



## ***POLICY AND RESOURCES CABINET BOARD***

***Immediately Following Scrutiny Committee on  
WEDNESDAY, 29 JUNE 2016***

***COMMITTEE ROOMS 1/2 - PORT TALBOT CIVIC CENTRE***

### **PART 1**

1. To agree the Chairman for this Meeting.
2. To receive any declarations of interest from Members.
3. Minutes of the previous Policy and Resources Cabinet Board held on 19 May 2016 (*Pages 5 - 10*)

### **To receive the Reports of the Director of Finance and Corporate Services**

4. Neath Port Talbot Welsh Church Act Trust Fund 2015/2016 (*Pages 11 - 28*)
5. Miscellaneous Grants and Welsh Church Act Fund Applications (*Pages 29 - 34*)

### **To receive the Reports of The Head of Corporate Strategy and Democratic Services**

6. Public Services Board - Terms of Reference (*Pages 35 - 48*)
7. Neath Port Talbot Welsh Language Standards 2016-2017 - Annual Report (*Pages 49 - 64*)
8. Closed Circuit Television (CCTV) - Update (*Pages 65 - 90*)

9. Quarterly Performance Management Data 2015-2016 - Quarterly Performance (10 April 2015 - 31 March 2016) *(Pages 91 - 146)*

**To receive the Report of the Head of Legal Services**

10. Regulation of Investigatory Powers Act 2000 *(Pages 147 - 178)*

**To receive the Report of the Head of ICT and Procurement**

11. ICT and Procurement Business Plan 2016-2017 *(Pages 179 - 202)*

**To receive the Report of the Head of Financial Services**

12. Treasury Management Monitoring 2016/2017 *(Pages 203 - 206)*
13. Court Representations *(Pages 207 - 210)*
14. To receive the Forward Work Programme 2016/17 *(Pages 211 - 214)*
15. Any urgent items (whether public or exempt) at the discretion of the Chairman pursuant to Statutory Instrument 2001 No 2290 (as amended).
16. Access to Meetings - to resolve to exclude the public for the following items pursuant to Regulation 4(3) and (5) of Statutory Instrument 2001 No. 2290 and the relevant exempt paragraphs of Part 4 of Schedule 12A to the Local Government Act 1972.

**PART 2**

**To receive the Private Reports of the Head of Financial Services (Exempt under Paragraph(s) 12 & 14**

17. Debt Write Offs *(Pages 215 - 220)*
18. Housing Benefit Write Offs *(Pages 221 - 224)*
19. Hardship Relief *(Pages 225 - 230)*

**S.Phillips**  
**Chief Executive**

**Civic Centre**  
**Port Talbot**

**Wednesday, 22 June 2016**

**Cabinet Board Members:**

**Councillors:**      A.H.Thomas and A.N.Woolcock

**Notes:**

- (1) *If any Cabinet Board Member is unable to attend, any other Cabinet Member may substitute as a voting Member on the Committee. Members are asked to make these arrangements direct and then to advise the committee Section.*
- (2) *The views of the earlier Scrutiny Committee are to be taken into account in arriving at decisions (pre decision scrutiny process).*

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**EXECUTIVE DECISION RECORD**  
**CABINET BOARD - 19 MAY 2016**  
**POLICY AND RESOURCES CABINET BOARD**

**Cabinet Board Members:**

Councillors: A.N.Woolcock (Chairperson) and P.A. Rees

**Officers in Attendance:**

Mrs.K.Jones, D.Rees, Mrs.S.Rees and Miss.G.Cirillo

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1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Cllr. A.N.Woolcock be appointed Chairman for the meeting.

2. **MINUTES OF THE PREVIOUS POLICY AND RESOURCES CABINET BOARD HELD ON 31 MARCH 2016**

**Decision:**

Noted by the Committee.

3. **DIGITAL INCLUSION CHARTER**

The Head of Corporate Strategy and Democratic Services confirmed with Members that all Public Services are moving towards offering online services and that the Neath Port Talbot Digital Inclusion Charter is committed to supporting digitally excluded people.

In order to endorse the objectives of the Charter, potential Signatories would be asked to commit to working together in order to promote digital inclusion in Wales. It was also noted that the new Public Service Board which replaces the Local Service Board would be asked to commit to its objectives.

**Decision:**

That the implementation of a Digital Inclusion Charter within Neath Port Talbot be approved.

**Reason for Decision:**

To gain Member approval for the Council to sign up to the Digital Inclusion Charter.

**Implementation of Decision:**

The decision will be implemented after the three day call-in period.

4. **COMMENTS, COMPLIMENTS AND COMPLAINTS - ANNUAL REPORT**

**Decision:**

That the report be noted.

5. **CORPORATE STRATEGY AND DEMOCRATIC SERVICES BUSINESS PLAN 2016-2017**

**Decision:**

That the Corporate Strategy and Democratic Services Business Plan 2016-2017 as detailed in the circulated report, be adopted.

**Reason for Decision:**

In order to comply with the requirements of the Councils's Corporate Performance Management Framework.

**Implementation of Decision:**

The decision will be implemented after the three day call-in period.

6. **HUMAN RESOURCES BUSINESS PLAN 2016-2017**

**Decision:**

That the Human Resources Business Plan 2016-2017 as detailed within the circulated report, be approved.

**Reason for Decision:**

In order to comply with the requirements of the Councils's Corporate Performance Management Framework.

**Implementation of Decision:**

The decision will be implemented after the three day call-in period.

7. **TREASURY MANAGEMENT MONITORING REPORT**

**Decision:**

That the report be noted.

8. **FINANCIAL SERVICES BUSINESS PLAN 2016-2017**

**Decision:**

That the Financial Services Business Plan 2016-17 as detailed in the circulated report, be adopted.

**Reason for Decision:**

In order to allow the division to operate in line with the Financial Services Business Plan for the financial year 2016/17.

**Implementation of Decision:**

The decision will be implemented after the three day call-in period.

9. **DRAFT FORWARD WORK PROGRAMME 2016/17 JUNE - SEPTEMBER 2016 (DATES TO BE CONFIRMED AT THE ANNUAL MEETING OF COUNCIL 2016)**

**Decision:**

That the Forward Work Programme be noted.

10. **URGENT ITEM**

Because of the need to deal now with the matter contained in Minute No.11 below, the Chairperson agreed that it could be raised at today's

meeting as an urgent item pursuant to Statutory Instrument 2001 No.2290 (as amended).

**Reason for Urgency**

Due to the time element.

11. **WALES AUDIT OFFICE - THE WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015**

**Decision**

That the Head of Corporate Strategy and Democratic Services be authorised to submit the draft response to the consultation paper “The Wellbeing of Future Generations and what it means for your Audit” as detailed within the circulated report, as the Council’s formal response to the said consultation.

**Reason for Decision**

In order to authorise a response to consultation being undertaken by the Auditor General on the way he might discharge new duties placed on him by the Wellbeing of Future Generations (Wales) Act 2015.

**Implementation of Decision**

The decision will be implemented after the three day call-in period.

12. **ACCESS TO MEETINGS**

**Decision:**

To resolve to exclude the public for the following items pursuant to regulation 4(3) and (5) of statutory instrument 2001 no. 2290 and the relevant exempt paragraphs of part 4 of schedule 12a to the local government act 1972.

13. **SOCIAL SERVICES RESIDENTIAL CARE WRITE OFFS**

**Decision**

That the Social Services Residential Care Write Offs and detailed in the privately circulated report, be approved.



**Reason for Decision**

The amounts are irrecoverable.

**Implementation of Decision**

The decision will be implemented after the three day call-in period.

14. **COUNCIL TAX WRITE OFFS**

**Decision**

That the Council Tax Write Offs and detailed within the privately circulated report, be approved.

**Reason for Decision**

The amounts are irrecoverable.

**Implementation of Decision**

The decision will be implemented after the three day call-in period.

**CHAIRPERSON**

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## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### POLICY AND RESOURCES CABINET BOARD

29 JUNE 2016

#### REPORT OF DIRECTOR OF FINANCE & CORPORATE SERVICES

#### MATTER FOR DECISION

#### WARDS AFFECTED - ALL

#### NEATH PORT TALBOT WELSH CHURCH ACT TRUST FUND 2015/16

#### 1. Purpose of Report

- 1.1 This report provides details of the Neath Port Talbot Welsh Church Act Trust Fund draft annual report and financial statements for 2015/16.

#### 2. Draft annual report and financial statements 2015/16

- 2.1 The format of this year's annual report and financial statements has been updated to take account of the new Reporting Standard for Smaller Entities (FRSSE) in relation to Accounting and Reporting by Charities. This Statement of Recommended Practice became applicable in the UK from 1st January 2015.
- 2.2 The annual report and financial statements for the year ended 31st March 2016 are attached at Appendix 1, with the following table summarising the financial position.

	<b>2015/16</b>	<b>2014/15</b>
	<b>£</b>	<b>£</b>
Opening value of Fund	608,379	599,405
Income	5,124	6,774
Gain/(loss) on sale of asset	-	6,500
Expenditure	(4,686)	(4,300)
<b>Closing value of Fund</b>	<b>608,817</b>	<b>608,379</b>

- 2.3 The annual report and financial statements will be used by the Wales Audit Office for scrutiny as is required by the Welsh Church Act 1914.

### **3. External Audit**

- 3.1 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. Recommendations**

- 4.1 It is recommended that Members:

- Approve the draft annual report and financial statements for the year ended 31<sup>st</sup> March 2016.
- Agree for the draft annual report and financial statements to be submitted to the Wales Audit Office for independent examination.
- Approve that the financial information be submitted to the Charity Commission, if there are no material changes following the independent examination by the Wales Audit Office.

### **5. Reason for Proposed Decision**

To approve the draft annual report and financial statements for the Welsh Church Act Trust Fund 2015/16.

### **6. Implementation of Decision**

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

### **7. Consultation**

There is no requirement to consult on this item.

### **8. Equality Impact Assessment**

There is no requirement for an EIA Assessment

### **9. Appendices**

Draft annual report and financial statements.

### **10. List of Background Papers**

Welsh Church Act Trust Fund accounts and working papers  
FRSSE guidance

### **11. Officer Contact**

Mr Hywel Jenkins – Director of Finance and Corporate Services  
Telephone 01639 763251 Email: h.jenkins@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 2016**

**REGISTERED CHARITY NUMBER: 1076440**

## Neath Port Talbot Welsh Church Acts Fund

### Report of the trustees for the year ended 31<sup>st</sup> March 2016

The trustees present their annual report and financial statement for the charity for the year ended the 31<sup>st</sup> March 2016. The financial statements have been prepared in accordance with the accounting policies set out in note 1 to the accounts and comply with the requirements of the Welsh Church Act and Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard for Smaller Entities, published in July 2014.

### 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 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.



## Grants awarded

The Fund trustees have approved the following grants.

Year	Name	Purpose	Maximum value £
2004/05	Musica Rediviva	Church organ manuscript	4,000
2015/16	St Thomas' Church	Church Tower £1,000, unless project exceeds £50k	4,000
2015/16	Grove Place Chapel	Chapel roof	1,000
2015/16	Llewellyn Almshouses	Refurbishment £1,000, unless project exceeds £50k	4,000
2015/16	Eglwys Brynlllynfell	Vestry roof	1,000
2015/16	Action for Children	Specialist play equipment	1,000

Although the Fund has approved these grants, none of them have been drawn down as at the 31st March 2016.

### 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 who has delegated responsibility to the Policy and Resources Cabinet Board. This Board considers applications received for grants for the Fund and makes decisions on whether they should be granted or not.

The day to day administration and the processing and handling of applications prior to consideration is managed by the Director of Finance and Corporate Services and 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 & Corporate Services Directorate  
Civic Centre  
Port Talbot  
SA13 1PJ

### **The Trustee is:**

Neath Port Talbot County Borough Council, who has delegated responsibility to the Policy and Resources Cabinet Committee and Policy and Resources Cabinet Board.

The following advisors have assisted the trustees in the year:

### **Honorary Treasurer:**

Mr Hywel Jenkins  
Director of Finance & Corporate Services  
Neath Port Talbot County Borough Council  
Civic Centre  
Port Talbot SA13 1PJ

### **Independent Examiner:**

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

### **Bankers:**

Santander Commercial Bank  
Bridle Road  
Bootle  
Merseyside L30 4GB

## 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 28<sup>th</sup> June 2016 and signed on their behalf by:

Honorary Treasurer \_\_\_\_\_

Date 28<sup>th</sup> June 2016

**Independent Examiner's Report to the Trustees of Neath Port Talbot  
Welsh Church Acts Fund**

To be inserted once independent examination completed

## 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 31/3/2016 £	Total Unrestricted Funds 31/03/2015 £
<b>Income</b>			
Investment income	2	4,441	6,101
Estate Rental income	3	683	673
<b>Total Income</b>		<b>5,124</b>	<b>6,774</b>
<b>Expenditure</b>			
<b>Governance/admin costs:</b>			
Management and administration	4	(2,607)	(2,570)
Governance costs	5	(2,079)	(1,730)
<b>Expenditure on charitable activities:</b>			
Grants	6	-	-
<b>Total expenditure</b>		<b>(4,686)</b>	<b>(4,300)</b>
<b>Net Income/(Expenditure) before gains/(losses) on investments</b>		<b>438</b>	<b>2,474</b>
<b>Net gains/(losses) on investments</b>			
Gain on sales of fixed assets	7	-	6,500
<b>Net Movement in funds</b>		<b>438</b>	<b>8,974</b>
<b>Reconciliation of Funds</b>			
Total Funds brought Forward		608,379	599,405
<b>Total Funds Carried Forward</b>		<b>608,817</b>	<b>608,379</b>

## Neath Port Talbot Welsh Church Act Trust Fund

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

	Note	31-Mar-16 £	31-Mar-15 £
<b>Fixed Assets</b>			
Tangible Assets	8	65,234	65,234
<b>Total Fixed Assets</b>		<b>65,234</b>	<b>65,234</b>
<b>Current Assets</b>			
Debtors	9	4,450	7,572
Short Term Investments	10	543,042	537,403
<b>Total Current Assets</b>		<b>547,492</b>	<b>544,975</b>
<b>Liabilities</b>			
Creditors: Amounts falling due within 1 year	11	(3,909)	(1,830)
<b>Net Current Assets</b>		<b>543,583</b>	<b>543,145</b>
<b>Net Assets</b>		<b>608,817</b>	<b>608,379</b>
<b>The Funds of the Charity</b>			
<b>Unrestricted Income Funds</b>	12		
Fund Balance		537,355	537,355
Income Accumulation Account		71,462	71,024
<b>TOTAL CHARITY FUNDS</b>		<b>608,817</b>	<b>608,379</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 Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard for Smaller Entities, published in July 2014 and the Charities Act 2011 and applicable regulations.

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 Acts Fund has 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 2015/16 was 1.00% (2014/15 was 1.20%).

Details of short term deposits are provided at Note 10.

### **3. Other income**

The Welsh Church Acts 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**

Payments of £2,100 (2014/15 £2,070) for financial support services and £507 (2014/15 £500) for legal advice have been paid to Neath Port Talbot Council.

This payment is the only related party transaction within these accounts.

### **5. Governance costs**

Independent examiners fees for the Wales Audit Office to report on the accounts are anticipated to cost £2,079, of which £79 is as a result of the 2014/15 charge being higher than estimated (2014/15 £1,657).

The Welsh Church Act 1914 requires that these accounts are audited by the Auditor General, so these costs are unavoidable.

### **6. Grants**

No grants were paid out in either 2015/16 or 2014/15.



The Fund trustees have approved the following grants.

Year	Name	Purpose	Maximum value £
2004/05	Musica Rediviva	Church organ manuscript	4,000
2009/10	Saron Chapel, Crynant	Flooring costs	400
2015/16	St Thomas' Church	Church Tower £1,000, unless project exceeds £50k	4,000
2015/16	Grove Place Chapel	Chapel roof	1,000
2015/16	Llewellyn Almshouses	Refurbishment £1,000, unless project exceeds £50k	4,000
2015/16	Eglwys Brynlllynfell	Vestry roof	1,000
2015/16	Action for Children	Specialist play equipment	1,000

Although the Fund has approved these grants, none of them have been drawn down as at the 31st March 2016. They have not been accrued in the accounts as the grant recipients have not yet demonstrated that they have fulfilled performance conditions.

#### **7. Gains or losses on investments**

There was no sale of fixed assets during 2015/16. However, in 2014/15 the sale of agricultural land at Michaelston, Super Ely with St Brides realised a gain on the investment of £6,500.

#### **8. Tangible Fixed Assets**

The tangible fixed assets relate to holdings of agricultural land and buildings and freehold reversions, as detailed below:

Details	Address	Value 31-Mar-16 £	Sales £	Value 31-Mar-16 £
<b>Vale of Neath</b>				
Residential Neath	80 Llantwit Road, Neath	17,000		17,000
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	9,250		9,250
Land Cadoxton Neath	3.74 Acres North of Cwmbach Road	3,750		3,750
Land Cadoxton Neath	0.4 Acres South of Cwmbach Road	500		500
Misc. Interest Cadoxton Neath	Garage Site, Cwmbach Road	1,500		1,500
Misc. Interest Cadoxton Neath	Garage Site, Glebeland Street	1,500		1,500
Land Cadoxton Neath	Land and stream adjoining 25 Church Road	1		1
<b>Total</b>		<b>36,851</b>		<b>36,851</b>
<b>Vale of Glamorgan - Agricultural</b>				
Peterson-Super-Ely	Gwern y Gae Uchaf Farm	11,500		11,500
Peterson-Super-Ely	Backway Farm	16,000		16,000
<b>Total</b>		<b>27,500</b>		<b>27,500</b>
<b>Vale of Glamorgan – Wayleaves</b>				
St Brides Super Ely	Electricity wayleaves-various	883		883
<b>Total</b>		<b>883</b>		<b>883</b>
<b>TOTAL FIXED ASSETS</b>		<b>65,234</b>		<b>65,234</b>

## 9. Analysis of Debtors

The debtors falling due within one year are as follows:

	31-Mar-16 £	31-Mar-15 £
Investment Income	4,441	6,101
Estate rentals	9	1,471
<b>Total</b>	<b>4,450</b>	<b>7,572</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>2015/16</b> £	<b>2014/15</b> £
Opening value	537,403	503,272
Additions/Investments	5,639	34,131
<b>Total</b>	<b>543,042</b>	<b>537,403</b>

**11. Analysis of Creditors**

The creditors falling due within one year are as follows:

	<b>31-Mar-16</b> £	<b>31-Mar-15</b> £
Independent examination fees	(3,736)	(1,657)
Estate rental prepayments	(173)	(173)
<b>Total</b>	<b>(3,909)</b>	<b>(1,830)</b>

**12. Unrestricted Income Funds – analysis of net assets**

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

	<b>2015/16</b> £	<b>2014/15</b> £
Fixed assets	65,234	65,234
Current assets	547,492	544,975
Current liabilities	(3,909)	(1,830)
<b>Total</b>	<b>608,817</b>	<b>608,379</b>

The movement in the income funds is:

<b>Fund b/fwd</b> £	<b>Income</b> £	<b>Expenditure</b> £	<b>Fund c/fwd</b> £
608,379	5,124	(4,686)	608,817

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## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### POLICY AND RESOURCES CABINET BOARD

29 JUNE 2016

#### REPORT OF THE DIRECTOR OF FINANCE & CORPORATE SERVICES

##### Matters for Decision

**Wards Affected – Crynant (Welsh Church Act Trust Fund application)  
Sandfields East, Pontardawe, Bryn & Cwmavon,  
Coedffranc (Miscellaneous Grants)**

##### MISCELLANEOUS GRANTS AND WELSH CHURCH ACT TRUST FUND APPLICATIONS

###### 1. Purpose of Report

To seek Member approval in relation to grant applications received from various bodies. Appendices 1 and 2 attached.

###### 2. Background and Financial Impact

###### 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. Miscellaneous Grant Applications**

#### **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.

### **4. Miscellaneous Grant funding available**

Members have approved a budget of £3,650 for miscellaneous grants for 2016/17. Committee has previously approved £1,250 against this budget thus leaving £2,400 currently available.

### **5. Consultation**

There is no requirement under the Constitution to consult on these items.

### **6. Recommendations**

It is recommended that Members determine the applications set out in Appendices 1 and 2 to this report.

## **7. Reason for Proposed Decisions**

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

## **8. Implementation of Decisions**

The decisions are proposed for implementation after the three day call in period.

## **9. List of Background Papers**

Grant Applications

## **10. Equality Impact Assessment**

There is no requirement for an Equality Impact Assessment.

## **11. Appendices**

Appendix 1 – Welsh Church Act Trust Fund Applications

Appendix 2 – Miscellaneous Grant Applications

## **12. Officer Contact**

Mr Hywel Jenkins – Director of Finance and Corporate Services

Tel. No: 01639 763251

email: [h.jenkins@npt.gov.uk](mailto:h.jenkins@npt.gov.uk)



**Welsh Church Act Trust Fund Application**

Applicant	Purpose	Amount Request/Cost of "Project"	Previous Support	Comments
Saron Welsh Independent Chapel, Crynant	Painting, carpeting and repair to the interior of the Chapel. The cost of these works total £1,000.	If this application is successful 25% of the total amount will be payable	Grant assistance previously granted 25 February 2010 but was not paid – time lapsed	Maximum grant of 25% of the total costs.

**Miscellaneous Grant Applications**

Applicant	Purpose	Amount Request/Cost of "Project"	Previous Support	Comments
Trustees of Aberavon Green Stars RFC (AGS)	Proposed Lease of Little Warren Playing Fields and Changing Village	£1,550 pa	Not applicable	Approve for five years then subject to review in line with rent review periods.
Trustees of Parc Ynysderw Sports Association	Proposed lease of Parc Ynysderw playing fields.	£1,500 pa	Not applicable	Approve for five years then subject to review in line with rent review periods.
Sewing So Community Project Cwmavon	To contribute towards the set up costs for sewing machines, laptop and running costs for a sewing community project in Cwmavon.	Projected first year cost of £8,883 excluding materials.	None	
Coedffranc Community Council	Lease agreement for land at Caewathan Community Centre Parc Glas Skewen	Rent increasing to £1,996.50 pa from 1 <sup>st</sup> April 2016	90% grant towards lease cost of £1,815 pa ie £1,633.50	Grant of 90% of new rent be provided until next rent review

## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Policy and Resources Cabinet Board

29<sup>th</sup> June 2016

### Report of the Head of Corporate Strategy and Democratic Services

K.Jones

#### Matter for Information

**Wards Affected:** All Wards

#### Public Services Board Terms of Reference

#### Purpose of Report

1. The report seeks to share with Members the terms of reference for the Public Services Board (PSB).

#### Executive Summary

2. The Well-being of Future Generations (Wales) Act 2015 came into effect on the 1<sup>st</sup> April 2016. The Act has made it a statutory duty to establish a PSB. The PSB has responsibility, amongst other things, for preparing and publishing an assessment of well-being in its area, a local well-being plan and reporting on progress made in implementing the plan.

#### Background

3. The PSB met for the first time on the 23<sup>rd</sup> May 2016. At that meeting the terms of reference were agreed. It was agreed that the Leader of the Council would Chair the PSB with Mick Crennell (Mid and West Wales Fire and Rescue Service) to be the Vice Chair.

The Board agreed to meet on a quarterly basis commencing from September 2016. Under the Act the PSB is required to invite a number of people to participate in the activity of the Board and may invite other people who exercise functions of a public nature. It was agreed to invite the following list of people:

Claire Bennett – Welsh Government  
Chief Constable Peter Vaughan – South Wales Police  
Rt Hon Alun Michael – Police and Crime Commissioner  
Eirian Evans – National Probation Service  
Deanne Martin - Community Rehabilitation Company  
Gaynor Richards – NPTCVS  
Linda Whittaker – NPT Homes  
Pam Sutton - DWP  
Town and Community Councils – Representative to be confirmed  
Sara Hayes – Public Health Wales  
Clare Jenkins – Community Health Council  
David Blaney - Higher Education Funding Council for Wales  
Mark Dacey – Neath Port Talbot College  
Professor Medwin Hughes - UWTSU  
Raymond Ciborowski - Swansea University  
Nick Capaldi - Arts Council of Wales  
Sarah Powell - Sport Wales  
Linda Tomos - The National Library of Wales  
David Anderson - National Museum of Wales

Invitations have been issued and responses are awaited.

### **Financial Impact**

4. The work of the PSB will need to be supported. Previous funding provided by Welsh Government to support the work of the Local Service Board ceased on 31st March 2016. The Act places a statutory duty on the Council to administer the board. This duty is not funded. In addition to supporting the administration of the Board, officer time is required to assist with work to discharge the Council's duties under the Act. £10,000 funding has been contributed to the work of the PSB by ABMU Health Board.

### **Equality Impact Assessment**

5. The assessment of local well-being must include analyses of particular categories of persons including those who possess a common protected characteristic as defined under the Equality Act 2010.

## **Workforce Impacts**

6. To be determined once the work programme of the PSB has been set out.

## **Legal Powers**

7. There is a statutory duty to create a PSB as part of the new framework introduced by the Well-being of Future Generations (Wales) Act 2015.

## **Risk Management**

8.
  - (i) Reputational damage if the statutory duties are not met.
  - (ii) Ministerial intervention if duties are not discharged in a manner deemed acceptable by Welsh Ministers.

## **Recommendations**

9. For information only that members note the terms of reference which have been agreed by the statutory members of the PSB.

## **Appendices**

10. Terms of reference

## **Officer Contact**

11. Mrs Karen Jones, Head of Corporate Strategy and Democratic Services. Tel: 01639 763284 or e-mail:k.jones3@npt.gov.uk

## Neath Port Talbot Public Services Board Terms of Reference

Prepared with reference to the Welsh Government Statutory guidance:  
Shared Purpose Shared Future  
*Agreed by Neath Port Talbot Public Services Board on 23<sup>rd</sup> May 2016*

### Status

1. Neath Port Talbot Public Services Board (the Board) is a statutory board established by the Well-being of Future Generations (Wales) Act 2015. References to the Board are references to the members of the Board acting jointly.<sup>i</sup>

### Purpose

2. The purpose of the Board is to improve the economic, social, environmental and cultural well-being of Neath Port Talbot.
3. In pursuing this purpose the Board will contribute to the national well-being goals:
  - (a) A prosperous Wales
  - (b) A resilient Wales
  - (c) A healthier Wales
  - (d) A more equal Wales
  - (e) A Wales of cohesive communities
  - (f) A Wales of vibrant culture and thriving Welsh language
  - (g) A globally responsible Wales
4. In conducting its business the Board will act in accordance with the sustainable development principle, acting in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.<sup>ii</sup>
5. In exercising its functions, the Board must seek advice from its other partners and involve them in such manner and to such extent as it considers appropriate.<sup>iii</sup>
6. In exercising its functions, the Board must take guidance issued by Welsh Ministers into account.<sup>iv</sup>

## Main Tasks

7. The Board has the following main tasks (to be achieved within timescales as specified in the Well-being of Future Generations Act):
  - a) To prepare and publish an assessment of economic, social, environmental and cultural well-being in Neath Port Talbot.<sup>v</sup>
  - b) To prepare and publish a Local Well-being Plan for Neath Port Talbot setting out local objectives and the steps it proposes to take to meet them.<sup>vi</sup>
  - c) To prepare and publish an annual report that sets out the Board's progress in meeting the local objectives<sup>vii</sup>
  - d) To invite participants to attend and participate in the business of the Board as appropriate<sup>viii</sup>.
  - e) To review and revise its local objectives and if it has revised its local objectives it must amend the Well-being Plan<sup>ix</sup>.
  - f) To review its local objectives if directed to do so by Welsh Ministers and then amend the Well-being Plan in consequence of such a review.<sup>x</sup>
  - g) To attend Neath Port Talbot Council's relevant scrutiny committee to provide information and assistance that enables the committee to discharge its responsibilities to scrutinise the work of the Public Services Board as defined in s35 of the Wellbeing of Future Generations (Wales) Act 2015.<sup>xi</sup>
  - h) Until such time as the Local Wellbeing Plan has been prepared, approved and published, the Board will oversee progress made by partners in delivering the existing Single Integrated Plan for the Neath Port Talbot area, including the preparation of annual reports on the progress being made.

## Membership

### *Statutory Members*

8. The statutory members of the Board are: <sup>xii</sup>
  - a) **Neath Port Talbot County Borough Council**
  - b) **Abertawe Bro Morgannwg University Health Board**
  - c) **Mid and West Wales Fire and Rescue Service**
  - d) **Natural Resources Wales**
  
9. The Representatives of the statutory members of the Board are: <sup>xiii</sup>
  - a) **Neath Port Talbot County Borough Council (Leader and Chief Executive)**
  
  - b) **Abertawe Bro Morgannwg University Health Board (Either the Chairman, Chief Executive or both)**
  
  - c) **Mid and West Wales Fire and Rescue Service (Either the Chairman, Chief Officer or both)**
  
  - d) **Natural Resources Wales (Chief Executive)**
  
10. Individuals must designate a substitute in the event that they are unable to attend a meeting of the Board. The Council Leader may only designate his substitute from the Council's Executive. <sup>xiv</sup>
  
11. Any substitutes should have the authority to make decisions on behalf of the named persons.

### *Invited Participants*

12. The following persons must be invited to participate in the activity of the Board: <sup>xv</sup>
  - a) The Welsh Ministers
  - b) The Chief Constable of South Wales Police
  - c) The South Wales Police and Crime Commissioner
  - d) Probation services representative
  - e) A representative of voluntary organisations
  - f) Any other persons who the Board may be required to invite under regulations made by Welsh Ministers. <sup>xvi</sup>



13. Invited participants are not required to accept the invitation.
14. Invited participants are not members of the Board. They are entitled to
  - make representations to the Board about the content of assessments of local well-being, the local well-being plan and proposed amendments to the local well-being plan, to take part in Board meetings and provide other advice and assistance to the Board. <sup>xvii</sup>
15. In the event that an invited person is unable to attend a meeting of the Board they are required to designate a substitute but it is expected that substitutes will be authorised to make decisions and commitments on behalf of the invited person.
16. The Board may invite any other persons who exercise functions of a public nature to participate in the Board's activity, even if that person exercises other functions. <sup>xviii</sup>
17. Invited participants who are to be asked to join the Board will be agreed at a meeting of the Board and the form of invitation will be via a letter from the Chair setting out the reasons for the invitation and the expectations upon the invitee. The letter will set out to whom a response is to be sent. <sup>xix</sup>
18. Invited participants may participate in the activity of the Board from the date on which the response accepting the invitation is received by the person to whom it is to be sent and ending on the date on which the next ordinary election is held under s26 of the Local Government Act 1972 (c.70).

#### *Other partners*

19. The Board must seek advice from its other partners and otherwise involve them as it considers appropriate. Other partners are not members of the Board. <sup>xx</sup>
20. These partners will include, but are not limited to:

- a) A Community Council for a community in an area which (or any part of which) falls within the local authority area
- b) The Public Health Wales NHS Trust
- c) A Community Health Council for an area which (or any part of which) falls within the local authority area
- d) A National Park Authority for a National Park in Wales any part of which falls within the local authority area
- e) The Higher Education Funding Council for Wales
- f) An institution in the further education sector or the higher education sector situated in whole or in part within the local authority area
- g) The Arts Council of Wales
- h) The Sports Council for Wales
- i) The National Library of Wales
- j)
- k) The National Museum of Wales

### **Decision Making and Dispute Resolution**

- 21. Board decisions are only valid when made jointly and unanimously by all statutory members (or their substitutes) and with all statutory members in attendance.
- 22. In the event of a disagreement between statutory members it is the responsibility of the Chair to convene a meeting to resolve the disagreement. In the event that a consensus cannot be reached at the meeting the Chair will appoint an independent mediator who must not be in the employment of the statutory members. The statutory members must co-operate with the mediator. The costs of mediation will be borne in equal shares by the four statutory members.

## **Quorum**

23. The quorum of a PSB meeting is all of its statutory members. Each statutory member of the PSB must be represented at a meeting by the individual specified in section 9 or a substitute for that individual.<sup>xxi</sup>

## **Mandatory Meetings**

24. The PSB will hold a meeting of the statutory members of the Board, chaired by Neath Port Talbot Council, no later than 60 days after the date on which the Board is established.<sup>xxii</sup>
25. At this meeting the Board will:
- a) Determine when and how often it meets.
  - b) Agree its terms of reference
26. Members will appoint the chair for subsequent meetings of the Board at the first meeting from the statutory members. In the event that there is no consensus as to the chair for subsequent meetings, the local authority will chair subsequent meetings.
27. Subsequent to each ordinary election of local government councillors, the Board will hold a “mandatory meeting” chaired by Neath Port Talbot Council no later than 60 days after the date of each ordinary election of councillors.<sup>xxiii</sup>
28. At this “mandatory” meeting the Board must review its terms of reference, amend the terms of reference if so agreed and can choose to do so at any other meeting. Members will also appoint the chair for subsequent meetings of the Board from the statutory members. In the event that there is no consensus as to the chair for subsequent meetings, the local authority will chair subsequent meetings.<sup>xxiv</sup>

## **Ordinary Meetings**

29. Ordinary meetings of the Board will take place, as a minimum, every three calendar months in accordance with Schedule 1. The Board may amend the schedule of meetings.<sup>xxv</sup>

## Sub-groups

30. The Board is able to establish sub-groups to support it in undertaking its functions and the Board can authorise sub-groups to exercise its functions, excluding those set out in section 32 of this terms of reference.<sup>xxvi</sup>
31. Each sub-group of a PSB must include at least one statutory member of the Board, who will chair the sub-group, and may include any invited participant or other partner.<sup>xxvii</sup>
32. Sub-groups cannot:<sup>xxviii</sup>
  - a) invite persons to participate in the Board's activity under section 30 (of the Act);
  - b) set, review or revise the Board's local objectives;
  - c) prepare or publish an assessment of well-being under section 37 (of the Act);
  - d) consult under section 38 (of the Act) or to prepare a draft of an assessment under section 37 (of the Act) for the purposes of consulting;
  - e) prepare or publish a local well-being plan;
  - f) consult under section 43 (of the Act) or to prepare a draft of a local well-being plan for the purposes of consulting;
  - g) review or amend a local well-being plan or to publish an amended local wellbeing plan;
  - h) consult under section 44 (of the Act);
  - i) agree that the Board –
    - (i) merges or collaborates with another public services board.
    - (ii) Collaborates with another board under section 48(1) (of the Act)

## **Support**

33. Administrative support for the Board is provided by Neath Port Talbot County Borough Council. <sup>xxix</sup>

## **Wider Engagement**

34. The Board will operate a scheme to ensure the involvement of persons who are interested in the improvement of the areas of economic, social, environmental and cultural wellbeing and will also operate a scheme to consult such persons in the preparation of assessments and wellbeing plans. <sup>xxx</sup>
35. A copy of the well-being assessment, the well-being plan and each annual report will be sent to Abertawe Bro Morgannwg University Health Board, Mid and West Wales Fire and Rescue Service, Natural Resources Wales, the Welsh Ministers, the Commissioner, the Auditor General for Wales and the council's relevant overview and scrutiny committee. <sup>xxxi</sup>

## **Scrutiny**

36. The work of the PSB will be scrutinised by Neath Port Talbot Council's Policy and Resources Committee which must have the power;
- a) To review or scrutinise decisions made, or other action taken, by the Public Services Board for the local authority in the exercise of its functions
  - b) To review or scrutinise the board's governance arrangements
  - c) To make reports or recommendations to the board with respect to the board's functions or governance arrangements
  - d) To consider such matters relating to the board as the Welsh Ministers may refer to it and to report to the Welsh Ministers accordingly
  - e) To carry out such other functions in relation to the board as are imposed on it by this Act.

37. The scrutiny committee can require any statutory member of the board to give evidence, but only in respect of the exercise of joint functions conferred on them as a member of the board (as set out under section 7).
38. The scrutiny committee must send a copy of any report or recommendation it makes to the Welsh Ministers, the Commissioner and the Auditor General for Wales. <sup>xxxii</sup>

## Merging and collaboration

39. The PSB may merge with other PSBs if it would assist it in contributing to the achievement of the well-being goals. <sup>xxxiii</sup>
40. The PSB may collaborate with another Board. <sup>xxxiv</sup>

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<sup>i</sup> The PSB is created by s29 of the Wellbeing of Future Generations (Wales) Act 2015

<sup>ii</sup> S 36(3) of the 2015 Act

<sup>iii</sup> S32(2) of the 2015 Act

<sup>iv</sup> S38 of the 2015 Act

<sup>v</sup> S 37 of the 2015 Act

<sup>vi</sup> S 39 of the 2015 Act

<sup>vii</sup> S45 of the 2015 Act

<sup>viii</sup> S 30 of the 2015 Act

<sup>ix</sup> S44(1) of the 2015 Act

<sup>x</sup> S 44(2) of the 2015 Act

<sup>xi</sup> S 35(3) of the 2015 Act

<sup>xii</sup> Para 7(1) of Schedule 3 to the 2015 Act

<sup>xiii</sup> Para 7(1) of Schedule 3 to the 2015 Act

<sup>xiv</sup> Paragraph 7(1) (b) of Schedule 3 to the 2015 Act

<sup>xv</sup> S30(1) of the 2015 Act

<sup>xvi</sup> S33(1) of the 2015 Act

<sup>xvii</sup> S30 (4) of the 2015 Act

<sup>xviii</sup> S30(2) of the 2015 Act

<sup>xix</sup> S31(3) of the 2015 Act

<sup>xx</sup> S32(2) of the 2015 Act

<sup>xxi</sup> Paragraph 1 Schedule 3 of the 2015 Act

<sup>xxii</sup> Paragraph 2 Schedule 3 of the 2015 Act

<sup>xxiii</sup> Paragraph 3 Schedule 3 to the 2015 Act

<sup>xxiv</sup> Paragraph 4(3) (4) Schedule 3 of the 2015 Act

<sup>xxv</sup> Paragraph 4 Schedule 3 of the 2015 Act

<sup>xxvi</sup> Paragraph 4(2)(f) of the 2015 Act

<sup>xxvii</sup> Paragraph 6(1) Schedule 3 of the 2015 Act

<sup>xxviii</sup> Paragraph 6 (3) Schedule 3 of the 2015 Act

<sup>xxix</sup> Paragraph 5 Schedule 3 of the 2015 Act

<sup>xxx</sup> Paragraph 4 (e) Schedule 3 of the 2015 Act

<sup>xxxi</sup> S37 (7) S39(8) and s 45(5) of the 2015 Act

<sup>xxxii</sup> S35(2) of the 2015 Act

<sup>xxxiii</sup> S47 of the 2015 Act

<sup>xxxiv</sup> S48 of the 2015 Act

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## **Schedule 1**

### **Procedure for Meetings**

1. Ordinary meetings of the Board will take place as a minimum, every three calendar months. The meetings will take place as follows;
2. 6<sup>th</sup> September 2016  
Future dates to be confirmed
3. The Council will give at least seven clear days notice of any meeting by contacting all statutory members of the Public Services Board by email. Papers will be sent out a minimum of seven days before any meeting of the Board.
4. Any statutory member of the Board shall be entitled to give written notice to the Chair at least 10 clear days before the date of the next meeting that he/she wishes an item relevant to the functions of the Public Services Board to be included on the agenda for, and be discussed at, a meeting of the board.

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## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Policy and Resources Cabinet Board

29<sup>th</sup> June 2016

### Report of the Head of Corporate Strategy and Democratic Services K.Jones

#### Matter for Monitoring

**Wards Affected:** All Wards

#### Neath Port Talbot County Borough Council Welsh Language Standards 2016-2017 – Annual Report

#### Purpose of Report

1. To present the Neath Port Talbot County Borough Council Welsh Language Standards 'Annual Report' 2016, produced in accordance with the Welsh Language Standards (No.1) Regulations 2015.

#### Executive Summary

2. Under the Welsh language standards that have been applied to the Council there is a requirement to produce an annual report in relation to each financial year, which must include:
  - the way in which it has complied with the service delivery and operational standards
  - The number of complaints received which relate to compliance with the service delivery and operational standards
3. For this first Annual Report the 'financial year' is defined in the Welsh Language Standards (No.1) Regulations 2015 as " the period beginning with the day from which a body is under a duty to comply with a standard and ending with the following 31 March", i.e. 30 March 2016 to 31 March 2016. Consequently the report is short.
4. The report provides information on the way in which the Council has complied with the service delivery and operational standards.

5. The report also highlights areas where full compliance is not immediately possible due to the limitations in staff language skills, English only software applications and internal databases, and the very real financial constraints which limit the Council's ability to achieve fuller compliance.
6. The Council received two complaints which related to alleged non-compliance with standard relating to advertising and marketing and social media. One complaint was not substantiated as the advertising banner, the subject of the complaint, was erected by another organisation. In relation to the second complaint, the Council was in the process of establishing Welsh language Twitter and Facebook accounts, which went live within a week of the complaint of being received.

## **Background**

7. The Compliance notice issued on 30 September 2015 imposed 171 Standards. 129 Standards had an imposition date of 30 March 2016 with an imposition of 30 September 2016 for the remainder.
8. 116 Standards were considered achievable as they mirrored or were very similar to the commitments made in the existing Welsh Language Scheme.
9. On 15 January 2016 a challenge was submitted to the Welsh Language Commissioner in relation to 55 standards (54 of which the Commissioner considered valid).
10. The Welsh Language Commissioner has recently provided 'initial considerations' for consultation prior to making a final determination. A response to this consultation will be presented to a special meeting of the Policy and Resources Scrutiny Committee and Cabinet Board on 14 July 2016.
11. The imposition of the 54 Standards challenged by the Council are postponed until such time as the appeal period is exhausted.

## **The Annual Report**

12. This first annual report, attached at Appendix 1, provides information on the way in which the Council complied with the service delivery and operational standards that were imposed on 30 March 2016 until the end of the 'financial year', 31 March 2016.

## **Financial Impact**

13. The standards imposed from 30 March 2016 are considered to be the same as, or similar to, commitments in the previous Welsh Language Scheme. However, because of the impact of austerity on the Council's human and financial resources full compliance with these standards is proving to be a challenge. The implementation of the standards is being monitored closely and the position will be reported to Members later this year.

In so far as the Standards that are subject to the challenge is concerned the cost of full compliance is estimated to be very considerable and there is presently no additional funding made available to the Council to meet such costs.

## **Equality Impact Assessment**

14. The Welsh language is not subject to the Equality Act 2010. However, it is likely that people with protected characteristics will wish to access services through the medium of Welsh and consequently compliance with the Welsh language standards will have an overall positive impact.
15. As the focus of the annual report is to report progress made there is no requirement to undertake an equality impact assessment.

## **Workforce Impacts**

16. Staff with Welsh language skills will be encouraged to use Welsh in their work.
17. In order to help increase the future language capability of staff the Council will encourage the uptake of available Welsh courses. The

Council also recognises the limits to increasing language capability currently due to restrictions on external recruitment.

### **Legal Powers**

18. This report deals with the Council's duty to comply with the Compliance Notice issued on 30 September 2015.

### **Risk Management**

19. Failure to comply with the standards could lead to a £5,000 fine per standard. There is also a risk of damage to the Council's reputation.

### **Consultation**

20. There is no requirement under the constitution for external consultation on this item.

### **Recommendation**

21. It is recommended that:

Members monitor the contents the Neath Port Talbot County Borough Council Welsh Language Standards Annual Report 2016 attached at Appendix 1 and authorise the Head of Corporate Strategy and Democratic Services to publish the report as drafted on the Council's website.

### **Reasons for Proposed Decision**

22. To discharge the Council's duty in relation to Welsh Language (Wales) Measure 2011 and the Welsh Language Standards (No.1) Regulations 2015.

### **Implementation of Decision**

23. The decision is for immediate implementation.

## **Appendices**

24. Appendix 1 - Neath Port Talbot County Borough Council Welsh Language Standards Annual Report 2016

## **List of Background Papers**

25. Welsh Language (Wales) Measure 2011  
Welsh Language Standards (No.1) Regulations 2015

## **Officer Contact**

26. Mrs Karen Jones, Head of Corporate Strategy and Democratic Services. Tel: 01639 763284 or e-mail:k.jones3@npt.gov.uk
27. Ms Caryn Furlow, Corporate Policy, Performance and Partnership Manager. Tel: 01639 763242 or e-mail: c.furlow@npt.gov.uk
28. Mrs Rhian Headon, Equality and Engagement Officer. Tel: 01639 763010 or e-mail r.headon@npt.gov.uk

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL  
CYNGOR BWRDEISTREF SIROL CASTELL NEDD PORT TALBOT**

**WELSH LANGUAGE STANDARDS**

**ANNUAL REPORT 2016**

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

**This document is also available in Welsh**

## **CONTENTS**

- 1. Introduction**
- 2. The Council's Position**
- 3. Service Delivery Standards**
- 4. Operational Standards**
- 5. Support and tools**
- 6. Complaints**



## 1. Introduction

The Welsh Language Commissioner issued a [Welsh Language Standards Compliance Notice](#) to the Council on 30 September 2016, with standards being imposed from 30 March 2016 and 30 September 2016.

In accordance with the Standards the Council has to ‘produce a report (an ‘annual report’)... in relation to each financial year...’ dealing with the way in which the Council has complied with service delivery, policy and operational standards during the year.

For this first ‘annual report’ the ‘financial year’ is defined in the Welsh Language Standards (No.1) Regulations 2015 as “the period beginning with the day from which a body is under a duty to comply with a standard and ending with the following 31 March”, i.e. 30 March 2016 to 31 March 2016.

The report contains limited information, due to the reporting timescale, in respect of both service delivery and operational standards that the Council was under a duty to comply. However, as the policy standards come into force on 30 September 2016 these do not form part of this annual report.

Key components of the operational standards are not able to be reported due to the staggered imposition date of particular standards. Therefore the information available is even more limited.

As a number of standards are being challenged compliance with these standards has been postponed until the Commissioner has determined whether or not the requirement is unreasonable or disproportionate, and the Council’s rights to appeal are exhausted.

## 2. The Council's Position

While the Council remains committed to the Welsh language and culture, there are barriers to meeting the full range of Standards required in the Compliance Notice due to the current, and ongoing, financial situation which is impacting on the Council's financial and human resources

Of the 171 Standards identified in the compliance notice, the Council agreed that 116 of the Standards mirrored or were very similar to the commitments made in the previous Welsh Language Scheme. As a matter of principle, the Council has maintained its commitment to these Standards, even though the prevailing financial climate makes this requirement challenging.

Fulfilment of the remainder of the standards contained in the Compliance Notice requires significant financial investment which, at a time of austerity, would mean significant savings in other areas would need to be found and this is not considered to be a priority at this present time.

For clarity, the Council's challenge is that full compliance with those standards is not reasonable or proportionate. However, in many instances partial compliance is achievable and a compromise position, based on partial compliance in the short term, forms the basis of the Council's position to the Welsh Language Commissioner.

In addition to the financial implications the Council's ability to meet the staffing requirements is problematic primarily due to the number of staff leaving the council over recent years and the ongoing recruitment freeze which combine to limit linguistic capability in our workforce.

While we can provide Welsh language training for staff, reaching a level of fluency to provide a service in Welsh would take considerable time, something that does not appear to have been taken into account in the Standards.

It is important to note that the following information is provided against this backdrop of financial and staffing limitations.

### **3. Service Delivery Standards**

116 Standards mirrored or were very similar to the commitments made in the Council's previous Welsh Language Scheme and as such systems have already been put in place to facilitate their compliance.

The existing guide for staff was updated to take into account new, and reinforce existing, practices in line with the Welsh Language Standards.

A corporate briefing programme and a Members' seminar for all Members of the Council has been arranged to promote the standards and their requirements

The Council's dedicated Welsh language telephone number has been withdrawn and a single main telephone number now offers a Welsh language service option.

Providing a Welsh Language Service via direct dial telephone calls has the potential of being more difficult as there are 348 staff with Welsh language skills and 53 willing to use their skills in work. The internal staff directory has been updated to identify staff with Welsh language skills thus providing a simple tool to help staff provide as good a Welsh language service as possible.

## **Website**

There has been extensive work to bring the content of the Council's website up to date. In order to ensure the website is fit for purpose a systematic review of the most frequently viewed web pages has been undertaken and officers not only have updated service information but ensured the content has been translated and is available on the appropriate Welsh web pages.

By concentrating our efforts to ensure the most frequently viewed web pages are relevant, up to date and available in both languages we are will be able to provide a more effective service which meets people's needs.

However, full compliance is not immediately possible due to the limitations in staff language skills, English only software applications and internal databases, and the ever present financial constraints which limit the Council's ability to seek immediate remedy.

## **Social media**

Social media plays an important role in all aspects of people's lives, including that of the Council and its numerous service areas. The Council uses social media to provide service information, to gather views, to invite comment and to encourage participation and while planned bilingual postings are possible, spontaneous bilingual postings are more problematic.

Separate English and Welsh corporate Twitter and Facebook accounts have been created to allow for ease of use for both the public and the Council.

The section that administers these corporate accounts is able to provide bilingual planned as well as spontaneous postings. The continuation of spontaneous postings however will prove more difficult for individual service areas given the limited language skills of staff.

#### **4. Operational Standards**

The [Neath Port Talbot County Borough Council Welsh Language Standards 2016-2017](#) provides information on how the Council will utilise its usual communication and engagement channels to promote services, the standards and the availability of bilingual services as well as encourage staff to use Welsh in their work and to support access to services through the medium of Welsh wherever possible.

All support materials as well as information on the Welsh Language Standards and is available for on the Performance Hub pages of the intranet.

Templates for email signatures, contact details and out of offices messages, with the former indicating officers' ability to speak Welsh, has been circulated to all staff.

#### **5. Help and Support**

The Council has ultimate responsibility for the implementation of the standards. On a day to day basis the Chief Executive is responsible for ensuring arrangements are in place to secure compliance.

Each member of staff is responsible for the successful implementation of the standards.

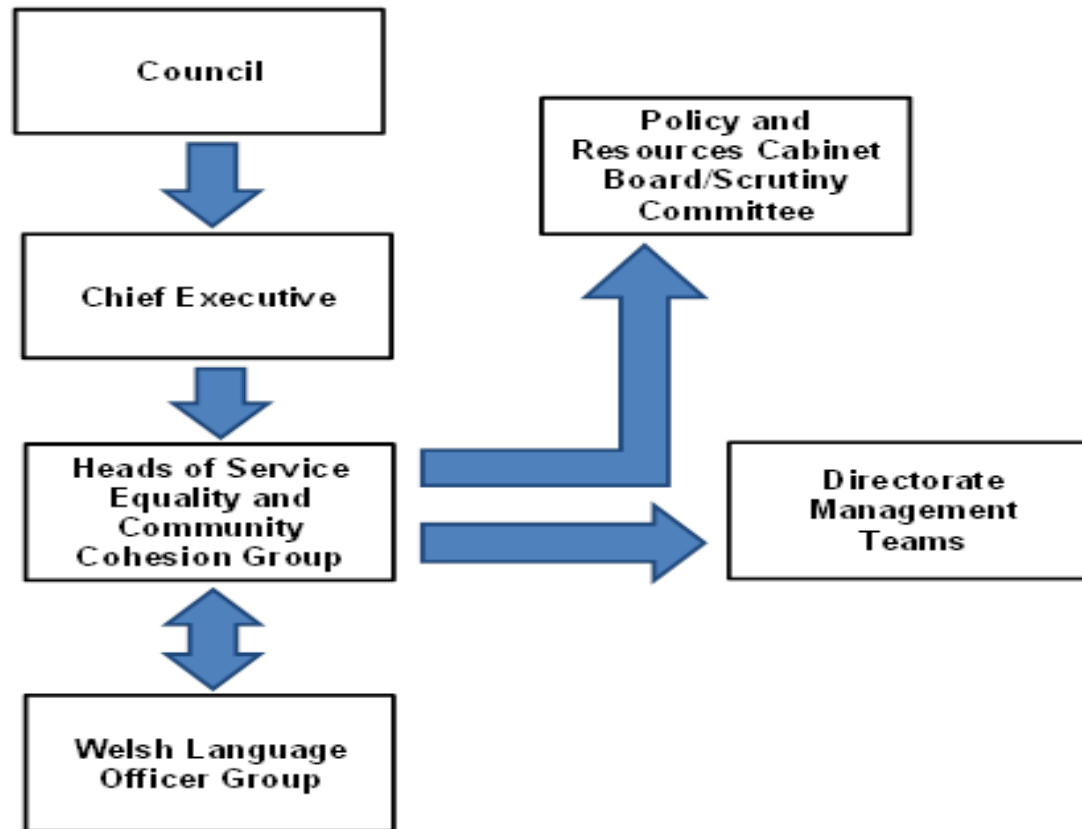
The Heads of Service Equality and Community Cohesion Group has responsibility for overseeing the implementation of the standards and consists of representatives from each of the Council's directorates along with the Cabinet Member Equality Champion.

A Welsh Language Officer Group has been re-established in order to support the administration of the standards, to help with the early resolution of any issues that may occur and to support staff in the delivery of services in accordance with the duties placed on the Council.

Notes of the Welsh Language Officer Group will be reported to the Heads of Service Equality and Community Cohesion Group, whose notes in turn will be reported at individual directorate management teams for action/information.

The Council's Policy and Resources Scrutiny Committee and Cabinet Board will keep the implementation of the standards under regular review and will be responsible for monitoring performance against the standards.

The following diagram illustrates this framework:



All tools and support documents for staff are available electronically on the internal intranet. Information on the provided by the Welsh Translation Unit, a service shared between Neath Port Talbot County Borough Council and City and County of Swansea, is also available electronically.

## 6. Complaints

Two complaints were received on 31 March 2016; one complaint, from a member of the public via a number of elected Members, related to an English only advertisement for an event in Victoria Gardens and one relating to the lack of Welsh posts on the Council's corporate Twitter account.

Advertising at Victoria Gardens - The advertisement was neither authorised nor placed by the Council and was removed immediately. A reply was forwarded to the complainant via elected members with the assurance that the area would be closely monitored to ensure that would be no re-occurrence of this nature, but if such an instance was to occur the notice, etc., would be removed immediately.

Twitter – The complainant was advised that the Council was already in the process of establishing Welsh language corporate Twitter and Facebook accounts and was advised within a week of the complaint that these accounts were live. The Council received a reply praising its quick response.

Both complaints were dealt with in accordance with the Corporate Comments, Compliments and Complaints Policy and within set timescales.



## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Policy and Resources Cabinet Board 29<sup>th</sup> June 2016

#### Report of the Head of Corporate Strategy and Democratic Services - Karen Jones

#### Matters for Decision and Information

**Wards Affected** - Aberavon, Briton Ferry East, Briton Ferry West, Bryn and Cwmavon, Glyncorrwg, Neath East, Neath North, Neath South, Port Talbot, Sandfields East, Sandfields West, Seven Sisters

#### Report Title: Closed Circuit Television Service (CCTV) update

#### Purpose of the Report

1. To update the Cabinet Board regarding the progress of the decisions made in the Policy and Resources Cabinet Board of 7<sup>th</sup> January 2016.
2. To seek Member approval for the CCTV Scheme as attached at Appendix 2;
3. To seek Member approval to authorise the Head of Corporate Strategy and Democratic Services to extend discussions as to the potential of a joint service with Bridgend County Borough Council;

#### Executive Summary

1. On 7th January 2016 the Policy and Resources Cabinet Board agreed the following:-
2. That the number of cameras across the county borough be reduced to be compliant with existing legislation and Codes of Practice as set out at Appendix 1 of the circulated report.
3. The proposal that the CCTV service moves to a demand led service is deferred until April 2017.

4. That an update report be brought to Committee in early 2016 setting out the proposed methodology and timetable for developing the business case for establishing a joint service with the City and County of Swansea that tests the cost benefits of establishing a joint CCTV service either on a CCTV only scope, or, extending the CCTV service on a joint basis to include other complementary functions.
5. Officers be authorised to finalise arrangements with Bridgend County Borough Council to deal with the Councils emergency out of hours telephone service to coincide with any reduction in CCTV monitoring out of hours.
6. The Head of Corporate Strategy and Democratic Services be authorised to implement the recommendations of the Cabinet Board including entering into agreements to effect the necessary cash limits for the service.
7. The Head of Corporate Strategy and Democratic Services reports no less frequently than quarterly to the Policy and Resources Scrutiny Committee on levels of crime and disorder across the county borough so that Members can maintain an overview of the impact of the changes being recommended.

## **Background**

8. Decommissioning of cameras – progress.
9. The decommissioning of cameras in order to be compliant with the Surveillance Camera Commissioner's guiding principles, is progressing. At the time of writing seventeen cameras have been decommissioned, with the remaining twelve cameras scheduled to be completed by August 2016. Following the completion of the exercise, forty eight cameras will remain which are principally located in the Neath and Port Talbot town centre areas, and the Aberavon beachfront.
10. The revised camera landscape will result in a reduction on annual rental fees for transmission circuits but this cannot be realised until March 2019 when the British Telecom (B.T.) contract terminates.
11. The current cost of the B.T. circuits is £59,810.35. With the reduction in circuits the revised annual cost will be £29,405.14 realising an annual saving of £30,405.21 from April 2019.

12. With regard to the Virgin Media contract, the current annual cost of £11,000.00 will be reduced by approximately £2,935.00, resulting in a revised future annual cost of £8,065.00 which will be effective from the next financial year (2017/2018).
13. Changes to the CCTV service underwent two public consultation exercises. Since the de-commissioning exercise started no complaints have been received, although two enquiries have been received. One enquiry was raised by Briton Ferry Town Council and one by a member of the public and responses were provided in both instances with no further queries received.
14. The Office of the Surveillance Camera Commissioner has re-affirmed that it is not permissible to leave a camera in place which is not active.
15. It is not yet possible to measure any impact on crime in the areas where cameras have been removed as the exercise only commenced in March 2016. There is no anecdotal evidence to show any marked change in crime and disorder following the removal of cameras so far.
16. Some crime statistics have been provided by South Wales Police and are shown at Appendix 1. These statistics relate to Neath North but the Police have been unable to provide any further data on levels of crime and disorder across the county borough to provide an overview of the impact of the CCTV changes as requested by Members. The data that has been provided shows an overall decrease in recorded crime when comparing the period March 2014-15 and March 2015 – 16. Individual crime rates are generally marginal and show no significant variation since the implementation of a reduced CCTV service in June 2014 to meet the requirements of the Forward Financial Plan/CCTV budget savings target.
17. Within the statistics provided by South Wales Police it should be noted that the increase in drug offences is viewed by them as a positive indicator due to more pro-active measures and detection work to deal with these crimes.
18. Similarly with violent crime, more emphasis is being placed on victims to report domestic violence.

19. With regard to the night time economy within the two town centre environments, the main police focus has been towards a campaign of focused licensed premises visits, an increase in patrols in the town centre together with drink awareness campaigns during events such as the Six Nations and Christmas/New Year celebrations.

20. Development of the business case for a joint service as part of the work to decommission cameras, the Council's CCTV Scheme has been updated and is attached at Appendix 2 for approval.
  
21. Following the agreement to develop a business case for establishing a joint service with the City and County of Swansea (CCoS), an initial scoping meeting took place on 22<sup>nd</sup> April 2016 which involved officers from both authorities together with other invited stakeholders. The timetable stipulated by CCoS for the review is twenty two weeks therefore the process is scheduled to be completed by the beginning of October 2016. Discussions in the scoping workshop covered the service in its current form in both Neath Port Talbot and the City and County of Swansea and covered four main areas;
  - a) Strengths and weaknesses of the current service in both authorities.
  - b) Future outcomes, who are the stakeholders and what would they want from the service going forward?
  - c) Future challenges, what are the Political, Economic, Social and Technological factors which will impact on the service?
  - d) Future vision – what is required from the service in the future? e.g. a cost effective service and a potential return to 24/7 monitoring in NPTCBC.
  
22. Since then we have been informally advised that two key management personnel are leaving the City and County Of Swansea. In view of this very recent change it is felt advisable to request permission to re-visit the potential of CCTV and out of hours service delivery in collaboration with Bridgend County Council whilst continuing to explore the potential of a joint service with City and County of Swansea.

## Financial Impact

23. The benefit of reduced transmission costs through a reduced camera landscape is restricted by the costs associated with an early termination of the British Telecom (B.T.) contract which expires in 2019. The BT savings which would be effective from April 2019 are estimated as follows;

### Annual BT circuit rental fees

Current costs of all B.T. circuits	£59,810.35
Cost of Retained Circuits	£20,905.14
% cost of local B.T. Hub to Quays	£ 8,500.00
Total cost of retained circuits	£29,405.14
<b>Estimated saving on B.T. circuits p.a.</b>	<b>£30,405.21</b>

### Annual Virgin Media Circuit rental fees

Current circuit costs	£11,000.00
Cost of retained costs	£ 8,065.00

**Estimated savings on Virgin Media p.a. £ 2,935.00**

The Virgin Media savings would take effect in the next financial year (2017/2018) as there is no contractual tie-in as with BT.

## Equality Impact Assessment

24. An Equality Impact Assessment was included in the February 19<sup>th</sup> 2015 report to the Cabinet Board. No update to that document is required at this time.

## Legal Impact

25. This report deals with the Councils duty to comply with the Protection of Freedoms Act 2012 and the guiding principles of the Surveillance Camera Commissioner.

## **Crime and Disorder Impact**

26. 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”
27. CCTV makes a contribution to the prevention and detection of crime and disorder in the county borough. Of the two options recommended in the last report the option to proceed with a demand led model was deferred. The second option to reduce the number of cameras in the county borough to comply with existing legislation was agreed by Members.
28. There is a risk that the prevention and detection of crime and disorder in areas where cameras are being removed will be negatively affected. Monitoring of the position is being undertaken and a request for data has been made to South Wales Police which will be reported to Members in order that the position can be kept under review.

## **Recommendations**

29. To approve the CCTV Scheme attached at Appendix 2;
30. To authorise the Head of Corporate Strategy and Democratic Services to extend discussions as to the potential of a joint service with Bridgend County Borough Council;
31. To note the update on the decommissioning of cameras;
32. To note the position in taking forward the potential of a joint service with the City and County of Swansea, including the changes in key personnel.

## **Reasons for Proposed Decision**

33. To ensure the Council’s policy framework governing CCTV complies with the relevant legislation.
34. To enable progress to be made in securing the best value for money option for the future provision of the CCTV service in Neath Port Talbot County Borough Council.

**35. Implementation of Decision**

The decision will be implemented after the three day call in period.



## **Appendices:**

- . Appendix 1 - Crime Statistics
- Appendix 2 - CCTV Code of Practice

## **Background Papers**

Policy and Resources Cabinet Board 7<sup>th</sup> January 2016 – CCTV Service.

Policy and Resources Cabinet Board 15<sup>th</sup> October 2015 – CCTV Service

Policy and Resources Cabinet Board 19<sup>th</sup> February 2015 – CCTV Service

## **Officer Contact:**

Mrs Karen Jones, Head of Corporate Strategy and Democratic Services. Tel: 01639 763284 or email; [k.jones3@npt.gov.uk](mailto:k.jones3@npt.gov.uk)

Mrs Jayne Banfield, Customer Services Manager  
Tel: 01639 686165 or e-mail: [j.banfield@npt.gov.uk](mailto:j.banfield@npt.gov.uk)

## Appendix 1

Recorded Crime Neath North				
6901 Neath North	2014-15	2015-16	Change	
<b>Violence against the person</b>	<b>190</b>	<b>235</b>	<b>45</b>	<b>23.7%</b>
<b>Sexual offence</b>	<b>8</b>	<b>12</b>	<b>4</b>	<b>50.0%</b>
<b>Robbery</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>100.0%</b>
<b>Burglary of dwelling</b>	<b>11</b>	<b>15</b>	<b>4</b>	<b>36.4%</b>
<b>Burglary of other premises</b>	<b>32</b>	<b>25</b>	<b>-7</b>	<b>-21.9%</b>
<b>Theft of motor vehicle</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>0.0%</b>
<b>Theft from motor vehicle</b>	<b>10</b>	<b>17</b>	<b>7</b>	<b>70.0%</b>
<b>Other theft</b>	<b>399</b>	<b>303</b>	<b>96</b>	<b>-24.1%</b>
<i>* Vehicle Interference</i>	6	4	-2	-33.3%
<i>* Concealing etc criminal property</i>	1		-1	100.0%
<i>* Theft from person</i>	14	16	2	14.3%
<i>* Theft dwelling other than machine/meter</i>	3	11	8	266.7%
<i>* Theft by employee</i>	3	3	0	0.0%
<i>* Theft of mail bag or postal packet</i>	1		-1	100.0%
<i>* Theft of pedal cycle</i>	1	7	6	600.0%
<i>* Theft from veh other than motor vehicle</i>		1	1	N/A
<i>* Theft from shops and stalls</i>	280	184	96	-34.3%
<i>* Theft from automatic machine or meter</i>		2	2	N/A
<i>* Theft non specific</i>	71	65	-6	-8.5%
<i>* Theft of conveyance other than veh/pcycle</i>	1	1	0	0.0%
<i>* Making off without payment</i>	15	8	-7	-46.7%
<i>* Receiving stolen goods</i>	3	1	-2	-66.7%
<b>Fraud or forgery</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>N/A</b>
<b>Criminal damage</b>	<b>67</b>	<b>74</b>	<b>7</b>	<b>10.4%</b>
<b>Drug trafficking</b>	<b>5</b>	<b>2</b>	<b>-3</b>	<b>-60.0%</b>
<b>Other drugs offence</b>	<b>20</b>	<b>33</b>	<b>13</b>	<b>65.0%</b>
<b>Other notifiable offence</b>	<b>5</b>	<b>12</b>	<b>7</b>	<b>140.0%</b>
<b>Grand Total</b>	<b>754</b>	<b>738</b>	<b>16</b>	<b>-2.1%</b>

Data extracted from published Recorded Crime data on 13th May 2016

## Appendix 2

### CODE OF PRACTICE

### NEATH PORT TALBOT COUNTY BOROUGH COUNCIL CCTV SCHEME

## 1

## INTRODUCTIONS & DEFINITIONS

### 1. Introduction

This Code of Practice shall apply to the Closed Circuit Television Surveillance Scheme known as the Neath Port Talbot Council CCTV Scheme. The Scheme initially comprises of cameras located in specific external and internal locations within the Neath Port Talbot County Borough Council area, with control, monitoring and recording facilities at a dedicated location. The cameras are sited to capture images which are relevant to the purposes for which the scheme has been established.

#### 1.1 Ownership

The Scheme is owned by Neath Port Talbot County Borough Council being responsible for the management, administration and security of the system. Neath Port Talbot County Borough Council will ensure the protection of individuals and the public by complying with this Code of Practice.

#### 1.2 Closed Circuit Television Mission Statement

To promote public confidence by developing a safe and secure environment for the benefit of those employed, visiting or using the facilities provided by Neath Port Talbot County Borough Council. Neath Port Talbot County Borough Council is committed to the recommendations contained in the Information Commissioner's CCTV Code of Practice which can be found at [www.ico.org.uk](http://www.ico.org.uk)

#### 1.3 Definitions

**1.3.1 The Council** shall mean Neath Port Talbot County Borough Council.

**1.3.2 The CCTV Control Room** shall mean the secure area of a building where CCTV is monitored and where data is retrieved, analysed and processed. The CCTV control room is a secure location with restricted access, situated at The Quays where only trained staff have access to retained images.

**1.3.3 CCTV Scheme** shall mean the totality of the arrangements for closed circuit television in the locality and is not limited to the technological system, staff and operational procedures.

- 1.3.4 The retrieval system** means the capability, in any medium, of effectively capturing data that can be retrieved, viewed or processed.
- 1.3.5 CCTV system** means the surveillance items comprising cameras and associated equipment for monitoring, transmission and controlling purposes, for use in a defined zone.
- 1.3.6 Data** shall mean all information, including that about a person in the form of images, and any other associated linked or processed information.
- 1.3.7 Personal Data** means data which relates to a living individual who can be identified:
- from that data or
  - from the data and other information which is in the possession of or is likely to come into the possession of, the data controller.
- 1.3.8 Sensitive personal data** means data which is deemed to be sensitive. The most significant of these, for the purposes of this code are information about:-
- the commission or alleged commission of any offences
  - any proceedings for an offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings.
- 1.3.9 An incident** is an activity that raises cause for concern that the safety or security of an individual or property including vehicles which may be compromised or, that an offence has been, is being or is about to be committed, or that an occurrence has taken place warranting specific action by an operator.
- 1.3.10 The Owner** is the Council, the organisation with overall responsibility for the formulation and implementation of policies, purposes and control of the scheme.
- 1.3.11 The Manager** (Neath Port Talbot Council) has the responsibility for the implementation of the policies, purposes and methods of control of a CCTV scheme, as defined by the owner of the scheme.
- 1.3.12 Data Controller** means a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or about to be processed.

**1.3.13 Contractor** is a party contracted by the owner to undertake the day to day operation of their CCTV system, either utilising the owner's facilities or supplying a full monitoring service.

**1.3.14 Operators** are employees of the owner and are specifically designated to carry out the physical operation of controlling the CCTV system and the data generated. All operators are screened and trained to the standard required by the Council.

**1.3.15 Recording material** means any medium that has the capacity to store data and from which data can later be recalled irrespective of time.

**1.3.16 A hard copy print** is a paper copy of a live image or images which already exist on recorded material.

#### **1.4 System Description**

**1.4.1** The Closed Circuit Television system referred to in this document has been introduced into the Council area. Whilst the scheme is owned by the Council and operated by employees of the Authority, its implementation is supported by the following bodies - (the Partners)

- South Wales Police
- Neath Port Talbot Community Safety Partnership
- Local Businesses
- Local Licensed Premises

The owner, contractor, operators and all partners will work in accordance with this code. The partners will have no involvement in the operating of the system with the exception of the Police and authorised personnel.

**1.4.2** This Code of Practice shall apply to the Closed Circuit Television Surveillance System known as the Neath Port Talbot County Borough Council CCTV Scheme.

**1.4.3** The system consists of static and fully functional (pan, tilt and zoom) cameras and either a fibre optic or other transmission system which sends pictures to the Council Control Room.

**1.4.4** Images from all cameras are recorded simultaneously throughout a 24 hour period for 365/6 days each year.

**1.4.5** There is also a link to the South Wales Police Western Control Room where live events can be monitored and response resourced.

**1.4.6** The physical and intellectual rights in relation to any and all material recorded within the Neath Port Talbot Control Room facility shall, at all times, remain in the ownership of the Council.

## **2 OBJECTIVES OF THE CCTV SCHEME & CODE OF PRACTICE**

### **2. Purpose of and compliance with the Code of Practice.**

**2.1** This Code of Practice is to detail the management, administration and operation of the closed circuit television (CCTV) system in the Council area and the associated control room.

**2.1.2** The Code of Practice has a dual purpose, in that it will assist owners, management and operators to understand their legal and moral obligations whilst reassuring the public about the safeguards contained within it.

**2.1.3** The Owners, CCTV operators and users of the CCTV systems and associated safety and security equipment connected to the Control Room shall be required to give a formal undertaking that they will comply with this Code of Practice and act in good faith with regard to the basic principles contained within it.

**2.1.4** The owners, CCTV Operators, users and any visitors to the Control Room will be required to sign a formal confidentiality declaration that they will treat any viewed and/or written material as being strictly confidential and that they undertake not to divulge it to any other person.

### **2.2 Objectives of the scheme**

**2.2.1** The following objectives have been established for the Council CCTV and associated system

- Reducing the fear of crime
- Deterring and preventing crime
- Assisting in the maintenance of public order and reducing offences involving vandalism and nuisance
- Providing high quality evidence which may assist in the detection of crime and the apprehension and prosecution of offenders.
- Protecting property

- Providing assistance with civil claims
- Providing assistance with issues relating to public safety and health
- Providing assistance and reassurance to the public in emergency situations.

## 3

## FUNDEMENTAL PRINCIPLES & POLICIES

### 3 Rights of Privacy

**3.1** The Council and Partners support the individual right to privacy and will insist that all agencies involved in the provision and use of public surveillance CCTV systems connected to the control room accept this principle as being paramount.

### 3.2 Principles of management of the scheme

**3.2.1** Prior to the installation of cameras an “Impact Assessment” to determine whether a CCTV system is justified and how it will be operated will be undertaken in compliance with the Information Commissioner’s CCTV Code of Practice.

**3.2.2** Cameras will be sited to ensure that they can produce images of the right quality, taking into account technical and environmental issues.

**3.2.3** To accomplish the above an “Operational Requirement” will be completed at the time of the “Impact Assessment” for each proposed camera to dictate the quality of images required. This is a recommendation of the Information Commissioner.

**3.2.4** If wireless transmission systems are used to control CCTV equipment, sufficient safeguards will be in place to protect them from being intercepted.

**3.2.5** The Scheme will be operated fairly, within the applicable law and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

**3.2.6** Operators are aware of the purpose(s) for which the scheme has been established and that the CCTV equipment is only used to achieve the identified purposes.

**3.2.7** The Scheme will be operated with due regard for the privacy of the individual.

**3.2.8** Before cameras are placed in residential areas the residents in that area will be informed/consulted concerning the proposed system.

**3.2.9** The public interest in the operation of the scheme will be recognised by ensuring the security and integrity of operational procedures.

### **3.3 Policy of the scheme and signage**

**3.3.1** The Scheme aims to provide surveillance of the public areas within the Council area in order to fulfil the stated purpose of the Scheme. The area protected by CCTV will be indicated by the presence of signs. The signs will be placed so that the public are aware that they are within an area covered by surveillance equipment. The signs will state the organisation responsible for the Scheme, the purposes of the Scheme and a contact telephone number. Data will not be held for longer than is necessary and disposal of such data will be regulated.

#### **3.3.2 Point of Contact**

Should the public wish to make contact with the owner of the scheme they may write to:

The Customer Services Manager  
Neath Port Talbot Council  
The Quays  
Brunel Way  
Neath SA11 2GG

The contact point will be available to members of the public during office hours. Enquirers will be provided with the relevant documentation.

#### **3.3.3 Release of information to the public**

Information will be released to third parties who can show legitimate reasons for access. They will be required to request any information with reasons in writing identifying themselves and provide the reasons why the disclosure is being requested. Information will only be released if the data captures identifiable individuals or information relating to individuals and the reasons are deemed acceptable to the Council the request and release of information complies with current legislation and on condition that the information is not used for any other purpose other than that specified.

Individuals may request to view information concerning themselves held on record in accordance with the Data Protection Act 1998. More information on the viewing of information is contained in section 7.7.8.



### **3.3.4 Release of information to statutory prosecuting bodies**

The Authority's customary practice is to assist statutory prosecuting bodies such as the Police, and other agencies where it is deemed by it that such disclosure is made in compliance with the exemptions detailed in the Data Protection Act 1998. Such agencies and prosecuting bodies may have access to information, permitted for disclosure, on application to the owner of the scheme or the manager, provided the reasons and statement of the purpose are within the objectives of the Scheme.

## **4**

## **LEGAL REQUIREMENTS**

### **4 Legal Requirements**

**4.1** The Council scheme will comply with the legal requirements regarding CCTV, These are:

- The Data Protection Act 1998 and the resulting Information Commissioner's Code of Practice.
- Article 8 of the Human Rights Act 1998 that gives the right to "Respect for Private and Family Life"
- Requests made for "directed surveillance" as defined in the Regulation of Investigatory Powers Act 2000 must meet the requirements of that Act.
- The Council is also mindful of its obligations under the Crime and Disorder Act 1998 to consider the impact of its actions on crime and disorder in an area, and on the regulation of the exchange of information with the Police Authority.

Our Code is based on the Information Commissioner's Code of Practice and the detailed requirements and guidance provided by the Commissioner's Code must be followed by the Scheme.

The current version of the Information Commissioner's Code can be obtained from [www.informationcommissioner.org.uk](http://www.informationcommissioner.org.uk) or by writing to the Information Commissioner's Office, Wycliff House, Water Lane, Wilmslow, Cheshire SK9 5AF.

#### **4.1.2 Surveillance Camera Code of Practice**

The Surveillance Camera Code of Practice Code was a requirement of the Protection of Freedoms Act 2012 which sets out guidelines for CCTV and Automatic Number Plate Recognition (ANPR) systems to ensure their use is

open and proportionate and that they are able to capture quality images that give the Police a better chance to catch criminals and cut crime.

The Code has 12 guiding principles, which provide a framework of good practice that includes existing legal obligations. The 12 principles are contained in Appendix 1 of this code.

## **5 RESPONSIBILITIES**

### **5 Responsibilities**

The overall responsibility for the management of the CCTV scheme in the council area rests with the Head of Corporate Strategy and Democratic Services, Civic Centre, Port Talbot SA13 1PG.

There is a responsibility on every user of the CCTV scheme to ensure that this Code of Practice is upheld and applied at all times. The Code will be reviewed and amended as appropriate to ensure the Council fulfils its obligations under the code.

#### **5.1 Hierarchy of Responsibilities**

##### **5.1.1 The Owner**

The owner shall be responsible for the effective management and public relations of the Scheme. It will produce a written policy and be responsible for its implementation. This shall be carried out in consultation with users of the Scheme and provide for the release of information relating to the operation of the system. The owner is responsible for dealing with complaints, and ensuring a fair system of staff selection and recruitment is adopted for staff employed in the control and monitoring environment. The role of owner also includes all statutory responsibilities including the role of “data controller” as defined in the Data Protection Act 1998.

##### **5.1.2 The Manager**

The Manager or designated member of staff should undertake regular reviews of the operation of the system to ensure the provisions of the code are being complied with. These should be reported back to the owner of the Scheme.

The Manager is the person who has direct control of the scheme and as such he/she will have the authority for the following;

- Staff Management

- Observance of the Policy
- Release of data to third parties who have legal right to copies
- Control and security clearance for visitors
- Security and storage of data
- Security clearance of persons who request to view data
- Release of new and destruction of old data, tapes and disks
- Liaison with police and other agencies
- Maintenance of the quality of recording and monitoring equipment and monitoring faults

The Manager should retain responsibility for the implementation of procedures to ensure that the system operates according to the purposes for which it is installed and in accordance with the objectives identified for the system.

The Manager shall also ensure that on a day-to-day basis all equipment is working correctly and that the operators of the scheme comply with the Code of Practice and Procedural Manual. Dealing with breaches of the Code and disciplinary measures shall lie with the Manager.

### **5.1.3 The Operators**

The operators will be responsible for complying with the Code of Practice and procedural manual. They have a responsibility to respect the privacy of the individual, understand and comply with the objectives of the scheme. They are required to be proficient in the control and use of the CCTV camera equipment and the recording facilities within the control room, they should maintain records in the Control Room and document information in the operational log. They should report any operating problems to the maintenance contractor.

## **5.2 Accountability**

The Manager shall be accountable to the owner of the Scheme and will provide periodic progress reports on the Scheme. The Manager will resolve technical and operational matters.

Failure of the operators to comply with the procedures and Code of Practice should be dealt with by the Manager. Person (s) misusing the system will be subject to disciplinary or legal proceedings in accordance with the employer's policy.

### **5.3 Annual Assessment**

An annual assessment of the Scheme will be undertaken to evaluate the effectiveness of the system. This will include annual reviews of the Scheme's operation, performance, working practices and, where appropriate make recommendations for improvements. The results will be assessed against the stated purposes of the Scheme. If the Scheme is not achieving its purpose, it should either be stopped or modified.

### **5.5 Complaints**

A member of the public wishing to make a complaint about the system may do so through the Councils complaint procedure. See link below;

<http://www.npt.gov.uk/default.aspx?page=2777>

## **6 CONTROL ROOM MANAGEMENT AND OPERATION**

### **6 Access to Control Room**

Access to the monitoring area will be strictly controlled. Security of the Control Room shall be maintained at all times.

**6.1** Only those persons with a legitimate purpose will be permitted access to the Control Room. This will normally be;

- Operating Staff
- The Manager/Supervisor
- Police Officers
- Engineers and cleaning staff
- Independent Inspectors appointed under this Code of Practice may visit the Control Room without prior appointment.
- Organised visits by authorised persons in controlled circumstances e.g. Officers of the Surveillance Camera Commissioner's Office, Solicitors

All visitors to the Control Room, including Police Officers, will be required to sign a visitors log and observe the notice regarding confidentiality.

## 7 Privacy

Cameras should not be used to infringe the individual's rights of privacy. The cameras are generally sited where they are not capable of viewing the internal and external area of a residential property. Where it is reasonably possible that cameras would intrude in private areas, privacy zones may be programmed into the cameras where possible and CCTV operators trained to recognise privacy issues.

### 7.1 Disclosure Policy

7.1.1 The following principles must be adhered to;

- All employees will be aware of the restrictions set out in this Code of Practice in relation to, and disclosure of, recorded images.
- Images not required for the purposes of the Scheme will not be retained longer than necessary. However, on occasions it may be necessary to retain images for a longer period, where a law enforcement body is investigating a crime to give them the opportunity to view the images as part of an active investigation.
- The Data Controller will only disclose to third parties who intend processing the data for purposes which are deemed compatible with the objectives of the CCTV Scheme.
- Monitors displaying images from areas in which individuals would have an expectation of privacy will not be viewed by anyone other than authorised employees of the Council and/or its Contractors.
- Recorded material will only be used for the purposes defined in the objectives and policy
- Access to recorded material will be in accordance with policy and procedures.
- Information will not be disclosed for commercial and entertainment purposes.
- All access to the medium on which the images are recorded will be documented.
- Access to recorded images will be restricted to those staff that need to have access in order to achieve the purpose (s) of using the equipment.
- Viewing of the recorded images will take place in a restricted area.

**7.1.2** Before data is viewed by a third party the Manager should be satisfied that data is;

- The subject of a complaint or dispute that is unanswered
- The original data and the audit trail is maintained throughout
- Not part of a current criminal investigation by the Police, or likely to be so
- Not removed or copied without proper authority
- The image obtained is aimed at identifying individuals or information relating to an individual.

## **7.2 Access to recorded images**

Access to recorded images will be restricted to the Manager or designated member of staff who will decide whether to allow requests for access by third parties in accordance with the disclosure policy.

## **7.3 Viewing recorded images**

Viewing of recorded images will take place in a restricted area. Other employees should not be allowed to have access to that area when viewing is taking place.

## **7.4 Operators**

All operators are trained in their responsibilities in relation to access to privacy and disclosure issues.

## **7.5 Removal of medium for viewing**

The removal of medium on which images are recorded, for viewing purposes, will be documented in accordance with Data Protection Act 1998 principles and the procedural manual.

## **7.6 Access to data by third parties**

**7.6.1** Access to images by third parties will only be allowed in limited and prescribed circumstances. In the case of the Council CCTV Scheme disclosure will be limited to the following:-

- Law enforcement agencies where the images recorded would assist in a specific criminal enquiry
- Prosecution agencies
- Legal representatives
- The media, where it is assessed by the Police that the public's assistance is needed in order to assist in the identification of a victim, witness, or perpetrator in relation to a criminal incident. As part of that assessment

the known wishes of the victim of an accident or crime should be taken into account.

- The people whose images have been recorded and retained and not defined unless disclosure to such an individual would prejudice any criminal enquiries or criminal proceedings.
- Where relevant legislation allows access in certain circumstances.
- Public bodies that wish to pursue civil cases.
- In response to requests under the Freedom of Information Act where the information is not exempt from disclosure.

**7.6.2** All requests for access or for disclosure will be recorded. If access or disclosure is denied, the reason should be documented.

**7.6.3** If access to or disclosure of the images is allowed, details will be documented.

**7.6.4** Recorded images should not in normal circumstances be made more widely available, e.g. they should not be routinely made available to the media or placed on the Internet.

## **7.7 Data Subject Access Disclosure**

**7.7.1** All staff involved in operating the equipment must be able to recognize a request for access to recorded images by data subjects and be aware of individual's rights under this section of the Code of Practice.

**7.7.2** Data subjects requesting access will be provided with a standard subject access request form which they are encouraged but not obliged to use.

**7.7.3** Subject access rights are governed by Section 7 of the Data Protection Act 1998 (DPA) and include the following conditions;

- A fee is paid for each search – maximum fee is £10.00
- A person gives sufficient and accurate information about the data they are seeking i.e. the time and place is provided to the Council.
- Information required as to the identification of the person making the request

**7.7.4** Where activities are seen to be covered by the DPA reference should be made to Section 7.1.2 of this Code of Practice prior to the release of such data.

**7.7.5** The subject access request will be dealt with promptly and any case within 40 days of receipt of the request or within 40 days of receiving all the information required which is necessary to be able to deal with the request.

**7.7.6** All subject access requests should be dealt with by the Manager or designated member of staff.

**7.7.7** A search request should provide sufficient information to locate the data requested (e.g. within 30 minutes for a given date and place). If insufficient information is provided the Council may refuse a request until sufficient information is provided to it.

**7.7.8** Under certain circumstances e.g. Section 29 of the Data Protection Act 1998 the Manager or designated member of staff can decide that a Subject Access Request is not to be complied with. In such cases the refusal will be documented.

The Owner/Manager having verified the validity of a request should provide the requested material to the individual. Only that personal data specific to the search request should be provided. Other individuals should be blanked off by electronic screening or manual editing where reasonably possible.

If the individual agrees, it may be possible to provide subject access by viewing only, if this is the case;

- Viewing must take place in a controlled environment
- Material not relevant to the request should be masked or edited out

## **7.9 Other Rights**

**7.9.1** The member or designated member of staff must provide a written response to the individual within 40 days of receiving the request setting out their decision on the request.

**7.9.2** If the Manager or designated member of staff decides that the request will not be complied with, they must set out their reasons in the response to the individual.

**7.9.3** A copy of the request and response will be retained.

## **7.10 Media Disclosure**

Disclosure of images from the CCTV System must be controlled and consistent with the purpose for which the system was established. For example, if the system is established to help prevent and detect crime it will be appropriate to disclose images to law enforcement agencies where a crime needs to be investigated, but it would not be appropriate to disclose images of identifiable individuals to the media for entertainment purposes or place them on the Internet. Images will not be released to the media for entertainment purposes or place them on the Internet.



Images can be released to the media for identification purposes; this will not be generally done by anyone other than a law enforcement agency.

## **8**

## **RECORDED MATERIAL MANAGEMENT**

### **8 Recorded Material**

Images which are not required for the purpose (s) for which the equipment is being used will not be retained for longer than is necessary. On occasions images may need to be retained for longer periods as a requirement of an investigation into a crime. While images are retained, access to and security of the images will be controlled in accordance with the requirements of the Data Protection Act.

#### **8.1 Retention of Images**

**8.1.1** Recorded material should be of high quality. In order for recorded material to be admissible in evidence, total integrity and continuity must be maintained at all times.

**8.1.2** Security measures will be taken to prevent unauthorised access to, alteration, disclosure, destruction, accidental loss or destruction of recorded material.

**8.1.3** Recorded material will not be released to organisations outside the ownership of the system other than for training purposes or under the guidelines referred to previously.

**8.1.4** Images retained for evidential purposes will be retained in a secure place where access is strictly controlled.

#### **8.2 Hard Copy Print**

A hard copy print will only be made when absolutely necessary. All video prints will remain the property of the scheme owner. The taking of video prints will be recorded in a register which is retained in the control room.

## Appendix 1

### Protection of Freedoms Act– Surveillance Camera Guiding Principles

In May of 2012 the Protection of Freedoms Act was given Royal Assent which led to the creation of the Surveillance Camera Commissioner A Code of Practice was issued by the Secretary of State under Section 30 of the 2012 Act. It provides guidance on the appropriate and effective use of surveillance camera systems by the relevant authorities (as defined by Section 33 of the 2012 Act) In England and Wales who must have regard to the code when exercising any functions to which the Code Relates. Neath Port Talbot Council is defined as a relevant authority under s33 of the 2012 Act. There are 12 guiding principles set out by the Surveillance Camera Commissioner which are listed below;

#### The Guiding Principles

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rule on who can gain access and for what purpose such access is granted, the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Policy and Resources Cabinet Board

29<sup>th</sup> June 2016

### REPORT OF THE HEAD OF CORPORATE STRATEGY AND DEMOCRATIC SERVICES – MRS K. JONES

#### Matter for Monitoring

**Wards Affected:** ALL

#### Report Title

1. Quarterly Performance Management Data 2015-2016 – Quarter 4 Performance (1<sup>st</sup> April 2015– 31<sup>st</sup> March 2016)

#### Purpose of the Report

2. To report quarter 4 performance management data for the period 1<sup>st</sup> April 2015 to 31<sup>st</sup> March 2016 for Chief Executive's and Finance & Corporate Services Directorates and, the performance management data for the same period for services that are within the remit of the other four main Scrutiny Committees (CYPE, SCHH, E&H and ECR). This will enable the Policy & Resources Cabinet Board and Scrutiny Members to discharge their functions in relation to performance management.

#### Executive Summary

3. The Council made a conscious decision to prioritise certain areas of work and these are expressed as the Council's six improvement priorities in the Corporate Improvement Plan. On the whole performance demonstrates improvement in line with what we planned to deliver.

## **Background**

4. The role of scrutiny committees was amended at the Annual Meeting of Council in May 2010 to reflect the changes introduced by the Local Government (Wales) Measure 2009:

- Scrutinise the service improvement set out in the Corporate Plan which fall within the committee's purview;
- Scrutinise the performance of all services within its purview and the extent to which services are continuously improving;
- Ensure performance measures are in place for each service and that the measures reflect what matters to local citizens;
- Commission and participate in systems reviews through appropriate mechanisms and report onwards to the Executive
- Monitor implementation by the Executive of responses to the conclusions and recommendations of the Council's external regulators; and
- Promote innovation by challenging the status quo and encourage different ways of thinking and options for service delivery.

## **Financial Impact**

5. The performance described in the Report is being delivered against a challenging financial backdrop.

## **Equality Impact Assessment**

6. This report is not subject to an Equality Impact Assessment.

## **Workforce Impacts**

7. During 2014-2015, the Council saw a downsizing of its workforce (by 241 employees) as it sought to deliver savings of £17.3 million in-year. During 2015-16 the Council further downsized by 197 employees.

## **Legal Impacts**

8. This Report is prepared under:

- 1) The Local Government (Wales) Measure 2009 and discharges the Council's duties to "make arrangements to secure continuous improvement in the exercise of its functions".
- 2) The Neath Port Talbot County Borough Council Constitution requires each cabinet committee to monitor quarterly budgets and performance in securing continuous improvement of all the functions within its purview.

## **Risk Management**

9. Failure to produce a compliant report within the timescales can lead to non-compliance with our Constitution. Also failure to have robust performance monitoring arrangements could result in poor performance going undetected.

## **Consultation**

10. No requirement to consult

## **Recommendations**

11. That Members monitor performance contained within this report.

## **Reasons for Proposed Decision**

12. Matter for monitoring. No decision required.

## **Implementation of Decision**

13. Matter for monitoring. No decision required.

## Appendices

14. Appendix 1 - Quarterly Performance Management Data 2015 2016– Quarter 4 Performance (1<sup>st</sup> April 2015– 31<sup>st</sup> March 2016) – APPENDIX 1

## List of Background Papers

15. The Neath Port Talbot [Corporate Improvement Plan - 2015/2018](#) “Rising to the Challenge”;
16. Policy & Resources Committee report date 30<sup>th</sup> July 2010 – Securing continuous improvement and scrutiny work programme.

## Officer Contact

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**Quarterly Performance Management Data 2015-2016 – Quarter 4  
Performance (1<sup>st</sup> April 2015– 31<sup>st</sup> March 2016)**

**Report Contents:**

**Section 1: Key points.**

**Section 2: Quarterly Performance Management Data and performance key**

**Section 3: Compliments & Complaints Data**

**Section 1: Key points.**

- **Improvement Objective 1 – Safer, Brighter Futures**

**Children’s Services**

In line with the revised reporting arrangements, the 4th Quarter Performance Report highlights performance against a reduced list of indicators, as agreed with Welsh Government.

During this period, of the 21 comparable indicators reported, 81% improved or achieved maximum performance, when compared to the same period during 2014-15.

- **Improvement Objective 2 –Better Schools, Brighter Prospects**

**Education**

77% (17 of 22) of indicators have improved or achieved maximum performance.

The Key Stage 4 Level 2 threshold (5 GCSE's including English/Welsh first Language and Maths) increased by nearly 3% to 58.4% and is higher than the Wales average. In the Key Stage 4 Level 2 threshold indicator (5 GCSE's or equivalent) Neath Port Talbot were the highest in Wales for the 3rd consecutive year.

In the Key Stage 4 Average Wider Points and Capped Points (best 8 results) Neath Port Talbot were placed 2nd and 3rd in Wales respectively.

At Key Stage 3 the Core Subject Indicator (level 5 or above in English/Welsh, Maths & Science) improved by 4.7% in 2014-2015 academic year. Neath Port Talbot however, are still ranked 22nd in Wales.

The Key Stage 2 Core Subject Indicator (level 4 or above in English/Welsh, Maths & Science) fell by 0.8% in 2014-2015 (academic year) and NPT are ranked 22nd in Wales.

Both primary and secondary school attendance increased by 0.2% to 94.8% and 93.7% respectively in 2014-2015 (academic year). The number of pupils permanently excluded fell from 11 (previous year) to 9 and the number of days lost to fixed exclusions fell from 1860 to 1458.

The percentage of final statements of special educational need excluding exceptions issued within 26 weeks was again 100%. Performance including exceptions however fell to 10.5% due to the complexity of individual cases, availability of colleagues from outside the Local Authority, the ability of parents to take children to their assessments, staffing pressures within the Local Authority and long term staff absences.

- **Improvement Objective 3 - Improving Outcomes, Improving Lives**

### **Adults Services**

6 measures improved or achieved maximum performance, 3 had a marginal drop in performance and 2 dropped by more than 5%. Adult social care has seen a number of changes within the last year, which include changes in practice, reconfiguration and the development of an intake service. As a result, changes in pathways for adults are in their infancy with the introduction of local



area coordination and the promotion of direct payments supporting adults to remain healthy, regain or maintain independence and exert more choice and control over commissioned support. We expect performance in all areas to improve in the forthcoming year as the new Act embeds and practice and pathway changes are fully implemented.

## **Housing - Private Sector Renewal**

The average time taken to deliver a Disabled Facilities Grant has improved from 252 to 228 days. The data indicates the quicker process can be attributed to improvements in the system and a change in the type of demand, this year the demand for extensions is down 30% compared to last year. The service has shown marked improvement on the predicted 250 days target for this year. Customer satisfaction surveys reveal a very high level of satisfaction, over 96% of respondents indicating that their quality of life had improved as a result of the adaptation and 100% agreeing that they no longer need to consider moving home

- **Improvement Objective 4 –Prosperity for All**

### **Economic Development**

The Economic Development Team has continued to receive a significant number of requests for support throughout the financial year which have in general, been of a more positive nature than the previous year. In particular, there has been an increase in the number of applications received for funding to support plans for expansion and growth. These new investments have helped attract new private sector investment and have supported the creation of new jobs within the Borough (the number of jobs created has broadly been maintained). Compared to the previous year we saw a reduction in the number of new business start-ups and general enquiries.

In light of the recent announcement of significant job losses at Tata, and the continued uncertainties about the future of the site however, the Team are currently working with Careers Wales, DWP and Welsh Government to help those facing redundancy and in providing support to the many local businesses affected within Tata's supply chain. Consequently, the Team anticipate more

demand for business support services throughout 2016/17 to help companies deal with their staff losses and find new markets and an increase in the number of people considering self-employment.

## **Homelessness**

At 92, the number of private rented tenancies made available by the Housing Options Service that were suitable and likely to be available for at least 6 months greatly exceeded the annual cumulative target of 50. This success was largely due to Homelessness Grant Transitional Funding (TF) made available by the Welsh Government. The amount of TF grant allocation for 2016/17 is however significantly reduced on 2015/16 and so it should be noted that ongoing performance at this level is not guaranteed.

The percentage of all potentially homeless households for whom homelessness was prevented for at least 6 months has deteriorated slightly on last year at 91%. Although this is only a minor deterioration on 2014/15, it should be noted that the deterioration would be likely to have been significantly higher were it not for the Homelessness Grant Transitional Funding (TF) made available by the Welsh Government. The amount of TF grant allocation for 2016/17 is however significantly reduced on 2015/16 and so it should be noted that ongoing performance at this level is not guaranteed.

- **Improvement Objective 5 – Reduce, Reuse, Recycle**

### **Waste Management**

The Council is progressing with the implementation of its waste strategy and achieved the 2015/16 statutory recycling and composting target of 58%. The next target to reuse / recycle / compost is 64% of waste collected by 2019/20.

- **Improvement Objective 6 – Better, Simpler, Cheaper**

### **Sickness Management**

Sickness across the Council has marginally increased from an average of 9.4 Full Time Equivalent days lost per employee last year to 9.7 days this year. Work is continuing to improve

management of long term sickness absence. A sickness update report is a separate item on today's agenda.

## **Customer Services**

Customer waiting times (face to face contact at Neath and Port Talbot One Stop Shops) continue to improve and the average waiting time for the 12 month period (April 2015 to March 2016) is now 5.4 minutes with fewer customer walk offs.

The number of customers being seen face to face compared with the same period last year continues to reduce as more customers use online transactions to request or pay for council services from the council. Customer Services staff routinely signpost customers attending the Civic Centres to the Council's website to also reduce the reliance on dealing with persons face to face in keeping with the council's Digital by Choice Strategy.

The previously reported improvements to the Blue Badge interview process continues to reduce the need for applicants to attend in person by utilising information already in our possession. This has accounted for approximately 514 people not having to attend the OSS sites (April- 2015 to March 2016).

Contact Centre performance has improved and stabilised during 2015/2016 after further measures were introduced to improve performance, which include streamlining switchboard call demand to reduce the reliance on manual intervention by Contact Centre staff through the introduction of an interactive voice recognition system in August 2015.

### **Other areas that are drawn to committee's attention include:**

- **Public Protection**

Four of the seven comparable indicators achieved maximum performance and one improved.

92.7% of food establishments were "broadly" compliant with food hygiene standards; this is marginally down on last year's performance of 92.8%.

All high risk businesses for animal health and trading standards were inspected for the year. Most of the department's resources are now being devoted to alternative methods of inspection / intervention and investigation into problem traders and problem trade sectors, i.e. a continually developing intelligence led approach. Routine food inspections remain a priority following the recommendations of the Food Standards Agency audit. There is also significant demand on the service for the provision of feed enforcement.

The percentage of significant breaches that were rectified by intervention has dropped in comparison with the previous year for Trading Standards (73.5% in comparison with 86.8% last year). The rectification rate has been affected by more complex investigations which are taking longer to complete. Some of these have since been rectified on completion of the investigation which has resulted in some convictions for food standards and consumer frauds. Animal Health has achieved a 100% rectification rate, however their breaches, though significant, have been resolved quickly and without the need for long term investigation.

- **Housing – Private Sector Renewal**

There has been a significant reduction in the percentage of private sector dwellings that had been vacant for more than 6 months at 1<sup>st</sup> April that were returned to occupation during the year through direct action by the local authority. Largely properties that are brought back into use, is outside of the control of the service, for example, they are affected by external factors such as the local housing market. The service does, however, contact owners of all such properties to provide advice on ways to bring them back to occupation and to direct them towards funding which may assist them. In addition the service takes enforcement action whenever necessary.

- **Planning**

Planning performance has in the majority of categories either improved or remained consistent since the same quarter in 2014/15.

There has been a small increase in the overall time taken to both validate applications and to determine applications. However, this is as a consequence of a small number of applications where officers have experienced delays in obtaining satisfactory information which has in turn impacted upon the overall figures. Officers are currently in the process of re-visiting the systems thinking principles with a view to improving the quality and quantity of information submitted in support of applications. It is also anticipated that the introduction of “invalidity notices” in March 2016 will result in an improvement in the quality of submissions and speed of registration for valid applications. This should improve the end to end figures going forward.

In terms of the performance relating to major applications, whilst it is acknowledged that performance has slipped in this category from 30.4% to 16%, we continue to determine a large number of major applications compared with other authorities which are similar in size and context to Neath Port Talbot. As part of the WG emphasis on “front-loading” Development Management, officers are focussing on engaging with applicants / agents at the earliest stage to improve the quality of submissions at application, and thus improve overall performance on major developments.

The significant increase in performance for “householder” and “minor” applications has also had a positive overall impact on the total percentage of all applications determined within 8 weeks which, whilst not recorded overall within the KPIs, stands at 79.2% for the financial year.

Although it isn't recorded overall within the performance indicators, the total percentage of all applications determined within 8 weeks has increased from 75.7% in 2014-2015 to 80%. This will ensure that we are back in the top quartile of all Local Planning Authorities in Wales having regard to overall performance.

- **Building Control**

Although still of a high standard (95%), it is regrettable that the section has to report a slight drop in the performance in relation to Percentage of ‘full plan’ applications checked within 15 working days. This has been unavoidable due to staff having had to prioritise their workloads to accommodate the land mark projects in the county that were approaching completion. The service has also

experienced a large increase in the submission of applications in a very short space of time in an effort to circumvent incoming building regulations. It must also be noted that in the same period there has been an improvement in relation to percentage of 'full applications' approved first time (performance of 99%) which demonstrates how well officers have interacted with applicants to achieve compliance. It must also be emphasised that at no time have any statutory deadlines been missed.

- **Leisure and Libraries**

Of the 6 indicators reported, 1 improved, 1 remained the same, 2 remained within 5% and 2 fell by over 5% when compared to the previous year.

There has been a slight increase in the number of people using Public Libraries during the year but a decrease in the materials issued which could be attributed to a cut in the mobile library service by one vehicle. There has also been a decrease in reserved items supplied within 7 days and a decrease in the percentage of available computer hours in use.

There has been a decrease in number of visits to local authority sport and leisure centres who participate in physical activity as visitor numbers from the two facilities transferred to community groups and all NPTCBC outdoor playing fields being leased to individual sports clubs are not included in reported data.

- **Transport and Highways**

The Council continues to progress its street lighting renewal project, with improvements being reflected in the performance figures for fault repairs. Similarly, improvements are being seen in respect of overall road conditions as a result of the improvements made by the Council in respect of Highway Asset Management Planning, although there remains much to be done. The percentage of adults over 60 who hold a bus pass has again increased.

- **Street Scene & Countryside Management**

The performance data for street cleanliness indicates the increasing difficulty in maintaining standards in the context of previous budget reductions. The number of fly tips decreased slightly from 1242 in the previous year to 1225.

- **Asset Management**

There is relatively little change in the CAM/001ai to CAM/001aiv, i.e. the percentage of the gross internal areas of the local authority's buildings in condition A (good) and D (bad).

The slight increases in the percentage of grade A buildings is balanced by the slight increase in the percentage of grade D buildings.

The Council has a rolling programme of surveys that reflect the condition of the buildings at a 'snapshot in time'.

The percentage of Grade D buildings will reduce on completion of the forthcoming schools projects and the disposal of several surplus buildings.

There is an increase in the level of urgent work required (CAM bi) that reflects the changes noted in CAM 001 i.e. the more buildings in Grade C to D the more likely that the works will be urgent. The overall backlog maintenance figures have been reduced

- **Compliments and Complaints**

Compliments & Complaints data is included within the quarterly performance reports (section 3). It is drawn to Members attention that there are an unusually high number of complaints reported by the Education, Leisure & Lifelong Learning Directorate, which centre around the 'Super Hero Family Fun Day' at Margam Park.

Social Services Directorate (including Children's Services) has seen a significant reduction in complaints compared to last year, this can be attributed to service improvements and the new Welsh Government complaints policy which was introduced in August 2014, this resulted in new procedures being introduced by the

Directorate; this was accompanied by extensive training for front-line staff and managers, raising the profile of complaints and the importance to resolve them locally.

There has been a further rise in the number of compliments received in Corporate Services. This is due to the efforts made across the services to capture positive website feedback as a result of the changes made to our online digital services.



## Section 2: Quarterly Performance Management Data and Performance key

### 2015-2016 – Quarter 4 Performance (1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016)

**Note: The following references are included in the table. Explanations for these are as follows:**







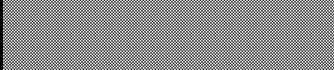
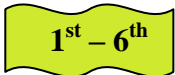
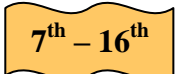
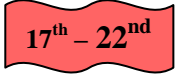
**(NSI) National Strategic Indicators (NSIs)** - are used to measure the performance of local authorities at a national level and focus on key strategic priorities. Local authorities are under a legal duty to collect & report on these measures.

**(PAM) Public Accountability Measures** - consist of a small set of “outcome focussed” indicators, selected initially from within the existing Performance Measurement Framework. They will reflect those aspects of local authority work which local authorities agree are considered to be important in terms of public accountability. For example, recycling, educational attainment, sustainable development, etc. This information is required and reported nationally, validated, and published annually.

**(SID) Service Improvement Data** - can be used by local authority services and their regulators as they plan, deliver and improve services.

**All Wales** - The data shown in this column is the figure calculated using the base data supplied by all authorities for 2014/2015 i.e. an overall performance indicator value for Wales.

**(L)** Local Performance Indicator set by the Council.

	<b>Performance Key</b>
	Maximum Performance
	Performance has improved
	Performance has been maintained
	Performance is within 5% of previous years performance
	Performance has declined by 5% or more on previous year's performance - Where performance has declined by 5% or more for the period in comparison to the previous year, an explanation is provided directly below the relevant performance indicator.
	No comparable data (data not suitable for comparison /no data available for comparison)
	No All Wales data available for comparison.
	2014/15 NPT performance in upper quartile (top six of 22 local authorities) in comparison with All Wales national published measures (NSI & PAM's). <b>9 of 42 comparable measures in upper quartile.</b>
	2014/15 NPT performance in mid quartiles (7 <sup>th</sup> – 16 <sup>th</sup> ) in comparison with All Wales national published measures (NSI & PAM's). <b>23 of 42 comparable measures in mid quartiles.</b>
	2014/15 NPT performance in lower quartile (17 <sup>th</sup> – 22 <sup>nd</sup> ) in comparison with All Wales national published measures (NSI & PAM's). <b>10 of 42 comparable measures in lower quartile.</b>

## 1. Chief Executive's and Finance & Corporate Services

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
1	<b>Benefits M001</b> (Local)	Percentage of new claims correctly assessed.	100%		100%	100%	😊
2	<b>Benefits M002</b> (Local)	Average days taken for new claims and changes of circumstances from application to assessment.	7.53		6.86	6.18	↑
3	<b>CS001</b> (Local)	Customer Services - Average customer waiting times (face to face contact)	8 minutes		6.8 minutes	5.4 minutes	↑
Page 107	<b>CS002</b> (Local)	Customer Services - Average time to answer telephone calls	30 seconds		33 seconds	16 seconds	↑
	<b>CS003</b> (Local)	Customer Services - Percentage of telephone calls abandoned after 5 seconds	12.87%		12.47%	2.63%	↑
	<b>CS004</b> (Local)	Customer Services - Percentage of customers leaving before being seen (walk offs)	0.13%		0.08% (53 of 67,886)	0.07% (44 of 65,481)	↑
7	<b>CFH/007</b> (SID)	The percentage of council tax due for the financial year which was received by the authority.	97.3%		97.5%	97.9%	↑

## 1. Chief Executive's and Finance & Corporate Services - continued

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
8	CHR/001 (SID)	The percentage of employees (including teachers and school based staff) who leave the employment of the local authority, whether on a voluntary or involuntary basis.	9.63%		13.48%	13.22%	↑
9	CFH/006 (SID)	The percentage of undisputed invoices which were paid within 30 days.	91.6%		90.7%	90.7%	↔
	In order to comply with the reporting requirements of the 'Public Contract Regulations 2015' the reporting of this indicator will change next year, and will include the performance data of schools as well as the rest of Council in respect of payment of invoices						
Page 108	CHR/002 (PAM)	The number of working days/shifts per full time equivalent (FTE) local authority employee lost due to sickness absence.	9.19	9.9 7 <sup>th</sup>	9.4	9.7	v
	CFH/008 (SID)	The percentage of non-domestic rates due for the financial year which were received by the local authority.	98.1%		100.7%	98.0%	v
12	7.7(L) (Local)	Percentage of standard searches carried out in 10 working days.	97.9%		86.3%	61.5%	↓
	Whilst performance of 61.5% for 2015/16 is lower than that of the previous year, the months of September through to March 2016 has seen a significant improvement with turnaround times, partially due to the return of a team member from Maternity Leave in August 2015. Most of the searches that took more than 10 working days are complex in nature and are searches against areas of land. Delays in getting responses to the enquiries from other internal departments has also contributed to some searches taking longer.						
13	PROC/001 (Local)	Percentage volume of transactions processed through e-Procurement	N/a New		N/a New	27.7%	—



## 2. Education – Schools

No	PI Reference	PI Description	NPT Actual 2013/14 (2012/13 academic year)	All Wales 2014/15 (2013/14 academic year)	Quarter 4 2014/15 (2013/14 full academic year)	Quarter 4 2015/16 (2014/15 full academic year)	Direction of Improvement
14	EDU/002ii (NSI)	The percentage of pupils in local authority care, in any local authority maintained school, aged 15 as at the preceding August, who leave compulsory education, training or work based learning without and approved external qualification.	0%	1.2% <b>Joint 1<sup>st</sup></b>	0% 0 pupils	0% 0 pupils	😊
15	EDU/008a (SID)	The number of permanent exclusions during the academic year per 1,000 pupils from Primary Schools.	0.1 1 pupil	0 7 pupils	0.1 1 pupil	0 0 pupils	😊
16	EDU/008b (SID)	The number of permanent exclusions during the academic year per 1,000 pupils from Secondary Schools.	1.0 8 pupils	0.4 80 pupils	1.3 10 pupils	1.2 9 pupils	↑
17	EDU/002i (NSI/PAM)	The percentage of all pupils (including those in local authority care), in any local authority maintained school, aged 15 as at the preceding August, who leave compulsory education, training or work based learning without and approved external qualification.	0.1% (2 of 1,619 pupils)	0.3% <b>13<sup>th</sup></b>	0.2% (3 of 1,667 pupils)	0.1% (2 of 1,542 pupils)	↑
18	EDU/016a (PAM)	Percentage of pupil attendance in Primary Schools.	93.0%	94.8% <b>16<sup>th</sup></b>	94.6% (3,153,617 of 3,333,372 sessions)	94.8% (3,262,430 of 3,441,713 sessions)	↑
19	EDU/016b (PAM)	The percentage of pupil attendance in Secondary Schools.	92.6%	93.6% <b>12<sup>th</sup></b>	93.5% (2,182,564 of 2,333,737 sessions)	93.7% (2,148,160 of 2,293,388 sessions)	↑

## 2. Education –Schools - continued

No	PI Reference	PI Description	NPT Actual 2013/14 (2012/13 academic year)	All Wales 2014/15 (2013/14 academic year)	Quarter 4 2014/15 (2013/14 full academic year)	Quarter 4 2015/16 (2014/15 full academic year)	Direction of Improvement
20	EDU/004 (PAM)	The percentage of pupils assessed at the end of Key Stage 3, in schools maintained by the local authority, achieving the Core Subject Indicator, as determined by Teacher Assessment.	73.1%	81.2% <b>22<sup>nd</sup></b>	<b>73.1%</b> (1,096 of 1,500 pupils)	<b>77.8%</b> (1,160 of 1,491 pupils)	↑
21	EDU/006ii (NSI)	The percentage of pupils assessed, in schools maintained by the local authority, receiving a Teacher Assessment in Welsh (first language) at the end of: Key Stage 3.	10.3%	17.2% <b>14<sup>th</sup></b>	<b>10.0%</b> (150 of 1,500 pupils)	<b>11.6%</b> (173 of 1,491 pupils)	↑
22	EDU/010a (SID)	The percentage of school days lost due to fixed-term exclusions during the academic year, in Primary Schools.	0.011% 186 days		<b>0.016%</b> 262 days	<b>0.008%</b> 203 days	↑
23	EDU/010b (SID)	The percentage of school days lost due to fixed-term exclusions during the academic year, in Secondary Schools.	0.107% 1,572 days		<b>0.112%</b> 1,598 days	<b>0.085%</b> 1,255 days	↑
24	EDU/011 (NSI/PAM)	The average wider point score for pupils aged 15 as at the preceding 31 August, in schools maintained by the local authority.	537	530 <b>10<sup>th</sup></b>	<b>540</b>	<b>586</b>	↑

## 2. Education - Schools -continued

No	PI Reference	PI Description	NPT Actual 2013/14 (2012/13 academic year)	All Wales 2014/15 (2013/14 academic year)	Quarter 4 2014/15 (2013/14 full academic year)	Quarter 4 2015/16 (2014/15 full academic year)	Direction of Improvement
25	EDU/017 (NSI/PAM)	The percentage of pupils aged 15 at the preceding 31 August in schools maintained by the local authority who achieved the level 2 threshold including a GCSE grade A-C in English or Welsh first language and Mathematics.	56.0%	55.5% 	55.8%	58.4%	↑
26	EDU/009a (SID)	The average number of school days that permanently excluded pupils did not receive an offer of full time appropriate education provision during the academic year.	82.2		79.8	26.7	↑
28	EDU/009b (SID)	The average number of school days that permanently excluded pupils did not receive an offer of part time appropriate education provision during the academic year.	38.5		52.2	11.9	↑
28	EDU/003 (NSI/PAM)	The percentage of pupils assessed at the end of Key Stage 2, in schools maintained by the local authority, achieving the Core Subject Indicator, as determined by Teacher Assessment.	82.0%	86.4% 	84.1% (1,144 of 1,360 pupils)	83.3% (1,194 of 1,433 pupils)	▼
29	EDU/006i (SID)	The percentage of pupils assessed, in schools maintained by the local authority, receiving a Teacher Assessment in Welsh (first language) at the end of: Key Stage 2	16.4%		15.4% (209 of 1,360 pupils)	14.1% (202 of 1,433 pupils)	▼

## 2. Education - Other

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
30	EDU/015b (NSI)	The percentage of final statements of special education need issued within 26 weeks excluding exceptions.	100%*	95.6% <b>Joint 1<sup>st</sup></b>	100%*	100%*	😊
31	L(Yth)2+ (Local)	The percentage of 11 - 19 year olds in contact with the youth service.	33.07%		30.24% (4,358 of 14,411)	31.31% (4,431 of 14,150)	↑
32	L(FP) 1+ (Local)	Number of full day childcare places provided.	1,800		1,624	2,003	↑
33	L(SEN) 1b (Local)	Total number of children with statements of special educational needs.	788		790*	799*	v
34	L(SEN) 1a (Local)	Number of children with new statements of special educational needs.	103*		77*	95*	↓
		The increase in numbers can be attributed to the identification of individuals experiencing complex needs. There has also been an increase in identified medical related needs through early intervention strategies and approaches across Education and Health Services.					
35	EDU/015a (NSI)	The percentage of final statements of special education need issued within 26 weeks including exceptions.	32.0%*	64.5% <b>21<sup>st</sup></b>	23.37%*	10.5%*	↓
		The increase in time taken to issue statements can be attributed to a several factors:- <ul style="list-style-type: none"> <li>The complex nature of pupils needs requiring assessments from a number of professionals.</li> <li>The availability of colleagues from outside the local authority to conduct assessment and produce reports.</li> <li>The ability of parents to take children to their assessments.</li> <li>Staffing pressures within the local authority and long term staff absences.</li> </ul>					

\*- Calendar year data – 1<sup>st</sup> January 2015 to 31<sup>st</sup> December 2015.



### 3. Social Care – Children’s Services

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
36	SCC/030a (SID)	The percentage of young carers known to Social Services who were assessed.	100%		100%	100%	😊
37	SCC/030b (SID)	The percentage of young carers known to Social Services who were provided with a service.	64.7%		100%	100%	😊
38	SCC/002 (NSI)	The percentage of children looked after at 31 March who have experienced one or more change of school, during a period or periods of being looked after, which were not due to transitional arrangements, in the 12 months to 31 March.	15.7%	13.5% 7 <sup>th</sup>	10.7%	9.4%	↑
39	SCC/011b (NSI)	The percentage of initial assessments that were completed during the year where there is evidence that the child has been seen alone by the Social Worker.	38.7%	44.8% 15 <sup>th</sup>	47.1%	59.9%	↑
40	SCC/022a (SID)	The percentage attendance of looked after pupils whilst in care in primary schools.	93.1%		94.2%	94.4%	↑
41	SCC/022b (SID)	The percentage attendance of looked after pupils whilst in care in secondary schools.	89.7%		85.4%	89%	↑

### 3. Social Care – Children’s Services – continued

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
42	SCC/024 (SID)	The percentage of children looked after during the year with a Personal Education Plan within 20 school days of entering care or joining a new school in the year ending 31 March.	85.7%		77.1%	81.6%	↑
43	SCC/025 (PAM)	The percentage of statutory visits to looked after children due in the year that took place in accordance with regulations.	86.9%	87.7% 7 <sup>th</sup>	91.9%	94.3%	↑
44	SCC/033e (NSI)	The percentage of young people formerly looked after with whom the authority is in contact, who are known to be in suitable, non-emergency accommodation at the age of 19.	100%	93.1% 13 <sup>th</sup>	90%	96.2%	↑
45	SCC/033f (NSI)	The percentage of young people formerly looked after with whom the authority is in contact, who are known to be engaged in education, training or employment at the age of 19.	63.6%	59.5% 21 <sup>st</sup>	40.0%	61.5%	↑
46	SCC/034 (SID)	The percentage of child protection reviews carried out within statutory timescales during the year.	97.5%		98.5%	99.2%	↑

### 3. Social Care – Children’s Services – continued

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
47	SCC/035 (SID)	The percentage of looked after children eligible for assessment at the end of Key Stage 2 achieving the Core Subject Indicator, as determined by Teacher Assessment.	42.1%		57.1%	61.5%	↑
48	SCC/036 (SID)	The percentage of looked after children eligible for assessment at the end of Key Stage 3 achieving the Core Subject Indicator, as determined by Teacher Assessment.	55.6%		57.1%	60%	↑
49	SCC/037 (NSI)	The average external qualifications point score for 16 year old looked after children, in any local authority maintained learning setting.	335	276 10 <sup>th</sup>	296	298	↑
50	SCC/040 (SID)	The percentage of placements started during the year where the child is registered with a provider of general medical services within 10 working days of the start of the placement.	93.0%		97.2%	99.3%	↑
51	SCC/041a (NSI)	The percentage of eligible, relevant and former relevant children that have pathway plans as required.	69.8%	91.2% 19 <sup>th</sup>	83.9%	93.1%	↑

### 3. Social Care – Children’s Services – continued

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
52	SCC/045 (PAM)	The percentage of reviews of looked after children, children on the child protection register and children in need carried out in line with the statutory timetable.	82.2%	88.9% 18 <sup>th</sup>	88.6%	91%	↑
53	SCC/004 (NSI/PAM)	The percentage of children looked after on 31 March who have had three or more placements during the year.	6.4%	9.0% 7 <sup>th</sup>	7.1%	8.8%	v
54	SCC/010 (SID)	The percentage of referrals that are re-referrals within 12 months.	22.1%		14.4%	16.4%	v
55	SCC/033d (NSI)	The percentage of young people formerly looked after with whom the authority is in contact at the age of 19.	95.7%	93.3% 9 <sup>th</sup>	95.2%	92.9%	v
56	SCC/044b (SID)	The average number of days spent out of school on fixed term exclusions for children looked after who were excluded during the previous academic year.	4.0		5.3	7.3	↓
The cohort of children who meet the criteria fluctuates, which impacts on the average number of days Looked After Children were on fixed term exclusions.							

#### 4. Social Care - Adults Services

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
57	SCA/018a (PAM)	The percentage of carers of adult service users who were offered an assessment or review of their needs in their own right during the year.	100%	88.3% Joint 1 <sup>st</sup>	100%	100%	😊
58	SCA/019 (NSI/PAM)	The percentage of adult protection referrals completed where the risk has been managed.	100%	95.6% Joint 1 <sup>st</sup>	100%	100%	😊
59	SCA/003a (SID)	The percentage of clients who are supported in the community during the year, in the age groups: Aged 18-64.	92.45%		93.27%	94.06%	↑
60	SCA/003b (SID)	The percentage of clients who are supported in the community during the year, in the age groups: Aged 65+	81.98%		81.66%	85.9%	↑
61	SCA/020 *(SID)	The percentage of adult clients who are supported in the community during the year. *. -No longer a PAM from 1 <sup>st</sup> April 2015	85%	85.2% 12 <sup>th</sup>	85.1%	88.25%	↑
62	SCA/018c (SID)	The percentage of carers of adult service users who were assessed during the year who were provided with a service.	66.7%		71.4%	81.1%	↑

#### 4. Social Care – Adult Services – continued

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
63	SCA/002a (NSI)	The rate of older people (aged 65 or over): Supported in the community per 1,000 population aged 65 or over at 31 March.	107.8	67.30 2 <sup>nd</sup>	111.46	109.7	v
64	SCA/002b (NSI)	The rate of older people (aged 65 or over): Whom the authority supports in care homes per 1,000 population aged 65 or over at 31 March.	23.86	18.85. 19 <sup>th</sup>	21.71	21.96	v
Page 118	SCA/018b (SID)	The percentage of carers of adult service users who had an assessment in their own right during the year.	20.0%		40.5%	39.4%	v
66	SCA/001 (NSI)	The rate of delayed transfers of care for social care reasons per 1,000 population aged 75 or over.	3.49	4.83 11 <sup>th</sup>	3.21	4.36	↓
We expect this to now fall as the intake model was introduced in October in addition to step up / down bed and as this new model begins to embed we expect to see a fall in delays for social care reasons . Delays at present are mainly down to housing related issues.							
67	SCA/007 (NSI)	The percentage of clients with a care plan at 31st March whose care plans should have been reviewed that were reviewed during the year.	81.7%	80.0% 12 <sup>th</sup>	79.3%	72.7%	↓
A new social work model of practice was implemented in April 2015 and teams re- structured and integrated with health board staff. A large programme of cultural change has just concluded and we expect to see performance improved over the next year as changes are implemented and embed in readiness for the Social Services and Wellbeing Act.							

## 5. Housing – Homelessness and Housing Advice


No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
68	HHA/013 (SID)	The percentage of all potentially homeless households for whom homelessness was prevented for at least 6 months.	95.2%	65.4% * See note 1	95.5%	91.0%	V
	<p>Note 1 - A Wales Audit Office report (published in 2013 identified a wide variation in how local authorities interpret guidance for indicator HHA/013 relating to homelessness prevention, resulting in a wide variation of performance reported. Due to these variations, the Welsh Government Statistical Release has advised in the publication of this data that the indicator should not be compared across local authority boundaries; however comparisons can be made over time within individual local authorities. This measure is no longer a statutory indicator.</p> <p>Note 2 - Data excludes the period 1<sup>st</sup> - 26<sup>th</sup> April 2015 because it was not possible to amalgamate data relating to the homelessness legislation prevailing at this time with that relating to the Housing (Wales) Act 2014 (which was collected from 27<sup>th</sup> April 2015).</p>						
69	HOS/001 (Local)	The number of private rented tenancies made available by the Housing Options Service that were suitable and likely to be available for at least 6 months	N/a New		N/a New	92	—

## 6. Housing - Private Sector Renewal

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
70	PSR/002 (NSI/PAM)	The average number of calendar days taken to deliver a Disabled Facilities Grant.	204	231 14 <sup>th</sup>	252	228	↑
71	PSR/009a (SID)	The average number of calendar days taken to deliver a Disabled Facilities Grant for: Children and young people	310		437	354	↑
72	PSR/009b (SID)	The average number of calendar days taken to deliver a Disabled Facilities Grant for: Adults	197		233	220	↑



## 6. Housing - Private Sector Renewal - continued

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
73	PSR/004 (NSI)	The percentage of private sector dwellings that had been vacant for more than 6 months at 1 April that were returned to occupation during the year through direct action by the local authority.	37.38%	11.76% 	68.59%	40.20%	↓
		Largely properties that are brought back into use is outside of the control of the service for example they are affected by external factors such as the local housing market. The service does however; contact owners of all such properties to provide advice on ways to bring them back to occupation and to direct them towards funding which may assist them. In addition the service takes enforcement action whenever necessary.					
74	PSR/007a (SID)	Of the Houses in Multiple Occupation known to the local authority, the percentage that: Have a full license.	1.4%		1.63%	1.35%	v
75	PSR/007b (SID)	Of the Houses in Multiple Occupation known to the local authority, the percentage that: Have been issued with a conditional license.	0%		0%	0%	—
76	PSR/007c (SID)	Of the Houses in Multiple Occupation known to the local authority, the percentage that: Are subject to enforcement activity.	0.2%		0%	0%	—

## 7. Planning and Regulatory Services - Public Protection

77	PPN/001i (SID)	The percentage of high risk businesses that were liable to a programmed inspection that were inspected for Trading Standards.	100%		100%	100%	😊
78	PPN/001ii (SID)	The percentage of high risk businesses that were liable to a programmed inspection that were inspected for Food Hygiene.	82%		98%	100%	😊
79	PPN/001iii (SID)	The percentage of high risk businesses that were liable to a programmed inspection that were inspected for Animal Health.	100%		100%	100%	😊

## 7. Planning and Regulatory Services - Public Protection - continued

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
80	PPN/007ii (SID)	The percentage of significant breaches that were rectified by intervention during the year for Animal Health.	77.3%		71.4%	100%	😊
81	PPN/008ii (SID)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year: Food Hygiene	79%		79%	92%	↑
Page 122	PPN/009 (PAM)	The percentage of food establishments which are 'broadly' compliant with food hygiene standards	92.2%	94.2% 17 <sup>th</sup>	92.8%	92.73%	v
	PPN/007i (SID)	The percentage of significant breaches that were rectified by intervention during the year for Trading Standards.	78.7%		86.8%	73.5%	↓
83	The department is detecting more complex and significant infringements of consumer fraud and is targeting resources to address them. Furthermore, there are a number of food fraud investigations that were ongoing, some of which have since been resolved. Rectifying and fully investigating breaches takes longer than offering advice to a business.						
84	PPN/008iii (SID)	The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year: Animal Health.	100%		* see note	* see note	—

\*- Note – There were no new businesses detected for Animal health in this period.

## 8. Planning and Regulatory Services – Planning

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2013/14	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
85	PLA/004c (SID)	The percentage of householder planning applications determined during the year within 8 weeks.	94%	86.3%	87.4%	95.1%	↑
86	PLA/004b (SID)	The percentage of minor planning applications determined during the year within 8 weeks.	71.3%	63.3%	63.5%	66.1%	↑
87	PLA/004d (SID)	The percentage of all other planning applications determined during the year within 8 weeks.	73.9%	70.3%	79%	79%	↔
Page 183	PLA/002 (SID)	The percentage of applications for development determined during the year that were approved.	95.5%		96.4%	96.3%	v
	PLA/M001 (Local)	Average time taken from receipt of application to validation of application - days	30.1 days		30.6 days	31.5 days	v
	PLA/M002 (Local)	Average time taken from receipt of application to date decision is issued - days	87.6 days		82.7 days	96.1 days	↓
90	The increase is largely as a consequence of staff investing time contacting applicants to progress 'older' or 'stalled' applications to determination, and a small number of applications where officers have experienced delays in obtaining satisfactory information which has in turn impacted upon the overall figures.						

## 8. Planning and Regulatory Services – Planning - continued

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
91	PLA/M004 (Local)	The percentage of major planning applications determined during the year within 8 weeks.	23.1%		30.4%	16%	↓
		The percentage of major and minor applications determined within 8 weeks has dropped as a consequence of the complexity of the type of application determined and pressures on staff resources, but continues to be balanced by increase in performance for householder applications.					
Page 124	PLA/006(b) (NSI)	The number of additional affordable housing units provided during the year as a percentage of all additional housing units provided during the year.	69%	41% 10 <sup>th</sup>	42%	30%	↓
92		<p>This Authority fully utilises its Social Housing Grant programme and has taken advantage of additional and innovative funding opportunities to deliver affordable housing. Whilst this funding is extremely valued it is limited.</p> <p>Additionally where the opportunity has arisen, the Authority has secured affordable housing through the Planning System.</p> <p>The variation in data between 2015-16 and 2014-15 for this indicator is affected by external market forces which can dictate our ability to secure affordable housing through the planning system. The variation in data between years is also a result of variations in onsite productivity and the time it takes for a development to proceed through to completion. For example, many schemes have a development timeline (i.e. from start of build on site to final completion) of 12-18 months and as such in one year we have schemes on site and the next year we have schemes completed.</p>					

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
<b>9. Planning and Regulatory Services – Building Control</b>							
93	BCT/007 (SID)	The percentage of 'full plan' applications approved first time.	99%		96.6%	99.0%	↑
94	BCT/004 (SID)	Percentage of Building Control 'full plan' applications checked within 15 working days during the year.	98.1%		100%	95.1%	v
<b>10. Economic Development</b>							
Page 125	L(ED) 1 (Local)	Number of jobs created as a result of financial support by the Local Authority.	255		187	184	v
	Performance on this indicator has broadly been maintained with less than a 2% decrease on the previous year despite the increase in the number of funding applications received. This shows that businesses, although confident to invest, are more cautious about recruiting staff, especially in light of the recent redundancies announced by Tata.						
96	L(ED) 2 (Local)	Number of new business start-up enquiries assisted through Business Services	429		361	271	↓
	The performance of this indicator has been affected by changes in the way clients are referred to the Council's Enterprise Club. However, in light of the support the Team are providing to Careers Wales and DWP to deal with those affected by the Tata redundancies, we anticipate a significant increase in the number of start-up enquiries moving into the new financial year.						
97	L(ED) 3 (Local)	Number of business enquiries resulting in advice, information or financial support being given to existing companies through Business Services.	682		686	584	↓
	The Team manages enquiries from existing businesses for support on a range of issues such as property, rates relief, local contract opportunities, tendering, events, etc. as well as referrals from other business support organisations who are often delivering Welsh Government contracts. Many of these contracts have now ended and new tenders for delivery are being put in place. Consequently, these changes have affected the number of referrals currently being received by the team moving forward into the new financial year.						

## 11. Corporate Health – Asset Management

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
98	CAM/001ai (SID)	The percentage of the gross internal area of the local authority's buildings in condition categories: A – Good	7.15%		7.21%	7.68%	↑
99	CAM/001aiii (SID)	The percentage of the gross internal area of the local authority's buildings in condition categories: C – Poor	42.23%		39.79%	38.22%	↑
100	CAM/001bii (SID)	The percentage of the total value of required maintenance for the local authority's buildings assigned to works of priority level: 2 – Essential work	60.61%		56.72%	50.76%	↑
101	CAM/001biii (SID)	The percentage of the total value of required maintenance for the local authority's buildings assigned to works of priority level: 3 – Desirable work	24.23%		28.17%	27.29%	v
102	CAM/001aii (SID)	The percentage of the gross internal area of the local authority's buildings in condition categories: B – Satisfactory	41.17%		43.33 %	42.83%	v
103	CAM/001aiv (SID)	The percentage of the gross internal area of the local authority's buildings in condition categories: D – Bad	9.45%		9.67%	11.27%	v
104	CAM/037 (PAM)	The percentage change in the average Display Energy Certificate (DEC) score within local authority public buildings over 1,000 square metres.	N/a New		6.8%	4.4%	v
105	CAM//001bi (SID)	The percentage of the total value of required maintenance for the local authority's buildings assigned to works of priority level: 1 – Urgent work	15.16%		15.11%	21.95%	↓
<p>There is an increase in the level of urgent work required (CAM bi) that reflects the changes noted in CAM 001 i.e. the more buildings in Grade C to D the more likely that the works will be urgent. The overall backlog maintenance figures have been reduced.</p>							

## 12. Leisure and Libraries





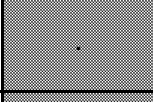

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
106	LCL/001(b) (NSI)	The number of people using Public Libraries during the year, per 1,000 population.	6,839 (958,162 visits)	5,526 8 <sup>th</sup>	5,709 (798,609 visits)	5,745 (807,077 visits)	↑
107	LCL/002a (SID)	The number of publicly accessible computers per 10,000 population.	8	9	6	6	↔
108	LCL/002b (SID)	The percentage of available computer hours, in use.	48%	39%	46%	42%	∨
Page 1 27	LCL/004 (SID)	The number of library materials issued, during the year, per 1,000 population.	4,190 (587,079 issued)		3,219 (450,318 issued)	3,071 (431,549 issued)	∨
	The decrease in issues can be attributed to a reduction in the mobile library services by one vehicle and an amendment of the remaining service from a 2 weekly to a 3 weekly schedule.						
110	LCL/003 (SID)	The percentage of library material requests supplied within 7 calendar days.	83%	69%	81%	76%	↓
The fall can be attributed to a 50% reduction in the bookfund, savings made at the Education Library & Resource Service (ELRS) resulting in libraries sharing a driver with schools and some stock situated at community libraries therefore less accessible.							
111	LCS/002(b) (NSI)	The number of visits to local authority sport and leisure centres during the year, per 1,000 population where the visitor will be participating in physical activity.	5,696 (798,044 visits)	8,662 22 <sup>nd</sup>	5,775 (807,892 visits)	5,331 (748,992 visits)	↓
There has been a decrease in number of visits to local authority sport and leisure centres who participate in physical activity as visitor numbers from the two facilities transferred to community groups (Hengwrt Sports Centre on 18 <sup>th</sup> December 2015 and Cymmer Swimming Pool on 24 <sup>th</sup> December 2015 ) and all NPTCBC outdoor playing fields being leased to individual sports clubs are not included in reported data.							

### 13. Environment & Transport – Waste Management

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
112	WMT/010i (SID)	The percentage of local authority municipal waste: Prepared for re-use.	0.18%		0.29%	0.45%	↑
113	WMT/010iii (SID)	The percentage of local authority municipal waste: Collected as source segregated bio-wastes and composted or treated biologically in another way.	15.76%		19.34%	19.88%	↑
114	WMT/009b (NSI/PAM)	The percentage of municipal waste collected by local authorities and prepared for reuse and/or recycled, including source segregated bio wastes that are composted or treated biologically in another way.	54.04%	56.24% 7 <sup>th</sup>	58.10%	58.01%	v
	Page 128	Almost 1,500 tonnes of extra recyclables was collected at the kerbside and the recycling centres during 2015/16 which was offset by a reduction in the amount of incinerator bottom ash (IBA) that was recycled (approximately 1,000 tonnes less than in 2014/15). However, with the completion of the Recycle + roll out during 2016/17 and the introduction of side waste restrictions in June 2016 it is expected the overall performance will increase and help meet the next target to reuse/recycle/compost 64% of waste collected by 2019/20.					
115	WMT/010ii (SID)	The percentage of local authority municipal waste: Recycled.	38.09%		38.47%	37.68%	v
	a) Incinerator Bottom Ash recycling rate		N/a		3.47%	1.97%*	v
	b) Kerbside dry recycling rate		N/a		16.45%	16.40%	v
	c) Household Waste Recycling Centres dry recycling rate		N/a		18.60%	19.31%	↑
*This rate varies with the amount of solid fuel made from the left over household refuse, and also the purpose for which the fuel is used e.g. use as a replacement for coal in cement kilns or use in energy incinerators.							
116	WMT/012 (SID)	The percentage of local authority collected municipal waste used to recover heat and power.	29.33%		32.40%	29.20%	v
117	WMT/004b (NSI/PAM)	The percentage of municipal waste collected by local authorities sent to landfill.	14.04%	29.38% 2 <sup>nd</sup>	11.13%	14.10%	v
	Despite a small variation in WMT/004b, overall the figure remains well below the Welsh Government target to reduce the amount of waste landfilled to 30%. NPT remains one of the best performing Authorities in Wales with regards to landfill diversion.						



## 14. Environment & Transport – Transport and Highways

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
118	THS/007 (NSI)	The percentage of adults aged 60 or over who hold a concessionary bus pass.	88.9%	85.8% 	90.6%	92.1%	↑
119	THS/009 (SID)	The average number of calendar days taken to repair street lamp failures during the year.	1.83		1.56	1.55	↑
Page 129 of 129	THS/012 (PAM)	The percentage of Principal (A) roads, Non-principal (B) roads and Non-principal C roads that are in overall poor condition.	6.7%	11.9% 	5.6%	4.3%	↑
121	THS/011a (SID)	The percentage of: Principal (A) roads in overall poor condition.	6.8%		5.8%	4.5%	↑
122	THS/011b (SID)	The percentage of: Non-principal/classified (B) roads in overall poor condition.	5.2%		4.0%	2.6%	↑
123	THS/011c (SID)	The percentage of: Non-principal /classified C roads in overall poor condition.	8.2%		7.0%	5.9%	↑

## 15. Environment & Transport - Street Scene

No	PI Reference	PI Description	NPT Actual 2013/14	All Wales 2014/15	NPT Quarter 4 (full year) 2014/15	NPT Quarter 4 (full year) 2015/16	Direction of Improvement
124	STS/005a (SID)	The cleanliness Indicator	67.6		70.6	70.5	V
125	STS/005b (PAM)	The percentage of highways and relevant land inspected of a high or acceptable standard of cleanliness.	97.8%	96.9% 5 <sup>th</sup>	98.8%	93.6%	↓
The increasing difficulty in maintaining standards in the context of previous budget reductions.							
130	STS/006 (NSI)	The percentage of reported fly tipping incidents cleared within 5 working days.	81.10%	93.05% 22 <sup>nd</sup>	72.06%	67.67%	↓
126	<p>There were a total of 1,225 fly tipping incidents recorded by the Authority during 2015-16. 829 were cleared within 5 working days.</p> <p>302 incidents were investigated but not removed by the Council as the tipped material was subsequently removed by the owner or the landowner. Where individuals did not respond to a verbal request to remove waste then a statutory "15 day" clearance notice is issued in which case the Council cannot possibly comply with Welsh Government's national 5 working day target. The performance indicator guidance stipulates that we have to include these jobs as they were reported to the Authority. If this was not included in the data then our performance would be over 90%.</p> <p>The remaining 94 jobs that were closed down outside of the 5 day target were as follows:</p> <p>45 jobs cleared between 6-10 days, 35 jobs cleared between 11-20 days, 4 jobs cleared between 21-30 days, the remaining 10 jobs were over 30 days as a result of pending prosecutions.</p>						

### Section 3: Compliments and Complaints

#### 2015-2016 – Quarter 4 (1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016) – Full Year - Cumulative data

	<b>Performance Key</b>
↑	Improvement : Reduction in Complaints/ Increase in Compliments
↔	No change in the number of Complaints/Compliments
v	Increase in Complaints but within 5%/ Reduction in Compliments but within 5% of previous year.
↓	Increase in Complaints by 5% or more/ Reduction in Compliments by 5% or more of previous year.

CHIEF EXECUTIVE'S AND FINANCE  
(Policy & Resources Cabinet Board)  
**Cumulative data**

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
1	<b><u>Total Complaints - Stage 1</u></b>	23	29*	↓
	a - Complaints - Stage 1 upheld	4	9*	
	b -Complaints - Stage 1 <u>not</u> upheld	19	16*	
	c -Complaints - Stage 1 partially upheld	0	4*	
2	<b><u>Total Complaints - Stage 2</u></b>	4	3*	↑
	a - Complaints - Stage 2 upheld	1	0	
	b - Complaints - Stage 2 <u>not</u> upheld	3	2	
	c- Complaints - Stage 2 partially upheld	0	1*	

## CHIEF EXECUTIVE'S AND FINANCE (Policy & Resources Cabinet Board)

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
3	<b><u>Total - Ombudsman investigations</u></b>	0	0	↔
	a - Complaints - Ombudsman investigations upheld	0	0	
	b - Complaints - Ombudsman investigations <u>not</u> upheld	0	0	
4	<b>Number of Compliments</b>	192	226	↑
5	<p>*- <b>Please note</b> - data has marginally changed since the Comments, Compliments and Complaints Annual Report 2015-16 was presented to Members in Policy &amp; Resources committee on 19<sup>th</sup> May 2016. The data and some of the comments have been updated accordingly.</p> <p><b>Stage 1</b> - Complaints have increased by 4 when compared to last year. There were 9 upheld complaints, 5 of those related to the processes which currently exist, therefore a change in service procedures are being introduced into those services. Two complaints relate to public facilities within a specific service which is currently in the process of being reviewed to enable those facilities to be improved. The other related to an employee not having full knowledge of the service, which has resulted in the need for training and increased internal communication.</p> <p>The partially upheld complaints were mainly attributed to the customer perception of staff attitude which resulted, where appropriate, in managers speaking to the individuals involved and/or the team to reinforce the need for good customer service</p> <p><b>Stage 2</b> - Complaints have decreased by one this year and two of those received were not upheld and one was partially upheld.</p> <p><b>Compliments</b> - A total of 226 compliments were received for the year. The majority of these related to the efforts to capture website feedback as a result of the changes and improvements made including the ability to raise online service requests. There were also compliments thanking staff for being helpful across Chief Executive and Finance/Corporate Services teams.</p> <p><b>Welsh Language</b> – There were two Welsh language complaints (both at stage 1) reported during the 2015-16 financial year, one was upheld and one was not upheld. The upheld complaint related to English only twitter posts. The Council was already in the process of establishing Welsh language Twitter and Facebook accounts and the complainant was informed of this and was satisfied with our prompt response.</p>			

**Section 3: Compliments and Complaints - continued**

**EDUCATION, LEISURE & LIFELONG LEARNING  
(Economic and Community Regeneration Cabinet Board)  
Cumulative data**

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
Page 134	<b><u>Total Complaints - Stage 1</u></b>	4	544	↓
	a - Complaints - Stage 1 upheld	0	481	
	b -Complaints - Stage 1 <u>not</u> upheld	4	63	
	c -Complaints - Stage 1 partially upheld	0	0	
2	<b><u>Total Complaints - Stage 2</u></b>	5	1	↑
	a - Complaints - Stage 2 upheld	0	0	
	b - Complaints - Stage 2 <u>not</u> upheld	3	1	
	c- Complaints - Stage 2 partially upheld	2	0	

**EDUCATION, LEISURE & LIFELONG LEARNING**  
**(Economic and Community Regeneration Cabinet Board)**

**Cumulative data**

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
3	<b><u>Total - Ombudsman investigations</u></b>	0	1	↓
	a - Complaints - Ombudsman investigations upheld	0	0	
	b - Complaints - Ombudsman investigations <u>not</u> upheld	0	1	
4	<b>Number of compliments</b>	0	3	↑
5	<p><b>Stage 1</b> - complaints have risen considerably compared to 2014/15 mainly due to the “Super Hero” day at Margam Park. There have also been a handful of complaints concerning other event days and the work undertaken at the Park. As a result of these complaints the park has put into place procedures to reduce the likelihood of a possible re-occurrence. Predicting the number of visitors who will attend a Bank Holiday event at Margam Country Park is very difficult, as there are a number of factors that will impact on attendance. The best indicators the park have as to likely visitor numbers is data from previous events, telephone enquiries the park receive about the event, the weather forecast and the volume of social media activity. In the case of the Superheroes event at Margam Park the amount of social media interest was unusually high. In the past the park has found this to be an unreliable guide (on its own) to the numbers of visitors who will come to an event. However, as the number of followers the park have on social media has grown very significantly in recent times and more people access information about the park in this way, the park management will take this information into account when planning the welfare and catering provision for future family events.</p> <p>There has been one <b>stage 2</b> complaint in 2015/16 (not upheld) compared to 5 in 2014/15. The complaint concerned the issuing of a season ticket at Margam Park.</p> <p>One complaint was referred to the Ombudsman but was not upheld.</p> <p>There have been three compliments in relation to events at Margam Park.</p> <p><b>Welsh Language</b> - The Directorate received <b>NO</b> complaints in relation to the Welsh Language</p>			

**Section 3: Compliments and Complaints - continued**

**EDUCATION, LEISURE & LIFELONG LEARNING**  
**(Children, Young People and Education Cabinet Board)**  
**Cumulative data**

No	PI Description	Quarter 4 2014/15	Quarter 5 2015/16	Direction of Improvement
Page 136 1	<b><u>Total Complaints - Stage 1</u></b>	11	8	↑
	a - Complaints - Stage 1 upheld	0	0	
	b -Complaints - Stage 1 <u>not</u> upheld	10	8	
	c -Complaints - Stage 1 partially upheld	1	0	
2	<b><u>Total Complaints - Stage 2</u></b>	15	4	↑
	a - Complaints - Stage 2 upheld	0	0	
	b - Complaints - Stage 2 <u>not</u> upheld	14	3	
	c- Complaints - Stage 2 partially upheld	1	1	



**EDUCATION, LEISURE & LIFELONG LEARNING**  
**(Children, Young People and Education Cabinet Board)**  
**Cumulative data**

	<b><u>Total - Ombudsman investigations</u></b>	<b>1</b>	<b>3</b>	↓
<b>3</b>	a - Complaints - Ombudsman investigations upheld	0	1	
	b - Complaints - Ombudsman investigations <u>not</u> upheld	1	2	
<b>4</b>	<b>Number of compliments</b>	<b>2</b>	<b>2</b>	↔
<b>5</b>	<p><b>Summary</b>  <b>Stage 1</b> - complaints have fallen compared to 2014/15. All stage 1 complaints were not upheld. The complaints centred mainly on the statutory assessment process.</p> <p><b>Stage 2</b> - complaints have fallen compared to 2014/15. There was one stage 2 complaint partially upheld and three were not upheld. As a result of the partly upheld complaint there has been an increase of staff and staff training in the Additional Learning Needs Team. Processes are now in place to flag critical dates within review timescales and there are weekly meetings to follow through the process. Actions are now in place to allow duplicate processes to run concurrently. The SENLO (Special Education Needs Liaison Officer) follows the whole process through with parents where a complex dual process occurs to avoid confusion for all parties.</p> <p>Three complaints were referred to the Ombudsman. One case was upheld relating to school transport the other two cases were not upheld.</p> <p>There have been 2 compliments in 2015/16.</p> <p><b>Welsh Language</b> - The Directorate received <b>NO</b> complaints in relation to the Welsh Language</p>			

**Section 3: Compliments and Complaints - continued**

SOCIAL SERVICES, HEALTH AND HOUSING (Children's Services)

(Children, Young People and Education Cabinet Board)

**Cumulative data**

No	<i>PI Description</i>	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
Page 138	<b><u>Total Complaints - Stage 1</u></b>	85	27	↑
	a - Complaints - Stage 1 upheld	15	5	
	b - Complaints - Stage 1 <u>not</u> upheld	39	13	
	c - Complaints - Stage 1 partially upheld	17	3	
	d - Complaints - Stage 1 other	14	6	
2	<b><u>Total Complaints - Stage 2</u></b>	3	1	↑
	a - Complaints - Stage 2 upheld	1	0	
	b - Complaints - Stage 2 <u>not</u> upheld	1	0	
	c- Complaints - Stage 2 partially upheld	0	1	
	d- Complaints - Stage 2 other	1	0	

# SOCIAL SERVICES, HEALTH AND HOUSING (Children's Services)

(Children, Young People and Education Cabinet Board)

## Cumulative data

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
	<b><u>Total - Ombudsman investigations</u></b>	0	0	↔
3	a - Complaints - Ombudsman investigations upheld	0	0	
	b - Complaints - Ombudsman investigations <u>not</u> upheld	0	0	
Page 139	<b>Number of Compliments</b>	12	25	↑
5	<p><b>Stage 1</b> - 2015/16 has seen a significant <b>DECREASE</b> in the number of complaints received when compared to 2014/15 from <b>85 to 27 (68%)</b>; there are a number of factors this can be attributed to, including the continual service developments and improvements, particularly within Children's Services. Members should note that the figures DO NOT include Hillside Secure Unit; these are reported through Hillside reporting processes. Members will be aware that the new WG complaints policy was introduced in August 2014, which resulted in new procedures being introduced by the Directorate; this was accompanied by extensive training for front-line staff and managers.</p> <p><b>Stage 2</b> – 2015/16 has seen an <b>DECREASE</b> in the number of Stage 2 complaints received when compared to 2014/15 from <b>3 to 1</b>; this is as a result of improvements highlighted above, as well as providing a more comprehensive response at Stage 1, alleviating the need to progress to Stage 2.</p> <p><b>Feedback / Lessons Learned</b> Often there are a number of further actions or lessons to be learned from complaints, particularly where a complaint is complex. The Service will, where necessary, develop an action plan to address any on-going requirements or service developments.</p> <p><b>Compliments</b> – the number of compliments has increased from 12 to 25, this can be attributed to improvements in service delivery as well as improved reporting from services receiving praise and thanks. It is acknowledged that activity still remains relatively low and the complaints team will continue to raise the profile for the need to celebrate and report such incidences.</p> <p><b>Welsh Language</b> - The Directorate received <b>NO</b> complaints in relation to the Welsh Language</p>			

**Section 3: Compliments and Complaints - continued**

SOCIAL SERVICES, HEALTH AND HOUSING (All Services except Children's Services)

(Social Services, Health and Housing Cabinet Board)

**Cumulative data**

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
Page 140	<b><u>Total Complaints - Stage 1</u></b>	54	30	↑
	a - Complaints - Stage 1 upheld	7	7	
	b - Complaints - Stage 1 <u>not</u> upheld	20	13	
	c - Complaints - Stage 1 partially upheld	12	4	
d - Complaints - Stage 1 other (including withdrawn, passed to other agency,on-going)	15	6		
2	<b><u>Total Complaints - Stage 2</u></b>	0	4	↓
	a - Complaints - Stage 2 upheld	0	0	
	b - Complaints - Stage 2 <u>not</u> upheld	0	1	
	c- Complaints - Stage 2 partially upheld	0	2	
d- Complaints - Stage 2 other	0	1		

# SOCIAL SERVICES, HEALTH AND HOUSING (All Services except Children's Services)

## (Social Services, Health and Housing Cabinet Board)

### Cumulative data

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
3	<b><u>Total - Ombudsman investigations</u></b>	0	0	↔
	a - Complaints - Ombudsman investigations upheld	0	0	
	b - Complaints - Ombudsman investigations <u>not</u> upheld	0	0	
4	<b>Number of Compliments</b>	12	20	↑
Page 141	<p><b>Summary</b>  <b>Stage 1</b> -2015/16 has seen a significant <b>DECREASE</b> in the number of complaints received when compared to 2014/15 from <b>54 to 30 (45%)</b>; there are a number of factors this can be attributed to, including the continual service developments and improvements. Members will be aware that the new Welsh government (WG) complaints policy was introduced in August 2014, which resulted in new procedures being introduced by the Directorate; this was accompanied by extensive training for front-line staff and managers.</p> <p><b>Stage 2</b> – 2015/16 has seen an <b>INCREASE</b> in the number of Stage 2 complaints received - <b>4</b>; Members should note that these were spread across the Services, with 1 in Adult Services, 2 were required for Housing Options and 1 within Environment &amp; Trading Standards.</p> <p><b>Feedback / Lessons Learned</b> - Often there are a number of further actions or lessons to be learned from complaints, particularly where a complaint is complex. The Service will, where necessary, develop an action plan to address any on-going requirements or service developments. Members will note that the Directorate's Complaints Annual Report will provide further detail.</p> <p><b>Compliments</b> – the number of compliments has <b>INCREASED by 67%</b>; this can be attributed to improvements in service delivery as well as improved reporting from services receiving praise and thanks. It is acknowledged that activity still remains relatively low and the complaints team will continue to raise the profile for the need to celebrate and report such incidences.</p> <p><b>Welsh Language</b> - The Directorate received <b>NO</b> complaints in relation to the Welsh Language.</p>			

**ENVIRONMENT DIRECTORATE**  
**(Economic and Community Regeneration Cabinet Board)**  
**Cumulative data**

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
1	<u>Total Complaints - Stage 1</u>	3	3	↔
	a - Complaints - Stage 1 upheld	0	0	
	b -Complaints - Stage 1 <u>not</u> upheld	3	3	
	c -Complaints - Stage 1 partially upheld	0	0	
2	<u>Total Complaints - Stage 2</u>	10	15	↓
	a - Complaints - Stage 2 upheld	0	0	
	b - Complaints - Stage 2 <u>not</u> upheld	10	15	
	c- Complaints - Stage 2 partially upheld	0	0	

**ENVIRONMENT DIRECTORATE**  
(Economic and Community Regeneration Cabinet Board)

**Cumulative data**

	<b><u>Total - Ombudsman investigations</u></b>	<b>0</b>	<b>0</b>	↔
<b>3</b>	a - Complaints - Ombudsman investigations upheld	0	0	
	b - Complaints - Ombudsman investigations <u>not</u> upheld	0	0	
<b>4</b>	<b>Number of Compliments</b>	<b>2</b>	<b>5</b>	↔
<b>5</b>	<p>*- <b>Please note</b> - data has marginally changed since the Comments, Compliments and Complaints Annual Report 2015-16 was presented to Members in Policy &amp; Resources committee on 19<sup>th</sup> May 2016. The data and some of the comments have been updated accordingly.</p> <p>Stage 1 – The total Stage 1 complaints received has remained constant over 2014/15 and 2015/16.</p> <p>Stage 2 – There has been a slight increase overall in the number of complaints received in 2015/16 compared to 2014/15. This may be attributed to legislative changes within planning development control which has led to operational changes within the department, of which the public may not be aware and subsequently wish to refer their complaint through the Authority's complaints procedure.</p> <p>The number of compliments received has increased slightly.</p> <p><b>Welsh Language</b> - There were <b>NO</b> complaints in relation to the Welsh Language</p>			

**Section 3: Compliments and Complaints - continued**

**ENVIRONMENT DIRECTORATE  
(Environment & Highways Cabinet Board)  
Cumulative data**

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
Page 144	<b><u>Total Complaints - Stage 1</u></b>	12	31	↓
	a - Complaints - Stage 1 upheld	4	15	
	b -Complaints - Stage 1 <u>not</u> upheld	8	16	
	c -Complaints - Stage 1 partially upheld	0	0	
2	<b><u>Total Complaints - Stage 2</u></b>	5	5	↔
	a - Complaints - Stage 2 upheld	0	2	
	b - Complaints - Stage 2 <u>not</u> upheld	5	3	
	c- Complaints - Stage 2 partially upheld	0	0	



**ENVIRONMENT DIRECTORATE**  
**(Environment & Highways Cabinet Board)**  
**Cumulative data**

No	PI Description	Quarter 4 2014/15	Quarter 4 2015/16	Direction of Improvement
3	<u><b>Total - Ombudsman investigations</b></u>	1	0	↑
	a - Complaints - Ombudsman investigations upheld	0	0	
	b - Complaints - Ombudsman investigations <u>not</u> upheld	1	0	
Page 145	<b>Number of Compliments</b>	12	23	↑
5	<p><b>Summary</b></p> <p><b>Please note</b> - data has marginally changed since the Comments, Compliments and Complaints Annual Report 2015-16 was presented to Members in Policy &amp; Resources committee on 19<sup>th</sup> May 2016. The data and some of the comments have been updated accordingly</p> <p>Stage 1 – There has been an increase in the number of complaints received up to the 4th quarter of 2015/16 when compared to 2014/15. This is attributable to an improved method of recording complaints.</p> <p>Stage 2 – The total annual figure has remained the same for both 2014/15 and 2015/16, therefore this figure remains unchanged.</p> <p>The total number of compliments has almost doubled when compared to the same quarter last year.</p> <p><b>Welsh Language</b> – There was one Welsh Language complaint reported during the 2015-16 financial year which was not upheld.</p>			

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## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### POLICY AND RESOURCES CABINET BOARD

29 JUNE 2016

#### REPORT OF THE HEAD OF LEGAL SERVICES – DAVID MICHAEL

#### MATTER FOR DECISION

#### WARDS AFFECTED - ALL

#### REGULATION OF INVESTIGATORY POWERS ACT 2000

##### PURPOSE OF REPORT

1. To inform members of the number of Regulation of Investigatory Powers Act 2000 Authorisations issued by the authority for the last two municipal years.
2. To replace the Authority's existing Regulation of Investigatory Powers Act 2000 Policy and Guidance with an updated Policy and Procedures.
3. To appoint the Head of Planning and Public Protection and the Head of Financial Services as Authorising Officers and Designated Persons for the purposes of the Regulation of Investigatory Powers Act 2000.
4. To designate the Head of Planning and Public Protection as the Senior Responsible Officer for the purposes of overseeing the Acquisition of Communications Data by the Authority under the Regulation of Investigatory Powers Act 2000.

##### BACKGROUND

5. The Regulation of Investigatory Powers Act 2000 (hereafter referred to as RIPA) controls amongst other things surveillance activities carried out by public bodies, including local authorities. In the context of local authorities, RIPA regulates such things as

test purchasing in retail premises and benefit fraud investigations for the purposes of detecting criminal offences.

6. Put simply, the Council must observe a consent procedure considering certain human rights issues before engaging in surveillance of criminal activities. It is a tool to provide the correct balance between an individual's rights to privacy and the proper use of data and surveillance in evidence gathering.
7. The main advantages of following RIPA is that surveillance authorised under it by a duly designated Authorising Officer of the Authority shall be lawful if:-
  - a) An Authorisation confers an entitlement to engage in that conduct on the person whose conduct it is, and
  - b) His/her conduct is in accordance with the authorisation, and
  - c) The Authorisation issued by the Authorising Officer is duly approved by an Order from a Magistrate.
8. In effect it provides a lawful authority and regulatory framework for interference by a public body with an individual's human rights and privacy.
9. During recent years however the number of authorisations for covert surveillance (i.e. Director Surveillance or Use of a Covert Human Intelligence Source) issued by the authority have substantially decreased. Members are advised that only one Directed Surveillance Authorisation and no Covert Human Intelligence Source Authorisation were issued during the 2014-15 municipal year. Furthermore, members are informed that no Authorisations were issued whatsoever during the 2015-16 municipal year.
10. In view of recent changes to guidance issued by the Office of Surveillance Commissioners and other bodies it is considered that now is an appropriate time to replace the Authority's current RIPA Policy and Guidance with a new RIPA Policy and Procedures that reflects current guidance and legislation.
11. In the case of investigations carried out by the Authority's Trading Standards Department it has been the practise that any RIPA

authorisations sought were issued by the Head of Service with managerial responsibility for Trading Standards. Until recently the Head of Service and Authorising Officer for that department was Ms. Angela Thomas Head of Business Strategy and Public Protection; however due to a change in managerial responsibilities within the Authority the Trading Standards functions are now the responsibility of Ms. Nicola Pearce the Head of Planning and Public Protection. The Authority's Head of Legal Services, who has oversight responsibilities for RIPA within the Authority, therefore considers that it would be appropriate for Ms. Pearce to be designated to act as a RIPA Authorising Officer within the Authority (thereby becoming responsible for deciding whether or not authorisations sought by her officers should be granted) in place of Ms. Thomas. Ms. Pearce will not exercise this function, however, until such time as she completes a satisfactory training course on RIPA approved by the Head of Legal Services.

12. The Head of Legal Services also considers that, due to the heavy commitments of Mr. Hywel Jenkins the Director of Finance it would be advantageous to replace him as an "Authorising Officer" for the purposes of RIPA with Mr. David Rees the Authority's Head of Financial Services. Mr. Rees will not exercise this function however until such time as he has satisfied the Head of Legal Services that he has attended a satisfactory training course on RIPA.
13. The Office of Surveillance Commissioners have indicated to local authorities that they consider that an Authority's Senior Responsible Officer should preferably not act as an Authorising Officer. Accordingly, it is proposed that Mr. David Michael will cease to act as an Authorising Officer once Mrs. Nicola Pearce has undertaken a RIPA training course.
14. In addition to regulating surveillance by local authorities RIPA also controls, amongst other things, the Acquisition and Disclosure of Communications Data (such as information about the use of telephone services by individuals but not the monitoring of the content of telephone conversations). Due to the potential risk of infringement of individuals' human rights, the Act requires such activities to be controlled by persons of appropriate rank within the organisation (known as "Designated Persons").

15. In Neath Port Talbot those officers within the Authority who are appointed as Authorising Officers for RIPA surveillance also act as Designated Persons for the purposes of acquiring Communications Data. It is therefore considered appropriate that Mrs. Nicola Pearce the Head of Planning and Public Protection and Mr. David Rees the Head of Financial Services should therefore also be designated by the Authority to act as “Designated Persons” (for the purposes of acquiring Communications Data) in place of Mrs. Angela Thomas and Mr. Hywel Jenkins respectively. Both Mrs. Pearce and Mr. Rees will not however exercise their designation until such time as they have satisfied the Head of Legal Services that they have undertaken a suitable RIPA training course.
16. The processes for the Acquisition of Communications Data have been in place in the Authority for a number of years and are audited periodically by the Interception of Communications Commissioners (hereafter referred to as “IOCCO”) to ensure compliance with the provisions of RIPA and the associated Statutory Code of Practice on the Acquisition and Disclosure of Communications Data.
17. The Code of Practice on the Acquisition and Disclosure of Communications Data requires the Council as best practice to appoint a Senior Responsible Officer (SRO) for the acquisition of Communications Data under RIPA. This person is responsible for:
  - The integrity of the processes in place within the authority to acquire Communications Data.
  - Compliance with Chapter II of Part I of RIPA and with the Code of Practice.
  - Oversight of the reporting errors to IOCCO and the identification of both the cause(s) of errors and the implementation of processes to minimise repetition of errors.
  - Engagement with the IOCCO inspectors when they conduct their inspections, and
  - Where necessary, overseeing the implementation of post-inspection action plans approved by the Commissioner.

18. Legislative controls require the Senior Responsible Officer to hold the office, rank or position of “Designated Person”.
19. The IOCCO inspector has previously indicated to the Authority that in view of the fact that most applications for the Acquisition of Communications Data emanate from the Trading Standards Department it was appropriate that the role of the Senior Responsible Officer should be undertaken by the Head of Service for that Department provided that he/she had been authorised to act as a “Designated Person” by the Authority.
20. In consequence of the recommendation of the IOCCO Inspector Mrs. Angela Thomas the Head of Business Strategy and Public Protection was designated as the SRO for the acquisition of communications data. However, as Mrs. Thomas no longer has responsibility for trading standards it is considered that it would be more appropriate for her role as the SRO to be transferred to Mrs. Nicola Pearce Head of Planning and Public Protection: as Mrs. Pearce is now the Head of Service with responsibility for trading standards.

### **CONSULTATION**

21. There is no requirement under the Constitution for external consultation on this item.

### **RECOMMENDATIONS**

22. That the new RIPA Policy and Procedures a copy of which is attached hereto as Annex 1 in place of the Authority’s current RIPA Policy and Guidance be adopted.
23. That Ms. Nicola Pearce Head of Planning and Public Protection be authorised to act as an “Authorising Officer” under RIPA for covert surveillance and as a “Designated Person” for the purposes of the Acquisition and Disclosure of Communications Data under RIPA, once she has attended a suitable RIPA training course approved by the Head of Legal Services.

24. That Ms. Nicola Pearce Head of Planning and Public Protection be appointed to act as the “Senior Responsible Officer” for the purpose of the Acquisition and Disclosure of Communications Data under RIPA in place of Ms. Angela Thomas.
25. That Mr. David Rees Head of Financial Services be designated to act as an “Authorising Officer” and “Designated Person” under RIPA for covert surveillance purposes, once he has satisfied the Head of Legal Services that he has attended a training course on RIPA.
26. That Ms. Angela Thomas and Mr. Hywel Jenkins shall hereafter cease to be designated “Authorising Officers” and “Designated Persons” under RIPA.
27. That Mr. David Michael Head of Legal Services shall cease to be designated as an “Authorising Officer” and “Designated Persons” for RIPA once Ms. Pearce has received RIPA training.

### **REASONS FOR PROPOSED DECISION**

28. To update RIPA Policy & Procedures and Officer delegations.

### **IMPLEMENTATION OF DECISION**

29. The decision will be implemented after the three day calling period.

### **APPENDICES**

30. Annex 1
31. **Equality Impact Assessment** – There is no requirement for an EIA for this report.

### **LIST OF BACKGROUND PAPERS**

31. None



## **OFFICER CONTACT**

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**NEATH PORT TALBOT COUNTY  
BOROUGH COUNCIL**

**REGULATION OF INVESTIGATORY POWERS ACT  
2000**

**POLICY AND PROCEDURES**

June 2016

## CONTENTS

1. Introduction
  2. Benefits of Obtaining Authorisation under RIPA
  3. Directed Surveillance
  4. Covert Human Intelligence Sources (CHIS)
  5. Authorisation Process
  6. Covert Surveillance Authorised outside RIPA
  7. Confidential Material
  8. Joint Operations
  9. Handling & Disclosure of Product
  10. Use of Surveillance Devices
  11. Covert Surveillance of Social Networking Sites
  12. Codes of Practice
  13. Scrutiny & Tribunal
- 
- Appendix 1 List of Authorising Officers
- Appendix 2 List of Home Office RIPA Forms
- Appendix 3 Council Procedure for Application for Magistrates Court and Application Form

## **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, and Guidance and Practice notes issued by the Office of the Surveillance Commissioner (OSC) 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 one of the properly trained Authorising Officers listed in Appendix 1, and dealt with in accordance with Sections 5 or 10 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 OSC 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 Officer within the Council with strategic responsibility for RIPA issues is David Michael, 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.**

## **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.
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 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. **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, gate-keeping officer 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

- 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.
  - 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. The gate – keeping officer 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.**
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 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. The gate-keeping officer 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. Officers are reminded of the rules relating to the retention and destruction of confidential material set out in section 7 above.
2. Authorising Officers must ensure compliance with the appropriate data protection requirements and the relevant codes of practice in the handling and storage of evidential material.
3. 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.
4. Consideration as to whether or not unrelated material should be destroyed is the responsibility of the Authorising Officer.
5. 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.**

## **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.

## **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 SNS 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 breach covertly 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 identify 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.

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

1. The Home Office has issued Codes of Practice relating both to Directed Surveillance and the use of CHIS. Copies of these codes are available via the Home Office, or Office of the Surveillance Commissioner (OSC) 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 Office of the Surveillance 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 Policy and Resources Cabinet Board, who will also receive regular reports as to its implementation.

## APPENDIX 1

### LIST OF AUTHORISING OFFICERS

<b>Name</b>	<b>Post</b>
Michael Roberts	Head of Streetcare
David Rees	Head of Financial Services
Nicola Pearce	Head of Planning and Public Protection
Kevin Davies	Principal Benefits Officer
David Michael	Head of Legal Services and Monitoring 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 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 obtain or disclose communications data, to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 23A, 23B, 32A, 32B.**

Local authority: Neath Port Talbot County Borough Council

Local authority department: .....

Offence under investigation: .....

Address of premises or identity .....

.....

.....

Covert technique requested: (tick one and specify details)

**Communications Data**

**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: .....

.....

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 obtain or disclose communications data, to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 23A, 23B, 32A, 32B.**

Magistrates' court: West Glamorgan 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

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## Neath Port Talbot County Borough Council

### POLICY AND RESOURCES CABINET BOARD

29th June 2016

**Report of the Head of ICT & Procurement – Mr Stephen John**

**Matter for decision**

**Wards Affected:**

**All**

**ICT & Procurement Business Plan**

**Purpose of report**

1. To seek endorsement from the Policy and Resources Cabinet Board of the ICT & Procurement Business Plan for 2016/17.

**Background**

2. One of the requirements within the Council's Performance Management Framework is the production of business plans by Heads of Service.

3. The Business Plan has been constructed on the basis of reduced budget allocations to be made available to the division for 2016/17 as agreed by Council as part of its budget setting process. The Division is responsible for the provision and support of all ICT functions across the Council's Departments including its Schools. The Division is also responsible for all Corporate Procurement activity within the Authority.

**Financial Impact**

4. The budget for the ICT & Procurement Division for 2016/17 totals £4,224m.

## **Equality impact assessment**

5. There was no requirement for an equality impact assessment on this issue.

## **Workforce impacts**

6. Workforce issues are dealt with in the plan itself.

## **Legal impacts**

7. There are no legal impacts arising from this report.

## **Risk management**

8. Risk management issues are dealt with in the plan itself.

## **Consultation**

9. There is no requirement under the Constitution for external consultation on this item

## **Recommendations**

10. That the Cabinet Board endorses the ICT & Procurement Business Plan for the financial year 2016/17.

## **Reasons for proposed decisions**

11. To allow the division to operate in line with the business plan for the 2016/17 financial year.

## **Implementation of decision**

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

## **Appendices**

13. ICT & Procurement Business Plan 2016/17

### **List of background papers**

14. None

### **Officer contact**

15. Mr Stephen John – Head of ICT & Procurement

Tel No: 01639 686218

E-mail: [s.john@npt.gov.uk](mailto:s.john@npt.gov.uk)

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## Head of ICT and Procurement Business Plan - 2016-2017

<b>Section 1: Introduction</b>	
	<b>Prompts</b>
<b>Introduction</b>	<p>This Business Plan covers the period 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017.</p> <p>The Division is responsible for the provision and support of all ICT functions across the Council's Departments including its Schools. The Division is also responsible for all Corporate Procurement activity within the Authority.</p> <p>Despite continued budget and staff reductions, the Division is still perceived as one that performs well, operates strategically and is extremely flexible in adapting its work programme to meet the Council's changing needs and priorities. This view will be tested during this year.</p>
<b>Section 2 : Priorities</b>	
	<b>Prompts</b>
<b>Principle 1 – Delivery of Priorities in 2015-2016</b>	
<b>Achievement of priorities during 2015-2016 (self-evaluation)</b>	<p>Many of the priority areas in the 2015-2016 Business Plan continue to be priorities in 2016-2017. These areas are transformational in nature and, though much work has already been undertaken, they remain important to the services involved and will continue to require significant resource from ICT. This work includes, for example, work generated by the Transforming Adult Social Care Programme and work in relation to modernising NPT Schools and addressing</p>

their needs as digital competency enters the curriculum framework. Work carried out in support of the ICE (Improve Customer Experience) and Digital by Choice programmes has been very successful and much of the recent Digital by Choice Key Note Event was based around this work.

The changes to the ICT Infrastructure which took place during 2015-2016 were successful but changes and improvement will continue into 2016-2017. The major changes which were successfully concluded last year included an upgrade of the server estate, upgrade of the email environment and a refresh of a large portion of the desktop estate.

The replacement of the Mentor System (the Council's Job Costing System) named Project Protégé continues into the new financial year. Work already carried out has allowed parts of the system to be decommissioned but significant elements remain. It will take a large amount of development time to replicate and improve on current functionality but this will deliver a substantial saving in license fees.

The reaccreditation to the Public Services Network (PSN) was successfully completed.

The iProcurement system was rolled out to a large percentage of services within the Authority as planned and this work will continue as we address the smaller purchasing units within the Council.

The savings associated with the planned collaboration with the National Procurement Service (NPS) has not delivered the expected value. The NPS has delayed many of the frameworks which were planned which has had a knock on effect within the Corporate Procurement Unit.



**Principle 2 – Priorities to be delivered in 2016-2017**

**Priorities to be achieved during 2016-2017**

(where possible (in less detail) please also include what you want to achieve in the following 2 years (17-18) and 18-19)

To continue to develop systems and modules that support Adult and Children’s Services including changes brought about by the implementation of the future Well-being Act (Safer, Brighter Futures)

Project Protégé - replace the Mentor job costing package with an in-house system which will replicate and improve on current required functionality (Helping to achieve FFP)

Workways Plus – To develop a Regional Case Management System that supports the operation of Workways (Improving Outcomes, Improving Lives)

CMS – Replace the current web content management system with an open source solution. This software will underpin all of the Council’s customer facing web sites. (Digital by Choice)

iDocs – rewrite and rationalisation of the existing Electronic Document & Records Management System (EDRMS) to improve document storage, retrieval and support publicly availability services (Improving Internal Systems)

Digital by Choice – Continue to develop systems for public access via the Council’s website in support of “Save Time Do It Online”. (Digital by Choice)

TPMS – Begin the process of rewriting the Council’s Property Management

System. (Helping other services achieve FFP, Digital by Choice, Improving Internal Systems)

WiFi Enhancements – An upgrade to the wireless infrastructure to increase and enhance coverage. Provision of a Public WiFi for guest access for citizen and partner agencies (Digital by Choice)

Upgrade/replacement of the Corporate Voice Solution – exploiting the opportunity to provide richer experience, video conferencing, instant messaging, desktop sharing with a link to citizen, officer and partner agencies (Improving Internal Systems, Digital by Choice)

New Schools Service Delivery Model – Journey to the cloud and beyond, support for teaching and learning supports the digital competency framework. (Better schools, Better Prospects)

Bae Baglan & YGG Ystalyfera – Major new builds/refurbishments (Better Schools, Better Prospects)

Collaboration – Provision of an encompassing infrastructure and a flexible operating environment to promote and support collaborative initiatives with partner organisations (Helping other services achieve FFP)

Flexible Working – Resurgence of demand for a flexible working environment both in civic centres and from remote locations. (Property Rationalisation, Digital by Choice).

Enhanced Resilience of Infrastructure – 24/7, always on, resilient, cloud where appropriate (Improving Internal Systems)

To continue to be accredited to use the Public Services Network (PSN) (Corporately Mandated)

Continued operational security surrounding corporate network and systems (Improving Internal Systems)

Ensure Value for Money and compliance through the application of the Authority's Contract Procedure Rules, Financial Regulations and EU Procurement Legislation. (Prosperity for All)

To continue the roll out of the iProcurement System whilst ensuring local businesses/ suppliers are able to do business with the Council. (Prosperity for All)

Investigate technologies which will assist in the deployment of the Welsh Language (Welsh Language Regulation, Improving Internal Systems)

To ensure that resources are managed within budget (including savings identified within the FFP) (Mandatory Measure)

Maintain sickness levels as low as possible (Mandatory Measure)

Ensure all staff PDRs are completed (Mandatory Measure)

Some of these priorities are long term projects and will continue into 17-18 and possibly 18-19.

### Priorities / Actions / Outcomes Table:

Please include here the key priorities for your services during 2016-2017. This will enable a clear and direct link between your services priorities, the actions to be undertaken to achieve those priorities and the planned outcomes. (These will include the priorities your managers will lift from your business plan for inclusion in their service report cards).

<b>Priority</b>	<b>Actions to deliver the priorities</b>	<b>Officer (s) Responsible</b>	<b>Timescale</b>	<b>Evidence to indicate achievement e.g. outcomes.</b>
<b>P1</b> - Develop systems and modules that support Adult and Children's Services	<b>Ensure that required systems are developed</b>	<b>Phil Hopkins</b>	<b>Ongoing</b>	<b>Systems in use by service</b>
<b>P2</b> - Project Protégé	<b>Complete system development and cancel Mentor licenses</b>	<b>Phil Hopkins</b>	<b>Q3 – 2016/17</b>	<b>Mentor contract terminated Protégé system in operation</b>
<b>P3</b> - Workways Plus	<b>Develop Workways Case Management System</b>	<b>Phil Hopkins</b>	<b>Q2 – 2016/17</b>	<b>Workways system in operation Income generation</b>
<b>P4</b> – Content Management System	<b>Replace current Content Management System (CMS) with new open source solution</b>	<b>Phil Hopkins</b>	<b>Ongoing</b>	<b>New CMS in operation Saving on existing contract</b>
<b>P5</b> – iDocs	<b>Rewrite and rationalise existing document</b>	<b>Phil Hopkins</b>	<b>Ongoing</b>	<b>New system in operation</b>

	<b>management system</b>			
<b>P6 – Digital by Choice</b>	<b>Continue to develop systems for public access via Council’s web site</b>	<b>Phil Hopkins</b>	<b>Ongoing</b>	<b>More services developed end to end and/or online</b>
<b>P7 – TPMS</b>	<b>Rewrite Council’s Property Management System</b>	<b>Phil Hopkins</b>	<b>Ongoing</b>	<b>New system in operation</b>
<b>P8 – WiFi Enhancements</b>	<b>Improvements to the corporate WiFi</b> <b>Provision of Guest WiFi</b>	<b>David Giles</b>	<b>Q2 – 2016/17</b>	<b>Public Access Wi-Fi delivered to agreed locations</b>
<b>P9 – Corporate Voice Solution</b>	<b>Upgrade of voice solution</b>	<b>David Giles</b>	<b>Q3 – 2016/17</b>	<b>Improved functionality available</b> <b>Joint solution covering Swansea &amp; ABMU</b>
<b>P10 – New Schools Service Delivery Model</b>	<b>Support for new provision for teaching and learning</b>	<b>David Giles</b>	<b>Q3 – 2016/17</b>	<b>Enable schools to deliver their curriculum requirements</b>
<b>P11 – Bae Baglan &amp; YGG Ystalyfera</b>	<b>New build/refurbishment</b>	<b>David Giles</b>	<b>Q3 – 2016/17 (BB)</b>	<b>Schools open &amp; functional</b>

<b>P12 – Collaboration</b>	<b>Provision of environment to support collaboration</b>	<b>Dave Giles</b>	<b>Ongoing</b>	<b>More transparent service provision</b>
<b>P13 – Flexible Working</b>	<b>Provision of flexible working environment</b>	<b>David Giles</b>	<b>Ongoing</b>	<b>Staff able to work from multiple locations</b>  <b>Release Council buildings</b>
<b>P14 – Enhanced Resilience</b>	<b>Improvements to corporate resilience</b>	<b>David Giles</b>	<b>Ongoing</b>	<b>System availability operating at &gt;98%</b>
<b>P15 – Public Services Network (PSN) Accreditation</b>	<b>Complete reaccreditation process</b>	<b>Ian John</b>	<b>Nov 2016</b>	<b>Continuation of Council use of PSN Secure Network</b>
<b>P16 – Network and system security</b>	<b>Ensure that security is in place around the Council’s network and systems</b>	<b>Ian John</b>	<b>Ongoing</b>	<b>Secure network and systems</b>
<b>P17 – Procurement rules adherence</b>	<b>Apply the Authority’s Contract Procedure Rules, Financial Regulations and EU Procurement Legislation.</b>	<b>Ian John</b>	<b>Ongoing</b>	<b>Continued adherence to guidance</b>

<b>P18 – iProcurement System</b>	<b>Continue to roll out and administer the iProcurement System</b>	<b>Ian John</b>	<b>Ongoing</b>	<b>More transactions will be seen going through system</b> <b>More business directed to local companies / suppliers</b>
<b>P19 – Budget</b>	<b>Ensure that resources are managed within budget</b>	<b>ICT Management Team</b>	<b>Ongoing</b>	<b>FFP Targets met</b>
<b>P20 – Sickness Levels</b>	<b>Continue to have low sickness statistics</b>	<b>ICT Management Team</b>	<b>Ongoing</b>	<b>Low sickness figures</b>
<b>P21 – Performance Appraisals</b>	<b>Ensure staff performance appraisals are completed</b>	<b>ICT Management Team</b>	<b>31st March 2017</b>	<b>All staff performance appraisals are complete</b>

### Priority Measures Table:

Please include here the measures you will use to evidence achievement / progress towards your priorities. Please include relevant measures that have been included in the Council's Corporate Improvement Plan 2016-2019.

<b>Priority Measures (2016-2017)</b>	<b>2014-2015 Performance (if available)</b>	<b>2015-2016 Performance (if available)</b>	<b>2016-2017 Performance Target</b>
<b>PM1 – Percentage of support calls completed within 1 day</b>	<b>71.5%</b>	<b>77%</b>	<b>75%</b>
<b>PM2 – Missed calls</b>	<b>3%</b>	<b>2.6%</b>	<b>3%</b>
<b>PM3 – System availability</b>	<b>99.9%</b>	<b>99.9%</b>	<b>&gt;98%</b>
<b>PM4 – Number of transactions through eProcurement tools</b>	<b>49,427</b>	<b>88,401</b>	Continue on the upward trend
<b>PM5 – FFP Savings met</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>



**Mandatory Corporate Measures Table** (other than CM10 these mandatory measures are also required in the service report cards prepared by your managers):

**Additional Guidance to support the Corporate Measures is attached as Appendix 1.**

<b>Mandatory Corporate Measures (2016-2017)</b>	<b>2014-2015 Performance (if available)</b>	<b>2015-2016 Performance (if available)</b>	<b>2016-2017 Performance Target</b>
<b>CM01</b> Number of transactional services: a) Fully web enabled b) Partially Web enabled	<b>N/A</b>	<b>N/A</b>	<b>Division is an enabler rather than an area which provides a transactional service</b>
<b>CM02</b> % of revenue expenditure within budget	<b>100%</b>	<b>100%</b>	100%
<b>CM03</b> Amount of FFP savings at risk	<b>0</b>	<b>0</b>	0
<b>CM04</b> Average FTE (full time equivalent) days lost due to sickness	<b>8.43 (0.7 per month)</b>	<b>5.36 (0.44 per month)</b>	Maintain current good performance in this area
<b>CM05</b> % (no.) of staff performance appraisals to be completed	<b>10%</b>	<b>10%</b>	100%
<b>CM06</b> Number of employees who left due to unplanned departures	<b>0</b>	<b>2</b>	0
<b>CM07</b> Total number of complaints: Internal	<b>N/A</b>	<b>0</b>	<b>0</b>

External	N/A	0	0
<b>CM08</b> Total number of compliments: Internal External	N/A N/A	<b>Compliments are received regularly in respect of good work or help given to internal and external parties. These are not recorded.</b>	
<b>CM09</b> % (no.) of services measuring customer satisfaction	N/A	N/A	100%
<b>CM10</b> % (no.) of service report cards to be produced by 31.03.17	N/A	100%	100%

<b>Additional Corporate Measure (2016-2017)</b>	<b>2014-2015 Performance (if available)</b>	<b>2015-2016 Performance (if available)</b>	<b>2016-2017 Performance Target</b>
<b>CM11</b> % (no.) of services measuring staff engagement (to be piloted during 2016/17 - see guidance note)	N/A	N/A	N/A

Principle 2 - continued	Prompts
<p><b>Why are these priorities?</b></p>	<p>These areas have been prioritised after in-depth consultation with Chief Officers and their service managers with the aim of helping services meet their financial objectives and Council priorities.</p> <p>The priorities will aid services in helping to maximise their potential whilst ensuring that staff and members work from a resilient and always available IT infrastructure.</p> <p>To ensure that the Authority has value for money in its expenditure and that local business collaboration is prioritised.</p> <p>To ensure that the Council has a modernised and supported infrastructure that will remain valid for the next four to six years.</p>
Principle 2 - continued	Prompts
<p><b>How are you going to secure the achievement of these priorities?</b></p>	<p>These achievements will be secured in-house by the ICT &amp; Procurement Division's experienced and qualified staff.</p> <p>However, should a limit to available manpower be reached, for example due to the budget situation and dwindling resources, if all the services' priorities are to be met external resource may need to be procured.</p>

	<p>For several years the service has been providing opportunities for Modern Apprenticeships. We continue to support this and currently have 5 modern apprentices working in the department.</p> <p>Partnership working has also been discussed with neighbouring authorities and with ever decreasing resources and budget this will continue. This plan cannot rely on this process however and the delivery of the priorities identified herein do not depend on this at this stage.</p>
<p><b>Principle 3 – Workforce Planning</b></p>	<p><b>Prompts</b></p>
<p><b>What are the key workforce challenges for this service?</b></p>	<p>As mentioned above, the use of Modern Apprentices and the possibility of working with other authorities are already being considered.</p> <p>A particular challenge is currently being experienced within the Procurement Team where two senior managers left to take up other appointments. Internal changes have taken place within the team but the full effects of this loss of knowledge and experience are still being evaluated.</p> <p>Structures within the division have been (and are still being) reviewed with the intention of maximising staff usage, ensuring their engagement, broadening skill sets and increasing job satisfaction.</p> <p>Training within the ICT environment is a regular occurrence due to the fact that the underlying technology is constantly changing and evolving but other training may need to take place if staff are asked to change roles during a structure review.</p>

	<p>This picture of a mobile, responsive team is however offset by an ever increasing demand for the service in respect of ICT and Procurement. Where demand outstrips the dwindling resources available there may be a need to add to existing staffing levels; albeit on a temporary basis.</p>
<b>Principle 3 - continued</b>	<b>Prompts</b>
<p><b>What are the longer term workforce challenges for this service?</b></p>	<p>The longer term workforce challenges will be similar to current challenges being experienced by the service and Authority as a whole. The service has an ageing workforce which will undoubtedly lead to a massive loss of experience over the next few years.</p> <p>This, with reducing resources could have an effect on service delivery and we are attempting to mitigate this risk with targeted workforce planning.</p>
<p><b>What actions are we going to take to address these challenges?</b></p>	<p>Training and development plans are in place and staff are undertaking ILM and NVQ training as well as the specific work-related training.</p> <p>Staff are being asked to broaden leadership abilities by leading on projects and are supported in enhancing other skills where they feel there is a need.</p>

<b>Principle 4 – Property Management</b>	<b>Prompts</b>
<p><b>What are the property consequences of delivering the</b></p>	<p>Delivering priorities outlined in this business plan will have no direct property consequences but there may be implications for the services who have:</p>

<p><b>priorities you have outlined in your business plan?</b></p>	<ul style="list-style-type: none"> <li>• asked for work to be undertaken and may be able to reduce staff as a result.</li> <li>• Make use of the agile working solutions which are being made available to staff and managers</li> </ul>
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**Property Table:**

Page 198

Property Name	Required Change	Why	Impact
N/A			

Principle 5 – Risk Management	Prompts
How will any risks be managed / mitigated?	

**Risk Table:**

Ref	Risk Description	Likelihood Score	Impact Score	Total Score	Proximity	Mitigating Action	Target Date	Risk Owner
R1	Loss of key staff from Division	5	5	10 (High)		Combination of better job satisfaction through System Reviews, Employee Development Review process and reduction of dependency on key individuals by sharing expert knowledge across other staff.	Ongoing	ICT Management Team
R2	Workload exceeds available resources	3	3	6 (Med)		Ensure that senior IT Managers are consulted for all projects that contain elements linked to ICT. Stronger ICT governance and priority vetting.	Ongoing	ICT Management Team

						Ensure tasks and targets published in the Business Plan are achievable by setting realistic target dates and managing resources effectively.		
<b>R3</b>	Loss of Public Services Network (PSN) accreditation	2	4	6 (Med)		Ensure that all areas of PSN Conditions of Connection are met	Ongoing	ICT Management Team
<b>R4</b>	Loss of Exchange/Email Service.	1	2	3 (Low)		Provision of resilience through implementation of high availability redundant servers.	Ongoing	ICT Management Team
<b>R5</b>	Significant Fabric/Infrastructure loss.	1	2	3 (Low)		Enhanced environmental monitoring agents coupled with more robust Business Continuity processes	Ongoing	ICT Management Team
<b>R6</b>	Unauthorised access to corporate facilities/ information.	1	2	3 (Low)		Increased detection methods and better	Ongoing	ICT Management Team



						application security.		
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## POLICY AND RESOURCES CABINET BOARD

### REPORT OF THE HEAD OF FINANCIAL SERVICES – DAVE REES

29<sup>th</sup> June 2016

#### Matters for Information

#### Wards Affected - All

#### TREASURY MANAGEMENT MONITORING 2016/17

##### 1. Purpose of Report

- 1.1 This report sets out treasury management action and information since the previous report.

##### 2. Rates of Interest

- 2.1 Bank base rates remain at of 0.5% (since 5<sup>th</sup> March 2009) and detailed below are the changes in the bank base rate since April 2008.

<b>Effective Date</b>	<b>Bank Rate</b>
10 April 2008	5.00%
08 October 2008	4.50%
06 November 2008	3.50%
04 December 2008	2.00%
08 January 2009	1.50%
05 February 2009	1.00%
05 March 2009 to date	0.50%

- 2.2 The following table provides examples of external borrowing costs as provided by the Public Works Loans Board as at 13<sup>th</sup> June 2016.

	Equal Instalments of Principal		Annuity		Maturity	
	Previous 04May16	Current 13Jun16	Previous 04May16	Current 13Jun16	Previous 04May16	Current 13Jun16
	%	%	%	%	%	%
5-5.5 years	1.58	1.47	1.58	1.47	1.97	1.78
10-10.5 years	1.97	1.78	1.99	1.79	2.64	2.36
20-20.5 years	2.64	2.36	2.70	2.44	3.27	3.04
35-35.5 years	3.18	2.93	3.27	3.01	3.22	2.95
49.5-50 years	3.34	3.09	3.31	3.06	3.11	2.83

### 3. Treasury Management Budget

- 3.1 The following table sets out details of the treasury management budget for 2016/17. The budget consists of a gross budget for debt charges i.e. repayment of debt principal and interest, and interest returns on investment income.

2015/16 Outturn Position £'000		2016/17 Original Budget £'000
14,799	Principal and Interest charges	16,762
	<b>Investment Income</b>	
(740)	- Total	(614)
218	- less allocated to other funds*	260
<b>(522)</b>	<b>Subtotal Income</b>	<b>(354)</b>
(97)	Contribution to/(from) treasury management reserve	
2,900	Contribution to voluntary redundancy reserve	
<b>17,080</b>	<b>Net General Fund</b>	<b>16,408</b>

NB: Other funds include Trust Funds, Social Services Funds, Schools Reserves, Bonds etc.

## 4. Borrowing

4.1 The following borrowing has been arranged with the PWLB:

Date of Advance	Loan Reference	Amount	Interest Rate	Term	Type	Maturity Date
17 <sup>th</sup> June 2016	505087	£10.0m	2.55%	46 years	Maturity Loan	1 <sup>st</sup> July 2062

## 5. Investment Income

5.1 In line with the Council's Investment Strategy, the 2016/17 Original Budget for investment income is £614,000; treasury management investment income generated on investments made to date is £321,000.

Members should note that the majority of investments are classified as 'specified' i.e. up to 12 months and are currently deposited with Local Authorities, UK banks including Barclays, Lloyds Group, Bank Santander, Clydesdale and Nationwide Building Society.

5.2 The Council policy will allow investments up to a maximum of £25m for periods of more than 1 year and up to 5 years, and this will be considered when decisions on investing surplus funds are made.

5.3 No additional long term investments have been carried out since the last report. The Council currently has £10m invested for periods in excess of 12 months:

Counterparty	Value £'000	Period	Maturity	Rate %
Eastbourne Borough Council	4,000	4.5 Years	June 18	2.20%
Peterborough City Council	6,000	5 Years	Dec 18	2.10%
<b>TOTAL</b>	<b>10,000</b>			

### **Financial Impact**

6. The report is for information only. All relevant financial information is provided in the body of the report.

### **7. Equality Impact Assessment**

An equality impact assessment was not required for this report.

### **Workforce Impacts**

8. There are no workforce impacts arising from this report.

### **Legal Impacts**

9. There are no legal impacts arising from this report.

### **Risk Management**

10. There are no risk management issues arising from this report.

### **Consultation**

11. There is no requirement under the Constitution for external consultation on this item.

### **Appendices**

12. None

### **List of Background Papers**

Treasury Management Files  
PWLB Notice Number 224/16

### **Officer Contact**

Mr David Rees – Head of Financial Services  
Contact details - 01639 763634, d.rees1@npt.gov.uk

Mr Huw Jones – Chief Accountant – Capital and Corporate  
Contact details 01639 763575, h.jones@npt.gov.uk

Mr Chris Rees – Senior Accountant  
Contact details - 01639 763590, c.rees@npt.gov.uk

## Neath Port Talbot County Borough Council

### Policy and Resources Cabinet Board

29 JUNE 2016

#### Report of the Head of Financial Services – David Rees

#### **MATTER FOR DECISION: COUNCIL TAX AND BUSINESS RATES- REPRESENTATIVES AT MAGISTRATES COURT PROCEEDINGS**

**Wards Affected:** All

#### **Purpose of report**

1. To update the list of staff who are authorised to represent the Authority at Magistrates Court proceedings.

#### **Background**

2. Following changes in the Council Tax section there is a need to update the list of staff who are authorised to represent the Council at Magistrates Court proceedings for the recovery of Council Tax and Business Rates

#### **Proposal**

3. In pursuant to section 223 of the Local Government Finance Act 1972, Christopher Watkins be authorised to represent the Authority in proceedings before a Magistrate Court for the purpose of the recovery of Council Tax and Sharon MacFarlane and Andrew MacFarlane be removed from the list of authorised personnel.

Current list

Mrs A Hinder

Mrs P Hill

Mrs R Stanbury

Mrs S MacFarlane

Mr A MacFarlane

Mrs A Greenway

Miss V Edwards  
Mrs P Roberts  
Mrs I Smith  
Mrs L Lewis

### **Financial Impact**

4. There are no financial impacts arising from this report.

### **Equality impact assessment**

5. There was no requirement for an equality impact assessment in terms of this report.

### **Workforce impacts**

6. There are no workforce impacts arising from this report.

### **Legal impact**

7. There are no legal impacts arising from this report.

### **Risk management**

8. There are no risk management issues arising from this report.

### **Consultation**

9. There is no requirement under the Constitution for external consultation on this item.

### **Recommendation**

10. Recommended that Members approve the revised list of people to represent the Authority in proceedings before a Magistrates Court for the purpose of the recovery of Council Tax and Business Rates as detailed below:-

Mrs A Hinder  
Mrs P Hill  
Mrs R Stanbury

Mrs A Greenway



Miss V Edwards  
Mrs P Roberts  
Mrs I Smith  
Mrs L Lewis  
Mr C Watkins

**Reason for proposed decision**

11. To confirm officers authorised to represent the Authority at Magistrate Court proceedings.

**Implementation of decision**

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

**Appendices**

13. None

**List of background papers**

Local Government Finance Act 1972

**Officer contact**

14. Mr David Rees – Head of Financial Services  
Tel. No. 01639 763634  
E-mail: d.rees1@npt.gov.uk

Mrs Ann Hinder – Principal Council Tax Officer  
Tel. No. 01639 763908  
E-mail: a.hinder@npt.gov.uk

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## DRAFT FORWARD WORK PROGRAMME – POLICY AND RESOURCES CABINET BOARD 2016 - 2017

**Nota Bene:** Special P & R Scrutiny Committee and Cabinet Board arranged for **14<sup>th</sup> July 2016** re: Welsh Language Standards

MEETING DATE 27th JULY 2016	Item No.	AGENDA ITEMS/ REPORT TITLES	TYPE OF REPORT (i.e. for Decision/Monitoring or Information)	CONTACT
	1.	Treasury Mgt Monitoring	Information	H. Jenkins
	2.	Private Reports: Write Offs	Decision	D. Rees
	3.	Welsh Language Standards - Compliance Notice	Decision	R. Headon
	4.	Strategic Equality Plan Update	Information	R. Headon
	5.	Community Cohesion Update	Information	S.Morriss
	6.	Legal Services Business Plan	Decision	D. Michael

<b>MEETING DATE</b> 21st September 2016	<b>Item No.</b>	<b>AGENDA ITEMS/ REPORT TITLES</b>	<b>TYPE OF REPORT (i.e. for Decision/Monitoring or Information)</b>	<b>CONTACT</b>
	1.	Treasury Mgt Monitoring	Information	H. Jenkins
	2.	Private Reports: Write Offs	Decision	D. Rees
	3.	Miscellaneous Grants Applications	Decision	H. Jenkins
	4.	Quarterly Performance Monitoring Report(Quarter 1 16/17)	Monitoring	S. Davies
	5.	Governance Report Update	Information	N.Sparkes
	6.	Compact Review Voluntary Sector	Decision	K Jones.

<b>MEETING DATE 2<sup>nd</sup> November 2016</b>	<b>Item No.</b>	<b>AGENDA ITEMS/ REPORT TITLES</b>	<b>TYPE OF REPORT (i.e. for Decision/Monitoring or Information)</b>	<b>CONTACT</b>
	1.	Treasury Mgt Monitoring	Information	H. Jenkins
	2.	Private Reports: Write Offs	Decision	D. Rees
	3.	Miscellaneous Grant Applications	Decision	H.Jenkins

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