



PERSONNEL COMMITTEE

2.00 PM - MONDAY, 24 JUNE 2019

COMMITTEE ROOM 1/2 - PORT TALBOT CIVIC CENTRE

PART 1

1. Declarations of Interest

Report of the Assistant Chief Executive and Chief Digital Officer

2. Change to establishment: Case Review Co-ordinator and Harm Reduction Lead (*Pages 3 - 20*)

Report of the Director of Social Services Health and Housing

3. Changes to the Staffing Structure of Hillside Secure Children's Home, within the Social Services, Health and Housing Directorate (*Pages 21 - 30*)

Report of the Head of Planning

4. Lost Peatlands of South Wales Project - Creation of two full-time posts entitled 'Lost Peatlands Project Manager' and 'Lost Peatlands Ecologist' (*Pages 31 - 42*)

Report of the Head of Human Resources

5. Director of Environment Appointment (*Pages 43 - 46*)
6. Response to Government Consultation: Restriction of Public Sector Exit Payments Regulations 2019 (*Pages 47 - 54*)
7. Review of Personnel Committee Arrangements (*Pages 55 - 62*)

8. **Urgent Items**

Any urgent items at the discretion of the Chairperson pursuant to Section 100B(4)(b) of the Local Government Act 1972.

9. **Access to Meetings**

That pursuant to Section 100A(4) and (5) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 12 and 15 of Part 4 of Schedule 12A of the above Act.

PART 2

Private Report of the Head of Adult Services

10. Changes to the Staffing Structure of Homecare and Reablement Services, within the Social Services, Health and Housing Directorate (*Pages 63 - 84*)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Tuesday, 18 June 2019

Committee Membership:

Chairperson: **Councillor D.Jones**

Vice
Chairperson: **Councillor D.Cawsey**

Members: Councillors R.G.Jones, A.J.Taylor,
S.E.Freeguard, E.V.Latham, S.Miller, S.Renkes,
S.Bamsey, J.Hale, N.T.Hunt and S.A.Knoyle

Non-Voting
Members: Councillors P.D.Richards, C.Clement-Williams,
A.Wingrave, A.R.Lockyer, P.A.Rees and L.Jones



NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Personnel Committee

24th June 2019

Report of the Assistant Chief Executive & Chief Digital Officer– Mrs Karen Jones

Matter for Decision

Wards Affected: All Wards

Change to establishment: Case Review Co-ordinator & Harm Reduction Lead

Purpose of the Report:

To change the establishment structure within the Assistant Chief Executive's Department.

Executive Summary:

The Community Cohesion and Partnerships section has responsibility for providing support to the Substance Misuse Area Planning Board, which is a regional partnership. This report deals with changes to the Area Planning Board Regional Commissioning & Support team which is hosted by Neath Port Talbot. These changes result from a recommendation of a Critical Incident Group established by the joint Public Services Boards of Neath Port Talbot and Swansea, in response to amongst other things the rate of drug related deaths in the region.

Background:

The Strategic Manager for Community Cohesion and Partnership reports directly to the Assistant Chief Executive & Chief Digital Officer. This section has responsibility for:

- i. Substance Misuse Regional Commissioning Support Team (to the Area Planning Board(APB));**
- ii. Community Safety including support to the Community Safety Partnership, Antisocial Behaviour team and IDVA services;**
- iii. Support to the Public Services Board; and**
- iv. Support to refugees settled under the Syrian Resettlement Programme.**

The APB support team is funded from Welsh Government each year in the form of a specific grant and contributions from partner organisations to the APB. The grant is provided as one grant for the Western Bay region for which NPTCBC is the banker and it supports services in the region as well as the regional team costs.

The changes proposed relate to the establishment of two posts, namely

- a Case Review Co-ordinator (in respect of fatal and non-fatal overdoses) and**
- a Harm Reduction Lead.**

The establishment (and funding) of these two posts is a recommendation from a Critical Incident Group established by the two Public Services Boards (PSB) that cover the local authority areas of Neath Port Talbot and the City and County of Swansea.

The joint PSB meeting was convened in response to the serious concerns about the rate of drug-related deaths in the region and intelligence that serious and organised gangs were operating in the area (County Lines). In response to the level of risk, threat and harm, the PSBs established a Critical Incident Group with a view to identifying how amongst other things the range and pattern of services should evolve to reach those who are

most vulnerable; and how incidents, particularly non-fatal poisonings are identified, recorded and responded to.

In addition to recommending the establishment (and funding) of two substantive roles of Case Review Co-ordinator and Harm Reduction Lead; the CIG further recommended that -

As a result of the appointment of a Case Review Co-ordinator, ensure there is robust assurance of incident reporting arrangements and incident response arrangements. Ensure the Area Planning Board has a clear oversight of all new fatal and non-fatal poisonings and the service responses, highlighting performance or commissioning issues that need attention.

Use the appointment of a Harm Reduction Lead, to drive forward improvements to the access to and delivery of harm reduction services

The Harm Reduction and Case Review Co-ordinator roles would sit within the APB substance misuse support team and would be funded by Substance Misuse Action Fund (SMAF), subject to approval by Welsh Government.

Financial Impacts:

A Job Evaluation grade has been sought, and the posts have both been evaluated at Grade 8.

Case Review Co-ordinator	GR 8 post 37 hours/week	Total annual salary cost (bottom of grade)	£45,327
Harm Reduction Lead	GR 8 post 37 hours/week	Total annual salary cost (bottom of grade)	£45,327

The posts will be funded from the Welsh Government Substance Misuse Action Fund (subject to formal approval of the APB Expenditure Plan). Welsh Government have already indicated that the application to use SMAF for these posts would be supported.

The proposal has the support of all responsible authorities which constitute the voting members of the Area Planning Board. As such it is important to note that these new posts do not have any financial impact on the Council's budgets.

Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment has indicated that a more in-depth assessment **is not** required. A summary is included below:

These are posts that will make a positive contribution to our most vulnerable members of the community and are wholly consistent with the wellbeing goals and sustainability principles. The core aim of the proposal to create these two new roles is based around improving the health and wellbeing of service users and to improve prevention and early intervention. In carrying out the duties post holders would be mindful of the requirements of the various groups. Limited impacts are currently identified.

Valleys Communities Impacts:

These posts will work across the region, and not just in valley communities.

Workforce Impacts:

No implications

Legal Impacts:

The Crime and Disorder Act 1998 ("1998 Act") sets out the duties of responsible authorities in relation to tackling crime and disorder in their areas. Section 5 of the 1998 Act defines the 'responsible authorities' in each Welsh local government area as:

- the council for the area;

- every chief officer of the police any part of whose police area lies within the area;
- every fire and rescue authority any part of whose area so lies;
- every local health board any part of whose area so lies; and
- every provider of probation services operating within the area.

The responsible authorities for a local government area are collectively known as a Community Safety Partnership, (CSP). Section 6 of the 1998 Act provides that as well as formulating and implementing a strategy for the reduction of crime and disorder, responsible authorities must also have a strategy for combatting the misuse of drugs, alcohol and other substances in the area.

CSPs are charged with formulating and implementing a strategy for their respective Local Authority areas in combatting the misuse of drugs, alcohol and other substances. APB have been established to fulfil these responsibilities and to discharge their duties in relation to substance misuse, on a regional basis. These proposals are in support of these duties.

Risk Management Impacts:

Without filling the role with an appropriately skilled persons, there will be no dedicated support to the Area Planning Board which will give rise to the following risks:

- **Failing to reduce the rate of fatal and non-fatal overdoses and severe infections and prevent further harm to vulnerable individuals.**
- **Reputational risk to the LA and its partners in failing to address an issue identified as requiring urgent attention**

Crime and Disorder Impacts:

It is anticipated that these roles will have major impacts in reducing the rate of drug related deaths and the harms caused by substance misuse. This supports the duty on the Council under Section 17 of the Crime and Disorder Act 1998 to have “due regard to the likely effect of the exercise of those functions on and the need to do all that it reasonably can to prevent:

- a) Crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and**
- b) The misuse of drugs, alcohol and other substances in its area; and**
- c) Re-offending the area”**

Violence against Women, Domestic Abuse and Sexual Violence Impacts:

The proposal to create these posts is likely to have some impact on the duty under Section 2(1) of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, where a person exercising relevant functions must have regard (along with all other relevant matters) to the need to remove or minimise any factors which —

- (a) Increase the risk of violence against women and girls, or
- (b) Exacerbate the impact of such violence on victims.

There are often co-occurring Substance misuse and VAWDASV issues and as such reducing the harms associated with substance misuse may minimise risks of VAWDASV

Consultation:

There is no requirement for external consultation on this item, although strategic partners to the Public Services Boards, Community Safety Partnership and Area Planning Boards are all supportive of this proposal.

Recommendations:

It is recommended that the following changes are made to the establishment within the Area Planning Board Substance Misuse Regional Commissioning Support Team:-

Create two new roles namely Harm Reduction Lead and Case Review Coordinator, reporting directly to the Commissioning & Development Manager



Reasons for Proposed Decision:

To enable the Council and members of the APB to have the necessary support to enable it to achieve the duties placed on the APB and respond to serious concerns on a regional basis.

Implementation of Decision:

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

Appendices:

Structure Chart for Partnerships & Community Cohesion

Financial Appraisal

First stage impact assessment

List of Background Papers:

None

Officer Contact:

Mrs Karen Jones

Assistant Chief Executive and Chief Digital Officer

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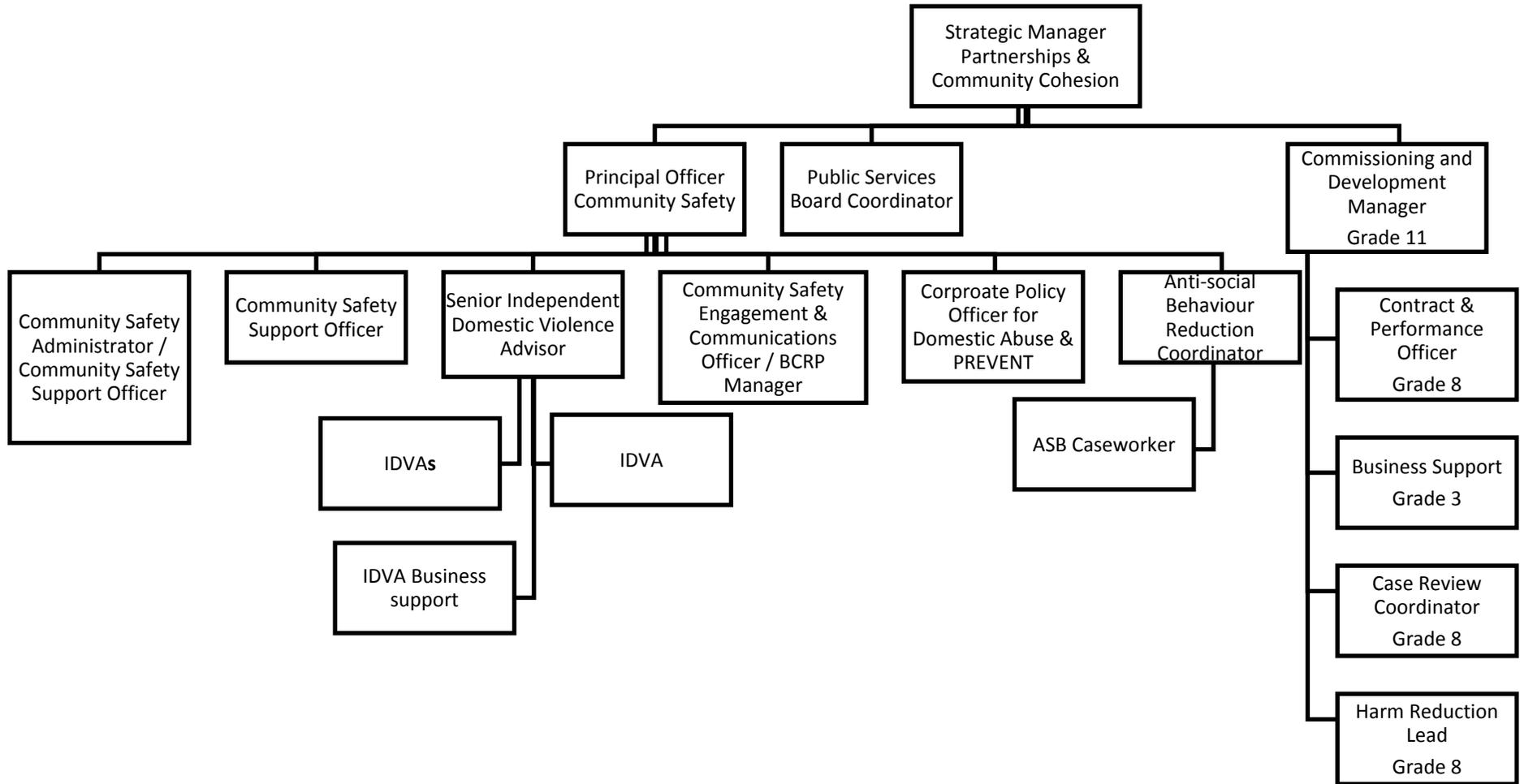
Mrs Claire Jones

Strategic Manager Community Cohesion and Partnerships

Western Bay Area Planning Board

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Appendix 1 – Structure Chart



SETUP COSTS

	Current Year £
<u>Costs</u>	
Recruitment Costs	
Accommodation Costs	
Office Costs	
I.T.	
Other (Specify)	
Total Set Up Costs	0.00
<u>Funding of Set Up Costs</u>	
Revenue Budget	
Reserves	
Special Grant:	
Other (Specify)	
Total Funding of Set Up Costs	0.00

RECURRING COSTS:

	Current Year £	Full Year £	Maximum £
<u>Costs</u>			
Salary (See next page)	52,720.00	79,080.00	90,654.00
Employee Training & Seminars			
Accommodation Running Costs			
Travel & Subsistence (Standby Allowance)			
Other Running Costs - Office Supplies			
Other Running Costs - IT.			
Total Recurring Costs	52,720.00	79,080.00	90,654.00
<u>Funding of Recurring Costs</u>			
<u>External Sources</u>			
Specific Grant	52,720.00	79,080.00	90,654.00
Funding from External Agencies			
Service Level Agreement			
Other (Specify)			
<u>Internal Sources</u>			
Existing Budget Allocation			
Other (specify)			
Total Funding	52,720.00	79,080.00	90,654.00

Appendix 3 – Impact Assessment

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary:

The changes proposed relate to the establishment of two posts within the Area Planning Board Regional Support Team, namely

- a Case Review Co-ordinator (in respect of fatal and non-fatal overdoses) and
- a Harm Reduction Lead.

The establishment (and funding) of these two posts is a recommendation from a Critical Incident Group established by the two Public Services Boards (PSB) that cover the local authority areas of Neath Port Talbot and the City and County of Swansea.

The joint PSB meeting was convened in response to the serious concerns about the rate of drug-related deaths in the region and intelligence that serious and organised gangs were operating in the area (County Lines). In response to the level of risk, threat and harm, the PSBs established a Critical Incident Group with a view to identifying how amongst other things the range and pattern of services should evolve to reach those who are most vulnerable; and how incidents, particularly non-fatal poisonings are identified, recorded and responded to.

In addition to recommending the establishment (and funding) of two substantive roles of Case Review Co-ordinator and Harm Reduction Lead; the CIG further recommended that -

As a result of the appointment of a Case Review Co-ordinator, ensure there is robust assurance of incident reporting arrangements and incident response arrangements. Ensure the Area Planning Board has a clear oversight of all new fatal and non-fatal poisonings and the service responses, highlighting performance or commissioning issues that need attention.

Use the appointment of a Harm Reduction Lead, to drive forward improvements to the access to and delivery of harm reduction services

The Harm Reduction and Case Review Co-ordinator roles would sit within the APB substance misuse support team and would be funded by Substance Misuse Acton Fund (SMAF), subject to approval by Welsh Government.

Service Area: Community Cohesion and Partnerships, Western Bay Area Planning Board

Directorate: Chief Executive's

2. Does the initiative affect:

	Yes	No
Service users	✓	
Staff		✓
Wider community	✓	
Internal administrative process only		✓

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		✓			L	The roles of these posts are in respect of reducing drug related deaths and the harms associated with substance misuse, whilst age is relevant it is not the determining factor for receiving support/benefitting from these roles. The impact will not be because of their age. The posts will be able to target interventions towards those age groups that more at risk and there is local data available

						<p>to evidence this. The posts would then be able to have more of an impact on specific age groups.</p> <p>In carrying out the duties post holders would be mindful of the requirements of the various groups. Limited impacts are currently identified</p>
Disability	✓				L	<p>The case review coordinator role will improve access to services by providing outreach provision to those who are at risk of further harms through overdose and do not or may find difficulties in attending service provider's buildings. The creation of this resource may have a positive impact on disabled service users who might have felt that they faced barriers in attending mainstream services by bringing services to them.</p> <p>The harm reduction lead will drive improvements to services for those who are most at risk and may be highly complex to be able to access improved harm reduction initiatives. The role will work to reduce the number of at the hip amputations caused by severe infections in those who inject drugs, by improving access to harm reduction services. In 2018 Western Bay was cited by Public Health Wales as having a higher than average number of amputations as a result of infection caused by injecting drugs, the creation of this role is key to improving the situation locally and in effect reducing the number of service users who become disabled due to amputation.</p>
Gender Reassignment		✓				
Marriage/Civil Partnership		✓				

Pregnancy/Maternity		✓				
Race		✓				
Religion/Belief		✓				
Sex		✓				
Sexual orientation		✓				

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				Those seeking support will be able to use Welsh if needed, the post holders will work closely with service providers who provide services through the medium of Welsh and to ensure that new services developed can be offered through the medium of Welsh.
Treating the Welsh language no less favourably than English		✓				Those seeking support will be able to use Welsh if needed, the post holders will work closely with service providers who provide services through the medium of Welsh and to ensure that new services developed can be offered through the medium of Welsh.

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
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To maintain and enhance biodiversity		✓				
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.	✓				L	<p>The harm reduction lead role will be concerned with improving the local needle exchange programme to include reducing the impact of discarded needles in open spaces on the local community by ensuring that safe disposal opportunities and training are maximised. The role will identify hot spots and work with environmental health teams to improve the clean-up and prevention littering and in the long term improving the local environment.</p> <p>The Area Planning Board has evidence of areas of concern within the region and recognises the need to improve the situation.</p>

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	✓		Reducing the harms caused by substance misuse and the rate of drug related deaths fully embraced the long term sustainability principle in that interventions in the short term could reap longer term benefits i.e. reducing deaths, severe infections, and health and wellbeing harms and community concerns.
Integration - how the initiative impacts upon our wellbeing objectives	✓		Substance misuse impacts negatively on users directly but also on their families and communities. The responsibilities undertaken by these two new roles are entirely consistent with the well-being goals, most notably 'A prosperous Wales, A Resilient Wales, A More equal Wales, A healthier

		<p>Wales and a Wales of Cohesive Communities’.</p> <p>It is also consistent with and impacts on all three of the Councils’ wellbeing goals as set out in the new Council’s corporate plan</p> <p>Well-being Objective 1 : To improve the well-being of children and young people: “All of our children and young people have the best start in life, so they can be the best they can be.”</p> <p>Well-being Objective 2 : To improve the well-being of adults living in the County Borough: “Everyone participates fully in community life – socially and economically.”</p> <p>Well-being Objective 3 : To develop the local economy and environment so that the well-being of people can be improved : “The whole of Neath Port Talbot County Borough will be a vibrant, health and safe place to live, work and enjoy recreational time.”</p> <p>These aims are consistent with those of other public bodies through the Community Safety partnership, Public Services Board and Area Planning Board.</p>
Involvement - how people have been involved in developing the initiative	✓	<p>The creation of the Harm Reduction Lead and Case Review Coordinator roles is a recommendation of a Critical Incident Group, established by the PSB of Swansea and NPT in response to inter alia the rate of drug related deaths, severe infections and increasing concerns around County Lines. This report is as a result of the involvement within the PSBs and across the two PSBs, as well as respective Community Safety Partnerships and Area Planning Board as well as other key partners who have an interest in achieving a reduction in deaths and the harms associated with substance misuse.</p>
Collaboration - how we have worked	✓	<p>The creation of the Harm Reduction Lead and Case Review Coordinator</p>

with other services/organisations to find shared sustainable solutions			roles is a recommendation of a Critical Incident Group, established by the PSB of Swansea and NPT in response to inter alia the rate of drug related deaths, severe infections and increasing concerns around County Lines. This report is as a result of the collaboration within the PSBs and across the two PSBs, as well as respective Community Safety Partnerships. This proposal supports the Area Planning Board which is a regional partnership of responsible authorities and others in respect of substance misuse
Prevention - how the initiative will prevent problems occurring or getting worse	✓		Prevention is fundamental/integral in both roles, in terms of reducing deaths and reducing the harms caused by substance misuse. For example: it is anticipated that service users will be given appropriate advice to prevent over-dose for example a service user who does not wish to stop using will be guided on how to do so more safely and reduce the harms to themselves and others.

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
These are posts that will make a positive contribution to our most vulnerable members of the community and are wholly consistent with the wellbeing goals and sustainability principles. The core aim of the proposal to create these two new roles is based around improving the health and wellbeing of service users and to improve prevention and early intervention. In carrying out the duties post holders would be mindful of the requirements of the various groups. Limited impacts are currently identified.	

	Name	Position	Signature	Date
Completed by				
Signed off by		Head of Service/Director		

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Personnel Committee

24th June 2019

Report of the Director of Social Services, Health and Housing – Andrew Jarrett

Matter for Decision

Wards Affected:

All Wards

Changes to the Staffing Structure of Hillside Secure Children's Home, within the Social Services, Health and Housing Directorate.

Purpose of the Report:

The purpose of this report is to seek member's approval to increase the number of permanent Night Supervisors within Hillside Secure Children's Home from 3 per shift (5.67 FTE/210 hours per week) to 5 per shift (9.45 FTE/350 hours per week).

Executive Summary:

This report seeks approval for the addition of 2 extra permanent Night Supervisors per shift at grade 4. The role of this post is to maintain the safety and security of all the young people, staff and the building and implement the initial action as laid down in the procedures manual in the event of any event likely to threaten the safety or security of the young people, staff or the building.

Having 2 extra permanent Night Supervisors on shift was a recommendation from Care Inspectorate Wales following an inspection during 2018 due to the non-compliance with regards to checks on young people.

Increasing the number of permanent Night Supervisors on shift from 3 to 5 has been piloted over the past 12 months and it has been highlighted that this is essential due to the complexities of the young people.

Background:

It was identified by the CIW (Care Inspectorate Wales) that there was an *“Insufficient number of staff deployed, particularly at night, to ensure the safety and well-being of young people”*.

As part of the improvement plan, it was essential that Hillside ensures that *“The number of night staff is sufficient to carry out the required checks and to respond to young people’s ongoing needs”*.

As a result, Hillside has piloted an increase in the number of Night Supervisors per shift from 3 (5.67 FTE/210 hours per week) to 5 per shift (9.45 FTE/350 hours per week). This change has been recognised by the CIW, YCS (Youth Custody Service) and also the staff at Hillside. Due to the complexities of the Young people being admitted to Hillside, the compliance checks are frequently reviewed and as a centre we need to ensure that there are enough staff in the event of an enhanced check being required, a serious incident or an occasion where a young person requires Hospital admission. We have introduced a Risk to Life Policy that explains the rationale of needing to make a decision around a Young person having to revert to Constant checks (enhanced) to ensure that this is carefully managed.

Financial Impacts:

The cost of increasing the number of Night Supervisors per shift from 3 to 5 is detailed below:-

Current cost of 3 x Night Supervisors per shift at Grade 4 = £152,917

Proposed cost of 5 x Night Supervisors per shift at Grade 4 = £258,194

A financial appraisal provides full details of all costs in Appendix 1.

The post will be part time and based in Hillside.

This will be met by Hillside’s existing staffing budget and is an increase of the total number of permanent Night Supervisors in the establishment.

Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment has indicated that a more in-depth assessment is not required. A summary is included below.

The proposal to increase the number of Night Supervisors in Hillside Secure Children's Home will not impact on equalities, the Welsh language and the sustainable development principle.

Valleys Communities Impacts:

There are no valley community impacts associated with this report.

Workforce Impacts:

There are no workforce impacts associated with this report.

Legal Impacts:

There are no legal impacts associated with this report.

Risk Management Impacts:

There are no significant risks associated with this report.

Consultation:

There is no requirement for external consultation on this item.

Recommendations:

It is **RECOMMENDED** that Members **APPROVE** the increase in the number of permanent Night Supervisors within Hillside Secure Children's Home from 3 per shift (5.67 FTE/210 hours per week) to 5 per shift (9.45 FTE/350 hours per week).

FOR DECISION

Reasons for Proposed Decision:

This proposal will ensure that the number of night staff is sufficient to carry out the required checks and to respond to young people's ongoing needs.

Implementation of Decision:

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

Appendices:

Financial Appraisal	Appendix 1
Integrated Impact Assessment	Appendix 2

List of Background Papers:

First stage impact assessment

Officer Contact:

Karen Wedmore
Acting Centre Manager
All Wales Secure Unit, Hillside Secure Centre
Telephone: 01639 641648
Email: k.wedmore@npt.gov.uk

Appendix 1

Financial Appraisal – Hillside Secure Centre

Post/Postholder	Proposed Change (New Post/Delete/Regrade)	Pay Scales		Annual Costs	
		Current	Proposed	This year	Maximum
Night Supervisor	Additional 3.78 FTE	5-9	5-9	96,989	105,277

Financial Implications – Hillside Secure Centre

SET UP COSTS:

<u>Costs</u>	<u>This Year</u> £	<u>Maximum</u> £
Recruitment Costs		0
Accommodation Costs		
Office Costs		
I.T.		
Other (Specify)		
Total Set Up Costs	0.00	0
<u>Funding of Set Up Costs</u>		
Revenue Budget		
Reserves		
Special Grant:		
Other (Specify)		
Total Funding of Set Up Costs	0.00	0

RECURRING COSTS:

<u>Costs</u>	<u>This Year</u> £	<u>Maximum</u> £
Employee Costs (Financial Appraisal Statement)		
> Starting Salary	96,989	
> Additional cost at Maximum Salary		105,277
Employee Training & Seminars		
Accommodation Running Costs		
Travel & Subsistence (Standby Allowance)		
Other Running Costs - Office Supplies		
Other Running Costs - Printing & Literature		
Other Running Costs - IT.		
Total Recurring Costs	96,989	105,277
<u>Funding of Recurring Costs</u>		
<u>External Sources</u>		
Specific Grant:		
Funding from External Agencies		
Service Level Agreement		
Other (Specify)		
<u>Internal Sources</u>		
HRA		
Existing Budget Allocation	96,989	105,277
Additional Guideline Allocation		
Other (specify) :		
Total Funds Available	96,989	105,277

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: To increase the number of Night Supervisors from 3 to 5 per shift
Service Area: Hillside Secure Children's Home
Directorate: Social Services, Health & Housing

2. Does the initiative affect:

	Yes	No
Service users	✓	
Staff	✓	
Wider community		✓
Internal administrative process only		

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		✓				
Disability		✓				
Gender Reassignment		✓				
Marriage/Civil Partnership		✓				
Pregnancy/Maternity		✓				
Race		✓				
Religion/Belief		✓				
Sex		✓				
Sexual orientation		✓				

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				
Treating the Welsh language no less favourably than English		✓				

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		✓				
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		✓				

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	✓		More support for existing Night Supervisors as there are more staff available rather than 1 per unit.
Integration - how the initiative impacts upon our wellbeing objectives	✓		More support for existing Night Supervisors as there are more staff available rather than 1 per unit.
Involvement - how people have been involved in developing the initiative	✓		Management have had previous discussions with Night Supervisors who also identified the need for more staff per shift. All Hillside staff have been made aware that the addition of 2 extra Night Supervisors per shift has been piloted and were given the opportunity to express an interest in these positions.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	✓		The lack of adequate staffing was identified by CIW and YCS.
Prevention - how the initiative will prevent problems occurring or getting worse	✓		When a YP is admitted to Hillside who requires constant checks, there will be adequate staffing to enable this to be carried out safely.

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
The proposal will not impact on equalities, the Welsh language and the sustainable development principle.	

A full impact assessment (second stage) is required	
Reasons for this conclusion	

	Name	Position	Signature	Date
Completed by	Karen Wedmore	Acting Centre Manager	K. Wedmore	4/6/2019
Signed off by	Andrew Jarret	Director of Social Services		



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Personnel Committee

24th June 2019

Report of the Head of Planning Services

Nicola Pearce

Matter for Decision

Wards Affected: *Glyncorwg, Cymmer and Gwynfi*

Lost Peatlands of South Wales Project – Creation of two full-time posts entitled ‘Lost Peatlands Project Manager’ and ‘Lost Peatlands Ecologist’

Purpose of the Report

- 1 The purpose of this report is to seek Member approval for the creation of two fixed term, full-time posts including ‘Lost Peatlands Project Manager’ and ‘Lost Peatlands Ecologist’, both of which will be based within the Countryside and Wildlife Team.

Executive Summary

- 2 Funding has been applied for from the ‘National Lottery Heritage Fund’ to deliver a cross-boundary and landscape scale partnership project that will restore upland habitats and provide significant community benefits.
- 3 Should the Council be successful in securing the funding, in order to deliver the project, and to secure second phase funding, we will need to act quickly to deliver the objectives of the grant. In order to do so we will require the employment of two new fixed term staff– a ‘Lost Peatlands Project Manager’ and a ‘Lost Peatlands Ecologist’.

- 4 Initially the posts will be for a fixed term of 1 year. Should continuity of funding be secured as part of the delivery phase however, there will be the potential to extend the contracts for a further 4 year fixed term.
- 5 Recruitment to the identified posts however will only commence following confirmation of the successful outcome of the funding bid and as a consequence, there will be no financial implications for the Council as staff costs will be fully grant funded.

Background

- 6 The Countryside and Wildlife Team, in partnership with Rhondda Cynon Taf CBC, Natural Resources Wales, Swansea University and Coed Lleol have submitted a funding bid to the 'National Lottery Heritage Fund' to develop a cross-boundary landscape scale project.
- 7 The project will build on the Pen y Cymoedd Wind Farm habitat management fund, used as match-funding, and will deliver the largest peatland restoration ever attempted in Wales on afforested land. The project will also deliver significant community benefits such as outdoor learning opportunities for local schools, health and well-being activities for communities, training and skills development, and improved access to the landscape.
- 8 The first year of the project is identified as a development phase, for which a funding bid of £434,751 has been submitted. The intention is to utilise part of this funding to facilitate two new fixed term Council posts to develop the project further, including applying for funding for the second phase of the project which is anticipated to amount to 4 years, which is estimated to bring the total project cost to £2,962,668.

Proposal

- 9 To create two fixed term full-time posts entitled 'Lost Peatlands Project Manager' and 'Lost Peatlands Ecologist'. Based within the Council's Countryside & Wildlife Team, both posts will be for an initial fixed term of 1 year. Should continuity of funding be secured as part of the delivery phase however, there will be the potential to extend the contracts for a further 4 year fixed term.

10 The Lost Peatlands Project Manager will:

- Oversee the delivery of the cross-boundary, grant funded project, focusing on the habitat restoration and management of upland habitats, and use of these and the wider forestry area as a community resource, wildlife habitat and visitor destination.
- Develop a strategy for the delivery of a landscape scale habitat restoration, community and school engagement, and professional training in the Pen y Cymoedd Upland area (Upper Afan Valley and Rhondda Fawr Valleys).
- Develop the project second phase funding bid for the full delivery of the project.

11 The Lost Peatlands Ecologist will:

- Lead on the ecological elements of the landscape scale habitat restoration of the project, including undertaking surveys, leading on restoration design and preparing management plans.
- Work with local groups, volunteers, local graziers and organisations in relation to species monitoring and habitat management.
- Undertake surveys to inform natural flood management.

12 Members should note that during the initial project discussions, use of contractors instead of employing staff was considered. This option however was considered to be more expensive and the skills and experience were deemed unlikely to be able to be secured easily through use of contractors.

13 The project is likely to have positive benefits for many services in the Council, including drainage and education.

Financial Impacts

14 Pending the successful outcome of the funding bid, there will be no financial implications for the Council. The Grade 8 salaries of both posts (£28,785) will be fully funded through the National Lottery Heritage Fund Grant. All costs will therefore be accommodated within existing budgets.

Integrated Impact Assessment

- 15 A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.
- 16 The first stage assessment has indicated that a more in-depth assessment is not required. A summary of the first stage assessment is set out below:
- Staff will be employed to develop a project that is intended to be inclusive and make significant improvements to the environment of the Afan Valley as well as improve health and well-being. Staff will also be contributing to the restoration of peat bog and reinstating the carbon sequestration function of such habitat, this will contribute to decarbonisation and the Council's actions to tackle global warming. All impacts are considered to be positive and therefore no further assessment is needed.
 - The posts are grant funded so have no financial implications.
 - Biodiversity is considered by Welsh Government as an underpinning pillar of sustainable development. Improvements to biodiversity through the project, as developed by the staff, will contribute towards delivery of sustainable development.

Valleys Communities Impacts

- 17 The staff are to be employed to develop a project that focuses on delivering environmental improvements, provision of opportunities for community members to develop new skills, and health and well-being benefits for the communities of the Afan Valley. All impacts will be positive.

Workforce Impacts

- 18 Recruitment to the identified posts will only commence following the successful outcome of the grants process which will secure the necessary finance for the posts. The employment of new staff will be in line with the Council's recruitment and selection policies.

Legal Impacts

- 19 The new staff, through development of a project, will significantly contribute towards the Council's delivery of positive biodiversity conservation to meet the requirements of the biodiversity duty under the Environment Wales Act 2016 and in delivering the sustainable management of natural resources.

Risk Management Impacts

- 20 Pending the successful outcome of the funding bid, failure to employ new staff would result in the inability of the Council to meet the requirement of the grant offer and the partnership project would not be able to be delivered. The Council would not only lose the initial grant funding offer, but also the future opportunity to secure over £2 million from National Lottery Heritage Fund for full project delivery.

Consultation

- 21 There is no requirement for external consultation on this item.

Recommendations

- 22 It is recommended that approval is granted for the establishment of a 'Lost Peatlands Project Manager' and Lost Peatlands Ecologist', both at Grade 8 and full time, based in the Countryside and Wildlife Team.

FOR DECISION

Reasons for Proposed Decision

- 23 To deliver the grant funded Lost Peatlands of South Wales Project and to develop a strategy for the second phase of funding.

Implementation of Decision

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

Appendices

- 25 Appendix 1 – Financial Appraisal
- 26 Appendix 2 – Impact Assessment First Stage

Officer Contact

- 27 Nicola Pearce, Head of Planning Services
Tel: 01639 686681 – email n.pearce@npt.gov.uk
- 28 Catrin Evans - Countryside & Wildlife Team Leader
Tel: 01639 686056 or e-mail: c.a.evans@npt.gov.uk

APPENDIX 1 – Financial Appraisal

SET UP COSTS

	Current Year
<u>Costs</u>	
Recruitment costs	
Accommodation costs	
Office costs	
IT	
Other (Specify)	
Total Set Up Costs	0
<u>Funding of Set Up Costs</u>	
Revenue budget	
Reserves	
Specific Grant	
Other (Specify)	
Total Funding of Set up costs	0

RECURRING COSTS

	Current Year	2020/21	Maximum cost
<u>Costs</u>			
	1/2 year	1/2 year	
Salary (see details next page)	39,539	41,581	
Employee Training			
Accommodation Running costs			
Travel & Subsistence (standby allowance)			
Other Running costs - office supplies			
Other Running costs - IT			
Total Recurring costs	39,539	41,581	0
<u>Funding of Recurring costs</u>			
<u>External sources</u>			
Specific Grant	39,539	41,581	
External Agencies			
Service Level agreement			
Other (Specify)			
<u>Internal sources</u>			
Existing budget Allocation			
Other (specify)			
Total Funding	39,539	41,581	0

Please refer to this table in the Financial Appraisal section of the report

Please note these posts are for one year only starting 1st September 2019

6 months 2019/20

6 months 2020/21

FINANCIAL APPRAISAL - SALARY DETAILS

POST	PROPOSED CHANGE	PAY GRADE		COST / (SAVING)		
	New Post/ Delete/ Regrade	Current	Proposed	Current Year	Full Year	Maximum
Lost Peatlands Project Manager	New Post	8		19,769.5	20,790.5	
Lost Peatlands Ecologist	New Post	8		19,769.5	20,790.5	
Total				39,539	41,581	

Please note these posts are for one year only starting 1st September 2019
 6 months 2019/20
 6 months 2020/21

APPENDIX 2: Impact Assessment – First Stage

1. Details of the initiative

Initiative Description/Summary: Employment of two new fixed term full-time staff to develop a cross-boundary partnership grant funded project
Service Area: Planning and Public Protection
Directorate: Environment

2. Does the initiative affect:

	Yes	No
Service users	✓	
Staff	✓	
Wider community	✓	
Internal administrative process only		

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved.
Disability		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved.
Gender Reassignment		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved.
Marriage/Civil Partnership		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved.
Pregnancy/Maternity		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved.
Race		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved.

Religion/Belief		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved.
Sex		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved.
Sexual orientation		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved.

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved. Project public communications will be bilingual.
Treating the Welsh language no less favourably than English		✓				HR Policies applied. Project will be inclusive aiming at encouraging all community members to be involved. Project public communications will be bilingual.

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity	✓				H	Staff employed to deliver habitat restoration and management project –the largest peatland restoration in Wales on afforested peatlands. This will result in a significant enhancement in biodiversity, especially upland habitats and species.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.	✓				H	Restoration of functioning upland ecosystems will reinstate their resilience ensuring wider benefit such as carbon sequestration, reduction in fire and flood risk.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	✓		Staff employed to develop a project that specifically includes measures to improve health and wellbeing of communities in the Afan Valley, including developing lasting legacy for measures.
Integration - how the initiative impacts upon our wellbeing objectives	✓		Staff employed to develop a project that specifically includes measures to improve health and wellbeing of communities in the Afan Valley, including developing lasting legacy for measures.
Involvement - how people have been involved in developing the initiative	✓		Staff employed to develop a project and this project initial conception has involved members of a large number of organisations, community groups, schools have been involved in developing the project.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	✓		Staff employed to develop a project. Collaboration is at the heart of the project. Project is in partnership with Natural Resources Wales, Swansea University, RCTCBC and Coed Lleol. Project idea also discussed with other service areas such as tourism.
Prevention - how the initiative will prevent problems occurring or getting worse	✓		Staff employed to develop a project. Project aims to tackle various issues such as climate change, flood risk, fire risk, access issues, lack of skills in a community and health problems.

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
<p>Staff will be employed to develop a project that is intended to be inclusive and make significant improvements to the environment of the Afan Valley as well as improve health and wellbeing. Staff will also be contributing to the restoration of peat bog and reinstating the carbon sequestration function of such habitat, this will contribute to decarbonisation and the Authorities actions to tackle global warming. All impacts are considered to be positive therefore no further assessment is needed.</p> <p>The posts are grant funded so have no financial implications.</p>	

Biodiversity is considered by WG as an underpinning pillar of sustainable development, improvements to biodiversity through the project, as developed by the staff, will contribute towards delivery of sustainable development.

A full impact assessment (second stage) **is** required

Reasons for this conclusion

	Name	Position	Signature	Date
Completed by				
Signed off by		Head of Service/Director		

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

PERSONNEL COMMITTEE

24th June 2019

Report of the Head of Human Resources – Sheenagh Rees

SECTION A – MATTER FOR DECISION

WARDS AFFECTED – ALL

Director of Environment Appointment

Purpose of the Report

1. To seek Member approval to recruit to the post of Director of Environment via external advertisement.

Executive Summary

2. This report sets out proposed actions to appoint to the post of Director of Environment, upon the retirement of the current post holder.

Background information

3. Mr Gareth Nutt, the current Director of Environment, has announced his intention to retire from his employment with the Council in January 2020.

Appointment arrangements

4. It is a statutory requirement (Standing Order (Wales) Amendment Regulations 2014) that Local Authorities publicly advertise vacancies with salaries of £100,000 or more.
5. It is therefore proposed to advertise the post for appointment, via a national advertisement in July 2019 with a closing date for the end of August, to take account of the summer holiday period. Arrangements will be made for a special meeting of full Council to determine the appointment in early October 2019. At this level, a successful appointee may have to give their current employer up to three months' notice of their resignation, so this timescale will ensure a seamless transition between current and future arrangements.

Financial impact

6. There will be costs associated with external advertising.

Integrated impact assessment

7. There is no requirement for an Integrated Impact Assessment in respect of this particular report.

Workforce impacts

8. The appointment process will be carried out in line with Council policy and procedure, ensuring fairness and transparency in the appointment process.

Legal impacts

9. It is a statutory requirement that a post attracting a salary in excess of £100,000 is advertised 'publicly'.

Risk Management

10. The timetable set out in this report will minimise any risks associated with a time lag between retirement of the current postholder and appointment of a replacement.

Consultation

11. There is no requirement for consultation in relation to this item.

Recommendation

12. It is recommended that Members approve the proposal to recruit to the post of Director of Environment via external advertising.

FOR DECISION

Implementation of Decision

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

Officer contact

14. Sheenagh Rees, Head of Human Resources, telephone number: 01639 763315, email: s.rees5@npt.gov.uk

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

PERSONNEL COMMITTEE

24th June 2019

Report of the Head of Human Resources – Sheenagh Rees

SECTION A – MATTER FOR DECISION

WARDS AFFECTED – ALL

Response to Government Consultation: Restriction of Public Sector Exit Payments Regulations 2019

Purpose of the Report

1. To seek Council approval for the draft response enclosed at Appendix 1 in response to HM Treasury's Consultation on proposals to restrict exit payments in the public sector.

Executive Summary

2. In 2015 the UK government first announced plans to introduce a cap on exit payments in the public sector. The cap includes any pension strain cost. The cap was legislated for in the Enterprise Act 2016, which amends the Small Business, Enterprise and Employment Act 2015, but required secondary legislation to be introduced. On 10th April 2019, HM Treasury opened a consultation on draft regulations, Directions and guidance to implement the exit cap. The deadline for responses is 3rd July 2019. This report provides Members with a broad overview of the proposals, and a draft response at Appendix 1 for approval.

The Draft Regulations

3. The draft Regulations set out an exit payment cap of £95,000. The cap will apply to the whole of the public sector but it is being implemented in 2 stages. Local government employers will be included in stage 1. A public sector exit is defined as when an employee leaves the employment of a public sector authority (as listed in the schedule included within the legislation).
4. The cap will apply to payments of the following types, but see also the list of exclusions:
 - a) any payment on account of dismissal by reason of redundancy – including a statutory redundancy payment
 - b) any payment made to reduce or eliminate an actuarial reduction to a pension on early retirement or in respect of the cost of a pension scheme of such a reduction not being made (pension strain costs)
 - c) any payment made pursuant to an award of compensation under the ACAS arbitration scheme or a settlement or conciliation agreement
 - d) any severance payment or ex gratia payment
 - e) any payment in the form of shares or share options
 - f) any payment on voluntary exit
 - g) any payment in lieu of notice due under a contract of employment (but only if it exceeds a quarter of the employee's annual salary)
 - h) any payment made to extinguish any liability to pay money under a fixed term contract
 - i) any other payment, whether under a contract of employment or otherwise, in consequence of termination of employment or loss of office.
5. The following payments are not exit payments for the purposes of the Regulations:
 - a) any payment made in respect of death in service
 - b) any payment made in respect of incapacity as a result of accident, injury or illness
 - c) certain payment made to retiring firefighters

- d) a specific service award paid to a member of the judiciary
 - e) a service payment made in respect of annual leave due under a contract of employment
 - f) any payment made in compliance with an order of any court or tribunal
 - g) a payment in lieu of notice due under a contract of employment that does not exceed one quarter of the relevant person's annual salary.
6. The government's expectation is that employment contracts, compensation schemes and pension schemes will be amended to reflect the introduction of the cap. This is particularly important in relation to the Local Government Pension Scheme, which for example currently requires an employer to fully buy out an actuarial reduction when a pension is taken before normal pension age in redundancy situations. Pension strain costs could, depending on the circumstances, exceed the £95k cap (real examples of this are provided in the draft consultation response at Appendix 1).
7. The regulations set out that an individual, if eligible, must receive a redundancy payment that is at least equal to their minimum statutory entitlement under the Employment Rights Act 1996 (ERA 1996). HM Treasury's assumption is that employers will, where possible, cap any additional contractual redundancy lump sum in order to allow individuals to receive any pension top up in full – however where the cap is breached by pension strain costs, retirement benefits will be reduced to a level which means the cap is not breached. The individual would have the option of buying out some or all of that reduction (subject to the necessary amendment being made to the LGPS).
8. The proposals set out situations where there will be the power to relax the restrictions imposed by the regulations. For example, where a payment is made to avoid employment tribunal litigation in relation to a complaint that someone has suffered a detriment or been dismissed as a result of whistleblowing, or a discrimination complaint. Whilst in England, the full council of a local authority can determine the relaxations that are permitted

under the regulations, in Wales the regulations set out that any relaxation will have to be determined by a Welsh Minister. The practicality of this is not explained.

Financial impact

9. The Government set out that the key aim of the regulations is to ensure exit payments represent value for money and are fair to the taxpayer.

Equality impact assessment

10. There is no requirement for an Integrated Impact Assessment in respect of this particular report.

Workforce impacts

11. The draft regulations will have an impact on the Council's workforce and these impacts are described in the draft consultation response at Appendix 1.

Legal impacts

12. If implemented, the Council will be required to comply with Restriction of Public Sector Exit Payments Regulations 2019.

Risk Management

13. The consultation has asked respondents to highlight any impacts of the regulations and these are set out in the draft consultation response at Appendix 1.

Consultation

14. The consultation runs for twelve weeks, closing on 3rd July.

Recommendation

15. It is recommended that Members consider and approve a response, as outlined in Appendix 1, to the Restricting Exit Payments in the Public Sector: consultation on implementation of regulations.

FOR DECISION

Reason for proposed decision

16. To ensure that the Council's responds to the Restricting Exit Payments in the Public Sector: consultation on implementation of regulations

Implementation of Decision

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

Appendices

Appendix 1 – Draft Response to the Restricting Exit Payments in the Public Sector: consultation on implementation of regulations

List of Background Papers

<https://www.gov.uk/government/consultations/restricting-exit-payments-in-the-public-sector>

Officer contact

18. Sheenagh Rees, Head of Human Resources, telephone number: 01639 763315, email: s.rees5@npt.gov.uk

Public Sector Exit Payments

NPT Responses to Consultation Questions

Question 1

Does draft schedule 1 to the regulations capture the bodies intended (described in section 2.1 above)? If not please provide details.

NPT Response:

- Yes - this list appears comprehensive.

Question 2

Do you agree with the current list of bodies in scope, for the first round of implementation? If not, please provide reasons

NPT Response:

- Local government is included in the first round of implementation. Whilst there is no objection as such to this, we must point out that implementation will depend on the necessary changes to the Local Government Pension Scheme being in place. Without a guarantee around this, it will not be possible for local government to implement restrictions on exit payments. Clarity around how the relaxation of the restriction will be operated in Wales will also be needed.

Questions 3

Do you agree with the exemptions outlined. If not, please provide evidence

NPT Response:

- No comment in relation to the exemptions outlined.

Question 4

Does the guidance adequately support employers and individuals to apply the draft regulations as they stand? If not, please provide information on how the guidance could be enhanced?

NPT Response:

- *“The government’s expectation is that.....pension schemes will be amended to reflect the introduction of the cap”*
As a local government employer we need to understand what amendments will be introduced into the Local Government Pension Scheme and when, with an assurance that these changes will be in place by the time the exit payment restrictions are implemented. If the LGPS remains unchanged at the time of implementation of the cap, then as an employer it is not at all clear how we marry our obligation to implement the cap, with our employer obligations as set

out in the LGPS with regards to members who are made redundant or leave on the grounds of business efficiency at age 55 or over.

- There is no reference to the option of a member to defer payment of their LGPS benefits on redundancy or retirement on business efficiency grounds at age 55 or over – this is currently not possible under LPGS rules, and the Council suggests that enabling this option would make the introduction of the restriction more palatable to long serving local government employees who have contributed for many years to their pension.

Question 5

Is the guidance sufficiently clear on how to apply the mandatory and discretionary relaxation of the regulations, especially in the case of whistleblowers?

NPT Response:

- There needs to be clarity on how this will operate in Wales.

Question 6

Is there further information or explanation of how the regulations should be applied which you consider should be included in the guidance? If so, please provide details.

NPT Response:

- No further comment.

Question 7

Are there any other impacts not covered above which you would highlight in relation to the proposals in this consultation document?

NPT Response:

- Since 2011, this Council has responded to the very difficult funding position by applying a number of measures to reduce pay bill costs but at the same time minimise compulsory redundancy. These measures have proved very successful, evidenced by data which shows that since 2011, of the 1,064 jobs that have been made redundant, 12% were through compulsory redundancy. We introduced our own cap into our voluntary redundancy schemes in 2011 and reduced the value of our contractual redundancy lump sum payments. These actions have not been easy, but demonstrate that this Council has sought to operate in the interests of the public purse during difficult times, and as the major employer within this country borough, we have also sought to ensure by minimising the impact of compulsory redundancy we can continue to maintain employment for local people, and maintain financial security which is so important for the local economy.
- Local government remains a less certain employment choice, and it is very important that despite this we can continue to attract talented and committed

people to work for us, and very importantly into senior leadership positions. We employ less staff than we did 10 years ago, but the burden of responsibility and accountability on those that remain has only increased, and in particular at senior levels. Whilst our own actions demonstrate that we accept a clear need to demonstrate accountability to the public purse, this Council is concerned that the introduction of the cap may, in time, cause recruitment and retention difficulties to positions that can already be difficult to recruit to, particularly as the proposals impact on the pension that employees can expect to receive if ever placed in the difficult position of being made compulsory redundant. This is particularly so, as this is a benefit employees make significant contributions to themselves. The inclusion of pension strain costs within the cap will have an impact on many local government employees with a history of long public service, who could not necessarily be viewed as high earners. Examples are provided below.

- There is also a great risk that employees will elect to not join the LGPS in the future, impacting on the longer term sustainability of the scheme.

Question 8

Are you able to provide information and data in relation to the impacts set out above?

NPT Response:

Post Title	Age At Termination	Service At Termination	Salary £'000	Discretionary Redundancy £'000	Statutory Redundancy £'000	Early Access To Pension £'000	Total Cost £'000
School Improvement - Challenge Advisor	56	33	55	48	14	106	168
Community Social Worker	56	30	37	30	14	76	120

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

PERSONNEL COMMITTEE

24th June 2019

Report of the Head of Human Resources – Sheenagh Rees

SECTION A – MATTER FOR DECISION

WARDS AFFECTED – ALL

REVIEW OF PERSONNEL COMMITTEE ARRANGEMENTS

Purpose of the Report

1. To seek Council approval to grant delegated authority from the Personnel Committee to the Chief Executive and / or Corporate Directors for decisions in relation to Directorate Structural and Staffing Changes.

Executive Summary

2. Annex D of Part 3 of the Neath Port Talbot Constitution (“the Constitution”) sets out that the Council’s Personnel Committee shall discharge certain delegated personnel and related matters, with all other matters being dealt with by Full Council. Such delegations include directorate structural and staffing changes.
3. In addition, the Constitution sets out that any Committee of the Council may grant delegated authority to an officer to discharge its functions.

4. This report proposes the granting of delegated authority to the Chief Executive and / or Corporate Directors to make decisions in relation to Directorate Structural and Staffing changes, subject to certain conditions set out in the main body of this report.
5. This will not include authority for decisions to be taken in line with the Council's Employment Procedure rules relating to the appointment of the Head of Paid Service and Chief Officers and other matters referred to in the functions delegated by Council to the Personnel Committee and set out in the Constitution. It will also not include decisions in relation to the policy arrangements for Retirement and Redundancy, but will include decisions to be taken in line with those policies.

Current arrangements

6. The Constitution sets out arrangements for a Personnel Committee, which is to discharge with delegated authority the following functions:
 - a) Personnel and related matters where a non-executive function under Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 is required i.e.
 - Regulations under the Superannuation Act 1972 relating to staff pensions
 - Section 112 of the Local Government Act 1972 including staff terms and conditions (consequent on appointments under the Employment Procedure Rules) i.e. matters such as job evaluation strategies, national and local pay negotiations, operational conditions of service policies such as sickness, Directorate Structural and Staffing changes including Early Retirement and Voluntary Redundancy policies and industrial disputes.

- b) To institute or defend any legal proceedings, including those of Tribunals, Arbitrations and forums involving dispute resolutions in relation to the functions of the Committee.
 - c) The Committee may discharge any functions delegated to officers which relate to the functions of the Committee.
7. The Personnel Committee meets every 6 weeks, and receives a range of reports for decision and for information, and in line with the requirements of the Constitution. Each meeting of Personnel Committee receives reports that relate to Structural and Staffing changes, ranging from proposals that affect one job / employee to proposals that affect hundreds of jobs / employees. Some reports contain proposals that have already been considered by Members in other forums, e.g. Cabinet and Cabinet Boards. Prior to meetings of the Committee, the budget and employment implications of proposals contained within reports are scrutinised by the Head of Finance and the Head of Human Resources respectively, and reports approved to proceed to Members. This ensures that necessary budgets are in place to fund jobs, that the Council's job evaluation scheme has been applied, that workforce implications have been considered and that decisions are taken in line with Council policy and procedure.

Proposals for Change

9. It is proposed that delegated authority is granted to the Chief Executive and / or Corporate Directors to make decisions in relation to Directorate Structural and Staffing changes, including the creation or deletion of jobs. This is being proposed to increase the flexibility, agility and efficiency of decision making in relation to staffing structures and to make the best use of Officer and Member resources.
11. The delegated authority will be subject to consultation with the Head of Finance and the Head of Human Resources, via a form which will be designed for this purpose, and consultation with the relevant Cabinet Member. The Cabinet Member can require a report to be submitted to Personnel Committee for determination if they feel that this is appropriate prior to any delegated authority being exercised,

in which case the decision whether to approve or reject the proposal will rest with Personnel Committee.

12. The delegated authority will also be subject to the completion of an Integrated Impact Assessment and compliance with relevant Council policy and procedures, e.g. the Management of Change in Partnership Policy.
13. The Personnel Committee will continue to discharge all other delegated personnel and related matters as set out in the Council's Constitution, and which are in relation to staff terms and conditions of employment, employment policies, pay negotiations, job evaluation strategy and industrial disputes. Information reports, setting out regular workforce data and monitoring reports will support Members knowledge and understanding of the Council's workforce.
14. It is proposed that a forward work programme is developed and approved by the Personnel Committee that reflects the Committee's role in determining the Council's employment framework. A draft is attached at Appendix 1, for Members to consider and provide feedback at Committee.
15. It is also proposed that the Committee meets on a quarterly basis. This will allow meetings to be efficient and to ensure that there are a suitable number of items on the agenda for each meeting, which will in turn afford greater scrutiny by members of the Personnel Committee.

Financial impact

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

Integrated impact assessment

17. The delegated authority will be subject to the completion of Integrated Impact Assessments to inform decision making. There is no requirement for an Integrated Impact Assessment in respect of this particular report.

Workforce impacts

18. This proposal relates to decision making that could impact directly on the Council's workforce and / or future workforce. As such, the proposal is subject to consultation with relevant Cabinet Members and the Head of Finance and the Head of Human Resources, as well as the completion of an Integrated Impact Assessment.

Legal impacts

19. The Chief Executive and Corporate Directors are required to comply with Council employment policy and procedures which ensure compliance with employment legislation.

Risk Management

20. The proposal suggests controls to ensure that structural changes are financially viable and within the parameters of approved employment policy and procedure.

Consultation

21. Consultation has taken place with trade unions who support the proposals set out in this paper.

Recommendation

22. It is recommended that Members:
 - i) grant delegated authority to the Chief Executive and or Corporate Directors to make decisions in relation to Directorate Structural and Staffing changes as set out in this report, subject to completion of an Integrated Impact Assessment and consultation with the Heads of Finance and Human Resources and the relevant Cabinet Member;
 - ii) develop and approve a forward work programme for the Personnel Committee; and
 - iii) change the schedule of meetings to a quarterly basis

FOR DECISION

Reason for proposed decision

23. To increase the flexibility, agility and efficiency of decision making in relation to staffing structures and to make the best use of Officer and Member resources.

Implementation of Decision

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

Appendices

25. Appendix 1 – Draft Forward Work Programme for consideration

List of Background Papers

The Neath Port Talbot Constitution

Officer contact

26. Sheenagh Rees, Head of Human Resources, telephone number: 01639 763315, email: s.rees5@npt.gov.uk

Personnel Committee - draft work programme for consideration

Meeting date	Proposed Draft Agenda
9 th September 2019	<ul style="list-style-type: none"> • Workforce Monitoring Data (to include sickness absence monitoring) • School budget setting / workforce actions • Annual equality in employment report • Gender pay gap report • Introduction of a Succession Planning Toolkit • National Pay Negotiations Update
21 st October 2019	<p style="color: red; text-align: center;">PROPOSE CANCEL MEETING</p>
2 nd December 2019	<ul style="list-style-type: none"> • Workforce Monitoring Data (to include sickness absence monitoring) • Review of the Workforce Plan • Presentation of Robotics Process Automate / HR Chatbot • Introduction of Agile Working • Gender Equality Project Update • Sickness update report • National Pay Negotiations Update

Meeting date	Proposed Draft Agenda
13 th January 2020	PROPOSE CANCEL MEETING
24 th February 2020	<ul style="list-style-type: none"> • Workforce Monitoring Data (to include sickness absence monitoring) • Mental Health Strategy / Time to Change Wales Update • Update on Apprenticeship Schemes and Work Placements • Pay Policy Statement • National Pay Negotiations Update • VR / CR Update
6 th April 2020	PROPOSE CANCEL MEETING
11 TH May 2020	<ul style="list-style-type: none"> • Workforce Monitoring Data (to include sickness absence monitoring) • Social Care Wales Workforce Development Plan Update • Health & Safety Update • Agency Worker Usage • National Pay Negotiations Update • VR / CR Update

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