



CABINET SCRUTINY COMMITTEE

9.30 am WEDNESDAY, 24 OCTOBER 2018

COUNCIL CHAMBER - PORT TALBOT CIVIC CENTRE

Part 1

1. Declarations of Interests
2. Minutes of the Previous Meeting (*Pages 5 - 32*)
3. To select appropriate items from the Cabinet agenda for pre-decision scrutiny (cabinet reports enclosed for Scrutiny Members)
4. To select appropriate items from the Cabinet (Finance) Sub Committee agenda for pre-decision scrutiny (Cabinet Finance Sub - Committee reports enclosed for Scrutiny Members)
5. Forward Work Programme 18/19 (*Pages 33 - 36*)
6. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the Chairman pursuant to Section 100B (4) (b) of the Local Government Act 1972
7. 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

8. To select appropriate items from the Private Cabinet (Finance) Sub Committee agenda for pre-decision scrutiny (Cabinet Finance Sub - Committee reports enclosed for Scrutiny Members)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Wednesday, 17 October 2018

Committee Membership:

Chairperson: Councillor A.N.Woolcock

**Vice
Chairperson: Councillor S.Rahaman**

Councillors: M.Crowley, J.Evans, S.E.Freeguard, M.Harvey,
S.K.Hunt, H.N.James, A.Llewelyn, S.Miller,
J.D.Morgan, S.Paddison, S.M.Penry, L.M.Purcell,
A.L.Thomas and J.Warman

Notes:

- (1) If Committee Members or non-Committee Members wish to have relevant items put on the agenda for future meetings, then please notify the Chief Executive/Chair eight days before the meeting.*
- (2) If non-Committee Members wish to attend for an item of interest, then prior notification needs to be given (by 12.00 noon on the day before the meeting). Non-Committee Members may speak but not vote, or move or second any motion.*
- (3) For pre scrutiny arrangements, the Chair will normally recommend forthcoming executive items for discussion/challenge. It is also open to Committee Members to request items to be raised - though Members are asked to be selective here in regard to important issues.*

- (4) *The relevant Cabinet Members will also be invited to be present at the meeting for Scrutiny/ Consultation purposes.*
- (5) *Would the Scrutiny Committee Members please bring the Cabinet papers with them to the meeting.*

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JOINT CABINET AND EDUCATION, SKILLS AND CULTURE SCRUTINY COMMITTEE

(Council Chamber - Port Talbot Civic Centre)

Members Present:

6 September 2018

Chairperson: Councillor A.L.Thomas

Vice Chairperson: Councillor A.N.Woolcock

Councillors: S. ap Dafydd, M.Ellis, S.E.Freeguard, S.Harris, M.Harvey, S.K.Hunt, H.N.James, A.Llewelyn, S.Miller, R.Mizen, J.D.Morgan, S.M.Penry, R.Phillips, M.Protheroe, L.M.Purcell, S.Rahaman, S.Renkes, A.J.Richards, R.L.Taylor and D.Whitelock

Co-opted Voting Members: A. Amor and M.Caddick

Co-opted Non Voting Members: R.De Benedictis

Officers In Attendance S.Phillips, K.Jones, R.Crowhurst, H.Jenkins, A.Jarrett, A.Evans, C.Millis, A.Thomas, R.Gordon, M.Shaw, M.Lang, J.Davies, N.Headon and C.Davies

Cabinet Invitees: Councillors C.Clement-Williams, D.Jones, E.V.Latham, A.R.Lockyer, P.A.Rees, P.D.Richards, A.J.Taylor and A.Wingrave

Ward Members Councillors S.Jones, N.Davies and J.Jones

1. **APPOINTMENT OF CHAIRPERSON AND VICE CHAIRPERSON**

Agreed that Councillor A.L.Thomas be appointed Chairperson for the meeting.

Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Chair of Governors at Ysgol Gynradd Gymraeg Cwm-nedd but has dispensation to speak and vote.

Cllr. R.Phillips Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is a Governor at Ysgol Gymraeg Trebannws but has dispensation to speak and vote.

Cllr. S.ap.Dafydd Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Governor at St Joseph's School and 6th Form and Ysgol Bae Baglan but has dispensation to speak and vote.

Cllr. C.Clement-Williams Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is a Governor of Baglan Primary School, has a grandchild at Ysgol Bae Baglan and a grandchild at Brynhyfryd Primary School but has dispensation to speak and vote.

Cllr. D.Jones Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is a Governor at Cilffriw

Primary School and Llangatwg Community School but has dispensation to speak and vote.

- Cllr. A.Lockyer Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Governor at YGG Castellnedd and Gnoll Primary School and has grandchildren in the education system but has dispensation to speak and vote.
- Cllr. E.V.Latham Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Governor at Tywyn Primary School and Ysgol Bae Baglan but has dispensation to speak and vote.
- M.Caddick Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is a Governor at St Joseph's Primary School Neath but has dispensation to speak and vote.
- Cllr. S.Harris Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is a Governor at Creunant Primary School but has dispensation to speak and vote.
- Cllr. S.Miller Re: Report of the Director of Education,

Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is a Chair of Governors at Melin Primary School and has grandchildren in the education system but has dispensation to speak and vote.

Cllr. H.N.James Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Governor at Ysgol Gymraeg Ystalyfera-Bro Dur and Chair of Governors at Llansawel Primary School but has dispensation to speak and vote.

Cllr. M.Harvey Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Chair of Governors at Abbey Primary School but has dispensation to speak and vote.

Cllr. A.Llewelyn Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Chair of Governors at Ysgol Gymraeg Ystalyfera-Bro Dur and wife is employed as a teacher but has dispensation to speak and vote.

Cllr. L.Purcell Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement

Programme, Future of Secondary Education in the Upper Afan Valley as she is a Governor at Rhydyfro Primary School and Cwmtawe Community School but has dispensation to speak and vote.

- Cllr. A.Thomas Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Governor at Rhos Primary School but has dispensation to speak and vote.
- Cllr. A.Woolcock Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Chair of Governors at Tairgwaith Primary School but has dispensation to speak and vote.
- Cllr. P.D.Richards Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Vice Chair of Governors at Baglan Primary School and Blaenbaglan Primary School but has dispensation to speak and vote.
- Cllr. D.Whitelock Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he a Governor at Ysgol Cwm Brombil and has grandchildren at Ysgol Cwm Brombil but has dispensation to speak but not vote.

- Cllr. R.Taylor Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is a Governor at Eastern Primary School and has children who attend Ysgol Cwm Brombil but has dispensation to speak but not vote.
- Cllr. R.Mizen Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Governor at Ysgol Cwm Brombil, Cwmafan Primary School and Ysgol Gymraeg Ystalyfera-Bro Dur and has grandchildren who will attend Ysgol Cwm Brombil and wife works at Ysgol Cwm Brombil but has dispensation to speak but note vote.
- Cllr. S.M.Penry Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is a Governor at Cefn Saeson Comprehensive School and Vice Chair of Melin Primary School but has dispensation to speak and vote.
- Cllr. A.Wingrave Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she has grandchildren in the education system but has

dispensation to speak and vote.

Cllr. M.Protheroe Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Governor at Melin Primary School and Cefn Saeson Primary School and has children in the education system but has dispensation to speak and vote.

Cllr. S.Rahaman Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he has children who attend Central Primary School but has dispensation to speak and vote.

Cllr. S.Hunt Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Governor at Blaendulais Primary School and YGG Blaendulais and has a daughter who works at YGG Castell Nedd but has dispensation to speak and vote.

Cllr. S.Renkes Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is a Governor at Blaenbaglan Primary School and Baglan Primary school but has dispensation to speak and vote.

Cllr. N.Davies Re: Report of the Director of Education,

Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she is an LEA Governor at Upper Afan Federation School and parent of child who attends Cymer Afan Comprehensive School.

Cllr. S.Jones Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as he is a Governor at Upper Afan Federation School.

Cllr. J.Jones Re: Report of the Director of Education, Leisure and Lifelong Learning on the Strategic School Improvement Programme, Future of Secondary Education in the Upper Afan Valley as she has grandchildren who attend Cymer Afan Comprehensive School.

3. **PRE-SCRUTINY**

The Committee chose to scrutinise the following Cabinet items:

Cabinet Proposals

3.1 Strategic School Improvement Programme - Future Of Secondary Education In The Upper Afan Valley

(Cllr.R.Mizen re-affirmed his interest at this point and withdrew from the meeting)

(Cllr.D.Whitelock re-affirmed his interest at this point and withdrew from the meeting)

Members received information on a proposal to make arrangements for pupils who would otherwise attend Cymer Afan Comprehensive School to receive their secondary

education at a new build school in Margam, Ysgol Cwm Brombil, and to close Cymer Afan Comprehensive, as detailed in the circulated report.

The three Ward Members Cllr. S.Jones, Cllr. J.Jones and Cllr N.Davies were in attendance at the meeting and addressed the Committee.

They stated that there were many still unanswered questions. One question was what the future of the facilities used by the Community was, as they were attached to the School and there had been no discussion on the relocation of these or if they would continue. Officers highlighted that one option would be to apply for grant funding to continue with these activities and Officers were happy to discuss this with Local Members.

They also asked what the cost was for the demolition of the building and the removal of asbestos. Officers explained that once declared surplus to requirements, the demolition would go out to tender. This would be in consultation with the Local Members.

It was asked what was being done in relation to the backlog on the maintenance costs for feeder schools of approximately £3 million. It was noted that the School maintenance falls under the responsibility of the Environment department. It was explained that when buildings are in need of maintenance they are managed on priority basis depending on which building is in need of repair the most.

The Ward Members asked what measures were in place to ensure that roads A4106 and A463 were safe for the children to commute to the new schools as there were 62 accidents and 2 deaths recorded on those roads in the past. Officers highlighted that all roads had risks, however, the Council has a robust procedure in place to minimise those risks and to ensure children's safety.

The Ward Members also raised concern on the Health and wellbeing of the children as there would be a reduction of family and study time, as their travel time would be greater than other school children. Officers highlighted that many children travel this amount of time to and from school; it was noted that some children like it as they have time with their friends.

They raised concern around Key stage 4 pupils and the disruption the move would cause them. Officers highlighted that they would ensure that disruption is kept to a minimum.

The Ward Members asked whether there would be free transport to Maesteg Comprehensive School. Officers highlighted that under the transport policy free transport would be provided to Maesteg Comprehensive as it would be the nearest suitable school for pupils. Transport would also be provided to Ysgol Cwm Brombil as the designated catchment school.

The Ward Members asked whether transport would be provided for children who want to access after school activities. Officers highlighted that transport could be arranged, however this was not for officers to decide, this would fall under the remit of head teachers and school governors.

The Ward Members highlighted that families would relocate where there are work opportunities therefore resulting in a decline in the population; therefore going against the aims of the Welsh Government Valleys Taskforce. The Chief Executive highlighted that the Neath Port Talbot Valleys Task and Finish Group had developed an action plan to try to mitigate the issues within the valley communities which had been forwarded to Cabinet for consideration. A response from Cabinet would be provided to Members at a future meeting of Cabinet.

The Ward members highlighted that the cost per pupil is high, and that this should be the case as there is a high level of need in the area. Officers explained that the higher funding is not because of the high level of need in the school but rather to provide the basic education which every secondary school provides. There are high levels of need in every secondary school in Neath Port Talbot.

The Ward Members asked whether Cymmer Afan could have a six form to make the School more it sustainable and increase numbers. Officers explained that a school requires certain merits to qualify for a six form. It would cost around £1,000 per pupil if there was a sixth form as the numbers would be very small which would make A Levels difficult with the numbers and size.

The Ward Members said that a Community impact assessment had highlighted that there would be an adverse and detrimental effect on the community. It was asked whether this was adhering to the Future Generations and Wellbeing Act. Officers explained that this proposal supported the requirement of the Act by giving children an improved facility and opportunities by moving to a new 21st century school with all the benefits of that. In addition it enabled young people to gain an improved educational attainment level which will enable them to gain employment and support the valley communities.

Ward Members highlighted their concern in relation to pollution and the detrimental effect it could have on health and the close proximity to the school to areas of pollution and asked, what was being done about this issue. The Chief Executive highlighted his acknowledgement in relation to the pollution issues, however explained that there was ongoing work in place to remedy this situation, such as the introduction of the 50mph speed limit on the M4. It was noted that the Council Rejected the motion in relation to Port Talbot being the most polluted place in the UK as those figures were incorrect.

The Ward Members highlighted that the Council must have been aware of the potential closure of the school when applying for funding in January 2017. Officers explained that there was no mention of Cymmer Afan in the business plan as there was no plan at the time to close the school.

The Ward Members asked the committee to consider rejecting the proposals.

Members of the Scrutiny Committee highlighted their support for the local Members.

Members highlighted that the recommendation states, that it had in due regard to the impact assessment and asked what regard the council had taken in relation to it, the negative impact on staff and the stress that the key stage 4 pupils will be under when, they would be required to move schools during their most vulnerable time in school. It was highlighted that there are high levels of deprivation which added to the difficulty of parents accessing parents evening and for children to access after school activities where parents do not have their own

transport. It was noted that the proposal for consideration today should not just be based on education but also has to take into account the negative impacts on the community. It was asked what regard has the council made to these concerns. Officers responded that there were a lot of matters considered. It was noted that providing better education is the main driver helping to develop skills and better education. It was noted that the authority have had similar issues in the past before the transition to Ysgol Bae Baglan which were overcome.

It was highlighted that the Council has a good and successful performance rate at Key Stage 4. Officers explained that the Equality Impact Assessment is very clear which takes full account of risks. It was noted that it is important to know the risks to allow the authority to address any risks. It was highlighted that the Equality Impact Assessment had been looked at by Counsel.

Members asked that if the proposal was agreed, what impact the removal of the school from the federation would have on the costs and budget. Members also highlighted that the opening of Cwm Brombil and closure of Cymmer Afan, had happened at similar times and highlighted that it was coincidental that Cymmer Afan wasn't being considered for closure at the same time around three years ago. Members felt that there had been a lack of imagination with regard to Cymmer Afan and therefore proposed an amendment. Officers explained that the Primary School formula and Secondary School formula were different. It was noted that the Cymmer Secondary formula would push up the federation's costs, due to the higher per pupil price which would call into question the viability of primary schools.

Members also stated that previously Bus Companies were not transparent in relation to the age of buses transporting to children to and from school. It was highlighted that there have been instances of a private plate being used to mask the age of the vehicle. This meant that buses used to transport young people were not always fit for purpose and Officers were asked what was being done to prevent this happening in future. Officers highlighted that various checks were made by the Council on vehicles and now the Council did not allow vehicles to be over the age of 7 years old.

(Cllr.M.Ellis left the meeting)

The Chair adjourned the meeting to allow Public, Officers and Members to have a break.

(The Chair reconvened the meeting and welcomed everyone to the meeting.)

The Chair read out a question on behalf of a member of the Committee who could not stay for the full Committee:-

'I have concerns that the delay in the Cymmer school closure and subsequent arrangements for pupils attend Ysgol Bromfil may be interpreted as not having been fully considered in the setting out of the case for closure. There can be no doubt that the change in provision will have a major social and economic impact on the Upper Afan communities. How will the change affect the Schools Federation between primary and Secondary School. Not simply financial but moving forward in organisation needs and community engagement and participation. I am concerned also on the extension of the distance and timing of school buses with the potential and expected impact on behaviour, and access to pre and post school activities and the loss of time lost in the process. Staff too from Cymmer may have not had the same opportunities the reassignment to Ysgol Brombil.'

Officers explained that they expected the federation in the Afan Valley to continue. It was noted that there is a Policy in place to address any concerns regarding the buses and their condition, plus any behaviour issues on the buses. It was also noted that there was a policy in place to support staff displaced as a result of the school closure which would take place in consultation with the trade unions.

Members re-iterated the difficulty that the lack of transport was having on valley communities which adds to the decline in the valleys. It was observed by Members that decision making and policy was usually centralised. It was highlighted that the Welsh Government were supporting the valleys, however, they felt that the Council did not. The Chief Executive explained that the Council are working with Welsh Government on initiatives however, the authority has to work with the resources it currently has.

Members highlighted that they were in favour of 21st century schools, however they felt that this was not the best decision for the valleys. It was noted that Members understood there had been a financial crisis. Members felt that there should be equal investment in valleys as there was in towns. The Chief Executive agreed with Members that the salvation of the valleys was not only in investment in building but how to maintain them. It was noted that putting something in place is easy, however maintaining it is difficult. Job creation and economy development in valleys was important. It was noted that the Capital budget has been reduced by Welsh Government by 40% in the previous few years.

Officers highlighted that each primary school gets a share of maintenance costs, given on a “need most” basis. If money was spread out to an allocation for each school then it wouldn’t be enough if a boiler broke down, pooling resources allowed for this eventuality.

Members asked whether there had there been any study on the Afan Valley with regard to access and ownership to cars. Officers highlighted that around 40% of citizens in Cymmer, Gwynfi and Croeserw don’t have cars.

Members asked for officer’s reassurance that the primary schools would be kept in the valleys. Officers confirmed that there were currently no plans to close any Primary schools in the Afan Valley.

Members highlighted that parents and guardians had already started to take their children out of the Valley which has undermined the Authority to be able to maintain the Schools. It was noted that Transport is a concern, however members had the same fears when deciding similar fates with Ysgol Bae Baglan and the attendance there is excellent. Members highlighted that the children would benefit from this change.

(Cllr.R.Phillips left the meeting)
(Cllr.A.J.Richards left the meeting)

Members highlighted that change was difficult and parents were concerned. However, this was an opportunity for children to gain the education they deserved by giving them the tools and skills to be able to achieve qualifications which would enable

them to find employment which would impact on communities. Members referred to the Equality Impact Assessment and highlighted that it was an honest one.

Members highlighted that key stage 4 doesn't work as well in Cymmer Afan as it could in a larger school, where children will have the opportunity to do BTEC's.

Members highlighted that bullying could be caused on school transport and asked is there anything in place to prevent this. Officers highlighted that this was raised in consultation. It was noted that the school would deal with this if it were to happen. The Director of Education explained that we have numerous children that travel each day to school, issues were close to zero and are effective at dealing with bullying at source.

A formal amendment to the recommendation contained within the circulated report was proposed and seconded:-

'It is recommended that Officers undertake further work on the options and models for retaining a secondary education campus in the Afan Valley. Including potentially:

- Federation or amalgamation of Cymer Afan and Ysgol Cwm Brombil
- Inclusion of the Afan Valley Primary cluster
- 21st Century school funding for the Afan Valley
- Consultation with the school communities of the Afan Valley on any other potential alternatives'

There following a request for a recorded vote which received the requisite support in accordance with the requirements of Section 14.5 of Part 4 of the Council's Constitution – Rules of Procedure.

For the Amendment

S.Harris, S.K.Hunt, A.L.Lewelyn, J.D.Morgan and L.M.Purcell

Against the Amendment

S.ap Dafydd, S.E.Freeguard, M.Harvey, H.N.James, S.Miller, S.M.Penry, M.Protheroe, S.Rahaman, S.Renke, A.L.Thomas, A.N.Woolcock, A.Amor and M.Caddick

Abstentions

None

As a result the amendment fell

The Joint Cabinet and Education, Skills and Culture Scrutiny Committee then proposed and seconded the initial proposals contained within the report:-

- Having given due regard to the objections and the impact assessments in relation to equality, risk, community usage and Welsh language together with the legal implications, it is recommended that, in line with Section 53 of the School Standards and Organisation (Wales) Act 2013, Members determine to implement the proposal to make arrangements for pupils who would otherwise attend Cymer Afan Comprehensive school to receive their secondary education at Ysgol Cwm Brombil and to close Cymer Afan Comprehensive.
- The proposed date of implementation to be 1st September 2019.
- The site and buildings be declared surplus to the operational requirements of the Education Leisure and Lifelong Learning Service.

For the Recommendation

S.ap Dafydd, S.E.Freeguard, M.Harvey, H.N.James, S.Miller, S.M.Penry, M.Protheroe, S.Rahaman, S.Renke, A.L.Thomas, A.N.Woolcock, A.Amor and M.Caddick

Against the Recommendation

S.Harris, S.K.Hunt, A.L.Lewelyn, J.D.Morgan and L.M.Purcell

Abstentions

None

Following scrutiny, the majority of the Committee was supportive of the proposals to be considered by the Cabinet Board

CHAIRPERSON

CABINET SCRUTINY COMMITTEE

(Council Chamber - Port Talbot Civic Centre)

Members Present:

12 September 2018

Chairperson: Councillor S.Rahaman

Councillors: S.E.Freeguard, S.K.Hunt, H.N.James,
A.Llewelyn, J.D.Morgan, S.M.Penry, L.M.Purcell
and A.L.Thomas

Officers In Attendance A.Evans, H.Jenkins, G.Nutt, S.Phillips,
C.Davies, C.Griffiths, C.Furrow and K.Jones

Cabinet Invitees: Councillors C.Clement-Williams, D.W.Davies,
D.Jones, E.V.Latham and P.A.Rees

1. **MINUTES OF THE PREVIOUS MEETING**

The Committee noted the minutes of the 25th July 2018.

The Committee noted the Minutes of the 1st August 2018, subject to amending 'previous year's class numbers' to 'Previous Plasc numbers'.

2. **PRE-SCRUTINY**

The Committee chose to scrutinise the following items:

Cabinet Board Papers

2.1 **Budget Setting – The context for Members**

Members received an overview of the budget process over the next 6 month and received full information on the range of factors that may occur, as detailed in the circulated report.

Members highlighted that there are no commitments for funding in the Education Department, however, queried how much the

funding that are on offer would cover. Officers highlighted that where the ALNET Bill is concerned there would be a saving as the authority had challenged Welsh Government. However, as far as additional funding is concerned it was noted that there is the Additional learning Needs (ALN) Grant. It was noted that the Legal aspects of the ALN Grant is currently being looked into. Officers explained that other than this there are no additional funding and the Council would be required to consume the cost.

Members highlighted that teachers pay are well overdue and asked what conversations are happening with the Trade Unions. Officers highlighted that they are having extent discussions with teachers and there is a Staff Council meeting on Monday to discuss these issues with the trade unions.

Members highlighted that the Barnett formula had been mentioned and asked what the consequences on that would be. Officers explained that Welsh Government are claiming that it is recycled money. The officer highlighted their views and explained that the Barnett formula would not be reformed.

Members highlighted the concerns for the care agenda, members felt that the care strategy needs to be rethought. Officers highlighted that the Local Authority need assistance from the Health Board. It was noted that we are aware of the current pressures and would need to adapt our strategies and have adequate funding for the social care element.

Members showed concern in relation to the lack of insight from health, however, highlighted that the Council delivers really well for people that are at retirement age. Officers gave a brief response and explained that there are currently difficult discussions between the authority and ABMU.

Members highlighted an aspect of the report which is in relation to the Valleys initiative in the Council and highlighted that for the Social Services Directorate there needs to be more localised strategies to deliver. Officers agreed and highlighted that the point was well taken.

Members highlighted that the Environment department continues to take the brunt of the budget cuts.

Members highlighted that there is reform with no infrastructure and Welsh Government have the ALN reform and asked what is being done about that. It was noted that there needs to be a change in terms of stepping down from ABMU and asked what the Council and the Health Board doing about this. Officers highlighted that it's not just about continuing health care, it was noted that the boarder of the authority is quite poor and that the issues are addressed in the report.

The Cabinet member highlighted that report highlights all of the issues. It was noted that if the council is struggling then vulnerable people would be affected. The Cabinet Member commended the public and highlighted the efforts they put in to the community. It was requested that the report be circulated to all members.

Following scrutiny, the Committee was supportive of the proposal to be considered by the Cabinet Board

2.2 Operational Risk Register

Members received the monitoring report on the operational risk register covering the various services within the Finance and Corporate Services Directorate.

Members asked whether there would be any operational risks with the Brexit fall out. Officers highlighted that the capital funding and European funding there would be a difference until next march with the European arrangements. Mainly workways would be affected. It was noted that there would be more clarity in 2020. Members asked for a more broad response rather than grant based. Officers highlighted that they were unsure and would just have to see what the results of Brexit would be.

Members asked if there are currently any employed staff that are European. Officers highlighted that in terms of procurement don't know yet however in terms of staff, Human Resources are aware of the number, however, it is very small.

Members asked whether the risk 'The failure of the HR Division to deliver critical services, as a result of reductions in staff numbers linked to the FFP' will result in getting into a high risk as it is currently medium. Officers explained that it will currently remain a medium risk.

Following scrutiny, it was agreed that the report be noted.

2.3 Annual Report - Part 2 (Corporate Plan 2017-22) Period: 1 October 2017 to 31 March 2018

Members received information on part two of the Annual Report for 2017-2018.

Officers highlighted that the main document is technical in nature, due to the compliance requirements of the various pieces of legislation. However, there is a summary version to highlight the main achievements during the year and there will also be a video that would help to make the key messages more accessible. The video will be available at Council.

Members understood why the annual report had been produced in two parts this year, due to the changes to the Council's Corporate Plan in 2017/8. Officers confirmed that the position for 2018/19 would revert to normal arrangements is one annual report would be produced at the end of the financial year.

Members highlighted that there appeared to a problem in activating the links within the report on the ipads and officers undertook to explore why this was the case.

Members asked for the actual figure on the performance indicator relating to the percentage of households threatened with homelessness successfully prevented from becoming homeless for 2017-2018. As the information was not available at the meeting, officers undertook to circulate the information to committee members after the meeting.

Members highlighted that the authority are delivering good services but noted that the authority's performance relative to other authorities had deteriorated in a number of indicators. Officers advised that the Chief Executive had asked for more detailed analysis to be undertaken on comparative performance. Members enquired as to whether this could be accounted for by the reduction in headcount but officers observed that all authorities were being affected by the continued climate of austerity.

Following scrutiny, the Committee was supportive of the proposal to be considered by the Cabinet Board

2.4 Wales Audit Office - Annual Improvement Report 2017-2018

Members received information on the Wales Audit Office's Annual Improvement Report 2017-18. Members were provided with an update on progress to address proposals for improvement and recommendations contained within the Wales Audit Office's Annual Improvement Report 2016-2017 and the Wales Audit Office's Annual Improvement Report 2017-2018.

It was noted that the Council had yet to formulate its response to the proposals for improvement made by the WAO on Scrutiny. Members were of the view that the pre-scrutiny model should be retained and also pointed to examples of policy development and post-scrutiny practice which could be further developed. Officers advised that the proposals for improvement were to be discussed with the chairs and vice-chairs of all scrutiny committees in the near future with a view to identifying what further improvement work Members would wish to take forward. Officers highlighted that these proposals were drawn up during the end of 2017 and since the field work had been completed scrutiny practice had matured.

In terms of the recommendations made by Estyn following their review of education arrangements in the Council, Members asked who would take the lead on taking action to address the safeguarding management issues identified during the inspection. Officers highlighted that these issues had been addressed at the time of the inspection.

In terms of tracking the progress of recommendations officers advised that there is a role for scrutiny committees and there is also a role for the Audit Committee.

Following scrutiny, it was agreed that the report be noted.

2.5 Corporate Plan Key Performance Indicators 2018/2019 Quarter 1 Performance (1 April 2018 - 30 June 2018)

Members received information on the quarter 1 performance for the Council's Corporate Plan Key Performance Indicators for the period 1st April 2018 to 30th June 2018.

Members had a brief explanation on the new Traffic light system detailed in the report as the visual aspect of the report was different.

Members asked whether the automated message is included or not included when the telephone calls are abandoned after 5 seconds. Officers undertook to check this and update Members accordingly

Members asked how the traffic light system operated. It was explained that a tolerance from the targets for the period were used to identify whether performance was flagged as a cause for concern, or not. There would be training for Members in due course on the system where these issues could then be explored in more detail.

Following scrutiny, it was agreed that the report be noted.

3. **FORWARD WORK PROGRAMME 18/19**

Members noted the forward work programme and requested that the following be added:

- To view the impacts of the decisions on the Welsh Language Promotion Strategy and the Valleys Action Plan annually.
- Periodic report on the progress of work against the Wales Audit Proposals for Improvement on a 6 monthly basis.

CHAIRPERSON

CABINET SCRUTINY COMMITTEE

(Council Chamber - Port Talbot Civic Centre)

Members Present:

3 October 2018

Chairperson: Councillor A.N.Woolcock

Vice Chairperson: Councillor S.Rahaman

Councillors: M.Crowley, S.E.Freeguard, M.Harvey,
S.K.Hunt, H.N.James, S.Miller, J.D.Morgan,
S.Paddison, S.M.Penry and A.L.Thomas

Officers In Attendance S.Phillips, H.Jenkins, A.Evans, G.Nutt,
C.Griffiths, J.Davies, H.Jones and C.Davies

Cabinet Invitees: Councillors D.Jones, R.G.Jones, E.V.Latham,
A.R.Lockyer, P.A.Rees, P.D.Richards,
A.J.Taylor and A.Wingrave

1. DECLARATIONS OF INTERESTS

The following Member made a declaration of interest at the commencement of the meeting:-

Councillor A.R.Lockyer - Re: Report of the Assistant Chief Executive and Chief Digital Officer and the Head of Legal Services on the Reduction in the number of elected member representatives to the board of Tai Tarian Limited following changes introduced by the Regulation of Registered Social Landlords (Wales) Act 2018 as he is a sitting board member of Tai Tarian Limited.

2. PRE-SCRUTINY

The Committee chose to scrutinise the following Cabinet items:

Cabinet Proposals

5.1 Reduction in the number of elected member representatives to the board of Tai Tarian Limited following changes introduced by the Regulation of Registered Social Landlords (Wales) Act 2018

Members were provided with information to confirm the number of Neath Port Talbot County Borough Council nominees to the board of Tai Tarian Limited in light of amendments which are required by the Regulation of Registered Social Landlords (Wales) Act 2018 which places a cap on the number of local authority appointed nominees who can sit on boards of Registered Social Landlords, as detailed in the circulated report.

The Head of Legal services informed members of the following amendments to the report:-

- That Cllr. Reynolds name was spelt incorrectly on page 8 of the report.
- On paragraph 7, page 8 of the report it states that 'it has been determined that the following members shall remain the council's representatives' It was noted that it had not yet been determined.

Members highlighted their concern in relation to the change of members whether they will eventually become a private sector. Officers explained that there are no changes and they are still classified as public sector with such a change being for accounting purposes only.

Members asked whether a different model could have been adopted. Officers explained that as a result of the legislation and given the number of board members currently present with Tai Tarian the Council would only be entitled to two members. The only way the model could change is if Tai Tarian were to increase or decrease the number of board members they were to have. If they want to do this they will have to seek the consent of the Authority as per the terms of the Transfer Agreement and not pre-empting any decision that would be made it would be feasible that a caveat of that would be that the Authority's representatives increase with it, so that they remain caught with the percentages allowed as per the legislation but that will be for Members to make the determination on at the appropriate time. Members raised concerns over the scrutiny

arrangements of RSL's as it was felt that there needs to be a robust scrutiny. Therefore, Members asked that the scrutiny arrangements of RSL's be looked at.

Members commented that even though they don't have control over the situation, it wouldn't have been their choice to make these changes.

Members raised that residents were able to join and attend the Tai Tarian Annual meeting for £1. It was noted that the new act will change the reporting and asked Officers to gather work on whether Tai Tarian are in compliance with legislation. Officers confirmed that they would liaise with the Social Services department.

Members highlighted to Officers that they had not yet seen a consultation on these changes. Officers explained that it wasn't a public consultation to which the Authority were invited to make representations, that there was a consultation with the RSL's. However officers highlighted that they would check and get back to Members.

Officers highlighted to Members that it is in Tai Tarian's best interest to engage with the Authority. It was noted that the budget will be out for consultation during the autumn period, which may affect the RSL's.

Members highlighted that by reducing the number of nominees from the Council from four to two would result in losing two very experienced Members and therefore asked that Cllr. R.Davies remain as one of the Council's nominees.

The Cabinet Member for Children Social Services highlighted that Tai Tarian have worked with the Authority on numerous occasions and are actively engaged. It was noted that this isn't Tai Tarian's decision it was from Welsh Government.

The Deputy Leader clarified to the Committee the two Members that had been submitted for today's decision.

Following scrutiny, the Committee was supportive of the proposal to be considered by the Cabinet Board.

3. **FORWARD WORK PROGRAMME 18/19**

The Committee noted the Forward Work Programme, subject to the following.

Members highlighted that at a previous meeting of Cabinet Scrutiny, a question was asked on the Annual Report Part 2, Appendix 3 - Public Accountability Measures All Wales Comparisons 2017-18. Members had asked what the actual figures were for the Performance Indicator on 'Percentage of households threatened with homelessness successfully prevented from becoming homeless'. Officers were unable to answer the query at the meeting and therefore provided a response outside of the meeting. It was noted that the figures suggest that 156 households who contacted the Council for support potentially could have ended up being made homeless. Therefore members requested that the Chair and Vice Chair of Social Care Health and Wellbeing ask the Social Care, Health and Wellbeing Scrutiny Committee to consider this and include on their Forward Work programme for discussion.

Members queried where the Wales Audit recommendations would be scrutinised. Officers highlighted that they would be scrutinised at the relevant scrutiny Committee's and the Audit Committee.

CHAIRPERSON

(DRAFT)
Cabinet Scrutiny Committee
Forward Work Programme 2018/19

Date of Meeting	Agenda Item	Officer
23 May 2018		
7 June 2018		
27 June 2018		
18 July 2018		
1 August 2018		

12 September 2018		
3 October 2018		
24 October 2018		
31 October 2018		
21 November 2018		

5 December 2018		
16 January 2019		
23 January 2019		
13 February 2019		
20 February 2019		
6 March 2018	Periodic report on the progress of work against the Wales Audit	Karen Jones

	Proposals for Improvement	
27 March 2018		
17 April 2018		
8 May 2018		
29 May 2018		

Items to be programmed in for future meetings

- To view the impacts of the decisions on the Welsh Language Promotion Strategy and the Valleys Action Plan annually (Karen Jones)