Full consideration will be given to these issues as part of the consultation, the Equality Impact Assessment and when developing favoured options.</p>

<b>F - Appendices:</b>

<b>FF - Background papers (please contact the author of the Report for any further information):</b>
Programme Definition Document.

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# NOT FOR PUBLICATION

## *Llangefni Golf Course and Driving Range*

### PUBLIC INTEREST TEST

Paragraph(s) 12, 13, 14 Schedule 12A Local Government Act 1972

#### THE TEST

There is a public interest in disclosure as:-

The public will be interested in how the Council proposes to manage this leisure facility and what future plans it has for this area in order to:

- Review accountability and transparency;
- Challenge decisions made;
- Understand and participate in decisions regarding the site;
- The wider impact of transformation options on local community and economy.

The public interest in not disclosing is:-

Part of the site is subject to a tenancy agreement which creates specific obligations on the Council in respect of that tenant and on which any specific decision could have an effect.

Any public discussion on options will result in the identification of two particular employees of the Council who are named in the report and possible effects on them.

Public disclosure of information in the report could hamper or prejudice the commercial position of the Council and those parties that have expressed an interest in managing the Golf Course.

The public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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# DDIM I'W GYHOEDDI NOT FOR PUBLICATION

**Llety Pobl Hyn – Plas Penlan**

**Older Adult Accommodation – Plas Penlan**

**PRAWF BUDD Y CYHOEDD  
PUBLIC INTEREST TEST**

Paragraff 14 Paragraph 14	Atodlen 12A Deddf Llywodraeth Leol 1972 Schedule 12A Local Government Act 1972
Y PRAWF – THE TEST	
<p>Mae yna fudd i'r cyhoedd wrth ddatgan oherwydd / There is a public interest in disclosure as:-</p> <p>Bydd gan y cyhoedd ddiddordeb mewn gwybod sut mae'r Cyngor yn cael gwared o'i asedau.</p> <p>.....</p> <p>The public will be interested to know how the Council is disposing of its assets.</p>	<p>Y budd i'r cyhoedd with beidio datgelu yw / The public interest in not disclosing is:-</p> <p>Mae disgwyliad rhesymol bod y wybodaeth yn yr adroddiad yn fasnachol sensitif ac y gallai cyhoeddi'r wybodaeth lesteirio neu ragfarnu sefyllfa fasnachol y Cyngor i'r dyfodol a budd y cyhoedd o ran gwerthu'r safle yn y dyfodol. Mae'r adroddiad yn cynnwys gwybodaeth ariannol sy'n fasnachol sensitif am asesiadau o werth yr ystyrir eu bod yn gyfrinachol.</p> <p>.....</p> <p>There is a reasonable expectation that the information contained in the report is commercially sensitive, and its publication could hamper or prejudice the Council's future commercial position and the public interest as regards future sale of the site. The report contains commercially sensitive financial information about assessments of value that are considered to be confidential.</p>
<p><b>Argymhelliad:</b> Mae budd y cyhoedd wrth gadw'r eithriad o bwys mwy na budd y cyhoedd wrth ddatgelu'r wybodaeth</p> <p><b>Recommendation:</b> The public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	

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