



***CABINET (POLICY AND RESOURCES) SUB COMMITTEE***

***IMMEDIATELY FOLLOWING CABINET (POLICY AND RESOURCES)  
SCRUTINY SUB COMMITTEE***

***TUESDAY 4 October 2022***

***MULTI-LOCATION MEETING – COUNCIL CHAMBER PORT TALBOT  
AND MICROSOFT TEAMS***

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DURATION OF THE MEETING**

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**Part 1**

1. Appointment of Chairperson
2. Declarations of Interest
3. Forward Work Programme 2022/2023

**For Decision**

4. Strategic Equality Plan Annual Report 21/22 (*Pages 5 - 60*)
5. Welsh Language Promotion Strategy 21/22 (*Pages 61 - 102*)
6. Welsh Church Act Trust Fund Draft Annual Report and Financial Statements for 2021-22 (*Pages 103 - 122*)

7. Miscellaneous Grant Fund Applications (*Pages 123 - 132*)
8. Neath Port Talbot Welsh Church Act Trust Fund (*Pages 133 - 138*)

### **For Monitoring**

9. Compliments and Complaints Annual Report 2021-2022  
(*Pages 139 - 148*)

### **For Information**

10. Public Service Ombudsman for Wales Annual Report 2021/2022  
(*Pages 149 - 174*)
11. Regulations of Investigatory Powers Act Policy (*Pages 175 - 216*)
12. Urgent Items  
Any urgent items (whether public or exempt), at the discretion of the Chairperson pursuant to Statutory Instrument 2001 No 2290 (as amended)
13. Access to Meetings  
That pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No. 2290, the public be excluded for the following item of business which involved the likely disclosure of exempt information as defined in Paragraph 14 or Part 4 of Schedule 12A to the Local Government Act 1972.

## **Part 2**

### **For Decision**

14. Debtor Write Offs (Exempt Under Paragraph 14) (*Pages 217 - 224*)
15. Sundry Debtor Write Offs (Exempt Under Paragraph 14)  
(*Pages 225 - 232*)

**K.Jones**  
**Chief Executive**

**Civic Centre  
Port Talbot**

**Wednesday, 28 September 2022**

**Cabinet (Policy and Resources) Sub Committee Members:**

Councillors. S.K.Hunt, S.A.Knoyle and A.Llewelyn

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## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Cabinet (Policy and Resources) Sub Committee

4 October 2022

#### Report of

#### Report of the Head of People & Organisational Development – S Rees

#### Matter for Decision

**Wards Affected:** All Wards

**Report Title:** Strategic Equality Plan 2020-2024 - Annual Report 2021-2022

#### Purpose of Report

1. To present the Strategic Equality Plan Annual Report for the period 2021-2022 for consideration and approval prior to its publication in line with statutory requirements.

#### Executive Summary

2. The Annual Report for 2021-2022, attached at Appendix 1, provides an account of progress in meeting the Public Sector Equality Duty and in particular against the revised equality objectives and actions set out in the Strategic Equality Plan 2020-2024.
3. The report is required to meet duties set out Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.
4. The Annual Report reports on progress in meeting the Public Sector Equality Duty through our work in relation to the equality objectives as well as through our other plans and strategies and through the various initiatives and projects we have undertaken over the period.

#### Background

5. Under the Equality Act 2010, the Council is required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance

equality of opportunity and foster good relations amongst and between people of different protected groups. This is known as the Public Sector Equality Duty.

6. In Wales, specific duties have been introduced under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 to help public bodies carry out the Public Sector Equality Duty. These include the requirement to publish a Strategic Equality Plan and equality objectives every four years and to report on progress in an annual report for each those financial years.
7. The revised Strategic Equality Plan was published in October 2020 with revised actions published in January 2021.

#### 8. **Key elements of work during 2021-2022**

- An Ethnic Minority Employee Forum has been established. The Chief Executive, and a number of officers from key service areas, and representatives from the NPT BME Community Association supported the inaugural meeting and, at the request of the Forum, ongoing support at future meetings is being provided by a HR manager.
- More than £150k from the Welsh Government has been managed and administered to enhance local support services to assist those facing food poverty.
- A £2million Council hardship fund to further support residents facing financial pressure due to Brexit, the legacy of the pandemic, the war in Ukraine and the cost-of-living crisis was announced; on 29 June Cabinet granted authority to the Chief Finance Officer to enter into a partnership agreement with Warm Wales to facilitate delivery of the NPT Hardship Relief Scheme.
- The Safe and Well scheme remains operational, supporting community members with a volunteer led service response linking in with wider community services such as the Local Area Coordinators and third sector where necessary
- We have attained a bronze award, employer recognition scheme as part of the Armed Forces Covenant, details will be added to the new recruitment website shortly.
- All digitally excluded learners identified as needing support have been catered for; this has included devices and mobile broadband. In addition schools have received additional IT resources under the EDTech programme.
- The education support service and VLS have met with the BME Community Association to discuss the curriculum for Wales (being introduced in

September 2022) and the Association's potential contribution to the delivery of specific aspects of the curriculum.

- Discussions between Secondary Head Teachers and our Education Welfare Service are to be held over the coming months to discuss bullying and harassment data and the links to Estyn recommendations.
- Three audits of our Integrated Impact Assessment framework were undertaken during the year; by our internal audit service, an external consultant and Audit Wales. The Audits considered the relation to the completion of and compliance with legislation surrounding Integrated Impact Assessments, the quality of the assessments undertaken and the way that public bodies undertake Equality Impact Assessments (EIAs) and what impact this has on decision making respectively. Recommendations will be considered and implemented as appropriate along with a training programme due to commence in the autumn.

### **Financial Appraisal**

9. The performance described in the Annual Report was delivered within existing budgets.

### **Integrated Impact Assessment**

10. There is no requirement to undertake an integrated impact assessment.

### **Valleys Communities Impact**

11. The Annual Report includes progress made in delivering initiatives within the valley communities.

### **Workforce Impact**

12. The progress described in the annual report was achieved against a backdrop of the continuing unprecedented emergency situation and tentative emergence from restrictions. This has involved a step change in workforce flexibility and innovation underpinned by enhanced use of data and digital technology.

### **Legal Impact**

13. This annual report is prepared under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

### **Risk Management**

14. We have a legal duty under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 to produce and publish an annual report every year. Failure to

produce an annual report could lead to a compliance notice from the Equality and Human Rights Commission, an independent statutory agency which was established under the Equality Act 2006.

### **Crime and Disorder Impact**

15. The Council has a legal duty under Section 17 of the Crime and Disorder Act 1998 to carry out all its various functions with “due regard to the need to prevent Crime and Disorder in its area”.
16. The Strategic Equality Plan contains specific proposals to prevent and address hate crime and domestic abuse and progress has been made to meet these proposals thereby assisting us in discharging the crime and disorder duty.

### **Violence Against Women, Domestic Abuse and Sexual Violence Impacts**

17. The Council has a legal duty under Section 2(1) of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 when exercising relevant functions to ‘have regard (along with all other relevant matters) to the need to remove or minimise any factors which:
  - (a) increase the risk of violence against women and girls, or
  - (b) exacerbate the impact of such violence on victims.’
18. The Strategic Equality Plan contains specific proposals to prevent and address domestic abuse and progress has been made to meet these proposals thereby assisting us in discharging this duty.

### **Consultation**

19. There is no requirement for external consultation on this item.

### **Recommendations**

20. It is recommended that Cabinet (Policy and Resources) Sub Committee considers and approves the Strategic Equality Plan Annual Report 2021-2022.
21. It is recommended that the Head of People and Organisational Development be given delegated authority to make such changes as may be needed to the Annual Report prior to publication, provided that such changes do not materially alter the content of the document considered by Cabinet (Policy and Resources) Sub Committee.



### **Reason for Proposed Decision**

22. To meet the statutory requirements set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

### **Implementation of Decision**

23. The decision is proposed for implementation after the three day call in.

### **Appendices**

24. Appendix 1 –Strategic Equality Plan Annual Report 2021-2022

### **List of Background Papers**

25. Strategic Equality Plan 2020-2024
26. Equality Act 2010
27. Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

# Strategic Equality Plan 2020-2024 - Annual Report 2021-2022

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Mae'r ddogfen hon hefyd ar gael yn Cymraeg

This document is also available in Welsh

[www.npt.gov.uk](http://www.npt.gov.uk)

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## **Introduction**

This annual report, published in accordance to The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, provides an overview of our work in developing the Strategic Equality Plan 2020-2024, meeting the Public Sector Equality Duty. This annual report also sets out progress against the six equality objectives and associated actions set out in the Strategic Equality Plan 2020-2024 for the period 1 April 2021 to 31 March 2022.

Progress against our equality objectives and associated actions is predominantly reported on the above annual basis, however, there are instances where academic years and other time periods are reported, all of which are indicated.

## **Developments during 2021-2022**

### **Integrated Impact Assessments**

Integrated Impact Assessments (IIAs) continue to be carried out as part of policy/service development. As a public body we must consider 'relevant evidence in order to understand the likely or actual effect of policies and practices on people with different protected characteristics' (Assessing Impact and the Equality Duty: A Guide for Listed Public Authorities in Wales Equality and Human Rights Commission 2014).

With the introduction of the Socio-economic Duty in March 2021 guidance on undertaking assessments was updated and made available to all staff. The Socio-economic Duty is part of the Equality Act 2010 and aims to reduce inequality for people who experience socio-economic disadvantage.

Three audits were coincidentally undertaken during the year; by our internal audit service, an external consultant and Audit Wales. The audits were to consider the completion of and compliance with legislation surrounding Integrated Impact Assessments, the quality of the assessments undertaken and the way that public bodies undertake Equality Impact Assessments (EIAs) and what impact this has on decision making respectively.

Once all three audit reports are received all recommendations identified will be considered and implemented as necessary. However, in the two reports received to date, training has been recommended and so as to ensure no further time is lost a training programme has been arranged for autumn 2022.

## Engagement

**Community of Practice** - we have continued to utilise this group of council staff who have well established links into our communities and local groups to help with engagement activities, most notably the Corporate Plan and the Public Services Board Wellbeing Assessment.

The involvement of our residents, local businesses and partners in policy development is key to the success of our policies, plans and strategies. During the coming year we will be placing greater emphasis on more effective engagement with our communities to ensure we all have a better understanding as to what is required and what can be expected.

**Let's Talk Campaign** - Over the summer 2021, we ran a campaign to engage with people from all backgrounds and of all ages with a view to testing our understanding of how the pandemic has impacted on different parts of our county borough and to also understand what matters most to local people as we take forward our recovery work. Almost 1,800 people engaged with the campaign with a mix of online and offline surveys completed and supplemented by focus groups in our five valleys, to ensure we heard from all sections of the county borough. Responses received via online and offline surveys identified staying/keeping safe; education; health/wellbeing/mental health; community relations/spirit/bringing people together/volunteering as amongst the main areas that mattered to them 'now and in the future'. Views held by those attending the focus groups were similar with some additional issues highlighted, such as the importance of transport in these areas.

During January/February 2022 we ran the second stage of the campaign to test whether or not we had captured what is important to people now and in the future; with most people agreeing with our draft wellbeing objectives as well as the focus of the actions.

The richness of the feedback and the timeliness of the engagement is such that these can be utilised by all services areas for future policy development.

## **Strategies and Plans**

**Corporate Plan** - we reset and renewed our wellbeing objectives, priorities and values, taking into account what matters to our residents, businesses and staff; the impacts of Covid on our communities, the lessons learnt from our response to the pandemic as well as other wider changes such a climate change, digital disruption and government policy.

Feedback from the Let's Talk engagement campaign was instrumental not only in the early stages of our planning but also when testing whether or not we had captured what is important to people 'now and in the future' in terms of the changes we will make over the next 12 months, the next five years and the longer term.

Our wellbeing objectives are:

- All children get the best start in life
- All communities are thriving and sustainable
- Our local environment, heritage and culture can be enjoyed by future generations
- Jobs and skills - local people are skilled and can access high quality, green jobs

**Welsh in Education Strategic Plan (WESP)** - the draft WESP details how we plan to support and further develop Welsh language education in schools and in the wider communities and our planning for future growth over the next 10 years. Following a period of public consultation in February 2022 Council granted approval for the WESP to be submitted to Welsh ministers for approval.



## Equalities in Employment

At the time of writing the most recent [Equalities in Employment information](#) is for the period 2020-2021. The data included is for the 12-month period 1 April 2020 to 31 March 2021, or where more appropriate, a snapshot of the workforce on 31 March 2021.

Our [gender pay gap report](#), a snapshot as at 31 March 2020 (published in June 2021) sets out the difference between the average pay of the men and women who work in the Council in 2020. The pay data has been taken from the Council's workforce at:

31 March 2019 - 3,784 employees which represents 1,277 (33.75%) males and 2,507 (66.25%) females

31 March 2020 - 3,630 employees which represents 1,290 (35.5%) males and 2,340 (64.5%) females

The pay data excludes casual employees and all schools' employees.

The median gender pay gap (excluding schools) in 2019 was 3.93% while in 2020 our median gender pay gap has reduced to 3.44 %.

The median gender pay gap, either including or excluding schools, is below the UK national average median gender pay gap of 15.5% in 2020.

## **Progress on Objectives**

### **Education**

**To ensure children and young people are the best they can be**

#### **Priority 1.1 All Children and Young People will have improved levels of attainment**

##### **Action 4.5.4.01**

We will work with schools to identify those children who require specific support at foundation phase and key stages

##### **Progress 2021 – 2022:**

- Our Inclusion Service continues to support schools to identify children with Additional Learning Needs (ALN) who require specific support.
- Robust decision-making processes have been developed for those children who require support and will support the implementation of the new duty on us and schools to ensure the views, wishes and feelings of the child and the child's parent, or the young person, are at the heart of the decision-making process.
- All schools are invited to regular plan and review sessions and there is a comprehensive Inclusion training menu in place.

##### **Action 4.5.4.02**

We will provide targeted support to families in need, including Armed Forces families, to reduce the potential for children to have an adverse childhood experience

**Progress 2021-2022:**

- From the academic year 2021-2022 Welsh Government funding for armed forces children is now allocated directly to schools. While the 76 service children continue to be supported by the Vulnerable Learners Service (VLS), there is no longer a dedicated person to oversee this role.
- Building on the work undertaken previously, during 2021-2022, the VLS and the armed forces Regional Service Liaison Officer (RSLO) have worked with schools and the organisation Forces Fitness to engage with staff and service children to provide training and support. This will enable service children to develop and focus on confidence building, self-esteem and improvements to their mental health and wellbeing.
- Our Education Psychology Team is currently training a key member of staff from one of our comprehensive schools to become an Emotional Literacy Support Assistant (ELSA) working with and supporting service children and their families around wellbeing issues or educational concerns.
- Our Finance, Data and Grants Team has developed a more robust system of data collection with schools in relation to service children which will help when identifying and providing support to this group of students.

**Action 4.5.4.03**

We will continue to work with schools and other relevant settings to support and provide access to work experience, training and professional development opportunities for those who are at risk of becoming not in education employment or training (NEETs) post 16

**Progress 2021-2022:**

- Our Youth Service Legacy Workers continue to work with schools to support those young people at risk of becoming NEET. The Legacy Youth Workers supported the previous year 11 cohort until 31 October 2021 and have reached out to 183 young people in the 2021-2022 year 11 cohort.

- Support provided by the Youth workers have included home visits, telephone calls, texts and arranging visits to College, Work Based Learning provisions, Skills and Training and arranging meetings with Careers Wales.

#### **Action 4.5.4.04**

We will work with schools to ensure all pupils, particularly those from low-income families and those where COVID-19 has had particular impact, can access appropriate digital devices

#### **Progress 2021-2022:**

- Through collaboration between schools and our IT Service, all digitally excluded learners identified as needing support have been catered for. During periods of home learning, this included requests for devices and mobile broadband.
- Schools have received additional IT resources under the EdTech programme; one device per secondary pupil, one device per two key stage 2 pupils and one device per 3.5 pupils at foundation phase.

#### **Action 4.5.4.05**

We will work with schools to identify those children who require enhanced non-academic support as a consequence of the impact of COVID-19 to help them to fulfil their potential

#### **Progress 2021-2022:**

- During 2021-2022 schools reported an increase in behavioural issues which could be linked to staff shortages due to the Covid-19 pandemic. Consequently, there has been an increased demand for support interventions (197 referrals were made by schools for early intervention support for children aged 5-16 years), systems and training opportunities which have been made available to pupils and to staff. The following are examples of the work undertaken:

- Training and strategies support to pupils with social, emotional and behavioural difficulties (SEBD) have been provided to school staff and governors, newly qualified teachers and education welfare officers.
- School based counselling was extended to pupils suffering from anxiety due to the pandemic in years 1-6.
- Training for forest school leaders has been delivered to provide outdoor learning opportunities that promote wellbeing for pupils.
- Young people have been supported by our Youth Service within and outside of school; assisting young people identified by their schools as needing additional support on a range of issues as well as supporting year 11 pupils (a higher number with social anxiety than in previous years) in preparing for their post 16 destinations as well as delivering the School Holiday Enrichment Programme (SHEP).

## **Priority 1.2 All children of school age will have improved wellbeing and a greater sense of belonging**

### **Action 4.5.4.06**

We will continue to work with pupils, parents/carers and schools to reduce the number of instances of non-attendance and exclusions in all our schools

### **Progress 2021-2022:**

- Education Welfare Officers continue to work with pupils and families on bespoke attendance packages tailored to individual circumstances that aims to remove any barriers preventing pupils from attending school regularly. The packages have included:
  - Guided after hours school tours to reassure pupils and parents of the effective and safe measures in place to best protect students from Covid-19.
  - Negotiating the use of short-term reduced timetables to encourage pupils back into the school system whilst they build their confidence and re-engage with old friendships.

- Proactively engaging with different agencies to agree a unified joint approach to supporting pupils already known to them.
- Covid-19 continued to be a barrier for attendance for a number of pupils, due to either receiving positive test results or being vulnerable through their own health care needs. Whilst staff absences and the national shortage of supply cover was an issue, throughout the year this appeared to have had little effect on the regular attendance of pupils; internal staffing arrangements were managed appropriately and any school closures were short with learning moved online.
- Education Welfare Officers engaged with pupils and parents to support regular attendance, however, a number of school refusers remained stubbornly high. With school-life now returning to normal there are signs that attendance is starting to improve.

#### **Action 4.5.4.07**

We will continue to work with parents/carers of pre-school children to ensure that they are prepared for school

#### **Progress 2021-2022:**

- Support for parents/carers and their children has taken a range of forms during 2021-2022; from funded childcare for 3 and 4 year olds (approximately 800 active applications as at 31 March 2022) to parent nurture courses; socialisation and interaction opportunities for parents/carers and children to contact through the Healthy Child Wales Programme (which includes screening, immunisation and monitoring along with supporting child development); activities to develop speech language and communication skills to referrals through our Early Intervention and Prevention (EIP) service.
- During the year staff in our various Flying Start Programmes worked with 2251 individual children and their parents providing a variety of courses including parent nurture, school readiness, emotional wellbeing, support for children with disabilities as well as support for those experiencing domestic abuse.

**Action 4.5.4.08**

We will collect data from schools and support schools to address bullying and harassment in all its forms and work with them to address trends/issues

**Progress 2021-2022:**

- A new scheme for all primary schools to input data relating to bullying into schools information management systems will be rolled out in September 2022; this will enable us to identify trends and provide specific training for pupils and staff.
- Education Welfare Officers will continue to monitor and report bullying.
- Discussions between Secondary Head Teachers and our Education Welfare Service are to be held over the coming months to discuss bullying and harassment data and the links to Estyn recommendations. The Head of Service for Education Development, working in partnership with all Headteachers and safeguarding officers is developing a method of responding to the recommendations set out in Estyn's thematic guide, "We don't tell our teachers" Experiences of peer-on-peer sexual harassment among secondary school pupils in Wales, December 2021.

**Action 4.5.4.09**

We will work with schools and other relevant settings to support pupils who are victims of bullying and work with perpetrators of bullying

**Progress 2021-2022:**

- Once the roll out of the new scheme (above) has been completed, trends can be identified which will enable us to be proactive in our support. We will provide training to enable young people to be heard.
- We will hold multi-agency panel meetings to identify support needs for victims and perpetrators of bullying.
- Education Welfare Officers continue to support young people who have been identified as victims of bullying resulting in attendance issues.

#### **Action 4.5.4.10**

We will continue to work with schools and other relevant settings to ensure that their learning environments are safe and nurturing, where there is respect and due regard to equality, diversity and inclusion

#### **Progress 2021-2022:**

- We are working with our special schools and learning support centres, to ensure that their indoor and outdoor environments offer accessible, safe, nurturing, high quality provision which is conducive to learning.
- In addition, we continue to monitor the Inclusive and Additional Learning Provision that each school has in place as part of the Additional Learning Needs (ALN) Reform.

#### **Action 4.5.4.11**

We will work with schools to explore the benefits of employing Family Liaison Officers or similar roles, including a cluster approach, out of delegated budgets in order to support pupils and parents to overcome challenges that impact negatively on learning and wellbeing

#### **Progress 2021-2022:**

- Schools have begun looking at the current roles of Teaching Assistants, pastoral officers and other staff to assess the capacity and levels of support they are able to give pupils and families as we recover from the impact of the pandemic. Following this review, schools will be in a better position to determine if the role can be performed by existing staff members or if employment of a Family Liaison Officer is required.
- Work is underway to determine effective family engagement and interventions in ensuring 5-18 year olds at the highest risk of absenteeism and/or exclusion attend, positively engage with, and remain in school or college. This work will help support their progress towards the four core purposes of the Curriculum for Wales and reduce the likelihood of them becoming NEET's or excluded from school.



**Action 4.5.4.12**

We will work in partnership with schools and local organisations to ensure our children and young people ‘are knowledgeable about their culture, community, society and the world now and in the past and respect the needs and rights of others, as a member of a diverse society’

**Progress 2021-2022:**

- Over the last year, our Education Support Officers have worked with schools on setting out a clear vision for the Curriculum for Wales.
- Each school has received training on the characteristics of the four purposes, which are the foundation of the new curriculum. One of these purposes is that pupils develop as ethical, informed citizens who are knowledgeable about their culture, community, society and the world now and in the past and respect the needs and rights of others, as a member of a diverse society.
- We have produced a strategy for developing pupils’ thinking skills to assist schools in teaching how to make ethical and informed decisions, which is being rolled out across all schools.

**Action 4.5.4.13**

We will work with schools and local organisations to ensure teaching of the new curriculum reflects the multi-ethnic nature of Wales

**Progress 2021-2022:**

- In November 2020, the NPT BME Community Association (the Association) worked with the VLS to engage with pupils and the feedback helped inform the Welsh Government’s Anti-Racist Wales Action Plan. This feedback was also shared with our education service and has in turn assisted with the considerations in relation to particular aspects of the new curriculum for Wales in Neath Port Talbot.

- During 2021-2022 our Education Support Service and VLS met with the Association to discuss the curriculum for Wales (being introduced in September 2022) and the Association's potential contribution to the delivery of specific aspects of the curriculum.
- We are supporting schools in developing and maintaining a shared understanding of what progress looks like which informs each school's curriculum design.
- Each school must ensure that their curriculum reflects the multi-ethnic nature of Wales and during the summer term 2022 schools will need to evidence how they plan to address this and other mandatory elements of the curriculum. Our Education Support Service and the VLS will continue to monitor the effectiveness of this design as the curriculum rolls out from September 2022.

## **Health and Wellbeing**

### **To promote wellbeing and good mental health and tackle mental health stigma and discrimination**

#### **Priority 2.1 Our Staff will be supported and appropriate services promoted**

##### **Action 4.5.4.14**

As an employer we will raise awareness of mental health and support services

##### **Progress 2021-2022**

Awareness raising initiatives have included:

- Time to Change Wales Employee Champions Network - 12 employee champions, trained by Time to Change Wales, are instrumental in providing mental health and wellbeing support for employees within their service areas and assist with rolling out corporate health and wellbeing initiatives across the Council.
- We have established a dedicated intranet webpage, weekly electronic newsletters, and more recently, created a Health and Wellbeing Group on the staff Yammer platform.
- Our HR and Occupational Health Unit signpost employees to the wide range of support available as part of ongoing employment processes.

##### **Action 4.5.4.15**

As an employer we will update and implement policies to address mental health in the workplace

**Progress 2021-2022:**

- We have introduced Virtual Working Guidance to support the workforce that continue to work from home as a result of Covid-19 mitigation measures, and this includes guidance and support for employees and managers on how to support their mental wellbeing whilst working from home.
- The Hybrid Working Framework, which is the stepping stone to our Future of Work Strategy, places employee mental health and well-being as a key consideration in working arrangements.
- Covid-19 workplace risk assessments and manager guidance include the emotional well-being impact of the return to workplaces, as well as the physical arrangements that are necessary.
- As an accredited Disability Confident Employer, we ensure that disabled people and those with long-term health conditions have the opportunities to fulfil their potential and realise their aspirations.

**Action 4.5.4.16**

We will provide information to employees about mental health and signpost to support services

**Progress 2021-2022:**

- We have developed a Staff Wellbeing Yammer group which provides and promotes courses, tips, information and awareness of mental health and wellbeing.
- A range of literature promoting mental health and wellbeing as well as links to support services are available to staff via our internal webpages.

**Action 4.5.4.17**

We will continue to implement our Time to Change Wales Employer Pledge Action Plan

**Progress 2021-2022:**

- The Time to Change Wales Campaign's Employer Pledge provides a framework for the council to work within to support employees with their mental health.
- As a consequence of the pandemic the implementation of some actions in the action plan have had to be delayed while others have been developed, and implemented, as a necessity to support our workforce during the pandemic. Examples of the latter include Wellbeing Through Work, School Counselling Service Helpline for school-based staff and an online First Aid for Mental Health amongst others.

**Action 4.5.4.18**

We will provide training and resources for staff to help raise awareness of mental health issues and help reduce the stigma associated with mental health

**Progress 2021-2022**

- Training and resources are provided to our employees to help raise awareness of mental health issues and to reduce the stigma associated with mental health.
- Our Employee Champion Network have been trained by Time to Change Wales and our training team provide a suite of training courses for employees around this.

**Priority 2.2 Our Children and young people can access appropriate support****Action 4.5.4.19**

We will redesign our systems relating to Emotional, Mental Health Wellbeing support to provide a simpler integrated access to services

**Progress 2021-2022:**

- A Multi Agency Mental Health Clinic, which includes Child and Adolescent Mental Health Service (CAMHS), Educational Psychology Service (EPS), School Based Counselling Service (SBCS) and Wellbeing team, has been established and is accessible to all schools in Neath Port Talbot.
- The SBCS is now able to provide support to pupils across school years 1-11 while working with the Regional Partnership Board Strategic CAMHS group has ensured schools have more direct access and support from Primary CAMHS workers.
- An Emotional Health and Well-being Strategy is being developed to ensure greater alignment with grant funded resources and interventions, as well as developing clear pathways to access support and services.

**Priority 2.3 Our Communities that need support will be able to access appropriate services****Action 4.5.4.20**

We will honour our commitment to the Armed Forces Covenant, ensuring that no veteran, or family member of serving personnel or a veteran, is disadvantaged by their service, when accessing health and wellbeing support and services

**Progress 2021-2022:**

- The Council has been awarded the Defence Employer Recognition Scheme (ERS) Bronze award, which demonstrates that we support the armed forces community by upholding the Armed Forces Covenant; work is now ongoing towards achieving the Silver award.
- Our Armed Forces Liaison Officer (AFLO) works closely with other regional AFLOs to share good practice and ideas as well as working in partnership with a range of organisations, such as Supporting Service Children in Education (SSCE), local Health Boards and the Department for Works and Pensions (DWP) to support and signpost veterans to appropriate services.

**Action 4.5.4.21**

We will contribute to the Public Services Board's work to reduce suicide rates in the county borough

**Progress 2021-2022:**

- The Safeguarding Board oversees a Suicide Rapid Response Group (SRRG) which looks at all instances of suspected suicide (Adult) and unexpected death (Child). A suite of data is reported to the Safeguarding Board on a quarterly basis and trends and themes are tracked. The purpose of the SRRG is to reduce risk and harm to those remaining and prevent other suicides.
- NPT Council continues to be represented on the Strategic Suicide and Self Harm Prevention Group led by Public Health Wales; now reconvened following a pause due to pressures relating to the pandemic.
- With the support of survivors, we have begun to develop a regional process for responding to significant suicide attempts along with an associated suite of data to monitor and learn from this area of practice. It is anticipated that this process will be approved by the Safeguarding Board for launch later in 2022.

**Action 4.5.4.22**

We will provide information to the public about mental health and signpost to support services from our website

**Progress 2021-2022:**

- As part of our Information, Assistance and Advice Service, people are signposted, as required to mental health services such as SPOA (single point of access), to the Community Mental Health Team or their GP or to DEWIS Cymru (a website for information or advice about well-being), depending on individual circumstances.

**Action 4.5.4.23**

We will work with Public Health Wales and Swansea Bay University Local Health Board to help address the impact of COVID-19 on health and social care staff

### **Progress 2021-2022:**

- Working closely with Public Health Wales and Swansea Bay University Local Health Board, we have developed wellbeing support tools which have been shared with staff.
- The jointly developed [wellbeing resources](#) are also accessible via NPT and Swansea University Health Board webpages.

### **Action 4.5.4.24**

We will work within the regional NHS Test, Trace, Protect (TTP) Service to engage all people, including those with protected characteristics in the health protection programme and we will also ensure that all people who need to access the TTP service can do so, ensuring access caters for all

### **Progress 2021-2022:**

- During the period 1 April 2021 to 31 March 2022, there were 41,922 Index Cases (Positive Cases) of which 40,219 were eligible for follow up. The Test, Trace and Protect Service (NPT) successfully followed up 34,170 cases (85%).
- There were a total of 76,473 Contact Exposures (Contacts) with 65,139 cases eligible for follow up. The Test, Trace and Protect Service (NPT) successfully followed up 54,106 cases (83%). Successful follow-ups were above the service's performance targets as set by Welsh Government (80%).
- The service continues to focus on the Prioritisation Framework developed by Welsh Government and regional partners in triaging cases, with an aim to reducing Covid-19 transmission and hospitalisation of those individuals deemed most vulnerable, and/or those working with individuals who are vulnerable, such as the health and care sector. We are working closely with care homes, support services and special schools providing advice and guidance in managing clusters of Covid in those settings.



## **Personal Safety**

### **To ensure people and communities are safe, respected and free from violence and abuse**

#### **Priority 3.1 People feel safe in their homes**

##### **Action 4.5.4.25**

We will increase the reports of Violence against Women, Domestic Abuse and Sexual Violence in Neath Port Talbot, through awareness raising and challenging attitudes

##### **Progress 2021-2022:**

- This is an ongoing action for the Community Safety Partnership and the Violence against Women, Domestic Abuse and Sexual Violence Leadership Group.
- We continually work to raise awareness of Domestic Abuse, in all its forms, particularly as some people do not recognise themselves as a victim, some feel too afraid or ashamed to seek help, and the continuing perception that Police or Social Services involvement is inevitable and a negative.
- We continue to consider different ways to engage with minority groups in our communities, including LGBTQ+, older people and disabled people and recognise there is more to be done to raise awareness of Coercive Control and Emotional Abuse.

##### **Action 4.5.4.26**

We will increase awareness in children and young people of the importance of safe, equal and healthy relationships and that abusive behaviour is always wrong

**Progress 2021-2022:**

- Our Relationship and Sexuality Education (RSE) Group has responsibility for the development and implementation of a lesson pack (which includes key topics on puberty, sex education and healthy relationships) for all schools. Hafan Cymru, a local specialist service, continue to deliver their Spectrum Programme to schools, which complements our wider programme.
- A task and finish group, with membership from a range of service areas and partner organisations, was set up during early autumn 2021 to address concerns over the limited delivery of RSE lessons during the pandemic, the outcome of which would be piloted by one school for roll out to remaining schools if successful. Unfortunately, the implementation of the pilot was delayed by the ongoing pandemic situation but is to be revisited in the coming year. Until this time the issue is being addressed as best as possible within schools while relevant service areas and partnership groups remain sighted on the concerns of the disruption to RSE roll out in schools.
- During the latter part of 2021-2022 over 1800 pupils received a lesson on healthy relationships and we are hopeful that roll out across schools will continue.
- It was not possible to hold Crucial Crew or It's Our World events (for years 6 and 8 respectively), both of which explore domestic abuse and healthy relationships, in 2021 due to restrictions imposed as a result of the pandemic. However, a virtual Crucial Crew film was developed and uploaded onto the Hwb network for use by schools.

**Action 4.5.4.27**

Provide all victims with equal access to appropriately resourced, high quality, needs led, strength based, gender responsive services across Neath Port Talbot

**Progress 2021-2022:**

- Work continues on a commissioning review of all specialist support services across the county borough, to ensure we are meeting people's needs and are able to offer a wide variety of supported accommodation,

emergency accommodation and community-based support, for all those who need it. This work was significantly disrupted by the Covid-19 pandemic but has now resumed. Work continues on ensuring we have accessible appropriate services for people from marginalised groups in our communities.

### **Priority 3.2 People feel safe in the community**

#### **Action 4.5.4.28**

We will work with members of local equality groups, partners and our communities to encourage the reporting of hate incidents/crime and ensure people get support which is fit for purpose

#### **Progress 2021-2022:**

- The Community Cohesion programme continues to be rolled out across the region. There is one regional coordinator in post, and 3 community cohesion officers, one of whom is based within the NPT Community Safety Team (vacant as a result of the original post holder taking up a secondment in July 2021). Following a protracted recruitment exercise the new Community Cohesion Officer will take up the role in May 2022. With this and the lifting of restrictions, we anticipate a resumption of face-to-face engagement with our various communities.
- During the year we have used and increased our online presence with a series of initiatives, awareness raising campaigns, webinars and workshops held with a number of partner organisations and members of the public, including those from minority groups. This work has been delivered in partnership with South Wales Police local Hate Crime Officers.
- The Community Safety Partnership Board was advised of an increase in the number of reported incidents of hate crime towards the end of 2021-2022 which was due to ongoing partnership work and engagement with residents to raise awareness of what constitutes a hate crime and increasing people's confidence in reporting.

**Action 4.5.4.29**

We will support the use of the BME Community Association Access Card (to help breakdown language barriers when accessing service)

**Progress 2021-2022:**

- Progress was suspended with the outbreak of the pandemic. As restrictions were lifted towards the end of 2021-2022 it is likely that the Community Association will progress the introduction of the Access Card during 2022-2023.

**Action 4.5.4.30**

We will support the BME Community Association to build on the work already undertaken in the Community Profiling exercise as well as to extend its scope

**Progress 2021-2022:**

- The BME Community Association consultation exercise undertaken in November 2020 to help inform Welsh Government's Anti-Racist Wales Action Plan provided some further insight into the lived experiences of members of our BME communities.
- Work to address some of the issues raised during the consultation has begun, notably the issue of bullying/racism in schools as well as closer work between the education directorate and the BME Community Association on the new curriculum.

**Action 4.5.4.31**

We will develop an action plan in response to the feedback from the Community Cohesion Survey

**Progress 2021-2022:**

- Consideration is being given as to the appropriateness of developing an additional action plan. However, incorporating any potential actions into existing/future plans may be more appropriate and the Community Cohesion Officer will play a key role in ensuring actions are progressed.
- Feedback from recent surveys, most notably the BME Community Association's consultation (November 2020) and the Let's Talk Survey (which closed on 30 September 2021) are being considered to determine future actions.

**Action 4.5.4.32**

We will continue to work with the BME Community Association to further understand the lived experiences of members of our BAME communities, particularly in relation of their experiences of hate incidents/crimes

**Progress 2021-2022:**

- Work to better understand and address the lived experience of children and young people, particularly in relation to school life, is still in the early stages with a commitment to work to progress this over the coming months.
- Work is being progressed to address issues raised during the 'Black Lives Matter (BLM) – a Conversation' event in September 2020 as well as during the BME Community Association's consultation (November 2020), undertaken to help inform the Welsh Government's Anti-Racist Wales Action Plan; these provided an insight into the lived experiences of people from our BME communities.

## **Employment**

**To ensure our workforce is more reflective of our community, our policies are fair and equitable and gender pay gaps are reduced**

**Priority 4.1 Our workforce reflects our diverse communities and is supported by our policies**

### **Action 4.5.4.33**

We will ensure a fair and transparent recruitment and selection process that encourages a wider talent pool and facilitates a more equal gender balance

#### **Progress 2021-2022:**

- Seven Recruitment & Selection training courses have been held; with a total of 31 attendees.
- The anonymised application form process has yet to commence but will be tested and rolled out as part of the work on the new iTrent system.

### **Action 4.5.4.34**

We will promote, facilitate, analyse and monitor flexibility in the workplace at all levels, to enable women to progress and to ensure compatibility with a multi-generational workforce

#### **Progress 2021-2022:**

- Staff wellbeing along with updates on, and benefits of, our flexible working policies continue to be raised at Senior Management Meetings and are cascaded across all service areas as well as referenced within our recruitment and selection training sessions.
- We introduced a Hybrid Working Framework, following significant staff engagement, which will offer greater flexibility for staff.

#### **Action 4.5.4.35**

We will collect and monitor data in more depth related to flexible working

#### **Progress 2021-2022:**

- With a large number of staff working from home since the outbreak of the pandemic there has been a reduction in requests for flexible working. This has been further enhanced by the introduction of hybrid working arrangements – a manager led process taking into account staff preference as well as business requirements.

#### **Action 4.5.4.36**

We will scrutinise the Shared Parental Leave uptake to monitor gender balance and encourage uptake across genders

#### **Progress 2021-2022:**

- We will continue to monitor the take up of shared parental leave, with the new HR system and the implementation of associated processes will improve our ability to effectively scrutinise this and other policies.
- With a large number of staff working from home since the outbreak of the pandemic along with the introduction of more flexible working arrangements with the new Hybrid Working Framework it is appropriate to consider the validity of this action going forward.

#### **Action 4.5.4.37**

We will, in the spirit of the Armed Forces Covenant, include a guaranteed interview scheme for recently discharged members of the Armed Forces

**Progress 2021-2022:**

- We continue to offer a guaranteed interview scheme for Armed Forces veterans, which is included within our application process, providing recruiting managers with clear instruction of any applicants who are eligible. We provide guidance on this process as part of our recruitment & selection training for managers.
- We have attained a bronze award, employer recognition scheme as part of the Armed Forces Covenant, details will be added to the new recruitment website shortly.

**Action 4.5.4.38**

We will consider how our policies and practices impact on our staff who are employed on casual and temporary contracts and part time contracts

**Progress 2021-2022:**

- We continue to ensure equity and transparency of approach when employing casual/temporary staff throughout the Council whilst ensuring employment rights are maintained. This action will require review following the implementation of the hybrid working policy.

**Action 4.5.4.39**

We will develop a BAME Equality and Diversity Action Plan, developing a set of evidenced based actions with the aim of improving equality and diversity amongst the Council's workforce

**Progress 2021-2022:**

- We have refocused our proposed internal BAME Equality and Diversity plan to reflect the Anti-Racism approach taken by Welsh Government.
- Following feedback from Welsh Government officials as well as from an Achieving Racial Equality in Wales conference it is now considered more appropriate for the action plan to be devised by the recently established 'Ethnic Minority Employee Forum'.



#### **Action 4.5.4.40**

We will work to improve our Corporate Culture, to ensure each member of staff is valued and respected

#### **Progress 2021-2022:**

- Following significant engagement with our communities and staff during 2021-2022 the council's vision and values have been reset; further information can be found in the Corporate Plan 2022-2027. These along with our corporate priorities will form the core of our new Organisational Development Strategy which will be the foundation of our internal work and practices going forward. It is anticipated to have this strategy in place by October 2022.

#### **Action 4.5.4.41**

We will work with staff to determine the appetite to form a BAME Employee Forum to help ensure voices are heard

#### **Progress 2021-2022:**

- Following feedback from staff with a Black minority ethnic (BME) background an Ethnic Minority Employee Forum has been established with support from the Chair of UNISON Cymru Wales Black Members Group. The Chief Executive, and a number of officers from key service areas, and representatives from the NPT BME Community Association supported the inaugural meeting in March 2022.
- Future meetings will be open to those members of staff from BME backgrounds and other officers at the request of the group – for example, the group have requested the ongoing support of a HR Manager for the foreseeable future.

#### **Action 4.5.4.42**

We will offer opportunities to young people not in employment, education or training (NEETs) to help them gain experience and skills in order to enter the world of employment

### **Progress 2021-2022**

- Despite the closure of the Cam Nesa, resulting in the reduction in the number of youth workers in the Keeping in Touch (KIT) Team, along with additional staff shortages during the period we continue to help and support young people into a more positive Education Employment Training status.
- 210 NEET young people received support during the year, with 144 (69%) young people achieving a successful outcome; either employment, education, training or engaged with a specialist service.

### **Action 4.5.4.43**

We will revisit staff training on equalities, particular re-visiting people's understanding of disability, including non-visible disabilities

### **Progress 2021-2022:**

- We continue to support staff by offering a range of both general and specific equalities courses, including equalities in the workplace, unconscious bias and cultural competence and Anti-Racism training; with a total of 83 staff attending these courses during 2021-2022.

## **Priority 4.2 Our Gender Pay Gaps are reduced**

### **Action 4.5.4.44**

We will implement the Fair Play Employer Scheme Gender Diversity Action Plan

### **Progress 2021-2022:**

- We continue to implement the action plan, with the assistance of Chwarae Teg, with progress and actions reviewed on a quarterly basis.

- In March 2022, a proposal on mentoring for women in lower paid roles, the final element of the action plan, will be implemented during 2022-2023.

#### **Action 4.5.4.45**

We will address the gender pay gap within the Council by implementing the Fair Play Employers Action Plan

#### **Progress 2021-2022:**

- The Council's median gender pay gap for 2021 (the latest data available) was 3.86% (a slight increase from 3.44% in 2020) whereas the mean is 6.59% a decrease from 7.2% in 2020. This means that the difference in women's average hourly rate has stayed the same in 2021 as it was in 2020.
- The Council has signed up to the Fair Play Employer Scheme for a third year to assist us with strategies to reduce our gender pay gap. Some of the work undertaken includes introducing the Hybrid Working Framework which has focussed managers on communication with their teams regarding more flexible ways of working.
- Managing and motivating Hybrid Teams training rolled out and delivered 2021/2022 and sessions on reward/recognition and constructive feedback for leaders and managers developed and delivered in conjunction with ChwaraeTeg.

## **Participation**

**To ensure services are accessible for all and people and communities are able to better influence decisions that affect them**

**Priority 5.1 Our services, digital and traditional, are accessible to all**

### **Action 4.5.4.46**

We will continuously review and update our website to improve its accessibility

#### **Progress 2021-2022:**

- We have continued to introduce components and patterns from the GOV.UK Design System into NPT.GOV.UK as part of our continuous improvement of the website to improve its accessibility. This has resulted in the website receiving an accessibility score of 95% rated excellent in an independent review conducted by Silktide (a web governance platform that helps organisations improve accessibility and content quality).

### **Action 4.5.4.47**

We will work to address the barriers people and organisations face to participate on-line

#### **Progress 2021-2022:**

- Working closely with the Centre for Digital Public Services Wales (CDPS) we continue to conduct user research with residents to ensure our digital services meet their needs and to understand what people need from us to participate online.

**Action 4.5.4.48**

We will work to identify the opportunities across the County Borough for citizens to improve their digital skills and understanding

**Progress 2021-2022:**

- Our Digital Ambassador works closely with the Community Safety Partnership and Trading Standards, keeping up to date on online scams and frauds and distributing the information to various community groups.
- The Accessing Digital Services NPT Facebook page is regularly updated with latest information and has reached approximately 250 people per month between January and March 2022.
- Working in partnership with Digital Communities Wales, a further 10 employees have been trained as Digital Partners to work alongside existing Digital Partners, enabling them to support colleagues, family and friends by sharing their digital knowledge.
- Digital literacy, 'Techie Taster', digital inclusion and online safety sessions (online and face to face sessions) have been delivered to a number of groups including NVQ hairdressing students, Baglan Men's Society and Aberafan Court Assisted Learning Centre.

**Action 4.5.4.49**

We will work through the Community Safety Partnership and the Safeguarding Board to prevent Cybercrime and protect people against exploitation

**Progress 2021-2022:**

- Cyber Crime and Scams is a standing agenda item at all board meetings as well as on the Community Safety Partnership (CSP) Operational Tasking Group, which focuses on frontline work, campaigns, initiatives and events. This work is supported by our Digital Inclusion Ambassador, Trading Standards team and South Wales Police.

- Engagement events on a range of topics including Cyber Crime, Scams and Loan Sharks have now resumed following the lifting of Covid-19 restrictions.
- Key messages continue to be shared via our social media platforms and network of partners.
- The CSP continues to keep abreast of this ever-changing area of work with scammers capitalising on latest events, e.g., Ukraine nationals seeking refuge or needing financial support, Covid-19 related scams etc.
- Schools' events, including Crucial Crew for Year 6 pupils, will resume during 2022-2023. These events provide an opportunity for children to learn about online safety and associated risks and receive age-appropriate advice and information.

**Action 4.5.4.50**

We will improve physical access to the committee facilities in both Neath and Port Talbot Civic Centres

**Progress 2021-2022:**

- A scheme of work planned to improve access to our Civic Centres was suspended at the outbreak of the pandemic. With civic buildings closed to the public and all but essential staff, improvements to committee facilities were not a priority. During 2021-2022 with restrictions being lifted and with civic buildings used, the schedule of works to improve accessibility was revisited.
- Works to improve physical access to the Council Chamber in Port Talbot Civic Centre is due to be undertaken during the summer recess in August 2022 which will coincide with the installation of broadcasting and translation equipment.
- Works have already been carried out to install a new disabled fire refuge system (linked to an emergency call system) in the accessible toilets in Port Talbot Civic Centre.

**Action 4.5.4.51**

We will ensure that the many services available to the Armed Forces Community are accessible online, but also by telephone through the Veteran Gateway.

**Progress 2021-2022:**

- Local organisation information is currently being compiled as some organisations have not returned following the pandemic. New Hubs and other organisations are in the process of being set up throughout the Western Bay region. Updated information will be added to Veteran's Gateway via Welsh Government when available.
- Social media pages are being set up to ensure information is available and shared across the regions.

**Action 4.5.4.52**

We will work with local businesses and organisations to explore alternative arrangements in accessing retail services for those experiencing difficulties due to limited digital access etc

**Progress 2021-2022:**

- We have targeted retail businesses via our Community Renewal Fund funded Digital Project, to ensure businesses have the skills and knowledge to exploit the potential of digital technology, to innovate for growth and long-term sustainability and to help adapt to changes in consumer behaviour, i.e., on-line shopping, click and collect, etc.

**Action 4.5.4.53**

We will continue to support the key principles as contained in the Local Government and Elections (Wales) Act 2021: including programmes to support disabled candidates standing at elections, and the production of a public participation strategy

**Progress 2021-2022:**

- We continue to develop our response to supporting the key principles as contained in the Local Government and Elections (Wales) Act 2021. This has included working with Welsh Government and Disability Wales to develop and promote the Access to Elected Office Fund Wales, which seeks to remove barriers faced by disabled people seeking elected office by providing financial assistance towards the cost of reasonable adjustments and support.
- In addition, we are proceeding to utilise the information obtained from our self-assessment to help refine our Public Participation Strategy with a view to the document being brought forward for Member consideration in due course.

**Priority 5.2 Our communities will enjoy increased social and community cohesion****Action 4.5.4.54**

We will support local groups, including the BME Community Association, to develop community activities and events

**Progress 2021-2022:**

- Our third sector grant scheme supports local groups to deliver activities that will help to further develop community capacity/collaboration and building on the community action that has supported the response to the Covid-19 pandemic.
- Applications for the financial year 2022-2023 closed on 15 October 2021 with grants to 27 organisations with a value of nearly £540k awarded in December 2021.

**Action 4.5.4.55**

We will further develop our links with our faith communities



**Progress 2021-2022:**

- Some of our faith communities are represented on and regularly attend and contribute to our Equality and Community Cohesion Group. We continue to be mindful that not all faiths in NPT are represented on the Group and are looking at ways to better engage with these communities as part of our wider engagement work and review of the Equality and Community Cohesion Group during autumn 2022.

**Action 4.5.4.56**

We will provide information and a signposting service for those who wish to learn English and/or Welsh

**Progress 2021-2022:**

- All training courses are advertised on our staff Yammer platform as well as being sent to all accountable managers for circulation to their staff.
- 'Use Work Welsh' courses are advertised to all staff at Intermediate, Higher and Proficiency level to increase confidence in using Welsh in the workplace.
- 37 employees have attended Welsh language courses in 2021-2022.

**Action 4.5.4.57**

We will develop/strengthen policies to respond to an aging population and support the formation of a new group to address this

**Progress 2021-2022:**

- Progress on this action was delayed due to the pandemic but will be progressed as part of the Councils recovery planning work. A report published by the Older People's Commissioner for Wales "State of the Nation" brings together a wide range of evidence, research and data to provide an overview of people's experiences of growing old in Wales which will be helpful when developing / strengthening policies.

**Action 4.5.4.58**

We will work with members of the Trans community to help raise awareness

**Progress 2021-2022:**

- Unfortunately, since the outbreak of the pandemic we have been unable to progress this action. However, during 2022-2023, using relevant feedback from the Let's Talk survey and other relevant consultation exercises, we will engage with members of the community to begin to explore ways to raise awareness amongst our workforce, employer and the wider community of NPT.

**Action 4.5.4.59**

We will develop a rights-based approach to our work, with a focus on children's rights working with Youth Mayor, Youth Council amongst others

**Progress 2021-2022**

- The Youth Council, Youth Mayor and Deputy Youth Mayor continue to champion support and live the ethos of children's rights, presenting to and discussing their concerns and plans with Cabinet at quarterly meetings.
- The top three topics identified by NPT respondents to the Make your Mark consultation (run by the British Youth Parliament (on which NPT has a representative) to find out what issues matter most to young people) will be the Youth Council's priorities for the next year; health & wellbeing; environment and poverty.

**Action 4.5.4.60**

We will establish engagement mechanisms, for example a new Citizens' Panel, and use responses to ensure that the Council's policy making and service development is informed by what matters to people

### **Progress 2021-2022**

- We launched our Citizens' Panel in January 2020 with membership open to all residents we have ensured it represents the diverse population of Neath Port Talbot. The Citizens' Panel complements formal consultations, by providing another way for residents to have their voices heard and to be involved in decision making.
- The Council's Community of Practice (a group of officers from across the Council who undertake engagement activities) has undertaken a significant role in ensuring the Council's Let's Talk campaign has maximum reach to ensure the areas of work the Council focuses on going forward is based on what matters to people. Our engagement mechanism will be further developed as part of the Council's recovery work.

### **Action 4.5.4.61**

We will work with organisations that support the Armed Forces Community to help reduce isolation and loneliness, which is felt by many when they leave the services or by a member of the family when the serving family member is deployed on active service or training

### **Progress 2021-2022:**

- Our AFLO has met with individuals and various organisations across the region, including Veterans NHS Wales and the Bulldogs Boxing and Community Activities that support the local Armed Forces Community.
- The AFLO has also worked in partnership with Supporting Service Children in Education (SSCE) to support Month of the Military Child (April) and works closely with the Vulnerable Learners Service who help ensure that Service Children receive appropriate support.
- We are currently facilitating a grant for Armed Forces charities and organisations locally to fund training for their staff and to help fund events to support the Armed Forces Community.

#### **Action 4.5.4.62**

We will implement the action plan in support of the Digital Charter Award for which we have recently been recognised

#### **Progress 2021-2022:**

- During the year, the number of staff in our Digital Partners network increased to 47 (39 in 2020-2021). The Network helps staff to gain digital confidence and overcome any barriers to becoming digitally active in both the workplace and their personal lives.
- Additional training programmes have been delivered to 193 staff across the council services to improve digital skills.

#### **Action 4.5.4.63**

We will work in partnership with relevant groups to address our shared history and explore ways to better express this within our communities

#### **Progress 2021-2022:**

- The Corporate Plan 2022-2027 recognises the role culture and heritage play within our communities and activities have been included to reflect this.
- Discussions have already begun between our education service and the BME Community Association on how the Association can help support the delivery of the new curriculum for schools. This will provide opportunities for more learning and greater understanding not only of our local history but also a more balanced understanding and acknowledgement of historical periods and events that have contributed to and shaped our lives.
- Work on a proposed Culture and Heritage Strategy has also begun which will aim to recognise and celebrate the cultures and shared history of all our communities in NPT.

#### **Action 4.5.4.64**

We will support local small businesses in implementing the ever-changing requirements of the Welsh Government's guidelines in response to the COVID-19 outbreak

#### **Progress 2021-2022:**

- Our Covid Enforcement Team supported local businesses in implementing the requirements of the various alert levels imposed throughout the year; helping businesses embed the health protection and risk assessment principles contained in the Coronavirus legislation into business as normal was one of the key areas of work. Generally, businesses have welcomed the visits however, understanding and keeping up with the changes brought about by the introduction of the various 'Alert Levels' during the year has been problematic for some businesses and the public alike: particularly with public perception of the pandemic and issues with businesses implementing the rules and regulations.
- Although restrictions have been lifted incrementally over the latter half of the year and lifted even further toward the end of March 2022 (and completely removed in April apart from in health care settings) we have continued to be proactive with visits to support businesses and help ensure the work undertaken in response to the pandemic is aligned with traditional health and safety at work interventions.
- While a large number of visits to businesses were made between April and October 2021 (5,213 visits made, including 1,873 visits as a result of complaints received from the public) this number has dropped dramatically over the last six months with just 203 visits made in March 2022. In the first six months, 418 warning letters for non-compliance were issued with three fixed penalty fines issued while in March 2022 there were just 15 instances of non-compliance with most cases receiving 'words of advice' as the level of non-compliance was minimal. These figures are testament to the work undertaken by the team in supporting local businesses throughout the changing regulatory landscape of the last year.

## **Living standards**

### **To work to reduce poverty and support independent living**

#### **Priority 6.1 People and communities will benefit from interventions to alleviate poverty**

##### **Action 4.5.4.65**

We will develop an action plan to address the issues for those with low net disposable income

##### **Progress 2021-2022:**

- Work is ongoing to ensure the Council is offering support to households to ensure they are maximising their income. We are in the process of reviewing and updating the Council's webpages that advise on the direct financial support available internally and externally to ensure all the available information is up-to-date and accessible. More than £150k from the Welsh Government has been managed and administered to enhance local support services to assist those facing food poverty in a number of ways, including: financing additional supplies and storage solutions for local food banks, paying for 'FareShare' membership, family cooking courses and community growing schemes.
- In March 2022, a £2million Council hardship fund was announced to further support residents facing financial pressure due to Brexit, the legacy of the pandemic, the war in Ukraine and the cost-of-living crisis. Work has started to identify how best to target and administer this support with Cabinet on 29 June granting authority to the Chief Finance Officer to enter into a partnership agreement with Warm Wales to facilitate delivery of the NPT Hardship Relief Scheme.
- In addition, work is ongoing with partners in Swansea Council, NPTCVS, Swansea Council for Voluntary Service (SCVS) and Swansea Bay University Health Board to address issues around bed poverty. A process has been put in place to distribute the bed and mattresses that were urgently procured for the local Covid-19 field hospitals to people who really need them, free of charge.

**Action 4.5.4.66**

We will embrace the new Socio-economic Duty

**Progress 2021-2022:**

- Three separate audits of our Integrated Impact Assessment (IIA) process (amended to consider various legal requirements including the socio-economic duty) were undertaken during 2021-2022. Two of the audits were delayed from 2020-2021: one identified in the Annual Governance Statement and undertaken by internal audit focusing on how well the framework is embedded into our decision-making process; the other by an external consultant, Red Shiny Apple Ltd., concentrating on the quality and effectiveness of the assessments. The third audit was undertaken by Audit Wales to consider Equality Impact Assessments and their use in decision making. The two former audit reports were completed in March 2022 with the latter audit due to be completed by July 2022.

Recommendations from all audits will be considered and will inform any further revision of the IIA tool as appropriate.

**Action 4.5.4.67**

We will ensure those families entitled to free school meals continue to receive support throughout the school holidays in line with Welsh Government guidelines

**Progress 2021-2022:**

- All families entitled to free school meals (FSM) received payments throughout all school holidays.
- 'Isolation payments' for those children who have been instructed to self-isolate by the school or track and trace have been introduced during the year and will continue up to 30 June 2022.

#### **Action 4.5.4.68**

We will work with local organisations and local businesses to explore how to maintain access to appropriate cultural foods during periods of restricted movement/lockdown going forward

#### **Progress 2021-2022:**

- We have targeted retail businesses via our Community Renewal Fund funded Digital Project to comply with this action. We will also encourage food providers to sign up to the Council's 'Buy Local' scheme to promote their services to local residents.

### **Priority 6.2 People will benefit from programmes and support to live as independently as possible**

#### **Action 4.5.4.69**

We will support the Regional Partnership Board to develop and continue to provide a sustainable range of services that meet demand, enabling individuals to remain at home maintaining their independence for as long as possible receiving appropriate support at times of need

#### **Progress 2021-2022**

- We continue to engage with the Regional Partnership Board on the development and implementation of the Discharge to Recover and Assess Model, which will ensure people receive the right care in the right place, enabling them to remain independent at home for as long as possible.
- Regional partnership working continues to progress with the following work streams taking priority: Home First the Discharge to Recover then Assess model (D2RA), Carers, Mental Health and Learning disabilities.

#### **Action 4.5.4.70**

We will continue to help people to learn and interact with others so they can be part of their communities



### **Progress 2021-2022:**

- While addressing and promoting community cohesion is key to the role of the Community Cohesion officer (post currently vacant), it is not solely the responsibility of one person or service area. Consequently, current and future plans and strategies will contribute to ensuring our communities are more cohesive.
- The recently adopted Wellbeing Objectives, detailed in our Corporate Plan 2022-2027, and the actions identified to meet them reflect our commitment to and the work currently being undertaken towards meeting this action.

### **Action 4.5.4.71**

We will help support people to live as independent a life as possible

### **Progress 2021-2022 4.5.4.71**

- Our Reablement Service continues to support people to remain as independent as possible within their own homes, through the delivery of reablement at home, virtual ward support and via hospital discharges.
- Opportunities for the use of Technology Enhanced Care (TEC), with regards to falls prevention ARMED (Advanced Risk Modelling for Early Detection), and mental health wellbeing triage (CANTAB triage for significant cognitive difficulties, mood and ability to carry out daily living tasks) are being scoped out into project plans for delivery later in the year.
- Further TEC opportunities are being scoped out for the development of an independent living hub to support young people with learning disabilities to transition into independent living where possible.
- We have developed new relationships and continue to strengthen existing ones with the third sector in order to offer people wrap around support thereby enabling them to remain as independent as possible.

**Action 4.5.4.72**

We will consider the continuation of the Safe and Well scheme to help support vulnerable members of our communities

**Progress 2021-2022**

- The Safe and Well scheme remains operational, supporting community members with a volunteer led service response linking in with wider community services such as the Local Area Coordinators and third sector where necessary.

**Action 4.5.4.73**

We will improve communications with our vulnerable groups through a wide range of formats to better inform and support them to live as full a life as possible during the current coronavirus outbreak

**Progress 2021-2022**

- We have expanded our communication channels since the outbreak of the pandemic to better connect with our vulnerable groups; these have included virtual meetings, social media, the corporate website, SMS as well as the more traditional channels – telephone calls, letters and face to face meetings when restrictions allowed.

**Priority 6.3 Transport links are maintained or enhanced**

**Action 4.5.4.74**

We will support community transport initiatives

### **Progress 2021-2022:**

- Community transport schemes have continued to receive Bus Service Support Grant funding at the same level as prior to the pandemic. In addition, several schemes have received grant funding to install electric vehicle charge points and purchase electric vehicles, which, will contribute to the reduction of carbon emissions in the area, with further expansion of electric vehicles perused in partnership with the Community Transport Association (CTA).

### **Action 4.5.4.75**

We will work together with partners on the regional Swansea Bay City Deal transport plan

### **Progress 2021-2022**

- Corporate Joint Committees will be working with the region on developing the local bus network with the City and County of Swansea identified as the lead authority for transport in the region. Work is ongoing with Welsh Government (WG) and Transport for Wales (TfW) on the strategic bus network review. The following projects are currently being explored:
  - TfW are looking at the feasibility and impact of a through bus service from Ystradgynlais to Mumbles.
  - Hydrogen Bus Project - WG are looking at the feasibility of introducing Hydrogen Busses on some of the strategic bus network.
  - The Council is currently re-tendering its subsidised local bus network and a Fflecsi Bus option (a demand responsive service that can be booked via an App or by telephone) being explored to offer innovative transport solutions to our rural communities.

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## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Cabinet (Policy and Resources) Sub Committee

4 October 2022

#### Report of the Head of People & Organisational Development – S Rees

#### Matter for Decision

**Wards Affected:** All Wards

**Report Title:** Welsh Language Promotion Strategy Annual Report 2021-2022

#### Purpose of Report

1. To present the Welsh Language Promotion Strategy Annual Report 2021-2022.

#### Executive Summary

2. The report provides information on progress made during April 2021-March 2022. (Appendix 1).
3. The Welsh Language Promotion Strategy, and associated action plan, was adopted by Council in September 2018.
4. While progress must be reported annually there is no statutory annual reporting period, unlike many of the Council's other plans or strategies.
5. 2021-2022 has seen a return to some form of normality although the repercussions of the pandemic, enforced restrictions and subsequent impact on health and the working lives of residents and staff continue to be felt.
6. While progress has been made in many areas there are some actions that have not been progressed as much as anticipated for a variety of factors. However, with the review and next iteration of the Strategy to be developed in time for publication in April 2023 there is now an opportunity to take a fresh look at how to better promote the language in light of current, as well as anticipating future, circumstances.

## **Background**

7. Standard 145 (Promotion) of the Welsh Language Standards requires the Council to produce and publish on the website a 5 year Strategy that sets out how it proposes to promote the Welsh language and to facilitate the use of the Welsh language more widely in the area.
8. The Council's Welsh Language Promotion Strategy and action plan were adopted by Council on 26 September 2018. The first progress report for the period October 2018-September 2019 was approved by Cabinet in December 2019.
9. In February 2021 Cabinet approved the realignment of the reporting period to mirror that for other statutory plans. This is the first full year annual report under the new arrangements.

## **Progress April 2021 - March 2022**

10. The Annual Report for 2021-2022 highlights progress against a backdrop of upheaval and change; changes to working practices, changes in priorities both for residents and services.
11. While progress has been made in many areas there are some actions that have not been progressed as much as anticipated; primarily due to the outbreak of the pandemic, the reprioritising of services as well as the ongoing changes that we as a council and our partner organisations have had to make during the intervening period.
12. The Strategy is currently being reviewed with the next iteration of the Strategy to be published by April 2023. There is now an opportunity to better align the Strategy with recent developments in the Welsh language locally, and activities to support, as well as key strategic documents both locally and nationally.

## **Financial Appraisal**

13. There are no additional financial impacts attached to the implementation of the Strategy as all actions have been developed within budgetary constraints.

## **Integrated Impact Assessment**

14. There is no requirement to undertake an Integrated Impact Assessment.

## **Valleys Communities Impact**

15. Progress against a number of actions in the action plan will help promote and support the Welsh language within the valley communities.

### **Workforce Impact**

16. There are no direct workforce impacts associated with the Strategy as all actions have been developed taking into account our current workforce and resources.

### **Legal Impact**

17. This report sets out how the Council meets its legal duty under the Welsh Language Standards which has been referenced in the body of this report.

### **Risk Management**

18. There are no direct risk management impacts associated with the report however; there may be a financial risk to the Council for failure to comply with the Welsh Language Standards.

### **Consultation**

19. There is no requirement for external consultation on this item.

### **Recommendation**

20. It is recommended that Cabinet (Policy and Resources) Sub Committee considers and approves the Welsh Language Promotion Strategy 2021– 2022.
21. It is recommended that the Head of People and Organisational Development be given delegated authority to make such changes as may be needed to the Annual Report prior to publication, provided that such changes do not materially alter the content of the document considered by Cabinet (Policy and Resources) Sub Committee.

### **Appendix**

22. Appendix 1 – Welsh Language Promotion Strategy – Annual Report 2021- 2022.

### **List of Background Papers**

Welsh Language Promotion Strategy and action plan [www.npt.gov.uk/30359](http://www.npt.gov.uk/30359)

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

# Welsh Language Promotion Strategy Progress Report 2021-2022

Mae'r ddogfen hon hefyd ar gael yn Cymraeg  
This document is also available in Welsh

[www.npt.gov.uk](http://www.npt.gov.uk)

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If you require this report in larger print or in an alternative format, please contact the Corporate Policy Team on 01639 763010 or email: [policy@npt.gov.uk](mailto:policy@npt.gov.uk)

## Introduction

This Annual Report for 2021-2022 highlights our work in progressing the Welsh Language Promotion Strategy 2018-2023.

The outbreak of the pandemic in 2020 has had long lasting effects for both people and services; while 2021-2022 has seen a return to some form of normality - the repercussions of the disruption, enforced restrictions and subsequent impact on health and the working lives of residents and staff continue to be felt.

While progress has been made in many areas there are some actions that have not been progressed as much as anticipated; primarily due to the outbreak of the pandemic, the reprioritising of services as well as the ongoing changes that we as a council and our partner organisations have had to make during the intervening period.

With the review and next iteration of the Strategy to be developed in time for publication in April 2023 we have an opportunity to better align the Strategy with recent developments of the language and activities to support it locally as well as key strategic documents both locally and nationally.

## Section One – Council focussed actions

### Strategic Priority1: Children and Young People

#### 1.1 Have a positive impact on Early Years provision

**1.1.1** Provide appropriate Welsh language and childcare training for early years’ practitioners in order to increase Welsh-medium provision

- A regular ‘Welsh in Childcare – First steps’ course is provided on the training program offered by the Early Years and Flying Start team.
- A CAMAU Welsh in Childcare course offered by Learn Welsh Cymru is available online and is promoted to all childcare providers by our Early Years Development Officer.
- Welsh Government funding has been made available to childcare providers for the purchase of Welsh resources with Early Years and Flying Start Development Officers providing ideas as to suitable products and activities for the settings.
- Clwb Cwtsh online sessions continued during the year. Clwb Cwtsh (aimed at parents to be, parents/carers and extended family members) is a taster programme focusing on speaking Welsh with young children.

**1.1.2** Increase the number of children attending Welsh-medium early years provision

- New Welsh language childcare settings have been built, with funding from the Increasing Welsh Medium Provision Grant, at YGG Cwmllynfell and YGG Tyle’r Ynn.
- Cylch Meithrin Cwmllynfell has opened to children through Mudiad Meithrin’s Set up & Go scheme.
- An additional 10 spaces have been created at the current childcare provider at YGG Pontardawe.

- During the year:
  - 70 childcare spaces in 9 Welsh or bilingual settings in Flying Start areas.
  - Of the 559 children newly eligible for childcare during the period – 54 requested and were offered a Welsh-medium setting.
  - 173 children across the year attended or were offered a place in a Welsh or bilingual setting.

### 1.1.3 Increase the use of Welsh in playgroups and day nurseries that are primarily English-medium

- Through the online ‘Welsh in Childcare – First Steps’ course, practitioners can learn how to incorporate Welsh easily into 7 key areas within the setting. From September 2022, this course will be delivered face to face, where interactive activities can be included to further enhance childcare workers knowledge and confidence to use Welsh.
- A Welsh in Childcare Award for English-medium providers has been developed during the year by one of our Flying Start Development Officer and Childcare Leads, with the aim to assist settings to become bilingual providers and will be launched in September 2022. This is a staged award which will be completed over a 3-year period. Each stage covers areas of daily routine, areas of play, nursery rhymes/songs, story time and Welsh culture. It is a whole setting approach so all staff will be able to embed Welsh within their everyday practice. When each stage is completed and awarded, the setting will have a celebration event, such as a Stay & Play to show their practice to parents. There will be a termly training course to accompany the award which a high percentage of staff will have to complete.
- Our Welsh speaking development officer has been providing fortnightly Welsh language sessions for the staff in the Flying Start and Early Years childcare team to raise their basic Welsh speaking ability. The focus is on progressing through the Welsh in Childcare Award outcomes, thereby increasing confidence and knowledge to support the English-medium settings.

## 1.2 Education – primary sector

### 1.2.1 Launch a county wide marketing campaign to promote the advantages of Welsh-medium education and the benefits of bilingualism

- A 'Being Bilingual' booklet continues to be shared with schools. There continues to be strong partnership work with Menter Iaith Castell-nedd Port Talbot (MICnPT) with most Welsh-medium schools engaging MICnPT to develop Welsh-medium activities within their schools for pupils and parents, for example the virtual Welsh Music Gig 'Tanio'r Ddraig'. However, these activities need to reach the wider communities to further promote the advantages of Welsh-medium education and the benefits of bilingualism.
- A working group to promote bilingualism across the county borough, created as part of the new Neath Port Talbot Welsh in Education Strategic Plan (WESP), will create and distribute an updated/revised bilingual booklet to highlight the benefits of bilingualism.
- Actions have been identified in the WESP to help increase the capacity of Welsh-medium pre-school provision as well as to provide information for parents/carers that promotes the benefits of a bilingual education.

### 1.2.2 Increase the capacity of Welsh-medium primary schools in key locations and actively consider the opening of new Welsh-medium primary schools in the not-too-distant future

- By the end of the academic year 2021-2022 an additional 58 Welsh-medium spaces (an increase of 14.6%) were created via Strategic School Improvement Plan (SSIP)/Welsh Medium Grant (WMG)/Child Care Offer (CCO) capital developments.
- Welsh Government grant funding has been awarded for projects on several Welsh-medium schools:

- YG Ystalyfera-Bro Dur - Ystalyfera campus – a further £9m new build accommodation for secondary aged pupils to include an astro turf pitch and sports facilities is continuing. Completion date September 2022.
  - YGG Rhosafan - Reducing Infant Class Size Grant (£1.34m) four classroom extensions, completion date July 2021.
  - YGG Tyle'r Ynn: (£1.14m) two classroom extensions plus new childcare, completion July 2021.
  - YGG Cwmllynfell: (£640K) one classroom, one new childcare facility completion December 2021.
  - YGG Pontardawe: (£1.62m) two classrooms plus childcare facility, hall refurbishment, completion March 2022.
  - YGG Blaendulais: (£1m) additional 16 place facility, scheme currently under development.
- Due to extra funding from the Welsh Government, an investment has been made to set up an immersion provision for latecomers to the Welsh language. The immersion provision will enable more learners to access Welsh-medium education at primary level. The latecomers' centre is currently under development at YGG Pontardawe and is due to open in September 2022.

**1.2.3** Consider the effects of new housing developments on the growth of Welsh-medium education or the impact on Welsh speaking communities.

- Following a consultation (between January and March 2022), members approved the statutory publication of a proposal to establish a new Welsh–medium primary school at St John's Terrace, Neath Abbey, Neath.

**1.2.4** Respond to Welsh Government's drive to create a million Welsh speakers by 2050 by targeting the key sector of Welsh-medium education

- The WESP Forum met in July 2021 to begin the development of a new 10-year WESP. Ambitious targets have been set to meet the Welsh Government's 10-year target for Neath Port Talbot to increase the number of Year 1 children taught through the medium of Welsh. The WESP, approved by members was submitted to Welsh Government in February 2022 and has since been approved.
- The overarching 10-year target in Neath Port Talbot is to increase the number of Year 1 children taught through the medium of Welsh from 16.8% (252 pupils) in 2020/21 (Pupil level annual school census (PLASC) 2021) to 27% (400 pupils) by 2032.
- PLASC 2021 reception and second year nursery pupil's number were 283 (18.7%) and 290 (21%) respectively, so over the short term, year 1 numbers and percentages are likely to increase.

#### **1.2.5** Support the development and growth of the Language Charter which encourages the proactive use of Welsh in schools and in the community. Support the Second Language Charter for English-medium schools.

- Due to the recent pandemic, there has been limited progress in this area. However, when pupils were able to return to school there was an emphasis on improving pupils' oracy skills, especially in the Welsh-medium sector. The Welsh Medium Development Officer has focused on three areas to develop the training of Welsh oracy:
  - The 'Block Play' strategy
  - 'Drillio Disglair' Welsh oracy scheme
  - 'Sgleinio'n Sgwrsio' – to develop pupils' higher order oracy skills (debate and public speaking strategies)
- Seven Welsh-medium primary schools are following the silver award targets for the Welsh Charter, with three following the Gold award. Nearly all English-medium schools are currently engaged in the Welsh



Charter scheme. 'Athrawon Bro' continue to work with the English-medium schools to promote and develop the 'Cymraeg Campus' Welsh Charter scheme and continually encourage more schools to get involved.

- Our development officers continue to work closely with schools to secure a language-learning continuum between current key stages that secures a better and a more ambitious language learning for pupils. We also work with curriculum leaders to promote a more meaningful relationship between the learner and the Welsh language that goes beyond the academic focus and aligns with the new Curriculum for Wales. Officers are currently working with schools and local agencies to develop resources and information about the local areas in and around NPT – the 'Cynefin' project, which aligns well with the new Curriculum for Wales' vision.
- The development officers have continued to work effectively with MICnPT, yr Urdd and other key agencies to ensure that informal opportunities to use Welsh are facilitated and promoted, even though most of this work has been carried out remotely.

#### **1.2.6** Ensure that parents are informed and are supported should they wish to continue their child's Welsh-medium education

- The 'Welsh Homework Help' Facebook group, created by Menterau Iaith Castell-nedd Port Talbot and Abertawe, continues to offer parents in the Swansea/Neath Port Talbot area practical support on homework, and any issues about Welsh medium education. Teachers, support staff and professionals from organisations such as the Mentrau Iaith (Castell-nedd Port Talbot and Abertawe), Cymraeg I Blant, the Urdd and others on the Fforwm provide this support for parents. Parents can post questions and ask for help or explanation or ask for resources to help. In June 2022 there were 270 members of the group.

## 1.3 Education – secondary sector

### 1.3.1 Increase number of learners in Welsh-medium secondary schools

- There has been a slight fall in numbers and percentage in Y7, 248 (14.9%) in 2021 compared to 257 (15.2%) in 2020.
- The percentage of pupils who transfer to Ysgol Gymraeg Ystalyfera Bro-Dur is higher than it has been for many years (86%). Those who do not transfer are highest in Pontardawe, Trebannws and Ystalyfera. Although this remains a concern, the transfer percentages have improved significantly (+6%).
- Some of the transition activities held in the Ysgol Gymraeg Ystalyfera Bro Dur (YGYBD) cluster to maintain pupils in the sector includes:
  - Ystalyfera'n cyfri - teachers from YGYBD attend cluster schools for 1 hour weekly to deliver a specific series of lessons
  - Hawl i Holi - pupils and staff from YGYBD attend cluster schools and primary pupils have an opportunity to ask questions or voice any transition concerns/ anxieties
  - Transition website for pupils transferring to YGYBD
  - Additional transition days for pupils with Additional Learning Needs (ALN) or anxiety
  - Open days for pupils and open evenings for families
  - Gwyl Haf - 3-day summer camp for Year 5 pupils based on a specific theme and followed by a presentation to parents
  - Proms - vocal and instrumental. Y5 and Y6 pupils from cluster schools attend YGYBD and are taught by staff and pupils for the day. It is followed by an orchestral performance in the evening

(instrumental) or a performance by the YGYBD Cluster Choir (during half time at an Ospreys rugby game)

- Gig Tanio'r Ddraig - Y5, 6, 7 pupils attend a music festival in YGYBD playing fields annually with the best of current Welsh bands and talent performing
- Cluster sports day for KS2 pupils from feeder primaries on YGYBD playing fields

### **1.3.2 Increase opportunities in English medium schools to use Welsh as a medium of instruction**

- This is still under consideration and will be discussed in the WESP forum termly meetings.

### **1.3.3 Enable learners to switch from English medium to Welsh medium education at the end of Key Stage 2**

- An immersion provision for latecomers to the Welsh language is to be established with additional funding received from Welsh Government. The immersion provision will enable more learners to access Welsh-medium education at primary. The latecomers' centre is currently under development at YGG Pontardawe and is due to open in September 2022.

### **1.3.4 Ensure that Welsh Language Awareness programs are included in PSE curriculum in secondary schools to include traditional music, culture, and history/heritage**

- A NPT schools' website created by learners, to promote modern Welsh culture, history and local area has been launched and added to on a regular basis in most of the Welsh-medium schools. It has also been rolled out to all English medium schools as the 'Cynefin' project, which aligns well with the new Curriculum for Wales' vision.

- We have begun to work with learners across all sectors and ages to obtain views and ideas on promoting the Welsh language, contemporary culture, history and a feeling of belonging. Pupil voice will be essential in reviewing and setting our annual action plan.
- A leading excellent practice English-medium school, Ysgol Gynradd Baglan Primary School will share resources and ideas as well as support other schools with their curriculum design, ensuring that Welsh culture, history and appreciation of the local area is embedded into their new curriculum.

**1.3.5** Work with key partners to create opportunities for children and young people to use Welsh outside of school times to strengthen the link between the language of education and the community

- Our Welsh speaking youth workers continued to support the use of Welsh as our youth clubs reopened. The Welsh Language Youth Club continues to deliver weekly sessions to young people via Teams and activities include sessions around Welsh culture and heritage.
- Workers in our youth service were instrumental in engaging with young people in both Welsh and English as part of the Council's Let's Talk Campaign during the summer 2021. The campaign sought the views of people living and working in Neath Port Talbot on what matters to them 'now and in the future' with feedback used to inform the Council's Corporate Plan 2022-2027.
- Welsh language training has been offered once again to all part time community-based youth workers to help create opportunities to use Welsh outside of the school environment and increase the use of Welsh language in communities.

**1.3.6** Increase the number of social activities through the medium of Welsh or including Welsh culture and heritage for primary age children

- We have visited Welsh language primary schools to raise awareness of the Welsh Language Youth Club resulting in a number of young people signing up to the Youth Club.

### 1.3.7 Increase the number of social activities through the medium of Welsh or including Welsh culture and heritage for secondary age children

- Clwb Ieuenctid Symudol, the new Welsh Language Youth Club, was launched in June 2021 to give young people the chance to develop their Welsh language skills and to tackle social isolation. As with our other youth clubs, during this period, activities were initially held virtually with materials and resources sent to young people in advance of meeting, so they were able to join in the planned activities. As restrictions were lifted, in-person activities have been re-established.
- Welsh remains a feature of our Youth Clubs Curriculum. During the pandemic, activities were delivered virtually which impacted on the range of sessions delivered. However, during 2021-2022 our community-based youth clubs have reopened and in person Welsh language and culture sessions have been held; one club has delivered 4 Welsh Language and Culture Sessions designed to engage with young people around the use of Welsh and on the heritage and culture of Wales.
- Activities held outside the youth club provided further opportunities for young people to increase their use of Welsh in heritage, sporting and other leisure settings.
- The Youth Council and new Deputy Youth Mayor continue to champion Welsh Language and Culture. This year the Deputy Youth Mayor has presented various messages to young people in Welsh and has featured on local radio.
- The Youth Council, two members of which are also members of the Welsh Youth Parliament, continue to work with the Senedd and Welsh Government on issues that affect young people in Wales.

### **1.3.8 Encourage greater social use of Welsh by pupils attending Ysgol Gymraeg Ystalyfera Bro Dur.**

- In addition to the virtual weekly term time sessions the Welsh Language Youth Club continued to deliver sessions during the summer holidays and each half term.

### **1.3.9 Provide opportunities for young people in Ystalyfera and Bro Dur to use Welsh in the community**

- Food Hygiene courses had been offered to Ystalyfera and Bro Dur pupils but unfortunately were postponed due to the pandemic. However, these courses have been rearranged for 2022-2023.
- Welsh language training for part time community-based youth workers were held to further opportunities for using Welsh in the community: four staff completed the Dysgu Cymraeg/Learn Welsh - Welsh Taster Course (Welcome: Part 1+2).
- The Youth Council continues to have a Welsh Language representative position while the new Deputy Youth Mayor is a champion of the Welsh Language and has mentioned this in her pledge of office.

## Strategic Priority 2: Families

### 2.1 Language Transfer in the Home

#### 2.1.1 Raise awareness of the importance of language transmission amongst young Welsh speaking adults

- The closure of youth clubs and other venues during the pandemic has had a significant impact on the use of Welsh in social settings.
- The development and delivery of language awareness programs in PSE courses at schools have not been able to be progressed during the year although it is anticipated that the new Curriculum for Wales will provide greater opportunity to meet this action in the future.

#### 2.1.2 Raise awareness of the importance of language transmission amongst families

- Signalong and Welsh videos are shared on our Early Years and Flying Start Facebook pages for families to use at home.
- A number of online and face-to-face sessions have been provided by Cymraeg i Blant, 'Me & My Baby' 'Baby Welsh Story, Sign & Rhyme time' 'Cuppa and Chat Cymraeg'. They have also shared a recorded story and singing sessions.
- Online 'Clwb Cwtsh' sessions offered through Mudiad Meithrin for families to learn simple Welsh phrases to use with the family at home.
- MICnPT offer face to face events such as craft sessions for children, Bore Coffi for adults to practice their Welsh, and family 'Helfa Drysor' in Gnoll Park.

### 2.1.3 Organise a marketing campaign targeting young Welsh speaking adults

- While no formal marketing campaign has been progressed, social media content, leaflets/booklets, activities and groups have been developed/distributed/held to encourage young people and adults, particularly parents, to learn and use Welsh in a variety of settings, with MICnPT playing a key role in this work.

### 2.1.4 Provide support for parents with children in Welsh medium schools to alleviate concerns about helping with homework

- MICnPT, together with Menter Abertawe have created a resource for parents with children in Welsh-medium education, to help them with homework and education. The new Facebook group 'Welsh Homework Help' is available for parents, but also for teachers who are willing to offer help and support. The group enables members to post specific questions/homework tasks and receive help and advice from other members. This will also be discussed in the WESP sub-committees' meetings from April 2022.

### 2.1.5 Provide childcare through the medium of Welsh

- As at 30 August 2021 10.5% of the total 2199 available registered childcare spaces in Neath Port Talbot were Welsh-medium spaces. There were 452 Flying Start childcare places per annum (based on 2020-2021 data) across our settings of which 65 (14.4%) were category 3 Welsh language and category 2 English/Welsh language childcare settings.
- Ti a Fi sessions at YGG Tyle'r Ynn and in Skewen have restarted following the lifting of restrictions while a new session has started in YGG Cwmllynfell, located in the new childcare setting.



- The Childcare Sufficiency Assessment data was not required by Welsh Government to be refreshed as initially planned during 2020, due to the pandemic. An updated Childcare Sufficiency Audit has recently been completed and is awaiting Members' approval to go out for consultation.

#### **2.1.6 Provide Welsh medium childcare opportunities during school holidays**

- The review of childcare needs during school holidays has yet to be completed, however, this may now be covered off within the recently completed updated Childcare Sufficiency Audit mentioned above.

#### **2.1.7 Increase the number of Welsh language activities that cater for the interest of families**

- MICnPT has worked with Pontardawe Arts Centre since August 2021 on what has proved to be a successful varied programme of Welsh language events. Two hundred children and adults have attended events such as:
  - Bore o Hwyl i deuluoedd
  - Siani Sionc
  - Bore o Hwyl Calan Gaeaf
  - Gig Dydd Miwsig Cymru

#### **2.1.8 Increase family focussed activities through the medium of Welsh**

- Following a successful year in 2021-2022, it is anticipated more events will be held in Pontardawe Arts Centre during 2022-23, with the support of MICnPT.

## Strategic Priority 3: Communities

### 3.1 Welsh in the Community

#### 3.1.1 Use communication technology to advertise employment opportunities requiring bilingual skills

- We launched new jobs webpages to better promote employment opportunities within the Council with all vacancies continuing to indicate if Welsh language skills are required.
- Welsh essential/desirable posts are advertised on external Welsh job sites. MICnPT assist with circulating/advertising posts to their members and posting on their social media platforms.

#### 3.1.2 Ensure that Leisure Centres proactively promote the use of Welsh, both in terms of provision and making it visible.

- While Celtic Leisure, who currently run our leisure and sports facilities have their own Welsh Language Scheme, there has been limited progress in linking with the actions in the Welsh Language Promotion Strategy (WLPS), a situation exacerbated by the pandemic.
- However, in February 2022 members took the decision to return the indoor leisure services, currently run by Celtic Leisure, to the Council, though it will take up to a year to complete the work needed to implement the decision. Appropriate and relevant actions for indoor leisure service will be considered as part of the review of the WLPS over the coming months.

#### 3.1.3 Ensure access for adults to Welsh medium learning opportunities

- During 2021-2022 we updated our webpage to include links to language training opportunities in the county borough.

### 3.1.4 Consider a Sense of Place (to include Welsh language, culture and heritage) in the development of the Destination Management Plan

- We launched our [Dramatic Heart of Wales](#) campaign in September 2021 with a new website and promotional brochure showcasing the diverse landscape, beauty, arts and heritage of the county borough. Leisure activities also feature including a variety of walks in key heritage areas/sites.

### 3.1.5 Celebrate the culture and heritage of the county borough

- While we have always recognised the importance of our heritage and culture it is now more clearly recognised in our Corporate Plan 2022-2027, specifically with Wellbeing Objective 3 – Our local environment, culture and heritage can be enjoyed by future generations. Through our Let's Talk campaign, which informed the development of the Plan, local people told us that their local environment, the Welsh language and our heritage and culture matters to them; particularly the promotion of the Welsh language our traditions and culture.
- The proposed Culture and Heritage Strategy will help further this action; celebrating our area's traditions culture and heritage as well as promoting modern Welsh culture, history and our local area.

## 3.2 Welsh in the Workplace

### 3.2.1 The Council to comply fully with the Welsh Language Standards

- During the year the Welsh Language Officer Group has updated the information available and included some new material, for example employee guidance, a meeting checklist and a guide to Welsh translations.

- Further details on compliance with the Standards can be found in the [Welsh Language Standards Annual Report 2021-2022](#) which has been published on our website.

### **3.2.2** Ensure that numbers of staff are adequate for the level of Welsh being requested in order to comply with the Welsh Language Standards.

- The number of posts advertised during the year increased from 2020-2021 (637 compared to 291) although the percentage of posts advertised as Welsh essential/desirable remained the same (29.6% last year compared to 29.2% in 2020-2021).
- A language skills strategy is to be developed over the coming year to help us work towards achieving a bilingual workforce which reflects the language skill of the county borough.

### **3.2.3** Map current levels of Welsh language skills

- The number of staff who identified as having Welsh language skills during 2021-2022 remained relatively low overall. However, there was a small increase in the number of staff identifying as fluent speakers and writers (137 compared to 126 during 2020-2021).
- While it was originally anticipated to introduce a new language assessment as part of the implementation of a new HR/Payroll system in late autumn 2021, on further reflection it is now considered more appropriate to introduce this incrementally during 2022-2023. This language assessment framework will enable staff to assess their language skills, and then update their HR records, in line with widely recognised criteria.

### 3.2.4 Provide opportunities for staff to improve their language skills

- Opportunities to learn/improve Welsh language skills have continued during 2021-2022 with online courses being made available for all staff.
- However, there has been a significant decrease in the number of staff accessing e-learning Welsh language courses during 2021-2022 (a total of 37 compared to 248 in 2020-2021). While there doesn't appear to be a particular reason for this decrease it is likely that changes to working arrangements towards the latter part of 2020-2021 and throughout 2021-2022 (more schools fully reopening, new hybrid working arrangements for office-based staff, increased workloads/changing priorities and a reduction in the number of staff initially redeployed) as well as natural drop off have contributed to this decrease.

### 3.2.5 Enable staff and Elected Members to be aware of history and culture of Welsh language including compliance with Welsh language legislation

- Links between the Welsh Language, the proposed Heritage, Culture, Sport and Leisure Strategy and other initiatives going forward will be explored over the coming year.

### 3.2.6 Create an environment that encourages greater use of Welsh

- We continue to encourage the use of Welsh as well as raising awareness of the right to use Welsh. The following are examples of the activities undertaken during 2021-2022:
  - Welsh Language Rights Day - celebrated annually in December, reminding the public and staff of their rights to use Welsh in their dealings with us.
  - Welsh Microsoft Teams backgrounds have been produced and Welsh speaking staff and learners are encouraged to use these in their Teams meetings, to help promote discussions in Welsh.

- We have created a more visible section for the Welsh language on our website, signposting to Welsh language standards, Welsh language promotion and opportunities to learn and use Welsh. This will continue to be updated and improved during 2022-2023.
- Information concerning Welsh language events and promotional material are posted to staff Yammer groups bilingually; we have recently seen an increase in staff members using incidental Welsh via this platform.
- With the move to alternative work platforms the Welsh Language Officer Group has created two Yammer groups in March/April 2022; one to enable Welsh speakers to chat and provide peer support and the other for all staff to access information, help and support as well as promotional materials. These will be fully functioning during 2022-2023.

### **3.2.7 Provide intranet support for Welsh speakers and learners**

- Resources to help and support all staff including Welsh speakers and learners continue to be developed by the WLOG and made available on our intranet; useful language resources e.g., e-learning, on-line grammar and spell checkers, on-line dictionaries and translation tools are accessible by all staff.

### **3.2.8 Normalise the use of Welsh in the workplace**

- While policies relating to staff employment have been produced in Welsh and are available on our intranet, to date no member of staff has wished to receive information regarding their employment in Welsh.
- Promotional activities to be undertaken/coordinated by WLOG during 2022-2023 will continue to help raise the profile of Welsh within the workplace and so encourage its use.

### 3.2.9 Promote schemes that visually illustrate that Welsh is welcomed in the workplace

- We celebrated Welsh Language Rights Day (7 December 2021) with yet another small-scale publicity campaign due to the enforced restrictions at that time. The publicity campaign was limited to our social media platforms and information for staff members in our weekly Sway update, Intranet news section and staff Yammer channels.

Welsh Language Rights Day celebrates our rights to use Welsh in our everyday lives, including in the workplace.

#### Did you know you can...?

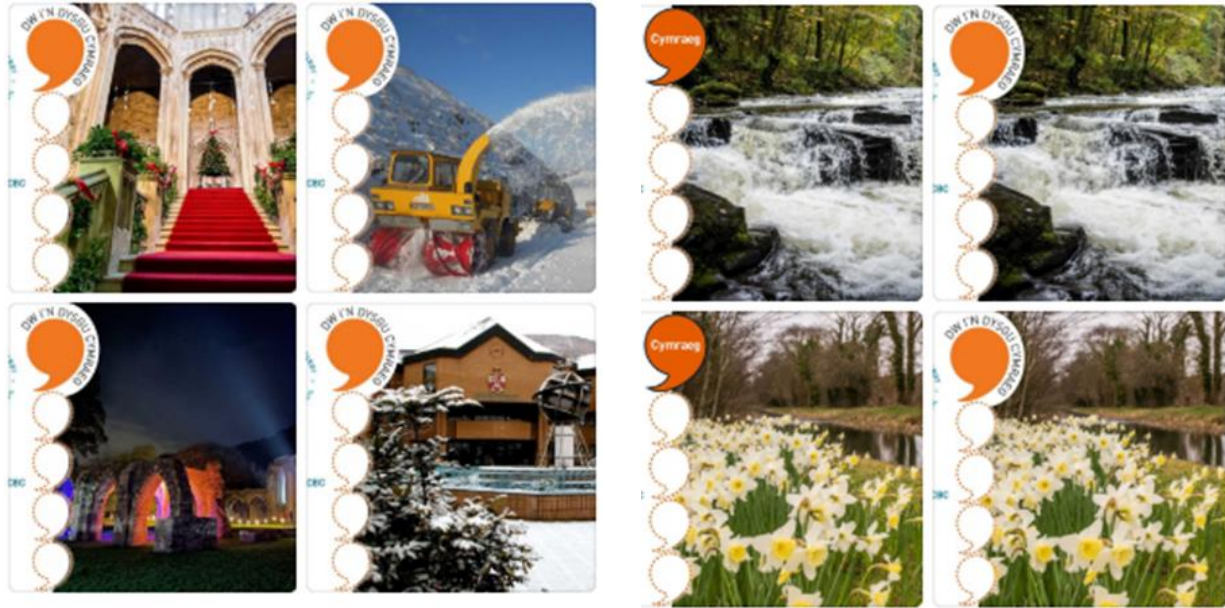
- Undertake Welsh language training
- Apply for jobs in Welsh
- Access HR policies in Welsh
- Make complaints in Welsh
- Access support materials such as software to assist you when writing Welsh
- Access Welsh email signatures and out of office messages
- Receive promotional material such as lanyards and 'Iaith Gwaith' badges.

For more information on your rights and support materials take a look at:

- Our [Welsh Language Standards](#) webpage
- Staff Intranet
- The Welsh Language Commissioner's [My Language Rights](#) webpage
- Welsh language training
- Welsh and bilingual services in Neath Port Talbot



- Welsh Microsoft Teams backgrounds were produced, and Welsh speaking staff and learners were encouraged to use these in their Teams meetings; examples include:



### 3.2.10 Distribute Welsh language promotional material to staff

- Active promotion of the Welsh language amongst staff has been limited during the last year but with the lifting of restrictions and new working arrangements in place the coming months will see lanyards, badges etc. reintroduced to the workforce.



### 3.2.11 Develop confidence in the use of written Welsh

- Cysill and Cysgair are available to all staff via our IT section. These tools combined with the online written Welsh course designed for those who have not used this skill for a long time or are new to writing in Welsh will help boost confidence amongst staff. Although no one accessed this course during 2021-2022 it is hoped that with the promotion drive over the coming months the situation will be reversed.

### 3.2.12 Develop bilingual intranet interface and menus and bilingual interface for web applications

- With our Planning Portal utilising Linguaskin for translation purposes its use with other web applications was being considered and continues to be explored.

### 3.2.13 Encourage staff and Elected Members to use Welsh in internal and external meetings and in presentations

- There has been an increase in the use of Welsh at meetings over recent years. The use of a small number of words and phrases by Welsh speaking elected members at meetings has helped spark confidence in others to use short phrases at meetings too.
- While bilingual council meetings were to commence during 2021-2022, the Members ICT Reference Group (a subgroup of the Democratic Services Committee) made the decision that purchase and administration of the licenses, virtual Zoom training for Members as well as the purchase of additional laptops (all required to use the system) should wait until the new administration of the Council.

Simultaneous translation of Council meetings will now commence in September 2022 when meetings will be held utilising the Public-I Hybrid/Webcasting equipment which effectively enables the translation elements of the digital system.

### 3.2.14 Encourage Elected Members to use Welsh in internal and external meetings and in presentations

- While it was proposed to produce a list of words/phrases for use at meetings by non-Welsh speakers to encourage the use of Welsh at meetings, the use of Welsh phrases, etc., has developed organically over time thereby reducing the immediate need for an 'official' list. However, the WLOG and Democratic Services Section will explore opportunities to and practicalities of encouraging further the use of Welsh at meetings etc.

## 3.3 Third party organisations associated with NPT CBC

### 3.3.1 Ensure that all groups or organisations receiving third party funding from the Council meet the Welsh language criteria of the grant

- Third sector grant funding application forms include a specific section on the Welsh language: the effect funding will have on opportunities to use the language and its equal treatment with English. All applications are assessed against Welsh language criteria.
- An Awarding Grants Policy (Welsh Language) was produced (published in May 2022) to help ensure the requirements of the relevant standards are an integrated aspect of the grant process in Neath Port Talbot. The policy was published in May 2022.

## 3.4 Linking Economic Development with language

### 3.4.1 Ensure that all frontline Economic Development staff provides appropriate information with regard to Welsh language promotion and how it can improve business as a unique selling point.

- Since the development of the strategy, progress on this action has been limited due to a couple of significant contributory factors; MICnPT's 'Cymraeg Byd Busnes' officer, who was to assist with this action, returned from maternity leave in time for the outbreak of the pandemic which resulted in all work

being suspended while we and others came to terms with new ways of working and reprioritising of resources.

- Although restrictions eased and new ways of working became embedded during 2021-2022 there was not sufficient capacity to progress this action during the year. However, with the implementation of the Corporate Plan 2022-2027, as well as the review of the WLPS, there will be opportunity to consider how we can better meet this action.

### **3.4.2 Encourage businesses to promote the Welsh language**

- As with the above there has been little progress during 2021-2022, however, as part of the review of the Strategy consideration will be given to the viability of current actions as well as the development of more effective ones.

## **3.5 Strengthening links with the Council's key policies and strategies I**

### **3.5.1 Review the Local Development Plan to strengthen the Welsh language element in relation to all areas of the county borough, not only areas of linguistic sensitivity.**

- Work on the next iteration of the Local Development Plan is underway and consideration will be given to strengthening the Welsh language elements of it and associated policies across the county borough.

### **3.5.2 Ensure that the Welsh Language Promotion Strategy is integrated into the Valleys Action Plan developed by the task and Finish Group.**

- The principles of the Welsh Language Promotion Strategy underpin the Valley Action Plan, for example, childcare provision includes Welsh language providers (see progress in relation to early years

action); all third sector grant applications include Welsh language elements with successful applications received from organisations based in valley areas and/or whose activities will benefit our valleys.

**3.5.3** Encourage third party community organisations that that have taken on assets from the council to adopt Welsh language policies in line with NPTCBC.

- It has not been possible to progress this action at this time, however consideration will be given over the coming year as to how best we can meet this action.

## Section 2 – Fforwm Iaith focused actions

### Strategic Priority 1: Children and Young People

#### 1.1 Education - Early Years provision

##### 1.1.4 Increase number of Cylchoedd Ti a Fi and Cylchoedd Meithrin

- Mudiad Meithrin officers continue to work with the Early Years team to develop and expand Cylchoedd Meithrin across the borough especially through their Set up And Succeed programme (Cwmllynfell and Tyle'r Ynn).

##### 1.1.5 Increase the number of parents who send their children to Welsh medium education

- Cymraeg i Blant continue to provide a range of support groups such as baby massage, baby yoga, Story Sign and Song sessions with the aim of introducing Welsh to parents and their babies at the earliest opportunity. However, with a lack of funding available for Cymraeg i Blant to increase the number of sessions provided the contribution to this action will be limited going forward.
- Our Early Years Team, continues to work closely with the Family Information Service to develop information for parents looking for Welsh medium groups, childcare and schools; continuing to highlight the benefits of bilingualism and the Welsh Language to parents including online presence, access to Welsh stories and rhymes, signposting to Welsh lessons for parents etc.
- MICnPT continue to provide information to parents about the benefits of Welsh medium education. Leaflets highlighting the key benefits to speaking Welsh have been distributed to those schools that have asked for extra support to provide information to parents. In addition, language promotion packs have been delivered to 156 houses in Rhos along with the aforementioned leaflet as part of the work to promote, encourage and enhance the use of the Welsh language in that local community.

### 1.1.6 Provide basic language training for workers in mainly English medium settings

- Our staff work with English medium settings to improve the Welsh they offer through an awards based Welsh Language quality assurance scheme which includes support, access to training and drop-in Welsh language acquisition sessions. The change in categories may mean over time a move from category 1 English language settings to category 2 English / Welsh language settings.
- Mudiad Meithrin members have continued to receive sessions run by Academi which have provided a range of development and learning opportunities.

### 1.1.7 Improve language progression from Cylchoedd Meithrin to Welsh medium education

- Projects at YGG Pontardawe, YGG Cwmllynfell and YGG Tyle'r Ynn have been completed or are nearing completion which will increase the number of Foundation Phase places available within primary schools by 150 F/T pupil places.

## 1.2 Further education sector

### 1.2.7 Increase Welsh medium provision in Neath Port Talbot College

- NPTC Group of Colleges has been active on this front with the following examples of the work undertaken:
  - Welsh speaking lecturers have been appointed in Childcare and Public Services to deliver Welsh medium/bilingual units. In addition to this, units in mathematics, construction, agriculture, sport and hairdressing have been translated and delivered in Welsh.

- An Outline Delivery Plan has been developed with the key focus to establish and embed Welsh-medium/bilingual vocational study options/modules in the three initial priority areas – Health & Social Care, Childcare and Public Services.
- Both AS and A Level first and second Welsh language courses are offered to students.
- Funding has been secured to recruit a Work Welsh tutor to solely deliver Learn Welsh courses to college staff. There are currently 26 staff enrolled on the scheme.

### 1.2.8 Provide social opportunities for college learners to meet and use the Welsh language

- NPTC Group of Colleges continues to work to the Coleg Cymraeg Cenedlaethol Towards Cymraeg 2050: A million Welsh speakers Further Education and Apprenticeship Welsh-medium Action Plan. A number of actions to ‘improve and develop the support available for social and informal activities in Welsh in all institutions.’ are included in the action plan, including:
  - Increase awareness of the opportunities provided by partner organisations and develop stronger relationships with e.g. Mentrau Iaith, Young Farmers Clubs and Yr Urdd for young people between the ages of 16 and 25.
  - Encourage college membership of Welsh Language Forums in order to share best practice of activities currently underway in institutions, and increase the awareness of available opportunities to use Welsh in a social context.
  - Encourage Welsh language centres to promote their opportunities for learners to use Welsh in a social context.
  - Supporting Further Education Institutions to pilot and learn from existing pilot activities, such as “Seren Iaith” and “Gwobr Iaith” to increase the use of Welsh by learners outside of the classroom.
  - Developing opportunities to use Welsh in sport activities in and outside of their learning.

- Improving communication and engagement with Welsh Government promotional activities, such as Dydd Miwsig Cymru with the post-16 cohort.

## Strategic Priority 2: Families

### 2.1 Language Transfer in the Home

#### 2.1.9 Ensure that more parents use Welsh as the language of the home

- MICnPT undertook a social media campaign 'Trosglwyddo Cymraeg yn y Cartref' in January 2022 which reached 5129 people with 141 people engaging with the posts.
- Dysgu Cymraeg has received funding to provide a 'Cymraeg yn y Cartref' language course which has been designed with parents in mind: MICnPT/Cymraeg i Blant staff will provide a childminding service with Welsh-medium activities at monthly face-to-face sessions for those parents who have signed up for the course. It is anticipated that this will start in May 2022.

#### 2.1.10 Raise awareness of the importance of language transmission amongst young Welsh speaking adults

- NPTC Group of Colleges have identified local actions to help meet those in the Coleg Cymraeg Cenedlaethol Towards Cymraeg 2050: A million Welsh speakers Further Education and Apprenticeship Welsh-medium Action Plan. These local actions also support and complement what we wish to achieve in the wider Neath Port Talbot area. Actions to celebrate, promote and encourage the use of Welsh in all aspects of daily life are included in the action plan, for example:
  - Deliver an annual programme of varied social and informal events and activities to coincide with key dates in the Welsh cultural calendar.



- Encourage sports students to participate in the Urdd Sport Apprenticeship scheme and act as stewards at Urdd sports events in local Welsh-medium primary schools.
- Develop student award initiatives to acknowledge the use of the Welsh language outside of the classroom.

## 2.2 Welsh for Adults

### 2.2.1 Increase the number of adults learning Welsh

- NPTC Group of Colleges has re-established staff Bilingual Champions as well as designating two student ambassadors to promote and celebrate Welsh language and culture at NPT and Powys campuses.
- In addition, the provision of Welsh language courses for staff at NPTC Group of Colleges has been expanded to include Welsh Work, Learn Welsh and Sgiliaith (bilingual teaching methodology).

### 2.2.2 Increase the number of learners progressing from Entry and Foundation levels to Higher level courses

- While it has not been possible to obtain an overview of the numbers accessing/progressing through courses within the Learn Welsh Swansea Bay Region, numbers accessing/progressing through various course levels is available for both NPTC Group of Colleges and NPTCBC:
  - NPTBC - nine staff accessed/progressed through to higher levels of Welsh language courses during the year; four completed their courses with another member of staff nearing completion.
  - NPTC – 26 staff (including 20 academic staff) accessed/progressed through to higher levels of Welsh language courses during the year.

### 2.2.3 Provide more language courses in the workplace at various levels of proficiency to enable more employees to work bilingually

- A range of levels and courses, virtual and in person, continue to be available through the Learn Welsh Swansea Bay Region. Council and NPTC Group of Colleges staff have taken up opportunities available at all proficiency levels.
- NPTC Group of Colleges have successfully accessed Work Welsh courses to such an extent that they have been held as an example of good practice, even awarded Work Welsh Employer of the Year 2020. Online Work Welsh courses have been built into the College induction scheme for all new staff and are also offered as Continuing Professional Development (CPD) targets for all staff, therefore ensuring that staff at NPTC Group of Colleges continue to develop their Welsh language skills.

### 2.2.4 Provide informal opportunities for Welsh learners to meet and practice their language skills

- MICnPT facilitate/support a number of groups across Neath Port Talbot which provide opportunities for learners of the language to meet in an informal environment. Examples include:
  - Bore Coffi / Caffi Cymraeg
  - Caffi Cymraeg Pontardawe – started in March 2022 and meets fortnightly in Pontardawe Library
  - Caffi Cymraeg Creunant – a community grown group held weekly in Crynant Community Hall
  - Bore Coffi Aberafan – the group meets every Friday in Aberavon Beach Hotel
  - Sesh Sŵn - monthly virtual music sessions learning Welsh songs/tunes
  - Gweithdy Gwerin – started in April 2022, similar to Sesh Sŵn but more of an informal face to face lesson in Pontardawe.

### **2.2.5** Provide opportunities for Welsh learners to integrate into Welsh speaking networks and organisations

- MICnPT worked with Pontardawe Arts Centre during the year to create a programme of varied Welsh events for 2021-2022. The programme offered something for everyone and for all levels of proficiency. The programme included children's shows, Shwmae Su'mae coffee morning, music events and a comedy night, all were greatly appreciated by the audiences.

MICnPT are looking to work with the Arts Centre again on a programme for 2022-2023.

### **2.2.6** Provide on-line opportunities for Welsh learners to practice their Welsh

- MICnPT have continued to create and share online content, to provide social opportunities and activities to support parents whose children are in Welsh-medium education, resources for children of all ages, and for learners, while offering information on Welsh heritage and history, local issues and more.

## Strategic Priority 3: Communities

### 3.1 Welsh in the Community

**3.1.6** Ensure that the fall in the percentage of Welsh speakers in the Swansea Valley is limited, with an action plan specifically designed for the area and working alongside Ty'r Gwrhyd to strategically impact on the area

- To date there has been little significant progress on this action and consideration will need to be given as to whether it remains relevant or if a more appropriate action should be developed to stem the decline.

**3.1.7** Ensure that the populated areas of Neath and Port Talbot are targeted as areas of potential growth and develop action plans for each town and its people

- Work on realising this action has not yet commenced and with the outbreak of the pandemic it may not be possible to fully address this during the life of this strategy.

**3.1.8** Ensure that sports clubs are supported to use Welsh as a natural language and encourage the use of Welsh in informal and formal club settings

- To date there has been little significant progress on this action and consideration will need to be given as to whether it remains relevant or if more appropriate action should be developed to stem the decline.

**3.1.9** Encourage the use of Welsh in Community and Town council meetings, as well as NPTCVS, Chamber of Trade and voluntary sector meetings and forums

- To date there has been no significant progress on this action and consideration will need to be given as to whether it remains relevant or if more appropriate action should be developed.

**3.1.10** Ensure community and volunteer involvement in planning and organising Welsh language activities

- MICnPT continues to play a significant role in establishing and facilitating groups and events to promote activities in Welsh; from working with Pontardawe Arts Centre to Bore Coffi groups, online activities children and families to 'Welsh Homework Help'.

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## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Cabinet (Policy and Resources) Sub Committee

4<sup>th</sup> October 2022

#### REPORT OF THE CHIEF FINANCE OFFICER – H JONES

##### Matter for Decision

##### Wards Affected - All

#### NEATH PORT TALBOT WELSH CHURCH ACT TRUST FUND

##### 1. Purpose of Report

This report provides the Welsh Church Act Trust Fund draft annual report and financial statements for 2021/22 for approval.

##### 2. Draft annual report and financial statements 2021/22

The annual report and financial statements are included in Appendix 1, with the following table summarising the financial position.

	<b>2020/21</b>	<b>2021/22</b>
	<b>£</b>	<b>£</b>
Opening value of Fund	618,532	616,456
Income	1,329	1,533
Expenditure	(3,835)	(4,403)
<b>Closing value of Fund</b>	<b>616,456</b>	<b>613,586</b>

##### 3. External Audit

The annual report and financial statements will be independently examined by the Wales Audit Office, as is required by the Welsh Church Act 1914.

Any material changes resulting from the audit of the annual report by the Independent Examiner will be reported back to the Board for consideration, prior to the final submission of the financial information to the Charity Commission.

##### 4. Consultation

There is no requirement under the Constitution to consult on this item.

## **5. Recommendations**

It is recommended that Members:

- Approve the draft annual report and financial statements for the year ended 31<sup>st</sup> March 2022.
- Agree that the draft annual report and financial statements are submitted to the Wales Audit Office for independent examination.
- Approve the submission of the accounts to the Charity Commission, if no material changes are identified by Wales Audit Office.

## **6. Reason for Proposed Decision**

To approve the draft annual report and financial statements for the Welsh Church Act Trust Fund 2021/22.

## **7. Implementation of Decision**

The decision is proposed for implementation after the three day call in period.

## **8. List of Background Papers**

Welsh Church Act Trust Fund accounts and working papers  
Charity Commission guides and accounting practices

## **9. Appendices**

Appendix 1 - Draft annual report and financial statements.

## **10. Officer Contact**

Mr Huw Jones – Chief Finance Officer  
Telephone 01639 763575  
email: [h.jones@npt.gov.uk](mailto:h.jones@npt.gov.uk)



**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL  
WELSH CHURCH ACT TRUST FUND**

**DRAFT**

**ANNUAL REPORT AND FINANCIAL STATEMENTS  
YEAR ENDED 31<sup>ST</sup> MARCH 2022**

**REGISTERED CHARITY NUMBER: 1076440**

### Neath Port Talbot Welsh Church Act Fund

#### Report of the trustees for the year ended 31<sup>st</sup> March 2022

The trustees present their annual report and financial statement for the charity for the year ended 31<sup>st</sup> March 2022.

The financial statements have been prepared in accordance with the Statement of Recommended Practice: Accounting and Reporting by Charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK (FRS102), the Charities Act 2011 and UK Generally Accepted Practice as it applies from 1<sup>st</sup> January 2015.

#### Objectives and activities

The purpose of the Fund is to receive grant applications from charities or voluntary bodies which are based in, active in, or provide significant benefits to some or all of the residents of the Neath Port Talbot County Borough area.

The Fund furthers its charitable purposes for the local public benefit through its grant making policies which cover the following areas:

- Educational
- Libraries, museums, art galleries, etc.
- Relief of poverty
- Advancement of religion
- Other purposes beneficial to the community
- Relief in sickness
- Welfare of elderly persons
- Social and recreational
- Aesthetic, architectural, historical and scientific matters
- Medical and social research, treatment, etc.
- Probation, etc.
- Visually impaired or blind individuals
- Emergencies or disasters
- Other charitable organisations whose purposes are consistent with the provisions included above.

### Grant making policy

#### Welsh Church Act Fund Guidelines for Grant Applications

- a) Each application will be considered on its merits.
- b) Grants will only be awarded to charities and voluntary bodies which are based in, or active in, or provide significant benefits to some or all of the residents of the Neath Port Talbot County Borough area.
- c) Grants will only be awarded to individuals in exceptional circumstances.
- d) Grants will not normally exceed £1,000 and in exceptional circumstances £4,000 per applicant and successful applicants will not normally be reconsidered for a further grant within 3 years of the date of approval of the last grant.
- e) Grants will have a time limit for the take up of said grant of two years from the date of approval.
- f) Grants will not normally be awarded where the service could be dealt with out of the annual budget of the Council's service Committees activities or by other public bodies.
- g) Grants will not normally be awarded where they would commit the fund to regular annual payments nor will recurring annual expenses be supported.
- h) Grants will only be made out of the income of the fund, preserving the Fund's capital assets.
- i) Priority will be given to applications which are of significant benefit to the Neath Port Talbot County Borough area.
- j) Grant aid will not normally cover the full cost of a project/proposal and normally will be approved at 25% of actual costs incurred up to the maximum as outlined in condition (d) above. The grant of £4,000 will only be approved where expenditure exceeds £50,000.
- k) Organisations assessed as being able to meet the cost (e.g. by size or nature) are unlikely to receive any grant aid.
- l) Grants towards work of a structural nature will only be considered where:

## Appendix 1

- there is evidence that a professional assessment has been made of the works;
  - the applicant organisation can demonstrate that there is no other impediment to work proceeding at an early date (e.g. planning permission).
- m) In the case of Churches and Chapels grants will only be approved for the repair of the fabric of buildings which are more than 50 years old and of the highest architectural and historic interest. Church halls, however, where available and used significantly by the public for non-religious purposes, will not be subject to these criteria.
- n) No retrospective applications are considered.
- o) The Panel will take into account the Church membership and the normal size of the congregation.
- p) In the case of students undertaking further Education courses, contributions towards the costs of individual instruments or pieces of equipment etc., will be made as follows - 50% of all costs over a threshold of £2,000 up to a maximum grant of £1,500.

### Grants awarded

The Fund has paid out or committed the following grants:

Year approved	Name	Purpose	Payment made £
2021/22	Saron Chapel	Re-pointing external wall	850
<b>Total grants paid during year</b>			<b>850</b>

## Appendix 1

The Fund trustees have approved the following grants:

2004/05	Musica Rediviva	Church organ manuscript	4,000
2019/20	The Rectorial Benefice of Aberavon - St Mary's Church	New heating system and external remedial works to preserve and maintain the fabric of the building	4,000
<b>Total grants approved but not committed</b>			<b>8,000</b>

Although the Fund has approved these grants, they were not drawn down or committed as at the 31st March 2022. There is no accrual in the accounts, as the grant recipients had not demonstrated that they fulfilled performance conditions.

### Structure, governance and management

The Fund is a registered charity, number 1076440. The Charity is governed by the Welsh Church Act 1914 and the Welsh Church Act (Designation and Specification) Order 1996.

The Welsh Church Act Fund was established from the proceeds and assets of the disestablishment of the Church in Wales and was originally created in 1914. The assets were distributed evenly amongst the former county councils in Wales, and then divided between the Welsh Unitary Authorities when they were formed in 1996, with Neath Port Talbot County Borough Council taking responsibility for the share of the Fund included in this report.

The Trustee to the Fund is Neath Port Talbot County Borough Council, which has delegated responsibility to the Cabinet (Finance) Sub Committee, who consider applications received for grants from the Fund and makes decisions on whether they should be granted or not. The Fund does not directly employ any staff, with the day to day administration and the processing and handling of applications prior to consideration being managed by the Director of Finance and Corporate Services. A proportion of his team's time is charged to the Fund.

### Reference and administrative information

#### **The registered address is:**

Neath Port Talbot County Borough Council  
Finance and Corporate Services Directorate  
Civic Centre  
Port Talbot  
SA13 1PJ

#### **The Trustee is:**

Neath Port Talbot County Borough Council, with responsibility delegated to the Cabinet (Finance) Sub Committee.

The following advisors have assisted the trustees in the year:

#### **Honorary Treasurer:**

Mr Huw Jones  
Chief Finance Officer  
Neath Port Talbot County Borough Council  
Civic Centre  
Port Talbot SA13 1PJ

#### **Independent Examiner:**

Mr Derwyn Owen  
On behalf of the Auditor General for Wales  
24 Cathedral Road  
Cardiff CF11 9LJ

#### **Bankers:**

Santander Commercial Bank  
Bridle Road  
Bootle  
Merseyside L30 4GB

## Appendix 1

### Trustees' responsibilities in relation to the financial statements

The charity trustees are responsible for preparing a trustees' annual report and financial statements in accordance with applicable law and United Kingdom accounting standards (UK Generally Accepted Accounting Practice).

The law applicable to charities in England and Wales requires the charity trustees to prepare financial statements for each year, which give a true and fair view of the state of affairs of the charity and of the resources and application of the resources of the charity for the accounting period. In preparing the financial statements, the trustees are required to:

- Select suitable accounting policies and then apply them consistently
- Observe the methods and principles in the applicable Charities Statement of Recommended Practice
- Make judgements and estimates that are reasonable and prudent
- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charity will continue in business.

The trustees are responsible for keeping proper accounting records that disclose with reasonable accuracy at any time the financial position of the charity and to enable them to ensure that the financial statements comply with the appropriate Act and the applicable Charities Regulations. They are also responsible for safeguarding the assets of the charity and taking reasonable steps for the prevention and detection of fraud and other irregularities.

The trustees are responsible for the maintenance and integrity of the charity and financial information included on the charity's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Approved by the trustees 25<sup>th</sup> April 2022 and signed on their behalf by:



**Honorary Treasurer**

## **Appendix 1**

### **Report of the independent examiner to the trustees of Neath Port Talbot Welsh Church Act Fund**

To be inserted once the independent examination is completed by Wales  
Audit Office.



## Appendix 1

### Neath Port Talbot Welsh Church Act Trust Fund

#### Statement of Financial Activities for the year ending 31<sup>st</sup> March

	Note	Total Unrestricted Funds 2020/21 £	Total Unrestricted Funds 2021/22 £
<b>Incoming resources</b>			
Investment income	2	1,015	1,195
Estate Rental income	3	314	338
<b>Total Income</b>		<b>1,329</b>	<b>1,533</b>
<b>Resources expended</b>			
<b>Governance/admin costs:</b>			
Management and administration	4	(2,822)	(2,865)
Governance costs	5	(13)	(688)
<b>Expenditure on charitable activities:</b>			
Grants	6	(1,000)	(850)
<b>Total expenditure</b>		<b>(3,835)</b>	<b>(4,403)</b>
<b>Net income/(expenditure) before investment gains/(losses)</b>		<b>(2,506)</b>	<b>(2,870)</b>
Gains/(losses) on investment assets	7	430	-
<b>Net movements in funds</b>		<b>(2,076)</b>	<b>(2,870)</b>
<b>Reconciliation of Funds</b>			
Total Funds brought Forward		618,532	616,456
<b>Total Funds Carried Forward</b>		<b>616,456</b>	<b>613,586</b>

## Appendix 1

### Neath Port Talbot Welsh Church Act Trust Fund

#### Balance Sheet as at 31<sup>st</sup> March

	Not	31-Mar-21 £	31-Mar-22 £
<b>Fixed Assets</b>			
Tangible Investment Assets	8	91,307	91,307
<b>Total Fixed Assets</b>		<b>91,307</b>	<b>91,307</b>
<b>Current Assets</b>			
Debtors	9	2,396	61
Short Term Investments	10	523,545	523,697
<b>Total Current Assets</b>		<b>525,941</b>	<b>523,758</b>
<b>Liabilities</b>			
Creditors: Amounts falling due within 1 year	11	(792)	(1,479)
<b>Net Current Assets</b>		<b>525,149</b>	<b>522,279</b>
<b>Total Net Assets</b>		<b>616,456</b>	<b>613,586</b>
<b>The Funds of the Charity</b>			
<b>Unrestricted Income Funds</b>	12		
Fund Balance		537,785	537,785
Income Accumulation Account		78,671	75,801
<b>TOTAL CHARITY FUNDS</b>		<b>616,456</b>	<b>613,586</b>

The following notes form part of these accounts.

### Neath Port Talbot Welsh Church Act Trust Fund

#### Notes to the accounts

#### 1. Accounting Policies

##### a) Basis of preparation and assessment of going concern

The financial statements have been prepared in accordance with the requirements of the Welsh Church Act and the Statement of Recommended Practice: Accounting and Reporting by Charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK (FRS102), the Charities Act 2011 and UK Generally Accepted Practice as it applies from January 2015.

The financial statements have been prepared to give a “true and fair” view and have departed from the Charities (Accounts and Reports) Regulations 2008 only to the extent required to provide a “true and fair view”. This departure has involved following Accounting and Reporting by Charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK (FRS 102) issued on the 16th July 2014 rather than the Accounting and Reporting by Charities: Statement of Recommended Practice effective from 1st April 2005, which has since been withdrawn.

The accounts have been prepared under the historical cost convention with items recognised at cost or transaction value unless otherwise stated in the relevant note to the accounts.

##### b) Fund structure

The Welsh Church Act Fund was established from the proceeds and assets of the disestablishment of the Church in Wales and was originally created in 1914. The assets were distributed evenly amongst the former county councils in Wales, and then divided between the Welsh Unitary Authorities when they were formed in 1996, with Neath Port Talbot County Borough Council taking responsibility for the share of the Fund included in this report.

Funds are unrestricted funds which are available for use at the discretion of the Trustee in furtherance of the general objectives of the Charity and which have not been designated for other purposes.

### c) **Basis of Accounting**

The accounts have been prepared using the accruals basis and there has been no change to this accounting basis.

Income is recognised once the trust fund becomes entitled to the income and there is sufficient certainty that the income will be received and the amount receivable can be measured reliably.

Expenditure or the liability to spend is recognised as soon as there is a legal or constructive obligation committing the trust fund to that expenditure. All expenditure on governance and support services is accounted for on an accruals basis.

Grants payable are accrued where there is certainty that the funds will be drawn down. However, where grants awarded are subject to the recipient fulfilling performance conditions, the grant is only accrued at the time that the performance conditions are met.

### 2. **Investment Income**

The Welsh Church Act Fund holds short term cash deposits with Neath Port Talbot County Borough Council. These investments operate on an instant access basis, and interest is based on the Council's return on its investments. The average interest rate for 2021/22 was 0.18% (2020/21 was 0.18%).

Details of short term deposits are provided at Note 10.

### 3. **Other income**

The Welsh Church Act Fund receives rental income from various properties, land and wayleaves. Further details of the properties are included in note 8 to the Balance Sheet.

### 4. **Management and Administration/Related parties**

The Fund has paid Neath Port Talbot Council £2,308 (2020/21 £2,273) for financial support services and £557 (2020/21 £549) for legal advice.

These payments are the only related party transactions within these accounts.

**5. Governance costs**

Wales Audit Office plans to charge £688 for their independent examination of the Fund.

**6. Grants**

The Fund has paid out or committed the following grants:

<b>Year approved</b>	<b>Name</b>	<b>Purpose</b>	<b>Payment made £</b>
2021/22	Saron Chapel	Re-pointing external wall	850
<b>Total grants paid during year</b>			<b>850</b>

The Fund trustees have approved the following grants.

2004/05	Musica Rediviva	Church organ manuscript	4,000
2019/20	The Rectorial Benefice of Aberavon - St Mary's Church	New heating system and external remedial works to preserve and maintain the fabric of the building	4,000
<b>Total grants approved but not committed</b>			<b>8,000</b>

Although the Fund has approved these grants, they are not accrued in the accounts, as the grant recipients had not demonstrated that they fulfilled performance conditions by 31<sup>st</sup> March.

### **7. Gains or losses on investment assets**

There was no sale of fixed investment assets during 2021/22 or 2020/21 and no change in the valuation of the investment assets during 2021/22. The full revaluation exercise in 2017/18 identified a net gain in investment assets of £25,643.

### **8. Tangible Investment Assets**

The tangible investment assets relate to holdings of agricultural land and buildings and freehold reversions. The valuer has undertaken an annual revaluation review and confirmed that there is no requirement to restate the valuation position. Details of the holdings are as follows:

## Appendix 1

Details		Value	Value
		31-Mar-21 £	31-Mar-22 £
<b>Vale of Neath</b>			
Residential Neath	80 Llantwit Road, Neath	18,600	18,600
Agricultural Land	Llantwit Road Neath opp St Illtyds Church	3,250	3,250
Agricultural Land	Glebe under canal	100	100
Land Cadoxton Neath	5.4 Acres at Cwmbach Road	12,049	12,049
Land Cadoxton Neath	3.74 Acres North of Cwmbach Road	7,500	7,500
Land Cadoxton Neath	0.4 Acres South of Cwmbach Road	500	500
Misc. Interest Cadoxton Neath	Garage Site, Cwmbach Road	2,000	2,000
Misc. Interest Cadoxton Neath	Garage Site, Glebeland Street	2,000	2,000
Land Cadoxton Neath	Land and stream adjoining 25 Church	1	1
<b>Total</b>		<b>46,000</b>	<b>46,000</b>
<b>Vale of Neath - Wayleaves</b>			
Cadoxton Neath	Land North West of Cwmbach Road	177	177
		<b>177</b>	<b>177</b>
<b>Vale of Glamorgan - Agricultural</b>			
Peterson-Super-Ely	Gwern y Gae Uchaf Farm	20,500	20,500
Peterson-Super-Ely	Backway Farm	24,200	24,200
<b>Total</b>		<b>44,700</b>	<b>44,700</b>
<b>Vale of Glamorgan - Wayleaves</b>			
Peterson-Super-Ely	East of the Fruit Garden	430	430
		<b>430</b>	<b>430</b>
<b>TOTAL FIXED ASSETS</b>		<b>91,307</b>	<b>91,307</b>

### 9. Analysis of Debtors

The Investment Income has been added directly to the Short Term Investments for 21-22 instead of creating a debtor for it. A debtor balance of £1,268.34 has been removed in 21-22 as the invoices had been paid in previous years.

The debtors falling due within one year are as follows:

## Appendix 1

	<b>31-Mar-21</b>	<b>31-Mar-22</b>
	<b>£</b>	<b>£</b>
Investment Income	1,015	-
Estate rentals	1,381	61
<b>Total</b>	<b>2,396</b>	<b>61</b>

### 10. Analysis of Short term investments

The trust fund's short term investments are held as deposits with Neath Port Talbot Council, with interest based on the average investment rate.

	<b>31-Mar-21</b>	<b>31-Mar-22</b>
	<b>£</b>	<b>£</b>
Opening value	523,739	523,545
Additions/Investments	(194)	153
<b>Total</b>	<b>523,545</b>	<b>523,698</b>

### 11. Analysis of Creditors

The creditors falling due within one year are as follows:

	<b>31-Mar-21</b>	<b>31-Mar-22</b>
	<b>£</b>	<b>£</b>
Independent examination fees	(667)	(1,354)
Estate rental prepayments	(125)	(125)
<b>Total</b>	<b>(792)</b>	<b>(1,479)</b>



## Appendix 1

### Unrestricted Income Funds – analysis of net assets

All of the trust's funds are unrestricted and made up as follows:

	<b>2020/21</b>	<b>2021/22</b>
	<b>£</b>	<b>£</b>
Fixed investment assets	91,307	91,307
Current assets	525,941	523,758
Current liabilities	(792)	(1,479)
<b>Total</b>	<b>616,456</b>	<b>613,586</b>

The movement in the income funds is:

<b>31-Mar-21</b>	<b>2021/22</b>			<b>31-Mar-22</b>
<b>Fund b/fwd</b>	<b>Income</b>	<b>Expenditure</b>	<b>Revaluatio n</b>	<b>Fund c/fwd</b>
<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>616,456</b>	1,533	(4,403)	-	<b>613,586</b>

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL  
CABINET (POLICY AND RESOURCES) SUB COMMITTEE**

**4 OCTOBER 2022**

**REPORT OF THE CHIEF FINANCE OFFICER  
– HUW JONES**

**Matters for Decision**

**Wards Affected: Baglan, Margam & Taibach, Neath, Sandfields East, Briton Ferry West, Cimla & Pelenna, Gwynfi & Croeserw, Margam & Taibach**

**Report Title – Miscellaneous Grant Fund Applications**

**Purpose of the Report:**

1. To seek Member approval in relation to grant applications received at Appendix 1 attached.

**Background and Financial Impacts**

2. The Council has a Miscellaneous Grants Scheme to support individual applications for grants in line with the criteria set out below:-

## **Existing Policy Statement**

- a) Each application will be considered on its merits.
- b) The Committee will only approve applications for financial assistance from voluntary or charitable organisations which are manifestly committed to voluntary endeavours of a local nature. This will not preclude the consideration of applications where the disposal of funds is outside the area but still provides significant benefits for the people from the Neath Port Talbot area.
- c) No applications will be considered from religious bodies except relating to church halls and other premises where there is significant community use of the property for non-religious activities.
- d) No applications will be considered from other public funded bodies such as community councils, hospital trusts, etc. or where the benefit may be in lieu of their contributions such as appeals for hospital equipment.
- e) Applications from individuals may be considered where both the person and the community derive a benefit.
- f) No grants will be made to any individual or organisation whose prime purpose is to distribute their funds to other charitable bodies.

## **Integrated Impact Assessment**

- 3. There are no impacts in respect of the obligations to the Council under the Equality Act 2010, the Welsh Language Standards (No 1) Regulations 2015, the Environment (Wales) Act 2016 and support via this grant provides generally a positive impact in respect of the Wellbeing and Future Generations (Wales) Act 2015.

### **Valleys Communities Impacts**

4. Applications for grant are available to voluntary and charitable organisations across the county borough.

### **Workforce Impacts**

5. There are no workforce impacts.

### **Legal Impacts**

6. Grants are provided in line with the approved scheme criteria.

### **Risk Management Impacts**

7. All grant applications are considered on their own merit and in line with the approved scheme criteria.

### **Consultation**

8. There is no requirement for external consultation on this item.

### **Recommendation**

9. It is recommended that Members approve the applications set out in Appendix 1 to this report.

### **Reason for Proposed Decision**

10. To decide on the amount of financial support in respect of the grant applications received.

## **Implementation of Decision**

11. The decision is proposed for implementation after the three day call in period

## **Appendices**

12. Appendix 1 – Schedule of grant applications.

## **List of Background Papers**

13. Grant Applications

## **Officer Contact**

Mr. Huw Jones – Chief Finance Officer

Email: [h.jones@npt.gov.uk](mailto:h.jones@npt.gov.uk)

## SCHEDULE OF GRANT APPLICATIONS

Applicant	Purpose	Amount Request/Cost of "Project"	Previous Support	Comments
Community Ventures Port Talbot CIC	The Trustees of Community Ventures Port Talbot CIC have applied for grant assistance in relation to the lease of Baglan Community Centre	Grant towards the cost of rent of £7,150 pa which is increasing from £6,500pa	P&R board 28/05/2015 approved 100% grant assistance in the amount of £6,500 pa	Proposed that a grant of £6,800 per annum be offered which is the equivalent of c95% of the new rent.
Community Ventures Port Talbot CIC	The Trustees of Community Ventures Port Talbot CIC have applied for grant assistance in relation to the lease of Taibach Community Education Centre	Grant towards the cost of rent of £14,300 pa which is increasing from £13,000	P&R board 28/05/2015 approved 100% grant assistance in the amount of £13,000 pa	Proposed that a grant of £13,600 per annum be offered which is the equivalent of c95% of the new rent.

Applicant	Purpose	Amount Request/Cost of "Project"	Previous Support	Comments
Dyfed Road Bowling Association	The Trustees of Dyfed Road Bowling Association have applied for grant assistance in relation to the lease of Bowls Pavillion at Dyfed Road Sports Ground	Grant towards the cost of rent of £715 pa which is increasing from £650 pa	P&R board 18/02/2016 approved 100% grant assistance in the amount of £650	Proposed that a grant of £680 per annum be offered which is the equivalent of c95% of the new rent
Aberavon Green Stars Rugby Football Club	The Trustees of Aberavon Green Stars Rugby Football Club have applied for grant assistance in relation to the lease of Playing Fields and Pavilion at little Warren Playing Fields Port Talbot	Grant towards the cost of rent of £2,145 pa which is increasing from £1,950	P&R board 29/06/2016 approved a grant of £1,550.00 p.a	Proposed that a grant of £2,040 per annum be offered which is the equivalent of c95% of the new rent.



Applicant	Purpose	Amount Request/Cost of "Project"	Previous Support	Comments
Me, Myself & I and MMI Trading with Care	The Trustees of Me, Myself & I and MMI Trading with Care have applied for grant assistance in relation to the lease of Brynhyfryd School	Grant towards the cost of rent of £10,600 pa	Social Services has provided a two-year grant to cover the annual rent of £10,600 per year which has now come to an end.	Propose that a grant of £10,000 per annum be offered which is the equivalent of c95% of the rent.
Pelenna Community Council	Pelenna Community Council have applied for grant assistance in relation to the lease of land at Miles End Playing Field Tonmawr.	Grant towards the cost of rent of £600 pa	No previous support has been provided to Pelenna Community Council in relation to the lease of this land. The previous lessee, Dan-y- Coed Community Association has received support granted by Policy and Resources Cabinet Board on 13 December 2017 of £450 towards the annual rent of £550 pa	Proposed that a grant of £570 per annum be offered which is the equivalent of c95% of the rent.

Applicant	Purpose	Amount Request/Cost of "Project"	Previous Support	Comments
Gwynfi Affiliated Sports Project (G.A.S.P)	The Trustees of Gwynfi Affiliated Sports Project (G.A.S.P.) have applied for grant assistance in relation to the lease of unused land in park lane Blaengwynfi. It is proposed to build a safe play/hangout area in the community which funding has already been secured.	Grant towards the cost of rent of £350 pa	No previous support has been provided	Proposed that a grant of £330 per annum be offered which is the equivalent of c95% of the rent.

<b>Applicant</b>	<b>Purpose</b>	<b>Amount Request/Cost of "Project"</b>	<b>Previous Support</b>	<b>Comments</b>
Wales Seniors Cricket	An application for grant assistance has been received from the Chairman of Wales Seniors Cricket in respect of representation by a local resident who plays for Tata Steel Cricket Club. at the Inaugural over 60's Cricket World Cup Brisbane held September 2022	Grant towards cost of Team clothing and a Wales Team Blazer	No previous support has been provided	This is a retrospective application. It is proposed that a grant of £250 be offered.

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**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL  
CABINET (POLICY AND RESOURCES) SUB COMMITTEE**

**4 OCTOBER 2022**

**REPORT OF THE CHIEF FINANCE OFFICER**

**Matter for Decision**

**Wards Affected –**

**NEATH PORT TALBOT WELSH CHURCH ACT TRUST FUND**

**1. Purpose of Report**

To seek Member approval in relation to grant application received at Appendix 1 attached.

**2. Background and Financial Impact**

The Council as trustee is responsible for managing the Welsh Church Act Trust Fund. Grants are received by application from churches and chapels, charitable organisations and individuals as set out in the criteria below. The Welsh Church Fund has funds available to it in its own right to distribute as part of an approved grant scheme. All claimants must claim their grant within two years of committee approval.

**Review of Award Criteria**

**Welsh Church Acts Fund Guidelines for Grant Applications**

- a) Each application will be considered on its merits.
- b) Grants will only be awarded to charities and voluntary bodies which are based in, or active in, or provide significant benefits to some or all of the residents of the Neath Port Talbot County Borough area.
- c) Grants will only be awarded to individuals in exceptional circumstances.
- d) Grants will not normally exceed £1,000 and in exceptional circumstances £4,000 per applicant and successful applicants

will not normally be reconsidered for a further grant within 3 years of the date of approval of the last grant.

- e) Grants will have a time limit for the take up of said grant of two years from the date of approval.
- f) Grants will not normally be awarded where the service could be dealt with out of the annual budget of the Council's service Committees activities or by other public bodies.
- g) Grants will not normally be awarded where they would commit the fund to regular annual payments nor will recurring annual expenses be supported.
- h) Grants will only be made out of the income of the fund, preserving the Fund's capital assets.
- i) Priority will be given to applications which are of significant benefit to the Neath Port Talbot County Borough area.
- j) Grant aid will not normally cover the full cost of a project/proposal and normally will be approved at 25% of actual costs incurred up to the maximum as outlined in condition (d) above. The grant of £4,000 will only be approved where expenditure exceeds £50,000.
- k) Organisations assessed as being able to meet the cost (e.g. by size or nature) are unlikely to receive any grant aid.
- l) Grants towards work of a structural nature will only be considered where
  - there is evidence that a professional assessment has been made of the works
  - the applicant organisation can demonstrate that there is no other impediment to work proceeding at an early date (e.g. planning permission).
- m) In the case of Churches and Chapels grants will only be approved for the repair of the fabric of buildings which are more than 50 years old and of the highest architectural and historic interest. Church halls, however, where available and used significantly by the public for non-religious purposes will not be subject to these criteria.

- n) No retrospective applications are considered.
- o) The Panel will take into account the Church membership and the normal size of the congregation.
- p) In the case of students undertaking further Education courses, contributions towards the costs of individual instruments or pieces of equipment etc. will be made as follows - 50% of all costs over a threshold of £2,000 up to a maximum grant of £1,000.

### **3. Integrated Impact Assessment**

There is no requirement to undertake an impact assessment.

### **4. Valleys Communities Impacts**

Applications for grant are available to churches and chapels, individuals and charitable organisations across the county borough.

### **5. Workforce Impacts**

There are no workforce impacts.

### **6. Legal Impacts**

Grants are provided in line with the approved scheme criteria.

### **7. Risk Management Impacts**

All grant applications are considered on their own merit and in line with the approved scheme criteria.

### **8. Consultation**

There is no requirement for external consultation on this item.

### **9. Recommendation**

It is recommended that Members approve the application set out in the Appendix to this report.

**10. Reason for Proposed Decision**

To decide on the amount of financial support in respect of the grant application received.

**11. Implementation of Decision**

The decision is proposed for implementation after the three day call in period

**12. Appendices**

Appendix – schedule of grant application.

**13. List of Background Papers**

Grant Application.

**14. Officer Contact**

Mr Huw Jones – Chief Finance Officer  
Tel. No: 01639 763575  
email: [h.jones@npt.gov.uk](mailto:h.jones@npt.gov.uk)



**Appendix**

Applicant	Purpose	Amount Request/Cost of "Project"	Previous Support	Comments
Sardis English Baptist Church	Grant assistance towards costs of works to redecorate entrance, staircase x 2, small chapel and kitchen area. The hall is a focal facility in the community which is well used for faith, familial, social and cultural gatherings.	The cost of this project is estimated at £4,500. If this application is successful 25% of the actual total costs will be payable to a maximum of £1,000.	No previous support provided	A grant of 25% of the actual total costs be made available to a maximum of £1,000.

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## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **Cabinet (Policy and Resources) Sub Committee**

**4<sup>th</sup> October 2022**

### **Report of the Head of People & Organisational Development S. Rees**

#### **Matter for Monitoring**

#### **Wards Affected: All Wards**

#### **Compliments and Complaints Annual Report 2021/2022**

#### **Purpose of the Report**

1. To provide an overview of the compliments and complaints received during the period 1 April 2021 to 31 March 2022.

#### **Executive Summary**

2. Complaints and compliments provide valuable information about how we are performing and what our customers think about our services. Most people who complain tell us what we have done wrong and how we can do better. We use this feedback to improve our services. Publishing an annual report demonstrates the council's commitment to transparency and a positive approach to acknowledging, investigating, responding to and learning from complaints.
3. In March 2021, Cabinet approved a revised Comments, Compliments and Complaints Policy for Neath Port Talbot Council, based on a model complaints handling procedure for public service providers in Wales (issued by the Public Services Ombudsman for Wales (PSOW)). A copy of the revised Policy was shared with the PSOW who confirmed the Policy was deemed compliant with the PSOW's principles and model handling complaints policy.
4. The reporting of complaints for the 2021/2022 has changed in line with the Ombudsman reporting requirements. Complaints are now reported on the % of complaints which are closed (upheld / not upheld) as opposed to the % complaints "received" in previous years. For the purpose of Cabinet, the

number of complaints received during 2021/2022 was 111. This is a slight increase from 102 received in 2020/2021.

5. Although the number of complaints received has slightly increased, the number of Stage 1 complaints upheld / partly upheld continue to reduce year on year. Falling to 19.82% (22 of 111) in 2021/2022 from 23.53% in 2020/2021 (24 of 102), 31.76% in 2019/2020 (47 of 148) and 33.8% in 2018/2019 (46 of 136). There was an increase in the number of Stage 2 complaints received from 14 in 2020/2021 to 25 in 2021/2022. However, there was an increase in just one upheld/partially upheld Stage 2 complaint.
6. With regard to compliments, there were fewer compliments received during 2021/2022, falling from 360 received during 2020/2021 to 249 received during 2021/2022.

## **Summary of performance 2021/2022**

### **Stage 1 Complaints**

7. There was an increase in the number of Stage 1 complaints received across the Council from 102 received in 2020/2021 to 111 received in 2021/2022.
8. However, the percentage upheld/partially upheld during 2021/2022 was 19.82% (22 of 111). This is a reduction on previous years. In 2020/2021 the percentage was 23.53% (24 of 102) and in 2019/2020 the percentage was 31.76% (47 of 148)
9. A summary per directorate is provided in Appendix 1.
10. Complaints that fall into this category are requests for a service that have not been actioned or properly dealt with. These complaints are handled by the staff and/or manager directly responsible for delivering the service with a response to be provided within 10 working days.
11. No systemic failings could be attributed to a particular service area from the instances reported and investigated.
12. Where the complaint was upheld/partially upheld the lessons learned from the investigation are applied by the relevant service areas to improve service delivery and customer satisfaction going forward. Considering the breadth of dealings across the council, it should be noted that the number of investigated complaints upheld/partially upheld was relatively low with the majority being resolved or not upheld.

## **Stage 2 Complaints**

13. There was an increase in the number of Stage 2 complaints received from 14 in 2020/2021 to 25 in 2021/2022
14. However, only 2 Stage 2 complaints were upheld/partially upheld (8.33%) - an increase in just one when comparing to the previous year when 1 of 14 (7.14%) Stage 2 complaints received was upheld/partially upheld.
15. A summary per directorate is provided in Appendix 1.
16. Complaints that fall within this category is when a complainant is dissatisfied with the outcome of a Stage 1 complaint. The complaint is then formally investigated by the designated complaints officer within the relevant directorate and a response provided within 20 working days. This includes a review of all relevant correspondence and often incorporates discussions with both the complainant and relevant officers from the service department concerned to enable a fuller response to be provided.
17. At the conclusion of Stage 2, the complainant is made aware of the ability to refer their complaint to another organisation for external consideration e.g. the Public Services Ombudsman for Wales (PSOW). Before agreeing to investigate further, the Ombudsman should normally be satisfied that the matter has already been raised with the Council and that the Council has had a reasonable opportunity to investigate and respond in accordance with the two stage policy. Where this has not been done, the Ombudsman will usually refer the complaint back to the Council to provide an opportunity to attempt to resolve the complainant's concerns through the Council's own complaints processes first.

## **Compliments**

18. There has been a steady year on year increase in compliments from 115 in 2017/18 to 360 in 2020/2021. However, in 2021/2022 there has been a reduction in the number of compliments received falling to 249.
19. A summary per directorate is provided in Appendix 1.

## **Reporting Processes**

20. Designated complaints officers in each service directorate provide advice to their colleagues to ensure appropriate and timely complaint responses for the relevant directorate in which they arise. The designated officers collate and submit quarterly information provided to them from service areas into the corporate performance management system (CPMS).

21. Quarterly compliments and complaints performance reports are produced from CPMS and reported to Cabinet and Cabinet Boards relating to services within their purview.
22. Since April 2019, the Council's quarterly complaints data has been forwarded to the PSOW to enable an all Wales comparison and the data for all Council's is published on the PSOW's website.

### **Welsh Language Complaints**

23. The Council's Welsh Language Scheme was superseded by the imposition of the Welsh Language Standards in March 2016. The complaint process for Welsh Language matters operates differently to the way other complaints are handled – the legislative provision stemming from the 2011 Welsh Language Measure. This includes the need to keep a record in relation to each financial year of the number of complaints received relating to our compliance with the standards.
24. 9 complaints were received during 2021/2022 (compared to 3 during 2020/2021); 6 via the Welsh Language Commissioner and 3 direct to the Council. These complaints are detailed in the Welsh Language Standards Annual Report which was published in June 2022.

### **Unreasonable/Unacceptable Customer Behaviour**

25. When the actions and behaviour of a few customers are considered unacceptable, these are addressed by the relevant Head of Service. Reviews of unacceptable behaviour result in a contact protocol being implemented in accordance with the Unreasonable/Unacceptable Customer Behaviour Policy approved by Cabinet on 29<sup>th</sup> May 2019. At the start of 2021/2022, 2 protocols were in place. However, following a review, 1 protocol was lifted during the year.

### **Governance & Audit Committee**

26. The Local Government and Elections (Wales) Act 2021 gives the Governance & Audit Committee a new defined assurance role around complaints. On 18<sup>th</sup> February 2021, the Committee receive the first report to facilitate the discharge of this assurance role. The Committee considered data in relation to complaints received by the Council for the first 6 months of 2021/2022 (both Stage 1 and Stage 2). The Committee also considered the number of complaints made to the Ombudsman and the Welsh Language Commissioner during 2020/2021. The Committee reviewed the

Council's Comments, Compliments and Complaints Policy (March 2021) and made one minor amendment to the Policy (moving a paragraph outlining "what we expect from you" paragraph to earlier in the Policy).

### **Financial Impact**

27. There are no financial impacts associated with this report.

### **Integrated Impact Assessment**

28. An equalities monitoring form should be sent to the complainant when the outcome of a complaint is provided. The profile of complainants over the last year did not raise any known equality issues. However, to help provide a better insight in future, the complaints officers will seek additional information from the complainant when acknowledging complaints to help ensure no particular group is affected. The Corporate Comments, Compliments and Complaints Policy incorporates the need to include consideration of reasonable adjustments if/when appropriate with the involvement of the Corporate Policy Officer for Equalities and Welsh Language

### **Valleys Communities Impact**

29. No implications.

### **Workforce Impacts**

30. Staff have been subjected to violent, aggressive and unacceptable behaviour on occasion. Line managers undertake risk assessments to help prevent such occurrences and to lower the impact of poor behaviour. Cross departmental information sharing helps to improve communications and preparedness to help frontline staff to anticipate difficult customer queries at the first point of contact.

### **Legal Impacts**

31. This annual report has been produced in line with the Council's two stage policy which is reflected in the body of this report.

### **Risk Management**

32. The profile of complaints made during the year, their resolution and lessons learned is taken into account when the Council's Annual Governance

Statement is prepared. No systemic failings were identified by service areas or the designated complaints officers for complaints that were recorded, investigated and concluded in 2021/2022.

### **Consultation**

33. There is no requirement for external consultation on this item.

### **Recommendations**

34. For Members to:

- a. Monitor the performance contained within this report.
- b. Note the minor amendment made by the Governance & Audit Committee to the Comments Compliments and Complaints Policy (March 2021)

### **List of background papers**

35. None

### **Officer Contact**

Mrs Sheenagh Rees, Head of People & Organisational Development  
Email [s.rees5@npt.gov.uk](mailto:s.rees5@npt.gov.uk) Tel: 01639 763315

Mrs Caryn Furlow-Harris, Strategic Manager – Policy & Executive Support  
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# Performance Indicators

Neath Port Talbot Council

Council Compliments and Complaints - Full Year 2021-22

## How will we know we are making a difference (01/04/2021 to 31/03/2022)?

PI Title	Actual 19/20	Actual 20/21	Actual 21/22	Target 21/22	Perf. RAG
<b>Council</b>					
PI/511 - Council - % of complaints at stage 1 that were upheld/partly upheld	31.76	23.53	19.82	N/a	N/a
<p><b>Council</b> Reporting complaints for the full year 21/22 has changed in line with the Ombudsman reporting. Complaints are now reported on the % of complaints which are “closed” (upheld/not upheld) as opposed to the % complaints “received” in previous years.</p> <p>Over the last three years the percentage of stage 1 complaints upheld has reduced year on year (it was 33.8% in 2018/19). For 2021/22, 22 of 111 closed complaints were upheld or partially upheld and 111 complaints were received. Five stage 1 complaints remained open at the start of 2021/22 which were closed during 2021/22 and 5 complaints remained open at the end of 2021/22 which will be closed in 2022/23. For 2020/21, there were 24 upheld/partially upheld of 102 complaints received.</p> <p>Across the Council, there has been a small increase of 9 stage 1 complaints received compared to the previous year and 2 more were upheld or partially upheld. Where the complaint was upheld/partially upheld the lessons learned from the investigation should be applied by the relevant service areas to improve service delivery and customer satisfaction going forward.</p> <p>A summary breakdown per directorate is provided below:</p> <p><b>Chief Executive’s Directorate (CHEX)</b> The number of complaints received for the CHEX directorate has significantly reduced from 32 in 2020/21 to 11 in 2021/22. 2 of 13 closed complaints were upheld/partially upheld in 2021/22, a significant reduction on the previous year. In 2020/21, 11 of 32 complaints were upheld at stage 1.</p> <p><b>Education, Leisure and Lifelong Learning Directorate</b> Relatively low numbers of stage 1 complaints across the directorate, however they have increased on the previous year. In 2021/22, 10 stage 1 complaints were received and all were closed during the year, of which, 6 were upheld or partially upheld. This compares to four received in 2020/21, all four were not upheld. The percentage upheld/partially upheld for 2021/22 is 60% (6 of 10).</p> <p><b>Social Service Health and Housing (SSHH) Directorate</b> Whilst the number of stage 1 complaints received for the SSHH directorate has increased from 35 in 2020/21 to 46 in 2021/22, The percentage upheld or partially upheld has decreased on the previous year. With the exception of 4 stage 1 complaints in 2021/22 which followed the Council’s complaints process, all other SSHH complaints followed the Social Services statutory complaints process. In 2021/22, 11 of 34 closed complaints were upheld/partially upheld, a reduction on the previous year whereby 10 of 35 received were upheld/partially upheld. The SSHH Complaints Team work closely with front-line managers, including providing weekly monitoring reports, along with ‘upheld’ summaries to ensure complaints are managed appropriately.</p>					

**Environment Directorate**

2021/22 is broadly the same as 2020/21.

In 2021/22, 34 stage 1 complaints were received and all were closed during the year, of which, 3 were upheld or partially upheld. This compares to 31 received in 2020/21, of which 3 were upheld.

PI Title	Actual 19/20	Actual 20/21	Actual 21/22	Target 21/22	Perf. RAG
PI/512 - Council - % of complaints at stage 2 that were upheld/partly upheld	44.00	7.14	8.33	N/a	N/a

**Council**

For 2021/22, 2 of 24 closed complaints were upheld or partially upheld and 25 stage 2 complaints were received. One stage 2 complaint remained open at the start of 2021/22 which was closed during 2021/22 and 1 complaint remained open at the end of 2021/22 which will be closed in 2022/23.

For 2020/21, there was 1 stage 2 complaint upheld/partially upheld from 14 received for the year.

Whilst there has been a significant increase in stage 2 complaints received across the council across the two years from 14 to 25, there was an increase in just one upheld/partially upheld stage 2 complaint.

**Chief Executive's Directorate (CHEX)**

Relatively low numbers of stage 2 complaints across the directorate, however they have increased on the previous year.

In 2021/22, six stage 2 complaints were received and five closed during the year and all five were not upheld. This compares to two received in 2020/21, both were not upheld

**Education, Leisure and Lifelong Learning Directorate**

One stage 2 complaint was received and closed during 2021/22 which was not upheld. This is the same as in 2020/21 - one received and not upheld.

**Social Service Health and Housing (SSHH) Directorate**

Six stage 2 complaints were received and closed during 2021/22, of which 2 were upheld or partially upheld. This compares to one received during 2020/21 which was not upheld.

**Environment Directorate**

There were 12 stage 2 complaints received and closed during 2021/22, of which none were upheld. This compares to 2020/21 where there were 10 stage 2 complaints of which one was upheld.

PI/514 - Council - Number of compliments received from the public	344	360	249	N/a	N/a
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**Council**

There were fewer compliments received during 2021/22 compared to previous years. Wherever possible we continue to raise the profile for the need to record and report compliments.

Overall numbers have reduced across the directorates with the exception an increase of 11 compliments in the Education, Leisure and Lifelong Learning Directorate.

A summary breakdown per directorate is provided below:

**Chief Executive's Directorate**

Decrease in compliments from 149 in 2020/21 to 67 in 2021/22. The compliments cover a range of different services including communications and corporate policy, council tax and benefits, licensing, registrars, legal services and customer services.

**Education, Leisure and Lifelong Learning Directorate**

Increase from 24 in 2020/21 to 35 in 2021/22. The compliments cover a range of different services including Neath and Pontardawe Libraries, school catering service, 12 compliments for the education psychologists and 18 for Pontardawe Arts centre.

**Social Service Health and Housing Directorate**

Decrease in compliments from 128 in 2020/21 to 99 in 2021/22. The directorate complaints team continue to raise the profile for the need to record and report compliments.

**Environment Directorate**

Slight decrease from 59 in 2020/21 to 48 in 2021/22. Compliments received cover a range of services within the environment directorate and relate to road safety, public lighting, partnerships & community team, regeneration, neighbourhood services, engineering, highways, planning, building control, recycling, parking services and environmental health.



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Neath Port Talbot Council

## **CABINET (POLICY AND RESOURCES)**

### **JOINT REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES – MR CRAIG GRIFFITHS and HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT – MRS SHEENAGH REES**

**4<sup>th</sup> October 2020**

#### **Matter for Information**

**Wards Affected:** All Wards

#### **Public Service Ombudsman for Wales Annual Report 2021/2022**

#### **Purpose of the Report:**

1. To advise Members of the receipt of the Ombudsman's Annual Report for 2021/2022 in respect of Neath Port Talbot County Borough Council.

#### **Executive Summary:**

2. The Public Service Ombudsman for Wales ("the Ombudsman") has two specific roles:
  - (a) To consider complaints about public service providers in Wales; and
  - (b) To consider complaints that members of local authorities or town and community councils have breached their Code of Conduct.
3. The Ombudsman sends letters on an annual basis to county borough councils and local health boards concerning the complaints he has received and considered during the previous financial year. The aim of the Annual Report is to provide the relevant bodies with information to help them improve their complaint handling and the services that they provide.

#### **Background:**

4. In recent years the Ombudsman has adopted the practice of sending an annual letter to each local authority which comes within his jurisdiction. A full copy of the letter and Factsheet is reproduced for Members at Appendix 1.
5. Members should note that this letter relates to the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022. The letter discusses information from another year which saw various restrictions being issued and as such may not be useful for establishing trends or patterns. Information received during this year will, however, bring insights on how public services reacted in the face of unprecedented demand and the most difficult of circumstances.
6. Comparatively little commentary is required on the Annual Letter. The number of service complaints received by the Ombudsman is set out in Table A of the Factsheet. This Council received forty five (45) complaints – an increase from nineteen (19) in the 2020/2021 Financial Year. Therefore, the number of complaints received is in line with what one would expect from the population size of the Council area. However, it should be noted that when considering complaints per 1,000 residents, the Council is ranked 14<sup>th</sup> out of the 22 local authorities in Wales.
7. It should be noted that we are no longer a direct provider of general housing – a function which generally attracts some complaints.
8. The mix of complaints is dealt with in Table B of the Factsheet. The numbers in the various categories are similar to the Welsh average overall.
9. The percentage of cases requiring intervention from the Ombudsman is comparatively low (see Table C), with only five of the forty five complaints being marked as early resolution. The intervention provided the opportunity with the Council to look again at the issue and ensure that remedies could be achieved which met the needs of the complainant. The comparison of complaint outcomes with average outcomes is again broadly in line with the national average (as shown in Table D).
10. The number of national Code of Conduct complaints increased slightly in 2021/2022 in respect of Local Authority elected members. It is quite common that in election years the number of complaints can increase slightly. In the Neath Port Talbot locality, the number of Code of Conduct complaints against County Borough Councils is low, there being just 9 (Table E), and in each case the Ombudsman determined there was no case to answer. In addition, there was a decrease in the number of complaints

against community councils (Table F) (going from 7 to 6 ), but as can be seen no further action was taken in respect of these matters and they were either closed after initial consideration, discontinued or withdrawn.

11. Overall, cuts in public expenditure create an environment in which there can be a mismatch between public expectations and the service which can be provided, and in particular during this period where officers were responding to the Covid-19 pandemic. This will make it even more important to deal promptly with any complaints which arise and look for practical and achievable solutions. The Council continues to work collaboratively with the Ombudsman to resolve any matter that might be referred to him by a member of the public whether that be via an early settlement or to provide clarification and documentation to assist in any investigation being undertaken.

The Complaints Standards Body has now implemented a model complaints policy with nearly 50 public bodies, and delivered 140 training sessions, completely free of charge, during the last financial year. The feedback has been excellent, and the training has been very popular and officers of the Council have engaged with this training process and found it extremely beneficial. The model complaints policy was also adopted on 16<sup>th</sup> March 2021.

12. Officers will continue improvement work in 2022/2023 and onwards and steps will be taken to try and reduce the number of cases which require intervention by the Ombudsman. This will include:
  - (a) Ensuring officers are aware of their obligations in responding to complaints and how the Council's Complaints Process functions to reduce the prospect of complaints being made to the Ombudsman stemming from process related issues.
  - (b) Ongoing review of the Council complaints process and the guidance provided to the public on how complaints can be made – including an easy read guide will be developed and publicised, with information on such processes in our forthcoming Participation Strategy.
  - (c) Further facilitating a working group of officers to consider complaints handling and steps that should be taken in responding to complaints and to consider the Ombudsman response to any complaints so that lessons can be learnt. These officers are also involved in Data Protection and Freedom of Information Act responses so training will also be provided in these areas to ensure compliance in those fields. Taking the opportunity to learn from complaints can contribute to the development of services that meet the needs and expectations of our citizens. In this way, citizens

can be involved in improving services and ensuring that they meet long term needs and are sustainable. The ability to identify causes of complaint and service failure can also present an opportunity to design in service features which have a preventative impact.

- (d) Liaising with the Ombudsman to determine whether resources such as training are available from them to assist in complaint handling process.
  - (e) Undertaking further training with Local Authority Elected Members on Code of Conduct matters and in particular the use of social media, which appears to be the source of numerous complaints to the Ombudsman. Training was provided in May 2022 as part of member induction and will continue to form part of Code of Conduct Training in refresher sessions.
  - (f) Specific sessions of training have been undertaken to group leaders in light of the new duties to ensure compliance with the code of conduct within political groups and Group Leaders have been invited to attend the Standards Committee to provide an overview of their approach to standards throughout 2022/2023.
  - (g) The Local Government and Elections (Wales) Act 2021 gives the Governance & Audit Committee a new defined assurance role around complaints. On 18<sup>th</sup> February 2021, the Committee received the first report to facilitate the discharge of this assurance role. The Committee considered data in relation to complaints received by the Council for the first 6 months of 2021/2022 (both Stage 1 and Stage 2). The Committee also considered the number of complaints made to the Ombudsman and the Welsh Language Commissioner during 2020/2021. The Committee reviewed the Council's Comments, Compliments and Complaints Policy (March 2021) and made one minor amendment to the Policy.
  - (h) The further development of a Standards and Code of Conduct forum with Town and Community Council Clerks to ensure that standards and ethics of decision makers is considered actively within that setting and officers of those organisations are aware of key legal obligations.
  - (i) A review of the Constitution has recently been concluded (imbedding the Codes of Conduct further into documents) to ensure appropriate arrangements are in place to meet any obligations in respect of complaints and this review will continue in future years via the Democratic Services Committee.
13. It should also be noted that the Ombudsman is now in receipt of a number of additional power of investigation, recently granted by the Welsh Government. These include the ability to undertake "own initiative" complaints. These investigations are not instigated by a complaint from a resident but may occur where the Ombudsman suspects potential systemic failures of services or where residents feel unable to complain due to the



fact that they are dependent on Council services or because they are vulnerable. In addition, the Local Government and Elections

**Financial Impacts:**

14. No implications. Though it should be noted the Ombudsman has legal powers to require the Council to make payments to complainants where they have suffered financial loss or in compensation for “time and trouble”.

**Integrated Impact Assessment:**

15. An Integrated Impact Assessment is not requirement for this report.

**Valleys Communities Impacts:**

16. No implications

**Workforce Impacts:**

17. No implications

**Legal Impacts:**

18. No implications

**Consultation:**

19. There is no requirement for external consultation on this item

**Recommendations:**

20. That Members note the content of the Public Service Ombudsman Annual Report for Neath Port Talbot County Borough Council for 2022/2023 enclosed at Appendix 1 and the steps that officers will continue to embark on as part of general improvement work.

**Appendices:**

21. Appendix 1 – Annual Letter of the Public Service Ombudsman for Wales for Neath Port Talbot County Borough Council (Welsh and English version)

**List of Background Papers:**


22. None

**Officer Contact:**


Mr Craig Griffiths  
Head of Legal and Democratic Services

Mrs Caryn-Furlow Harris  
Strategic Manager – Policy and Executive Support

Ask for: Communications

 01656 641150

Date: August 2022

 communications@ombudsman.wales

Cllr. Steve Hunt  
Neath Port Talbot County Borough Council  
By Email only: cllr.s.k.hunt@npt.gov.uk

## Annual Letter 2021/22

Dear Councillor Hunt

I am pleased to provide you with the Annual letter (2021/22) for Neath Port Talbot County Borough Council which deals with complaints relating to maladministration and service failure, complaints relating to alleged breaches of the Code of Conduct for Councillors and the actions being taken to improve public services

This is my first annual letter since taking up the role of Public Services Ombudsman in April 2022, and I appreciate that the effects of the pandemic are still being felt by all public bodies in Wales. Our office has not been immune from this, with records numbers of cases being referred to us over the last two years. The strong working relationships between my Office and local authorities continues to deliver improvements in how we are dealing with complaints and ensuring that, when things go wrong, we are learning from that and building stronger public services.

## Complaints relating to Maladministration & Service Failure

Last year the number of complaints referred to us regarding Local Authorities increased by 47% (compared to 20/21 figures) and are now well above pre-pandemic levels. It is likely that complaints to my office, and public services in general, were suppressed during the pandemic, and we are now starting to see the expected 'rebound' effect.

During this period, we intervened in (upheld, settled or resolved at an early stage) a similar proportion of complaints about public bodies, 18%, when compared with recent years. Intervention rates (where we have investigated complaints) for Local Authorities also remained at a similar level – 14% compared to 13% in recent years.

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## Complaints relating to the Code of Conduct for Councillors

We also received a high number of Code of Conduct complaints last year, relating to both Principal Councils and Town and Community Councils. A record number (20) were referred to either the Adjudication Panel for Wales or local standards committees, due to evidence of a breach of the Code.

## Supporting improvement of public services

In addition to managing record levels of complaints, we also continued our work using our proactive powers in the Public Services Ombudsman (Wales) Act 2019. Specifically undertaking our first Own Initiative Investigation and continuing our work on the Complaints Standards Authority.

October 2021 saw the publication of the first own initiative investigation in Wales: [Homelessness Reviewed](#). The investigation featured three Local Authorities and sought to scrutinise the way Homelessness assessments were conducted. The report made specific recommendations to the investigated authorities, as well as suggestions to all other Local Authorities in Wales and Welsh Government. Some of these recommendations will bring about immediate change – updating factsheets and letter and assessment templates to ensure that key equality and human rights considerations are routinely embedded into processes for example – all the recommendations were designed to bring about tangible change to people using homelessness services in Wales.

The Complaints Standards Authority (CSA) continued its work with public bodies in Wales last year. The model complaints policy has already been adopted by local authorities and health boards in Wales, we have now extended this to an initial tranche of Housing Associations and Natural Resources Wales. The aim being to implement this work across the Welsh public sector.

In addition to this, the CSA published information on complaints handled by local authorities for the [first time](#) – a key achievement for this work. The data for 21/22 showed:

- Over 15,000 complaints were recorded by Local Authorities
- 4.88 for every 1000 residents.
- Nearly half (46%) of those complaints were upheld.
- About 75% were investigated within 20 working days.
- About 8% of all complaints closed ended up being referred to PSOW.

The CSA has now implemented a model complaints policy with nearly 50 public bodies, and delivered 140 training sessions, completely free of charge, during the last financial year. The feedback has been excellent, and the training has been very popular - so I would encourage Neath Port Talbot County Borough Council to engage as fully as possible.

## **Complaints made to the Ombudsman**

A summary of the complaints of maladministration/service failure received relating to your Council is attached, along with a summary of the Code of Conduct complaints relating to members of the Council and the Town & Community Councils in your area.

In light of the new duties on political leaders and standards committees to promote and maintain high standards of conduct of their members, we look forward to working with you, your Monitoring Officer and standards committees to share any learning from the complaints we receive and to support your authority's work.

I would also welcome feedback on your Governance & Audit Committee's review of your authority's ability to handle complaints effectively so that we can take this into account in our work and support its work on the handling of complaints.

Finally, can I thank you and your officials for the positive way that local authorities have engaged with my Office to enable us to deliver these achievements during what has been a challenging year for everyone. I very much look forward to continuing this work and collaboration to ensure we further improve public services across Wales.

Further to this letter can I ask that your Council takes the following actions:

- Present my Annual Letter to the Cabinet and to the Governance & Audit Committee to assist members in their scrutiny of the Council's performance and share any feedback from the Cabinet and the Governance & Audit Committee with my office.
- Continue to engage with our Complaints Standards work, accessing training for your staff, fully implementing the model policy, and providing complaints data.
- Inform me of the outcome of the Council's considerations and proposed actions on the above matters by 30 September.

This correspondence is copied to the Chief Executive of your Council and to your Contact Officer. Finally, a copy of all Annual Letters will be published on my website.

Yours sincerely,



**Michelle Morris**  
**Public Services Ombudsman**

cc. Karen Jones, Chief Executive, Neath Port Talbot County Borough Council.  
By Email only: [chiefexecutive@npt.gov.uk](mailto:chiefexecutive@npt.gov.uk)

## Factsheet

### Appendix A - Complaints Received

Local Authority	Complaints Received	Received per 1000 residents
Blaenau Gwent County Borough Council	14	0.20
Bridgend County Borough Council	55	0.37
Caerphilly County Borough Council	60	0.33
Cardiff Council*	182	0.50
Carmarthenshire County Council	54	0.29
Ceredigion County Council	52	0.72
Conwy County Borough Council	27	0.23
Denbighshire County Council	34	0.36
Flintshire County Council	99	0.63
Gwynedd Council	39	0.31
Isle of Anglesey County Council	29	0.41
Merthyr Tydfil County Borough Council	27	0.45
Monmouthshire County Council	20	0.21
Neath Port Talbot Council	45	0.31
Newport City Council	40	0.26
Pembrokeshire County Council	39	0.31
Powys County Council	55	0.42
Rhondda Cynon Taf County Borough Council	51	0.21
Swansea Council	71	0.29
Torfaen County Borough Council	18	0.19
Vale of Glamorgan Council	61	0.46
Wrexham County Borough Council	71	0.52
<b>Total</b>	<b>1143</b>	<b>0.36</b>

\* inc 17 Rent Smart Wales

Appendix B - Received by Subject

<b>Neath Port Talbot Council</b>	<b>Complaints Received</b>	<b>% Share</b>
Adult Social Services	6	13%
Benefits Administration	0	0%
Children's Social Services	7	16%
Community Facilities, Recreation and Leisure	1	2%
Complaints Handling	8	18%
Covid19	0	0%
Education	2	4%
Environment and Environmental Health	4	9%
Finance and Taxation	1	2%
Housing	4	9%
Licensing	0	0%
Planning and Building Control	10	22%
Roads and Transport	1	2%
Various Other	1	2%
<b>Total</b>	<b>45</b>	

## Appendix C - Complaint Outcomes (\* denotes intervention)

County/County Borough Councils	Out of Jurisdiction	Premature	Other cases closed after initial consideration	Early Resolution/ voluntary settlement*	Discontinued	Other Reports- Not Upheld	Other Reports Upheld*	Public Interest Report*	Total
Neath Port Talbot Council	10	17	13	5	0	0	0	0	45
% Share	22%	38%	29%	11%	0%	0%	0%	0%	



## Appendix D - Cases with PSOW Intervention

	No. of interventions	No. of closures	% of interventions
Blaenau Gwent County Borough Council	0	13	0%
Bridgend County Borough Council	7	54	13%
Caerphilly County Borough Council	7	58	12%
Cardiff Council	45	159	28%
Cardiff Council - Rent Smart Wales	1	16	6%
Carmarthenshire County Council	7	49	14%
Ceredigion County Council	13	46	28%
Conwy County Borough Council	2	24	8%
Denbighshire County Council	4	33	12%
Flintshire County Council	15	94	16%
Gwynedd Council	6	41	15%
Isle of Anglesey County Council	3	28	11%
Merthyr Tydfil County Borough Council	2	26	8%
Monmouthshire County Council	2	21	10%
Neath Port Talbot Council	5	45	11%
Newport City Council	4	36	11%
Pembrokeshire County Council	2	40	5%
Powys County Council	7	55	13%
Rhondda Cynon Taf County Borough Council	3	45	7%
Swansea Council	10	76	13%
Torfaen County Borough Council	2	20	10%
Vale of Glamorgan Council	9	62	15%
Wrexham County Borough Council	4	67	6%
<b>Total</b>	<b>160</b>	<b>1108</b>	<b>14%</b>

## Appendix E - Code of Conduct Complaints

County/County Borough Councils	Discontinued	No evidence of breach	No action necessary	Refer to Adjudication Panel	Refer to Standards Committee	Withdrawn	Total
Neath Port Talbot Council	5	4	0	0	0	0	9

## Appendix F - Town/Community Council Code of Complaints

Town/Community Council	Discontinued	No evidence of breach	No action necessary	Refer to Adjudication Panel	Refer to Standards Committee	Withdrawn	Total
Briton Ferry Town Council	0	4	0	0	0	0	4
Glynneath Town Council	0	2	0	0	0	0	2
Onllwyn Community Council	-	-	-	-	-	-	0

## Information Sheet

Appendix A shows the number of complaints received by PSOW for all Local Authorities in 2021/2022. These complaints are contextualised by the number of people each health board reportedly serves.

Appendix B shows the categorisation of each complaint received, and what proportion of received complaints represents for the Local Authority.

Appendix C shows outcomes of the complaints which PSOW closed for the Local Authority in 2021/2022. This table shows both the volume, and the proportion that each outcome represents for the Local Authority.


Appendix D shows Intervention Rates for all Local Authorities in 2021/2022. An intervention is categorised by either an upheld complaint (either public interest or non-public interest), an early resolution, or a voluntary settlement.

Appendix E shows the outcomes of Code Of Conduct complaints closed by PSOW related to Local Authority in 2021/2022. This table shows both the volume, and the proportion that each outcome represents for the Local Authority.

Appendix F shows the outcomes of Code of Conduct complaints closed by PSOW related to Town and Community Councils in the Local Authority's area. This table shows both the volume, and the proportion that each outcome represents for each Town or Community Council.

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Gofynnwch  
am: Cyfathrebu

 01656 641150

Dyddiad: Awst 2022

 cyfathrebu@ombwdsmon.cymru

Cyngh. Steve Hunt  
Cyngor Castell-nedd Port Talbot  
Trwy Ebost yn unig: [cllr.s.k.hunt@npt.gov.uk](mailto:cllr.s.k.hunt@npt.gov.uk)

## Llythrau Blynyddol 2021/22

Annwyl Cynghorydd Hunt

Mae'n falch gennyf gyflwyno'r Llythyr Blynyddol (2021/22) i chi ar gyfer Cyngor Castell-nedd Port Talbot sy'n ymdrin â chwynion yn ymwneud â chamweinyddu a methiant gwasanaeth, cwynion yn ymwneud ag achosion honedig o dorri'r Cod Ymddygiad i Gynghorwyr, a'r camau sy'n cael eu cymryd i wella gwasanaethau cyhoeddus.

Dyma fy llythyr blynyddol cyntaf ers ymgymryd â rôl yr Ombwdsmon Gwasanaethau Cyhoeddus ym mis Ebrill 2022, ac rwy'n gwerthfawrogi bod pob corff cyhoeddus yng Nghymru yn dal i deimlo effeithiau'r pandemig. Ni fu ein swyddfa yn rhydd rhag hyn, gyda mwy o achosion nag erioed yn cael eu cyfeirio atom dros y ddwy flynedd ddiwethaf. Mae'r berthynas waith gref rhwng fy Swyddfa ag Awdurdodau Lleol yn parhau i ddarparu gwelliannau yn y ffordd rydym yn ymdrin â chwynion ac yn sicrhau, pan aiff pethau o chwith, ein bod yn dysgu o hynny ac yn adeiladu gwasanaethau cyhoeddus cryfach.

### Cwynion yn ymwneud â Chamweinyddu a Methiant Gwasanaeth

Y llynedd, cynyddodd nifer y cwynion a gyfeiriwyd atom yn ymwneud ag awdurdodau lleol o 47% (o gymharu â ffigyrau 20/21) ac rydym bellach yn derbyn llawer mwy o gwynion o gymharu â chyn y pandemig. Mae'n debygol y cafodd cwynion i'm swyddfa, a gwasanaethau cyhoeddus yn gyffredinol, eu celu yn ystod y pandemig, ac rydym bellach yn dechrau gweld yr effaith 'adlam' ddisgwyliedig.

Yn ystod y cyfnod hwn, gwnaethom ymyrryd (cadarnhau, setlo neu ddatrys yn y cam cynnar) cyfran debyg o gwynion am gyrff cyhoeddus, sef 18%, o gymharu â blynyddoedd diweddar. Arhosodd cyfraddau ymyrryd (lle rydym wedi ymchwilio i gwynion) ar gyfer Awdurdodau Lleol ar lefel debyg hefyd – 14% o gymharu â 13% yn y blynyddoedd diwethaf.

Tudalen 1 o 9

## Cwynion yn ymwneud â'r Cod Ymddygiad i Gynghorwyr

Cawsom hefyd nifer uchel o gwynion y Cod Ymddygiad y llynedd, yn ymwneud â Phrif Gynghorau a Chynghorau Tref a Chynghorau Cymuned. Cyfeiriwyd y nifer uchaf erioed (20) at naill ai at Banel Dyfarnu Cymru neu bwyllgorau safonau lleol, oherwydd tystiolaeth o dorri'r Cod.

## Cefnogi gwella gwasanaethau cyhoeddus

Yn ogystal â rheoli'r lefelau uchaf erioed o gwynion, gwnaethom hefyd barhau â'n gwaith gan ddefnyddio ein pwerau rhagweithiol yn Neddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2019. Yn benodol, cynnal ein Hymchwiliad ar ein Liwt ein Hunain cyntaf a pharhau â'n gwaith ar yr Awdurdod Safonau Cwynion.

Ym mis Hydref 2021, gwelsom gyhoeddiad yr ymchwiliad ar ei liwt ei hun cyntaf yng Nghymru: [Adolygiad Digartrefedd](#). Roedd yr ymchwiliad yn cynnwys tri Awdurdod Lleol ac yn ceisio craffu ar y ffordd y cafodd asesiadau Digartrefedd eu cynnal. Gwnaeth yr adroddiad argymhellion penodol i'r awdurdodau yr ymchwiliwyd iddynt, ynghyd ag awgrymiadau i bob Awdurdod Lleol arall yng Nghymru a Llywodraeth Cymru. Bydd rhai o'r argymhellion hyn yn cyflwyno newidiadau yn syth - er enghraifft, diweddarau taflenni ffeithiau a thempledi llythyr ac asesiad i sicrhau bod ystyriaethau cydraddoldeb a hawliau dynol allweddol yn cael eu gwreiddio'n rheolaidd i brosesau - cynlluniwyd pob argymhelliad i sicrhau newid gwirioneddol i bobl sy'n defnyddio gwasanaethau digartrefedd yng Nghymru.

Parhaodd yr Awdurdod Safonau Cwynion ei waith â chyrrff cyhoeddus yng Nghymru'r llynedd. Mae'r polisi cwynion enghreifftiol eisoes wedi'i fabwysiadu gan awdurdodau lleol a byrddau iechyd yng Nghymru ac rydym bellach wedi ymestyn hyn i gyfran gyntaf o Gymdeithasau tai a Chyfoeth Naturiol Cymru. Y nod yw gweithredu'r gwaith hwn ledled sector cyhoeddus Cymru.

Yn ogystal â hyn, [am y tro cyntaf](#), cyhoeddodd yr Awdurdod Safonau Cwynion wybodaeth am gwynion y mae awdurdodau lleol wedi ymdrin â nhw – cyflawniad allweddol ar gyfer y gwaith hwn. Dengys data ar gyfer 21/22:

- Cofnodwyd dros 15,000 o gwynion gan Awdurdodau Lleol
- 4.88 am bob 1000 o breswylwyr.
- Cadarnhawyd bron i hanner (46%) y cwynion hynny.
- Ymchwiliwyd i oddeutu 75% ohonynt o fewn 20 diwrnod gwaith.
- Yn y pen draw, cyfeiriwyd oddeutu 8% o'r holl gwynion a gaewyd at OGCC.

Mae'r Awdurdod Safonau Cwynion bellach wedi gweithredu polisi cwynion enghreifftiol gyda bron i 50 o gyrff cyhoeddus, ac wedi darparu 140 o sesiynau hyfforddi, yn rhad ac am ddim, yn ystod y flwyddyn ariannol ddiwethaf. Bu'r adborth yn ardderchog, ac mae'r hyfforddiant wedi bod yn boblogaidd iawn – felly

byddwn yn annog Cyngor Castell-nedd Port Talbot i ymgysylltu cymaint â phosibl.

### **Cwynion a wnaed i'r Ombwdsmon**

Mae crynodeb o'r cwynion yn ymwneud â chamweinyddu/methiant gwasanaeth a dderbyniwyd mewn cysylltiad â'ch Cyngor wedi'i atodi, ynghyd â chrynodeb o'r cwynion Cod Ymddygiad yn ymwneud ag aelodau'r Cyngor a Chynghorau Tref a Chynghorau Cymuned eich ardal.

Yn sgil y dyletswyddau newydd ar arweinwyr gwleidyddol a phwyllgorau safonau i hyrwyddo a chynnal safonau uchel o ran ymddygiad eu haelodau, edrychwn ymlaen at weithio gyda chi, eich Swyddog Monitro a phwyllgorau safonau i rannu unrhyw ddysgu o'r cwynion a gawn ac i gefnogi gwaith eich awdurdod.

Byddwn hefyd yn croesawu adborth ar adolygiad eich Pwyllgor Llywodraethu ac Archwilio o ran gallu eich awdurdod i ymdrin â chwynion yn effeithiol fel y gallwn gymryd hyn i ystyriaeth yn ein gwaith a chefnogi ei waith ar ymdrin â chwynion.

Yn olaf, hoffwn ddiolch i chi a'ch swyddogion am y ffordd gadarnhaol y mae Awdurdodau Lleol wedi ymgysylltu â'm Swyddfa i'n galluogi i gyflawni'r cyflawniadau hyn yn ystod yr hyn sydd wedi bod yn flwyddyn heriol i bawb. Edrychaf ymlaen yn fawr at barhau â'r gwaith a'r cydweithio hwn i sicrhau ein bod yn gwella gwasanaethau cyhoeddus ymhellach ledled Cymru.

Ymhellach i'r llythyr hwn, a gaf ofyn i'ch Cyngor gymryd y camau canlynol:

- Cyflwyno fy Llythyr Blynyddol i'r Cabinet ac i'r Pwyllgor Llywodraethu ac Archwilio i gynorthwyo aelodau yn eu gwaith craffu ar berfformiad y Cyngor a rhannu unrhyw adborth gan y Cabinet a'r Pwyllgor Llywodraethu ac Archwilio gyda fy swyddfa.
- Parhau i ymgysylltu â'n gwaith Safonau Cwynion, rhoi hyfforddiant i'ch staff, gweithredu'r polisi enghreifftiol yn llawn a darparu data cwynion.
- Rhoi gwybod imi am ganlyniad ystyriaethau a champau gweithredu arfaethedig y cyngor yng nghyswllt y materion uchod erbyn 30 Medi.

Mae'r ohebiaeth hon yn cael ei chopio i Brif Weithredwr eich Cyngor a'ch Swyddog Cyswllt. Yn olaf, bydd copi o'r holl Lythyrau Blynyddol yn cael eu cyhoeddi ar fy ngwefan.

Yn gywir,



**Michelle Morris**

**Ombwdsmon Gwasanaethau Cyhoeddus**

cc.Karen Jones, Prif Weithredwr, Cyngor Castell-nedd Port Talbot.

Trwy Eboest yn unig: chiefexecutive@npt.gov.uk

## Taflen Ffeithiau

Atodiad A - Cwynion a Gafwyd

Awdurdod Lleol	Cwynion a Gafwyd	Cwynion a dderbyniwyd fesul 1000 o drigolion
Cyngor Bwrdeistref Sirol Blaenau Gwent	14	0.20
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr	55	0.37
Cyngor Bwrdeistref Sirol Caerffili	60	0.33
Cyngor Caerdydd*	182	0.50
Cyngor Sir Caerfyrddin	54	0.29
Cyngor Sir Ceredigion	52	0.72
Cyngor Bwrdeistref Sirol Conwy	27	0.23
Cyngor Sir Ddinbych	34	0.36
Cyngor Sir y Fflint	99	0.63
Cyngor Gwynedd	39	0.31
Cyngor Sir Ynys Môn	29	0.41
Cyngor Bwrdeistref Sirol Merthyr Tudful	27	0.45
Cyngor Sir Fynwy	20	0.21
Cyngor Castell-nedd Port Talbot	45	0.31
Cyngor Dinas Casnewydd	40	0.26
Cyngor Sir Penfro	39	0.31
Cyngor Sir Powys	55	0.42
Cyngor Bwrdeistref Sirol Rhondda Cynon Taf	51	0.21
Cyngor Abertawe	71	0.29
Cyngor Bwrdeistref Sirol Torfaen	18	0.19
Cyngor Bro Morgannwg	61	0.46
Cyngor Bwrdeistref Sirol Wrecsam	71	0.52
<b>Cyfanswm</b>	<b>1143</b>	<b>0.36</b>

\* gan gynnwys 17 Rhentu Doeth Cymru



Atodiad B - Cwynion a Gafwyd yn ôl Pwnc

Cyngor Castell-nedd Port Talbot	Cwynion a Gafwyd	% rhannu
Gwasanaethau Cymdeithasol Oedolion	6	13%
Gweinyddu Budd-daliadau	0	0%
Gwasanaethau Cymdeithasol Plant	7	16%
Cyfleusterau Cymunedol. Adloniant a Hamdden	1	2%
Ymdrin â Chwynion	8	18%
Covid19	0	0%
Addysg	2	4%
Yr Amgylchedd ac Iechyd yr Amgylchedd	4	9%
Cyllid a Threthiant	1	2%
Tai	4	9%
Trwyddedu	0	0%
Cynllunio a Rheoli Adeiladu	10	22%
Ffyrdd a Thrafnidiaeth	1	2%
Amrywiol Eraill	1	2%
<b>Cyfanswm</b>	<b>45</b>	

Atodiad C - Canlyniadau Cwynion  
 (\* yn dynodi ymyrraeth)

	Tu hwnt i Awdurdodaeth	Cynamserol	Achosion eraill wedi'u cau ar ôl ystyriaeth gychwynnol	Datrys yn Gynnar/Setliad Gwirfoddol*	Wedi rhoi'r gorau iddi	Adroddiadau Eraill – Ni Chadarnhawyd	Adroddiadau eraill a gadarnhawyd*	Adroddiadau er Budd y Cyhoedd*	Cyfanswm
Cyngor Castell-nedd Port Talbot	10	17	13	5	0	0	0	0	45
	22%	38%	29%	11%	0%	0%	0%	0%	

## Atodiad D - Achosion lle ymyrrodd OGCC

	Nifer yr ymyriadau	Nifer y cwynion a gaewyd	% o ymyriadau
Cyngor Bwrdeistref Sirol Blaenau Gwent	0	13	0%
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr	7	54	13%
Cyngor Bwrdeistref Sirol Caerffili	7	58	12%
Cyngor Caerdydd	45	159	28%
Cyngor Caerdydd - Rhentu Doeth Cymru	1	16	6%
Cyngor Sir Caerfyrddin	7	49	14%
Cyngor Sir Ceredigion	13	46	28%
Cyngor Bwrdeistref Sirol Conwy	2	24	8%
Cyngor Sir Ddinbych	4	33	12%
Cyngor Sir y Fflint	15	94	16%
Cyngor Gwynedd	6	41	15%
Cyngor Sir Ynys Môn	3	28	11%
Cyngor Bwrdeistref Sirol Merthyr Tudful	2	26	8%
Cyngor Sir Fynwy	2	21	10%
Cyngor Castell-nedd Port Talbot	5	45	11%
Cyngor Dinas Casnewydd	4	36	11%
Cyngor Sir Penfro	2	40	5%
Cyngor Sir Powys	7	55	13%
Cyngor Bwrdeistref Sirol Rhondda Cynon Taf	3	45	7%
Cyngor Abertawe	10	76	13%
Cyngor Bwrdeistref Sirol Torfaen	2	20	10%
Cyngor Bro Morgannwg	9	62	15%
Cyngor Bwrdeistref Sirol Wrecsam	4	67	6%
<b>Cyfanswm</b>	<b>160</b>	<b>1108</b>	<b>14%</b>

## Atodiad E - Cwynion Y Cod Ymddygiad

	Wedi rhoi'r gorau iddi	Dim tystiolaeth o dorri'r cod	Dim angen gweithredu	Cyfeiriwyd at y Panel Dyfarnu	Cyfeiriwyd at y Pwyllgor Safonau	Tynnwyd yn ôl	Cyfanswm
Cyngor Castell-nedd Port Talbot	5	4	0	0	0	0	9

## Atodiad F - Cwynion Cod Ymddygiad Cynghorau Tref/Cyngor Cymuned

	Wedi rhoi'r gorau iddi	Dim tystiolaeth o dorri'r cod	Dim angen gweithredu	Cyfeiriwyd at y Panel Dyfarnu	Cyfeiriwyd at y Pwyllgor Safonau	Tynnwyd yn ôl	Cyfanswm
Cyngor Tref Llansawel	0	4	0	0	0	0	4
Cyngor Tref Glyn-nedd	0	2	0	0	0	0	2
Cyngor Cymuned Onllwyn	-	-	-	-	-	-	0

## Taflen Wybodaeth

Mae Atodiad A yn dangos nifer y cwynion a dderbyniwyd gan OGCC ar gyfer pob Awdurdod Lleol yn 2021/2022. Caiff y cwynion hyn eu rhoi mewn cyd-destun yn seiliedig ar nifer y bobl y mae pob bwrdd iechyd yn eu gwasanaethu yn ôl pob sôn.

Mae Atodiad B yn dangos categori pob cwyn a dderbyniwyd, a pha gyfran o'r cwynion a dderbyniwyd sy'n cynrychioli ar gyfer yr Awdurdod Lleol.

Mae Atodiad C yn dangos canlyniadau'r cwynion a gaeodd OGCC mewn cysylltiad â'r Awdurdod Lleol yn 2021/2022. Mae'r tabl hwn yn dangos y niferoedd, a'r gyfran y mae pob canlyniad yn ei chynrychioli ar gyfer yr Awdurdod Lleol.

Mae Atodiad D yn dangos Cyfraddau Ymyrru ar gyfer pob Awdurdod Lleol yn 2021/2022. Mae ymyrraeth yn cael ei gategoreiddio naill ai gan gŵyn a gadarnhawyd (naill ai cadarnhawyd er budd y cyhoedd neu cadarnhawyd nid er budd y cyhoedd), penderfyniad cynnar, neu setliad gwirfoddol.

Mae Atodiad E yn dangos canlyniadau cwynion y Cod Ymddygiad a gaewyd gan OGCC mewn perthynas ag Awdurdod Lleol yn 2021/2022. Mae'r tabl hwn yn dangos y niferoedd, a'r gyfran, y mae pob canlyniad yn ei chynrychioli ar gyfer yr Awdurdod Lleol.

Mae Atodiad F yn dangos canlyniadau cwynion y Cod Ymddygiad a gaewyd gan OGCC mewn perthynas â Chynghorau Tref a Chynghorau Cymuned yn ardal yr Awdurdod Lleol. Mae'r tabl hwn yn dangos y niferoedd, a'r gyfran y mae pob canlyniad yn ei chynrychioli ar gyfer Cynghorau Tref a Chynghorau Cymuned.

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **CABINET (POLICY AND RESOURCES SUB COMMITTEE)**

### **REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES – MR CRAIG GRIFFITHS**

**4<sup>th</sup> October 2022**

#### **Matter for Information**

**Wards Affected:** All Wards

#### **Regulation of Investigatory Powers Act 2000**

#### **Purpose of the Report:**

1. The purpose of this paper is to provide the Cabinet (Policy and Resources) Sub Committee with information on the instances that Neath Port Talbot County Borough Council (“the Council”) used its investigatory powers in the last financial year, as required by the Code of Practice issued by the Home Office. It is also to provide assurance that the Council uses its surveillance powers in a lawful and proportionate way.

#### **Executive Summary:**

2. The Regulation of Investigatory Powers Act 2000 (RIPA) controls and regulates surveillance and other means of information gathering which public bodies employ in the discharge of their functions. RIPA provides an authorisation process for covert

surveillance and information gathering, and an authorisation can be used as a defence against a claim that the council has interfered with an individual's right to private life under Article 8 of the European Convention on Human Rights.

3. This report confirms that there has been one use of surveillance powers for the year 1<sup>st</sup> April 2021 – 31<sup>st</sup> March 2022.

**Background:**

4. RIPA controls and regulates surveillance and other means of information gathering which public bodies employ in the discharge of their functions. RIPA provides an authorisation process for covert surveillance and information gathering, and an authorisation can be used as a defence against a claim that the council has interfered with an individual's right to private life under Article 8 of the European Convention on Human Rights.
5. RIPA regulates:
  - directed surveillance;
  - intrusive surveillance;
  - the conduct and use of covert human intelligence sources (CHIS);
  - intercepting communication; and
  - the acquisition and disclosure of communications data.
6. The Council has a RIPA Policy (copy enclosed at Appendix 1) which says that the Council will apply a presumption in favour of overt investigation methods, and that covert methods will be used only when other reasonable options have been considered and ruled out. Authorisations can generally only be made by the Authorising Officers (as detailed in the Policy) with ultimate responsibility for the Council's use of RIPA powers vesting in the Monitoring Officer.



7. The Council can only authorise the use of covert methods in very limited circumstances. The Council cannot authorise intrusive surveillance. The Council can only authorise directed surveillance where this is necessary and proportionate for the purpose of preventing or detecting serious criminal conduct, and an authorisation cannot take effect until a Justice of the Peace (JP) or District Judge has made an order approving it.
8. The Council can only authorise the use of a Covert Human Intelligence Sources, or authorise the acquisition of communications data where this is necessary and proportionate for the purpose of preventing or detecting crime or of preventing disorder, and again an order by a JP approving the authorisation is required.
9. In the period of 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022, the Council has had only one requirement to undertake any surveillance actions. This continues the theme for recent years:

<b>Year</b>	<b>Number of Surveillance Applications</b>
2018-2019	0
2019-2020	0
2020-2021	0
2021-2022	1

10. In this one application, cameras were placed in an area, known to be used regularly for dumping waste, which was often then set alight. When recorded footage was examined, a successful prosecution was then able to take place. In this case, the defendant was given a 2 month community order with 120 hours unpaid work, a £95 victim surcharge and £500 towards prosecution costs. The District Judge also ordered the forfeiture of the transit van used to commit the offence and additionally disqualified the defendant from driving for 12 months.

11. The Council's use of surveillance powers is regularly subject to external inspection by the Investigatory Powers Commissioner's Office. This Office was formed in September 2017 as a result of the introduction of the Investigatory Powers Act 2016, and is an amalgamation of three separate commissioners. These were the Office of the Surveillance Commissioner, the Interception of Communication Commissioner's Office, and the Intelligence Services Commissioner. In his regulatory function, the Assistant Surveillance Commissioner reviews the Council's use of directed surveillance, covert human intelligence source and CCTV systems under the Regulation of Investigatory Powers Act. The last inspection by the Investigatory Powers Commissioner's Officer, undertaken as a remote desktop inspection as a result of the COVID-19 pandemic, occurred in Spring 2021.
12. The following commentary was provided by the Inspector:
- *"It is evident your staff have an intrusive and robust approach to oversight and to their credit have introduced measures to mitigate the dangers of staff overusing online surveillance and internet research, and other forms of surveillance, as possible tactics in cases where the protection of RIPA may not be offered or is not required."*
  - *"One such case was examined where online resources were used in a test purchase operation targeting the illegal dumping of waste and trading standards offences. Despite the operational objectives and tactics not requiring the protection of RIPA, the application process used was very robust, mirroring that of RIPA without being overly bureaucratic. I would consider this process to be an example of good practice and demonstrates a mature approach to oversight."*
  - *"It was outlined that a forward work programme is being developed to widen internal training, which demonstrates a proactive approach to training and development. It was highlighted that the training already delivered, and that to be delivered in the future, includes a focus on online surveillance."*

*The wider promulgation of knowledge and awareness around the use of internet research and social media in conducting council business is good practice and will enable you to have confidence that Council resources are being used appropriately.”*

- *“During the remote inspection, IPCO’s Data Assurance Programme was discussed and Inspector is satisfied that you have appropriate protocols and guidance in place outlining the rules to be applied to the retention, review and destruction of material obtained as a result of covert tactics.”*
- *“The role of your SRO is central to the above issue and in maintaining a strong oversight regime, and my Inspector was impressed by the attitude of both members of your authority, who not only demonstrate an enthusiasm and good knowledge on matters related to RIPA, but have a very proactive and intrusive approach to governance and oversight of any potential use of the powers.*
- *“I am pleased to report there being suitably strong governance processes in place within your Council to ensure compliance with the legislation and Codes of Practice and that some good practice has been identified.”*

13. The principal reasons for the use of surveillance are for prevention and detection of crime and not for criminal proceedings. As such, conviction rates, although high, are not the only measure of success (different methods of disposal such as letters of written warning, Simple Cautions and website takedowns are also justifiable indicators of RIPA usage).

**Financial Impacts:**

14. No implications.

**Integrated Impact Assessment:**

15. An Integrated Impact Assessment is not requirement for this report.

**Valleys Communities Impacts:**

16. No implications

**Workforce Impacts:**

17. No implications

**Legal Impacts:**

18. Compliance is had at all times with RIPA and other associated legislation.

**Consultation:**

19. There is no requirement for external consultation on this item

**Recommendations:**

20. It is recommended that members:
  - note the Neath Port Talbot County Borough Council Regulation of Investigatory Powers Act 2000 enclosed at Appendix 1
  - note the contents of this report and that the Neath Port Talbot County Borough Council's surveillance powers continue to be exercised appropriately and proportionately.

**Appendices:**

21. Appendix 1 – NPTCBC RIPA Policy

**List of Background Papers:**

22. None

**Officer Contact:**

Mr Craig Griffiths  
Head of Legal and Democratic Services

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# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **REGULATION OF INVESTIGATORY POWERS ACT 2000**

### **POLICY AND PROCEDURES**

July 2020

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## SECTION 1 – INTRODUCTION

1. Local Authorities powers to conduct covert surveillance come from the provisions of the Local Government Act 1972. The main restrictions on the use of those powers can be found in the Human Rights Act 1998, and in particular Article 8 of the European Convention on Human Rights (The right to respect for a person's private and family life).
2. The Regulation of Investigatory Powers Act 2000 (RIPA) (as amended) regulates covert investigations by a number of bodies, including local authorities. It was introduced to ensure that individuals' rights are protected whilst also ensuring that law enforcement and security agencies can still exercise the powers they need to do their job effectively. The Act only applies in relation to local authorities to any covert surveillance carried out by a local authority for the purposes of investigating qualifying criminal offences.
3. Covert surveillance carried out for reasons other than the investigation of qualifying criminal offences falls outside the scope of RIPA. Such surveillance can still be lawful, but extra care is needed to ensure such surveillance does not breach an individual's Human Rights. The purpose of this document is to set out the circumstances where RIPA applies to the Authority, and the procedures to be followed when conducting covert surveillance
4. Regard has been had to the respective Codes of Practice on Covert Surveillance & Property Interference and Covert Human Intelligence Sources issued by the Home Office in 2018, and Guidance and Practice notes issued by the Investigatory Powers Commissioner (IPCO) in preparing these procedures.
5. Subject to the provisions of Section 6 of this document, any covert surveillance activity carried out by or on behalf of the Council **MUST** be authorised by one of the properly trained Authorising Officers listed in Appendix 1, and dealt with in accordance with Section 5 of this document.
6. Individual Investigating Officers and Authorising Officers should familiarise themselves with this procedure document,

the Codes of Practice issued by the Home Office, and such Guidance as is issued by the ICPO from time to time.

7. Deciding when an authorisation is required is a question of judgement. However, if an investigating officer is in any doubt, he/she should immediately seek legal advice from the Authority's Legal Services Section. **As a basic rule however, it is always safer to seek the appropriate authorisation.**
8. The Senior Responsible Officer within the Council with strategic responsibility for RIPA issues is Craig Griffiths, Head of Legal Services.
9. The 'Gate-keeping' Officer, with responsibility for vetting all RIPA applications and maintaining the Central register is Paul Watkins, Corporate Solicitor.
10. The elected members responsible for reviewing the authority's use of RIPA and setting the authority's RIPA policy each year are the Policy and Resources Cabinet Board.
11. **ALL OFFICERS MUST NOTE THAT THE COUNCIL MAY ONLY AUTHORISE COVERT SURVEILLANCE UNDER THE REGULATION OF INVESTIGATORY POWERS ACT FOR THE PURPOSE OF PREVENTING OR DETECTING A CRIMINAL OFFENCE PUNISHABLE BY AT LEAST 6 MONTHS IMPRISONMENT.**
12. **THE ONLY EXCEPTION TO THE ABOVE RULE IS FOR TEST PURCHASING OPERATIONS IN RELATION TO THE SALE OF ALCOHOL OR CIGARETTES TO CHILDREN.**
13. **OFFICERS SHOULD ALSO NOTE THAT ANY SURVEILLANCE WHICH IS CARRIED OUT OR AUTHORISED BY THEM WHICH DOES NOT COMPLY WITH THE REQUIREMENTS AND/OR STIPULATIONS OF THIS POLICY MAY RESULT IN DISCIPLINARY ACTION BEING TAKEN AGAINST THEM BY THE COUNCIL.**

## **SECTION 2 - BENEFITS OF OBTAINING AUTHORISATION UNDER RIPA**

1. RIPA states that where an authorisation is obtained, and the covert surveillance activity is conducted in accordance with that authorisation, then the activity will be lawful for all purposes.
2. Where an authorisation is not obtained, there is a risk that any evidence obtained as a result could be ruled as inadmissible in subsequent legal proceedings.
3. Furthermore, unauthorised covert surveillance activity is more likely to result in a breach of an individual's human rights, leading to a possible compensation claim against the Council.

## **SECTION 3 - DIRECTED SURVEILLANCE**

1. Directed Surveillance includes;
  - The monitoring, observing or listening to persons, their movements, their conversations or their other activities or communication.
  - The recording of anything so monitored observed or listened to in the course of surveillance.
  - The surveillance by or with the assistance of a surveillance device.
2. Directed Surveillance does NOT occur where covert recording of suspected noise nuisance takes place and the recording device is calibrated to record only excessive noise levels.
3. Surveillance is 'Directed' for the purposes of RIPA if it is covert (but not intrusive) and is undertaken;
  - For the purposes of a specific investigation into a criminal offence punishable by a 6 month custodial sentence, and

- In such a manner as is likely to result in the obtaining of private information about a person (whether or not one is specifically identified for the purposes of the investigation or operation); and
- Otherwise than by an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for a Directed Surveillance authorisation to be sought for the carrying out of the surveillance

4. **OFFICERS SHOULD NOTE THAT THE SURVEILLANCE OF AN INDIVIDUAL'S ACTIVITIES AND/OR CONVERSATIONS IN A PUBLIC PLACE MAY STILL AMOUNT TO THE OBTAINING OF PRIVATE INFORMATION**

5. Surveillance is 'covert' if it is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware it is or may be taking place. Therefore surveillance of an individual using city centre CCTV cameras could still require RIPA authorisations if the cameras are targeted on that individual and he/she is unaware that they are being watched.
6. Covert surveillance becomes 'intrusive' if;
- (a) It is carried out in relation to anything taking place on any residential premises or in any private vehicle or on premises where legal consultations are taking place, and
  - (b) Involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device on the premises or in the vehicle, or
  - (c) Is carried out by means of a surveillance device in relation to anything taking place on any residential premises or in any private vehicle but is carried out without that device being on the premises or in the vehicle or legal consultation premises, where the device is such that it consistently provides information of the same quality and detail as might be expected to

be obtained from a device actually present on the premises or vehicle.

- (d) For the purposes of (a), (b) and (c) above residential premises includes any premises as is for the time being occupied or used by any person, however, temporary, for residential purposes or otherwise as living accommodation. It will not include communal areas, front gardens or driveways visible to the public.

Private vehicles will be those used primarily for the private purpose of the person who owns it or a person otherwise having the right to use it.

**7. THE COUNCIL HAS NO POWER TO AUTHORISE INTRUSIVE SURVEILLANCE UNDER THE ACT. IF INVESTIGATING OFFICERS HAVE ANY CONCERNS REGARDING THIS THEY SHOULD IMMEDIATELY SEEK LEGAL ADVICE.**

8. Surveillance is for the purposes of a specific investigation or operation if it is targeted in a pre-planned way at an individual or group of individuals, or a particular location or series of locations.
9. Surveillance will not require authorisation if it is by way of an immediate response to an event or circumstances where it is not reasonably practicable to get an authorisation.

**SECTION 4 - COVERT HUMAN INTELLIGENCE SOURCES (CHIS)**

1. A person is a CHIS if;
- He/she establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraphs (a) or (b) below.

- (a) He/she covertly uses such a relationship to obtain information or provide access to any information to another person, or
  - (b) He/she covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.
- 2. A purpose is covert in this context if the relationship is conducted in a manner that is calculated to ensure that one of the parties is unaware of that purpose.
- 3. Council policy is to treat all such activities as being in need of authorisation whether or not the information sought is private information.
- 4. When considering whether or not to make use of CHIS, investigating officers ***MUST*** consult with the gate-keeping officer before taking any action, in order to ensure that the Home Office Code of Practice on Covert Human Intelligence Sources is complied with. Where use is made of CHIS, his/her designated handler must be a properly trained officer, who may not necessarily be based within the same department/section as the investigating officer.
- 5. It is the intention of this Council to avoid the use of a CHIS whenever possible; accordingly any contemplated use must be discussed with the Head of Legal Services in all cases.
- 6. Only the Chief Executive may authorise the use of a juvenile CHIS.
- 7. **THIS AUTHORITY DOES NOT CONDONE THE USE OF A JUVENILE AS A CHIS. ACCORDINGLY, NO CHIS SHALL BE AUTHORISED IN RESPECT OF A PERSON UNDER 18 YEARS OF AGE BY ANY AUTHORISING OFFICERS.**

## **SECTION 5 - AUTHORISATION PROCESS**

- 1. Applications must be in writing, using the standard forms provided by the Home Office. A list of these forms are set

out in Appendix 2 and are available for downloading from the Home Office website by entering “RIPA Forms” in its search engine.

2. Although it is possible to combine two or more applications in the same form, this practice is generally to be avoided. One situation where it may be appropriate is during a covert test purchase exercise involving more than one premise. In such cases investigating officers should contact the gate-keeping officer to discuss the operation before completing the forms.
3. Once the appropriate application forms are completed, they should be submitted by email to the gate-keeping officer.
4. The gate-keeping officer will then vet the application, enter it onto the Central Register and allocate a unique central reference number (URN) to it.
5. The gate-keeping officer may recommend changes to the application, or agree to it being submitted unaltered to a designated Authorising Officer. A list of such officers is set out in Appendix 1.
6. Where an application must be authorised by the Chief Executive (i.e. in cases of a juvenile CHIS or confidential information), the gate-keeping officer will arrange a meeting between the Investigating Officer, Head of Legal Services and Chief Executive.
7. In all other cases the investigating officer shall arrange to meet one of the Authorising Officers to discuss the application.
8. When determining whether or not to grant an authorisation, Authorising Officers must have regard to;
  - Whether what is proposed is necessary for preventing/detecting criminal offences that meet the requirements in Section 1 paragraphs 11 and 12 above.
  - Whether what is proposed is proportionate to the aim of the action

- Proportionality will involve balancing the seriousness of intrusion into the privacy of the subject of the operation (or any other person who may be affected) against the need for the activity in investigative and operational terms. The authorisation will not be proportionate if it is excessive in the overall circumstances of the case. Each action authorised should bring an expected benefit to the investigation or operation and should not be disproportionate or arbitrary. The fact that a suspected offence may be serious will not alone render intrusive actions proportionate. Similarly an offence may be so minor that any deployment of covert techniques would be disproportionate.
- No activity should be considered proportionate if the information which is sought could reasonably be obtained by other less intrusive means. The following elements of proportionality should be considered.
  - Whether the proposed action is likely to result in collateral intrusion into the private lives of third parties, and if it is, whether all reasonable steps are being taken to minimise that risk.
  - Balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or offence;
  - Explaining how and why the methods to be adopted will cause the least possible intrusion on the subjects and others;
  - Considering whether the activity is an appropriate use of the legislation and a reasonable way, having considered all reasonable alternatives, of obtaining the necessary result;
  - Evidencing, as far as practicable, what other methods had been considered and why they were not implemented.



- In the case of applications to authorise the use of a CHIS, whether all the requirements of the Code of Practice relating to the authorisation of a CHIS issued by the Home Office are complied with.
9. If an application is refused by an Authorising officer, the reasons for refusal shall be endorsed on the application form.
  10. If an application is granted, the Authorising Officer must specify;
    - The scope of the authorisation
    - The duration of the authorisation
    - The date (not more than 28 days) for review of the authorisation.
  11. Irrespective of the outcome of the application, the investigating officer must immediately forward a copy of the authorisation or refused application, to the gate-keeping officer, who will make the appropriate entries in the Central Register, and place the copy application or authorisation in the Central Record.
  12. Legal Services Section will then arrange for an application to be made to the Magistrates Court for the judicial approval of the authorisation. The procedure for such an application for approval is set out in Appendix 3.
  13. **ALL OFFICERS MUST NOTE THAT THE AUTHORISATION WILL NOT TAKE EFFECT UNTIL IT HAS BEEN JUDICIALLY APPROVED BY MAGISTRATES COURT.**
  14. If, upon initial review of the authorisation, the Authorising Officer determines that it should remain in effect, reviews must take place every 28 days during the life of the authorisation. The investigating officer must keep a record of

the results of any review and communicate them to the gate-keeping officer for entry in the Central Register.

15. Once the operation to which the authorisation relates is concluded, or the activity authorised ceases, then the investigating officer must immediately meet the Authorising Officer to cancel the authorisation.
16. Once an Authorising Officer determines that an authorisation is no longer necessary it must be cancelled immediately.
17. Whenever an authorisation is cancelled, the Authorising Officer must endorse the cancellation form with his/her views as to the value of the authorised activity.
18. Whenever an authorisation is cancelled, a copy of that cancellation must be sent to the gate-keeping officer for it to be placed in the Central Record, and appropriate entries to be made in the Central Register.
19. Unless previously cancelled, an authorisation will last as follows:
  - Written authorisation for Directed Surveillance – **3 months**
  - Written authorisation for use of a CHIS – **12 months**
20. If shortly before an authorisation ceases to have effect, the Authorising Officer is satisfied that the grounds for renewing the authorisation are met, then he/she may renew the authorisation by completing a renewal form. ***(Before renewing an authorisation, Authorising Officers must have regard to the appropriate sections of the relevant code of practice issued by the Home Office)***
21. An authorisation may be renewed for;
  - In the case of a written renewal of a Directed Surveillance authorisation - **3 Months.**
  - In the case of a written renewal of a CHIS authorisation – **12 months.**

22. An authorisation may be renewed more than once.
23. Applications for renewal of an authorisation must record all matters required by the relevant Code of Practice issued by the Home Office
24. Where an authorisation is renewed, it must continue to be reviewed in accordance with the requirements set out above.
25. Where an authorisation is renewed, a copy of the renewal must be sent to the gate-keeping officer and placed in the Central Record and appropriate entries made in the Central Register.
26. Legal Services Section will then arrange for an application to be made to the local magistrates' court for the judicial approval of the renewal by a Magistrate.
27. **ALL OFFICERS MUST NOTE THAT THE RENEWAL WILL NOT TAKE EFFECT UNTIL IT HAS BEEN JUDICIALLY APPROVED BY A MAGISTRATE.**
28. **WHERE AN APPLICATION IS GRANTED OR RENEWED THE INVESTIGATING OFFICER MUST ENSURE THAT ALL OFFICERS TAKING PART IN THE COVERT SURVEILLANCE ACTIVITY HAVE AN OPPORTUNITY TO READ THE AUTHORISATION AND FAMILIARISE THEMSELVES WITH ITS TERMS AND RESTRICTIONS BEFORE THE OPERATION COMMENCES.**

## **SECTION 6 - COVERT SURVEILLANCE AUTHORISED OUTSIDE RIPA**

1. Certain instances of covert surveillance that may be carried out by public authorities are incapable of being authorised under RIPA. Examples of these include:
  - The investigation of criminal offences punishable by less than 6 months imprisonment.
  - The investigation of general disorder or anti-social behaviour.

- Surveillance carried out as part of a planning investigation prior to issuing an enforcement notice
  - Surveillance carried out as part of a public health investigation prior to issuing an abatement notice.
  - Surveillance carried out as part of an internal disciplinary, child protection or POVA investigation.
  - Surveillance carried out in support of the defence of a personal injury claim
  - The use of surveillance devices to monitor a person living in a residential care setting where it is considered to be in their 'best interests' to do so.
2. None of these examples can be authorised as directed surveillance under RIPA, although all are capable of being justifiable cases of interference with an individual's human rights on the grounds that they are necessary in a democratic society in the interests of public safety, the economic well-being of the country, for the protection of health or morals or for the protection of rights and freedoms of others. In these cases, although the authority cannot rely upon RIPA to authorise surveillance, such surveillance can still be carried out provided steps are undertaken to ensure any interference with an individual's human rights complies with the requirements set out in Article 8 of the European Convention on Human rights.
  3. Wherever an officer wishes to consider carrying out directed surveillance, which cannot be justified on the grounds in RIPA, but which may fall within the scope of paragraphs 1 and 2 above, he/she should contact the Authority's Legal Services Section for advice.
  4. **NO SURVEILLANCE ACTIVITY OF THE SORT OUTLINED IN PARAGRAPH 1 ABOVE MAY TAKE PLACE UNLESS IT HAS BEEN EXPRESSLY APPROVED IN WRITING BY THE INVESTIGATING OFFICER'S HEAD OF SERVICE.**

## **SECTION 7 - CONFIDENTIAL MATERIAL**

1. Confidential material such as personal medical or spiritual information, confidential journalistic information or information subject to legal privilege is particularly sensitive and is subject to additional safeguards.
2. In cases where such information may be obtained, an investigator must seek immediate legal advice from the Authority's Legal Services Section.
3. **Only the Chief Executive may authorise surveillance activity which may result in confidential information being obtained.**
4. Any application for an authorisation, which is likely to result in the acquisition of confidential material MUST include an assessment of how likely it is that confidential material will be acquired.
5. Special care should be taken where the target of the investigation is likely to be involved in handling confidential material. Such applications should only be considered in exceptional and compelling circumstances and with full regard to the proportionality issues this raises.
6. The following general principles apply to confidential material acquired under such authorisations;
  - Officers handling material from such operations should be alert to anything that may fall within the definition of confidential material. Where there is any doubt, immediate legal advice should be sought.
  - Confidential material should not be retained or copied unless it is necessary for a specified purpose.
  - Confidential material should only be disseminated, after legal advice has been sought, where it is necessary for a specified purpose.

- The retention and/or dissemination of confidential material should be accompanied by a clear warning of its confidential nature.
- Confidential material should be destroyed as soon as it is no longer necessary to retain it for a specified purpose.

## **SECTION 8 - JOINT OPERATIONS**

1. Where officers are engaged in operations with other public authorities, any covert activity must be authorised either in accordance with this document, or by an appropriate Authorising Officer employed by the other authority.
2. Officers should always ensure that when operating under an authorisation issued by another authority, that the Authorising Officer has the power to issue that authorisation, and that the authorisation covers the scope of the proposed activity.
3. Officers are advised to request a copy of the relevant authorisation, or at least obtain a written note of the scope, duration and conditions of the authorised activity.
4. Officers should also have regard to any other protocols specifically dealing with joint operations.

## **SECTION 9 - HANDLING & DISCLOSURE OF PRODUCT**

1. Authorising Officers must send the original of any authorisation, any cancellation, renewal or review to the SRO within 2 working days of the issue.
2. The Council must keep records relating to all authorisations, Magistrates Court approvals, reviews, renewals, cancellations and refusals in accordance with the Home Office Code of Practice. A Central Register of all authorisations, Magistrates approvals, reviews, renewals, cancellations, refusals and records of oral authorisations will be monitored and maintained by the SRO with each

Department keeping their own file of copies of their authorisations.

3. Records must be available for inspection by the Investigatory Powers Commissioner and retained to allow the Investigatory Powers Tribunal to undertake its functions. Although records are only required to be retained for at least three years, it is therefore desirable, if possible, to retain records for up to five years. Such information will be reviewed at appropriate intervals to confirm that the justification for its retention is still valid and will be securely destroyed as soon as it is no longer needed for authorisation purposes.
4. There are separate and specific record keeping requirements where use is made of CHIS. Records should be maintained in such a way as to preserve the confidentiality of the source and the information provided by that source. There should at all times be a designated person in the Council with responsibility for maintaining a record of the use made of the source.
5. Documents created under the RIPA procedure are highly confidential and shall be treated as such. Authorising Officers, through the Data Protection Officer must ensure compliance with the appropriate data protection requirements under the Data Protection Act 2018 and the Council's internal arrangements relating to the handling and storage of material. The procedures and safeguards outlined in the Home Office Code of Practice will also be applied in relation to the handling and storage of material. The procedures and safeguards outlined in the Home Office Code of Practice will also be applied in relation to the handling of any material obtained through directed surveillance. Any breaches of data protection requirements should be reported immediately to the Data Protection Officer.
6. The SRO will ensure that robust and adequate arrangements are in place for the secure handling, storage and destruction of material obtained through the use of surveillance. The Council's internal safeguards will be kept under periodic review to ensure that they remain up to date and effective.

Where the material could be relevant to pending or future criminal proceedings, it should be retained in accordance with established disclosure requirements for a suitable period and subject to review.

7. Where material is obtained by surveillance, which is wholly unrelated to a criminal or other investigation or to any person who is the subject of such an investigation, and there is no reason to believe it will be relevant to future criminal or civil proceedings, it should be destroyed immediately.
8. Consideration as to whether or not unrelated material should be destroyed is the responsibility of the Authorising Officer.
9. RIPA does not prevent material properly obtained in one investigation being used in another investigation. **However, the use of any covertly obtained material for purposes other than that for which the surveillance was authorised should only be sanctioned in exceptional cases and only after seeking legal advice from the Council's Legal Services Section.**

## **SECTION 10 - USE OF SURVEILLANCE DEVICES**

1. Surveillance devices include static and mobile CCTV cameras, covert surveillance cameras, noise monitoring/recording devices, and any other mechanical and/or recording devices used for surveillance purposes.
2. Static CCTV cameras include 'Town Centre' cameras operated from the authority's CCTV Control Room under the control of Council staff, as well as fixed security cameras located in council buildings.
3. Fixed security cameras, which are incapable of being remotely controlled, do not require RIPA authorisation **provided** their existence and purpose is made clear to the public through appropriate signage.
4. 'Town Centre' and mobile CCTV cameras will not ordinarily require authorisation where their existence and use is also made clear by signage. However, where camera operators



are requested to control the cameras so as to target specific individuals or locations then, unless the request is made by way of an immediate response to an incident or intelligence received, an authorisation is required.

5. Camera operators should normally refuse to comply with any requests for surveillance activity unless they are satisfied;
  - That an authorisation is unnecessary, or
  - That an authorisation has been obtained and the scope, duration and limitations of the permitted activity have been confirmed in writing.
6. It is recognised that many departments maintain conventional cameras and mobile phone cameras for use by staff on a regular basis. Staff must be reminded;
  - That the covert use of such cameras (i.e. where the 'target' is not aware that he/she is being photographed) may require authorisation.
  - As a general rule, unless the photograph is being taken as an immediate response to an unexpected incident, authorisation should be sought.
7. Use of noise monitoring/recording equipment may also require authorisation, where the equipment records actual noise, as opposed to just noise levels. Much will depend upon what noise it is intended, or likely, to record.
8. Where a target is made aware in writing that noise monitoring will be taking place, then authorisation is not required.
9. Service Managers with responsibility for surveillance devices **MUST** ensure that:
  - (i) Those devices are stored securely and that robust systems are in place to prevent unauthorised access to them both by Council staff and members of the public.
  - (ii) Full and accurate records are kept at all times documenting the use of those devices including (but

- not limited to), when deployed, the purpose of any deployment, the officer with responsibility for that deployment and, where being deployed to conduct Directed Surveillance, details of any authorisation under which that deployment takes place
- (iii) Any personal information obtained as a result of the deployment of such a device is handled in accordance with the Council's Data Protection Policies.

## **SECTION 11 – COVERT SURVEILLANCE OF SOCIAL NETWORKING SITES**

1. Care must be taken when using or monitoring a Social Networking Site for work purposes. Even though a site may seem to be an open source of publically available information, the author may have expectations of privacy, especially if they apply at least some access controls.
2. The fact that digital investigation is routine or easy to conduct does not reduce the need for authorisation. Care must be taken to understand how the Social Networking Site is being used works, Authorising Officers must not be tempted to assume that one service provider is the same as another or that the services provided by a single provider are the same.
3. Whilst it is the responsibility of an individual to set privacy settings to protect unsolicited access to private information, and even though data may be deemed published and no longer under the control of the author, it is unwise to regard it as "open source" or publicly available; the author has a reasonable expectation of privacy if access controls are applied. Where privacy settings are available but not applied the data may be considered open source and an authorisation is not usually required. Repeat viewing of "open source" sites may constitute directed surveillance on a case by case basis and this should be borne in mind.
4. If it is necessary and proportionate for a public authority to covertly breach access controls, the minimum requirement is an authorisations for Directed Surveillance. An authorisation for the use and conduct of a CHIS is necessary if a relationship is established or maintained by a member of a

public authority or by a person acting on its behalf (i.e. the activity is more than mere reading of the site's content).

5. It is not unlawful for a member of a public authority to set up a false identity but it is inadvisable for a member of a public authority to do so for a covert purpose without authorisation. Using photographs of other persons without their permission to support the false identity infringes other laws.
6. A member of a public authority should not adopt the identity of a person known, or likely to be known, to the subject of interest or users of the site without authorisation and without the consent of the person whose identity is used, and without considering the protection of that person. The consent must be explicit (i.e. the person from whom consent is sought must agree (preferably in writing) what is and is not to be done).
7. Any use of a Social Networking Site for these purposes must also comply with Council policies on Internet and Social Media Usage which can be found on the Authority's Intranet.
8. Appendix 4 sets out the guidance in the Code of Practice of Covert Surveillance and Property Interference which deals with the use of social media.

## **SECTION 12 - CODES OF PRACTICE**

1. The Home Office has issued Codes of Practice relating both to Covert Surveillance and the use of CHIS. Copies of these codes are available via the Home Office, or ICPO websites, or can be obtained from the gate-keeping officer.
2. Whilst these codes do not have the force of law, they represent best practice, and adherence to them will give the authority a better chance of opposing any allegation that RIPA and/or the Human Rights Act has been breached by its use of covert surveillance.
3. Investigating and Authorising Officers should ensure that when dealing with applications, regard is had to these codes.

4. The Investigatory Powers Commissioner has also published useful guidance, copies of which can be obtained from his website or the gate-keeping officer.

### **SECTION 13 - SCRUTINY AND TRIBUNAL**

The council will be subject to an inspection by an OSC inspector roughly every 2 years. The inspector will;

- Examine the Central Register
- Examine authorisations, renewals and cancellations
- Question officers regarding their implementation of the legislation.
- Report to the Chief Executive regarding his/her findings

A Tribunal has also been set up to deal with complaints made under RIPA. The Tribunal may quash or cancel any authorisation and order the destruction of any record or information obtained as a result of such an authorisation.

Courts and Tribunals may exclude evidence obtained in breach of an individual's human rights. Failure to follow the procedures set out in this document increases the risk of this happening.

This document will be kept under annual review by the Council's Cabinet, who will also receive regular reports as to its implementation.

### **SECTION 14 – TRAINING**

The Senior Responsible Officer will ensure that guidance and/or training is being provided to investigating and/or authorising officer as and when necessary to ensure that RIPA is being used appropriately. A record of officers training will be maintained by the relevant investigating departments within the Council; which shall be made available to the Senior Responsible Officer as and when he requires them for his monitoring purposes.

**APPENDIX 1**  
**LIST OF AUTHORISING OFFICERS**

<b>Name</b>	<b>Post</b>
Karen Jones	Chief Executive
Michael Roberts	Head of Streetcare
Nicola Pearce	Director of Environment
Kevin Davies	Principal Benefits Officer

## **APPENDIX 2**

### **PART II OF THE REGULATION OF INVESTIGATORY POWERS ACT 2000 – HOME OFFICE FORMS**

1. Authorisation of Directed Surveillance.  
(Version: 2010-09 DS Application)
2. Review of a Directed Surveillance Authorisation  
(Version: 2007-01 DS Review)
3. Renewal of a Directed Surveillance Authorisation  
(Version: 2007-01 DS Renewal)
4. Cancellation of a Directed Surveillance Authorisation  
(Version: 2007-01 DS Cancellation)
5. Application for Authorisation of the Conduct or Use of a  
Covert Human Intelligence Source (CHIS)  
(Version: 2010-09 CHIS Application)
6. Review of a Covert Human Intelligence Source (CHIS)  
Authorisation  
(Version: 2010-09 CHIS Review)
7. Application for a Renewal of a Covert Human Intelligence  
Source (CHIS) Authorisation  
(Version: 2007-01 CHIS Renewal)
8. Cancellation of an Authorisation of the Use or Conduct of a  
Covert Human Intelligence Source  
(Version: 2007-01 CHIS Cancellation)

## APPENDIX 3

### **COUNCIL PROCEDURE FOR APPLYING TO A MAGISTRATES COURT FOR AN AUTHORISATION TO BE APPROVED BY A JUSTICE OF THE PEACE AND APPLICATION FORM TO BE USED**

1. Complete the usual RIPA directed surveillance or telecoms application form, providing full details for the necessity and proportionality issues.
2. Have the RIPA form approved by an Authorised Officer in the Council.
3. Complete a new 'Approval by a Justice of the Peace' application form.
4. Contact Legal Services to seek availability of a Solicitor or Barrister to attend court.
5. Contact office at Magistrates Court to book an appointment with a JP.
6. Attend court accompanied by a solicitor to make the application with JP.
7. If RIPA is approved and supported by a JP they will sign the Order, which is the 2<sup>nd</sup> page of the 'Approval by JP' form (see attached).

Then....

8. RIPA application to be reviewed by the Authorised Officer with the investigator every month, to review its continued necessity and proportionality.
9. After 3 months the initial RIPA authorisation will come to an end. It will then need to be (i) cancelled or (ii) renewed – and the necessary forms completed.

10. There is no requirement for a JP to be involved in RIPA reviews and/or cancellations as this is merely an internal process.
11. If a RIPA application is to be renewed – continued past 3 months – then a JP will once again need to be involved. The investigator will need to complete a RIPA Renewal form and then follow points 2 to 6 above again, seeking a signed Order from a JP at court.



**REGULATION OF INVESTIGATORY POWERS ACT 2000**

**APPLICATION FOR APPROVAL BY A JUSTICE OF THE PEACE**

**Application for judicial approval for authorisation to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 32A, 32B.**

Local authority: Neath Port Talbot County Borough Council

Local authority department: .....

Offence under investigation: .....

Address of premises or identity .....

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Covert technique requested: (tick one and specify details)

**Covert Human Intelligence Source**

**Directed Surveillance**

Summary of details

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**Note:** this application should be read in conjunction with the attached RIPA authorisation/RIPA application or notice.

Investigating Officer: .....

Authorising Officer/Designated Person: .....

Officer(s) appearing before JP: .....

Address of applicant department: .....

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Contact telephone number: .....

Contact email address (optional): .....

Local authority reference: .....

Number of pages: .....

**ORDER**

**Order made on an application for judicial approval for authorisation to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 32A and 32B.**

Magistrates' court: Swansea Magistrates Court

Having considered the application, I (tick one):

- am satisfied that there are reasonable grounds for believing that the requirements of the Act were satisfied and remain satisfied, and that the relevant conditions are satisfied and I therefore approve the grant or renewal of the authorisation / notice.
- refuse to approve the grant or renewal of the authorisation /notice.
- refuse to approve the grant or renewal and quash the authorisation/notice.

Notes

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Reasons

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**Signed:**

**Date:**

**Time:**

**Full name:**

Address of magistrates' court: Grove Place, Swansea, SA1 5DB

## APPENDIX 4

### **Social Media – Extract from Home Office Code of Practice on Covert Surveillance and Property Interference (3.10 to 3.17)**

- 3.10 The growth of the internet, and the extent of the information that is now available online presents new opportunities for public authorities to view or gather information which may assist them in preventing or detecting crime or carrying out other statutory functions, as well as in understanding and engaging with the public they serve. It is important that public authorities are able to make full and lawful use of this information for their statutory purposes. Much of it can be accessed without the need for RIPA authorisation; use of the internet prior to an investigation should not normally engage privacy considerations. But if the study of an individual's online presence becomes persistent, or where material obtained from any check is to be extracted and recorded and may engage privacy considerations, RIPA authorisations may need to be considered. The following guidance is intended to assist public authorities in identifying when such authorisations may be appropriate.
- 3.11 The internet may be used for intelligence gathering and/or as a surveillance tool. Where online monitoring or investigation is conducted covertly for the purpose of a specific investigation or operation and is likely to result in the obtaining of private information about a person or group, an authorisation for directed surveillance should be considered, as set out elsewhere in this code. Where a person acting on behalf of a public authority is intending to engage with others online without disclosing his or her identity, a CHIS authorisation may be needed (paragraphs 4.10 to 4.16 of the Covert Human Intelligence Sources code of practice provide details on where a CHIS authorisation may be available for online activity).
- 3.12 In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place. Use of the internet itself may be considered

as adopting a surveillance technique calculated to ensure that the subject is unaware of it, even if no further steps are taken to conceal the activity. Conversely, where a public authority has taken reasonable steps to inform the public or particular individuals that the surveillance may be taking place, the activity may be regarded as overt and a directed surveillance authorisation will not normally be available.

- 3.13 As set out in paragraph 3.14 below, depending on the nature of the online platform, there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within the public domain, however, in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for a covert purpose such as an investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings.
- 3.14 Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of privacy over the monitoring by public authorities of that information. Individuals who post information on social media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable expectation of privacy in relation to that information.
- 3.15 Whether a public authority interferes with a person's private life includes a consideration of the nature of the public authority's activities in relation to that information. Simple reconnaissance of such sites (i.e. preliminary examination with a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where a public authority is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered.

These considerations apply regardless of when the information was shared online. See also paragraph 3.6

**Example 1**

*A police office undertakes a simple internet search on a name, address and telephone number to find out whether a subject of interest has an online presence. This is unlikely to need an authorisation. However, if having found an individual's social media profile or identify, it is decided to monitor it or extract information from it for retention in a record because it is relevant to an investigation or operation, authorisation should then be considered.*

**Example 2**

*A customs office makes an initial examination of an individual's online profile to establish whether they are of relevance to an investigation. This is unlikely to need an authorisation. However, if during that visit it is intended to extract and record information to establish a profile including information such as identify, pattern of life, habits, intentions or associations, it may be advisable to have in place an authorisation even for that single visit. (As set out in the following paragraph, the purpose of the visit may be relevant as to whether an authorisation should be sought.)*

**Example 3**

*A public authority undertakes general monitoring of the internet in circumstances where it is not part of a specific, ongoing investigation or operation to identify themes, trends, possible indicators of criminality or other factors that may influence operational strategies or deployments. This activity does not require RIPA authorisation. However, when this activity leads to the discovery of previously unknown subjects of interest, once it is decided to monitor those individuals as part of an ongoing operation or investigation, authorisation should be considered.*

- 3.16 In order to determine whether a directed surveillance authorisation should be sought for accessing information on a website as part of a covert investigation or operation, it is necessary to look at the intended purpose and scope of the online activity it is proposed to undertake. Factors that

should be considered in establishing whether a directed surveillance authorisation is required include:

- Whether the investigation or research is directed towards an individual or organisation;
- Whether it is likely to result in obtaining private information about a person or group or people (taking account of the guidance at paragraph 3.6 above)
- Whether it is likely to involve visiting internet sites to build up an intelligence picture or profile
- Whether the information obtained will be recorded and retained;
- Whether the information is likely to provide an observer with a pattern of lifestyle;
- Whether the information is being combined with other sources of information or intelligence, which amounts to information relating to a person's private life;
- Whether the investigation or research is part of an ongoing piece of work involving repeated viewing of the subject(s);
- Whether it is likely to involve identifying and recording information about third parties, such as friends and family members of the subject of interest, or information posted by third parties, that may include private information and therefore constitute collateral intrusion into the privacy of these third parties.

3.17 Internet searches carried out by a third party on behalf of a public authority, or with the use of a search tool, may still require a directed surveillance authorisation (see paragraph 4.32)

**Example**

*Researches within a public authority using automated monitoring tools to search for common terminology used online for illegal purposes will not normally require a directed surveillance authorisation. Similarly, general analysis of data by public authorities either directly or through a third party for predictive purposes (e.g. identifying crime hotspots or analysis trends) is not usually directed surveillance. In such cases, the focus on individuals or groups is likely to be sufficiently cursory that it would not meet the definition of surveillance. But officers should be aware of the possibility that the broad thematic research may evolve, and that authorisation may be appropriate at the point where it begins to focus on specific individuals or groups. If specific names or other identifies of an individual or group are applied to the search or analysis, an authorisation should be considered.*

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