

Public Document Pack
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



**Cyfarwyddiaeth y Prif Weithredwr / Chief
Executive's Directorate**

Deialu uniongyrchol / Direct line /: 01656
643148/643147

Gofynnwch am / Ask for: Mrs Julie Ellams

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Thursday, 12 July 2018

Dear Councillor,

COUNCIL

A meeting of the Council will be held in the Council Chamber - Civic Offices Angel Street Bridgend CF31 4WB on **Wednesday, 18 July 2018 at 15:00.**

AGENDA

1. Apologies for absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest from Members/Officers in accordance with the Members' Code of Conduct adopted by Council from 1 September 2008.
3. Approval of Minutes 3 - 18
To receive for approval the minutes of 20/06/2018.
4. To receive announcements from:
(i) Mayor (or person presiding)
(ii) Members of the Cabinet
(iii) Chief Executive
(iv) Monitoring Officer
5. To receive the report of the Leader
6. Social Services Annual Report 2017/18 19 - 70
To be accompanied by a presentation by the Corporate Director Social Services and Wellbeing.
7. Review of Political Balance - Changes to Committee Membership 71 - 76
8. Amendment to the Constitution and Scheme of Delegation of Functions -
Revised Contract Procedure Rules 77 - 122
9. Cardiff Capital Region City Deal - Joint Overview and Scrutiny Committee 123 - 140

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10. To receive the following Question from: Councillor Altaf Hussain to the Cabinet Member Communities
 Increasing Council tax, axing subsidies to half of Council support bus routes, 60% cut to the budget of public toilets and smarter use of resources (as it's called) – can the Cabinet Member let the Council know what are we offering the residents of the Bridgend County in return?
11. Urgent Items
 To consider any item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Yours faithfully

K Watson

Head of Legal and Regulatory Services

Councillors:

S Aspey
 SE Baldwin
 TH Beedle
 JPD Blundell
 NA Burnett
 MC Clarke
 N Clarke
 RJ Collins
 HJ David
 P Davies
 PA Davies
 SK Dendy
 DK Edwards
 J Gebbie
 T Giffard
 RM Granville
 CA Green
 DG Howells

Councillors

A Hussain
 RM James
 B Jones
 M Jones
 MJ Kearns
 DRW Lewis
 JE Lewis
 JR McCarthy
 DG Owen
 D Patel
 RL Penhale-Thomas
 AA Pucella
 JC Radcliffe
 KL Rowlands
 B Sedgebeer
 RMI Shaw
 CE Smith
 SG Smith

Councillors

JC Spanswick
 RME Stirman
 G Thomas
 T Thomas
 JH Tildesley MBE
 E Venables
 SR Vidal
 MC Voisey
 LM Walters
 KJ Watts
 CA Webster
 DBF White
 PJ White
 A Williams
 AJ Williams
 HM Williams
 JE Williams
 RE Young

COUNCIL - WEDNESDAY, 20 JUNE 2018

MINUTES OF A MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 20 JUNE 2018 AT 15:00

Present

Councillor JR McCarthy – Chairperson

S Aspey	SE Baldwin	JPD Blundell	NA Burnett
RJ Collins	HJ David	P Davies	SK Dendy
T Giffard	RM Granville	CA Green	DG Howells
A Hussain	RM James	B Jones	M Jones
DRW Lewis	JE Lewis	DG Owen	D Patel
RL Penhale-Thomas	AA Pucella	JC Radcliffe	KL Rowlands
RMI Shaw	SG Smith	JC Spanswick	RME Stirman
G Thomas	T Thomas	JH Tildesley MBE	E Venables
SR Vidal	MC Voisey	LM Walters	CA Webster
DBF White	PJ White	AJ Williams	HM Williams
RE Young			

Apologies for Absence

TH Beedle, MC Clarke, N Clarke, PA Davies, DK Edwards, J Gebbie, MJ Kearn, B Sedgebeer, CE Smith, KJ Watts, A Williams and JE Williams

Officers:

Susan Cooper	Corporate Director - Social Services & Wellbeing
Mark Galvin	Senior Democratic Services Officer - Committees
Gary Jones	Head of Democratic Services
Richard Matthams	Development Planning - Team Leader
Darren Mepham	Chief Executive
Jonathan Parsons	Group Manager Development
Mark Shephard	Corporate Director - Communities
Kevin Stephens	Democratic Services Assistant
Kelly Watson	Group Manager Legal & Democratic Services

189. DECLARATIONS OF INTEREST

The Solicitor to the Council and Monitoring Officer declared an interest in Agenda item 14 and left the meeting whilst this item was being considered.

190. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the following meetings of Council be approved as a true and accurate record:-

Annual meeting – 16 May 2018
Ordinary meeting – 25 April 2018

191. TO RECEIVE ANNOUNCEMENTS FROM:

Mayor

The Mayor announced that it has only been three weeks since his official inauguration as Mayor, though he and his Consort have hit the ground running. They had already attended sixteen “official” engagements, all very different but in their own way very interesting and enjoyable.

They had been fascinated by the Young Carers’ book launch, with young people having collaborated to produce a children’s story book to help raise awareness in primary school children, of some of the issues confronting young carers. This was a very moving and inspiring event and it was fantastic to meet everyone who made the book a reality he explained.

The Mayor also had the honour of meeting His Royal Highness the Duke of Kent during his visit to Sony last week. He/his Consort were treated to an interesting and informative tour of the factory, where we watched the production of the Raspberry Pi - a fantastic example of UK innovation, design and engineering.

The opening of the Maesteg Festival was also a most enjoyable evening, with the group Collabro providing superb musical entertainment. He also wished to mention about the wonderful art exhibition by children of several Maesteg primary schools. The exhibition used very unusual materials, and was aided and inspired by the young Welsh artist Nathan Wyburn.

Another extremely interesting event was the Young Enterprise regional finals, which were held at the Cardiff Business School. Teams of young entrepreneurs from all over Wales were competing for a place in the All Britain finals, and Brynteg School took part and won the award for the best trade stand. Their excellent project uses recycled carrier bags to make shoes for people in third world countries; unfortunately they lost out to Haberdashers’ School in Monmouth, but he had been very impressed with our local team.

Besides these events, the Mayor had attended a store opening, a Freedom of the Borough presentation in RCT, the volunteer day at the Cats Protection League, Tondu Art Society awards, Tenovus Choir 5th birthday event, Carers’ Week event , a British Citizenship ceremony, Wartime Bridgend, Cefn Cribwr Open Gardens, YMCA visit, and ‘Equaliteas’ event celebrating 100 years of votes for women with our local Guide company.

Lastly but not least, the Mayor confirmed that he had the pleasure of announcing that Lewis David Pilliner will be the new Youth Mayor for the year 2018 -19, Lewis is a pupil of Bryntirion Comprehensive School and he looked forward to working with him during the coming year.

Deputy Leader

The Deputy Leader asked Members to continue to encourage their constituents to sign for the Council’s recently launched ‘My Account’ service.

Along with the all-new website, My Account is designed to make it far easier and simpler for people to access council services, and has the potential to deliver big savings for the authority.

My Account is a round-the-clock online hub that lets people carry out council-related tasks quickly and easily, 24 hours a day. The initial stage lets you do things such as view a council tax bill, apply for housing benefit, request discounts and exemptions,

make online payments, set up and manage direct debits, subscribe to e-billing and more.

As My Account develops, it will be expanded to enable people to do things like report potholes, apply for places at local schools, pay for school meals or let the authority know about faulty street lights.

To use the new service, residents simply visit the council website and register for an account using their email address.

The repeated session of General Data Protection Regulation (GDPR) awareness training is being held in the Council Chamber on Wednesday 27th June 2018 starting at 9:00 am. All Councillors have been registered as Data Controllers and this training has been identified by the Democratic Services Committee as essential for all Elected members to attend.

Elected Member Role descriptions have been created and tailored for each individual Councillor. The Head of Democratic Services has requested that you check and sign the copies of your individual role descriptions that have been placed on your desks. These will be collected at the end of the meeting and will be used to support the achievement of the WLGA Charter for Member Support and Development. If any amendments are required to your role descriptions please let the Democratic Services Team know and they will update the documents accordingly.

Members are requested to leave their Surface Pro devices in their desks in the Council Chamber on conclusion of today's meeting. This will enable the ICT Department to carry out necessary Microsoft upgrades to the devices and to allow for the Modern.gov restricted App to be installed, which when installed, will give Members access to Exempt papers for Committees they are members of.

The upgrades will take place on Thursday 21st and Friday 22nd of June. The Democratic Services Team will contact you to arrange for you to pick up your device and to take Members through the registration process for the Restricted App.

Cabinet Member – Communities

The Cabinet Member – Communities announced that Porthcawl's iconic Jennings Building has been recognised with another award after the Royal Institute of Chartered Surveyors applauded the way in which the Grade-II listed structure has been brought back into public use.

He was sure that Members will have noted how the first of the new terraced sections have been installed at the town beach, and with developments such as an overhaul of the harbour kiosk that is set to provide marina users with new facilities or the new water sports centre that is being developed at Rest Bay, exciting times lay ahead. Salt Lake was now back in the Council's hands, and he was am hoping that we will have fresh news soon on the seafront site formerly occupied by the old Dunraven Flats.

In other Porthcawl news, some work is set to take place at the breakwater wall to check that the structure still remains sound. The breakwater has done a fantastic job, and has even found itself making international news thanks to some stunning views of huge waves crashing over its iconic lighthouse. Further details would follow as the work takes place.

The 2018 'Year of the Sea' is underway, and Bridgend County Borough has already marked it by holding an 'aquathlon', a bay swim and voluntary beach-cleaning events.

The Council is planning lots of other summer activities with partners such as Awen Cultural Trust and Credu Charity Ltd, so Members should not be surprised if they see giant sea creatures roaming along the promenade, street theatre or a modern twist on traditional seaside postcards. The Year of the Sea will also be marked in a range of interesting ways at other popular events over the next few months, so he urged Members to look out for more news on this soon.

Elsewhere in the County Borough, six-year-old Cwmfelin pupil Thomas Lewis has won a County Borough-wide competition to come up with a fitting name for our new CCTV patrol car which is tackling dangerous and illegal parking outside schools.

The car has now been fitted with livery featuring its new name, which is Roly Patrolly.

Roly Patrolly uses CCTV automatic number plate recognition, and is designed to record any inconsiderate motorists who park their cars illegally on school 'keep clear' zones, bus stops, pedestrian crossings with zig-zags and other restricted areas that put children at risk.

Cabinet Member – Social Services and Early Help

The Cabinet Member – Social Services and Early Help, confirmed that the new Bridgend MASH multi-agency safeguarding hub recently moved into Ravens Court and is continuing to establish itself.

By early autumn, the MASH will feature around 85 members of staff from adult and children's social care, South Wales Police, education, housing, substance misuse, probation, health, early help services and the Wales Community Rehabilitation Company.

They will work together as part of a multi-agency team to provide effective safeguarding services for children, young people and adults.

The establishment of the Bridgend MASH coincides with the implementation of the Social Services and Well Being (Wales) Act 2014, and will enable earlier, higher-quality information sharing, analysis and decision-making to take place.

An official launch is being planned for early autumn, and the Cabinet Member – Social Services and Early Help, was looking forward to bringing to Council further details on this in due course.

He also wanted to mention that Carer's Week 2018 was marked in Bridgend County Borough with a series of information events, stands, drop-in centres and more.

Set up under this year's theme of 'helping carers to stay healthy and connected', the events took place at venues ranging from Sainsbury's to the Princess of Wales Hospital where they received a lot of attention.

As a final related point of interest, one of our young carers has written an illustrated book in conjunction with Bridgend Carers Centre.

It's called 'The Bear Who Cared' and is designed to educate small children about what it means to be a carer.

The Cabinet Member – Social Services and Early Help found this to be a very touching and informative insight, and he hoped that Members would too. More could be found out about this book via Bridgend Carers centre.

Cabinet Member – Wellbeing and Future Generations

The Cabinet Member – Wellbeing and Future Generations, advised that Members will be aware that Welsh Government has set an affordable homes target of 20,000. One of the ways in which Bridgend County Borough is contributing towards this is through the delivery and installation of brand new ‘modular’ housing.

These are made up of individual factory-built sections which come complete with fitted appliances, heating and electrics. They are being constructed locally at a Kenfig factory, so that each section or module can be fitted on-site to form a complete house.

The beauty of the scheme is that it provides high-quality, low-cost housing very, very quickly, reducing the construction period to as little as three weeks per home. This means that when compared with traditional construction methods, modular homes can be delivered at a rate which is 50 per cent faster and has less impact upon the environment.

The scheme is being provided as part of a partnership with Valleys to Coast and specialists Wernick Buildings. It will establish eight new modular homes in Sarn and Tondu, and has been funded by Welsh Government.

Our longstanding partnership with Valleys To Coast Housing has been hugely productive in providing local communities with high-quality homes, and she was sure that the new modular units will prove to be another big success.

The Cabinet Member – Wellbeing and Future Generations, also briefly mentioned the forthcoming summer reading challenge. This year, the scheme will have a ‘Beano’ theme as children get involved with a treasure hunt led by none other than Dennis The Menace.

Every child who participates will receive a map of Beanotown, and each book they read will reveal clues about where the hidden treasure is buried.

She was sure that Members will want to encourage their younger constituents to take part, and more about this event could be found by visiting the summer reading challenge website.

Chief Executive

The Chief Executive announced that the Cabinet Secretary with responsibility for local government recently issued a Green Paper called Strengthening Local Government. Though there was reference to wanting to explore the role and purpose of local government there was of course a lot of emphasis placed on redrawing the boundaries and merging Councils. It didn’t seem to have much connection to the previous exercise by his predecessor which had focused on regional working.

The five group Leaders have submitted a joint response from BCBC. He was going to share this with all Members, but summarised herewith the main points that were made by BCBC.

Firstly, our response endorsed and supported the submission by the WLGA. That submission dealt at length with the inappropriateness of looking at redrawing lines on

maps at this stage so we didn't repeat that but instead made the point that there is no clear business case that demonstrates that performance or opportunity is proportionate to size of authority, there is still no clear indication that the costs of change are fully understood or deliverable.

The group Leader's response instead focused on giving some suggestions on what stronger local government might look like, which was the actual title of the green paper after all. The submission suggested that the Welsh Government should build on the strengths of local government, namely direct democratic accountability and an understanding of and focus on community and citizens.

It went on to suggest that WG might give additional responsibilities to local government such as the commissioning and co-ordination of community based health currently led by the NHS, so that we could better integrate that with Social Services and overcome the NHS understandable but ultimately narrow focus on hospitals and waiting lists. The big prize here being early help and prevention.

We also similarly suggested a role for local government in public health and in the commissioning of Higher education.

BCBC also made the point that this should probably be carried out through existing regional partnerships rather than by 22 individual Councils.

These were intended as examples of the type of debate that would be more constructive and meaningful in making local government more effective than simply playing with lines on maps.

The BCBC submission also identified a number of additional powers that would help make local government more effective. These included greater control over the use of school premises, schools of course are the Council owned assets that have the greatest potential to meet a variety of needs in our communities not just education. Plus greater control over the financing of social care.

Finally, we called on Welsh government to be more co-ordinated in its dealings with local government, noting that this Green Paper came from one Cabinet Secretary but that we deal with different cabinet secretaries and their departments on education, social care, planning, regeneration, finance, environment and culture.

As eluded to earlier, the Chief Executive would circulate that letter to all Members for their information.

Finally, Members were no doubt aware that our current Head of Democratic Services, Gary Jones, will soon be leaving the authority to take up a new position with Cardiff City Council.

Gary has been with Bridgend for 14 years, and the Chief Executive knew that he will be missed by both Members and fellow Officers.

As today marked Gary's last meeting of Council, the Chief Executive was sure that Members would wish to take this opportunity to thank Gary for all his help and support, and wish him well for the future, both personally and in his new role.

The Leader echoed the Chief Executives sentiments on behalf of all Members of the Council.

The Chief Executive concluded his announcements by confirming that recruiting a new Head of Democratic Services was in its final stages, and he would provide Members with a further update, once this process had been completed.

Monitoring Officer

The Monitoring Officer announced that the Conservative group had put forward a change in respect of its membership on the Audit Committee, namely that Councillor Altaf Hussain comes off the Committee and is replaced by Councillor Tom Giffard, with immediate effect.

192. TO RECEIVE THE REPORT OF THE LEADER

The Leader reported that last week Vaughan Gething, Cabinet Secretary for Health and Social Services, announced that Bridgend County Borough is going to move out of the Abertawe Bro Morgannwg University Health Board area, and will become part of Cwm Taf University Health Board by April 2019.

The most immediate impact will of course be on service areas where we are currently working on a Western Bay footprint, i.e. Social Services and early help services such as Families First and Youth Offending. He confirmed that for the most part, we will expect to work more closely with Cwm Taf, RCT and Merthyr Tydfil instead of ABMU, Swansea and Neath Port Talbot.

However, in cases where it makes sense to work at that larger scale, there will undoubtedly be examples where we may see collaboration across both health board areas, too. It is also likely that some existing arrangements with ABMU and Western Bay colleagues may take a little longer to migrate than April 2019.

As Members were aware, the Council has long made the case to Welsh Government that viewing Bridgend County Borough as part of South East Wales for services such as education and the economy, but as part of South West Wales for services like health and social care, is really quite difficult to sustain in the face of ever-increasing regionalisation.

Expecting us to work in a way that is fundamentally different to all other Council areas in Wales risked short-changing our communities, but despite this, we have built up an enviable track record of effective collaboration. The Leader was sure that Members will be pleased to see that Welsh Government has recognised the problem. The Minister's statement makes it clear that the move is intended to align all of our economic, education, health and social services partnership arrangements firmly within the Cardiff Capital Region. As to how this is going to affect our current working partnerships, we hope to have greater clarity very soon. Together with our partners in both health board areas, we are committed towards making the transition as smoothly and effectively as possible, and are keeping a firm focus on ensuring the best possible outcomes for our communities and residents.

The Leader announced that he was delighted to see that in addition to Maesteg's new Sunday service, the town is to be serviced by four trains an hour. This is going to be a vital link in helping people get access to jobs and training, and will make it much easier to travel between the Llynfi Valley and Bridgend, Cardiff and beyond.

Anyone who has visited Bridgend Railway Station recently will have seen for themselves the results of its recent £1.5m refurbishment. It now boasts an improved concourse area with a new information desk, ticket office and seating, refurbished passenger toilets and new baby changing facilities, a new waiting shelter and customer pathways, improved security and new CCTV, and new signage and passenger information displays. Bridgend

is the fifth busiest railway station in all of Wales, so Councillor Young and the Leader were particularly pleased to meet with Cabinet Minister for Economy and Transport Ken Skates, to discuss the implications of the new metro system. Upgrading work is underway so that tri-mode trains capable of switching between battery, electric and diesel can be brought into use, and the County Borough is set to benefit from a fast, efficient link to Cardiff airport.

Enhanced connectivity and modern facilities are essential for the enhanced prosperity of the area, and the Leader was looking forward to seeing how these latest developments will help to bring communities closer together, offer greater opportunities for employment, leisure and tourism, and provide support for the economy.

Next week will see the Festival of Learning taking place in Bridgend County Borough where it will showcase some of the new and innovative learning and teaching methods that are being used at local schools. Over the course of the week, more than 800 pupils, teachers, educators, trainers and employers will participate with 100 school-based workshops where they will experience how modern classroom developments are benefiting local children alongside traditional numeracy and literacy techniques.

Some of the new techniques on display will include using virtual reality technology in the classroom, Lego therapy and outdoor 'mountain' schools.

A symposium event at Bridgend College will focus on how the health and well-being of pupils can be developed, maintained and improved, and a Learners' Day at Bridgend Life Centre will provide children with an opportunity to set up stalls and offer displays and practical demonstrations before receiving an address from Professor Sally Holland, Children's Commissioner for Wales.

The Festival is going to be a fantastic opportunity to share knowledge and develop new ways of supporting children, and the Leader hoped that it will grow so that other parts of Wales can benefit from the insights and developments that it promises to deliver.

Finally, the Leader reported that more than £1.5 million has been invested in the Pencoed area over recent years as part of the Safe Routes in Communities programme, and he was impressed to note the innovation that has been displayed in the most recent development. A 300 metre-long pathway has been installed through woodlands between Brook Vale and Llwyn Gwern as part of a safe route linking to Pencoed Comprehensive and Croesty Primary. What makes this path so different is that it glows in the dark thanks to a photo-luminescent resin surface which harnesses UV light gathered during the day.

This was a first for the County Borough, and is sure to help guide walkers and cyclists during the winter months. It also coincides with news that funding has been approved to extend the existing off-road route from Coychurch, and this was further good news the Leader concluded.

193. TO RECEIVE THE FOLLOWING QUESTION FROM: COUNCILLOR A HUSSAIN TO THE CABINET MEMBER COMMUNITIES

'Could the Cabinet Member please let the Council know how we the residents of Pen Y Fai are supposed to travel in and around Bridgend?'

Response:

Service No. 81 operates in Pen Y Fai presently. However, due to the recent decision to reduce funding towards supported local bus services, the subsidy provided to this partly

commercial service will end on 11 August 2018, leaving the commercial element of the service.

The decision regarding this commercial element would be for the operator to decide upon its commercial viability.

However there is the Service No. 67 (Bridgend – Pen Y Fai – Aberkenfig - Sarn) which is partly funded by BCBC, but has not been affected by the budget reductions in 2018/19.

This service operates to Heol-tyn-Garn via the main road (A4063), before turning right on to Pen Y Fai Road (towards Aberkenfig Village). The return route is the same, which lies to the east of Pen Y Fai.

If the bus operator does decide to remove the commercial element of the service then this would leave the western part of Pen Y Fai area unserved. If this was to occur then residents would need to access the route of Service No. 67 to gain access to Bridgend Town or Sarn.

As indicated in the consultation response many residents have access to private motor vehicles and for those who may have specific access issues the Bridgend community transport does provide alternative provision.

In consideration of rerouting existing commercial services this would be a commercial decision from the bus operators. This had been requested and examined previously and at that time First Cymru Buses Ltd considered this inappropriate as it impacted upon timing of their services.

In regard of active travel there are several proposals contained within the Council's Integrated Network Map (INM) which will seek to enhance active travel access to Pen-y-fai. The INM was approved by Cabinet and Welsh Government. In reference to the specific concerns raised by Councillor Hussain, proposal INM-BR-14 highlights a potential shared-use route between Pen-y-fai and Sarn Railway Station alongside Bridgend Road.

In addition, proposal INM-BR-19 indicates a desire to investigate the options for provision of a pedestrian route between Pen-y-Fai and Cefn Glas along Cefn Glas Road. Whilst this route has been identified as a proposal in the INM, it is not currently considered suitable for active travel as it does not meet the standards required by the Welsh Government's Design Guidance.

Proposal INM-BR-61 refers to an improved crossing facility and associated footway works at the junction of Bridgend Road/Heol Eglwys in Pen-y-fai in the vicinity of the petrol station. Finally, there is also a proposal (INM-BR-15) to enhance pedestrian access between the existing National Cycle Network Route 885, which runs alongside the River Ogmore, and the Bridgend Designer Outlet.

Supplementary question from Councillor Altaf Hussain

Since Bridgend County Borough Council is included in the Cardiff City Region and has been promised to contribute to its fund for transport developments, could the Cabinet Member – Communities let the Council know when the 15 minute interval Metro Rail Services are being provided for stations in the Bridgend County Borough, including main line and Maesteg branch line services.

Response:

The Cabinet Member – Communities advised that Bridgend County Borough Council would receive a valuable contribution for projects earmarked within the Cardiff Capital Region City Deal, which as Members were aware, was a long term project. There were various elements of the project, including possible plans for the provision of metro type rail services, though there were difficulties presently at Pencoed railway station, due to the railway crossing that was generating a build-up of vehicular traffic at this location. There was also a proposal to consider at this railway station, namely works to improve the bridge there, which if undertaken, would allow for the free flow of extra train services, which would have a knock-on effect not just within Pencoed, but also in all areas of the County Borough, thus increasing the provision of trains at a considerable number of locations. A meeting was planned with the Cabinet Secretary for Transport, and more would be known after this meeting took place.

The Cabinet Member – Communities concluded his response, by reminding Council that the City Deal was a long term project that would span 15 or so years, and projects invested into, including those within the Bridgend County Borough, would develop and progress as the Deal grew momentum.

194. CWMFELIN PRIMARY SCHOOL - CAPITAL PROGRAMME

The Interim Corporate Director – Education and Family Support and the Interim Head of Finance and S151 Officer gave a joint report, the purpose of which, was to seek Council approval to revise the Capital Programme for 2018 to 2028, to include a budget of £165k for the build of a new classroom at Cwmfelin Primary School. This would be met from earmarked reserves, the school in question and the Family Support Directorate budget.

The Interim Corporate Director – Education and Family Support advised, that despite staff making best use of the school premises the insufficient size of classroom spaces at the School is putting pressure on teaching and learning opportunities there. The local authority had recognised that the School needs additional space to aid the delivery of the foundation phase and undertake interventions.

He confirmed that a number of suggestions had been considered, with a scheme finally being developed for provision of accommodation suitable for groups of 20, which meets the School's needs. It was therefore proposed to proceed on the basis of providing this space as a new build on an area of land close to the Nursery building on the School site.

This provision would provide the much needed added space, which would in turn ease pressure on existing classes, as well as supporting the delivery of interventions and group work.

The Interim Corporate Director – Education and Family Support added that it was not anticipated that any additional classroom space would be required in the near future, as projected demographic growth was relatively low in this School's catchment area. Therefore, there was no proposal to increase the published admission number (PAN) for the School as a result of the proposal.

He then concluded his submission, by advising of the report's financial implications.

A Member advised that he welcomed works that were being carried out in respect of schools under the ongoing School Modernisation Programme. However, he stated that sometime in the future he would also welcome feedback on the outcomes of such investment made in respect of schools, ie to establish if improvements have been secured there.

The Interim Corporate Director – Education and Family Support advised that he would be able to provide this information for Members in due course.

A Member sought re-assurance from the Interim Corporate Director – Education and Family Support, that the investment being committed to the School was a sensible option, given the proposed re-organisation of the Llynfi Valley Schools in due course.

The Interim Corporate Director – Education and Family Support advised that the School building at Cwmfelin Primary was a Condition C category build, undersized and of poor quality, with cloakrooms situated in classrooms and therefore it needed improving to bring it up to the required standard. He added that there would be a further update at a future date with regard to the re-organisation of schools at Maesteg as referred to be the Member.

RESOLVED: That Council gave approval to amend the Capital Programme to include a budget of £165k to fund the new-build classroom space at Cwmfelin Primary School, to be met from earmarked reserves, the School and Education and Family Support Directorate budgets.

195. **BRIDGEND LOCAL DEVELOPMENT PLAN (LDP) (2013) REVIEW REPORT**

The Corporate Director – Communities submitted a report to Council, to advise of the outcome of the consultation exercise on the Bridgend Local Plan (2013) draft Review Report, and seek Council's approval to submit the final Bridgend LDP Review Report (attached at Appendix 1 to the report) (in conjunction with the Replacement LDP Delivery Agreement to Welsh Government before the end of June 2018).

The Development Planning Team Leader advised that any revision to an LDP must be preceded by a Review Report which is a statutory part of the full LDP Review process.

The Review Report sets out the proposed extent of likely changes to the existing LDP (2006-2021) and seeks to confirm the revision procedure to be followed in preparing a replacement LDP.

In terms of 'procedural route', in the case of Bridgend, the plan is already the subject to a statutory required 4 year full review, and as such all aspects of the plan will need to be assessed to consider if they remain sound and fit for purpose. This will include the LDP vision, objectives, spatial strategy, policies and land-use allocations, broadly following the same preparation process and stages as the original plan.

He confirmed that the Review Report covers the following topics:-

- Contextual Changes
- Assessment of Likely Changes Required to the Current LDP
- Review of the Evidence Base
- LDP Review Options

In terms of public consultation, Members will recall that a report was presented to Council on the 25th April 2018 seeking authorisation to undertake targeted consultation on the draft Bridgend LDP Review Report between 30th April 2018 and 25th May 2018. The Consultation on the draft Review Report was undertaken in conjunction with the draft Delivery Agreement.

The Development Planning Team Leader confirmed that consultation was advertised in the following ways:-

- The consultation documents were available for inspection with representation forms at the Civic Offices, Angel Street;
- Information on the consultation, including all the documentation, representation forms and the facility to make representations electronically was placed on the Council's website; and
- E-mails and letters were sent to approximately 190 targeted consultees including Community Councils, planning consultants, house builders, housing associations and other relevant external organisations with details on how to respond.

By the end of the consultation period 11 individuals and external organisations had submitted comments on the draft Review Report.

In response to this, the Council has produced a Consultation Report (which is included as Appendix 7 in the final Review Report) that provides the Council's response to the representations received. However, it has not been necessary to make any significant amendments to the document as a result of comments from the public consultation.

He concluded his submission, by advising that copies of the full representations can be viewed by Members at the Planning Department.

- RESOLVED:**
- (1) That Council approved the final Review Report and authorised the Group Manager Development, Communities Directorate to submit the final Bridgend LDP Review Report attached at Appendix 1 to the report (in conjunction with the Replacement LDP Delivery Agreement to Welsh Government before the end of June 2018.
 - (2) That Council gives delegated authority to the Group Manager Development, Communities Directorate, to make any factual corrections or minor amendments to the Review Report, as considered necessary.

196. **BRIDGEND REPLACEMENT LOCAL DEVELOPMENT PLAN (LDP) DELIVERY AGREEMENT**

The Corporate Director – Communities presented a report to Council on the outcome of the consultation exercise on the Bridgend Replacement LDP Delivery Agreement, and to seek Council's approval to submit the final Delivery Agreement (attached at Appendix 1 to the report) (in conjunction with the Bridgend Local Development Plan (2013) Review Report) to Welsh Government before the end of June 2018.

The Delivery Agreement sets out how and when the local community and other stakeholders can contribute to the preparation of the Replacement Plan and a timetable for its preparation. It is proposed that the Replacement LDP will cover a plan period up to 2033.

The Development Planning Team Leader advised that in terms of consultation on the Delivery Agreement, Members would also recall that a report was presented to Council on the 25th April 2018, which outlined the Cabinet Secretary's response, that allowed Bridgend to proceed with its LDP subject to a very strict deadline requiring submission of the Delivery Agreement before the end of June 2018. The report also sought authorisation to undertake targeted consultation on the draft Replacement Bridgend LDP Delivery Agreement between 30th April 2018 and 25th May 2018.

He added that, the Consultation on the draft Delivery Agreement was undertaken in conjunction with the draft Bridgend Local Development Plan (2013) Review Report.

The consultation was advertised in the following ways:-

- The consultation documents were available for inspection at the Civic Offices, Angel Street;
- Information on the consultation was placed on the Council's website; and
- E-mails and letters were sent to approximately 190 consultees including Community Councils, planning consultants, house builders, housing associations and other relevant external organisations with details on how to respond.

The Development Planning Team Leader added, that by the end of the consultation period 8 external organisations had submitted comments on the draft Delivery Agreement. In response, the Council has produced a Consultation Report which was included as Appendix 3 in the final Delivery Agreement, that provided the Council's response to the representations received.

Copies of the full representations can be viewed by Members at the Planning Department he further added.

The main changes to the Delivery Agreement recommended by Officers included:

- Updates to the list of Consultation Bodies (attached as Appendix 1 in the Delivery Agreement):
 - It was considered prudent to include all the LPAs in the Cardiff Capital Region rather than just the neighbouring LPAs (Vale of Glamorgan, RCT and Neath Port Talbot) to reflect the importance of collaborative / regional working and Strategic Development Plan preparation.
 - Bridgend Local Health and Bridgend Partnership Board have been deleted as both have been replaced by the Public Service Board.
 - Action on hearing loss has been replaced by RNI Deaf & Hard of Hearing People.
 - The Commission for Racial Equality, Disability Rights Commission and Disability Rights Commission have been replaced by The Equality and Human Rights Commission.
 - Fields in Trust – replaces National Playing Fields Association Wales.
 - Royal National Institute for the Deaf and Hard of Hearing People has been replaced by 'Action on Hearing Loss'.
 - Wales Council for the Disabled has been replaced by Disability Wales.
- An amendment to the timetable (attached at Appendix 2 to the report) to the Delivery Agreement) to reflect that Sustainability Appraisal (SA) scoping should be undertaken before substantive LDP proposals are publicly consulted on. All sites submitted in response to a future 'call for sites' will need to be subject to SA in due course, so it would be best to define the LDP SA framework, methodology and information requirements through the SA Scoping Report prior to issuing the call for sites (and any associated site pro-formas). This should help to ensure

that site promoters submit sufficient sustainability and environmental information to enable the SA to be undertaken efficiently.

- Paragraph 1.6.2 had been amended to show a degree of linkage between the SA (SEA), the Bridgend Well-being Plan (in accordance with the Well-Being of Future Generations (Wales) Act and Habitats Regulations Assessment (HRA).
- Paragraph 1.6.3 has been expanded to reference the statutory requirement to undertake SEA screening.
- Paragraph 1.6.3 the second and third bullet-points have been combined into a single bullet for clarity purposes.
- Paragraph 1.6.3 the final bullet point has been amended to make clear that the SA Adoption Statement will be published after the adoption of the replacement LDP.

With regard to the current situation, the Development Planning Team Leader confirmed that the draft Delivery Agreement consists of 2 parts:-

- A timetable for preparation of the Replacement LDP, and
- A Community Involvement Scheme.

The timetable sets out the key dates, including statutory consultation periods, for each of the different stages of Plan preparation and publication.

It also included key stages for the Sustainability Appraisal, which is an iterative process undertaken as an integral part of the Plan preparation process.

He explained that the Delivery Agreement must be approved by Welsh Government, and they had 1 month to consider and agree its contents or notify the LPA that it requires more time to consider the document.

RESOLVED:

- (1) That Council approve the final Delivery Agreement for the Replacement LDP and authorise the Group Manager Development, Communities Directorate to submit the final Delivery Agreement (attached at Appendix 1) (in conjunction with the Bridgend LDP (2013) Review Report (see separate item)) to Welsh Government before the end of June 2018.
- (2) That Council give delegated authority to the Group Manager Development, Communities Directorate to make any factual corrections or minor amendments to the Delivery Agreement as considered necessary.

197. AMENDMENT TO THE CONSTITUTION

The Monitoring Officer presented a report that sought Council approval of proposed amendments to the Constitution.

By way of background information, the Monitoring Officer advised that a desktop review of the Constitution has been undertaken to ensure that it is up to date and fit for purpose.

She referred to paragraph 4.2 of the report and some proposed amendments to the Terms of Reference for the Audit Committee, as was illustrated in Appendix 1 to the report.

The report then further recommended that the Budget and Policy Framework Rules are amended at paragraph 2 (d), and as the tracked changes shown in Appendix 2 to the report detailing these had not shown in the copies produced for Members due to a technical problem on Modern.Gov, she gave this amendment verbally to Members.

The last suggested amendment to the Constitution was in respect of Part 4, Rules of Procedure at paragraph 17 in relation to the Mayor's casting vote. It was proposed that this be amended so as to not apply in respect of voting on appointments. This tracked change was detailed in Appendix 3 to the report, but due to a similar technical problem to the one referred to above, this change had also not been visible on copies of the report previously distributed.

The Constitution would require amendment as a result of the provisions of the report.

RESOLVED: That Council approved the amendments to the Constitution as set out in the report and its attached Appendices.

198. RE-ALLOCATION OF THE COUNCIL'S SCHEME OF DELEGATION OF FUNCTIONS RELATING TO THE OPERATIONAL AND PARTNERSHIP SERVICES DIRECTORATE

The Monitoring Officer submitted a report, the purpose of which, was to seek Council's approval for the transfer of Council functions within the Scheme of Delegation of Functions currently allocated to the Corporate Director Operational and Partnership Services.

The report advised, that as a result of the recent deletion of the post of Corporate Director Operational and Partnership Services and in order to maintain effective decision making processes, it was proposed that all Council Functions in Schemes B1 and B2 of the Scheme of Delegation of Functions allocated to the previous post holder of the above deleted post, be re-allocated to the Monitoring Officer.

RESOLVED: That Council:-

- (1) Approved the transfer of Council functions within the Scheme of Delegation of Functions from the Corporate Director – Operational and Partnership Services to the Monitoring Officer.
- (2) Noted that a report will be presented to Cabinet proposing a similar change to the Scheme of Delegation of Functions for Executive functions.

199. URGENT ITEMS

None.

200. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following item of business as it contains exempt information as defined in Paragraph 12, 13, 14, 15 and 16 of Part 4 and Paragraph 21 of Part 5 of Schedule 12A of the Local

Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Following the application of the public interest test in consideration of this item, it was resolved that pursuant to the Act referred to above, to consider the item in private, with the public being excluded from the meeting as it would involve the disclosure of exempt information of the nature as stated above.

201. APPROVAL OF EXEMPT MINUTES

RESOLVED: That the exempt Minutes of an ordinary meeting of Council dated 25 April 2018, be approved as a true and accurate record

The meeting closed at 16:19

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

18TH JULY 2018

REPORT OF THE CORPORATE DIRECTOR, SOCIAL SERVICES AND WELLBEING

SOCIAL SERVICES ANNUAL REPORT 2017/18

1.0 Purpose of Report

1.1 To present to Council the Director of Social Services' Annual Report for 2017/18 for approval and request that Members note the judgements reached locally about social care services in Bridgend.

1.2 This is the ninth Annual Report of the Director of Social Services and is based on the Authority's self-assessment of the performance and delivery of social care services. The report is attached at **Appendix 1**.

2.0 Connection to Corporate Improvement Objectives/Other Corporate Priorities

2.1 This report assists in the achievement of the following corporate priority/priorities:-

1. **Helping people to be more self-reliant** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
2. **Smarter use of resources** – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3.0 Background

3.1 From October 2016, the Care Inspectorate Wales (CIW) changed the way they inspect children's and adult social services.

3.2 Following the implementation of the Social Services and Wellbeing (Wales) Act 2014, CIW developed a new framework which aims to ensure that authorities are inspected using the wellbeing outcomes of the Act. The Act has two key policy objectives:

- To improve the wellbeing outcomes for people who need care and support and
- To reform social services law.

It seeks to:

- Transform the way in which social services are delivered, primarily through promoting people's independence and giving them a stronger voice and control;
- Promote partnership working in social care;
- Enhance the preventative role of social care and health, setting out overarching wellbeing duties to reduce or delay the need for care and support.

3.3 The CIW framework provides the foundations of the Council's duty to report on the whole circle of care from commissioning, contracting, assessment, care management to service provision.

3.4 The methodology for the core programme for local authority inspection is built around the quality standards for local authority social services, issued under the Code of Practice, to measure social services' performance. These standards, in turn, reflect the national outcomes framework. The approach to inspection, engagement and performance review is similarly focused on outcomes, with an emphasis on engaging with people to learn about their experiences and listen to their views.

3.5 Guidance has been produced which includes a reporting template and page limit guidance to increase consistency of reporting across Wales.

3.6 The draft report was presented to the Corporate Overview and Scrutiny Committee on the 18th June 2018 where it was well received. Feedback included a suggestion to include more information on the use of technology to assist service provision and reduce bureaucracy. To evidence this, a specific section (page 13) has been added and there is reference to, for example, telecare and the Welsh Community Care Information system throughout the report.

4.0 Current Situation/proposal

4.1 The Social Services and Wellbeing (Wales) Act 2014, places strong emphasis on promoting the wellbeing of people who need care and support and carers who need support. It is important that the views and voices of people and their carers are heard.

4.2 The aim of this report is to provide the Council and people living in Bridgend County Borough with an overview of social care. It aims to highlight the progress made during the year and to identify priorities for 2018/19.

4.3 The preparation of the report involved an analysis, based on evidence, of the services that are provided. Staff across the services have contributed to the development of this report and there is much evidence within it of feedback from people who use social services.

4.4 The guidance for the report includes a template and sets out the sections in relation to the six national quality standards for wellbeing. They are:

- Working with people to define and co-produce personal wellbeing outcomes that people want to achieve;

- Working with people and partners to protect and promote people’s physical and mental health and emotional wellbeing;
 - Taking steps to protect and safeguard people from abuse, neglect or harm;
 - Encouraging and supporting people to learn, develop and participate in society;
 - Supporting people to safely develop and maintain healthy domestic, family and personal relationships;
 - Working with and supporting people to achieve greater economic wellbeing, have a social life and live in suitable accommodation that meets their needs.
- 4.5 The report has sections on all of the above with hyperlinks (as the guidance suggests) to an array of reports and documents to evidence progress. There is also a glossary of terms.
- 4.6 The report provides an overview of Bridgend, and summarises the main achievements in 2017/18 and includes areas where progress has been delayed. It also highlights the priorities for social services in 2018/19. The analysis draws on progress against the business plan for 2017/18, performance data for each service area in both adults’ and children’s social care, as well as feedback from service users, carers and staff.
- 4.7 The report demonstrates that services are generally effective in meeting the needs of people who require the support of social care. The report identifies that the services are improving overall, but it also identifies areas where improvement is needed and these are detailed in the priorities for 2018/19.

CIW Annual Performance Review 2017/18

- 4.8 As part of the CIW annual review of performance for 2017/18, regular review meetings were held with the Director of Social Services and the two Heads of Service. CIW also met separately with the Heads of Service to discuss progress in individual areas.
- 4.9 No formal letter will be received for 2017-18, however, an extract from the notes of the final review meeting in March 2018 is included in section 3 of the Director’s Annual Report. It includes an update on engagement work in Mental Health Services and Supported Living.

Priorities for 2018/19

- 4.10 The priorities for improvement in 2018/19 reflect the analysis of performance and try to address the increasingly challenging context: financial, demographic and level of need.
- 4.11 There are some whole service priorities and then more specific priorities for Adult Social Care and Children’s Social Care. They are broken down below:

Whole Service Priorities:

- Implement the actions as set out in the 2018-2019 Social Services and Wellbeing Directorate Business Plan. This has a range of aims and commitments which sit under the three overarching corporate priorities, namely Supporting a successful economy, Helping people to be more self-

reliant; Smarter use of resources. The key aims and actions are as follows:

- Give people more choice and control over what support they receive by providing early access to advice and information;
 - Continue to improve the ways in which the Council provides good information, advice and assistance to the public, including increasing the support available through local community co-ordinators;
 - Continue to involve service users, carers and communities in developing commissioning services;
 - Reduce demand by investing in targeted early help and intervention programmes;
 - Implement a new 52 week residential service model for disabled children and young people;
 - Establish a new model of residential provision for looked after children and young people;
 - Finalise a transition service model to help disabled children move smoothly into adulthood;
 - Support carers in maintaining their roles;
 - Recruit and retain carers across the range of fostering services;
 - Support the third sector, town and community councils and community groups to meet local needs;
 - Enable community groups and the third sector to have more choice and control over community assets;
 - Achieve the budget reductions identified in the medium term financial strategy;
 - Ensure appropriate services are available to children at risk from child sexual exploitation (CSE).
- Ensure that the Council's responsibilities as set out in the Act within the secure (prison) estate are fulfilled.
 - Ensure that effective supervision and quality assurance is embedded into practice and that there is a consistent quality assurance audit programme. This will demonstrate how well the assessment process and subsequent service delivery mechanisms support a person centred approach which builds on a person's own strengths and abilities.
 - Respond to the outcome of the consultation on the proposed Health Board Boundary change so that Bridgend will be ready to move into a new region and work in collaboration with different local authority and health board partners if required.
 - Respond to the new strategy that will require more seamless services between health and social care as a result of the Parliamentary Review of Health and Social Care.

In Adult Social Care, the main priorities for 2018/19 are summarised as follows:

- Continue to develop the Social Work approach to people who have experienced a difficult time involving intervention from acute hospital services, by helping them to stay independent and well. This will enable people to look after their own wellbeing more effectively.

- Continue to develop the community services model so that the service can be proactive and respond appropriately, at the right time, in the right way and by the right person. This is called 'anticipatory care' planning.
- Review the pilot scheme for advocacy services for adults, the outcome of which will inform a new model of service and future commissioning arrangements.
- Further develop integrated community services so that the team can respond to need 7 days a week as well as increasing the availability of nurses.
- Start phase 2 of the re-modelling homecare service in order to ensure that people's wellbeing is consistently protected and promoted.
- Develop the Prevention and Wellbeing agenda so that there is a stronger link with the rest of the Council and better focus and engagement with key partners. Continue to build up the evidence base which will show how such an approach can support people to remain independent and therefore reduce the likelihood of receiving ongoing support from social services; in the Act this is called 'managed care and support'. The Authority will also make sure that all future commissioned services have a prevention and wellbeing approach.
- Continue to develop the individual community knowledge base of the Community Dementia Support Workers to ensure opportunity to share this knowledge of local support is available to all people and their significant others accessing their service.

In Children's Social Care, the key priorities for 2018/19 can be summarised as:

- Continue to safely reduce the number of looked after children by making sure that the Authority provides effective help as early as possible and that it works with children, young people and their families to review their situation. This is an ongoing priority as effective intervention at the earliest opportunity is the most efficient way of supporting families to prevent children from becoming looked after.
- Fully implement the Multi Agency Safeguarding Hub (MASH) in partnership with the police, probation and the health board.
- Develop a therapeutic team to wrap around Children's services so that the Authority can better support children and young people who are experiencing difficulties or crisis. The service is intended to improve outcomes for children by increasing placement stability and prevent placements breaking down and children needing to move.
- Ensure that the work needed to develop a transition team is completed so that young people moving into adulthood have the right support at the right time.

- Further work will be done to raise awareness about advocacy services for children to make sure that there is an increase in advocacy being offered and also an increase in the take up of advocacy support.
- Target the recruitment of foster carers so that the Authority has a better range of choice and skills in order to find local placements for those children that require a more 'specialist placement. The Authority will focus on recruiting transition carers which are part of the new proposed model for placement provision. There will also be a focus on recruiting individuals or families who could provide supported lodgings placements and therefore safely enable young people to leave foster care and become more independent. The Authority will make sure that it builds the support and care service so that they can more effectively work to prevent children becoming looked after and can also support families to be reunited and children rehabilitated home.
- Support more young people to participate in apprenticeship opportunities across the Council.
- Implement a policy to ensure a consistent approach to support care leavers attending university.

4.12 Following approval at Council, the report will be translated into Welsh, in line with Council policy, and submitted to Welsh Government.

5.0 Effect upon Policy Framework and Procedure Rules

5.1 There is no impact on the Policy Framework and Procedure Rules.

6. Equality impact Assessment

6.1 There are no equality implications in this report.

7.0 Well-being of Future Generations (Wales) Act 2015 Implications

7.1 The implementation of the duties and responsibilities under the Social Services and Wellbeing Act (Wales) (SSWBA) 2014, in turn, supports the promotion of two of the seven goals of the Well-Being of Future Generations (Wales) Act 2015 within the County Borough of Bridgend. By promoting an environment that maximises people's physical and mental well-being and by supporting children, young people, adults and their carers and families to fulfil their potential no matter what their circumstances, the wellbeing goals of a Healthier and more equal Bridgend and Wales are supported.

7.2 The Well-being of Future Generations (Wales) Act 2015 provides the basis for driving a different kind of public service in Wales, with five ways of working to guide how the Authority should work to deliver wellbeing outcomes for people. The following is a summary to show how the five ways of working to achieve the well-being goals have been considered in this report:

- Long Term – Social Services is demand led and the SSWBA focusses on sustainable prevention and wellbeing outcomes for the future. There is a requirement to meet the needs of people in the longer term and,

because of rising demographics and increasing complexity, the remodelling and transformation of services continues to be a priority.

- Prevention – the report is about the new approaches adopted by the Directorate in line with the SSWBA, for example, the provision of information, advice and assistance to enable people to remain independent for as long as possible. This will ensure that need is anticipated and resources can be more effectively directed to better manage demand.
- Integration – the implementation of the SSWBA requires local authorities to work with partners, particularly the NHS and the Police, to ensure care and support for people and support for carers is provided. The report evidences work with the Third Sector, enabling people to remain linked to communities, and work with young people to enable access to employment.
- Collaboration – The collaborative approaches described in the report, are managed and monitored through various remodelling and collaborative boards, for example, the Western Bay Partnership Board where there is cross sector stakeholder representation at both political and Officer level. The strategic planning and local delivery of integrated support and services are developed and agreed at a regional basis in order to provide the best possible intervention to people.
- Involvement – the key stakeholders are the people who use social care. There is considerable engagement including surveys, stakeholder meetings, feedback forms and the complaints process. The provision of accessible information and advice helps to ensure that the voice of adults, children and young people is heard.

8. Financial Implications

- 8.1 Whilst there are no direct financial implications, the report highlights service areas which are facing financial pressures, at a time of shrinking resources, and supporting people with increased complex needs and the changing demographics of the population of Bridgend County Borough.
- 8.2 The approach the directorate has taken is to focus on the modernisation and transformation of service delivery in order to manage current expectation and to implement the Social Services and Wellbeing (Wales) Act whilst also contributing to the Council's medium term financial strategy.
- 8.3 Over the past four years, the directorate has reduced the budget by approximately £12 million. This has been achieved by 'doing things differently', that is remodelling, reconfiguring, restructuring and developing new ways of working and new service delivery models. The strategy for 2018 – 19 and following years is to manage demand and introduce more early help and intervention and prevention and wellbeing approaches to lessen dependency and maximise people's independence. This needs to be achieved within the existing budget and taking into account the directorate's current overspend.

9.0 Recommendation

- 9.1 It is recommended that Council approves the Director of Social Services' Annual Report for 2017/18.

Susan Cooper
Corporate Director Social Services and Wellbeing
May 2018

9. Contact officer

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10 Background Documents

None

DIRECTOR OF SOCIAL SERVICES' ANNUAL REPORT 2017-18 (DRAFT)



Bridgend County Borough Council
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

www.bridgend.gov.uk



July 2018

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This document is also available in Welsh. Please note: This document links to a range of reports which are available in English in line with Council policy.

1. Introduction

Hello, welcome to my annual report for 2017-18 which tells you about how Social Services in Bridgend County Borough Council have been delivered during the year and how well we are doing.

In my report last year I explained about the Social Services and Wellbeing Act (I will refer to this as The Act) which puts the individual and their wellbeing at the centre of all that we do. This continues to be a priority for us and has been a main driver for change and for new ways of working. As a re-cap, the main messages from the Act are:

- Making sure that we provide good quality advice, information and assistance to the people of Bridgend;
- Supporting and enabling people to make their own choices and to be more independent;
- Making sure that people are given voice and control to achieve what they want in life and that they are able to express the outcomes that they want for themselves;
- Recognising that carers also have support needs and that these should be given equal importance;
- Finding different ways to support people that will involve local communities.

We have to make sure that we can do all of the above whilst keeping children, young people and adults safe from harm. This is also at a time when resources are getting less and demand continues to increase. We need to continue to work closely with individuals, families, carers and partner agencies.

This report will tell you how we are progressing with delivering the Act in Bridgend and it will give you some examples of what this means and the impact it has had on individuals. There is still more to do and so the report also sets out the next stage of our journey. It is difficult to set out everything that is being done and so I have chosen some key areas and examples; however, there are lots of links embedded in the report so that you can read more if you want more information. The report has been written in plain language so that it is easier to follow and understand but the information and reports that have been embedded as a link provide further detail and evidence of what we have been doing during the year.

In line with the direction from Welsh Government, we continue to work collaboratively across the region. The Council has responded to the consultation on the proposed health board boundary change and we are hoping for an outcome as soon as possible so that we can continue to build effective working relationships with regional partners. The outcome of the above consultation also links with the Parliamentary Review of Health and Social Care and it is important for both the Council and the people of Bridgend County Borough that we have clarity regarding which region we will be working with in order to develop joint and effective transformation programmes.



2. Director's Summary of Performance

At the end of the financial year, every Council in Wales has to publish a report about its performance in order to evidence how the Council has met its priorities. This has to include a range of different information and includes financial details. Below is a short summary of some of the achievements from Social Services and some information about our performance. The last section covers the big priorities we have identified are important for 2018-19.

Cross Directorate

The directorate continues to implement the Act and to make sure that the requirements of the Act are embedded into every day practice.

There has been further progress in the development of the Welsh Community Care Information System (WCCIS) and Bridgend has now included a number of health colleagues, from our integrated health and social care team, onto the system and this has been a significant step forward for the whole of Wales.

Social Services in Bridgend has continued to work as part of the Western Bay Health and Social Care Regional Partnership and the main areas we have been actively involved in are:

- Community Services Planning and Delivery Board
- ABMU Carers Partnership Board
- Children and Young People's Programme Board
- Commissioning for Complex Needs Programme Board
- WCCIS
- Regional ASD Strategy Group (Integrated Autism Service)
- Workforce Development Steering Group
- Regional Adoption Service
- Regional Safeguarding Board

Prevention and Wellbeing approaches continue to be promoted across the directorate and a prevention and wellbeing team working with a range of partners to improve the wellbeing of local people and communities. This includes the Healthy Living Partnership with GLL/Halo and the Cultural Trust partnership with Awen.

In 2017, Welsh Government made an announcement about a possible change in the Health Board boundary which means that, if agreed, Bridgend as a local authority would move into a new region and therefore would be aligned with Rhondda Cynon Taff (RCT) County Borough Council, Merthyr County Borough Council and Cwm Taff Health Board. The consultation on this proposal closed in March 2018 and at the time of writing this report we have not yet heard what the outcome is. We are currently still working with partners in the Western Bay region but are also developing relationships in the Cwm Taff region in preparation for any changes. The most important thing is that the people of Bridgend will continue to have the right access to support and services despite any potential change to the organisations.

In November 2016, the Cabinet Secretary for Health, Well-being and Sport, Vaughan Gething AM launched a 'Parliamentary Review of Health and Social Care' and Bridgend has made a positive contribution to this review and has been able to demonstrate the strong and positive working relationships with health in our integrated

community teams. The report was published in January 2018 and we are now actively involved in shaping the plan that will be produced as a result.

<https://beta.gov.wales/review-health-social-care?lang=en>

Children's Social Care

The safe reduction of the number of looked after children remains a priority for Bridgend and during 2017-18 the numbers remained fairly static with the average number being 387. At the end of the 2017-18 financial year, however, the looked after children population in Bridgend had gone down by 1.5%. At the time of writing this report the number of looked after children in Bridgend was 370 (as at 14/05/18) which is the lowest it has been for a number of years. It is important that there is a focus on delivering early help, support and intervention as this will prevent children coming into the care system and this is a priority area for the Council. Please see a report that went to our Overview and Scrutiny Committee [here](#):



16.04.18 - Early Help
and Childrens Social C

The new multi -agency safeguarding hub (MASH) was up and running in early April 2018 and we have already seen how this has strengthened relationships between Social Services and the Police. Please see the Cabinet report [here](#):



31.10.17 - MASH
Cabinet Report Final.

A new model for Children's Residential Care has been developed and agreed and work will now progress in 2018-19 to make sure that the model is implemented. We opened a specialist residential unit for children with disabilities in October 2017. Feedback from families has been positive in relation to the experience for children living there. You can view the Cabinet report [here](#):



27.02.18 - Children's
residential care.pdf

Adult Social Care

Good progress has been made in making sure that when people have an assessment there is a focus on 'what is important to them' and that attention is given to how that person can remain independent for as long as possible.

The two new Extra Care Schemes will be completed by October 2018 and this includes 25 residential care beds and 45 extra care flats. As a result, two Council-run residential care homes will close. The long term plan is that, as the residential care beds are no longer required, these will transfer into more extra care provision.



PERFORMANCE

Children's Social Care

The number of children and families that we were involved with during 2017-18:

• We received 6677 new contacts during the year
• There were 637 children that needed a child protection intervention. (This figure is the number of children where a section 47 investigation was started).
• The number of children on the child protection register at the end of the year was 169.
• The number of looked after children as at the end of March 2018 was 384. The safe reduction of children looked after remains a priority for the Council.

Adult Social Care

Some key performance data is detailed below:

My social worker keeps me in the picture

	2016-17	2017-18
The number of people who received a reablement service (includes reablement at home and residential reablement)	394	394
The number of people who received a Telecare package during the year	2921	3162
Number of people were supported in long term care (residential)	683	676

Living in my own home makes me happy and with help I hope to remain there as long as possible

I'm lonely and some days I don't see anyone to talk to, would like to go out but have no-one to take me

I cannot survive without them as I have no family

What did we say we do in 2017-18? How did we perform?

The following key priorities were identified for Social Services for 2017-18:

- Improve the way we provide information, advice and assistance (IAA) to the public and we also want to increase the support available to people by increasing

community based support that will support people without them having to come into statutory social services;

There are a number of aspects to this work:

- *The establishment of the Multi Agency Safeguarding Hub (MASH) as the first point of contact for safeguarding of children and adults. Phase 1 is underway and by September 2018, it will encompass workers from Children's Social Care, South Wales Police, Education and Family Support, Housing, Substance misuse Services, Probation, Wales Community Rehabilitation Company, Health and Adult Social Care.*
 - *Local community coordinators continue to provide a service in the three valley areas of the Borough - they received 116 referrals during 2017/18.*
 - *Council Website – Dewis is now linked to the corporate website and this provides information on universal community opportunities that promote wellbeing which will interface with the council's website.*
 - *The Common Access point (CAP) in Adult Social Care continues to deliver information, advice and assistance as an integral part of their contact with people requesting help. We are ensuring that there is access to appropriate information to enable people to access support when they need to.*
 - *89% of adults who received advice and assistance from the information, advice and assistance service have not contacted the service again for 6 months.*
- *Work more closely with people who use our services, carers and the wider population and communities to make sure that they have a say in the type of services that we develop;*

A number of people have shared with us their own personal story of how the change in approach by social care professionals has improved their own wellbeing. As a result we have been able to build up a library of digital stories and case studies which we are able to use to support learning and reflective practice.



Consultation events have been held throughout the year with families and front line staff in relation to the transfer of existing residents into the new extra care schemes. As a result the service has been able to manage all questions and any anxieties on an ongoing basis and this has prevented them from escalating and raising unnecessary concerns. There has also been engagement with the local communities and schools who have been involved in naming the two new schemes. There has been significant support for this development.

- Develop our advocacy services for both children and adults so that they have the independent support and advice they need to make their voice heard;

Bridgend continues to work with the Golden Thread Advocacy Programme (GTAP) in order to build the advocacy support available for people who find it difficult to understand information or communicate their wishes. We have commissioned an independent professional advocacy service (IPA) for adults and during the year the service received 55 referrals and at March 2018 they were supporting 37 people. The evaluation report is attached [here](#):



BVC Evaluation - IPA
Pilot April 2018.docx.

In August 2017, independent advocacy for children and young people was commissioned regionally in Western Bay in line with the Welsh Government's National Approach. Bridgend has worked closely with regional partners, including its existing provider, to help establish the new working model and continues to implement changes that will ensure the voices of young people are heard when they become known to social services. There were 83 referrals supported in the year.

- Consult on a new strategy for Direct Payments so that more people will be able to access a direct payment and therefore will be able to access more flexible support to help them be more independent;

An independent review of Direct Payments in Bridgend was carried out in 2017-18 and this has helped to inform a new strategy for Bridgend. We have also revised the operational policy and procedures. These are now being consulted on and the intention is to set down an implementation plan and launch the new strategy in June 2018.

- Open a new 52 week residential provision for disabled children and young people so that they can remain living close to their families within the County Borough;

The 52 week provision, called Harwood House, opened in October 2017 and two young people have moved in, without this local provision those young people would have gone into an expensive, out of county provision. There is still one placement left in this new provision and this will be filled in 2018-19.

- Put systems in place so that we can better meet the needs of young people in transition from childhood into adulthood;

A Transition Project has been established and has developed a model for a transition team comprising two specialist social work staff and a support worker to focus on young people with 'autistic spectrum disorder' (ASD). However, there have been initial difficulties in the recruitment to these posts and this has delayed the implementation.

A transition tool has been developed and an engagement exercise with staff and service users has helped shape a performance framework.

- Consult with children, young people and their families on a new model for residential care provision;

As part of the work to re-model residential care, children and young people have been consulted and their views and wishes were incorporated into a report that was presented to our Overview and Scrutiny Committee and then Cabinet. They have been able to help shape the new model which has now moved to implementation in 2018-19.

- Work with our partners and with schools to better support carers and young carers;

We continue to work closely with our partners and with schools to better identify and appropriately support Carers and Young Carers. Bridgend Carers Centre has 3000 Carers on their database that they provide information and assistance to. The Carers transition funding is currently funding a Young Carers in Schools project; in the last quarter alone 2700 young people participated in Young Carers assemblies, 150 pupils participated in Young Carers PSE lessons, and Carers champions have been identified in five comprehensive schools.



- Recruit more foster carers by undertaking a range of different advertising campaigns;

Work has been done to better understand the profile of the current foster carer population and this has informed where, what and how we recruit future foster carers in the future. The Council's marketing team are supporting future campaigns. At the end of the year Bridgend had 110 approved foster households and they provide 245 placements. The recruitment of foster carers will remain a priority for the future.



- Complete the work required to fully implement the MASH.

The new multi-agency safeguarding hub (MASH) team became operational in April 2018. There is a second phase which will be in place by October 2018.

What we want to do in 2018-19

There are a range of service actions that sit under these higher level priorities and these have the details of what needs to be done to achieve the overall aims with timescales and targets set out.

- Continue to build on the progress and achievements made in 2017-18 and concentrate on improving the areas that are still in development.
- Implement the actions as set out in the directorate business plan. The 2017-2018 Social Services and Wellbeing Directorate Business Plan has a range of aims and commitments which sit under the three overarching corporate priorities; these are as follows;

- To give people more choice and control over what support they receive by providing early access to advice and information;
- Continue to improve the ways in which the Council provides good information, advice and assistance to the public, including increasing the support available through local community co-ordinators;
- Continue to involve service users, carers and communities in developing commissioning services
- To reduce demand by investing in targeted early help and intervention programmes
- Implement a new 52 week residential service model for disabled children and young people
- Establish a new model of residential provision for looked after children and young people
- Finalise a transition service model to help disabled children move smoothly into adulthood
- To support carers in maintaining their roles
- Recruit and retain carers across the range of fostering services
- To support the third sector, town and community councils and community groups to meet local needs
- Enable community groups and the third sector to have more choice and control over community assets
- To achieve the budget reductions identified in the medium term financial strategy
- Ensure appropriate services are available to children at risk from child sexual exploitation (CSE)

- Please see Business Plan attached [here](#):



SSWB Business plan
2018-19 following Sc

- Respond to the outcome of the consultation on the proposed Health Board Boundary change so that Bridgend will be ready to move into a new region and work in collaboration with different local authority and health board partners if required;
- Respond to the new strategy that will require more seamless services between health and social care as a result of the Parliamentary Review of Health and Social Care.

3. How Are People Shaping Our Services?

We are committed to making sure that we continue to involve people in the way our services are run and also in how we shape and deliver new service developments. As part of this, we look for feedback about what we are currently doing and we also consult and engage with children, young people, adults and carers in areas that we need to change and modernise.

Bridgend Social Services is committed to making sure that people are able to make their voice heard, whether this is about how services will be developed and delivered in the future or whether it is about a service that they are receiving now. Some examples of how we do this are by issuing surveys, inspections, contract monitoring processes, elected members rota visits, complaints and compliments and consultation events. We know that there is more that we can do to engage and consult with people and this is an area that we will do more of in 2018-19.

In September 2017, we asked 430 children and young people and 1292 adults what they thought about the support and services that they were receiving from Bridgend. These were called surveys and they were developed by Welsh Government as part of the new Act. Below is a selection of some of the replies that we received:

Adults: A total of 1243 questionnaires were sent out to adults (over 18 years), 416 were returned, a response rate of 34%. Some of the comments received include:

“Staff are polite and attentive and make my mother smile.”
“Sometimes I do not think they listen”
“I am satisfied with the quality of care but the amount is totally inadequate and I supplement support in order for my wife to cope.”



My care has been outstanding.

Carers: A total of 49 questionnaires were despatched to adults (over 18 years), 22 were returned, a response rate of 45%. Some of the comments received include:

“The carers are nice people who treat you politely.”
“As a full time carer I feel that 11 hours of support a week is insufficient to provide the time needed to help support my physical and mental health.”

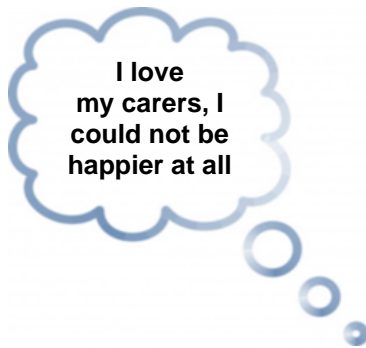


Sometimes I wish I could find suitable respite



Excellent backup

Children: A total of 430 questionnaires were despatched to children (age 7-17 years), 90 were returned, a response rate of 21%. Some of the comments received include:



I love my carers, I could not be happier at all

“My foster carer is the most nicest person and she has taken me in like her own.”
“I don’t want to move out, I will lose my friends and school but I don’t like my carers.”
“I have all my family and friends around me. I really feel I belong here.”

We also receive complaints and compliments about our service. It is important that the directorate responds quickly and effectively to all complaints with an expectation that the majority of complaints and concerns should be resolved as early as possible. The table below shows the number of complaints and compliments received during 2017-18.

	Early Resolution (within 2 working days)	Stage 1 Formal process	Stage 2 Formal process	Corporate Complaints	Public Services Ombudsman	Compliments
Adults	57	14	0	3	0	264
Children's	139	13	2	22	2	23
Business/Finance Support	2					13
Total	198	27	2	25	2	300

During 2017-18, two complaints were received by the Ombudsman's Office, one of which related to Children's Social Care whereby the Ombudsman recommended that the Local Authority commission a Stage 2 independent investigation which was commissioned in September 2017. The second complaint related to shortcomings with the handling of a complaint, as a result of which learning outcomes have been identified and actions implemented.

There has been an increase of almost 50 complaints received during 2017-18 compared to 2016-17.

The 2017-18 draft Representations and Complaints Annual Report is linked here. It is being presented to Cabinet in July 2018.



17.07.18 - Complaints Annual Report - Apper

Care Inspectorate (Wales) (CIW)

As part of a series of regular meetings, CIW met with the Director and Heads of Service in March 2018 to reflect on progress and to discuss the performance of the authority for the year 2017-18. No formal letter will be received for 2017-18; however, an extract from the notes of that meeting is as follows:

The Mental health engagement work has been completed. This related to inspection work led by Health Inspectorate Wales (HIW) of Community Mental Health Teams (CMHT), but which had not involved Bridgend CMHTs. Managers within Bridgend submitted comprehensive written information against key lines of enquiry provided. In addition, CIW made visits to a house with supported living, and received written submission from Bridgend Bipolar Support group. CIW also spoke with key staff. CIW reported that people at the day service, supported living and hostel said that they were generally content with the level of support they received and were mostly accessing two or three groups/befriending services to promote independence and/or enhance their wellbeing. However, people not accessing these types of services from the bipolar disorder group did not describe access to services (beyond the support

group) and perhaps indicated that more non statutory support at times would be beneficial.

People reported that they valued their social workers, care co-ordinators and Community Psychiatric Nurses (CPNs) and generally felt professionals were responsive to requests and maintained contact. GPs were seen as an important source of contact for those living independently. But people generally did not feel they had access to specialist services in an emergency.

CIW inspection of Western Bay regional adoption service; the report of this has been delayed but is due for release shortly.

4. Promoting and Improving the Wellbeing of Those We Help

Quality Standard 1 – Working with people to define and co-produce personal wellbeing outcomes that people wish to achieve

We have continued to focus our attention on making sure that we work with people in a way that will support them to achieve their personal outcomes. Outcomes reflect what matters to a person and these should be personal to each individual and relate to their own particular circumstances. Outcomes relate to the impact or the difference a person wants to see in their life. We have continued to provide training and development opportunities to support staff to work in an outcome focused way and we recognise that this is still a relatively new approach and requires a shift in culture. We have built up a library of evidence and digital stories as evidence of the positive difference this approach is having on a person's life. At the time an individual has an assessment they are given an 'active offer' to have that assessment conducted in Welsh.

Sometimes I do not think they listen

I struggle to ask for advice

Do feel I cannot cope and need help but at the same time don't want outside help

I find paperwork difficult and have great problems using the phone because of my deafness

What were the main things we said we would do in 2017-18?

- Improve the options for accommodation for looked after children both for short and long term situations and we will be progressing the review of our residential services. We will be talking directly with children and young people so that they can tell us what they think is important for a young person in care.

- Continue to safely reduce the number of looked after children by making sure that we provide effective help as early as possible and that we work with children, young people and their families to review their situation.
- Actively recruit new foster carers so that we can promote local solutions to families in need.
- Increase the number of local community co-ordinators so that we can support the development of local communities which will give people more choice and control of how they manage their own independence.
- Develop Extra Care housing, which will allow residents to continue living independently in a self-contained flat, while benefiting from personal care and support, where those needs have been identified. The new Extra Care Housing schemes will also contain a residential wing, allowing a seamless pathway into a residential-care home setting, where individuals' care and support needs have increased to that required level.
- Further develop, with health, the integrated Common Access Point (CAP) for the provision of information and advice for adults.
- Develop the DEWIS wellbeing information database further and launch this to the public of Bridgend.
- Roll out the quality assurance framework across Social Services and make sure that all staff are working to an agreed and recognised standard.
- Open a new specialist 52 week provision for children on the Heronsbridge Special School site to support children to live within their local communities and maintain their family and school links, this was in response to consultation with children, families, school stakeholders linked to the local authority and a public consultation was held.
- Improve the way we provide information, advice and assistance to the public and we also want to increase the support available to people by increasing community based support that will support people without them having to come into statutory social services.
- Work more closely with people who use our services, carers and the wider population and communities to make sure that they have a say in the type of services that we develop; Work more closely with people who use our services, carers and the wider population and communities to make sure that they have a say in the type of services that we develop.
- Develop our advocacy services for both children and adults so that they have the independent support and advice they need to make their voice heard.



Dewis Cymru
Have choice and take control

How far did we succeed and what difference did we make?

- We opened the new 52 week residential provision for children with complex needs, called Harwood House, on 16th October 2017 and we placed two young people who would have otherwise needed to be placed in external out of Bridgend County.
- A new accommodation model for looked after children and young people was approved by [Cabinet](#) on the 27th February 2018.



27.02.18 - Children's residential care.pdf

In order to develop the new model a number of consultation events were held with children who have experience of a care setting, staff and key partners. The new model will now be implemented during 2018-19 and this will mean that Bridgend will be able to better support children and young people who come into residential care and also provide them a more appropriate accommodation setting.

- Children's social care and early help services are working closely together to make sure that safely keeping children out of care is given a priority. This work is overseen by a joint board chaired by the two Directors. An independent review of the pathway between the two services was carried out in November/December 2017 and the findings are now being looked at by the teams. It is expected that as a result of this work Bridgend can improve the focus of early help and intervention and that this will enable more children to avoid coming into care. The numbers of looked after children is coming down and at March 2018 the number was 384 compared with 390 at the same time last year. At the time of writing this report there were 370 looked after children.
- Seven new foster carers, providing 10 additional placements, were recruited during 2017-18 and ongoing recruitment is now being given a priority.
- A new quality assurance framework has been launched across the whole of Social Services. The new framework was informed by front line staff and operational managers. The feedback so far is very positive and there are examples of individuals and teams sharing best practice which is actively informing change and improvement and having a positive impact on the people who are receiving a service. The new framework will mean that all people who access our services will experience equality in relation to the standard of service they receive regardless of the nature of the intervention from Children's or Adult Social Care. You can see the framework [here](#):



Assuring Quality
Framework and Guide

- Good progress has been made in the development of two new extra care schemes and they are on track to be opened in September/October 2018. The schemes are a mixed model and have both residential and extra care facilities on the same site. This has enabled many of the residents from two of the Council's existing residential care homes to transfer across whilst also increasing the number of extra care flats in the County Borough.
- The Common Access Point in Adult Social Care has been developed and there is now a multi-disciplinary approach to managing referrals which means that the service can respond both quickly and more effectively. The common access point can also now link to a designated mental health link practitioner and community dementia support workers.
- The Council website has been reviewed and the new website went live in April 2018. Social Services worked with the corporate centre on developing service information for the main web site. Dewis, the wellbeing



information hub, has been developed and is accessible through the website.

- We have reviewed the way that the Approved Mental Health Practitioners (AMHP) work and respond to calls for assessment. The policies, procedures and protocols have been updated in line with a new national quality assurance process. A new rota system and AMHP hub will be implemented in 2018-19 and this will be linked more closely to Act and the need to promote prevention and wellbeing initiatives.

What are our priorities for next year and why?

- Continue to safely reduce the number of looked after children by making sure that we provide effective help as early as possible and that we work with children, young people and their families to review their situation. This is an ongoing priority as effective intervention at the earliest opportunity is the most efficient way of supporting families to prevent children from becoming looked after.
- Continue to develop the social work approach to people who have experienced a difficult time involving intervention from acute hospital services, by helping them to stay independent and well. This will enable people to look after their own wellbeing more effectively.
- Continue to improve the ways in which the Council provides good information, advice and assistance to the public, including increasing the support available through local community coordinators.
- Continue to develop the community services model so that the service can be proactive and respond appropriately, at the right time, in the right way and by the right person. This is called 'anticipatory care' planning.
- Continue to involve service users, carers and communities in developing and commissioning services.
- To reduce demand by investing in targeted early help and intervention programmes.
- Review the pilot scheme for advocacy services for adults, the outcome of which will inform a new model of service and future commissioning arrangements.



Quality Standard 2 - Working with people and partners to protect and promote people's physical and mental health and emotional wellbeing

This remains a priority for Bridgend and there are many examples of where we have engaged people in developing services that will promote their mental health



and emotional wellbeing. This includes children and young people in shaping the new service model for residential care, adults in the model for our two new extra care schemes and carers in the development of a Bridgend Carers Strategy. We continue to build strong relationships with our key partners across Western Bay as part of the health and social care arrangements, with the South Wales Police in the development of the MASH team and various other initiatives. A good example of working in a more co-productive way is development of a strategy with our Third Sector partners.

What were the main things we said we would do in 2017-18?

- Work with the Third Sector in order to develop a strategy which will set out how the Council and Third Sector will work together to promote and support prevention and wellbeing approaches.
- Implement the planned MASH with our partners in the police, probation and the health board.
- Invest in carers support and use every opportunity for funding to make sure that the right services are available to them.
- Put systems in place so that we can better meet the needs of young people in transition from childhood into adulthood;
- Support the residents and their families in our existing Care Homes to prepare for the transition into the new Extra care Schemes.
- Progress the plans for a new model for residential care for children and young people and make sure that we consult with children and young people themselves so that we can better understand what support they feel is most needed.
- Open the new 52 week residential facility so that children with complex needs who need such support do not have to go out of county and away from their family in order to receive the appropriate help they need.

I sometimes lack motivation to do things that are important to me

A care package is in place that allows X to go to the local pub with carers support which allows his wife some time on her own

I am becoming more and more anxious and depressed I spend days not speaking to anyone except carer in the morning

How far did we succeed and what difference did we make?

- A significant piece of work has been undertaken with Third Sector partners in order to co-produce a development plan. The draft plan is called 'Building Resilient Communities' and it provides a platform where the Third Sector, community and voluntary groups can develop a shared agenda and work programme in partnership with the Council.



- The early help and safeguarding board has developed a suite of information which has enabled the teams to better understand and track the information regarding early help interventions and looked after children. As a result we have a clearer understanding of what is working, where the gaps are and where to target resources.
- The MASH commenced in early April 2018. Phase 2 of the MASH which is when adult social care will join, is on target for September.
- The Council wants to maintain independence and wellbeing for Carers and the person being cared for. We have mapped out our current services for carers and have held a number of carers' events to make sure they have had the opportunity to build the future vision and also to contribute to service developments. The next step is to commission a provider to deliver both long and short term breaks for either carers or the people they care for.
- 15 young carers have been given support to develop their creative skills and as a result they have been able to put together an exhibition which shows aspects of their lives, the challenges they have faced and their aspirations for a better future.
- A programme board has overseen the work required to help the residents from two existing Council run homes to plan to move into a new accommodation setting appropriate to their individual needs. This focussed piece of work will help a smooth transition into a new extra care scheme, a new residential setting or nursing care. Equal attention has also been given to the staff who will also be part of the changes. The changes have been supported by a detailed communication strategy to make sure that all stakeholders are kept informed of the developments. Please see [Extra Care communication Strategy](#) and [newsletter](#) here:



Extra Care
Communication Strate



ECH Newsletter
February 2018.pdf

- Bridgend delivered its third Get on Track programme for 15 vulnerable young people including looked after children. This programme has provided mentoring support and given participants new skills to help them towards employment. This intervention is run in partnership with the Dame Kelly Holmes Foundation.
- The 'Move More Often' programme has been developed in day services and residential care settings to build personal resilience and support socialisation amongst older people. The Olympage event saw 120 older people participate in a range of games and encouraged them to 'move more often'. The event was supported by 100 Health and Social Care students creating an environment for all ages. There are now community based Olympage programmes linked to local communities across the whole Borough and into the Western Bay region.

What are our priorities for next year and why?

- Fully implement the Multi Agency Safeguarding Hub (MASH) in partnership with the police, probation and the health board.

- Develop a therapeutic team to wrap around Childrens' services so that we can better support children and young people who are experiencing difficulties or crisis. The service is intended to improve outcomes for children by increasing placement stability and prevent placements breaking down and children needing to move.
- Further develop our integrated community services so that the team can respond to need seven days a week as well as increasing the availability of nurses. This team is called the Acute Clinical Team and is part of the Community Resource Team.
- Start phase 2 of the re-modelling homecare service in order to ensure that we can consistently protect and promote people's wellbeing.
- Make sure that the work needed to develop a transition team is completed so that young people moving into adulthood have the right support at the right time.
- Develop the prevention and wellbeing agenda so that there is a stronger link with the rest of the Council and better focus and engagement with key partners. Continue to build up the evidence base which will show how such an approach can support people to remain independent and therefore reduce the likelihood of receiving ongoing support from social services; in the Act this is called 'managed care and support'. We will also make sure that all future commissioned services have a prevention and wellbeing approach. Please see the report to our Overview and Scrutiny Committee [here](#):



07.03.18 -
Prevention and Wellb

- Communicate the co-production approach and the Third Sector work across the whole Council and implement the associated development action plan.

Quality Standard 3 - Taking steps to protect and safeguard people from abuse, neglect or harm

I don't feel safe when on my own, want my son home at all times

I have a lifeline as I have a tendency to trip and have had 4 nasty falls in past month

Safeguarding is a core theme in everything we do. It is about protecting children, young people and adults from abuse or neglect and educating those around them to

recognise the signs and dangers and to keep safe. Bridgend is a member of the Western Bay Safeguarding Board and this is the link to their website: <http://www.wbsb.co.uk/>

What were the main things we said we would do in 2017-18?

- Implement the new advocacy services in both adult and children's social care services so that children, young people and adults are able to have a stronger voice in terms of what matters to them and therefore become more independent.
- Complete the review of the secure estate and make sure that our resources are targeted at the right people.
- Progress the review of residential care in Children's Social Care so that we can offer more effective support to those children who need it. This will include developing our in-house foster care service.
- Implement the recommendations set out in the CSSIW Children's Services Inspection.
- All children and young people subject to the Child Sexual Exploitation (CSE) protocol will have an up to date self-assessment risk assessment form (SERAF) assessment.
- Safely reduce the amount of time a child's name remains on the child protection register and reduce the number of children who have to come back onto the register.
- Bring one Social Services Safeguarding Team under the same management rather than having separate teams in Adults' and Children's Social Care.

How far did we succeed and what difference did we make?

- Advocacy awareness training has been provided to staff. Children's Social Care now have a system in place to make sure that advocacy is considered at the assessment and review process.
- All children and young people subject to the CSE protocol now have an up to date Self-Assessment Risk Assessment Form (SERAF) assessment meeting. At each strategy a range of risk indicators are considered and this informs the type of intervention and amount of monitoring required. This has meant that we have been able to reduce the number of young people who are subject to CSE monitoring because the intervention offered is more targeted.
- The number of children whose names have been placed on the Child Protection Register has decreased and the length of time a child's name is placed on the register has reduced. This indicates that we are more effective in identifying and managing risk through assessment and appropriate intervention.

- There is still more work to do to bring the adult and children safeguarding teams together but this will now be progressed in 2018-19 as the new MASH service will enable greater integration.
- In June 2017, the review of the work with the prison (secure estate) was completed. Part 11 of the Act gives local authorities new responsibilities for prisoners who have care and support needs and live within the local authority boundary. As a result there has been a review of the skill mix required for staff within the secure estate team and permanent members of staff have now been recruited in light of the findings of the review. In addition there has been an analysis of gaps against the requirements of the act and this work will be taken forward in 2018-19. Some 2017-18 data is included below:

Referrals and Re-referrals received	89
Assessments completed	83
Number of which were as a result of a referral	67
Support Plans completed as result of an assessment following referral	23
Reviews completed	20

What are our priorities for next year and why?

When I am with family and carers I feel happy and safe.

My carers have cared for me really well and made me feel safe as anything no one will hurt me around them

- Further work will be done to raise awareness about advocacy services for children to make sure that there is an increase in advocacy being offered and also an increase in the take up of advocacy support.
- To further integrate the children's and adults Safeguarding Teams so that systems and processes can be streamlined and more effective
- To make sure that we are fulfilling our responsibilities as set out in the Act within the secure (prison) estate.

Quality Standard 4 - Encouraging and supporting people to learn, develop and participate in society

I have this family that I belong to and I have my friends

I feel very isolated due to my

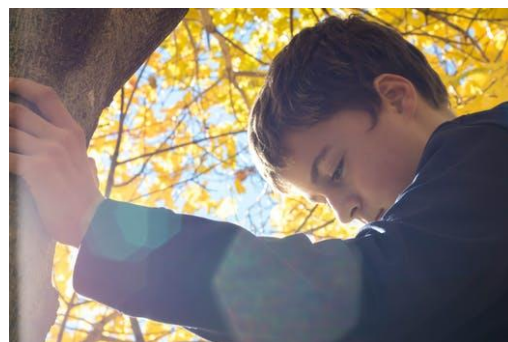
I would like to move to the area where I have connections and friends, I sometimes feel far away from a community

The directorate continues to work towards the corporate priority of 'helping people be more self-reliant' and our approach is to encourage people to be as independent as possible. Our aim is to support people to have more voice and control in their lives and in order to do this social care practitioners have matured the skills needed to have a different conversation which develops people's strengths and wants rather than the more traditional dependency style. Training opportunities have focussed on outcome focussed approaches. We also have many examples of how we have engaged with the users of our services to help shape the future delivery model. The pathway between early help services and social care has been strengthened and at the time of writing this report further work is being done to review the current model to make sure that resources are directed appropriately.



What were the main things we said we would do in 2017-18?

- Train more staff in new ways of working so that they can focus on what matters to people, we call this outcome focussed assessment and care planning;
- Continue to develop our prevention and wellbeing approaches so that we can support people to live more fulfilled lives in their own homes and communities and prevent the need for them to come into a care environment;
- Consult with families about the transition of children into Adult Social Care and develop a wider network of social work and health input through the health led 'Facing the Challenge' team. Following this, ensure the appropriate monitoring arrangements, networks and relationships are in place to support the process;
- Continue to deliver training to ensure appropriate support for people with dementia.



How far did we succeed and what difference did we make?

- The strategy of supporting people to remain living as independently, as possible, at home, for as long as possible, has been working and the performance data for 2017-18 shows a reduction in long term Residential/Nursing Care placements. There were 452 people in Residential / Nursing Care at 31/03/2018 and this is a reduction when compared to 31/03/2017, where there were 466 people in similar placements.
- In Adult Social Care there has been a focus on 'Reinvigorating Social Work'. Training has focused on building relationships with people known as 'a *relationship based* approach to assessment and delivering people's well-being outcomes.' Please see [strategy](#) and [word cloud](#) here:



BCBC v2 Training
Plan 2017-18.docx



Wrd Cloud Social
Work.docx

To support team based learning and application of the training in teams, there has been a significant learning and development program called Action Learning. This involves groups of practitioners coming together to reflect on practice. A sample of case records is monitored and this then feeds into the ongoing evaluation of the impact of the training received by and within teams. A focus is given on making sure that people's well-being outcomes are being met. The focus has to be that people experience positive differences in their lives.

- We have continued to work with the ABMU Health Board Dementia Care training team and we have reviewed, revised and improved the programme.
- In Children's Social Care we invested in a leadership development programme for senior and middle managers. Please see [outline programme](#) from IPC here:



Bridgend CBC
Children's Services Le

People trained in 2017/18:

- 16 staff attended Facilitating Action Learning training
- 20 staff attended 'Engaging Well' train the trainer sessions.
- 11 of the 12 teams have delivered team based 'Engaging Well' workshops (some additional planning is required in Adult Mental Health).
- 6 x 2 day Collaborative Communication Skills courses have been delivered with 80+ staff attending. Additional courses will be arranged to maximise attendance from teams.
- Within Children's Social Care a programme of training was devised with the aim of improving the confidence, consistency and effectiveness of social care staff to outcome led practice. The programme followed the model of the Adult Social Care Programme but was differentiated to meet the particular requirements of working within Children's Social Care. You can view the [programme](#) here:



Outcome focused
practice training prog

It adopted a 3 phase approach:

- Engaging Well – Defining, Capturing and Recording Outcomes
 - Outcomes Focussed Practice using Collaborative Communication Skills
 - Inspirational Conversations for social care manager and managers. (Jointly with Adult Social Care)
- Practitioners have helped to shape the training events and the new quality assurance framework. In Adult Social Care ‘action learning’ has been introduced and the teams have responded well to this new method of problem solving and learning. Children’s Social Care will be adopting the use of action learning sets for team development and managers will be receiving training in action learning set facilitation.
 - Bridgend has supported 21 newly qualified social workers through their first year in practice.
 - Work was taken forward with the Third Sector which will result in a co-produced plan called ‘Building Community Resilience’ and an associated action plan which will be taken forward in 2018-19. A copy of the draft plan is attached here:



building resilient communities draft (3).

- Benefits for the organisation include a clear strategic direction and pathway for the development and support of social work in delivering the aims and responsibilities of the Act. The strategic direction sets the scene for embedding outcome focus approaches and quality assurance into day-to-day practice and there is now a solid foundation from which to build in 2018-19.

What are our priorities for 2018/19 and why?

- Continue to deliver training sessions on reflective practice and action learning across the whole directorate.
- Make sure that effective supervision and quality assurance is embedded into practice and that there is a consistent quality assurance audit programme. This will demonstrate how well the assessment process and subsequent service delivery mechanisms support a person centred approach which builds on a person’s own strengths and abilities.
- Make sure that we promote a co-production model for new service development.

Quality Standard 5 – Supporting people to safely develop and maintain healthy domestic, family and personal relationships

Our social worker and CPN are a phone call away

My social worker seems to change so not sure who it is at present

So thankful to have the care and support from various departments - so appreciated

Bridgend is committed to supporting people to feel happy and fulfilled and this standard is about helping people to achieve healthy and safe relationships at home, in their own communities and with the people they are close to. Our aim has not changed from last year as we recognise that this is an ongoing aspiration, therefore, we want to support all our 'customers' to be as socially active as possible, to feel they can make decisions for themselves and keep themselves safe as well as making a contribution to others and in the community in which they live.

What were the main things we said we would do in 2017-18?

- Be more pro-active in recruiting new foster families so that we can support children to remain living locally and have a healthy, happy and stable family relationship;
- Further develop support services within local communities and work with the Third sector to develop a range of community support options.



How far did we succeed and what difference did we make?

- Since April 2017, we have run a number of fostering campaigns in order to increase the number of foster carers, whether for general care, support care or for the parent and child scheme. The foster care online scheme has been enhanced and we have also run recruitment stalls at a number of local events. In 2017-18 there were seven new approvals providing placements for 10 children.
- The community network teams have developed stronger partnership links with the local community and Third Sector groups so that they can link people into ordinary activities and support networks in the area in which they live. The number of Local Community Co-ordinators (LCC) has increased from one to three and 116 referrals to the LCCs were received during 2017-18.
- In partnership with Halo Leisure and Awen Cultural Trust, regular dementia friendly swimming and socialisation opportunities have been developed and so far 17



people have participated. The benefits to carers and also partner organisations has been evidenced.

What are our priorities for next year and why?

- Target the recruitment of foster carers so that we have a wider range of choice and skills in order to find local placements for those children that require a more specialist placement. We will focus on recruiting transition carers which are part of the proposed new model for placement provision. We will also have a focus on recruiting individuals or families who could provide supported lodgings placements and, therefore, safely enable young people to leave foster care and become more independent. We will make sure that we build the support care service so that they can more effectively work to prevent children becoming looked after and can also support families to be reunited and children rehabilitated home.
- Continue to develop the individual community knowledge base of the Community Dementia Support Workers to ensure opportunity to share this knowledge of local support is available to all people and their significant others accessing their service.
- To strengthen the opportunities for people, known to Social Services and therefore in 'managed care and support' to engage with and be connected to their communities.
- Finalise a transition service model to help disabled children move smoothly into adulthood.



Quality Standard 6 - Working with and supporting people to achieve greater economic wellbeing, have a social life and live in suitable accommodation that meets their needs

I would like to go on organised trips occasionally

It's my family home so although not always appropriate it's where I want to be

One of the corporate priorities for the Council is to 'support a successful economy'. It is important that people have a suitable place to live and feel safe in their own home, that they have comfortable social networks but that they also have the opportunity to improve their income.

What were the main things we said we would do in 2017-18?

- Consult on a new strategy for Direct Payments so that more people will be able to access a direct payment and therefore will be able to access more flexible support to help them be more independent;
- Work more closely with colleagues in housing so that we can create more housing options and solutions for people in need;
- Continue to involve service users, carers and communities in developing and commissioning services;
- Ensure that we create pre-apprenticeship schemes for young care leavers so that they will have the support they need to get ready to join an apprenticeship scheme;
- Continue the implementation of the revised respite service for children with disabilities so that children and their families can still receive the respite they need as well as Bridgend being able to offer more flexible support to a greater number of families;
- Continue to develop dementia friendly communities - there is a plan in place to make more local areas dementia friendly communities this year and increase the number of dementia friends across the county borough by training staff, elected Members, schools and colleges and other partner organisations;
- Consider the financial assistance afforded to care leavers who wish to attend university.

I live with my twin brother who also has learning disabilities



Some things we have asked for - could not be provided

I have what I want and so far, I have been much happier with the foster carers

How far did we succeed and what difference did we make?

- 17 looked after children have been offered a work experience placement within Bridgend. 15 of these will have their placement within the Council and two will be placed within the Borough. This will be part of an 'apprenticeship ready' programme and there will be ongoing evaluation and support to enable the young care leavers to move into other apprenticeship or work based opportunities.
- We recognised that we did not have a Policy to provide financial support to care leavers who wanted to attend university and that the support offered was

inconsistent with no standard financial formula/framework in place. We produced a report encompassing the Welsh Government review on this topic and offered three different options for consultation. We will, thereafter, consider the consultation preferences and write a policy to allow care leavers confidence that they will be equally treated in terms of financial support and ensure that the Local Authority has given assurances that as corporate parents, young people will be afforded the same opportunities as other young people fulfil their potential and achieve their goals and aspirations. Please see the Cabinet Report [here](#):



30.01.18 Childrens
Social Care Uni Fees.]

- In 2017-18, 1,500 people from across the county borough of Bridgend have become 'dementia friends' and some have gone onto become dementia champions. Five local community areas have achieved the 'working towards the dementia friendly community' award. As a result people living with dementia and their families have gained in confidence and feel more able to remain living within their own community due to the support the everyday support they receive.
- An independent review of the Bridgend Direct Payment Scheme was commissioned in 2017-18 and as a result we have revised the operational policy and procedures and guidance. The new Direct Payment Scheme will be launched in the summer of 2018 and it will be more closely linked to the financial strategy.



I have lived in my own home for 48 years with assistance of care - hope to remain – my main carer is my wife

What are our priorities for next year and why?

- To support more young people to participate in apprenticeship opportunities across the Council. We will also evaluate the experiences of those who have participated in apprenticeships and be proactive in identifying progression routes into employment.
- We will implement a policy to ensure a consistent approach to support care leavers attending university.
- To review our joint intentions with our partners in the light of the National Dementia Action Plan.
- Implement and monitor the new direct payments policy, procedure and action plan.

5. How We Do What We Do

Our Workforce and How We Support their Professional Roles

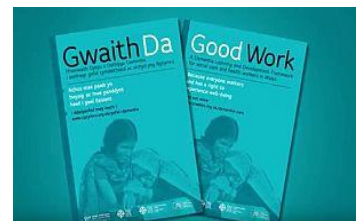
Bridgend County Borough Council is committed to ensuring that the social care workforce, not just within the Council but across the whole sector, has



Gofal Cymdeithasol **Cymru**
Social Care **Wales**

the appropriate skills, training and development opportunities in order to keep up with the new legislation. We firmly believe that a competent and trained workforce is the key to making sure that we are able to deliver quality services at the right time, in the right way and to the right person. Bridgend receives funding from Welsh Government via the Social Care Wales Workforce Development Grant which has been used to support the implementation of the Act. The grant now comes into the region and so also supports the Western Bay regional priorities to support improvement of care and support across all providers and organisations and the priority areas for the grant are set out in the Social Care Workforce Development grant. The grant allocation for Bridgend for 2017-18 was £321,786 to which the Local Authority added a contribution of £170,730, which was £32,822 in excess of the mandatory required contribution. Below are examples of some of programmes that were available in 2017-18.

- There have been 5,963 attendances days at learning and development events during the period April 2017 to March 2018.
- Bridgend has continued to focus training on developing the skills of the whole sector workforce to enable them to have different conversations with the people we currently support and those who are new to the service. A programme of training has been delivered with the aim of improving the confidence, consistency and effectiveness of social care staff to better meet the requirements set out in the Act and, most importantly, to continue to focus on strengths and outcomes for people. The programme has been flexible to meet the particular requirements of working within Adults or Children's Social Care and has included programmes called Caring with Pride; Engaging Well; Collaborative Communication Skills; Inspirational Conversations for Social Care Staff and Managers.
- All staff have the opportunity to access a Welsh Language e-learning programme. The directorate has Welsh Language Champions in place across the service areas. Staff are aware of who these champions are and they are able to get support and advice from them as and when needed. The service supports those who are learning to speak Welsh and is also able to identify staff who are fluent in the Welsh Language.
- We have continued to work with the ABMU Dementia Care training team and we have reviewed, revised and improved the [programme](#). Training has been mapped against the 'Good Work Dementia Learning and Development Framework for Wales'. Please see outline dementia programme [here](#):



Dementia Care
Programme.docx



Dementia Care
Training Programme c

- There has been a programme of training for mental health professionals to make sure that they are kept up to date with the necessary legislation and guidance. You can view the programme [here](#):



Mental Health DoLs
training.docx

- We have delivered a national programme, called Confidence in Care, aimed at transforming outcomes for looked after children in Wales. Bridgend has held an 11 week course for our foster carers aiming at increasing their skills and coping strategies to improve the relationship between the foster carer and the child they are caring for.
- Alongside a core programme of training on Child Sexual Exploitation (CSE), we have introduced CSE training for taxi drivers and those working within the night time economy e.g. hotel, pubs and clubs. The training also covers safeguarding for a range of other vulnerable groups.
- We work with local training providers to deliver the Health and Social Care Qualification and Credit Framework (QCF) awards at level 2, 3 and 5. We have been preparing for the inclusion of domiciliary and residential adult care home workers onto the Social Care Wales register of Social Care Workers by identifying and supporting staff to undertake the required qualification in advance of mandatory registration in 2020- 2022.
- Bridgend co-ordinated 36 practice learning placements for social work students. 24 of these were within Local Authority Social Work teams and 12 provided by third sector agencies.
- Bridgend has supported 21 newly qualified social workers through their first year in practice. 17 social workers have completed the Continuing Professional Education & Learning (CPEL) Consolidation Programme. Five social workers are currently undertaking CPEL modules at Cardiff University.
- HR Officers have supported the planning and development of the social care workforce, to ensure there is a competent, appropriately trained and qualified workforce to deliver professional and quality services. Some of the key areas include:
 - Implementation of the recruitment and retention strategy;
 - Provision of workforce information;
 - Engagement and consultation with employees affected by the new extra care provision;
 - Consultation with employees to implement new staff structures in children's residential services;
 - Preparation for the introduction of domiciliary care registration.

Priorities for 2018-19

- To ensure that Bridgend is ready for the implementation of the Regulation and Inspection of Social Care (Wales) Act 2016. Workshops and briefings to support the implementation of the Act including regulation, roles of the registered

manager and responsible individual and the All Wales induction framework for health and social care.

- To support developments within residential and foster care services for children and young people. This includes a training strategy which aims to promote a common understanding of children's and young people's behaviour using a common base and intervention model.
- Support the service in:
 - building social work capacity for succession planning
 - remodelling services and implementing new structures and ways of working
 - ensuring that the terms and conditions for those services that we commission meet the requirements of the Welsh Language Act. The Welsh Language is part of the quality frameworks for residential care, nursing care and domiciliary care services.

Use of technology

We are always looking at ways to improve the use of technology to support our work. Some examples of this are detailed below:

- In September 2017 direct care staff working in the community were all given an electronic tablet to enable them to work more flexibly outside of an office environment. It is now much easier to communicate with these staff on a daily basis as they can receive updates and information, including rota information, payslips and general emails, about their calls whilst 'on the patch'. This has meant a new way of working for this group of staff and generally the response has been very positive.
- Initial preparation work has taken place to develop an electronic process for fostering allowance payments and it is anticipated that this will be up and running later in 2018 on the Social Services electronic system known as WCCIS. When this has been completed the next step will be to progress the payments to our independent domiciliary care providers.
- Bridgend County Borough Council utilises the court portal in order to store, manage and share all the papers required for care/supervision court proceedings and these are referred to as 'court bundles'. This is a secure web based portal which is used by a number of local authorities and is managed by officers from Carmarthenshire and Swansea. This has helped in reducing the need to print numerous bundles of documents for parties and the courts, saving the service both time and money. In addition it enables all parties to access the documents from anywhere at any time. The court service is in the process of digitisation and in due course it is likely that all bundles will be provided to the court electronically. Bridgend use of the portal will inevitably make adapting to the process of change in the court service a far simpler task.

Our Financial Resources and How We Plan For the Future

Across the UK, councils are facing unprecedented challenges in the face of reduced Government funding and increased demands on essential services. The difficult financial position is set to continue for a number of years to come and in our Medium Term Financial Strategy (MTFS) we estimate that, between 2018-19 and 2022-23, Bridgend County Borough Council could have to make further savings of up to £33 million.

The Council's net budget in 2017-18 was £258 million. To achieve a balanced budget, the Council's budget included savings proposals of £6 million. Of this, £1.8million was related to Social Services and Wellbeing. One of the Council's key principles in developing its Medium Term Financial Strategy is to meet its statutory obligations and direct its resources towards its corporate improvement priorities.

However, the authority has also allocated additional revenue funding for priority areas within social services to the value of £865,000.

The net base budget for Social Services in 2017-18 was £60million. The services have worked very hard toward achieving MTFS savings and contain expenditure within budget. However, the year-end outturn showed Adult Social Care was £534,000 overspent and Childrens Services was £888,000 overspent. It should be noted that Adult Social Care has been subject to over £6.3million MTFS budget reductions over past three years (2015/16 to 2017/18) and Children's Social Care has been subject to over £1.3million MTFS budget reductions over the past three years (2015/16 to 2017/18), whilst the demand on services has remained high.

The Council has robust monitoring and review processes in place to ensure that the MTFS is delivering. Regular reports come into the corporate management board (CMB) and the monthly joint meeting between the Cabinet and CMB. There is a quarterly corporate performance assessment (CPA) which is attended by Cabinet, CMB and heads of service. At this meeting the Directors have to present their performance for the quarter which includes the budget position and progress against the MTFS and this is open to challenge from members of the board.

The service also has the necessary checks and balances in place and service managers and finance work closely to ensure that budgets are effectively managed and monitored. Monthly updates are provided to the director, heads of service and group managers on the budget position and regular finance updates are provided to the two re-modelling boards where progress on the change programme is matched against the savings targets.

In light of the significant budget pressures facing the social services directorate, the service has developed an updated financial plan identifying plans and actions that are being implemented in order to bring the service back to a balanced budget over the next three years. However, it needs to be recognised that the directorate may also be required to find additional MTFS savings over the next three years to contribute to the overall budget pressures facing the Council.

Our Partnership Working, Political and Corporate Leadership, Governance and Accountability

As reported last year, Bridgend continues to be a key partner within the Western Bay Regional Partnership Board. The governance arrangements have been reviewed and amended as the programme has evolved and new legislation introduced to ensure robust decision-making processes. At the time of writing this report there is an independent review of the current arrangements and this will take account of the potential changes required to the regional arrangements if there is a change to the Health Board boundary.

The groups and boards for the various strands of the programme include officers from all partner organisations, including the third sector and these groups are used to share health and social care intelligence in order to inform changes, which will improve delivery of services, care and support. Robust governance arrangements has been a key factor to the success of the Western Bay Programme and demonstrate the commitment to the Key Programmes having a Regional Implementation Manager for each along with a Director as a Sponsor, which helps drive the change at both a strategic and political level. Please see [governance structure](#) and recent report [here](#):



3. Appendix 3 - Western Bay
Western Bay responsGovernance Phase 3

A joint programme office supports and coordinates the partnership arrangements with the necessary allocated resources through a Section 33 Agreement for the Western Bay Programme Office infrastructure, which has been approved by all partners to 2020 demonstrating the commitment to partnership working.

There are a number of other partnership agreements and pooled fund arrangements that have been developed for Western Bay services over the last few years. A major achievement of the partnership was to construct and obtain approval for the Section 33 agreement, established for Intermediate Care Services across Western Bay that is managed through Joint Partnership Boards in Bridgend, Neath Port Talbot and Swansea.

In 2017-18 there has been a focus on producing the Regional Area Plan which sets out the priority areas for integrated working between health and social care. These priorities are set against the key themes of older people, children and young people, mental health, learning disability and autism and carers.

In December 2017, Welsh Government issued a consultation entitled 'Effective Partnership Working in Bridgend – Proposed Health Board Boundary Change to Align Decision Making across Health and Local Government'. The consultation closed in March 2018 and at the time of writing this report there is still no announcement confirming the outcome. Bridgend has therefore continued to work in partnership across Western Bay but has also started to develop closer working relationships with the Cwm Taf region in preparation of any potential change. Please see Health Board Boundary Change Council report [here](#):



28.02.18 - Council
HB boundary change

In Bridgend, Cabinet and the corporate management board (CMB) continue to meet informally on a monthly basis which provides the opportunity to oversee the business of the Council, share the overall direction for the Council and make sure that we are promoting the One Council approach so that important issues such as the MTFs, safeguarding and transformation are on the agenda.

We have a simple vision for Bridgend County Borough Council, to 'always act as one Council working together to improve lives.' The corporate plan was reviewed during the year and updated as appropriate and 'Working Together to Improve Lives' sets out the corporate priorities and the direction of travel:

- Supporting a successful economy;
- Helping people be more self-reliant;
- Smarter use of resources.

There is a clear link to the Social Services and Wellbeing Directorate Business Plan which sets out the directorate's priorities for 2018-19.

For social services, 'helping people be more self-reliant' means that we will continue to develop our approaches and practice so that we can appropriately take early steps to reduce and prevent people from becoming vulnerable or dependent on us and our services.

Bridgend County Borough Council takes its role as corporate parents seriously and the Corporate Parenting Committee meets quarterly. There are also Overview and Scrutiny committees.

Links to all of the 2017-18 Cabinet, Council, Corporate Parenting and Overview and Scrutiny Committee reports and minutes that relate to social care can be accessed *Please find attached the link to all reports here:*

<https://democratic.bridgend.gov.uk/ieDocHome.aspx?Categories>

As mentioned, there is a quarterly corporate performance assessment (CPA) meeting which is attended by Cabinet, CMB, Scrutiny Chairs and heads of service. At this meeting, the Directors have to present their performance for the quarter which includes the budget position, performance against business plan actions and targets, sickness and progress against the MTFs and this is open to challenge from members of the board. Specifically, the CPA monitors:







- the Council's improvement priorities and its commitments which are set out in the corporate plan, which can be accessed through the Council's website, please see link here:
<https://www.bridgend.gov.uk/my-council/council-priorities-and-performance/documents-and-key-publications/>
- key success indicators-measures and service actions that are linked to national and directorate performance indicators and progress against directorate priorities;
- the budget allocated to each directorate and the progress against savings-targets;
- corporate risks.







The Corporate Director of Social Services and Wellbeing, with the two heads of service continue to meet with all of the social services and wellbeing managers plus representatives from Legal, Human Resources and Finance. This ensures open








communication and updates on national, regional and local matters. It is important that staff feel part of this process and are able to contribute to the ongoing development of the service and also to recognise the hard work and achievements collectively and as individuals. The Director also meets regularly with front line staff and carries out a number of service visits throughout the year.




DRAFT

6. Accessing Further Information and Key Documents

Page Reference	Description	Evidence Link
Page 5	Link to The Parliamentary Review of Health and Social Care in Wales	https://beta.gov.wales/review-health-social-care?lang=en
Page 5	Early Help Scrutiny Report	 16.04.18 - Early Help and Childrens Social C http://democratic.bridgend.gov.uk/documents/s15119/Early%20Help%20and%20Childrens%20Social%20Care.pdf?LLL=0
Page 5	MASH Cabinet Report	 31.10.17 - MASH Cabinet Report Final. http://democratic.bridgend.gov.uk/documents/s13564/MASH%20Cabinet%20Report%20Final%20report%2024.10.17.pdf?LLL=0
Page 5 & 15	Children's Residential Care Cabinet Report	 27.02.18 - Children's residential care.pdf http://democratic.bridgend.gov.uk/documents/s14701/180227%20%20Childrens%20Residential%20Remodelling.pdf?LLL=0
Page 8	Advocacy Evaluation Report	 BVC Evaluation - IPA Pilot April 2018.docx. http://democratic.bridgend.gov.uk/documents/s15970/P8%20-%20Advocacy%20Evaluation%20Report.pdf
Page 10	Social Services & Wellbeing Business Plan	 SSWB Business plan 2018-19 following Sc http://democratic.bridgend.gov.uk/documents/s15012/Appendix%20A%20-%20Business%20plan%202018-19%20SSWB.pdf?LLL=0
Page 12	Social Services Representations and Complaints Annual Report 2017-18	 17.07.18 - Complaints Annual Report - Apper

Page Reference	Description	Evidence Link
Page 15	Quality Assurance Framework	 Assuring Quality Framework and Guide http://democratic.bridgend.gov.uk/documents/s16013/P15%20Quality%20Assurance.pdf
Page 18	Extra Care communication Strategy and newsletter	 Extra Care Communication Strate http://democratic.bridgend.gov.uk/documents/s15973/P18%20Extra%20Care%20communication%20Strategy.pdf  ECH Newsletter February 2018.pdf http://democratic.bridgend.gov.uk/documents/s15974/P18%20Extra%20Care%20Newsletter.pdf
Page 19	Prevention and Wellbeing Scrutiny Report	 07.03.18 - Prevention and Wellb http://democratic.bridgend.gov.uk/documents/s14812/07.03.18%20-%20Prevention%20and%20Wellbeing%20Services%20-%2007th%20March%202018.pdf?LLL=0
Page 20	Link to the Western Bay Safeguarding Board	http://www.wbsb.co.uk/
Page 23	Reinvigorating Social Work Strategy and Word Cloud	 BCBC v2 Traning Plan 2017-18.docx http://democratic.bridgend.gov.uk/documents/s15976/P22%20Reinvigorating%20Social%20Work%20Strategy.pdf  Wrd Cloud Social Work.docx http://democratic.bridgend.gov.uk/documents/s15975/P22%20Reinvigorating%20Social%20Work%20Strategy%20-%20Word.pdf

Page Reference	Description	Evidence Link
Page 24	Children's Leadership development programme IPC	 Bridgend CBC Children's Services Le http://democratic.bridgend.gov.uk/documents/s15977/P23%20Childrens%20Leadership%20development%20programme%20IPC.pdf
Page 24	Children's Social Care: Outcome focused practice training programme	 Outcome focused practice training prog http://democratic.bridgend.gov.uk/documents/s15978/P23%20Childrens%20Social%20Care%20-%20Outcome%20focused%20practice%20training%20programme.pdf
Page 24	Building Resilient Communities Draft Development Plan	 building resilient communities draft (3).
Page 28	Children's Social Care – University Fees Cabinet Report	 30.01.18 Childrens Social Care Uni Fees.1 http://democratic.bridgend.gov.uk/documents/s14516/180130%20Childrens%20Social%20Care.pdf?LLL=0
Page 30	Outline Dementia Programme	 Dementia Care Programme.docx http://democratic.bridgend.gov.uk/documents/s15977/P23%20Childrens%20Leadership%20development%20programme%20IPC.pdf  Dementia Care Training Programme c http://democratic.bridgend.gov.uk/documents/s15978/P23%20Childrens%20Social%20Care%20-%20Outcome%20focused%20practice%20training%20programme.pdf
Page 30	Mental Health Professionals Training Programme	 Mental Health DoLs training.docx http://democratic.bridgend.gov.uk/documents/s15981/P29%20Mental%20Health%20DOLS%20programme.pdf

Page Reference	Description	Evidence Link
Page 33	Western Bay Governance Structure and recent report	 3. Appendix 3 - Western Bay respons http://democratic.bridgend.gov.uk/documents/s15982/P31%20Western%20Bay%20Governance%20Structure.pdf  Western Bay Governance Phase 3 http://democratic.bridgend.gov.uk/documents/s15983/P31%20Western%20Bay%20Governance%20Structure%20Diagram%20.docx.pdf
Page 34	Health Board Boundary Change Council Report	 28.02.18 - Council HB boundary change http://democratic.bridgend.gov.uk/documents/s14764/28.02.18%20-%20Council%20HB%20boundary%20change%20consultation.pdf?LLL=0
Page 34	All Council Reports Link	https://democratic.bridgend.gov.uk/ie/DocHome.aspx?Categories
Page 35	Corporate Plan Website Link	https://www.bridgend.gov.uk/my-council/council-priorities-and-performance/documents-and-key-publications/

7. Glossary

- **ABMU** – Abertawe BroMorgannwg University Health Board
- **Adult Safeguarding** – Protection of vulnerable adults (POVA) which can involve action taken to prevent or minimise the risk of harm and also includes intervention to investigate situations where harm and/or abuse has been experienced by a vulnerable person. POVA is a multi-agency framework in place to safeguard vulnerable adults from abuse. A vulnerable adult is someone aged 18 or over who is, or may be, in need of community care services because of mental or other disability, age or illness and be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation. Bridgend adheres to the Wales Interim Policy and Procedures for the Protection of Vulnerable Adults from Abuse. This policy is signed up to by all statutory agencies. This means that the Authority has a firm agreement where all organisations work closely together to protect the person who may be being abused or be at risk of significant harm. Adult Social Care lead and co-ordinate the actions taken alongside our partner agencies, amongst which are ABM Health Board and South Wales Police.
- **Advocacy** - Section 181(2) of the Social Services and Wellbeing (Wales) Act 2014 defines “advocacy services” as: services which provide assistance (by way of representation or otherwise) to persons for purposes relating to their care and support. Part 10 of the 2014 Act sets out the requirements for local authorities in relation to advocacy, which are to:
 - Ensure that access to advocacy services and support is available to enable individuals to engage and participate when local authorities are exercising their statutory duties in relation to them; and
 - To arrange an independent professional advocate to facilitate the involvement of individuals in certain circumstances.
 - An advocate is defined as an ‘appropriate individual’ who can speak on behalf of someone who is facing barriers to communicating or understanding, weighing-up, or deciding on information related to services that they receive. Advocacy services come in a variety of forms, and range from informal, peer and voluntary advocacy through to the provision of paid and professional advocates.
- **Anticipatory Care Planning (ACP)** - is an approach to proactive planning with individuals, who have been identified as being at risk of losing their independence due to illness, increasing frailty or disability; it gives them the opportunity to participate in a co-produced planning process that will help them to make decisions about future care and support. This approach helps to improve the quality of the experience for people by minimising the need for crisis intervention through proactive planning.
- **BAVO** – Bridgend Association for Voluntary Organisations
- **Better at Home service** – see **Reablement below**
- **Child Protection** - All public and voluntary organisations in Bridgend County Borough are committed to safeguarding the welfare of children and young people and rely on members of the public to report concerns to them. Any concerns raised about a child being abused are reported to the on-duty social worker.
- **Child Sexual Exploitation (CSE)** - this is the coercion or manipulation of children and young people into taking part in sexual activities. It is a form of sexual abuse involving an exchange of some form of payment which can include money, mobile phones and other items, drugs, alcohol, a place to stay, “protection” or affection. The vulnerability of the young person and grooming process employed by

perpetrators renders them powerless to recognise the exploitative nature of relationships and unable to give informed consent. (All Wales Protocol CSE 2008)

- **Common Access Point** - an integrated team within the Community Resource Team. Citizens carers and professionals can access Information advice and support via one contact telephone number. A Multidisciplinary Team makes decisions about the most appropriate priority and pathway required to deliver the best outcomes for individuals and will liaise with the appropriate service to facilitate access to enabling short term assessment and acute clinical services.
- **Community Network (Hub)** - A system of empowered localities in the form of Locality Networks which will be developed around natural communities as a key platform for local service planning and delivery. They will be built around Primary Care, Community and Social Care teams, working together across agreed populations to plan and deliver integrated, core, out-of-hospital services.
- **Community Resource Team** - A joint ABMUL HB and BCBC resource team serving the Bridgend community networks. The Community Resource Service is a multi-disciplinary, multi-agency team established to respond to the individual needs of people who are frail or have physical disabilities or long term chronic conditions to avoid inappropriate hospital admissions and facilitate earlier hospital discharge. The team provides community support ranging from just a few days to up to six weeks. The focus is on short term interventions to support people to remain at home outside long-term hospital settings.
- **CIW** - Care Inspectorate Wales (CIW) - CIW is part of the Welsh Government. They are responsible for regulating, inspecting and reviewing social care services and standards.
- **Dementia Friendly Communities** – this is a city, town or village where people with dementia are understood, respected, supported, and confident they can contribute to community life.
- **Deprivation of Liberty Safeguards (DoLS)** - The Deprivation of Liberty Safeguards were introduced in April 2009 to meet the requirements of the Mental Capacity Act, 2005. They provide protection for individuals who lack capacity and are therefore unable to consent to necessary care or treatment regimes, which may necessitate depriving them of their liberty to protect them from harm.
- **DEWIS** - this is the national citizen portal for wellbeing information in Wales and it is the place to go if practitioners or a member of the public want information and advice about wellbeing or want to know how you can help someone else. It provides a single point of information for citizens and for professionals; everyone can contribute information about resources in their area. As this develops across Bridgend, DEWIS will hold both national and local information that can be easily accessed and will assist in provision of advice and information for all.
- **Direct Payments** - Social Services can provide a cash payment directly to people whose needs have been assessed by Social Services as being eligible to receive services, so they can arrange and purchase their own support. They might use the money to:
 - employ someone directly to help with their care (a Personal Assistant)
 - buy care from a private registered care agency
 - make their own arrangements instead of using Social Services day care or respite care
- **Extracare Housing** - is one of a number of options for an older person who needs personal care or other type of support, but who wants to retain a degree of independence and is able to live safely on their own. An Extra Care Housing Scheme is usually a group of flats built on the same site (some providers offer bungalows), providing specialised accommodation and support services 24 hours a

day. The accommodation can be rented or bought, both by an individual and by a couple. Older people living in them enjoy the freedom of having their own front door and the peace of mind from knowing staff are available if they are needed.

- **Information Advice and Assistance service** – As part of the Social Services and Well-being (Wales) Act 2014, which provides the legislative basis for social services in Wales from 6th April 2016, there is a requirement for the provision of information, advice and assistance - local authorities, with the assistance of Local Health Board partners, must secure the provision of a service for providing people with information and advice relating to well-being, care and support in their area, and (where appropriate) assistance in accessing these.
- **Local Community Co-ordination (LCC)** - LCC is an approach to supporting people who are vulnerable through disability, age, ill health or adverse life events to live good lives in their communities. It helps people to draw support from their communities by working to increase both the capacity of individuals and of communities. LCC works as a single, local point of contact supporting people in their community.
- **MASH** - Multi Agency Safeguarding Hub. This is an integrated approach where a number of agencies work together in one place, sharing information and making collaborative decisions. Interventions are put in place at the earliest opportunity across the MASH partnership. A MASH focuses on vulnerability for the purpose of Safeguarding children and vulnerable adults. It does this by receiving referrals from professionals and from the public. The outcomes of this process inform the level of risk to the vulnerable person and can escalate or de-escalate the concern so that appropriate action is taken. A MASH is a confidential environment, which means that all material, sensitive or not, can be revealed to another agency to decide what approach is needed by frontline staff. A MASH provides the opportunity for agencies to do this better by providing all professionals with more information on which to make better decisions.
- **Reablement** – This is critical to supporting timely discharge from hospital (Also known as Step Down support). The Western Bay model is based on supporting effective safe discharge from hospital either into a residential or community based reablement service. Timely discharge is supported within Bridgend with the service known as Better at Home. This provides a short term bridging care service that supports people with levels of care whilst they wait for either the initiation of a reablement service or the restart of a current package of care; this can be usually up to 5 days, depending on the complexity of the discharge. Although, if someone has only been in hospital a short time their existing care package can usually be re-instated within 3 days. Step up reablement provides a therapy led service that aims to address deterioration in the person's condition, putting an individual's independence and ability to remain at home at risk.
- **Rota visiting** - It is important that Members contribute to the safeguarding of our vulnerable adults, children and young people and help to ensure that the quality of care provided is appropriate. It is essential that opportunities are presented for Members to meet with people who receive services from us to listen to their views. There is a programme of rota visits to the children's and adults' social care establishments and that the programme includes independent sector adult and children's establishments. Members undertake visits in pairs and written reports are submitted by them for noting or action.
- **Social Services and Wellbeing (Wales) Act 2014** - The Social Services and Wellbeing (Wales) Act 2014 received Royal Assent in May 2014. It provides a legal framework for the policy aims of the Welsh Government in relation to social

services, bringing together Local Authorities' duties and functions. The Act has two key policy objectives:

- To improve the well-being outcomes for people who need care and support and
- To reform social services law.

It seeks to:

- Transform the way in which social services are delivered, primarily through promoting people's independence and giving them a stronger voice and control;
 - Promote partnership working in social care;
 - Enhance the preventative role of social care and health, setting out overarching wellbeing duties to reduce or delay the need for care and support.
- **Telecare** – Our vision for Telecare services in Bridgend County Borough: *'A person is able to access and use Telecare as the part of a care plan or a preventative measure which enables them to continue to live in and perform daily tasks within their home irrespective of the limitations imposed by their frailty or disability'*. Equipment is provided to support the individual in their home and tailored to meet their needs. It can be as simple as the basic community alarm service, able to respond in an emergency and provide regular contact by telephone. As well as responding to an immediate need, Telecare can work in a preventative mode, with services programmed to monitor an individual's health or well-being. Often known as lifestyle monitoring, this can provide early warning of deterioration, prompting a response from family or professionals. The same technology can be used to provide safety and security through bogus caller and burglar alarms.
 - **Third Sector** – in contrast to the public sector and the private sector, the Third Sector can be defined as the "not for profit" sector or the voluntary sector. The Third Sector is identified as a key partner in the delivery of preventative services; able to work effectively in the community supporting people in social settings and with creative and enterprising activities, maintaining their independence and delaying or reducing escalation to higher levels of managed care and support.
 - **Transition** – Definition: "Transition may be defined as the life changes, adjustments, and cumulative experiences that occur in the lives of young adults as they move from school environments to independent and living environments" (Wehman, 2006). The National Service Framework for Children, Young People and Maternity Services in Wales 2005 states "Young people who require continuing services, such as those who are disabled or chronically ill, young people with persistent mental illness or disorders, vulnerable young people and their families and carers, and care leavers, are offered a range of coordinated multi agency services, according to assessed need, in order to make effective transition from childhood to adulthood"
 - **Western Bay Health and Social Care Regional Collaboration** - This is a collaborative programme between Bridgend, Swansea, and Neath/Port Talbot Local Authorities together with the ABMU Health Board.
 - **When I am Ready** - this is a scheme which came into force on the 6th April 2016 through the Social Services and Well-Being (Wales) Act 2014(SSWBA). The scheme was developed by the Welsh Government in partnership with local government and key third sector partners to enable eligible care leavers to have the option of continuing to live with their foster carers once they attain 18 years of age.

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

18 JULY 2018

REPORT OF THE MONITORING OFFICER

REVIEW OF POLITICAL BALANCE – CHANGES TO COMMITTEE MEMBERSHIP

1. Purpose of Report.

1.1 The purpose of this report is to:

- advise Council of the outcome of a review of the political balance of the Authority resulting from changes to the membership of the Independent Alliance Group.
- seek approval of the revised political balance.
- receive a nomination from the Plaid Cymru Group to sit on Subject Overview and Scrutiny Committee 2 and for the Llynfi Independents Group to relinquish a seat on that Committee, to reflect a required change in the political balance of Committees.

2. Connection to Corporate Improvement Plan / Other Corporate Priority.

2.1 This report supports all of the Corporate Priorities:

1. **Supporting a successful economy** – taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.
2. **Helping people to be more self-reliant** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
3. **Smarter use of resources** – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background.

- 3.1 The Council is required by legislation and the provisions of Part 4 of the Rules of Procedure (Council Procedure Rules) of the Constitution, to undertake arrangements which will continue to facilitate and carry out the decision making processes of the Authority. On 16 May 2018 Council, at its Annual Meeting, approved the political balance and made appointments to Committees to reflect the political make-up of the Authority.
- 3.2 There has been a recent change in respect of the membership of the Independent Alliance Group, whereby Councillor R Stirman has resigned from the Group and will

now sit as a stand-alone Independent member. This does not affect the seats currently allocated to Councillor Stirman whereby she will remain a member of the Development Control Committee and Subject Overview and Scrutiny Committees 1 and 3.

- 3.3 On reviewing the political balance of Committees, it has also been necessary to adjust the number of seats on Committees, whereby the Llynfi Independents Group is required to relinquish a Committee seat and for it to be allocated to the Plaid Cymru Group.

4. Current situation / proposal.

- 4.1 The political composition of Council is now as follows:

Group	No of Cllrs	Percentage
Labour	26	48.15
Independent Alliance	10	18.52
Conservative	8	14.81
Llynfi Independents	3	5.56
Plaid Cymru	3	5.56
Independent (JHT)	1	1.85
Independent (RS)	1	1.85
Independent (JW)	1	1.85
Independent (KJW)	1	1.85
Totals	54	100

- 4.2 Following the review of political balance the membership of committees has been updated to reflect the composition of Council accordingly. The updated political balance figures are shown at **Appendix 1** of the report. The variation of the political balance is between -0.04 seats and + 0.65 seats.

- 4.3 The change required to committee membership to reflect the revised political balance is as follows:

- 4.3.1 Labour
No change

- 4.3.2 Conservative
No change

- 4.3.3 Independent Alliance
The Independent Alliance Group is required to relinquish a seat on each of the following Committees:

Development Control Committee
Subject Overview and Scrutiny Committee 1
Subject Overview and Scrutiny Committee 3

These seats will be maintained by Councillor R Stirman as an Independent member, as opposed to an Independent Alliance member.

- 4.3.4 Plaid Cymru
To gain one seat on Subject Overview and Scrutiny Committee 2.

4.3.5 Llynfi Independents

To relinquish one seat on Subject Overview and Scrutiny Committee 2.

4.4 Group Leaders have been informed of these proposals and have not raised any objections or concerns.

5. Effect upon Policy Framework & Procedure Rules.

5.1 The provisions and recommendations of the report accord with the Council's Constitution.

6. Equality Impact Assessment.

6.1 There are no equality implications arising from this report.

7. Well-being of Future Generations (Wales) Act 2015 Implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial Implications.

8.1 There are no financial implications.

9. Recommendations.

9.1 Council is recommended to:-

- (1) note the change to the political composition of the Council;
- (2) approve the allocation of seats to political groups in accordance with the political balance rules as set out in **Appendix 1** of the report;
- (3) receive a nomination from the Plaid Cymru Group to sit on Subject Overview and Scrutiny Committee 2 and appoint the nomination to the Committee to replace the relinquished Llynfi Independents seat.

K Watson

Head of Legal and Regulatory Services & Monitoring Officer

29 June 2018

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Background documents: None.

Committee	Total	Labour			Conservative			Independent Alliance			Llynni Independents			Plaid Cymru		
		No	%	Change	No	%	Change	No	%	Change	No	%	Change	No	%	Change
Appeals	12	6	50.00		1	8.33		2	16.67		1	8.33		1	8.33	
Appointments Committee	6	3	50.00		1	16.67		1	16.67		0	0.00		1	16.67	
Audit Committee	12	6	50.00		2	16.67		3	25.00		1	8.33		0	0.00	
Democratic Services Committee	11	5	45.45		2	18.18		3	27.27	-1	0	0.00		1	9.09	
Development Control Committee	18	9	50.00		2	11.11		3	16.67		1	5.56		1	5.56	
Licensing Act 2003 Committee	14	7	50.00		2	14.29		2	14.29		1	7.14		1	7.14	
Licensing Committee	14	7	50.00		2	14.29		2	14.29		1	7.14		1	7.14	
Town & Community Council Forum	19	9	47.37		3	15.79		4	21.05		1	5.26		0	0.00	
Scrutiny 1	16	7	43.75		2	12.50		3	18.75	-1	1	6.25		0	6.25	
Scrutiny 2	16	8	50.00		3	18.75		4	25.00		0	0.00	-1	1	6.25	1
Scrutiny 3	16	8	50.00		2	12.50		2	12.50	-1	1	6.25		1	6.25	
Scrutiny 4 Corporate	12	6	50.00		2	16.67		2	16.67		1	8.33		1	8.33	
Totals	166	81	48.80	0	24	14.46		31	18.67		9	5.42		9	5.42	
Councillors	54	26	48.15		8	14.81		10	18.52		3	5.56		3	5.56	
Variation as %			0.65			-0.36			0.16			-0.13			-0.13	
Variation as Seats(1% = 1.66 seats)	1.66		0.39			-0.59			0.26			-0.22			-0.22	

allocated	difference
12	0
6	0
12	0
11	0
18	0
14	0
14	0
19	0
16	0
16	0
16	0
12	0

Committee	Total	Independent			Independent			Independent			Independent Conservative		
		JH Tildesley			R Stirman			J Williams			K Watts		
		No	%	Change	No	%	Change	No	%	Change	No	%	Change
Appeals	12	1	8.33		0	0.00		0	0.00		0	0.00	
Appointments Committee	6	0	0.00		0	0.00		0	0.00		0	0.00	
Audit Committee	12	0	0.00		0	0.00		0	0.00		0	0.00	
Democratic Services Committee	11	0	0.00		0	0.00		0	0.00		0	0.00	
Development Control Committee	18	0	0.00		1	5.56	+1	0	0.00		1	5.56	
Licensing Act 2003 Committee	14	0	0.00		0	0.00		1	7.14		0	0.00	
Licensing Committee	14	0	0.00		0	0.00		1	7.14		0	0.00	
Town & Community Council Forum	19	1	5.26		0	0.00		0	0.00		1	5.26	
Scrutiny 1	16	0	0.00		1	6.25	+1	1	6.25		1	6.25	
Scrutiny 2	16	0	0.00		0	0.00		0	0.00		0	0.00	
Scrutiny 3	16	1	6.25		1	6.25	+1	0	0.00		0	0.00	
Scrutiny 4 Corporate	12	0	0.00		0	0.00		0	0.00		0	0.00	
Totals	166	3	1.81		3	1.81		3	1.81		3	1.81	
Councillors	54	1	1.85		1	1.85		1	1.85		1	1.85	
Variation as %			-0.04			-0.04			-0.04			-0.04	
Variation as Seats(1% = 1.66 seats)	1.66		-0.07			-0.07			-0.07			-0.07	

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

18TH JULY 2018

REPORT OF THE MONITORING OFFICER

AMENDMENT TO THE CONSTITUTION AND SCHEME OF DELEGATION OF FUNCTIONS - REVISED CONTRACT PROCEDURE RULES

1. Purpose of report

1.1 The purpose of this report is to seek approval to:

- amend the Constitution to incorporate the revised Contract Procedure Rules; and
- amend the Scheme of Delegation of Functions as set out in paragraph 4.4 of this report.

2. Connection to corporate improvement objectives/other corporate priorities

2.1 This report assists in the achievement of the following Corporate Priority:

Smarter use of resources – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities. It ensures that services are delivered more efficiently and focuses on collaboration and partnership in the delivery of services and maintain strong and sustainable financial performance. Contract Procedure Rules are the internal regulations which govern how contracts for goods, services and works are let. They offer standard procedures which aim to safeguard the Council in terms of risk and compliance with UK and European legislation.

3. Background

- 3.1 The Council is in the process of a corporate procurement review. As part of the review, the Contract Procedure Rules, which form part of the Council's Constitution, have been reviewed and updated.
- 3.2 The Contract Procedure Rules contain the rules and guidelines for procuring goods, services and works. They are designed to ensure compliance with UK and European law, ensure best practice is followed and best value is achieved in the use of public funds.
- 3.3 Due to the implementation of the Public Contract Regulations 2015, the Council's Contract Procedure Rules need to be updated to ensure they are fit for purpose and are compliant with the new legislation.
- 3.4 During the review of the Contract Procedure Rules key officers involved in the procurement of goods, services and works have been consulted.

4. Current situation/proposal

- 4.1 A number of changes have been made to the existing Contract Procedure Rules to ensure compliance with the provisions of the Public Contracts Regulations 2015 and to modernise the way the Council procure goods, services and works. On 19th June 2018, Cabinet approved the revised Contract Procedure Rules (attached as **Appendix 1**) to take effect from 1st August 2018.
- 4.2 The revised Contract Procedure Rules now need to be incorporated into the Constitution.
- 4.3 The following documents are attached as appendices to the Contract Procedure Rules :
- Form of Tender (**Appendix 2**)
 - Summary of Advertising (**Appendix 3**)
 - Procurement Report Contents Checklist (**Appendix 4**)
 - Pre-Tender Client Information Sheet (**Appendix 5**)
- 4.4 Scheme of Delegation of Functions
- 4.4.1 In order to maintain effective decision making processes, the following amendments are required to the Council's Scheme of Delegation of Functions in relation to Council functions allocated to each Chief Officer:

Scheme B2

1.3	<p>In respect of any contract having an estimated value not exceeding £1,000,000:</p> <p>(a) To authorise the invitation of tenders;</p> <p>(b) To accept the most economically advantageous tender received and enter into a Contract, or the highest tender received where payment is to be received by the Council and enter into a Contract.</p> <p>(c) To authorise invitation of tenders, to accept a tender or enter into a Contract in accordance with any exemption under the Council's Contract Procedure Rules.</p> <p>(d) To authorise invitation of tenders, to accept a tender or enter into a Contract in accordance with any permitted waiver under the Council's Contract Procedure Rules.</p>
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- 4.4.2 A report was presented to Cabinet on 19th June 2018 proposing similar changes to the Scheme of Delegation of Functions for Executive decisions.

5. Effect upon policy framework and procedure rules

5.1 The Contract Procedure Rules are a fundamental part of the Council's Constitution.

5.2 The Scheme of Delegation of Functions will require amendment as shown above.

6. Equality Impact Assessment

6.1 Although there are no direct impacts, the Constitution as the key governance framework document for the Authority is critical in demonstrating commitment to the Authority's duties under the Equality Act 2010.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievements of well-being goals/objectives as a result of this report.

8. Financial implications

8.1 There are no financial implications regarding this report.

9. Recommendation

9.1 It is recommended that Council:

- Note the revised Contract Procedure Rules to take effect from 1st August 2018;
- Approve the amendment to the Constitution to incorporate the revised Contract Procedure Rules;
- Approve the amendment to the Scheme of Delegations as set out in paragraph 4.4 of this report.

Kelly Watson
Head of Legal and Regulatory Services
18th July 2018

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Background documents: None

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Bridgend County Borough Council

Contract Procedure Rules

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1. Interpretation

In these Contract Procedure Rules:-

“the Cabinet” means the Executive established under Part II of the Local Government Act 2000.

“the Cabinet Functions” means the functions for which the Cabinet is responsible.

“the Cabinet Members” means the Executive Leader and the members of the executive.

“the Appropriate Chief Officer” means whichever of the following is responsible in any particular case for inviting tenders or placing an official order:-

- The Chief Executive
- The Corporate Director – Operational and Partnership Services
- The Corporate Director – Education and Family Support
- The Corporate Director – Social Services and Wellbeing
- The Corporate Director – Communities.

This definition also includes any Officer to which functions have been delegated under the Council’s Scheme of Delegation

“the Appropriate Body” means the Cabinet, and any committee, panel or other body to which power has been delegated to accept tenders for Contracts of the category for which tenders are to be or have been invited.

“the Chief Audit Officer” means the Head of Audit Service for the Council.

“the Chief Finance Officer” means the nominated Section 151 officer under the Local Government Act 1972 for the time being having statutory responsibility for the administration of the Council's financial affairs.

“Community Benefits” shall include any benefit to the local community which does not directly positively impact on the operation of the Council. This can include the provision of additional facilities/resources or the training of primarily inactive people through programmes which may include apprenticeships. “Core” benefits are those which are directly related to the purpose of the Contract and can be measured as an outcome. “Non-Core” benefits are those which are not essential in the delivery of the service and will not be assessed as part of the tender evaluation process.

“Contract” means any form of Contract or agreement entered into by the Council with any other party for the supply of goods, services or works, or any combination thereof.

“Contractor” means any person or organisation that undertakes a Contractual relationship with the Council.

“Contract Value” means the total value of the Contract over the whole term of the Contract. If there is no total price then the value of the Contract is to be calculated on the expected aggregate spend over the four year period, if there is no fixed term for the Contract. In the case where there is a Contract term but no total price then the value of the Contract is to be calculated on the expected expenditure over the whole Contract period, in accordance with the Public Contracts Regulations 2015. All Contract values are exclusive of VAT.

The “Corporate Procurement Manager” means the lead Officer for the Corporate Procurement Unit, who has functional responsibility for the delivery of Procurement strategy and guidance.

“Corporate Contracts Register” means a live database of contracts let by the Council.

“Data Protection Legislation” means (i) the GDPR and any applicable national implementing Law, as amended from time to time; (ii) the Data Protection Act 2018 (subject to Royal Assent) to the extent that it relates to processing of personal data and privacy; and (iii) all applicable Law about the processing of personal data and privacy;

“EU” means the European Union.

“Form of Tender” means a covering document signed by the tenderer to indicate that it understands the tender and accepts various terms and conditions and other requirements of participating in the exercise a copy of which is attached at Appendix 3 to these Contract Procedure Rules

“Framework Agreement” means an agreement between one or more Contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing Contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.

“GDPR” means the General Data Protection Regulation (Regulation (EU) 2016/679);

“Internal Providers” means an organisation managed, funded and staffed by the Council, which provides a service to various directorates and schools as its core business.

“the Monitoring Officer” means the officer for the time being designated as such under Section 5 of the Local Government and Housing Act 1989.

“Most Economically Advantageous Tender” (MEAT) means criterion which enables the Council to take account of criteria that reflect qualitative, technical and sustainable aspects of the tender submission as well as price when reaching an award decision

“Parties” means collectively the Council and any other party or more than one party entering into a Contract or agreement.

“Pre-tender Client Information Sheet” means a document that requires completion by the client before going out to tender or to obtain quotations a copy of which is attached at Appendix 2 to these Contract Procedure Rules.

"Trade Journal" means a newspaper or journal circulating among such persons or bodies as undertake Contracts of the category for which tenders are to be invited.

Words importing the singular shall include the plural and vice versa.

Any reference to any statutory provision shall include reference to any statutory modification amendment or re-enactment thereof and any subordinate legislation made under them.

2. COMPLIANCE WITH CONTRACT PROCEDURE RULES AND RELEVANT EUROPEAN AND UK LEGISLATION

2.1 Every Contract for the sale, purchase or hire of goods by or the carrying out of works or provision of services for the Council shall comply with:

(a) the Council’s Constitution, including in particular Financial Procedure Rules, Scheme of Delegation, Council’s Contract Procedure Rules and the Corporate Procurement Strategy;

(b) all relevant statutory provisions including in particular, but not limited to, the Local Government Act 1988 Part II, the Local Government (Contracts) Act 1997, the Local Government Act 1999 Part I, and the Public Contracts Regulations 2015

(c) Achieve Value for Money for public money spent (Most Economically Advantageous Tender);

(d) Be consistent with the highest standards of integrity, having regard to The Bribery Act 2010 and The Competition Act 1998

(e) Ensure fairness in allocating public Contracts;

(f) Comply with all legal requirements_in particular_any relevant EU law, EU Treaty, and EU public procurement Directives as implemented in the legislation of England and Wales;

(g) Comply with the Equality Act 2010;

(h) Comply with the Modern Slavery Act 2015

(i) Comply with relevant employment legislation

(j) Support the Council’s corporate and departmental aims and policies and Comply with any council policy

(k) Comply with Data Protection Legislation

(l) Apply the Welsh Government approved Supplier Qualification Information Database (SQuID) approach as standard to Supplier selection

- 2.2 For the avoidance of doubt, the Appropriate Chief Officer shall ensure that where the estimated Contract Value or amount of a proposed Contract (or series of Contracts) is likely to be equal to or to exceed the thresholds set by the EU for the public procurement Contracts referred to in Rule 2.1 above, then the tendering procedures to be adopted must be in accordance with the relevant EU Directive, and any statutory provision relating thereto.
- 2.3 Where an invitation to tender is in excess of £100,000 for goods and services and £250,000 for works the appropriate Service budget holder shall prepare the relevant part of the Pre-tender Client Information Sheet and submit to the Corporate Procurement Manager and Chief Finance Officer for approval.
- 2.4 The procurement of goods, services or works shall not be divided into more than one Contract where that would result in the avoidance of the Contract Procedure Rules or would affect the application of the Contract Procedure Rules. This Rule shall, however, not be construed as to avoid the requirements relating to “lots” under the Public Contracts Regulations 2015.
- 2.5 The procurement of goods, services and works shall not be artificially over estimated or under-estimated which would result in either the avoidance of the Contract Procedure Rules or which would affect the application of the Contract Procedure Rules.
- 2.6 It shall be a condition of Contract between the Council and any person (not being an Officer of the Council) who is required to supervise a Contract on its behalf that, in relation to such Contract, s/he shall comply with the requirements of these Contract Procedure Rules and the Council's Financial Procedure Rules as if s/he were an Appropriate Chief Officer.
- 2.7 The Monitoring Officer with the agreement of the Chief Finance Officer may issue procurement guidance or protocols, and all Chief Officers and any person who is required to supervise a Contract on behalf of the Council shall have due regard to any such guidance or protocol.
- 2.8 The award of work to Internal Providers is not covered by or subject to these Rules. Any work subsequently awarded by the internal provider to Sub-Contractors will be let in accordance with these Contract Procedure Rules.
- 2.9 Any failure by officers to comply with any of the provisions of these Contract Procedure Rules or associated guidance adopted by the Council may result in disciplinary action.
- 2.10 Any procurement carried out on behalf of the Council may only be undertaken by officers with the appropriate delegated authority to carry out such tasks as set out in the Council's Scheme of Delegation contained within the Council's Constitution.

3. EXEMPTIONS AND WAIVER

Exemptions

- 3.1 Exemption from any of the following provisions of these Contract Procedure Rules may be made:-
 - 3.1.1 In an emergency situation in which injury or damage to persons or property is threatened in which case the Appropriate Chief Officer may take any necessary action but must report the circumstances and the action taken to the next meeting of the Appropriate Body.
 - 3.1.2 For the acquisition or disposal of land, unless it involves a development agreement which would require a tender process.
 - 3.1.3 In the case of Contracts for services entered into in pursuance of powers under the National Health Service and Community Care Act 1990, the Children Act 1989 , Children's (Leaving Care) Act 2000 for the benefit of an individual client, the Corporate Director Social Services and Wellbeing, insofar as it is consistent with the law, will make appropriate arrangements for provision.
 - 3.1.4 In the case of professional arrangements between the Councils Solicitor and Counsel or external Solicitors, the Corporate Director - Operational and Partnerships Services will not be expected to comply with the requirements of this Rule when instructing and briefing Counsel or Solicitors. The Corporate Director - Operational and Partnerships Services will make arrangements to ensure that a record is kept of all such instructions or briefs together with a record of Counsel's/ Solicitors fees.
 - 3.1.5 Where goods, services and works are procured by another public body on behalf of the Council or through collaborative arrangements awarded via the National Procurement Service or by the Council through a Contract properly let by another such organisation, then those organisations Procurement / Contract Procedure Rules will apply subject to compliance with European Union and Procurement Law of England and Wales.
 - 3.1.6 Where a tendering procedure is prescribed by legislation.
 - 3.1.7 For the carrying out of security works where the publication of documents in accordance with the tendering procedure could prejudice the security of the work to be done, provided the method of tendering has been approved by the Appropriate Body.
 - 3.1.8 Contracts which can only be performed by a statutory undertaker.
 - 3.1.9 Employment Contracts which make an individual a direct employee of the Council.

- 3.1.10 Contracts between entities within the public sector as prescribed in Regulation 12 of the Public Contracts Regulations 2015, including those Contracts where Regulation 12 would be applicable if the Contract Value was not below the financial thresholds specified in or by the Public Contracts Regulations 2015.
- 3.2 Waiver from obtaining quotations or tendering will only apply to the criteria listed in Rules 3.2.1 to 3.2.9 below and any waiver must be obtained, either:
- (a) in respect of any new Contract or the modification of an existing Contract (including any extension of a Contract) from the Appropriate Body where the value of the Contract or modification of a Contract exceeds £100,000; or
- (b) in respect of any new Contract or the modification of an existing Contract (including any extension of a Contract) in accordance with the Council's Scheme of Delegations where the value of the Contract or modification of Contract does not exceed £100,000
- 3.2.1 Where no quotes or tenders have been received in response to the Council's procedure for obtaining competitive offers. This is to include the open procedure, restricted procedure, Competitive Dialogue, Competitive Procedure with Negotiation, Innovative Partnerships procedures where procurement falls within the scope of the Public Contract Regulations 2015 which implement EU Procurement Directives.
- 3.2.2 The Contract involved is purely for the purpose of research, experiment, study or development under the conditions stated in the Public Contract Regulations 2015 which implement EU Procurement Directives
- 3.2.3 The works/goods/services can be provided only by a particular Tenderer. Single tender procedure shall only be permitted when a single firm or Contractor or a proprietary item or service of a special character is required and justified and is due to the needs of the service .
- 3.2.4 Extreme urgency brought about by events unforeseeable by the Council and in accordance with the strict conditions contained in the Public Contracts Regulations 2015 which implement EU Procurement Directives.
- 3.2.5 New works/services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions contained in the Public Contract Regulations 2015 which implement EU Procurement Directives, subject to approval in accordance with Rule 3.4
- 3.2.6 A Contract awarded to the successful tenderer or one of them after a design contest.
- 3.2.7 For supplies quoted and purchased on a commodity market.
- 3.2.8 For the purchase of supplies on particularly advantageous terms from a Supplier which is definitely winding up its business activities, or from the receivers or liquidators of an insolvency, bankruptcy, an arrangement with creditors or a similar procedure.

3.2.9 Contracts and frameworks agreements may be modified without the requirement for a new procurement procedure in accordance with any of the following Rules:

3.2.9.1 Where the modifications in a Contract or Framework Agreement have been provided for in the initial procurement documents in clear, precise and unequivocal review clauses, which may include price revision clauses or options, provided that such clauses:

- (a) state the scope and nature of possible modifications or options as well as the conditions under which they may be used, and
- (b) do not provide for modifications or options that would alter the overall nature of the Contract or the Framework Agreement;

3.2.9.2 Subject to Rule 3.2.9.7 and Rule 3.2.9.8 where the modification(s) in a Contract or Framework Agreement is for additional works, services or supplies by the original Contractor that have become necessary and were not included in the initial procurement, and where a change of Contractor:

- (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, and
- (ii) would cause significant inconvenience or substantial duplication of costs for the Council,

provided that any increase in price does not exceed 50% of the value of the original Contract;

For the purpose of the calculation of the price the updated figure shall be the reference figure when the Contract includes an indexation clause.

3.2.9.3 Where all of the following conditions are fulfilled:

- (i) the need for modification has been brought about by circumstances which the Council having been duly diligent could not have foreseen;
- (ii) the modification does not alter the overall nature of the Contract;
- (iii) any increase in price does not exceed 50% of the value of the original Contract or Framework Agreement.

For the purpose of the calculation of the price the updated figure shall be the reference figure when the Contract includes an indexation clause.

3.2.9.4 Where a new Contractor replaces the one to which the Council had initially awarded the Contract as a consequence of:

- (i) an unequivocal review clause or option in conformity with Rule 3.2.9.1, or
- (ii) universal or partial succession into the position of the initial Contractor, following corporate restructuring, including takeover, merger, acquisition or insolvency, of another economic operator that fulfils the criteria for qualitative selection initially established, provided that this does not entail other substantial modifications to the Contract and is not aimed at circumventing the application of the Public Contract Regulations 2015;

3.2.9.5 Where the modifications, irrespective of their value, are not substantial.

A modification shall be considered substantial where one or more of the following conditions is met:

- (a) the modification renders the Contract or the Framework Agreement materially different in character from the one initially concluded; or
- (b) the modification introduces conditions which, had they been part of the initial procurement procedure, would have—
 - (i) allowed for the admission of other candidates than those initially selected,
 - (ii) allowed for the acceptance of a tender other than that originally accepted, or
 - (iii) attracted additional participants in the procurement procedure;
- (c) the modification changes the economic balance of the Contract or the Framework Agreement in favour of the Contractor in a manner which was not provided for in the initial Contract or Framework Agreement;
- (d) the modification extends the scope of the Contract or Framework Agreement considerably;
- (e) a new Contractor replaces the one to which the Contracting authority had initially awarded the Contract in cases other than those provided for in Rule 3.2.9.4

3.2.9.6 Where the value of the modification is below both of the following values:—

- (a) the relevant applicable financial thresholds contained in the Public Contracts Regulations 2015, and

- (b) 10% of the initial Contract Value for service and supply Contracts and 15% of the initial Contract Value for works Contracts,

provided that the modification does not alter the overall nature of the Contract or Framework Agreement.

Where several successive modifications are made, the value shall be the net cumulative value of the successive modifications and the updated figure shall be the reference figure when the Contract includes an indexation clause.

3.2.9.7 Where several successive modifications are made:—

- (a) the limitations imposed by the proviso at the end of Rule 3.2.9.2 and by Rule 3.2.9.3 (iii) shall apply to the value of each modification; and
- (b) such successive modifications shall not be aimed at circumventing the Public Contracts Regulations 2015.

3.2.9.8 Where the Council has modified a Contract in accordance with Rule 3.2.9.2 or Rule 3.2.9.3 the Council is required to send a notice to that effect, in accordance with Regulation 51 of the Public Contracts Regulations 2015 for publication. Such a notice shall contain the information set out in part G of Annex 5 to the Public Contracts Directives.

Notification of Waiver

- 3.3. If the Chief Officer is seeking from the Appropriate Body a waiver from the Council's Contract Procedure Rules under Rule 3.2, the report to the Appropriate Body shall set out the reason for requiring the waiver and the Contract Procedure Rule(s) from which the waiver is required. The report shall include a legal and financial statement and shall highlight any future commitments (whether or not of a financial character) which the proposed Contract might entail.
- 3.4. Where the value of the waiver does not exceed £100,000, the reasons for requiring the waiver must be approved by the Corporate Procurement Manager, and recorded in accordance with the Scheme of Delegation.
- 3.5. Where waiver is sought by a Chief Officer in respect of obtaining quotations or tendering, the report to the Appropriate Body or record of the decision under the Council's Scheme of Delegations shall in addition to the requirements of Rule 3.2 justify the use of an alternative method of selection so that propriety, value for money and compliance with European Union Procurement Directives and the applicable legislation of England and Wales can be demonstrated.
- 3.6. Purchasing arrangements made for the Council by the Corporate Procurement Manager do not constitute exceptions as such, because they are made under the full provisions of these Rules.

- 3.7. Correct use of these arrangements, as advised by the Corporate Procurement Manager will however be sufficient to ensure officers meet their responsibilities for compliance. Such arrangements are mandatory and include, but are not limited to,:
- 3.7.1. Purchasing Frameworks endorsed for use by the Council, where items are specified and costed and the option of a Direct Award has been provided for.i.e., no requirement to undertake a further mini competition
 - 3.7.2. Collaborative procurement arrangements undertaken by, or in consultation with the Corporate Procurement Manager
 - 3.7.3. Electronic systems and catalogues endorsed for use by the Council in procurement.
- 3.8 The Appropriate Chief Officer must ascertain whether there is a Framework Agreement approved by the Corporate Procurement Manager for use by the Council. Where currently valid frameworks are available, the framework must be used in accordance with the guidance provided by the Corporate Procurement Manager.
- 3.9 Any joint procurement arrangements with other local authorities and or public sector bodies including membership or use of any consortia must be approved by the Corporate Procurement Manager.

Established framework and consortia arrangements endorsed by the Corporate Procurement Manager for use by the Council shall be mandatory except where there is an applicable waiver or exemption, a copy of which shall be sent to the Corporate Procurement Manager.

- 3.10 Contracts to be awarded on the basis of a Framework Agreement must be in conformity with the Public Contracts Regulations 2015 which implement EU Procurement Directives. Where it is necessary to run a further mini competition, any subsequent mini-tender must be in accordance with the terms of the original collaborative arrangement, and the rules of the framework (except for the requirement to advertise and those stages in the procurement that are not applicable to a framework).
- 3.11 These Contract Procedure Rules do not apply to Contracts let by school or college governing bodies acting in accordance with their approved schemes of delegation or Contract procedure rules

4. Delegate Authority To Enter To Contracts

- 4.1 Each Cabinet Member has been allocated the following functions under Scheme A of the Council's Schemes of Delegations (Scheme for the Allocation of Cabinet Functions to Individual Cabinet Members) in respect of any proposed Contract relating to services falling within the Cabinet Member's

portfolio having an estimated value exceeding £1,000,000 but not exceeding £5,000,000:

- (a) To authorise the invitation of tenders;
- (b) To accept the Most Economically Advantageous Tender received and enter into a Contract, or the highest tender received where payment is to be received by the Council and enter into a Contract.
- (c) To authorise invitation of tenders, to accept a tender or enter into a Contract in accordance with any exemption under the Council's Contract Procedure Rules.
- (d) To authorise invitation of tenders, to accept a tender or enter into a Contract in accordance with any permitted waiver under the Council's Contract Procedure Rules.

4.2 Each Appropriate Chief Officer has been allocated the following functions under Scheme B2 of the Council's Schemes of Delegations (Scheme for the Allocation of Functions to Executive Directors) in respect of any proposed Contract relating to services administered by their Directorate/Office having an estimated value not exceeding £1,000,000:

- (a) To authorise the invitation of tenders;
- (b) To accept the Most Economically Advantageous Tender received and enter into a Contract or the highest tender received where payment is to be received by the Council and enter into a Contract.
- (c) To authorise invitation of tenders, to accept a tender or enter into a Contract in accordance with any exemption under the Council's Contract Procedure Rules.
- (d) To authorise invitation of tenders, to accept a tender or enter into a Contract in accordance with any permitted waiver under the Council's Contract Procedure Rules

5. Declaration Of Interest

- 5.1 No member, employee or agent of the Council shall improperly use their position to obtain any personal or private benefit from any procurement entered into by the Council.
- 5.2 Members and employees of the Council shall comply with the requirements of Section 117 of the Local Government Act 1972, the Bribery Act 2010, and the Officers and Members code of conduct set out in the Constitution in respect of the declaration of interests in Contracts with the Council.
- 5.3 Such interests must be declared to the Monitoring Officer for inclusion in the appropriate registers

6. Selective Tendering, Invitation Of Tenders And Quotations

- 6.1 Subject to any overriding legislation requirements, all procurements shall be invited in accordance with either Rules 7, 8 or 9.
- 6.2 Where an invitation to tender is in excess of £100,000 for goods and services and £250,000 for works the appropriate Service budget holder shall prepare the relevant part of the Pre-tender Client Information Sheet and submit to the Corporate Procurement Manager and Chief Finance Officer for approval
- 6.3 A record of tenders and quotations shall be maintained by the Corporate Director – Operational and Partnership Services, on the Corporate Contracts Register.
- 6.4 In the case of procurements that are required to be undertaken in accordance with the EU Procurement Directives and the Regulations that implement them in England and Wales, the advice of the Corporate Procurement Manager must be sought at the outset and at all subsequent stages of the procurement process, and the Pre-Tender Client Information Sheet must be completed. EU directives and the Public Contract Regulations 2015 will take precedence over these rules.
- 6.5 The value of a procurement means the estimated total monetary value over its full duration, including any extension options. Where there is no fixed term for the Contract, the value of the Contract shall be taken to be the estimated value of the Contract over a period of four years. No procurement may be artificially split to avoid compliance with these Contract Procedure Rules and EU procurement Directives as implemented in England and Wales. This Rule shall, however, not be construed as to avoid the requirements relating to “lots” under the Public Contracts Regulations 2015.
- 6.6 For works Contracts all Contractors must be registered and verified on Constructionline. Constructionline show the Contractors and categories which have been pre-assessed with a recommended contract value. The recommended contract value is based on a financial risk assessment and is the maximum limit of work that must be placed with a Contractor without additional safeguards.
- 6.7 Except in the circumstances described in Rule 7 invitations to tender for a works contract shall be sent by the Appropriate Chief Officer to at least five (except where legislation permits a lesser number or grant conditions dictate otherwise) of the persons or bodies pre-assessed for a contract of the relevant category and amount or value from the relevant list on Constructionline.
- 6.8 The basis of selection for those companies on Constructionline shall be by way of rotation and/or the suitability of Contractors to undertake the project. Reasons for such choice must be recorded

Quotations

- 6.9 . The invitation to submit quotations must include the specification, terms and conditions and evaluation criteria/weightings.
- 6.10 A reasonable time must be allowed for Suppliers to return bids. Unless otherwise dictated by urgency, a minimum time period of not less than 14days must be allowed for the return of quotations.
- 6.11 A record shall be kept by the Appropriate Chief Officer in a form approved by the Chief Finance Officer of the details of every such Contract exceeding £5,000 in value or amount and, in each case in which at least three alternative written offers or quotations were not obtained, the Appropriate Chief Officer shall also record the reasons why it was considered impracticable to do so. This should then be recorded on the Corporate Contracts Register.

Tenders

- 6.12 All of the invitation to tender documentation, including specification, evaluation criteria/weightings, must be approved by the Corporate Procurement Manager.
- 6.13 A minimum time period of not less than 14 days must be allowed for the return of tenders, except where the tender is subject to the Public Contracts Regulations 2015 in which case the time periods specified in the Regulations are applicable. A shorter period may be used for quotations in accordance with these Rules and any Guidance that may be issued.
- 6.14 For all Contracts over £100,000 the Council will consider taking into account social, economic and environmental issues when making procurement decisions. Please contact the Skills and Sustainable Development Manager for guidance. Where appropriate the Council will see to include Community Benefits clauses to maximise the benefits that such clauses can bring.
- 6.15 Where Community Benefits are included in any tender issued by the Council, this must be mentioned in the tender advertisement, indicating whether they are Core or Non-Core.
- 6.16 Every written Contract shall include the following clauses as a minimum:-
- (a) The Welsh Language (Wales) Measure 2011 makes provision for specification of standards of conduct in relation to Welsh Language. The Measure authorises the Welsh Language Commissioner to serve a compliance notice requiring compliance with specified standards as laid down by the Welsh Language Standards (No1) Regulations 2015.. Bridgend County Borough Council has been served with a Compliance Notice under the Measure. The Compliance Notice (a copy of which can be found at <http://www1.bridgend.gov.uk/media/341711/20150930-dg-s-compliance-notice44-bridgend-county-borough-council.pdf>) places a legal obligation on the Council to comply with the notice. Failure to comply with any of the standards contained in the notice could result in a civil penalty imposed on the Council of up to £5,000. There is a requirement on third parties under

Regulation 1(5) of the Welsh Language Standards (No1) Regulations 2015 to comply with the standards when it carries out an activity or service on behalf of the Council. The Provider/Contractor/Supplier shall comply with all of the standards in accordance with the Compliance Notice. The Provider/Contractor/Supplier shall indemnify the Council from and against all and any actions costs, claims, proceedings, expenses, losses, damages, fines, actions and liabilities incurred by the Council as a result of a breach of this clause by the Provider/Contractor/Supplier, its staff or any Sub-Contractor of it.

- (b) The Provider/Contractor/Supplier shall ensure compliance with all applicable employment legislation, including any relevant regulations, directions or guidance in force during the term of the Agreement. In particular the Provider/Contractor/Supplier shall comply with the provisions of the National Minimum Wage Act 1998 and shall ensure all relevant working time as referred to in the National Minimum Wage Act 1998 is included in calculations for compliance with the National Minimum Wage Regulations and Working Time Regulations or amendments thereof.
- (c) In performing its obligations under the Contract, the Contractor shall:
 - (a) comply with all applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including but not limited to the Modern Slavery Act 2015; and
 - (b) have and maintain throughout the term of the Contract its own policies, codes of conduct and procedures to ensure its compliance; and
 - (c) not engage in any activity, practice or conduct that would constitute an offence under sections 1, 2 or 4 of the Modern Slavery Act 2015 if such activity, practice or conduct were carried out in the UK; and
 - (d) require that each of its direct subcontractors and suppliers shall comply with all applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including but not limited to the Modern Slavery Act 2015.

The Contractor represents and warrants that at the date of this Contract neither the Contractor nor any of its officers, employees or other persons associated with it:

- (a) has been convicted of any offence involving slavery and human trafficking; and
- (b) having made reasonable enquiries, to the best of its knowledge, has been or is the subject of any investigation, inquiry or enforcement proceedings by any governmental, administrative or regulatory body regarding any offence or alleged offence of or in connection with slavery and human trafficking.

The Contractor shall implement due diligence procedures for its direct subcontractors and suppliers (and other participants in its supply chains to ensure that there is no slavery or human trafficking in its supply chains.

The Contractor shall implement an appropriate system of audit and training as necessary for its subcontractors that is designed to ensure compliance with all applicable anti-slavery and human trafficking laws, statutes,

regulations and codes from time to time in force including but not limited to the Modern Slavery Act 2015.

The Contractor shall notify the Local Authority as soon as it becomes aware of:

- (a) any breach, or potential breach of any applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including but not limited to the Modern Slavery Act 2015; and/or
- (b) any actual or suspected slavery or human trafficking in a supply chain which has a connection with this Contract.

The Contractor shall prepare and deliver to the Local Authority an annual basis on a date to be advised by the Local Authority a slavery and human trafficking report setting out the steps it has taken to ensure that slavery and human trafficking is not taking place in any of its supply chains or in any part of its business.

The Contractor shall:

- (a) maintain a complete set of records to trace the supply chain of all works, goods and/or services provided to the Local Authority in connection with this Contract; and
- (b) permit the Local Authority on reasonable notice during normal business hours, but without notice in case of any reasonably suspected breach of this clause, to have access to and take copies of the Contractor's records and any other information and to meet with the Contractor's personnel to audit the Contractor's compliance with its obligations under this clause; and
- (c) permit the Local Authority on reasonable notice during normal business hours, but without notice in case of any reasonably suspected breach of this clause, to inspect the Contractor's workplaces and/or interview employees of the Contractor in the event that the Contractor is the subject of any investigation, inquiry or enforcement proceedings by any governmental, administrative or regulatory body regarding any offence or alleged offence of or in connection with slavery and human trafficking.

The Contractor shall:

- (a) implement a system of training for its employees, suppliers and subcontractors to ensure compliance with all applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including but not limited to the Modern Slavery Act 2015; and
- (b) keep a record of all training offered and completed by its employees, suppliers and subcontractors to ensure compliance with all applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including but not limited to the Modern Slavery Act 2015 and shall make a copy of the record available to the Local Authority on request.

The Contractor shall indemnify the Local Authority against any losses, liabilities, damages, costs (but not limited to legal fees) and expenses incurred by, or awarded against the Employer as a result of any breach of any applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including but not limited to the Modern

Slavery Act 2015 resulting from any action or omission by the Contractor and /or its sub-contractors and/or suppliers.

The Local Authority may terminate the Contract with immediate effect by giving written notice to the Contractor if the Contractor commits a breach of any applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including but not limited to the Modern Slavery Act 2015.

The Contractor represents, warrants and undertakes that it conducts its business in a manner that is consistent with all applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including but not limited to the Modern Slavery Act 2015.

(d) "Equality Law" means the Equality Act 2010, any statutory code issued under it and any supplements to it as associated guidance published by the Equality and Human Rights Commission and all other applicable UK legislation, statutory instruments and regulations in relation to equality and diversity

a. The Supplier shall perform its obligations under this Agreement (including those in relation to the Goods/Services) in accordance with:

(i) All applicable Equality Law (whether in relation to race, sex, gender reassignment, age, disability, sexual orientation, religion or belief, pregnancy, maternity or otherwise);

(ii) the Authority's equality and diversity policies or procedures provided to the Supplier (as updated and provided to the Supplier from time to time); and

(iii) any other requirements and instructions that the Authority reasonably imposes in connection with any equality obligations imposed on the Authority at any time under the applicable Equality Law.

b. In addition to clause (a), the Supplier shall take all necessary steps, and inform the Authority of the steps taken, to prevent unlawful discrimination designated as such by any court or tribunal, or the Equality and Human Rights Commission (or any successor organisation).

c. The Supplier shall immediately notify the Authority if it becomes aware of any breach of clause (a) or (b).

6.17 Every written Contract shall include a clause empowering the Council to cancel the Contract and to recover from the Contractor the amount of any loss resulting from such cancellation if either:-

(a) The Provider/Contractor/Supplier, any persons employed by them or anybody purporting to act on the their behalf, whether they are aware of their acts or not, shall have offered or given or agreed to give any officer or member of the Council any gift or consideration of any kind as an inducement or bribe to influence its decision in the tendering procedure, or in relation to any Contract with the Council shall have committed any offence under the Bribery Act 2010

or shall have given any fee or reward the receipt of which is an offence under Section 117(2) of the Local Government Act 1972

(b) The provider/Contractor/Supplier:-

(i) shall have communicated to any person other than the Council the amount or approximate amount of the proposed tender (other than in confidence in order to obtain quotations necessary for the preparation of the tender for insurance or to obtain any performance bond required by the Council); or

(ii) shall have entered into any agreement or arrangement with any person as to the amount of any proposed tender or that that person shall refrain from tendering.

6.18 All Contracts where a specification issued by the British Standards Institution or an European Standard is current at the date of the tender and is relevant shall require as a minimum that the goods and materials used in their execution shall be in accordance with that specification

7. Thresholds And Advertising Requirements

7.1 Thresholds for procurement do not apply to existing Framework Agreements endorsed for use by the Council.

7.2 Thresholds for all goods & services (except works Contracts) and advertising requirements are as follows and are set out in the Summary of Advertising (as attached at Appendix 1 to the Contract Procedure Rules) TC "goods & services except works" \f C \l "1" :

7.2.1 Up to £5,000 it is necessary only to demonstrate that value for money is being achieved, unless any grant funding conditions dictate otherwise.

7.2.2 From £5,001 to £25,000 Minimum of 3 quotes to be requested from businesses preferably registered on Sell2Wales, unless any grant funding conditions dictate otherwise.

7.2.3 From £25,001 to £100,000 all requirements to be openly advertised on Sell2Wales where practical and providing it represents best value for money. A minimum of three quotations must be invited when following a restricted procedure or when an advert has not been issued, unless any grant funding conditions dictate otherwise.

7.2.4 From £100,001 to the Public Contracts Regulations 2015 Contract thresholds, requirements must be tendered, and advertised on Sell2Wales (as a minimum). Where the restricted procedure is used a minimum of five tenders must be invited, unless any grant funding conditions dictate otherwise.

7.2.5 Above the Public Contracts Regulations 2015 Contract threshold, requirements must be tendered and advertised in the Official Journal of the EU, together with such other advertising as directed by the Corporate Procurement Manager.

7.3 Thresholds for Works Contracts and advertising requirements are as follows and are set out in the Summary of Advertising (as attached at Appendix 1 to the Contract Procedure Rules):

7.3.1 Contract Up to £5,000 it is necessary only to demonstrate that value for money is being achieved, using contractors with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline unless any Grant conditions dictate otherwise.

7.3.2 From £5,001 to £25,000 quotations are to be requested from a minimum of three prospective Tenderers with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline, unless any grant conditions dictate otherwise. Where the minimum number of Tenderers required through Constructionline are not available, the Corporate Procurement Unit will put an advertisement on Sell2Wales for the requirement.

7.3.3 From £25,001 to £250,000 quotations are to be requested from a minimum of five prospective Tenderers with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline, unless any grant conditions dictate otherwise. Where the minimum number of Tenderers required through Constructionline are not available, the Corporate Procurement Unit will put an advertisement on Sell2Wales for the requirement.

7.3.4 Over £250,000 to the Public Contracts Regulations 2015 Contract Thresholds requirements must be tendered and advertised on Sell2Wales, unless any grant funding conditions dictate otherwise

7.3.5 Above the Public Contracts Regulations 2015 Contract thresholds, requirements must be tendered and advertised in the Official Journal of the EU, together with such other advertising as directed by the Corporate Procurement Manager.

7.4 Where it is considered appropriate to use additional advertising e.g. specialist requirements, they should be placed in one or more of the following :

- A local newspaper.
- Trade Journal.

7.5 Where additional advertisements have been placed as outlined in Rule 7.4 the advertisement shall:

- Specify details of the Contract into which the Council wishes to enter.
- Invite persons or bodies interested to apply for permission to tender.

- Specify a time limit of not less than 14 days within which such applications or tenders are to be received by the Council, except where legislation or funding conditions dictates a different time period. Indicate the criteria and weighting to be used to select Tenderer and award the Contract, unless this is specified in the ITT.

8. Pre-Tender Market Research And Consultation

- 8.1 The Council may conduct market consultation prior to the issue of any Tender. This may involve seeking or accepting advice from the market. This advice can be used in the planning and conducting of the procurement process as long as it does not distort competition or violate the principles of non-discrimination and transparency.

9. Procurement By Consultants

- 9.1 Where the Council uses consultants to act on its behalf in relation to any procurement, then the Chief Officer shall ensure that the consultants carry out any procurement in accordance with these Contract Procedure Rules.
- 9.2 All decisions must be made in accordance with the Councils Scheme of Delegation.
- 9.3 No consultant shall make any decision on whether to award a Contract or who a Contract should be awarded to. The Chief Officer shall ensure that the consultant's performance in relation to procurement is in accordance with these Contract Procedure Rules and legislation of England and Wales and European Procurement Rules.
- 9.4 Where the Council uses consultants to act on its behalf in relation to any procurement the consultant must declare any potential conflict of interest that may arise to the relevant Chief Officer prior to the commencement of the procurement process or at such time that the Contractor becomes aware of such a potential conflict of interest.
- 9.5 Where the Chief Officer considers that such a conflict of interest is significant the consultant shall not be allowed to participate in the procurement process.

10. Other Procurement Procedures

- 10.1 The use of the Negotiated procedure without prior publication, Innovative Partnerships, Competitive Procedure with Negotiation and Competitive Dialogue as defined in the Public Contracts Regulations 2015, can only be used in exceptional circumstances as directed by the Chief Finance Officer and with prior consultation with the appropriate Cabinet Member and the Monitoring Officer.
- 10.2 The use of Reserved, Concessionary Contracts and Dynamic Purchasing Systems may only be used following consultation and prior approval by the Corporate Procurement Manager.

11. Naming Products Sub-Contractors And Suppliers TC "Nominated and Named Sub-Contractors" C \1 "1" XE "Nominated and Named Sub-Contractors"

- 11.1 The principle of non-discriminatory and equal treatment is undermined by the naming of products, Suppliers or sub-Contractors. Equivalentents are nearly always able to be specified and will be advertised with the wording "or equivalent" where possible.
- 11.2 Where the Council has determined that a particular type of product or provision of service will be stipulated as an essential requirement of a Contract then this must be approved by the Appropriate Chief Officer following consultation with the Corporate Procurement Manager.

12. Electronic Tendering

- 12.1 An electronic quote and tender facility now supersedes the use of paper tenders in line with the Public Contracts Regulations 2015. All electronic quotes and tenders must be issued using a portal approved by the Corporate Procurement Manager. All relevant staff must be fully trained in the use of the system and set up to use the facility by the Corporate Procurement Manager.
- 12.2 For all quotes and tenders issued, the awarded Contract must be uploaded to the Corporate Contracts Register on the approved portal.
- 12.3 An advertisement must be placed in accordance with Rule 7. Any advert placed on sell2wales must alert prospective bidders to the requirement and the need to register on the approved etenderwales portal. The advert should state that bidders must have JAVA to access the etenderwales portal and respond electronically.
- 12.4 All correspondence between the Council and bidders must be concluded via the approved portal to maintain a defined audit trail. Under no circumstances must email correspondence outside the portal be used. Any verbal communication specific to the quote or tender must only be communicated through the relevant category specialist and must be confirmed via the portal. All clarification questions must be broadcast to all prospective bidders, where applicable i.e. not commercially sensitive.
- 12.5 The requirements for the submissions of bids must be set out in the Invitation to Tender (ITT) document issued to bidders via the portal. This will specify the return date and time, which will normally be 12 noon on the agreed date. The time and date when bidders upload their completed documents onto the system is recorded and forms part of an audit record.
- 12.6 Any late bids submitted will be recorded by the system and must be disqualified. A report will be required from the system administrator of the portal that there has been no system malfunction if a bidder challenges the disqualification.

12.7 Tenders must be opened electronically in accordance with Rule 14

13. Submission And Custody Of Tenders And Quotations

13.1 Where tenders are invited in accordance with these Contract Procedure Rules or otherwise as determined by the Appropriate Body, the requirements for submission of tenders shall be set out in the invitation to tender document.

13.2 Electronic tenders and quotes are held in the approved portal and are inaccessible until the specified closing date and time.

14. Opening Of Electronic Tenders

14.1 Quotations or tenders for requirements having an estimated value or amount of £5,000 and not exceeding £100,000 shall be opened via the approved portal at the same time in the presence of two officers, both designated by the Appropriate Chief Officer.

14.2 Tenders for Contracts having an estimated value or amount of £100,000 and not exceeding £1,000,000 shall be opened at the same time in the presence of two officers, one designated by the Monitoring Officer and the other by the Appropriate Chief Officer.

14.3 Tenders having an aggregated estimated value or amount exceeding £1,000,000 shall be opened at the same time in the presence of:-

- (a) Two Members comprising any of the following:
 - (i) the Mayor;
 - (ii) the Deputy Mayor;
 - (iii) the Cabinet Member for the function in respect of which Contract is to be concluded
 - (iv) the Chairman or Vice-Chairman of the Committee with responsibility for the function in respect of which the Contract is to be concluded.

If two of these Members shall be unavailable, one or two Members as the case may be may be nominated by any of the unavailable Member(s) to act in their place being any Cabinet Member(s) or the Chairman and/or Vice-Chairman of any committee, sub-committee, panel or other body the majority of members of which are appointed by the Council;

- (b) Two officers, one designated by the Monitoring Officer and the other by the Appropriate Chief Officer, usually an officer from Cabinet and committee and an officer from the corporate procurement team.

14.4 All tenders opened in accordance with rule 14 shall include the Technical and Commercial envelope within the approved portal

- 14.5 A record shall be kept of all tenders and quotations received through the approved portal approved by the Monitoring Officer, including any reasons for disqualification.

15. Amendment Of Tenders

- 15.1 If an error is identified before the closing date for the return of tenders, all Tenderers shall be appraised of the error and invited to adjust their tenders.
- 15.2 If an error in the tender documentation provided by the Council is identified after the closing date for the return of tenders, but prior to opening of tenders, all Tenderers shall be given details of the error and afforded the opportunity of withdrawing the offer or submitting an amended tender.
- 15.3 Except as provided in Rule 15 a tender may not be amended by the Tenderer after it has been received unless examination of it reveals errors or discrepancies which would affect the tender figure in an otherwise successful tender, in which case:
- 15.3.1 If the error is not arithmetical the Tenderer shall be given details of the error(s) and shall be given the opportunity of confirming without amendment or withdrawing the tender, or
- 15.3.2 If the error is arithmetical the Appropriate Chief Officer shall correct the error(s) provided that, apart from these genuine arithmetic error(s), no other adjustment revision or qualification is permitted.

16. Post-Tender Negotiation And Clarification

- 16.1 Where procurement is conducted pursuant to the Public Contracts Regulation 2015 through either the open, restricted, innovative partnerships or competitive dialogue procedures, no post-tender negotiations are permitted. Any negotiation in respect of the competitive procedure with negotiation must comply with the requirements of the Public Contracts Regulations 2015.
- 16.2 The responsible officer may seek clarification from Tenderers where appropriate in consultation with the Corporate Procurement Manager.
- 16.2 Where procurements do not exceed the Public Contracts Regulation 2015 thresholds the Appropriate Chief Officer may authorise negotiations in exceptional circumstances, following the opening of tenders and before acceptance, subject to compliance with any legislative requirements, and only when:
- (a) Amendments have been made to any relevant specification since the invitation of tenders, which could not have been foreseen at the invitation stage, or
- (b) The volume of goods, works or services required by the Council has substantially increased or decreased since the invitation of tenders, or

- (c) Only one tender has been received, or
- (d) Tender prices exceed financial targets predetermined by the Council, the Cabinet or the appropriate Committee,
In all instances, the possibility of such negotiations must have been indicated in the invitation to tender.

16.4 Negotiations shall be conducted in a manner which treats all Tenderers equally and is non-discriminatory and transparent at all times during the procurement process, and a full record of the negotiations shall be made by the Appropriate Chief Officer which shall include the names of the officers involved, minutes of all meetings and copies of all relevant correspondence and other documents.

17. Evaluation Of Tenders

17.1 The Chief Officer shall examine tenders in accordance with predetermined evaluation criteria.

17.2 In respect of all tenders where the tender criteria is the Most Economically Advantageous Tender (which can be the lowest/highest price only where appropriate) the evaluation criteria shall as a minimum be listed in the Invitation To Tender documentation in order of importance. Any particular scoring or weighting attributable to any criteria and sub-criteria must be clearly stated. In addition, the criteria must be strictly observed and remain unchanged at all times throughout the Contract award procedure.

18. Acceptance And Award Of Tenders

18.1 A Contract shall only be awarded subject to the tender evaluation criteria specified in the invitation to tender document.

18.2 Tenders for Contracts having an estimated value exceeding £5,000,000 may be invited and accepted only by the Appropriate Body unless the power to do so has been specifically allocated or delegated to the appropriate Cabinet Member or Appropriate Chief Officer.

18.3 No tender relating to a Contract to which Sections 2 to 9 of the Local Government (Contracts) Act 1997 apply, shall be accepted without the approval of the Monitoring Officer.

18.4 Before a tender is accepted other than for the sale of goods the Appropriate Chief Officer must obtain the Chief Finance Officer's confirmation that the Tenderer's financial standing is satisfactory, unless the Tenderer has already been approved using the prequalification of the tender process.

18.5 The award of any Contract shall be in accordance with the Public Contract Regulations 2015 and the requirements of any other legislation including any EU public procurement directive.

- 18.6 If the award of any Contract is subject to the Public Contracts Regulations 2015 or any EU public procurement directive, then there shall be a standstill period of at least ten calendar days between the communication of the decision of the intention to award the Contract being notified to those parties who were selected to tender, or who applied to be selected to tender, and the entering into of that Contract.
- 18.7 'Standstill' letters issued as part of a tender process under EU Regulations must not be issued prior to confirmation of award in accordance with the Council's constitution.
- 18.8 Feedback to unsuccessful tenderers must be included in the standstill letters and must include the characteristics and relative advantages of the tender selected. For Contracts subject to the Public Contracts Regulations 2015, the requirements of the Public Contracts Regulations 2015 must also be complied with.
- 18.9 Where a tender above the EU threshold has been tendered and advertised on Sell2Wales, the Council shall publish a Contract Award Notice on Sell2Wales which will also be included in the Official Journal of the EU, and as soon as possible after the decision to award and in any event no later than 30 calendar days after the date of award of the Contract.
- 18.10 All correspondence notifying evaluation outcomes must be communicated through the approved portal

19. Letters Of Intent

- 19.1 Letters of Intent shall only be used with the agreement of the Corporate Director – Operational and Partnerships and only in very exceptional circumstances.
- 19.2 Where the terms and conditions of the Contract are not fully agreed no Contractor shall be allowed on site to begin preliminary works until a full risk assessment has been carried out by the Appropriate Chief Officer as to possible implications to the Council by the Contractor being allowed to start on site before the Contract terms and conditions have been finalised.

20. Execution Of Contracts

- 20.1 Every Contract not exceeding £500,000 in amount or value shall be in writing in a form approved by the Monitoring Officer such form being the Form of Tender. However the Form of Tender should not be used in the following situations and a formal Contract must be entered into:
- (a) where the appropriate Directorate has assessed the level of risk associated with the Contract and it deems the level of risk to be high; or
- (b) where the Contract must be executed under seal.

The Form of Tender must be issued as part of the tender and must be signed and returned by the bidder. On contract award the signed Form of Tender must be issued with the award letter, signed by the Appropriate Chief Officer, or another officer authorised in writing to sign on behalf of the Appropriate Chief Officer, or by the Monitoring Officer or another officer authorised in writing by the Monitoring Officer. Both Parties are to keep a signed Form of Tender.

- 20.2 Every Contract, including frameworks which exceeds £500,000 in amount or value shall be executed under seal.
- 20.3 Contracts in writing or official orders not exceeding £100,000 in amount or value may be signed either by the Appropriate Chief Officer or by an officer in writing authorised to approve on behalf of the Appropriate Chief Officer.
- 20.4. Every Contract for Works (other than Framework Agreements) exceeding £1,000,000 shall require a Performance Bond and for Contracts below this limit the Appropriate Chief Officer shall determine the necessity for a Performance Bond based on an assessment of risk for that Contract. A Surety shall be approved by the Chief Finance Officer.
- 20.5 A risk assessment shall be conducted for all service Contracts to determine the necessity for a performance bond. The approval of the Chief Finance Officer is required where a performance bond is not deemed necessary for service Contracts in excess of £1,000,000 in value
- 20.6 Contracts not exceeding £500,000 may be signed electronically except in the following situations:
- (a) where the appropriate Directorate has assessed the level of risk associated with the Contract and it deems the level of risk to be high; or
 - (b) where the Contract must be executed under seal.

The use of electronic signature must be in accordance with the procedure set down by the Corporate Procurement Manager.

21. Assignment And Novation

21.1 Any Contract subject to potential assignment and novation must be referred to the Corporate Director – Operational and Partnerships Services at the earliest possible instance.

22. Termination Of Contracts

22.1 For any Contract, or part thereof, exceeding £100,000 in value, early termination shall be approved by the Appropriate Chief Officer in consultation with the Corporate Director – Operational and Partnership Services and the Chief Finance Officer and must be in accordance with the termination provisions set out in the Contract. Contracts of a lesser value may be terminated early by agreement prior

to the expiry date or in accordance with the termination provisions set out in the Contract.

23. Financial Limits

23.1 With the exception of the financial limit specified in Rule 20, which may be varied only by the Council, the financial limits specified in these Contract Procedure Rules or any of them may be varied at any time by the Chief Finance Officer in consultation with the Monitoring Officer, but any alterations shall be reported to the next meeting of the Council.

24. Record And Document Retention And Control

24.1 A full report of all Contracts awarded should be written and kept electronically. (A checklist of what the report should contain can be found at Appendix 4 to these Contract Procedure Rules - Procurement Report – Contents Checklist.)

24.2 A full record of all documents used including the Delegated Power to invite and accept, any other internal approvals, should be scanned and uploaded into the approved portal or procurements 'o' drive against the specific Contract reference number.

24.3 All Contracts under seal i.e. Deeds (inc. Tenders) must to be retained for a minimum of 12 years after the term of the Contract has expired. Contracts under hand must be retained for a minimum of 6 years after the term of the Contract has expired, unless a longer period is required by legislation or grant conditions.

24.4 Unsuccessful tender and pre-qualifying documents which have been accepted for tender purposes will be retained for a minimum period of 2 years after the start of the Contract within the approved portal.

24.5 Any tender which is rejected or disqualified at the time of opening will be notified via the approved portal.

24.6 All Request for Quotations must be retained for a minimum period of 2 years after the term of the Contract has expired.

24.7 Where Contracts are subject to the Public Contract Regulations 2015, they must also comply with the record, document retention and control requirements of the Public Contract Regulations 2015.

25. Contract Management

25.1 A Contract must not start until the Contract has been signed or sealed by both parties and dated. Directorates must allow time for this in their forward work plan.

25.2 Within ten calendar days of the start of the Contract, the directorate must add the details of the Contract onto the Corporate Contracts Register and record the following:

- (a) the works, goods or services to be provided;
- (b) the name of the Contractor,
- (c) the Contract Value;
- (d) the commencement and completion/termination dates;
- (e) any extension options

These details must be maintained and updated as and when required to do so.

25.3 The Directorate shall be the Contract manager for the Contracts for which they are responsible for up to the EU thresholds, but may authorise another officer to have day-to-day responsibility for managing the Contract. For Contracts over the EU Thresholds, the directorate must appoint a dedicated Contract manager with appropriate skills and experience.

25.4 The Contract manager is responsible for:

- (a) Managing the Contract and ensuring that it is carried out in accordance with its terms and conditions;
- (b) Monitoring the Contractor's performance and carrying out mid-Contract reviews to determine ongoing value for money;
- (c) Ensuring that the Contractor maintains the insurance policies required by the Contract;
- (d) Keeping a record of all payments, claims, monitoring, changes and certificates under the Contract;

25.5 The Contract manager must consult the Monitoring Officer for consideration of the Council's legal position:

- (a) Before any Contract is to be terminated or suspended;
- (b) In the event of a claim for payment not clearly within the terms and conditions of Contract;

26. Corporate Contracts Register

26.1 The Corporate Contracts Register is held within the approved portal and all quotations and tenders conducted must be created into a Contract. It is the responsibility of each Directorate to create and maintain their own Contracts within the portal

26.2 It is the responsibility of each Directorate to update the register following a quotation or tender process within the approved portal.

26.3 Any officer that requires training must contact the corporate procurement unit

27. Review And Amendment Of Contract Procedure Rules

27.1 The Corporate Procurement Manager shall continually review these Contract Procedure Rules and shall undertake a formal review at least every three years.

FORM OF TENDER FOR THE SUPPLY OF **SERVICES/GOODS/WORKS**

To: BRIDGEND COUNTY BOROUGH COUNCIL
CIVIC OFFICES
ANGEL STREET
BRIDGEND
CF31 4WB

Tender for:

Tender No:

- i) The Council requires that certain **services/goods/works** should be provided namely the supply of **[SET OUT SERVICE/GOODS/WORKS DETAILS]**, more specifically identified in the Contract Documents as defined below (“the **Service/Goods/Works**”).
- ii) On [DATE] the Council invited the Tenderer to tender for the provision of the **Services/Goods/Works**.
- iii) Having examined the Instructions to Tenderers, Conditions of Contract, the Specification, the schedules and all other tender documentation issued by the Council for the **Service/Goods/Works**, the Supplier hereby tenders and undertakes to perform the **Service/Goods/Works** for the Contract Period (as identified in the Contract Documents) in conformity with the Conditions of Contract (including any special conditions), the Specification, the schedules and all appendices, plans, pricing documents and all other tender documentation and the Tenderer’s response to them (the “Contract Documents”), at the prices and rates agreed therein exclusive of VAT subject to any change in scope as agreed by the Council.
- iv) The Tenderer certifies that this is a bona fide tender.
- v) The Tenderer hereby warrant and undertake to the Council in the terms set out in the Instructions to Tenderers.
- vi) The Tenderer agrees that the insertion of any conditions qualifying this tender which are not permitted by the tender documentation or any unauthorised alteration to any of the tender documents shall cause the tender to be rejected.

- vii) The Tenderer agrees that their tender shall remain open for acceptance by the Council and shall not be withdrawn for a period of 13 weeks from the closing date for return of tenders.
- viii) The Tenderer understands that the Council is not bound to accept the lowest, the most economically advantageous or any tender the Council may receive and that the Council may accept part or all of the tender and that the Council will not pay any expenses incurred by me in connection with the preparation and submission of this tender.
- ix) Should its tender be accepted by the Council the Tenderer agrees to execute a formal contract prepared by the Council's Legal Department embodying all of the terms and conditions contained within the tender documentation if so requested by the Council.
- x) **Unless and until such an agreement is executed this Form of Tender and the acceptance hereof by the Council shall constitute a binding contract between the parties and in consideration of the payments to be made by the Council in accordance with the Contract Documents, the Tenderer hereby covenants with the Council to supply the **Services/Goods/Works** in conformity in all respects with the provisions of the Contract Documents.**

I confirm that I have read and understand this document.

NOTE: Envelopes to bear no marks identifying Tenderer.

Tenderers Representatives Signature: _____

Print name _____

*** Position in Company/Firm:** _____

* Signatory must be a Director or Secretary or another person duly authorised by the Company to sign and in the latter case, proof of authority to sign must be submitted with the form for tender or if Sole Trader please insert "I am a sole trader"

Name of Company/Firm/Other Organisation:

Company Registration Number (if applicable):

Registered Office Address or Principal Place of Business:

Address of Principal Place of Business: [if different from above]

Telephone Number: _____ **Facsimile Number:** _____

Date: _____

(the "Tenderer")

Council Authorised Signature: _____

Print name _____

Position in Council:__

Date of Acceptance: _____

(the "Council")

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<u>Total Value</u>	<u>Competition</u>	<u>Advertising</u>	<u>Permission to tender/award</u>	<u>Reports</u>
<u>Goods and Services</u> Up to £5,000	No competitive quotes required, but must demonstrate value for money unless any Grant conditions dictate otherwise	None required	Officer decision	None required but records to be kept for audit purposes
£5,001 - £25,000	A minimum of 3 competitive quotes required and conducted via the etenderwales portal unless Grant conditions dictate otherwise	None required	Officer decision	None required but records to be kept Audit trail via the etenderwales portal
£25,001 - £100,000	A minimum of 3 competitive quotes required and conducted via the etenderwales portal, unless Grant conditions dictate otherwise	Openly advertised on Sell2Wales where practical and providing it represents value for money	Officer decision	None required but records to be kept Audit trail via the etenderwales portal
£100,001 – Threshold	Open competition required via the etenderwales portal, unless Grant conditions dictate otherwise	Openly advertised on Sell2Wales	Delegated Power required to go out to tender and one to award	Report required See Appendix 4
Above Threshold	Full EU procedure is required via the etenderwales portal	Advertise in the Official Journal of the EU (OJEU) via Sell2Wales	Delegated Power to go out to tender and one to award up to £5m Above £5m Cabinet Report required	Report required See Appendix 4

Summary of Advertising, Notices and Reports

Mini Competition from Framework Agreements	Competition conducted via the etenderwales portal to suppliers on the framework	None required	Below £100,000 Officer Decision	Report required See Appendix 4
Mini Competition from Framework Agreements	Competition conducted via the etenderwales portal to suppliers on the framework	None required	Delegated power to go out to tender and one to award for any spend above £100,000	Report required See Appendix 4
<u>Works</u> Up to £5,000	No competitive quotes required, but must demonstrate value for money using contractors with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline, unless any Grant conditions dictate otherwise	None required	Officer decision	None required but records to be kept for audit purposes
£5,001 – £25,000	A minimum of 3 competitive quotes required using contractors with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline and via the etenderwales portal, unless any Grant conditions dictate otherwise	None required	Officer decision	None required but records to be kept Audit trail via the etenderwales portal
£25,001 - £250,000	A minimum of 5 competitive quotes required using contractors with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline and via the etenderwales portal, unless any	None required	Officer decision	None required but records to be kept Audit trail via the etenderwales portal

	Grant conditions dictate otherwise			
£250,001 - Threshold	Open competition required via the etenderwales portal, unless Grant conditions dictate otherwise	Openly advertised on Sell2Wales	Delegated Power required to go out to tender and one to award	Report required See Appendix 4
Above Threshold	Full EU procedure is required via the etenderwales portal	Advertise in the Official Journal of the EU (OJEU) via Sell2Wales	Delegated Power to go out to tender and one to award up to £5m Above £5m Cabinet Report required	Report required See Appendix 4
Mini Competitions from Framework Agreements	Competition conducted via the etenderwales portal to suppliers on the framework	None required	Below £250,000 Officer Decision	Report required See Appendix 4
Mini Competitions from Framework Agreements	Competition conducted via the etenderwales portal to suppliers on the framework	None required	Delegated power to go out to tender and one to award for any spend above £250,000	Report required See Appendix 4

*Threshold = Public Contracts Regulations 2015 thresholds

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Appendix 4 – Procurement Report – Contents Checklist

<u>Data</u>	<u>Required</u>	<u>Included</u>
Name and address of contracting authority	Yes	
Subject-matter and value of the contract	Yes	
Names of candidates/tenderers passing any selection (PQQ) stage and the reasons for their selection	If relevant	
Names of candidates deselected following any selection (PQQ) stage and the reasons for their deselection	If relevant	
Names of bidders selected, to continue to take part in a competitive procedure with negotiation or competitive dialogue process, and the reasons for their selection	If relevant	
Names of bidders deselected from a competitive procedure with negotiation or competitive dialogue process, and the reasons for their deselection	If relevant	
Reasons for rejection of any tender found to be abnormally low	If relevant	
Name(s) of successful bidder(s)	Yes	
Reasons why successful bid(s) was/were selected	Yes	
Share of the contract/framework agreement that the successful bidder intends to sub-contract	If relevant	
Names of the main sub-contractors	If relevant	
Justification for use of competitive procedure with negotiation process or competitive dialogue process	If relevant	
Justification for use of negotiated procedure without prior publication	If relevant	
Reasons why the contracting authority decided not to award the contract/framework agreement	If relevant	
Reasons why non-electronic means was used for submission of tenders	If relevant	
Details of conflicts of interest detected and subsequent measures taken to deal with such conflicts of interest	If relevant	
In a Light Touch regime process, where the contracting authority has chosen to depart from the process as originally stated in the procurement documents, this decision and the reasons behind it must be documented	If relevant	
If not recorded elsewhere in the procurement documentation, an indication of the main reasons why the contracting authority considers there to be a justified case for requiring bidders to evidence turnover that is greater than the standard permitted maximum of twice the estimated contract value (for example, due to special risks attached to the nature of the works, services or supplies)	If relevant	
If not recorded elsewhere in the procurement documentation, the main reasons for decision of the contracting authority not to subdivide the	If relevant	

requirement into lots		
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PRE-TENDER CLIENT INFORMATION SHEET

1. This document is required to be completed by the Client to comply with clause 2.3 of the Contract Procedure Rules and will provide the basic information necessary to commence any Tender process.
2. Once the form is completed please email it to the Corporate Procurement Manager.
3. No Procurement activity shall take place until it has been fully completed and accepted by the Corporate Procurement Manager and/or Chief Finance Officer.
4. All Procurement activity shall be in accordance with the Procurement Strategy and Contract Procedure Rules.

<u>NAME:</u>		<u>DEPARTMENT:</u>	
<u>ADDRESS:</u>			
<u>TEL:</u>		<u>EMAIL:</u>	
<u>REQUIREMENT:</u> (Please provide a brief description of the project – why, what and when. Indicate if there are opportunities for Collaboration, Community Benefits or Sustainability opportunities)			
<u>SPECIFICATION:</u> (Has a specification been written by the Client?)			Y / N
<u>SPECIFICATION:</u> (When will an agreed Specification be available?)			
<u>TUPE:</u> (are there any Transfer of Undertaking (protection of employees) Regulations (TUPE) considerations?)			Y / N
<u>COMMUNITY BENEFITS:</u> (Have you sought guidance from BCBC Skills and Sustainable Development Manager where contract value is above £100,000)			Y / N
<u>COMMUNITY BENEFITS:</u> (Date when guidance sought)			
<u>COMMUNITY BENEFITS:</u> (Does Community Benefits apply to this tender?)			Y / N
<u>COMMUNITY BENEFITS GUIDANCE:</u> (please contact Sue Whittaker via e-mail sue.whittaker@bridgend.gov.uk to discuss)			
<u>DELEGATED POWER:</u> (Has a Delegated Power been raised by the Client?)			Y / N
<u>DELEGATED POWER:</u> (When will a Delegated Power be available?)			
<u>ESTIMATED / HISTORIC ANNUAL SPEND:</u>			£

<u>INTENDED PROCEDURE:</u> (If known at this stage - delete as required)		<u>RESTRICTED</u>	<u>OPEN</u>	<u>OTHER</u>
<u>EVALUATION CRITERIA:</u> (Delete as required)		<u>MOST ECONOMICALLY ADVANTAGEOUS TENDER (MEAT)?</u>		<u>LOWEST COST?</u>
<u>EVALUATION WEIGHTINGS IF MEAT</u> (If known at this stage)		<u>QUALITY %</u>	<u>%</u>	<u>PRICE %</u>
<u>PROCUREMENT STRATEGY:</u> (To be completed by Procurement)				
<ol style="list-style-type: none"> 1. Strategy: 2. Advertisement: 3. On completion, pass to Procurement Team Administrator to populate the Contracts Register. 				
<u>NAME:</u> Print		<u>SIGNATURE:</u>		<u>DATE:</u>

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

18 JULY 2018

REPORT OF THE CHIEF EXECUTIVE

CARDIFF CAPITAL REGION CITY DEAL – JOINT OVERVIEW AND SCRUTINY COMMITTEE

1. Purpose of Report.

- 1.1 The purpose of the report is to present to Council the proposal to establish a Joint Overview and Scrutiny Committee for the Cardiff Capital Region City Deal (CCRCD).

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities

- 2.1 The key improvement objectives identified in the Corporate Plan 2018-22 have been embodied in the Overview & Scrutiny Forward Work Programmes. The Corporate Improvement Objectives were adopted by Council on 1 March 2017 and formally set out the improvement objectives that the Council will seek to implement between 2018 and 2022. The Overview and Scrutiny Committees engage in review and development of plans, policy or strategies that support the Corporate Themes.

3. Background.

- 3.1 The Cardiff Capital Region Joint Working Agreement states that Councils shall work together to create and agree terms of reference for, to the extent permissible by law, a Joint Audit Committee and a Joint Overview and Scrutiny Committee and how the same will be resourced and funded.
- 3.2 At its meeting held on the 20 November 2017, the Cardiff Capital Region City Deal (CCRCD) Joint Cabinet received a report detailing proposals for the establishment of a Joint Overview and Scrutiny Committee (JOSC) to consider the CCRCD. This report also included a draft Terms of Reference for the Joint Committee. The purpose of the JOSC is to enable Members to be kept up to date with CCRCD developments. The draft Terms of Reference expands upon this outlining that one of its main functions would be to perform the overview and scrutiny function for the City Deal on behalf of the ten local authorities whilst not excluding a local authority's right to carry out its own individual scrutiny of any decision of the Regional Cabinet or City Deal.
- 3.3 The report proposed that one of the ten authorities host the CCRCD Joint Overview and Scrutiny Committee and provide such dedicated support and advisers.

- 3.4 Following a proposal, it was subsequently determined by the Joint Cabinet that Bridgend County Borough Council would carry out the role of Host Authority.

4. Current Situation / Proposal

- 4.1 Attached at **Appendix A** is a brief paper that provides background and information on the origins of the proposal for a JOSC and how it would be established over the first year.
- 4.2 The Regional Joint Cabinet report and draft Terms of Reference are attached as **Appendix B** for information.
- 4.3 In accordance with Statutory Guidance issued under the Local Government (Wales) Measure 2011, when establishing a JOSC, a report containing details of the proposal should be considered by each of the participating authorities' appropriate scrutiny committees (or sub-committees) before being endorsed by full Council.
- 4.4 The Regional Joint Cabinet report and draft Terms of Reference were presented to the Corporate Overview and Scrutiny Committee at their meeting on 18 June 2018 prior to it being submitted to Council, both for endorsement and for the nomination of a non-executive Member to sit on the JOSC..
- 4.5 It is proposed that in deliberations over nominations to sit on the JOSC, consideration is given to potential skill sets of Members including any prior knowledge and experience of joint working or professional knowledge that relates to the City Deal itself which could potentially be of great value and assistance to the JOSC. Joint Scrutiny is often focused on decisions taken at a more strategic/ regional level and also necessitates considerable learning on the job as Members explore new and complex policy areas.

5. Effect upon Policy Framework and Procedure Rules

- 5.1 The work of the Overview & Scrutiny Committees relates to the review and development of plans, policy or strategy that form part of the Council's Policy Framework and consideration of plans, policy or strategy relating to the power to promote or improve economic, social or environmental wellbeing in the County Borough of Bridgend.
- 5.2 Any changes to the structure of the Scrutiny Committees and the procedures relating to them would require the Council's Constitution to be updated.

6. Equality Impact Assessment

- 6.1 There are no equality implications arising from this report.

7. Well-being of Future Generations (Wales) Act 2015 Assessment

- 7.1 The Act provides the basis for driving a different kind of public service in Wales, with 5 ways of working to guide how public services should work to

deliver for people. The following is a summary to show how the 5 ways of working to achieve the well-being goals have been used to formulate the recommendations within this report:

- Long-term - The approval of this report will assist in the establishment of a JOSC to monitor the CCRCD business plan
- Prevention - The JOSC Panel will monitor the CCRCD's business plans, objectives and priorities
- Integration - The report supports all the wellbeing objectives
- Collaboration - Consultation on the establishment of the Joint Overview and Scrutiny Committee has taken place with the 10 local authorities in the CCRCD programme.
- Involvement - The Joint Overview and Scrutiny Committee will maintain a relationship with other local authorities involved in the CCRCD and with through effective partnership working and act as a critical friend to the CCRCD Joint Cabinet.

8. Financial Implications

- 8.1 As the Joint Cabinet report states, the 2017/18 Joint Cabinet Budget contains a contingency budget in the sum of £69,500, an element of which has been set aside to meet the cost developing the Joint Scrutiny Committee arrangements. Based on initial estimation's provided for the first year, it was agreed that an amount of £25,000 would be allocated to the host authority to carry out the Joint Scrutiny role. From 2018/19 the budget headings will be realigned to separately identify the pre-determined sum from the remaining contingency budget.
- 8.2 It is essential that the JOSC use the first year to develop a detailed and informed Forward Work Programme (FWP) which will not only focus their work but also assist greatly in determining the workload and needs for the future including the number of meetings and future budget required.

9. Recommendation

Council is recommended to:

- a) Consider the report and appendices and approve the establishment of a JOSC for the CCRCD;
- b) Identify and recommend to Council a non –executive Member to represent this Authority on the CCRCD JOSC , taking into consideration paragraph 4.5 of the report;
- c) Note that it will be a decision for each of the ten authorities if it wishes to establish the JOSC proposed.

Darren Mepham
Chief Executive

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Scrutiny Officer

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Bridgend County Borough Council,
Civic Offices,
Angel Street,
Bridgend,
CF31 4WB

Background Documents

Bridgend County Borough Council Constitution
Bridgend County Borough Council Corporate Improvement Plan 2013 -17

Cardiff Capital Region (CCR) City Deal Joint Overview and Scrutiny Committee Proposal and Draft Terms of Reference

1. Background

- 1.1 The Cardiff Capital Region (CCR) Joint Working Agreement (JWA) states in paragraph 10.19.2 that “The Councils shall work together to create and agree terms of reference for, to the extent permissible by law, a Joint Audit Committee and a Joint Overview and Scrutiny Committee (JOSC) and how the same will be resourced and funded”.
- 1.2 At the meeting of the CCR Joint Cabinet on 20 November 2017, it was proposed that the Regional Cabinet consider the establishment and governance arrangements for the CCR City Deal JOSC.
- 1.3 The purpose of the JOSC is to enable Members to be kept up to date with Cardiff Capital Region (CCR) City Deal developments. The draft Terms of Reference (TOR) (attached to the Joint Cabinet report as Appendix B2) expands upon this outlining that one of its main functions would be to perform the overview and scrutiny function for the CCR City Deal on behalf of the ten local authorities whilst not excluding a local authority’s right to carry out its own individual scrutiny of any decision of the Regional Cabinet or City Deal.
- 1.4 Subsequent to this meeting, it was agreed by the CCR Joint Cabinet that Bridgend County Borough Council would host the Joint Overview and Scrutiny Committee providing such dedicated support and advisers within a pre-determined sum to be funded out of the annual budget of the Regional Cabinet.
- 1.5 The 2017/18 Joint Cabinet Budget contains a contingency budget in the sum of £69,500, an element of which has been set aside to meet the cost of developing the Joint Scrutiny Committee arrangements. Based on initial estimations provided for the first year, it was agreed that an amount of £25,000 would be allocated to the Host Authority to carry out the Joint Scrutiny role. From 2018/19 the budget headings will be realigned to separately identify the pre-determined sum from the remaining contingency budget. It is essential that the JOSC use the first year to develop a detailed and informed Forward Work Programme (FWP) which will not only focus their work but also assist greatly in determining the workload and needs for the future including the number of meetings and future budget required.

First Year of the JOSC

- 1.6 During the first year of the JOSC there will be a need for Members and Scrutiny Officers to attend training and briefing sessions prior to them undertaking scrutiny of the City Deal. This will help ensure that all Members have the same knowledge base and understanding from which to start from, however this may result in a limited amount of scrutiny work being undertaken in the first year.
- 1.7 It is proposed that two meetings are held within the first year so that the JOSC can amend and finalise the TOR and officially adopt and take ownership of them. The final version of the TOR will be forwarded to each of the ten local authorities for formal approval but this should not necessarily delay the work of the JOSC. Initial discussions will also be held at the first meeting regarding the Forward Work

Programme (FWP) with Members developing in detail their FWP and future focus at the second meeting following their training.

- 1.8 In addition to monitoring the City Deal Business Plan and/or Programme Plan, the draft TOR will also enable any member of the JOSC to refer to the Committee any matter which is relevant to its functions provided it is not a local crime and disorder matter as defined in section 19 of the Police and Justice Act 2006, and subject to a number of conditions and provisos. Therefore, as stated above, it will be the FWP development determined by the JOSC Members that will indicate the needs and growth of the Committee.
- 1.9 It is anticipated that the second meeting will also allow for the JOSC to begin to undertake annual monitoring of the City Deal Business Plan and/or Programme Plan.
- 1.10 The JOSC has the power to make any reports and recommendations to the Regional Cabinet and/or to any of the Appointing Authorities and to any of their Executives in respect of any function that has been delegated to the Regional Cabinet pursuant to the Joint Working Agreement.

2. Establishing a Joint Overview and Scrutiny Committee

- 2.1 It is a decision for each authority if it wishes to establish a Joint Overview and Scrutiny Committee for the CCR City Deal. Statutory guidance issued under Section 58 of the 2011 Measure states at paragraph 3.1 *“that in establishing a JOSC which is additional to a Council’s existing scrutiny committee(s) a report setting out its role, responsibilities, terms of reference and intended outcomes to be generated by the joint exercise should be considered by each of the participating authorities’ appropriate scrutiny committees (or sub-committees) before being endorsed by full Council”*.
- 2.2 The TOR state that the membership of the JOSC shall consist of one non-executive Member from each Appointing Authority. Whilst the draft TOR states that the length of appointment is a matter for each Appointing Authority, it is proposed that consideration be given to the membership (as far as possible) being for the length of term the nominated Member is in office. This will help ensure continuity and with possibly only two to four meetings per year, consistency of knowledge is important.
- 2.3 It is also proposed that in deliberations over nominations to sit on the JOSC, consideration is given to potential skill sets of Members including any prior knowledge and experience of joint working or professional knowledge that relates to the City Deal itself which could potentially be of great value and assistance to the JOSC. Joint Scrutiny is often focused on decisions taken at a more strategic/ regional level and also necessitates considerable learning on the job as Members explore new and complex policy areas.
- 2.4 In 2013 in a supplementary report of the Independent Remuneration Panel for Wales in accordance with section 147 of the Local Government (Wales) 2011, it was determined that the remuneration of chairs of JOSCs (or a sub-committee of JOSCs) is not prescribed and is a matter for the constituent councils to decide whether such a post will be paid. However, if a senior salary is paid, it must be at the level set out within the IRP report. Each council will therefore need to determine whether they would agree to pay the salary required under this legislation should their nominated Member be put forward as Chair of the JOSC.

3 Proposal

- 3.1 It is proposed that this paper, along with the draft Terms of Reference be presented to the relevant Overview and Scrutiny Committee for each local authority prior to it being submitted to each Council, both for endorsement and for the nomination of a non-executive Member to sit on the CCR City Deal JOSC.

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CARDIFF CAPITAL REGION JOINT CABINET

JOINT CABINET MEETING 20 NOVEMBER 2017

GOVERNANCE ARRANGEMENTS FOR CARDIFF CAPITAL REGION JOINT SCRUTINY COMMITTEE

REPORT OF CARDIFF CAPITAL REGION PROGRAMME DIRECTOR

AGENDA ITEM: 8

1. PURPOSE OF REPORT

- 1.1 To make recommendations to Regional Cabinet to consider the establishment of, and governance arrangements for, the Joint Scrutiny Committee which, if acceptable, be referred to each of the ten Councils for formal approval.

2. SUMMARY

- 2.1 The Joint Working Agreement (JWA) in paragraph 10.19.2 states that “The Councils shall work together to create and agree terms of reference for, to the extent permissible by law, a Joint Audit Committee and a Joint Scrutiny Committee and how the same will be resourced and funded”.

3. ROLE & PURPOSE

- 3.1 In accordance with the terms agreed in the JWA (as above), Regional Cabinet recognise and value the need for a Joint Scrutiny Committee being established with clear terms of reference which will assist in defining its role and limitations. Draft Terms of Reference have been developed by Officers for Members’ consideration and this is attached at Appendix 1.
- 3.2 It is important that Members of the Joint Scrutiny Committee are kept up to date with Cardiff Capital Region (CCR) City Deal developments. The key discussions and decisions are recorded in the minutes of the Joint Cabinet which are publically available and could be offered for inclusion on the Joint Scrutiny Committee agenda for information.
- 3.3 Whilst the minutes of the Regional Cabinet will be helpful in ensuring the Scrutiny Committee are informed, it is suggested that the Chair of the Regional Cabinet, or another representative, offer to attend meetings of the Scrutiny Committee to give a verbal update on the current position of the City Deal and a view forward to some of the issues anticipated in the coming months ahead.

3.4 The Governance Lead Officer for CCR City Deal (Gareth Chapman, Chief Executive Merthyr Tydfil County Borough Council) has advised that dedicated support and advisers to the Joint Scrutiny Committee would be beneficial. This involvement would enable Members to have continuity of advice during meetings and ensure that Scrutiny Officers have a single point of contact to seek advice when preparing reports. It is proposed that one of the ten authorities hosts the CCRCJ Joint Scrutiny Committee and provide such dedicated support and advisers, within a pre-determined sum to be funded out of the annual budget of the Regional Cabinet. Regional Cabinet are invited to consider and recommend to the Councils for approval which authority should act as the host for the CCRCJ Joint Scrutiny Committee. Whilst one Authority may act as host authority to support the CCRCJ Joint Scrutiny Committee, the venue for the scrutiny committee meetings could rotate amongst the ten authorities.

4. FINANCIAL IMPLICATIONS

4.1 The attached report sets out proposals in respect of arrangements for a Joint Scrutiny Committee. It is proposed that one of the ten City Deal partnering authorities undertake the role of 'host authority', and in doing so, provide the Joint Scrutiny Committee with dedicated support and continuity of advice.

4.2 It is understood that a pre-determined sum will be agreed, which will form the basis of the budget from which the host authority will deliver this service in full, including all associated and ancillary costs. Depending on the timescales for implementing these arrangements, it is envisaged that a part-year sum may be required in 2017/18.

4.3 The PMO element of the 2017/18 Joint Cabinet Budget contains a contingency budget in the sum of £69,500, an element of which has been set aside to meet the cost developing the Joint Scrutiny Committee arrangements. The pre-determined sum will need to be met from within this budget allocation in 2017/18. From 2018/19 the budget headings will be re-aligned to separately identify the pre-determined sum from the remaining contingency budget to provide transparency and to assist with budget accountability.

5. LEGAL IMPLICATIONS (INCLUDING EQUALITY IMPACT ASSESSMENT WHERE APPROPRIATE)

5.1 The statutory power to establish a joint overview and scrutiny committee is set out in Section 58 of the Local Government (Wales) Measure 2011("the Measure") and Regulations made thereunder.

5.2 Section 58 of the Measure providing that Welsh Ministers may by regulations make provision under which any two or more local authorities may appoint a Joint Overview and Scrutiny Committee ('JOSC'). Regulations have been

made, namely the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013 ('2013 Regulations').

- 5.3 It will be a decision for each authority if it wishes to establish the Joint Scrutiny Committee proposed. Statutory guidance has been issued under Section 58 of the 2011 Measure, to which regard must be had. Paragraph 3.1 of the guidance providing *“that in establishing a JOSOC which is additional to a Council’s existing scrutiny committee(s) a report setting out its role, responsibilities, terms of reference and intended outcomes to be generated by the joint exercise should be considered by each of the participating authorities’ appropriate scrutiny committees (or sub-committees) before being endorsed by full Council”*.
- 5.4 Where two or more authorities appoint a JOSOC the 2013 Regulations prescribe that they must enter into an agreement, which addresses a number of prescribed matters. The draft terms of reference, set out in Appendix 1 to the report, have been prepared having regard to these requirements and more generally the provisions of the 2013 Regulations and Statutory Guidance issued. The terms of reference are important because a JOSOC is only able to exercise functions in relation to matters which are identified by the appointing authorities. It is therefore important that the local authorities participating in the joint scrutiny committee (referred to as the appointing authorities) are clear from the outset about the role, responsibilities and terms of reference of the joint scrutiny committee.
- 5.5 The proposed membership of the Joint scrutiny committee is set out in the attached terms of reference and the proposal (1 non executive member each authority) reflects the following paragraph of the Statutory Guidance of the Measure:-
- 3.5 In order to ensure JOSOCs represent fairly the interests of each appointing local authority, it is recommended that an equal number of Committee seats be allocated to each of the participating Councils. Although that would mean larger authorities agreeing to have the same membership as smaller ones, this would appear to be in the best interests of effective partnership.*
- 3.6 The 2013 Regulations provide that a JOSOC is not to be regarded as a body to which section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to political groups) applies.
- 3.7 The terms of reference, at paragraph 15, set out the provisions as regards referring matters to the JOSOC. The JOSOC may make a report or recommendation in relation to any matter referred to it, to any of the appointing authorities, their executives or the Regional Cabinet.

3.8 The joint scrutiny committee will require appropriate resource and the body of the report sets out the proposals in this regard, including the financial implications.

General advice

In considering this matter regard should be had, amongst other matters, to:

(i) The Councils' duties under the Well-being of Future Generations (Wales) Act 2015 and;

(ii) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief

6. RECOMMENDATIONS

6.1 That the Joint Committee (Regional Cabinet) consider the draft Terms of Reference attached at Appendix 1 and if content, submit to each constituent Council for approval.

6.2 That it be suggested to the Joint Scrutiny Committee that the Regional Cabinet minutes are included on the future Joint Scrutiny Committee agendas for information.

6.3 That the Chair of the Regional Cabinet, or another Member representative, offers to attend future meetings of Joint Scrutiny to give a verbal update on the progress of the CCR City Deal.

6.4 That Regional Cabinet:

(i) considers and recommends to the Councils for approval, which constituent Council should host the Joint Scrutiny Committee and provide the requisite support services and advice (subject also to that Council's formal agreement) and

(ii) subject to each of the ten Councils determining to establish the Joint Scrutiny Committee proposed and agreeing which Council shall host the Joint Scrutiny Committee, delegate authority to the Regional Programme Director to agree with the Host Council the level of funding required in 2017/18 to fund such Joint Scrutiny Committee hosting arrangements

(provided such level of funding is within Regional Cabinet's 2017/18 approved budget), with future funding arrangements being considered as part of Regional Cabinet's annual budget setting process.

Sheila Davies
Cardiff Capital Region City Deal Programme Director
14th November 2017

The following Appendix is attached:

Appendix 1 – Draft Terms of Reference

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TERMS OF REFERENCE: CARDIFF CAPITAL REGION CITY DEAL JOINT SCRUTINY COMMITTEE

Introduction

1. Cardiff Capital Region (CCR) City Deal is a Joint Committee of all ten local Authorities of South East Wales. Paragraph 10.1 of the Joint Working Agreement states that 'The Councils shall form the joint committee ("Joint Committee") for the purpose of overseeing and co-ordinating the discharge of the Councils' obligations in relation to the City Deal and to carry out the functions set out in Schedule 2 (Joint Committee Terms of Reference) and the Joint Committee shall be known as the "Cardiff Capital Region Joint Cabinet", "Joint Cabinet" or "Regional Cabinet" (as the context requires)'.

For the purposes of these terms of reference;

The Joint Working Agreement means the agreement (as may be amended from time to time) concluded on 1.3.17 between; Blaenau Gwent CBC, Bridgend CBC, Cardiff Council, Caerphilly CBC, Merthyr Tydfil CBC, Monmouthshire CC, Newport CC, Rhondda Cynon Taff CBC, Torfaen CBC and the Vale of Glamorgan Council. The 'Appointing Authorities' are the parties to the Joint Working Agreement the 'Host Authority' means *** or such other authority as the Appointing Authorities may agree from time to time.

2. CCR City Deal is resourced by the ten Appointing Authorities and is supported by a Programme Management Office (PMO), full time officers, a Programme Board made up of senior Officers representing each of the partner Councils and a Joint Cabinet of the Leader (or Deputy) from each Authority. In addition. Legal, technical and financial external advisers have been appointed to provide expert technical advice.

3. Each Council agreed to work together to create a Joint Scrutiny Committee as stated in Paragraph 10.19.2 of the Joint Working Agreement; 'The Councils shall work together to create and agree terms of reference for, to the extent permissible by law, a Joint Audit Committee and a Joint Scrutiny Committee and how the same will be resourced and funded'.

Membership of the Joint Scrutiny Committee

4. The Joint Scrutiny Committee shall consist of one non-executive Member from each Appointing Authority.

5. It is a matter for each Appointing Authority, from time to time, to nominate, or terminate the appointment of its nominated Member serving on the Joint Scrutiny Committee. Each Appointing Authority shall be entitled, from time to time, to appoint a deputy for its Member representative to the Joint Scrutiny Committee but such deputy shall only be entitled to speak and vote at meetings of the Joint Scrutiny Committee in the absence of his or her corresponding principal

6. The length of appointment is a matter for each Appointing Authority.

Quorum

7. The quorum necessary for a meeting of the joint scrutiny committee is at least 7 out of the 10 Joint Scrutiny Committee Members, present at the relevant time.

Election of a Chair

8. The Joint Scrutiny Committee shall elect a Chair and Vice Chair, which appointments will rotate annually between the Appointing Authorities, in alphabetical order

Rules of Procedure

9. The procedure rules will be those of the Host Authority for its Scrutiny Committees,

Members' Conduct

10. Members of the Joint Scrutiny Committee will be bound by their Council's Code of Conduct.

Declarations of Interest

11. Members of the Joint Scrutiny Committee must declare any interest either before or during the meetings of the Joint Scrutiny Committee (and withdraw from that meeting if necessary) in accordance with their Council's Code of Conduct or as required by law.

Confidential and Exempt Information / Access to Information

12. The Host Authority's Access to Information Procedure rules shall apply subject to the provisions of the Local Government Act 1972 :

Openness and Transparency

13. All meetings of the Joint Scrutiny Committee will be open to the public unless it is necessary to exclude the public in accordance with Section 100A (4) of the Local Government Act 1972.

14. All agendas, reports and minutes of the Joint Scrutiny Committee will be made publically available, unless deemed exempt or confidential in accordance with the above Act.

Functions to be exercised by the Joint Scrutiny Committee

15. The Joint Scrutiny Committee shall be responsible for exercising the following functions:

- a. To perform the Overview and Scrutiny function for CCR City Deal (which City Deal is more particularly specified in the Joint Working Agreement) on behalf of the ten local Authorities.
- b. To develop a forward work programme reflecting its functions under paragraph (a) above.
- c. To seek reassurance and consider if the CCR City Deal is operating in accordance with the Joint Working Agreement, its Annual Business Plan, timetable and / or is being managed effectively.
- d. To monitor any CCRC project's progress against its Programme plan.
- e. To make any reports and recommendations to the Regional Cabinet and or to any of the Appointing Authorities and to any of their executives in respect of any function that has been delegated to the Regional Cabinet pursuant to the Joint Working Agreement.

Any member of a Joint Overview and Scrutiny Committee may refer to the committee any matter which is relevant to its functions provided it is not a local crime and disorder matter as defined in section 19 of the Police and Justice Act 2006

Any member of any of the Appointing Authorities may refer to the Joint Overview and Scrutiny Committee any local Government matter which is relevant to the functions of the Joint Scrutiny Committee, subject to the following conditions and provisos.

The conditions for a reference by a member of an Appointing Authority to the Joint Scrutiny Committee are that:

- (i) The matter relates to one of the functions of the authority and is relevant to the functions of the Joint scrutiny committee,
- (ii) It effects the electoral area of the member or it effects any person who lives or works there; and
- (iii) It is not a local crime and disorder matter as defined in section 19 of the Police and Justice Act 2006.

Provisos

When considering whether to refer a matter to the Joint Scrutiny Committee a member should first consider if it falls within the remit of a single overview and scrutiny committee within the member's local authority, and if that is the case the member should raise the matter there. Members should only refer a matter to a Joint scrutiny committee if it falls clearly within the responsibilities and terms of reference of the Joint Scrutiny Committee and if there is no scrutiny of the issue in the local authority to which the member belongs.

It is acknowledged that the establishment of the CCRCDC Joint Scrutiny Committee shall not serve to exclude a local authority's right to carry out its own individual Scrutiny of any decision of the Regional Cabinet or City Deal matter

Duration of Joint Scrutiny

16. To be co-terminus with the duration of Joint Cabinet or if earlier the decision of the ten authorities to end the Joint Scrutiny arrangements.

Withdrawal

17. Any of the ten local Authorities may withdraw from participating in the Joint Scrutiny arrangements upon three months' notice to each of the other Authorities.

18. The Joint Scrutiny Committee in carrying out its functions must have regard to guidance relating to section 62 of the Measure, which places a requirement on local authorities to engage with the public

Foot notes

1. No provision has been made for sub committees given the scrutiny committee comprises only 10 members and that Regulations (SI 2013/1051) require a Sub- Committee to comprise an equal number of members of the Appointing Authorities.

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