

Complete Agenda

CABINET

GWYNEDD COUNCIL

DATE	Tuesday, 31st July, 2018
TIME	1.00 pm
LOCATION	Siambr Hywel Dda, Council Offices, Caernarfon, Gwynedd, LL55 1SH
CONTACT POINT	Annes Siôn 01286 679490 cabinet@gwynedd.llyw.cymru

GWYNEDD COUNCIL CABINET MEMBERS

Members	
Dyfrig L. Siencyn	Leader
Dafydd Meurig	Deputy Leader, Cabinet Member for the Environment
Craig ab Iago	Cabinet Member for Housing, Leisure and Culture
Gareth Wyn Griffith	Cabinet Member of Highways and Municipal
Nia Wyn Jeffreys	Cabinet Member for Corporate Support
Peredur Jenkins	Cabinet Member for Finance
Dilwyn Morgan	Cabinet Member for Children and Young People
W. Gareth Roberts	Cabinet Member for Adults, Health and Wellbeing
Gareth Thomas	Cabinet Member for Education
Ioan Thomas	Cabinet Member for Economic Development

AGENDA

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9	<p>EXCLUSION OF PRESS AND PUBLIC</p> <p>The Chairman shall propose that the press and public be excluded from the meeting during the discussion on the following item due to the likely disclosure of exempt information as defined in paragraph Paragraph 12 of Scehdule 12A of the Local Government act 1972</p> <p>14.10.2 Exempt Information – Discretion to Exclude Public (a) The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted, or the nature of the proceedings, that exempt information</p>			

	<p>would be disclosed.</p> <p>The report gives members an opportunity to take an overview of an application for early retirement by a member of the Councils senior management. Although there is public interest in understanding such arrangements in order to give them due consideration it is necessary to receive information about individual employees. Publishing such information could undermine the confidence of staff members to make such applications and affect their rights contrary to the public interest.</p>			
10	COUNCIL SENIOR MANAGEMENT		Dilwyn Williams	

THE CABINET 3/07/18

Present-

Councillors: Dyfrig L. Siencyn, Dafydd Meurig, Craig ab Iago, Gareth Wyn Griffith, Nia Wyn Jeffreys, Dilwyn Morgan, W. Gareth Roberts, Gareth Thomas and Ioan Thomas

Also present:

Dilwyn Williams (Chief Executive), Iwan Evans (Head of Legal Services), Dafydd Edwards (Head of Finance Department), Morwena Edwards (Corporate Director), Iwan Trefor Jones (Corporate Director).

Item 6: Diane Jones (Arfon Area Education Officer), Dafydd Gibbard (Senior Corporate Property Manager)

Item 7: Geraint Owen (Head of Corporate Support Department), Dewi Wyn Jones (Council Business Support Service Manager)

Item 9: Helen Mary Parry (Service Manager)

Item 11: Gareth Jones (Senior Planning and Public Protection Service Manager)

Item 12: Rhion Glyn (Senior Business Manager), Mari Wynne Jones (Senior Enablement Manager)

Item 13: Ian Jones (Senior Corporate Support Manager), Catrin Love (Health, Safety and Welfare Service Manager)

1. APOLOGIES

Cabinet Members and Officers were welcomed to the meeting. Apologies were received from Councillor Peredur Jenkins.

2. DECLARATION OF PERSONAL INTEREST

The Local Member, Cllr Richard Medwyn Hughes, declared an interest for Item 6 as he was a Council-appointed member of the School Governing Bodies of Ysgol Coed Mawr and Ysgol Glanadda. It was not a prejudicial interest.

Councillor Dafydd Meurig declared an interest due to links with the nursery provision on the Ysgol y Faenol site. It was not a prejudicial interest.

3. URGENT ITEMS

There were no urgent items.

4. MATTERS ARISING FROM OVERVIEW AND SCRUTINY

There were no matters arising from overview and scrutiny.

5. MINUTES OF THE MEETING HELD ON 12 JUNE

The Chair signed the minutes of the Cabinet meeting held on 12 June 2018, as a true record.

6. REORGANISATION OF PRIMARY EDUCATION PROVISION IN THE BANGOR CATCHMENT AREA

The item was submitted by Cllr Gareth Roberts

RESOLVED

- To approve the proposal to close Ysgol Glanadda and Ysgol Babanod Coed Mawr on 31 August 2020, and offer places to the pupils at Ysgol y Garnedd (subject to parental choice); and increase the capacity of Ysgol y Garnedd to 420.
- To approve the issue of statutory notices on the above-mentioned proposal in accordance with the requirements of Section 48 of the Schools Standards and Organisation (Wales) Act 2013.

DISCUSSION

The report was submitted noting that the department had secured a £12.7 million investment to modernise educational provision in Bangor. It was noted that it was an opportunity to improve the available provision. It was added that during the Cabinet meeting held in March that it had been decided that it would be possible to carry out a statutory consultation on the proposal to close Ysgol Glanadda and Ysgol Coed Mawr and offer places to the pupils at Ysgol y Garnedd.

It was noted that the responses had raised concerns about traffic issues. It was noted that there would be a specific plan to look at this and there would be further discussions on the matter. Concerns were expressed about Language matters and about the continuation of the Welsh language ethos at Ysgol y Garnedd, but it was added that the response from Estyn noted that Ysgol y Garnedd had been successful in promoting and using the Welsh language at school.

It was mentioned that the Acting Head teacher at Ysgol Glanadda and Coed Mawr from September onwards would allocate 50% of her time to teaching and consequently there was a need to rationalise the provision that was currently available.

The Local Member noted that he disagreed with the idea of pursuing option 3 rather than option 10. He noted that both schools would be on a single site in September, and they were in a building of very good quality. He added that Glanadda had made significant progress in the use of the Welsh language and that both schools had recently moved to higher coloured bands.

The comments were answered noting that the department was seeking to reduce empty spaces at schools and ensure that 80% of the head teachers' time was freed up. It was added that a high number of children in the Coed Mawr area attended other schools in the catchment, rather than Ysgol Coed Mawr and Glanadda.

A Local Member noted that the residents of Penrhos Avenue were not happy with the possibility of their road being used to build the new school. It was noted that the road was busy with pedestrians and it was not possible to get a Recycling Van there, let alone lorries transporting building materials. It was noted that this was a planning matter and that no decision had been made on which road would be used to reach the new school site. These comments would be considered when looking at the planning matters.

Observations arising from the discussion

- It was noted that the consultation numbers were low, and it was asked where Ysgol y Faenol fitted into the full picture. It was noted that Ysgol y Faenol was an integral part of the plan to modernise education in Bangor, but it was a different procedure as it was a school that was associated with the Church in Wales. There was some risk to running both schemes separately, however it was not substantial given the benefit that would also derive for Ysgol y Faenol.

It was expressed that the school's new site would have 1,200 children as Ysgol Friars was also located on the same land. But it was noted that the standard of the Ysgol y Garnedd building was unacceptable, and was no longer fit for purpose. It was added that there was need for a new resource to improve the quality of education and provide pupils with better opportunities

7. GWYNEDD COUNCIL PERFORMANCE REPORT 2017/18

The item was submitted by Cllr Dyfrig Siencyn

RESOLVED

To approve the Gwynedd Council Performance Report for 2017/18 and to recommend its adoption by the Full Council.

DISCUSSION

The report was submitted, noting that the Council was required to publish its annual performance measuring report. It was added that this year looked back on the achievements of the Council's Strategic Plan since 2013, a period that had seen a financial reduction of £26 million. It was explained that the Council took pride in the fact that services had been maintained under such financial strain.

It was expressed that the report not only reported on the Council's successes but also highlighted fields where the Council's performance was not as good.

Observations arising from the discussion

- It was noted when looking at the Adults, Health and Well-being department that the emphasis was on integrated working. Although a lot of work had been done, it was expressed that there was much more to do in future.
- It was expressed that the Education Department was generally happy with its performance during the year although disappointed with the results of the Foundation Phase; nevertheless, the department was looking at how to proceed. It was added that £56 million had been spent on new buildings for Gwynedd schools and this reflected the Council's commitment.
- Staff were thanked for their hard work and it was noted that the report addressed the Objectives of the Well-being Act.

8. NORTH WALES GROWTH DEAL BID: PROGRESS UPDATE AND GOVERNANCE PROCEDURE

The item was submitted by Cllr Dyfrig Siencyn

RESOLVED

Resolved to:

- a) Note and welcome progress on the development of a Growth Deal Bid for the region.
- b) That the first stage Governance Agreement and establishing a Joint-committee for the Growth Deal is approved subject to the Full Council's confirmation of the Scrutiny arrangements (at its meeting on 12 July, 2018).
- c) That the Council be presented with the final draft Growth Deal Bid for consent in October 2018 prior to the stage of agreeing Heads of Terms with UK Government and Welsh Government.
- d) That delegated authority be given to the Corporate Director and Head of Legal Services, in consultation with the Leader, to undertake minor amendments as required to the draft first stage Governance Agreement to finalise the agreement.

DISCUSSION

The report was submitted noting that workshops to consider the new Growth Bid had been held in Gwynedd. It was added that the elected members had been challenging the plan. It was noted that this report was a progress report and that a discussion was ongoing to create a legal agreement between the six counties.

It was noted that the discussion on the Bid's Scrutiny System would be held at the Full Council at the end of the month. It was added that it was intended to have a Scrutiny Forum made up of the six counties, but this would happen in the future. It was expressed that this paper would be submitted to all six

Cabinets across north Wales, and a further report on the Growth Bid would come back to the Cabinet in September.

Observations arising from the discussion

- There was praise that the six had collaborated to create the bigger picture. It was added that the agreement asked that Gwynedd operated in a leading role until April 2019, but that hosting the Plan when operational was to be discussed. We did not anticipate any significant risks of doing so until April 2019.

9. GWYNEDD COUNCIL'S RESPONSE TO NEW DATA PROTECTION LEGISLATION

The item was submitted by Cllr Nia Jeffreys

RESOLVED

To adopt the amended policy and procedure as part of the work to address new requirements in the field of data protection.

DISCUSSION

The report was submitted noting that there had been major changes to the framework following the emergence of the General Data Protection Regulations and on the same date the Data Protection Act 2018 was introduced. It was noted that the purpose of the new regulations was to require organisations to prove their compliance, and would also give individuals more rights.

It was expressed that the new legislation brought in a number of changes and noted that the Council now had a Data Protection Officer, who would monitor compliance with the act and operate as a contact point for the Information Commissioner's Office and the public.

Observations arising from the discussion

- It was noted that there was a need to ensure that the Council delivered the requirements of the act. It was explained that good work had been done but there would be continuous monitoring work through the performance monitoring system and the governance assessments carried out every year by the Governance Group to submit it to the Audit Committee.

10. CODE OF PRACTICE: ETHICAL EMPLOYMENT IN SUPPLY CHAINS

The item was submitted by Cllr Nia Jeffreys

RESOLVED

To agree to commit to the Code of Practice on Ethical Employment in Supply Chains.

DISCUSSION

The report was submitted noting that Welsh Government had published a Code of Practice for ethical employment in supply chains. It was added that the code aimed to ensure that good employment practices existed for all workers at every step of the supply chain. It was noted that the code dealt with employment matters such as modern slavery and living wage.

It was expressed that by realising all objectives in the Code of Conduct, best practice would then ensue and would play a part in eradicating any unlawful and unethical employment practices.

It was noted that a lot of work had been done and this was only the beginning of the journey. The commitment to this field was supported.

11. GWYNEDD BIODIVERSITY DUTY PLAN

The item was submitted by Cllr Dafydd Meurig

RESOLVED

In order to comply with duty A6 of the Environment (Wales) Act, public authorities are required to prepare and publish a plan that sets out what they intend to do to maintain and enhance biodiversity and promote resilience.

DISCUSSION

The report was submitted and it was noted that Section 6, Part 1, of the Environment Act (Wales) 2016 sets out a broader duty on biodiversity and ecosystem resilience for public authorities when exercising functions relevant to Wales. It was added that a plan was in place in Gwynedd to comply with the Act and details were provided of the aim of the Gwynedd Council Biodiversity Duty Plan.

It was added that a consultation had been carried out on the document with all Council departments and with Councillor Angela Russell in her role as the Countryside and Environment Champion.

12. A PLACE TO CALL HOME: IMPACT AND ANALYSIS

The item was submitted by Cllr W. Gareth Roberts

RESOLVED

To approve further steps in response to the follow-up survey carried out by the Older People's Commissioner since the original A Place to Call Home report.

DISCUSSION

The report was submitted noting that the item was in response to the follow-up survey that had been carried out by the Older People's Commissioner from the original A Place to Call Home report. The Older People's Commissioner had presented the findings of her review of Care Homes in 2014. It clearly highlighted the need for change and to ensure that older people's quality of life was central to the care system.

It was added that the Commissioner had asked for information to evidence that what had been agreed upon had been implemented in January 2017. It was added that the report had acknowledged that purposeful and positive steps had been taken and that the arrangements were in place in terms of an Annual Quality Report. It was expressed that the analysis was thorough and fair. It was noted that the department felt that it was moving in the right direction but there was need to improve on information gathering and evidencing in future.

13. HEALTH, SAFETY AND WELL-BEING ANNUAL REPORT

The item was submitted by Cllr Nia Jeffreys

RESOLVED

To approve the Health, Safety and Well-being Annual Report

DISCUSSION

Submitted - the report noting that this was the first time this type of report had been brought to Cabinet. It was noted that this was an opportunity to give the Cabinet an indication of the current situation in terms of health and safety management within the Council. It was noted that significant work had been done to empower managers to lead on risk management within the Service. Consequently, the role of the Health, Safety and Well-being Service was clearly advisory.

It was added that the Council held the Gold award for the corporate health standard, following a second full assessment by officers from the Assembly. It was added that statistics for stress and referrals to the counselling service had increased, but it was believed that this emphasised the importance of the work of promoting mental health in the workplace.

Observations arising from the discussion

- It was noted that the number of accidents had risen consistently over the years but it was explained that this was because of the awareness of the need to report them. It was added that the number of near misses had also increased and this was because staff were more willing to notify the team.
- It was noted that the department had been surprised by the number of MEDRA referrals in the last quarter, but a lot of work had been done to raise awareness. Additionally, it was noted that it reflected a changing culture and that staff were more willing to note stress on the sickness form rather than ticking 'other illness'.

14. FORWARD WORK PROGRAMME

The item was submitted by Cllr Dyfrig Siencyn

RESOLVED

The Forward Work Programme included with the meeting papers was approved.

DISCUSSION

The forward work programme was submitted.

The meeting commenced at 13:00 and concluded at 14:40

CHAIRMAN

Agenda Item 6

GWYNEDD COUNCIL CABINET



Report to the Cabinet

Date of meeting:	31 July 2018
Cabinet Member:	Councillor Dafydd Meurig
Contact Officer:	Gareth Jones, Senior Manager, Planning and Public Protection Service
Contact Number:	34092
Item Title:	Review of Public Protection's level of resources

1. DECISION SOUGHT

- 1.1 That the Cabinet accepts the report.
- 1.2 That the Cabinet agrees that £70 thousand of the department's existing income is diverted to increase staff resources, to meet the food law enforcement requirements in accordance with this report and therefore agrees that the Environment Department:
 - Implements one of its proposed savings schemes (in relation to income from road closures) early during 2018/19
 - Utilises £70 thousand additional income from this savings scheme for the purpose of the department, in order to implement the permanent transfer of budget to finance 2 posts in the food law enforcement service.

2. REASON WHY DECISION IS NEEDED

- 2.1 Following the audit by the Food Standards Agency (FSA) in February 2016, and its subsequent audit in February 2018, they have raised concerns regarding the Council's level of resources to deliver its food law enforcement service in respect of food hygiene and standards. These concerns were reiterated in subsequent letters from the FSA at a recent meeting with the Chief Executive, Senior Officers and the Cabinet Member.
- 2.2 We acknowledge the FSA's concerns and appreciate their willingness to advise us on the provision of the food law enforcement service to the future. Nevertheless, it is essential that we look carefully at the likely level of additional resource required to meet the deficit, as well as look at how we will create the additional resource, without leading to further unacceptable impacts to the Council.

2.3 We are asking for a decision as a result of:

- The potential risks to the residents of Gwynedd and to the Council if we do not put positive measures in place to provide additional resources in an attempt to meet the legal requirements in terms of food hygiene and food standards.
- The situation that has arisen in terms of the lack of resources is mainly associated with the cuts that have been implemented over the years in the Council's Public Protection Service.
- The inability to direct existing resources within the Public Protection service, or the Council departments, in order to address the deficit.

3. INTRODUCTION

The Audit of the Food Standards Agency (FSA)

- 3.1. Concern relating to lack of resources for enforcing food law is a matter that has been highlighted specifically as a result of the FSA's audits in February 2016 and then in 2018, as well as correspondence from the FSA since. Confirmation of those concerns can be seen in the FSA's letter dated 11 April 2018, addressed to the Chief Executive (See appendix 1).
- 3.2. The FSA's letter (see appendix 1) refers to an Action Plan agreed with the Council following its audit, which contained 34 recommendations that the Council needed to address over a specific time. They draw particular attention to the recommendations relating to the provision of resources to undertake intervention / inspection work in the fields of food hygiene and food standards. The specific recommendations in the Action Plan include:

Ensuring that an appropriate number of authorised officers have been appointed to undertake the official food hygiene and food standards controls in accordance with the Food Law Code of Practice.

There are two further recommendations associated with the above which note:

Ensure that food hygiene interventions / inspections are undertaken at the required frequency determined by the Food Law Code of Practice.

Ensure that food standards interventions / inspections are undertaken at the required frequency determined by the Food Law Code of Practice.

- 3.3 Therefore, a consequence of the lack of resource is that the interventions / inspections for Gwynedd food businesses, in terms of food hygiene or food standards, are not being undertaken at the required frequencies.

4. REASON AND JUSTIFICATION BEHIND THE DECISION

What are the legal requirements in relation to food law enforcement?

- 4.1 The main purpose of the **food hygiene** arrangements is to ensure that food and drink sold for human consumption, manufactured, stored, treated or used in the County, is free of any risk to the health and safety of the consumer. The frequency of the interventions / inspections that need to be undertaken at food businesses are prioritised subject to the risk category previously designated to the business. The frequency required varies from interventions / inspections every 6 months for businesses in the highest risk category (namely A), to a strategy every three years for businesses in the lowest risk category (namely E).
- 4.2 Responsibilities in relation to **food standards**, relate to ensuring that food produced and / or sold within the County comply with constitutional and labelling requirements. The Council also has responsibility to ensure that food businesses provide full information in relation to allergens contained in the produce they provide to customers. These interventions / inspections undertaken based on the risk category of the business vary in terms of frequency from 12 months (minimum) for risk category A (the highest risk), to every 5 years for businesses in risk category C (the lowest risk).

How is the food law enforcement service provided in Gwynedd?

- 4.3 The food law enforcement service is provided by the Welfare, Health and Safety Unit within the Public Protection service (Environment Department), with input also from officers from the Trading Standards Unit. In April 2018, the Council was responsible for enforcing food safety requirements at 2,155 food businesses in Gwynedd.
- 4.4 Providing the food safety service includes programming inspections 12 months ahead every year and in 2018/19, 1067 food hygiene inspections and 601 food standards inspections have been programmed. As well as carrying out inspections in accordance with the annual programme, the work also includes:
- Establishing a current register of every food premises within the County
 - Re-visits, where required, following programmed inspections
 - Investigating complaints that businesses do not comply with the relevant requirements and enforcing food law when required (this could mean prosecution in some cases)
 - Sampling food and water as part of business inspections
 - Dealing with health and safety matters arising from food hygiene and standards inspections and investigate cases of workplace health and safety.
 - Investigating outbreaks associated with water and infectious diseases, excluding cases of food poisoning.
 - Authorising specific food establishments and assessing their operational arrangements by following a specific programme of inspections.
 - Maintaining the score ratings for food hygiene in Gwynedd
 - Providing advice to businesses and promoting food safety.

- 4.5 For 2018/19, between the officers of the Welfare, Health and Safety Unit and the Trading Standards Unit, there are 11.75 FTE officers who contribute towards the above-mentioned duties. It is emphasised that the work done is specialised and there is a need for relevant qualifications in order to undertake the work.
- 4.6 As part of the cuts implemented as a result of the Gwynedd Challenge in 2016-17, the Council decided to cut two posts in the Public Protection Service, which included a Public Protection Officer and a Health and Safety Officer. Also during this period, one Public Protection Officer left and an officer was appointed in his place who required training and relevant qualifications, in order to achieve all food safety duties in full.
- 4.7 The service has sought to mitigate the side-effects of losing staff by prioritising the work based on risk, and therefore, the inspections of businesses in the highest risk category have received priority. The service had also attempted to qualify and train officers in a range of work fields, in order to offer opportunities to coordinate food hygiene, food standards and health and safety inspections at the same time, if possible. It was also intended to attempt to deal with any backlog of inspections that had not been carried out gradually over 2 to 3 years. The service also intends to adopt more efficient arrangements for recording inspections, through the use of technology out on site, which will reduce the existing administrative work. It must be noted that legislation such as the Food Hygiene Rating (Wales) Act 2013, and the Food Information (Wales) Regulations 2014, have placed an additional substantial enforcement burden on Councils in terms of the work that must be done in the food hygiene and food standards field.
- 4.8 Despite the efforts to attempt to mitigate the side-effects of staff cuts, it is likely that the greatest impact of recent cuts has been seen during 2017/18, with this being highlighted in reports on the performance of the food safety service. Although we have attempted to prioritise inspections for high-risk businesses, and having received additional resources in February / March 2018 to carry out 35 inspections over weekends, 8 high-risk food hygiene inspections were not carried out during 2017/18. Also, a backlog of 73 low-risk businesses had not been inspected during the period.
- 4.9 By now, the service reports on performance measures that look at all food establishments over the year (high-risk and low-risk) that have received a food hygiene and food standards inspection in line with the required frequency. The situation at the end of June 2018 was that 212 out of the 243 programmed inspections had received a food hygiene inspection, with a backlog of 45 additional inspections which needed to be carried out as well. In terms of food standards inspections, the situation at the end of June 2018 was that 107 out of 135 businesses had been inspected, with a backlog of 192 inspections that should have been carried out last year on top of this. In terms of the inspections in general, it is noted that the FSA, historically, had placed the main priority on carrying out the food hygiene inspections, although it is noted that the requirements in terms of food standards inspections need to be met also. As previously noted, we have sought to adopt a procedure where food standards inspections are carried out at the same time as food hygiene inspections where possible.

- 4.10 It is believed that performance figures in terms of what the current food safety service can achieve justify the concerns that the FSA have highlighted with the Council. This led to a meeting with the Chief Executive, Senior Officers and Cabinet Member during May 2018 and the subsequent letter in June 2018 (See appendix 2) from the FSA.

How much additional resources are needed in an attempt to meet food safety law enforcement requirements?

- 4.11 It is emphasised that the FSA's main concern with this is that the Council has insufficient resources to meet the legal requirements relating to food hygiene in the main, but also food standards (noting the additional requirements on the Council as a result of recent legislation). It was very important in our meeting in May 2018, that we gave a firm commitment of our intention to address the lack of staff resources, in order to show that we are attempting to work towards achieving our statutory duties. It was also important to note that addressing the lack of resource would not change the situation overnight and that this would be something that would happen gradually over time. Also, it must be noted that it is difficult to estimate the scale of the resource required as it is difficult to anticipate what can arise from year to year, considering the nature and variety of the service's duties.
- 4.12 Following an assessment of how much and what type of resources are believed to be required, including looking at historical workloads and patterns, the current workload and the likely backlog over time, it is believed that a permanent staff resource of 2.25 at least is needed, with this to be achieved over time by:
- Employing 2 new posts to include an Environmental Health Officer and Enforcement Officer (or equivalent). This would need an additional permanent budget of around £70,000. It is noted that during the meeting with the FSA, they estimated that the Council would need at least £70,000 to address the issue.
 - Arrange that an existing enforcement officer follows a masters degree in environmental health (including aspects of food regulation enforcement). This is already in progress and is being achieved within existing budgets.
- 4.13 To show our commitment and seek to respond quickly to the FSA's concerns, the service has recently appointed an environmental health officer (temporary) for 12 months, but there is no permanent budget available for this.
- 4.14 We have confirmed the above to the FSA following our letter dated 20 June 2018 (see appendix 3), noting at the same time that we will be asking the Cabinet, by the end of July 2018, for support so that we can direct a permanent budget of £70,000 to employ two additional officers for the Public Protection Service. We are yet to receive a response from the FSA.

Is it possible to direct £70,000 from the existing Public Protection budget?

- 4.15 The starting point in terms of looking at an additional resource, is to consider whether there are other opportunities to direct resources out of the existing Public Protection budget. It is believed that the starting point with this is to consider the nature of the Public Protection Service's work as a whole, how much cuts have been made in the past and the current staff resource in the Service.
- 4.16 The service is a part of the Planning and Public Protection Service and includes three units that relate specifically to the Public Protection fields of work, namely, Welfare, Health and Safety Unit, Trading Standards Unit and Pollution Control and Licensing Unit.
- 4.17 The nature of the work of the Welfare, Health and Safety Unit has already been explained, along with the fact that the Trading Standards Unit also contributes towards the work duties. As well as contributing towards food safety work, the statutory duties of the Trading Standards Unit also include:
- Safeguarding the health and welfare of the public from potentially harmful business practices, by ensuring that retail businesses adopt and maintain arrangements and comply with the legal requirements that are relevant to their business. The priority is attempting to tackle fraudulent trading practices, protecting vulnerable users and improving health by means of functions including fair trading, dealing with scams, safety of goods, dealing with fake goods, undertaking weights and measures requirements, etc.
 - Carrying out inspections of establishments that produce, treat and distribute animal feed in accordance with the FSA's requirements and any subsequent action. In April 2018, it is noted that there were 1836 of these businesses in Gwynedd - the majority of which are farms. The FSA has adopted a specific procedure that is coordinated regionally in order to inspect these businesses and this includes a target regarding the number that need to be inspected annually. The target for 2018-19 for Gwynedd is 102 - down from 130 for last year. It is noted that this can change from year to year - it can go up or down.
 - Carrying out inspections relating to animal health including dealing with cases relating to animal diseases and take relevant enforcement action when required.
 - Dealing with markets and fairs.

- 4.18 The work carried out by the Pollution Control and Licensing Unit includes the following statutory duties:
- Pollution Control - the purpose of the work is to safeguard the public's health and welfare from unsafe practices and includes the following duties:
 - Investigating cases / complaints relating to pollution and dealing with environmental permits, including inspecting businesses with industrial processes, dealing with abandoned cars and providing specialist advice,
 - Monitoring and controlling air pollution and dealing with cases of contaminated land
 - Undertaking the Council's duties in relation to public health
 - Inspecting private water supplies to ensure that they meet the relevant hygiene standards
 - Undertaking enforcement duties where needed in the context of the above-mentioned work fields.
 - Licensing - the purpose of this work is to support and protect users, businesses and communities and the work involves the processing of enforcement duty licence applications, including the licensing of:
 - Caravan parks
 - Taxis (including driver, vehicle and operator licences).
 - Alcohol, Gambling and Entertainment (including premises and events licences)
 - Animal boarding / protection establishments
 - Scrap metal businesses
- 4.19 It is noted that the three Public Protection Units provide a statutory service and the main purpose of the work is safeguarding the health of Gwynedd's residents; however, providing support to businesses is also an important element of the work.
- 4.20 Substantial changes have been made to the Public Protection service over the years, particularly considering the situation in 2011/12 when a Senior Public Protection Manager was in post, along with 7 Units and 7 Unit Managers. The 7 Units were as follows:
- Food Hygiene
 - Health and Safety
 - Pollution and Pest Control (Pest Control has now transferred to the Property Service)
 - Licensing
 - Trading Standards (Retail)
 - Trading Standards (Industry)
 - Operational Support
- 4.21 As can be seen, the current situation is that six of the Units have merged to create three Units that carry out Public Protection work, and the Operational Support Unit has merged with the Planning Support Unit to create a joint Support Unit for the Planning and Public Protection Service. A substantial change has been seen in the service's structure over the past six years with a number of jobs being cut and expertise being lost as a result. See below the changes in Public Protection staff numbers (including Support staff), over the past six years:

Year	Number of staff
2011/12	63.10
2017/18	42.80

- 4.22 It can be seen that approximately 20 posts have been cut from the Service over the past six years, which equates to a 32% cut in the number of Public Protection staff (including Support staff). The most recent cuts implemented in 2016/17 (2 – permanent posts) - mainly affected the Welfare, Health and Safety Unit; however, it is emphasised that cuts have been made across the three current units over the six years. All three units have experienced side-effects as a result of the cuts implemented. It is likely that those effects are most evident in the Welfare, Health and Safety Unit (and the Trading Standards Unit that contributes to the food safety work), due to the concerns expressed by the FSA.
- 4.23 Cuts of 32% in staffing levels over six years have affected the resilience of the three Public Protection Units, with this being highlighted during periods of staff absences (annual leave or sickness), or during periods where complex cases need to be prioritised. When the Department was looking for potential savings schemes recently, all of the Department's Service Units were considered. It was concluded that further cuts in the three Public Protection Unit, due to the nature of the work, the associated risks and the previous cuts, would likely have the greatest impact on the residents of Gwynedd.
- 4.24 If an additional resource of £70,000 is obtained for the Public Protection Service, it is believed that there is an opportunity not only to address the lack of resources in terms of the food safety work, but this resource may also offer more resilience to the three Public Protection Units.
- 4.25 Considering the nature of the three Public Protection Units, and the cuts implemented over the years, it is not believed that it is possible to direct £70,000 from the service's existing budget, without having a further negative impact on the service provided. The additional requirements on the Council following various legislation that has come into force over the past six years, on top of the cuts, has made the situation even more challenging. It is noted that discussions have been held over time with the Adults Department, but it is understood that there is no capacity within the service that deals with private housing, to address the deficit.
- 4.26 Considering the circumstances, we therefore ask for support to direct £70,000 of income out from one of the Department's savings schemes that relates to road closure income, in order to address the lack of resource.

5. NEXT STEPS AND TIMETABLE

- Divert £70 thousand for 2 permanent posts (Environmental Health Officer and Enforcement Officer (or equivalent) in the Public Protection Service.
- Advertise and appoint as soon as possible and put in place arrangements for training.

6. ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

- 6.1 See the appendices below which include the correspondence and discussions held between the Council and the FSA over the last few months.

7. VIEWS OF THE STATUTORY OFFICERS

Chief Finance Officer:

Our financial projections, as reported to the Cabinet on 22 May 2018, forecast that there will be a funding deficit by 2019/10, as the Government grant is likely to be insufficient to meet salary inflation and the demand for Council services.

Therefore, it is inevitable that we will need to identify further savings, and the Environment Department has been preparing conscientiously in order to contribute towards the corporate funding deficit. However, it can be seen in the report submitted that there is a need to increase the staffing resource now, in order to meet food law enforcement requirements.

The solution proposed here is to harvest £70,000 of additional income by realising the 'road closure arrangements income' saving scheme during 2018/19, and commit the £70,000 to increase the food law enforcement staffing resource. I confirm that this is practically possible, but of course, it will mean that the product of the relevant saving scheme will be committed on a permanent basis, and will therefore be unavailable to contribute towards the corporate funding deficit in 2019/20.

The Cabinet will need to consider the strong justification for increasing the food law enforcement staffing resource, bearing in mind that committing this saving / income of £70,000 to the Environment Department could result in a cut in another Council service.

Monitoring Officer:

The statutory duty to enforce food standards under the Food Safety Act 1990 and related Regulations lies with the Council. Statutory guidance as to how to exercise this duty is provided by the Food Law Code of Practice (Wales) 2014. Having regard to this framework the recommendations in the report support the achievement of these requirements.

Appendices

Appendix 1: Letter dated 11 April 2018 from the Food Standards Agency

Appendix 2: Letter dated 5 June 2018 from the Food Standards Agency

Appendix 3: Letter dated 20 June 2018 from the Council

Mr. Dilwyn Williams
Chief Executive
Gwynedd Council

SENT BY EMAIL

11 April 2018

Dear Mr. Williams,

**RE: FOOD STANDARDS AGENCY AUDIT OF FOOD LAW
ENFORCEMENT SERVICE: GWYNEDD COUNCIL
Follow-up Audit Visit 28 February 2018**

In February 2016, Gwynedd Council was subject to a full audit of its food law enforcement service by the Food Standards Agency (FSA), which identified 34 recommendations for improvement. An action plan, prepared by the authority, to address these recommendations was subsequently agreed.

A further visit was carried out on 28 February 2018 to assess the authority's progress in delivering against the recommendations arising from the audit. I would like to take the opportunity to thank your service managers and officers that facilitated and participated in this visit.

The attached audit action plan has been updated to indicate the progress the authority has made towards addressing the recommendations. Auditors confirmed that effective action had been taken to implement 14 of the 34 recommendations and that some progress in addressing a further 14 recommendations had been achieved.

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Ffacs / Fax: 029 2067 8919

In respect of the of the outstanding recommendations, the FSA has concerns that the authority has not made any progress in these areas. Two of these recommendations are fundamental to the effective planning and delivery of food official controls. During the visit it was noted that the financial and staffing resources allocated to the service has been reduced. This reduction in resource is likely to have a significant impact on the authority's ability to meet its statutory obligations set-out in the Food Law Code of Practice (the Code) or to fulfil its duties under the Food Hygiene Rating (Wales) Act 2013.

The authority's Service Plan, which is an important document for ensuring statutory requirements and national priorities are addressed and delivered locally has not been subject to approval at Member, Member forum or suitably delegated senior officer level. Service Plans and associated reviews should be approved at the relevant level in the interest of local transparency and accountability.

You will recall that Richard Bowen, Director, FSA Wales (Interim) wrote to you on the 29 November 2017 and 25 January 2018 regarding the authority's shortfall in the delivery of planned food hygiene interventions. I am also aware that on the 10 October 2017 the Communities Scrutiny Committee considered a report on the FSA's Audit of Gwynedd Council's Food Law Enforcement Service. The report specifically highlighted concerns at paragraphs 2.7 and 2.8 regarding the authority's inability to comply with the Code due to the level of resource available to the service.

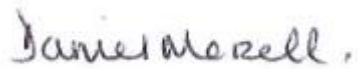
The FSA previously raised concerns about the authority's performance in delivering its food law enforcement service in October 2014, resulting in senior FSA officials attending a meeting of the relevant Scrutiny Committee of the Council. At that time the FSA was assured that action would be taken and follow-up activity confirmed this had been the case.

Such is the FSA's concern about the authority's direction of travel that Richard Bowen and I would like to meet with you, the Head of Environment Department and the relevant Cabinet Member to discuss this further. Please could you advise me of some dates when it would be convenient for this meeting to take place.

Please note I have copied this letter to your service head and managers with responsibility for food hygiene and food standards services who have been in communication with officials at the FSA regarding this matter.

If you would like to discuss the content of this letter or require any further information, please do not hesitate to contact me by telephone on 02920 678902 or email at: daniel.morelli@food.gov.uk

Yours sincerely,

A handwritten signature in black ink that reads "Daniel Morelli".

Daniel Morelli
Head of Local Authority Support and Audit

cc. Dafydd Wyn Williams, Head of Environment Department
Gareth Jones, Senior Manager Planning and Public Protection
Alun Evans, Public Protection Manager

Richard Bowen, Director, FSA Wales (Interim)
Craig Sewell, Auditor, FSA Wales
Jamie McMeeking, Auditor, FSA Wales
Rebecca Jones, Auditor, FSA Wales

Mr. Dilwyn Williams
Chief Executive
Gwynedd Council

SENT BY EMAIL

5 June 2018

Dear Dilwyn,

GWYNEDD COUNCIL'S PERFORMANCE IN DELIVERING ITS' FOOD LAW ENFORCEMENT SERVICE

Thank you for your time and providing us with the opportunity to speak with you and your officials on Monday 21 May regarding the delivery of your authority's food law enforcement service. The number of overdue food hygiene and food standards interventions reported by your authority in 2016/17 is a matter of concern and we advised you of the requirement to deliver interventions at the frequencies set-out in the Food Law Code of Practice (Wales) (the Code).

At the meeting we discussed the need for you to undertake an assessment of the resources required to address the backlog of interventions, together with the resources required to carry out interventions that are due on an annual basis. Any shortfalls in resources should be identified and addressed by the authority. We would respectfully request that you share your resource assessment with us together with your plans for addressing:

- i. the backlog of overdue food hygiene and food standards interventions; and,
- ii. the food hygiene and food standards interventions that are due in 2018/19.

You advised that to reduce the overdue food hygiene interventions you had recently taken the decision to recruit an Environmental Health Officer on a fixed term contract.

At the meeting, we were advised that your authority had taken a risk-based approach to food hygiene interventions, prioritising those food businesses rated as higher risk, i.e. category A, B and C rated, over those rated as lower risk, i.e. category D and E rated, as per the Code. We explained that priority afforded to lower-risk food businesses was already mitigated by the

longer intervention frequencies assigned to D and E rated establishments. We further explained that this approach might lead to some establishments not receiving an intervention for 4 or 5 years, and how this could compromise the statutory Food Hygiene Rating Scheme (the Scheme) in Wales. The credibility of the Scheme and its value to consumers relies on ratings being current.

We explained the importance of food standards interventions and our concerns that the authority had reported more than 500 food businesses were overdue an intervention in its 2016/17 LAEMS return. Food standards interventions are as important as food hygiene interventions, and we illustrated this in our discussion about food allergens. Allergens present a significant risk to specific vulnerable groups and I trust that we were clear resources for food standards should not be reduced to resource your authority's food hygiene intervention programme.

We discussed the support your authority might need to address our concerns and we agreed to raise the issue of funding at our next opportunity with officials from Welsh Government, specifically the formula used to calculate the food safety element of the Indicator-based Assessment (IBA). We also agreed to support you in developing a realistic resource plan for your food law enforcement service that evidences how the authority plans to address the regulatory interventions that are required.

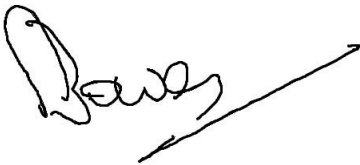
Your authority's LAEMS return for 2017/18 is still awaiting sign-off. I would be grateful if the data could be signed-off by your nominated Head of Service as a matter of urgency.

I believe that the above provides an accurate summary of our discussions, but if you have any comment or amendments, please let me know.

We look forward to receiving an update on your recent recruitment campaign, your estimate of resources required in 2018/19 and your plan(s) for addressing overdue and due interventions.

I would like to take this opportunity to once again thank you and your officials for your hospitality during our visit.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Bowen', with a long horizontal stroke extending to the right.

Richard Bowen
Director FSA Wales (Interim)

cc. Dafydd Wyn Williams, Head of Environment Department
Gareth Jones, Senior Manager Planning and Public Protection

Daniel Morelli, Head of Local Authority Support and Audit, FSA Wales
Craig Sewell, Auditor, FSA Wales

Pennaeth Adran Amgylchedd
(Cynllunio, Gwarchod y Cyhoedd, Eiddo, Trafnidiaeth a Chefn Gwlad)
Head of Environment Department
(Planning, Public Protection, Property, Transport and Countryside)
Dafydd Wyn Williams

Gofynnwch am / Ask for: **Dafydd Wyn Williams**
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DafyddWynWilliams@gwynedd.llyw.cymru

Ein Cyf / Our Ref: **DWW/amj**
Eich Cyf / Your Ref:

20 June 2018

Mr Richard Bowen
(Acting) Director of the FSA Wales
Food Standards Agency
11th Floor, Southgate House
Wood Street
Cardiff
CF10 1EW

Dear Mr Bowen

RE: Gwynedd Council's performance in terms of delivering its food law enforcement service

Thank you for your letter dated 5 June 2018 following our meeting on 21 May 2018 regarding the above. The opportunity for you to discuss our concerns with us and to obtain your advice on the way forward was very beneficial and we appreciate your support to this end.

I emphasise that we as a Council take these matters seriously and hope that you can see this following our recent meeting; coupled with the steps we have already put in place to deliver our statutory responsibilities as a Council in relation to food law. I believe that the situation we are in reflects the reduction in the staff resources that has occurred over the years, which as you know, is a similar situation across all of the Council's services. I note that 2017/18 was a year of trying to cope with the change and reduction in staff resource in this service and, possibly this is reflected in the food hygiene and standards inspections held over the past year.

We are very eager to show you that we are putting positive measures in place to address the matter. I know from our conversation that you appreciate that we cannot address your concerns overnight and that we can only do that gradually over the coming eighteen months. I understand from previous correspondence with you that you referred to the food hygiene inspections as the main priority, but we accept that we also need to address the requirements in terms of the frequency of food hygiene inspections. Therefore, we will carry out an assessment of the resources we will require to address the backlog of inspections and to hold due inspections annually in order to meet the requirements relating to food law.

Our intention is to include the assessment of resources as a part of the annual business plan for 2018/19 that we will be presenting to you as part of the standard arrangements in place. Of course, we would appreciate your views on the draft assessment before we seek approval to the business plan through the appropriate channels within the Council. We intend to send you a draft business plan for 2018/19 by the end of June 2018 and this will include the assessment of resources.

We had an open conversation during our meeting regarding the staff resource that would be required in order to reach a point where we can work towards compliance with food law requirements. I remember that you noted the need for resources to the value of £70,000 to meet the deficit, which would equate to two members of staff, including an Environmental Health Officer and Technical Officer (or equivalent). This reflects the size of the resource that we have been considering as being necessary and to this end, we have now appointed an Environmental Health Officer (temporary) for one year as a starting point. We accept that this is only a temporary measure and I confirm our intention to submit a report to Gwynedd Council's Cabinet by the end of July 2018, requesting support to enable us to direct a permanent budget of £70,000 to employ an Environmental Health Officer and Technical Officer (or equivalent) for the Public Protection Service. I note again that any newly appointed staff would require a period to qualify and familiarise themselves and consequently, meeting the requirements in terms of food law would be a gradual process.

In addition to the above, please see below the other steps that have been actioned by the service:

- i. The officer who was a trainee for the majority of 2017-18 has now qualified to carry out high-risk inspections. The officers' work areas / workloads has been partially changed to reflect this and share the work more equally.
- ii. The process of carrying out joint hygiene and standards inspections is maturing and officers are now comfortable to carry out both processes in parallel wherever practical
- iii. Consideration of the Public Protection needs in terms of the back-office computer system, with the aim of reducing the efforts associated with the administration of recording inspections / interventions so that Officers can focus more on the work out in the field.

We trust that you will appreciate from the above that we are making every effort possible to respond positively to your concerns as a part of our commitment to address all food hygiene and food standards interventions in accordance with the frequency requirements.

I wish to thank you for agreeing to raise the financial matters discussed at our meeting with Welsh Government and for your support and we look forward to continuing to work closely with you. We will make arrangements to give you an update during August regarding our efforts to attempt to secure permanent finance for a staff resource for the Service. I can also confirm that we have approved the LAEMS report for 2017/18 and we apologise for any delay with this.

Thank you for your support and cooperation.

Yours sincerely

Dafydd Wyn Williams
Pennaeth Adran Amgylchedd
Head of Environment Department

cc

Dilwyn Williams, Chief Executive

Gareth Jones, Senior Manager, Planning and Public Protection Service

Daniel Morelli, Acting Head – Local Government Support and Audit Team

Craig Sewell, Auditor (FSA)



Report to a meeting of Gwynedd Council Cabinet

Date of Meeting:	31 July, 2018
Cabinet Member:	Councillor Nia Jeffreys
Contact Officer:	Geraint Owen
Contact Telephone Number	32335
Title of Item:	Employment Annual Report

1 THE DECISION SOUGHT

Approval of the Annual Report.

2 THE REASON FOR THE NEED FOR A DECISION

In order to reflect and agree on the corporate strategy in this crucial field into the future.

3 INTRODUCTION

The intention of this report is to present an annual update of the details regarding the workforce and their employment together with outlining objectives for developing our employees and setting the direction for the future.

You are reminded that the Local Consultative Joint Committee (the joint forum between the recognised union representatives and Elected Members) receives an annual report on activity in the human resources field but that report focuses on the operational relationship between the employer and the workforce representatives.

1. The Council's Workforce

The numbers employed on a full-time and part-time basis within the Council for the last three years are noted here. Note that these numbers include staff who work in our schools but not those staff employed on a casual basis during holiday/sickness periods of the permanent workforce.

	31/3/16	31/3/17	31/3/18
Full Time	2,965	2,847	2,953
Part Time	3,029	2,981	2,938
Total	5,994	5,828	5,891

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The details show an increase of 63 in the number of individuals employed by the Council at the end of March this year compared with the same time in 2017 i.e. an increase of 106 full-time employment contracts but a reduction of 43 part-time posts. This increase is primarily as a consequence of the Special Educational Needs Joint-Committee staff transfer to Gwynedd Council's employment as opposed to this number of new posts being created on the Council's staff establishment.

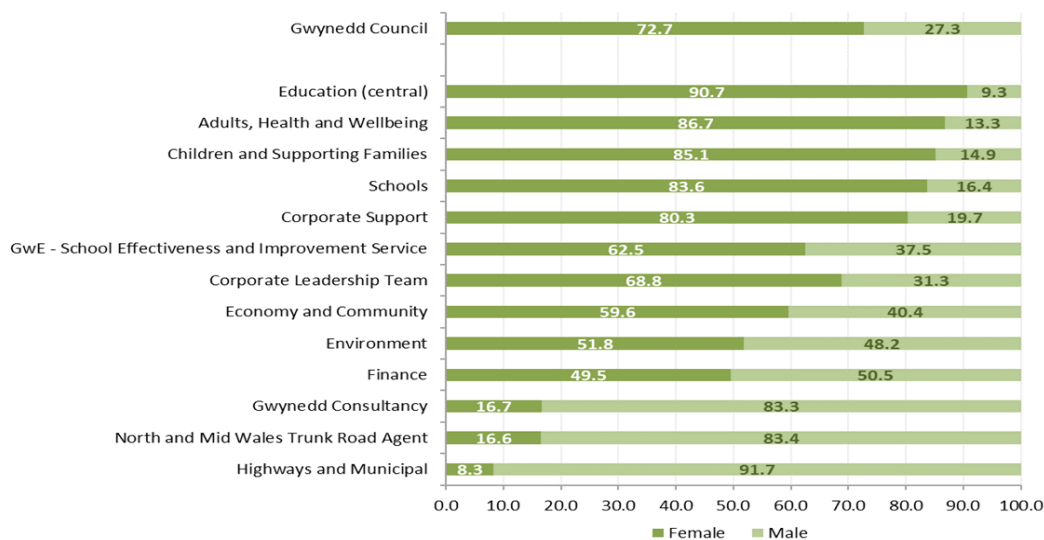
2. Workforce Split by Gender

A further analysis is seen here of the number of men and women employed on a full-time and part-time basis during the same period. The details show an increase of 30 men over the three years and a reduction of 133 women, even though there was an increase in the number of women employed on a full-time basis during the last financial year (this again primarily as a consequence of the Special Educational Needs Joint Committee staff transfer to this Council's employment).

		2015/16	2016/17	2017/18
Full-time	Men	1,370	1,360	1,387
	Women	1,595	1,487	1,566
Part-time	Men	299	327	312
	Women	2,730	2,654	2,626
Total	Men	1,669	1,687	1,699
	Women	4,325	4,141	4,192
Total %	Men	27.8%	28.9%	28.8%
	Women	72.2%	71.1%	71.2%

Please see a further analysis of the split between men and women in the Council's departments as at March 31 2018.

Female / male split of Gwynedd Council staff by Department, 31 March 2018



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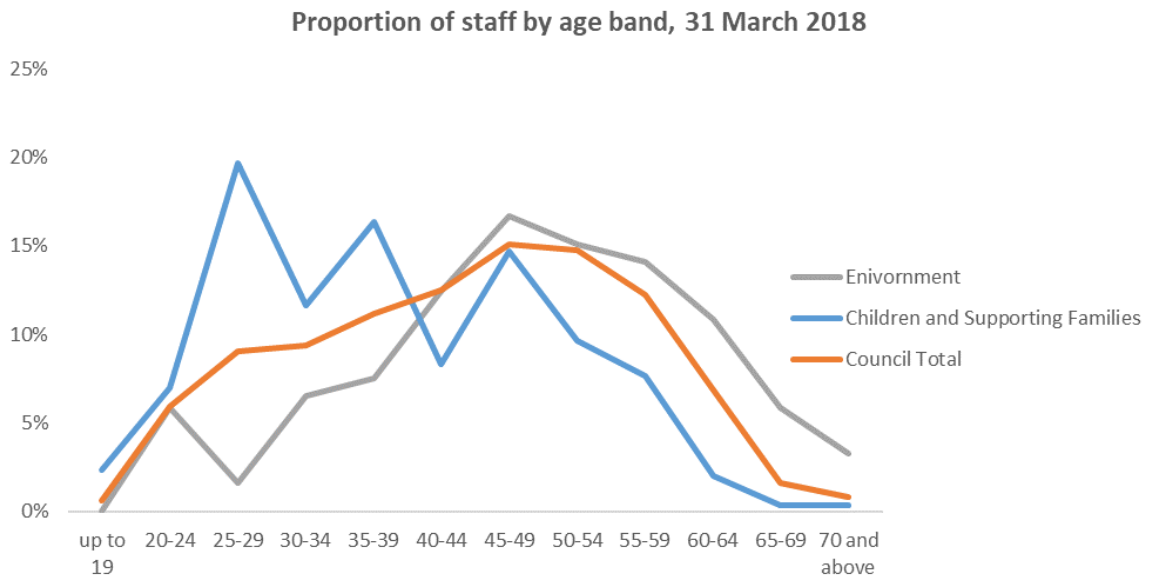
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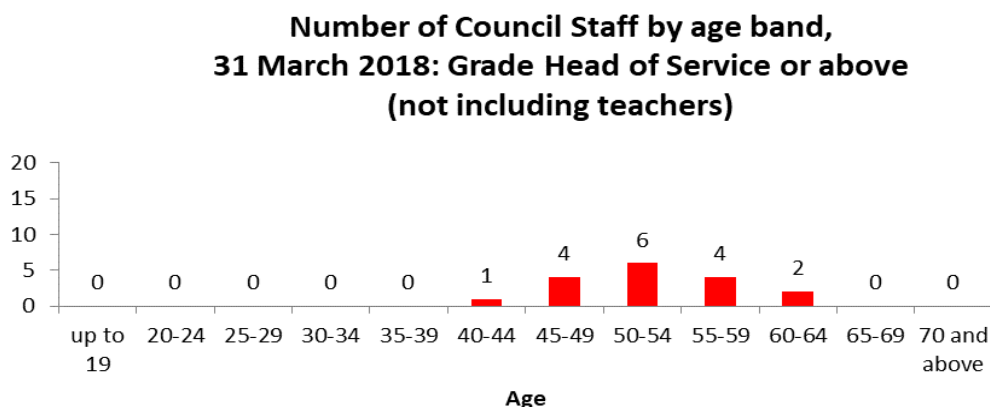
3. Age profile of Council staff

The age profile of Council staff as at 31 March 2018 is noted here. It shows that over 64% of the Council's existing workforce is older than 40 years old (63% in 2015/16) whilst 36% are older than 50 years old (34.5% in 2015/16). This small but gradual increase in the number of staff who are older than 40 years old (and 50 years old), together with the fact that there has been a reduction in staff turnover over the past two years, is an important factor to consider as part of the current attention being given to workforce planning.

The graph below shows the Department with the youngest age profile together with the Department with the oldest age profile as well as the age profile for the whole Council.



The following is an example of a graph that provides a clear picture of the existing age profile of the Corporate Management Group (heads of departments, directors and Chief Executive).



Keeping a record, analysing and sharing this information is crucial to enable managers to plan for the future and, in that sense, consider the steps which need to be taken pro-actively in order to ensure service continuity.

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4. Staff Turnover

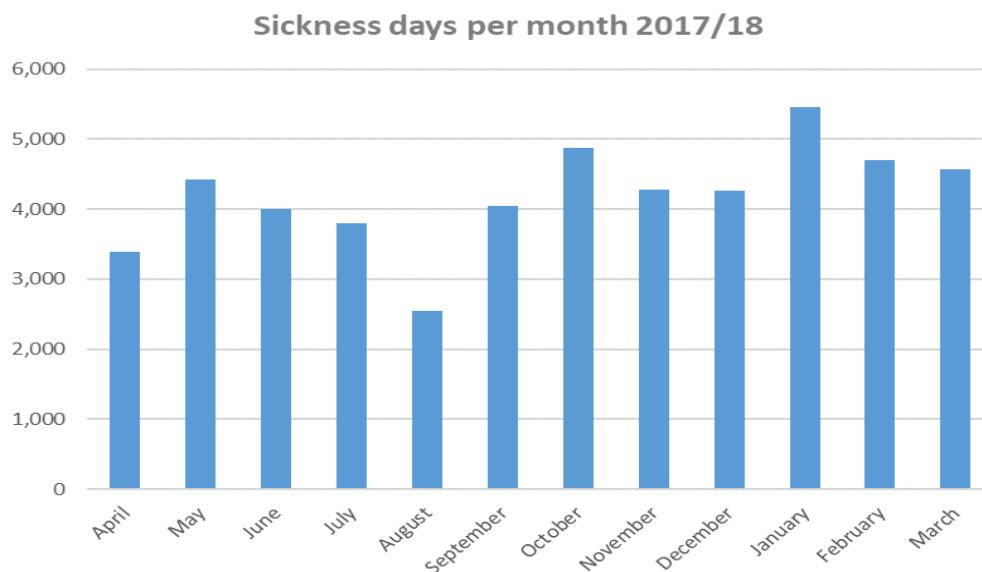
Historically, turnover within the Council has been comparatively stable but there has been a pattern of a small increase during recent years up until 2015/16. Turnover for this year has however fallen and this is in contrast to the national pattern within the public sector in general (most recent figures published for this sector shows a turnover of 15% on average).

The largest turnover is seen within some of the Economy and Community Department's services (16.5%), Highways & Municipal (10.7%) whilst turnover is at its lowest within Gwynedd Consultancy (5.6%), Environment (6.5%) and the Education Department (7.1%).



5. Sickness Absences

The number of days lost due to sickness across the Council decreased to 8.72 days per head on average last year, in comparison with an average of 9 days per head in 2016/17 (8.44 days per head in 2015/16). The table below shows the levels of sickness absences, month by month, during the year.



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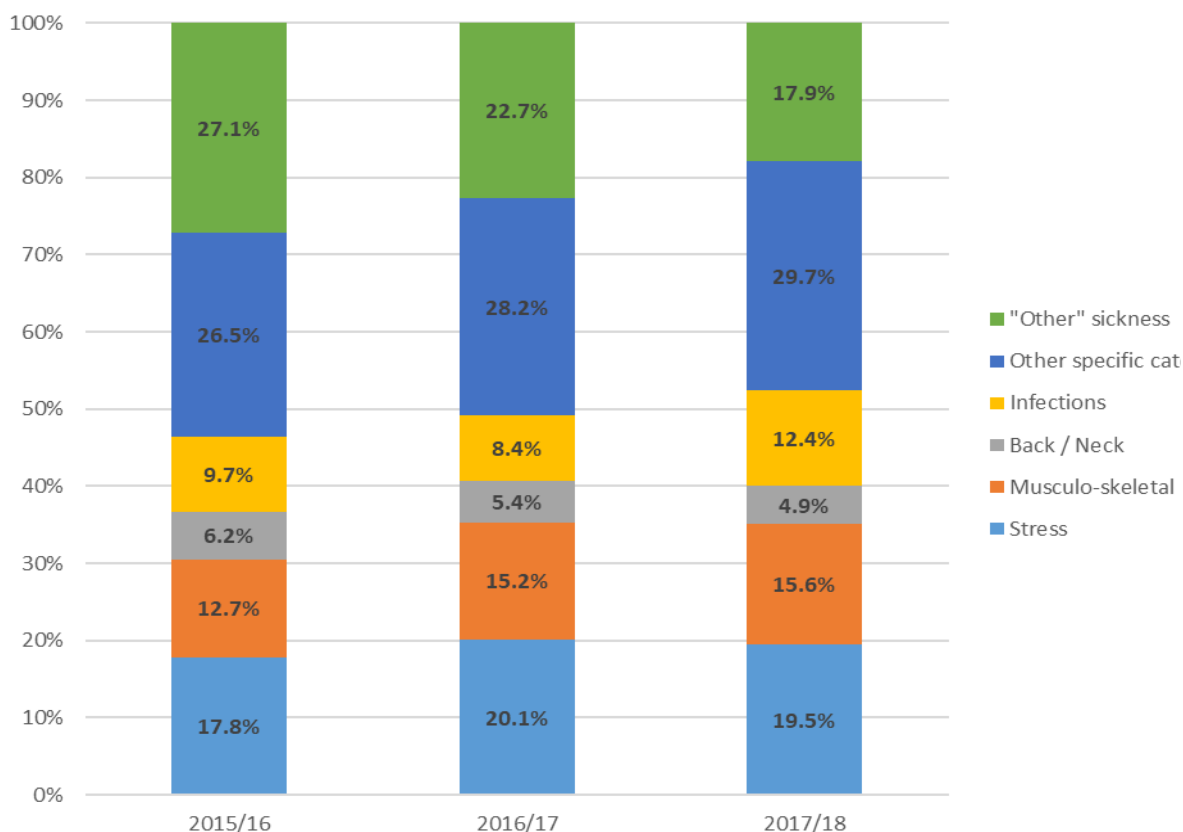


Sickness absence, in 2017/18, is at its highest within the Community Care Service (18.02 days), Residential and Day Care Service (16.56 days) and the Cleaning Service - Environment (14.38 days) whilst sickness absence is at its lowest within the central Education Department (3.4 days), Economy and Community – without Leisure (4.96 days) and the Leisure Service itself (5.1 days). A working group of officers meet regularly to review individual cases of absence and naturally focus their efforts within those services where sickness levels are high. The group’s work has borne some fruit during 2017/18 since the levels of sickness absence within the Residential and Day Care Service and the Cleaning Service – Environment, even though remaining high, has decreased.

It is important to note that 42.5% or 2,542 (2,518 in 2016/17) of Council staff were not absent at all due to sickness during the last year. Furthermore, it can be reported that the percentage of days lost to long-term sickness has decreased from 57% in 2016/17 to 54% in 2017/18.

The following table gives a further analysis of the type of sickness that has been recorded for absences over the last three years. This information is used to steer the discussion when considering the content of the programme to promote health and well-being annually.

Gwynedd Council sickness absence per category, 2015/16 to 2017/18



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The fact that the percentage of sickness absences recorded as "Other Illness" has decreased is very encouraging since there has been a specific effort to encourage staff to report on the nature of their illness in an attempt to provide the best possible support to them as part of their recovery.

Reducing the number of sickness incidents recorded as "Other" was one of the objectives reported upon last year and the year before as one of the objectives in this area and there was a suspicion that a number of absences due to stress were being hidden under "Other". This has not been proven to be true to date, as shown in the above graph i.e. the percentage of sickness absence due to stress has decreased slightly over the past twelve months. Even so, and in light of the fact that stress remains the reason for almost one in every five working days lost because of sickness, an officer has been seconded since January 2018, for an year in the first instance, in order to address the support provided to staff in this specific context with a view to add to the provision already provided via the Occupational Health Unit and other external agencies.

6. Learning and Development

As reported last year, the number of traditional training days provided by the corporate Learning and Development Service decreased from 3,043 in 2013-14 to 915 in 2016/17). Those number of days increased however in 2017/18 to 1,389 and this was specifically due to the significant time invested in supporting all Council service managers to put Ffordd Gwynedd into action. The emphasis on the combination of learning through experience, learning socially (such as coaching, mentoring, receive feedback) as well as traditional learning, is starting to be embedded within the Council and this is reflected in the training programme provided to all service managers during the past twelve months.

The number of e-learners (who used the resource) also further increased during 2017/18 from 1,433 in 2016/17 to 2,119 last year. It would be correct to state that this increase was partly as a result of campaigns to encourage staff to undertake e-learning in some specific areas e.g. domestic violence, prevention of terrorism, safeguarding. It would also be fair to note that the quality of the packages provided for this purpose by national establishments did not reach the mark and it is acknowledged that more work is required in order to ensure that the e-learning packages provided are able to convey the important messages more effectively and consequently providing staff with an useful and convenient learning experience. This work has been noted as one of the Corporate Support Department's priorities in the current Business Plan.

One of the other priorities in the Business Plan is to introduce an Apprenticeship Scheme within the Council. One of the Learning and Development Service's officers has been seconded to concentrate on creating and implementing this Scheme. Most of 2017/18 was spent putting the foundations in place and raising awareness about this important development whilst in 2018/19 however we will be looking to introduce a significant number of new apprenticeships. For this purpose, a number of recommendations will be presented for consideration by the Cabinet in the near future.

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7. Pay Structure and Equal Pay

The Pay Policy for 2018/19 was approved by the Council at its meeting on 8 March 2018 whilst the National Joint-Committee for Local Government Workers reached an agreement on pay increases for the next two years as from the 1st April, 2018. This has led to a pay increase of up to 9.1% to those staff on the Council's minimum wage with all other pay points up to point 19 in receipt of a higher pay increase than the 2% agreed upon for all other staff. This means that point 8 (which is the Council's minimum wage) is £8.61 per hour (in comparison with the £8.75 per hour acknowledged as the Living Wage by the Living Wage Foundation).

As from the 1st April, 2019, as the second part of the two year agreement, the Council's minimum wage will rise to £9.18 per hour with all pay points up to point 19 again in receipt of a higher increase than the 2% agreed upon for everyone else. This means that the Council's minimum wage will be higher than the Living Wage as from the beginning of the next financial year (this can be stated since it is highly unlikely that the Living Wage Foundation will place the Living Wage higher than £9.18 when the rate is reviewed in November this year). The changes as from April, 2019 will lead to a revised pay structure within the Council (and all other local authorities in Wales and England) and the transferring of staff salaries from one structure to the other will require co-operating with officers from the Finance Department and local union representatives.

An audit on equal pay within the Council by an independent reviewer was completed during the year. Confirmation was received that the Council does not differentiate between men and women for work of equal value. This opinion is a reflection of the fact that the Council has a recognised scheme for evaluating jobs and that the Scheme's criteria are consistently applied. However, the report also noted that the pay gap between men and women, which is true of society in general, also exists within the Council and that consideration should be given to what can be done to influence that situation. In this respect, reference can be made to the Council's commitment, as part of its five-year Business Plan, which is to research into how the gender pay gap can be reduced with a view to promote the number of women who are appointed to senior jobs within the establishment.

8. Leadership Development

There has been much emphasis on developing the political leadership since May 2017 and Cabinet members in particular have taken advantage of "The Five Behaviours" model which has been introduced within the Council. This model is in close alignment to the principles of Ffordd Gwynedd and forms part of the training provided to service managers in order to put Ffordd Gwynedd in action. Furthermore, a generic job description for service managers has been adopted whilst discussions have begun on revising the job descriptions of heads of department and senior managers in order to reflect the culture of leadership as opposed to managing within the Council.

It was also agreed to re-establish meetings of the Managerial College in its new form, not only as a means to ensure a follow-up to the specific training provided to

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managers but also to encourage those managers to take joint responsibility for the development of this crucial group within the Council's workforce.

9. Workforce Planning

One of the work streams that has been prioritised within the Council's People Plan, and is given a prominent place within the Departmental Business Plan, is the support and encouragement given to managers to plan the future workforce. There is a demand for services to change quickly, which in turn can lead to challenges in terms of staffing those services. This work is an attempt to try to support the services as they prepare for such situations and also to support services which are currently facing staffing problems.

This work incorporates a number of work streams which will all assist services to plan and take steps to ensure service continuity and face new developments in the future e.g. specialists and managers of tomorrow scheme, managing and developing talent, improve the information available in respect of the Council's workforce.

The focus until now has been on some of the Adults, Health and Well-Being Department's services, where human resources advisers have been working together with the Department's managers in order to assist them in considering the future requirements of their workforce and what can be practically done in order to avoid recruitment problems within the care sector in general. This work will be extended to other areas of work during the year ahead with the emphasis on measuring the short, middle and long term impact of those steps taken.

10. Local Conditions of Employment

The work of reviewing and ensuring that staff's conditions of employment reflect the Council's culture is also one of the priorities within the People Plan. The Group which leads the project has already consulted upon and reviewed some conditions of service with a view to present some changes to be adopted during 2018/19 e.g. sickness absence scheme, flexible hours scheme, annual and special leave, purchasing additional leave, grievance procedure and disciplinary procedure.

Other changes to the local conditions of service were introduced as from the 1st July, 2018 following discussions held with union representatives since October, 2015. As you will be aware, it was not possible to ensure a collective agreement on these changes as a result of one of the unions, namely UNISON, being given an instruction by its National Office to not negotiate nor hold a ballot amongst their members locally.

Staff were informed of the decision, taken by the Cabinet on the 13th March, in a letter at the end of that month, which also provided a formal twelve weeks' notice that the changes would be implemented. A letter of apology for the tone of that letter was subsequently sent to staff and a series of meetings ensued with union representatives. Those discussions, by now, have led to a recommendation by the three unions to their members to accept the package which has already been

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introduced together with some additions agreed upon as part of those further discussions.

11. Recruitment and Appointment

The following provides statistical details regarding the number of jobs advertised by the Council over the last four years together with the number of applications received and the number of vacancies which needed to be re-advertised. Analysing these details again contributes to our ability to identify fields in which the Council needs to focus its attentions in relation to developing expertise and planning the future workforce.

Year	Number of jobs advertised	Number of Applications	Number of jobs re-advertised	Number of Applications for the second advert
2014	433	2055	29	138
2015	442	2525	30	106
2016	472	2312	47	179
2017	555	3281	57	240

The work of designating linguistic levels that are in keeping with the WJEC (Welsh for Adults) language levels has been completed and these new designations are already being used for recruiting and appointing since the 1st January, 2018. As reported last year, steps were taken to strengthen the resource for language training in anticipation of the fact that this development will lead to an increasing demand to refresh and teach Welsh to the appropriate level among Council staff.

As an example of good practice, Gwynedd Consultancy has taken huge steps with this development and by now arrangements have been made for most of those staff identified as requiring language training, whilst further discussions have commenced with the Leisure service to provide support for leisure centre staff in the near future. The Learning and Development Officer (Welsh Language) will be visiting all other departments in turn in order to identify and act on training requirements and to sharpen Welsh language skills within the current workforce, in parallel with supporting new workers who require the same assistance.

12. People Plan

The Cabinet approved the People Plan for the Council at its meeting on 1 November, 2016. Reference has already been made to some of the work streams that have been prioritised for attention. The Plan involves a work programme for the period 2016-18 and a review of the content and its prioritisation is required during the next few months with the intention of submitting an update in the Autumn in order to ask for approval by the Cabinet to the revised People Plan for the period 2019-21.

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Early consideration of that review indicates that the Council should concentrate on the main priorities as opposed to all 24 individual projects listed in the current Work Programme. The investment of our efforts in the work streams which involve

- extending on-line self-service arrangements to Council staff
- workforce planning
- developing talent within the Council as well as via traineeships and apprenticeships
- further develop the system which utilises human resources information and data to influence decisions
- add to the support in respect of staff health and well-being
- review and update conditions of service in order to reflect the Council's current work culture

seem to offer themselves as priorities at the moment.

It is important to stress again this year how crucial it is for every manager and leader to take ownership of that which it is sought to realise within the People Plan and that we should not consider the work streams as matters for the officers co-ordinating them alone, as the ambition is one for the Council in its entirety.

CONCLUSIONS

All the statistical information contained here, with careful analysis, is of assistance to managers and those officers who advise them, to plan services and identify in a timely manner those matters which need further research and action. This becomes increasingly important within a work culture where decisions based on full and concrete evidence is crucial.

Furthermore, the other details submitted regarding progress within the various fields prioritised in the People Plan determinate the steps which are being taken, not only to address existing requirements within the workforce, but also anticipated future requirements.

The Cabinet is asked to approve the report for 2017/18.

OPINION OF THE STATUTORY OFFICERS

Monitoring Officer:

The report is an opportunity for the Cabinet to take an overview of the Council staff's situation and profiles. No comments in relation to propriety.

Head of Finance Department:

The report contains useful information for dealing with employment issues. However, the decision submitted for Cabinet approval does not create expenditure commitment, hence I have no comments to add to the report from a financial propriety perspective.

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GWYNEDD COUNCIL CABINET



Report to a meeting of Gwynedd Council's Cabinet

Meeting Date: 31 July 2018

Cabinet Members: Councillor Peredur Jenkins / Councillor Dilwyn Morgan

Contact Officer: Dafydd Edwards, Head of Finance

Contact Number: 34668

Item Title: Discretionary Relief from Council Tax for Young People Leaving Care

DECISION SOUGHT

Pursuant to the Council's powers under Section 13A(1)(c) of the Local Government Finance Act 1992, to allow full exception from paying Council Tax to young persons leaving care until they are 25 years old, after other discounts, exceptions and/or Council Tax Reduction to which they are already entitled have been taken into consideration.

REASON WHY DECISION IS NEEDED

1. Section 13A(1)(c) of the Local Government Finance Act 1992 gives billing authorities such as Gwynedd Council a general discretionary power to reduce liability for Council Tax in relation to any person, or group of persons, in addition to any relevant national discounts and exemptions that may apply.
2. Section 67 of the 1992 Act lists those Sections that can only be resolved by the Full Council. Since Section 13A(1)(c) does not appear on this list, the decision to allow a relief under this Section can be made by the Cabinet.
3. Over the last year, many billing authorities in Wales have resolved to allow full exception from paying Council Tax to young persons leaving care (some until the person is 21 years old, others until the person is 25). This has followed several reports and campaigns (for example, by the Children's Society), which have identified a range of disadvantages that care leavers uniquely experience and their vulnerability in respect of Council Tax debt.
4. The Corporate Parenting Panel considered this matter at its meeting in April 2018. It was noted in the meeting that this matter has been a focus for the Children's Commissioner for Wales following her report 'Hidden ambitions' in order to ensure that care leavers are not falling into Council Tax debt whilst establishing themselves independently as young adults. The Panel agreed to support the request that the Cabinet allows such a relief.

REASON AND JUSTIFICATION BEHIND THE DECISION

5. A young people's transition out of care and into adulthood is extremely difficult and managing money for the first time without support from family leaves care leavers at real risk of falling into debt.
6. The Council has a responsibility as a Corporate Parent to support young people in its care. Corporate parenting is a statutory function of the Council. The underlying principle is that every local authority will seek the same outcomes for young people in care that every good parent would want for their own children.
7. The Council accepts its role as a responsible corporate parent and seeks to further support those young people who have left care to be able to live independently as adults. One action that could be taken is to provide discretionary relief from Council Tax for care leavers. The proposed scheme would reduce to zero the amount of council tax a care leaver pays so that Council Tax due to Gwynedd Council (and to precepting authorities – the Police and Crime Commissioner and community councils) should not become a problem debt for them.
8. The principles of the proposed Care Leavers Relief scheme are as follows:
 - The young person is a care leaver and is between the ages of 18 and 25 and is not exempt on any other basis;
 - It is expected that a "care leaver" in this context means a young person who is within Categories 3 (care leaver aged 18 or over) or 4 (young person who reconnects to care for education or training purposes) as defined by Section 104 of the Social Services and Well-being (Wales) Act 2016 or, if they are aged between 21 and 25 years old, they were within Category 3 or 4 when they became 21 years old.
 - Where a Gwynedd care leaver moves out of the Council's area the relief can be claimed again should they return before their 25th birthday.
9. The relief will operate as follows:
 - The relief will apply to residents for whom a Local Authority has held corporate parenting responsibility at the point at which the young person left care;
 - The 'care leaver' resides and is liable to pay Council Tax in Gwynedd;
 - The level of relief applied will be 100% of residual council tax liability **after** taking account of any other discounts/exemptions and Council Tax Reduction (CTR) to which the resident, or household, may be entitled;
 - Where a care leaver resides with another person and they are joint and severally liable, relief will be awarded at a 50% rate (25% personal element for the care leaver and 25% element against the property). In the event the non care leaver fails to discharge their liability this will not attach to the care leaver by way of joint and several liability;
 - The relief would be awarded against any council tax liability arising from 1st April 2018 and the Council will have discretion to backdate future awards to 1st April 2018;
 - The relief will not be means tested or responsive to the individual circumstances of the 'care leaver' if they are between the ages of 18 to 25;

10. The Council will not be reimbursed by Welsh Government for the income foregone. However, if funding were to be made available by Welsh Government in future, the Finance Department will prepare and submit claim under any such scheme.
11. The scheme will be administered by the Council's Finance Department who will work with the Children and Supporting Families Department to develop processes that will make it as easy as possible for care leavers to access this relief. For young people leaving care in Gwynedd, the process should be seamless and invisible, with Children's Services automatically registering care leavers with the Finance Department for the relief. However, it is expected that Children's Service will support all care leavers in applications for the discounts, exemptions and Council Tax Reduction to which the care leaver is entitled.
12. For those individuals living in Gwynedd but leaving another council's care, the Council will attempt to make the application process for the relief as simple as possible.
13. On the basis of the calculations made by the Finance Department, the cost of allowing this relief would be no more than £20,000 per annum and is likely to cost less than this. The cost of the scheme would be borne entirely by the Gwynedd's Council Tax collection fund.

NEXT STEPS & TIMETABLE

14. If the Cabinet resolves to allow the discretionary relief, the policy that will be established will be applied for the whole of the financial year starting on 1 April 2018, and amended bills will be sent to the relevant persons.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

Corporate Parenting Panel

15. The matter was discussed by the Corporate Parenting Panel in April 2018, which resolved to request that the Cabinet award this discretionary relief to care leavers.

Equality Impact Assessment

16. As with all the far-reaching decisions, the Council must give due consideration to its statutory duties to carry out equality impact assessments under the Equality Act 2010 and the Welsh Public Sector Equality Duties 2011 and to all other relevant considerations.
17. An Equality Impact Assessment was carried out in accordance with the statutory requirements on the Council. Since this relief affects only a small number of individuals with very specific characteristics, we do not believe that there are specific equality issues that need to be brought to the attention of the Cabinet when considering this issue.

Welfare of Future Generations (Wales) Act 2015

18. There is a duty to act in accordance with the sustainable development principle, which is to try to ensure that the needs of the present are met without compromising the ability of future generations to meet their needs. When acting in accordance with this general duty the Council needs to consider the importance of the long term impact, being integrated and inclusive, collaboration and prevention in developing the proposal.

19. The benefits to Gwynedd residents from supporting care leavers to gain a sound financial footing, empowering them to have access to and sustaining a home are clear. If all other Council Tax discounts are assessed, the cost to Gwynedd Taxpayers will be proportionately small whilst the impact to the individuals will be significant and the wider benefit to society will become apparent over time.

Opinion of Local Member

Not a local member.

Opinion of Statutory Officers

Monitoring Officer:

No comments from the perspective of propriety.

Head of Finance:

I have collaborated with the Cabinet Members in the preparation of this report and I confirm the content.

EQUALITY IMPACT ASSESSMENT

DISCRETIONARY RELIEF FROM COUNCIL TAX FOR YOUNG PEOPLE LEAVING CARE

1) ASSESSMENT AUTHOR(S)

Dewi Morgan, Senior Manager Revenues and Risk

2) PARTNERS

Who are your partners when starting or changing the policy / plan / practice? They will need to be included when undertaking this assessment.

Not relevant

3) DATE ASSESSMENT BEGUN

1 April 2018

4) DATE ASSESSMENT COMPLETED

16 July 2018

5) AIMS AND OBJECTIVES OF THE POLICY / PLAN / PRACTICE

Note why the policy / plan / practice is necessary. Note what the Authority hopes to achieve.

The aim of the policy is to use the Council's discretionary powers under the Local Government Finance Act 1992 to offer discretionary relief to young people leaving the Council's care and exempt them from paying Council Tax until they are 25 years old, to assist them to become independent.

6) PARTICIPATION AND CONSULTATION

Have you consulted regarding the change in policy / plan / practice? What was the result? Remember it is a statutory requirement to consult with the people who will be affected.

The matter was discussed by the Corporate Parenting Panel in April 2018. The Panel was supportive of the intention.

7) EVIDENCE AVAILABLE

The evidence can be based on local, regional or national evidence, e.g. the service's data or regional equality statistics or a national report.

National studies have shown that young people leaving care need every support to assist them to live independently, and avoid falling into debt. A number of local authorities have already introduced this policy, and Welsh Government are supportive of the principle.

8) GAPS IN EVIDENCE

Note any gaps in evidence and explain how you intend to fill them.

We are confident that there are no gaps in our evidence.

9) RELEVANCE AND EFFECT

The relevance of the policy / plan / practice to the general equality duty and to each one of the equality groups (protected characteristics) must be shown. The real or likely effect must be clearly notes. It is possible that not every characteristic will be relevant or be affected.

9a)

Equality Act General Duty	Relevance	The real or likely effect
Removing illegal discrimination, harassment and victimisation	No effect	This policy will apply to those leaving care, until they are 25 years old. This policy will affect a very small cohort of the population. It could be up to 80 people, but in practice it will be less than this because the majority already receive a discount, exemption, and/or Council Tax Reduction, and therefore Council tax liability has already been met.
Promoting equal opportunities	No effect	The policy intention will be to provide the same opportunities for young people leaving care to establish themselves independently, because they do not have the family support available to the majority of society. Studies (e.g. by The Children's Society) show that this policy would give the same opportunities to young people leaving care as for the rest of the population, and would not give them an unfair advantage.
Foster good relations	No effect	Although there is a small possibility that some individuals would feel that it is unfair that these young people are receiving this relief, there is no evidence that this is the experience in the areas that have already adopted the policy.

9 b)

Characteristics	Relevance	The real or likely effect
Race	No effect	
Disability	No effect	
Sex	No effect	
Gender reassignment	No effect	
Sexual orientation	No effect	
Religion or belief	No effect	
The Welsh language	No effect	
Age	Positive	This policy has been specifically targeted towards a cohort of the population that is under 25 years old, but we do not believe that this will have a negative effect on anyone on the basis of age.
Pregnancy and Maternity	No effect	
Marriage and Civil Partnership	No effect	

10) ADDRESSING THE EFFECTS

a)	Note any possible effects from an equality perspective On the basis of a detailed consideration of the categories of support, we foresee a positive effect on the young people leaving care. We do not anticipate a negative impact from an equality perspective.
b)	What steps can be taken to lessen or improve these effects? No further steps necessary.
c)	Is it necessary to reconsider the proposal? No

11) ARRANGEMENTS FOR MONITORING AND REVIEWING

What steps will you take to review the policy / plan / practice once it has been adopted? Although the above assessment recognised the possible effect, it must be remembered that the full effect will not be seen until the policy is implemented

We are of the opinion that the policy considers the circumstances that may arise, but will review the Policy again as applications are being dealt with, and will amend as required.

12) DECISION

The Cabinet to decide on 31 July 2018.