

10th July 2014

Dear Councillor

CABINET

You are requested to attend a **Cabinet** meeting to be held at **The Council Chamber, County Hall, Rhadyr, Usk, NP15 1GA on Wednesday, 16th July 2014, at 2.00 p.m.**

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Consideration of reports from Select Committees (none)
4. To welcome Non Jenkins from Wales Audit Office who will be presenting the Annual Improvement Report (WAO report attached).
5. To consider the following reports (copies attached):
 - (i) **SCRAP METAL DEALERS ACT 2013 – STATEMENT OF LICENSING POLICY**
Division/Wards Affected: ALL
Purpose: To consider the authority's Licensing Policy under the Scrap Metal Dealers Act 2013.
Author: Linda O'Gorman, Principal Licensing Officer
Contact Details: lindaogorman@monmouthshire.gov.uk

- (ii) **21st CENTURY SCHOOLS PROGRAMME**
Division/Wards Affected: All
Purpose: To include the 21st Century Schools development programme in the Councils Capital Programme; To establish the best option in the development of Monmouth Comprehensive School; To re-allocation of the funds associated with the Welsh Medium Secondary Provision from 2015-2016 to 2018-2019 (within the agreed Band A funding period); and To extend the current secondment arrangements for two employees currently seconded to the 21st century schools project.
Author: Simon Kneafsey, 21st Century Programme Manager
Contact Details: simonkneafsey@monmouthshire.gov.uk
- (iii) **DEVELOPING A NEW SOCIAL SERVICES I.T. SYSTEM**
Division/Wards Affected: None
Purpose: To provide finance from the Invest to Redesign Reserve for the replacement of the Social Services SWIFT system
Author: Simon Burch
Contact Details: simonburch@monmouthshire.gov.uk
- (iv) **AFGHAN RELOCATION SCHEME**
Division/Wards Affected: All
Purpose: To seek Cabinet's agreement to participate in the Home Office Afghan National Relocation scheme.
Author: Will McLean, Head of Policy and Partnerships
Contact Details: willmclean@monmouthshire.gov.uk
- (v) **CMC² BUSINESS PLAN**
Division/Wards Affected: All
Purpose: To provide an update on the Year Three activities and income generation forecasts of CMC².
Author: Peter Davies / Cath Fallon
Contact Details: peterdavies@monmouthshire.gov.uk / cath@communitymc2.org.uk
- (vi) **DIGNITY AT WORK SCHOOL BASED EMPLOYEES**
Division/Wards Affected: All
Purpose: The purpose of this report is to introduce the revised Dignity at Work Policy for schools based employees. This policy is designed both to help prevent any harassment and bullying and to offer support to any employee who feels that they are being harassed or bullied. It aims to assist in developing and encouraging a working and learning environment and culture in which harassment and bullying are known to be unacceptable, and where individuals have the confidence to report harassment or bullying without fear or intimidate
Author: Sally Thomas – HR Lead for education
Contact Details: sallythomas@monmouthshire.gov.uk

(vii) **AMENDED DISCLOSURE AND BARRING SERVICE POLICY**

Division/Wards Affected: All

Purpose: To introduce an amended and updated Disclosure and Barring Service Policy.

Author: Sally Thomas / Claire Robins – People Services

Contact Details: sallythomas@monmouthshire.gov.uk / clairerobins@monmouthshire.gov.uk

(viii) **WELSH CHURCH FUND WORKING GROUP**

Division/Wards Affected: All

Purpose: To make recommendations to Cabinet on the Schedule of Applications 2014/15, meeting 2 held on the 26th June 2014.

Author: David Jarrett – Central Management Accountant

Contact Details: davejarrett@monmouthshire.gov.uk

Yours sincerely,

Paul Matthews
Chief Executive

CABINET PORTFOLIOS 2013

County Councillor	Area of Responsibility	Partnership and External Working	Ward
P.A. Fox (Leader)	Organisational Development Whole Council Performance, Whole Council Strategy Development, Corporate Services, Democracy.	WLGA Council WLGA Coordinating Board Local Service Board	Portskewett
R.J.W. Greenland (Deputy Leader)	Innovation, Enterprise & Leisure Innovation Agenda, Economic Development, Tourism, Social Enterprise, Leisure, Libraries & Culture, Information Technology, Information Systems.	WLGA Council Capital Region Tourism	Devauden
P.A.D. Hobson (Deputy Leader)	Community Development Community Planning/Total Place, Equalities, Area Working, Citizen Engagement, Public Relations, Sustainability, Parks & Open Spaces, Community Safety.	Community Safety Partnership Equalities and Diversity Group	Larkfield
E.J. Hackett Pain	Schools and Learning School Improvement, Pre-School Learning, Additional Learning Needs, Children's Disabilities, Families First, Youth Service, Adult Education.	Joint Education Group (EAS) WJEC	Wyesham
G. Howard	Environment, Public Services & Housing Development Control, Building Control, Housing Service, Trading Standards, Public Protection, Environment & Countryside.	SEWTA SEWSPG	Llanelly Hill
G. Burrows	Social Care & Health Adult Social Services including Integrated services, Learning disabilities, Mental Health. Children's Services including Safeguarding, Looked after Children, Youth Offending, Health and Wellbeing.	Gwent Frailty Board Older Persons Strategy Partnership Group	Mitchel Troy
P. Murphy	Resources Accountancy, Internal Audit, Estates & Property Services, Procurement, Human Resources & Training, Health & Safety.	Prosiect Gwrydd Wales Purchasing Consortium	Caerwent
S.B. Jones	County Operations Highways, Transport, Traffic & Network Management, Waste & Recycling, Engineering, Landscapes, Flood Risk.	SEWTA Prosiect Gwrydd	Goytre Fawr

Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

People Are Confident, Capable and Involved

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

Our County Thrives

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation

Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.



WALES AUDIT OFFICE
SWYDDFA ARCHWILIO CYMRU

Annual Improvement Report

Monmouthshire County Council

Issued: June 2014

Document reference: 207A2014

About the Auditor General for Wales

The Auditor General is independent of government, and is appointed by Her Majesty the Queen. The Auditor General undertakes his work using staff and other resources provided by the Wales Audit Office, which is a statutory board established for that purpose and to monitor and advise the Auditor General. The Wales Audit Office is held to account by the National Assembly.

Together with appointed auditors, the Auditor General audits local government bodies in Wales, including unitary authorities, police, probation, fire and rescue authorities, national parks and community councils. He also conducts local government value for money studies and assesses compliance with the requirements of the Local Government (Wales) Measure 2009.

Beyond local government, the Auditor General is the external auditor of the Welsh Government and its sponsored and related public bodies, the Assembly Commission and National Health Service bodies in Wales.

The Auditor General and staff of the Wales Audit Office aim to provide public-focused and proportionate reporting on the stewardship of public resources and in the process provide insight and promote improvement.

This Annual Improvement Report has been prepared on behalf of the Auditor General for Wales by Non Jenkins and Alex Rawlin under the direction of Alan Morris.

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Summary report

- 1 Each year, the Auditor General must report on how well Welsh councils, fire and rescue authorities, and national parks are planning for improvement in delivering their services. This report draws on the work of the relevant Welsh inspectorates, as well as work undertaken on the Auditor General's behalf by the Wales Audit Office. The report covers delivery and evaluation of services of Monmouthshire County Council (the Council) in relation to 2012-13, its planning of improvement for 2013-14 and, taking these into account, concludes whether the Auditor General believes that the Council will make arrangements to secure continuous improvement for 2014-15.
 - the Council's 2012-13 accounts were unqualified and the financial statements were of a good standard;
 - the Council improved its approach to improvement planning in 2012-13 but further alignment with strategic plans and clearer links between activities and measures were needed;
 - the Council's arrangements to evaluate its performance during 2012-13 started to improve but there were some weaknesses in arrangements for local indicators,
 - there were some examples of good scrutiny but overall scrutiny and challenge of performance was patchy and the Council's assessments of performance were not always balanced; and
 - the Council discharged its improvement reporting duties under the Measure for 2012-13, however, it should ensure that it acts more in accordance with Welsh Government guidance.
- 2 We found that, in 2012-13 the Council made mixed progress in delivering improvements in priority areas and performance levels were mixed when compared with other councils. We came to this conclusion because:
 - the Council made mixed progress in 2012-13 in delivering improvements in its priority areas; and
 - performance was also mixed on the further measures and services that are comparable with other councils in Wales.
- 3 We also found that the Council's improvement planning arrangements for 2012-13 improved and there were some examples of good scrutiny, but some weaknesses remain in arrangements for local indicators, assessments and scrutiny of performance. We came to this conclusion because:
 - the Council failed to discharge some of its improvement planning duties under the Measure and should ensure that it acts more in accordance with Welsh Government guidance; and
- 4 Finally, we found that the Council failed to discharge some of its improvement planning duties for 2013-14 and it was uncertain whether the Council was likely to make arrangements to secure continuous improvement in 2013-14. We came to this conclusion because:
 - the Council failed to discharge some of its improvement planning duties under the Measure and should ensure that it acts more in accordance with Welsh Government guidance; and

- it was uncertain whether the Council is likely to comply with the requirement to make arrangements to secure continuous improvement during this financial year.

5 Taking the above into account, the Auditor General believes that it is uncertain whether the Council is likely to make arrangements to secure continuous improvement for 2014-15.

Recommendations

Over the course of our work in 2013-14 we made one statutory recommendation which has previously been published and reported to the Council in the Auditor General's Improvement Assessment Letter dated September 2013 and is set out below for information.

R1 Put in place arrangements that enable the Council to formulate, scrutinise, approve and publish its improvement objectives in a timely way to meet its statutory obligations under the Measure and make it more accessible to citizens.

Detailed report

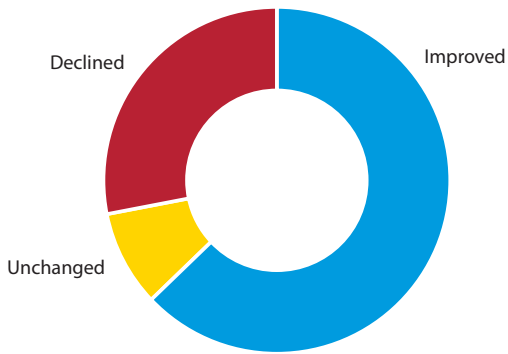
Introduction

- 6 Under the Local Government (Wales) Measure 2009 (the Measure), the Auditor General must report each year on how well Welsh councils, fire and rescue authorities, and national parks are planning for improvement in delivering their services. **Appendix 1** provides more information about the Auditor General's powers and duties under the Measure. With help from Welsh inspectorates, Estyn (for education), the Care and Social Services Inspectorate for Wales (CSSIW), and the Welsh Language Commissioner, we have brought together a picture of what each council or authority in Wales is trying to achieve, how it is going about it, and the progress the Council has made since the Auditor General published his last annual improvement report. The report also draws on the Council's own self-assessment. Finally, taking all this into account, the report concludes whether the Auditor General believes that the Council is likely to make arrangements to secure continuous improvement for 2014-15.
- 7 We do not undertake a comprehensive annual review of all Council arrangements or services. The conclusions in this report are based on our cumulative and shared knowledge and the findings of prioritised work undertaken this year.
- 8 Given the wide range of services provided and the challenges facing the Council, it would be unusual if we did not find things that can be improved. The Auditor General is able to:
- make proposals for improvement – if proposals are made to the Council, we would expect them to do something about them and we will follow up what happens;
 - make formal recommendations for improvement – if a formal recommendation is made the Council must prepare a response to that recommendation within 30 working days;
 - conduct a special inspection and publish a report and make recommendations; and
 - recommend to Ministers of the Welsh Government that they intervene in some way.
- 9 We want to find out if this report gives you the information you need and whether it is easy to understand. You can let us know your views by e-mailing us at info@wao.gov.uk or writing to us at 24 Cathedral Road, Cardiff, CF11 9LJ.

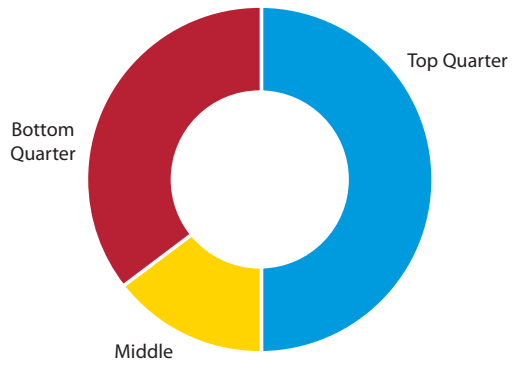
The Council made mixed progress in 2012-13 in delivering improvements

- 10 In the Council's Annual Performance Review 2012-13, the Council reported that service performance improved in nearly two-thirds of its comparable performance indicators.
- 11 Whilst the Council noted in its Annual Performance Review 2012-13 that National Strategic Indicators and Public Accountability Measures do not always reflect the priorities of the Council, it also states that compared with other councils, Monmouthshire was ranked in the top quartile for half of the published national indicators. The Council's own evaluation of performance against its priority areas and other key local services covered by the national indicators is show below.

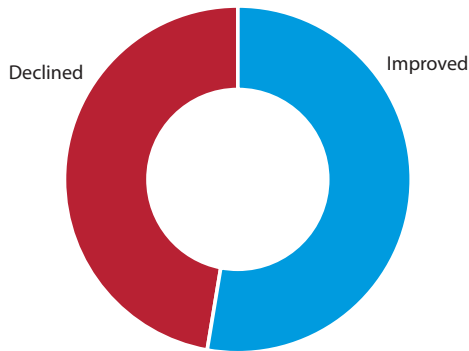
Monmouthshire Performance Indicators 2012/13



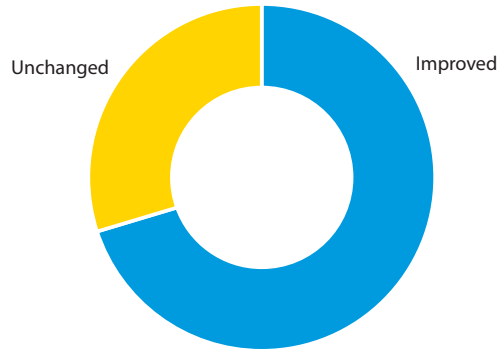
Monmouthshire Comparative Performance



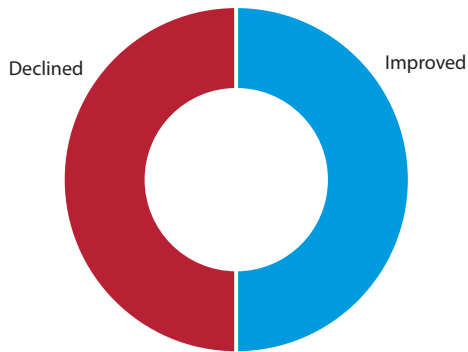
Protecting Vulnerable People



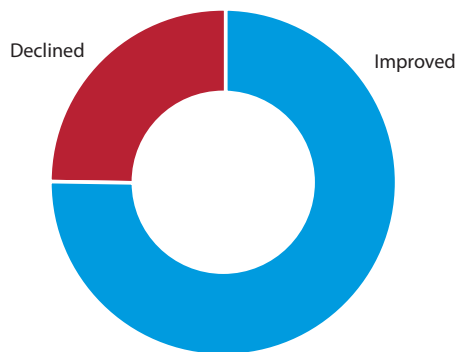
Education



Economic Development



Other Key Local Services



Source: Monmouthshire County Council's Annual Performance Review 2012-13

12 Our analysis of the 44 national strategic indicators and public accountability measures for 2012-13 is set out below.

	Current Year	Previous Year
National Strategic Indicators:		
Number of NSIs	30	30
Number with actual value that have got BETTER	12	
Number with actual value that have got WORSE	6	
Number with RANKING that have got BETTER	9	
Number with RANKING that have got WORSE	6	
Number ABOVE Welsh average	15	9
Number BELOW Welsh average	14	12
Number with TARGET aiming to get BETTER	5	
Number with TARGET aiming to get WORSE	1	
Public Accountability Measures:		
Number of PAMs	14	14
Number with actual value that have got BETTER	8	
Number with actual value that have got WORSE	5	
Number with RANKING that have got BETTER	7	
Number with RANKING that have got WORSE	5	
Number ABOVE Welsh average	9	10
Number BELOW Welsh average	4	4
Number with TARGET aiming to get BETTER	0	
Number with TARGET aiming to get WORSE	0	

13 In June 2012, the Council published its Improvement Plan which set out its priorities and actions for 2012-13. The Council's Improvement Objectives for 2012-13 are summarised below:

- Bring together health, social care and independent agencies in a single model of community based care (Gwent Frailty Programme) and instigate the 'Missing link' programme to improve our response to missing children.
- Improve the prosperity of our county and its attractiveness to business, supporting existing and new businesses and maximising the return on investment in our tourism economy.
- Provide a joined-up and comprehensive approach to area regeneration and development working in partnership to develop plans for our key towns of Abergavenny, Caldicot, Chepstow and Monmouth and smaller communities.
- Improve the way we provide education to ensure the best learning opportunities for our children, young people and community. Implement the Education Achievement Service, start to improve school sites to deliver 21st century education and improve the ICT infrastructure in schools.
- Increase the amount of waste treated in a sustainable manner and work towards a long-term sustainable alternative to landfill. Progress Prosiect Gwyrdd to offer a long-term and sustainable way of treating residual waste.

- Modernise the way the council is run to improve the way we work. Change the culture of our organisation to make sure that we listen to what our communities want and become more responsive and innovative in meeting those needs.

14 Below we provide a brief assessment of how well the Council is performing in delivering improvement against these priority improvement objectives. More detailed information about progress and achievements is provided in the Council's Annual Performance Review 2012-13 which is available on the Council's website.

The Council made mixed progress in delivering improvement in its priority areas

Whilst some improvements in reducing delayed transfers of care, improving user satisfaction and the results of reablement were made, performance in social care was mixed:

15 The Council identified a range of key actions to help it achieve the following improvement objective: 'We will continue to bring together health, social care and independent agencies in a single model of community based care called the Gwent Frailty Programme. More specifically this year we will continue to operate multi-disciplinary teams to deliver integrated practice and instigate the 'Missing link' programme aimed at improving our response to missing/runaway children.' Actions included implementing the Gwent Frailty Programme and the Missing Link programme.

- 16 The Council identified six specific performance measures it would use to assess whether it has achieved its objective in its Improvement Plan 2012-2015; *Looking to the Future, Your County, Your Way*. The Council's evaluation of its own performance says that its performance was very good for this Improvement Objective, with major strengths.
- 17 Our evaluation shows that one of the six indicators was not reported, four met or exceeded targets and one did not achieve the target. The Council's performance on the number of people using the Frailty Service was not reported. The service exceeded its targets on user satisfaction (achieving 96 per cent compared with a target of 93 per cent), the percentage of people independent at the end of reablement (achieving 54 per cent compared with a target of 52 per cent), and the rate of delayed transfers of care from hospital (achieving 1.77 compared with a target of 5.29). This put the Council significantly better than the Wales average and ranked seventh in Wales, although this indicator was universally qualified across Wales. The Council also exceeded its target on the numbers of older people receiving community-based care packages (achieving 1,167 compared with a target of 1,263). The Council failed to achieve the target for the average size of care package received by people getting support to keep them independent (achieving 10.7 hours compared with a target of under 10.4 hours).
- 18 The CSSIW has provided mixed feedback on the performance of the Council's Social Services. In October 2013 the CSSIW published its *Annual Review and Evaluation of Performance for 2012-13* for the Social Services department in Monmouthshire. The evaluation report sets out the key areas of progress as well as areas for further improvement. The report can be found on the [CSSIW website](#). The following paragraphs are drawn from the report.
- 19 'Monmouthshire County Council has set out a strategic vision and priorities for social care services and continues to progress its ambitious change programme across adult and children's social care in order to achieve this vision. The aim is to shape services in order to focus on prevention, early intervention and supporting people to remain independent. Its strategy seeks to draw on social enterprise, partners and communities to deliver services.
- 20 The Council has demonstrated a commitment to further collaboration and integration with neighbouring authorities and partners across Gwent to develop and commission services. Strategies have been developed for the delivery of integrated services for adults with learning disabilities and people with mental health needs.
- 21 In adult services, integrated health and social care teams deliver reablement services through the Gwent Frailty model. Performance data suggests this is having a positive impact, with more people being supported to remain independent. The Council has redesigned how it responds to

initial contacts so that people who contact adult social services are spoken to by qualified staff who can facilitate solutions through advice, signposting or referral for further assessment.

22 In children's services, performance against national indicators has been stable or has improved in a number of areas, however, the Council has struggled to maintain performance in some areas. The number of looked after children increased in 2011-12 and has remained at this higher level this year which has created some resourcing pressures.

23 Considerable progress has been made during 2012-13 in restructuring children's services and redesigning processes to streamline and improve the effectiveness of services. This includes: the delivery of the Joint Assessment Families Framework via hubs located around secondary schools; the development of a new simplified single assessment form; and the redesign of the transfer policy to improve decision making and to ensure cases are progressed appropriately.

24 The Council has taken steps to strengthen its children's safeguarding arrangements within children's services, taking responsibility for all safeguarding matters in relation to education. This has been an important element of the Council's response to concerns highlighted in Estyn's review of Monmouthshire County Council's education services in November 2012.

25 CSSIW has identified the following potential risks:

- ability to implement change at a rate that keeps pace with increasing demand for both adult and children's services;
- capacity to take forward and implement the modernisation agenda whilst continuing to deliver ongoing operational demands; and
- capacity to develop a quality assurance and performance management framework that will enable the council to assure itself that the service structures and new ways of working are delivering the desired outcomes.

26 CSSIW has identified the following good practice:

- The Council has a clear vision for the future shape of services in order to meet demand and is proactively taking forward a modernisation agenda in order to achieve its vision.
- In adult services, a fully integrated model of care is supporting the delivery of reablement and the Gwent Frailty model. The number of people supported in the community is stabilising indicating that more people are being enabled to remain independent.
- People find it easier to contact adult services and receive timely and responsive services.'

27 Our analysis of the National Strategic Indicators and Public Accountability Measures shows that performance is mixed.

28 Performance improved on two measures: the percentage of adult referrals where the risk is managed (although the Council is still ranked 21st in Wales); and the percentage of carers offered an assessment in their own right (though again, the Council still ranked 19th in Wales). The percentage of adults supported in the community decreased. Performance deteriorated on two measures; the percentage of care plan reviews completed in time; and the rate of older people supported in care homes (although the Council is still ranked first in Wales on this indicator).

29 Around half of the key performance measures for children's services deteriorated during 2012-13 and half improved, with the majority now performing worse than the Wales average. There were four measures where performance was not directly comparable over time or between councils.

30 Performance improved on four indicators. Three of these concerned looked-after-children, including numbers having three or more placements in a year (the Council's rank also improved from 11th in Wales to first), or a change of school (the Council's rank also improved from 12th to 6th) and external qualifications aged 16 (again, rank improved from 19th to 7th). The percentage of young carers also improved and the Council's rank improved from 22nd to 19th, still worse than the Wales average.

31 Performance deteriorated on four measures: the percentage of children seen by a social worker at the initial assessment (where the Council's rank worsened from first in Wales to 6th); the percentage seen alone by a social worker (where ranking worsened from 16th to 22nd); the percentage of statutory visits in accordance with the regulations (ranking worsened from 11th to 22nd); and reviews of children carried out within timescales (ranking remained at 21st in Wales).

The Council's performance on businesses and tourism was mixed

32 The Council identified a range of key actions to help them achieve the Improvement objective: 'We want to improve the prosperity of our county and its attractiveness to business. This year we will build on the progress we have made in supporting both existing and new businesses and also turn our focus to maximising both the financial and social return on investment in our tourism economy.' Actions included driving up job and training opportunities via the community interest company CMC2 and turning seasonal tourism into a year-round business.

33 The Council identified seven specific performance measures it would use to assess whether it had achieved its objective. The Council evaluation of its own performance said that performance was good for this Improvement Objective, with important strengths and some areas for improvement.

34 Our evaluation shows that the Council did not report on one measure, achieved its targets on two measures and failed to meet targets on four measures. The Council did not report on the percentage of the workforce employed in the tourism sector. Targets were achieved on the number of new jobs created that were supported by Monmouthshire enterprise and partners, and the number of job seekers allowance claimants. The Council did not achieve its targets on the number of business start-ups supported by Monmouthshire enterprise and partners, the total number of tourists and income generated by tourism, and the average weekly earnings of Monmouthshire residents.

The Council's performance in Area Regeneration was mixed with many measures not achieving targets but significant improvements in affordable homes

35 The Council identified a range of key actions to help them achieve the objective: 'We want to provide a joined-up and comprehensive approach to area regeneration and development. Continuing from last year, we will work in partnership with key organisations to either review existing or develop new holistic area regeneration plans for our key towns of Abergavenny, Caldicot, Chepstow and Monmouth. We will also use this approach in developing smaller communities starting in Llanelly Hill and Overmonnow.' Actions included developing the Whole Place approach, and delivering regeneration projects in Severnside and Abergavenny.

36 The Council identified eight specific performance measures it would use to assess whether it has achieved its objective. The Council's evaluation of its own performance said that performance was good for this Improvement Objective with important strengths and some areas for improvement.

37 Our evaluation shows that the Council did not report on two measures, achieved its targets on two measures and failed to meet targets on four measures. The Council did not report on the number of micro-enterprises in the county and the number of active enterprises as this information was not available from the national data source (NOMIS). It achieved targets on the number of working age people with a qualification equal to NVQ4 or higher (achieving 38.5 per cent compared with the target of 36.7 per cent), and the number of additional housing units provided (achieving 101 units compared with a target of 20). But this indicator was universally qualified across Wales. The Council failed to meet its targets on the numbers, and percentages of Monmouthshire residents that work in the county, number of affordable homes built, and the number of work-based placements secured with local employers. We found errors associated with this indicator in our data quality review in summer 2013.

Performance on Education is being monitored by Estyn following the shortcomings identified in its inspection in February 2013

- 38 The Council identified a range of key actions to support the objective: 'We want to improve the way we provide education to ensure the best learning opportunities for our children and young people but also, the wider community. More specifically this year we will put the wheels in motion to improve the school sites so they are fit to deliver 21st century education, we will implement the Education Achievement Service as a joint authority approach to develop better teaching and learning practices and we will continue our programme of building a modern ICT infrastructure within our schools. We will also continue improving our support to children and young people who struggle within the education system'. Actions included using 21st Century School funding to improve comprehensive and primary schools, working with the Shared Resource Service (SRS) to improve ICT capacity and other important activities.
- 39 The Council identified 12 specific performance measures it would use to assess whether it has achieved its objective. The Council's evaluation of its own performance said that performance was adequate for this Improvement Objective and that strengths just outweigh weaknesses.
- 40 Estyn inspected the Council's education services in November 2012 and they were judged to be unsatisfactory. Capacity to improve was also judged to be unsatisfactory. The report recommended that the service should be placed in special measures and a Ministerial Recovery Board was established.
- 41 The Council is working closely with the Ministerial Recovery Board to address the shortcomings identified in the inspection. Estyn will continue to monitor the authority's progress against its post inspection action plan throughout the year.
- 42 During February 2014, Estyn undertook its first monitoring visit since the inspection, and has recently issued the Council with a letter which sets out the progress made by the authority against the Safeguarding recommendation arising from the 2012 inspection, considers the current performance of the authority and identifies any additional areas for improvement. Further monitoring visits are scheduled to evaluate progress against the remaining five recommendations. Estyn will also review the overall progress made against all recommendations from the previous inspection and the current performance overall.

43 Estyn reported in its letter to the Council that 'the local authority has made some good initial progress in addressing the shortcomings around safeguarding identified at service and practitioner level. However, the most challenging and significant shortcomings identified in the strategic management of safeguarding have not been addressed well enough. The local authority still does not have effective enough management information systems and processes to enable it to receive appropriate and evaluative management information about safeguarding. It is not able to routinely identify how well the actions taken impact on the safeguarding of all children and young people in Monmouthshire or to prioritise actions for improvement well enough'.

44 Estyn's new overall judgements will be presented at the end of the monitoring period which is expected to conclude in 2015.

The Council's performance on waste was mixed as there were improvements in waste and recycling measures, but the Council did not achieve its targets

45 The Council identified a range of key actions to support the Improvement Objective: 'We want to work with our partners and the community to increase the amount of waste treated in a sustainable manner and work towards a long term sustainable alternative to landfill. As part of this, the Council aims to progress Prosiect Gwyrdd¹ to offer a long term and sustainable way of treating residual waste.'

46 The Council identified nine specific performance measures it would use to assess whether it achieved its objective. The Council evaluation of its own performance says that performance was good for this Improvement Objective and that there are important strengths with some areas for improvement.

47 Our evaluation shows that the Council did not report on three measures, achieved its targets on two measures and failed to meet targets on four measures. The Council did not report on recycling satisfaction (which is based on a biennial survey) and the percentage of households using weekly dry recycling and food waste recycling. This issue was raised in our data quality review in the summer of 2013.

48 The Council achieved its targets on the number of households where domestic waste is collected and kilogrammes of waste collected per person. The Council failed to meet targets on tonnes of biodegradable waste sent to landfill and the standards of cleanliness of adopted highways. The Council also failed to meet its target on the percentage of municipal waste recycled or composted but was still better than the Wales average, met the Welsh government target and is rated green in the Welsh Government's rating of recycling in Wales. Finally, the Council failed to meet its target on the percentage of municipal waste sent to landfill. It was worse than the Wales average although the Council only used 46 per cent of its landfill allowance in 2011-12, the third lowest in Wales. Other key performance

¹ Prosiect Gwyrdd is a partnership between five councils (Caerphilly, Cardiff, Monmouthshire, Newport, and the Vale of Glamorgan) that aims to look for the best environmental, cost effective and practical solution for waste after recycling and composting have been maximised in each council area.

measures for waste improved, including the clearing of fly tipping within five days, and the percentage of highways of a high and acceptable standard of cleanliness.

The Council made good progress on 'The Way We Work'

- 49 The Council identified a range of key actions to support the Improvement Objective: 'We want to modernise the way the council is run to improve the way we work. More specifically we will focus on changing the culture of our organisation to make sure that we listen to what our communities want and become more responsive and innovative in meeting those needs.' Actions included implementing agile working, systems thinking and systems doing, intrapreneurship, go find, come play and developing effective listening tools.
- 50 The Council identified four specific performance measures it would use to assess whether it achieved its objective, although eight were eventually reported on. In the Scorecard for this Improvement Objective. Our data quality review in summer 2013 found that some data had been inconsistently reported and no explanation for changes in targets or reported performance levels were provided. The Council's evaluation of its own performance said that performance was good for this Improvement Objective and that there are important strengths with some areas for improvement.
- 51 Our evaluation shows that the Council did not set targets for three measures, achieved its targets on three measures and failed to meet targets on one measure. The Council did not set targets for the measures on: savings released as a result of whole systems approaches and applied innovation (it achieved £1.77 million – this was also inconsistently reported, as raised in our data quality review in summer 2013); the percentage of planning applications approved (it achieved 93.7 per cent); or the number of days to process a planning application (it achieved 104 days). The Council met its targets on: the number of people engaging with the Council through social media (achieving 6,949 compared with a target of 3,947); the number of staff ideas used in formulating the budget (achieving 33 compared with a target of 20, although this was inconsistently reported as raised in our data quality review); and the number of people involved in the Your County, Your Way programme (achieving 480 compared with a target of 400). The Council did not achieve its target for the number of people who have been through the intrapreneurship programme, achieving 54 compared with a target of 60. Again, this was inconsistently reported as raised in our data quality review.

The Council made mixed progress in delivering improvement on measures that are comparable with other councils in Wales

- 52 The Council was too slow in processing housing benefit claims. Its caseload reduced by one per cent (compared with an average three per cent drop across Wales) and the average time taken to process new claims remains the same in 2011-12 and 2012-13 at 34 days. This is significantly worse than the Wales average of 20 days. Time taken to process changes in circumstance remained at 12 days but this is double the Wales average at six days. Accuracy in processing had improved to 88 per cent in 2012-13, which was also worse than the Wales average of 94 per cent.
- 53 Performance in housing was mixed. The Council's speed of processing disabled facilities grants improved, was better than the Wales average and ranked sixth in Wales. But performance on preventing homelessness deteriorated, was much worse than the Wales average and ranked 20th in Wales.
- 54 Performance on transport and highways was mixed. Condition of roads improved, was better than the Wales average and ranked fifth in Wales. But fewer older people held concessionary bus passes, this was worse than the Wales average and the Council ranked 19th in Wales.
- 55 Performance on leisure and culture was mixed. The number of visits to sport and leisure centres was below the Wales average and ranked 18th in Wales but visits to libraries were above the Wales average and ranked second in Wales. The Public Service Ombudsman received fewer complaints about the Council than the previous year but responses to requests for information were still too slow.
- 56 The Council's Welsh-language provision improved but further improvement is needed. It has taken further steps to increase Welsh-language provision on the website and has developed internal guidelines on publishing Welsh and English content. Further work needs to be done to report on the workforce's Welsh-language skills and the implementation of the Language Skills Strategy will be a priority for the next period. The Council intends to use an external agency to undertake a telephone survey in order to prove compliance with the Language Scheme. The Council will need to analyse the results of the assessment and ensure that it acts on any findings for improvement. The Council was good at managing its overall budget and whilst it continues to deliver essential services with less money, approved savings targets are not always being realised and some local services are becoming increasingly unsustainable.

57 Councils are under increasing pressure to reduce costs but still have a duty to have arrangements to secure continuous improvement. The scale of cost reduction required means that councils will have to look beyond immediate short term savings and think more radically about how to take cost out of the business and how to sustain this longer term whilst still improving services. Cutting spending effectively requires departments to take a strategic overview to avoid an erosion of service quality in priority delivery areas. Councils should clearly prioritise what services matter most, based on an accurate, realistic assessment of the costs, benefits and risks of the options.

58 During 2012-13 we reviewed how well the Council was managing with less resources. We concluded that the Council is good at managing its overall budget and whilst it continues to deliver essential services with less money, approved savings targets are not always being realised and some local services are becoming increasingly unsustainable.

59 Overall, the Council's expenditure on Environmental Health, Housing and Waste Management is reducing and performance is mostly being maintained, the long term sustainability of these services is unclear and some services are managing increasing risks. We looked at these three areas specifically to understand how well these services are planning and delivering savings. Environmental Health and Waste Management service budgets have fallen whilst expenditure on Housing

Services has marginally increased in recent years. Environmental Health services are managing with reduced budgets and performance is mostly improving but it is unclear if the service is sustainable in the medium to long term. Housing services' performance remains mixed and the limited capacity within the service and the increasing demand it faces suggest there are growing housing risks in Monmouthshire. Waste services are managing well with less resources and performance is mostly improving although this could be difficult to sustain.

60 At a time of diminishing resources and growing budget pressures, it is important for councils to engage with local people about their services and to understand how changes in service delivery, as a result of budget decisions, are impacting on those that receive them. We found that residents in Monmouthshire use a wide range of Council services and, overall, most of the residents we spoke to are satisfied with the quality of most Council services although a small number are viewed as poor. The residents we spoke to felt that the quality of most Council services have neither improved or declined in the last year and remain broadly the same. There is mixed awareness amongst residents we spoke to of the Council's plans for the future and changes in how services will be provided.

The Council's improvement planning arrangements for 2012-13 improved and there were some examples of good scrutiny, but some weaknesses remain in arrangements for local indicators, assessments and scrutiny of performance

The Council's 2012-13 accounts were unqualified and financial statements were of a good standard

- 61 The auditor appointed by the Auditor General issued an unqualified opinion on the Council's accounts which were prepared to a good standard. [Appendix 3](#) gives more detail.

The Council improved its approach to improvement planning in 2012-13 but further alignment with strategic plans and clearer links between activities and measures were needed

- 62 The Council developed a Single Integrated Plan based on a Unified Needs Assessment. Partnerships and collaboration were considered as part of the Council's improvement planning process, but the benefits and outcomes from these partnerships and collaborations have not been clearly defined. There were some gaps in baseline information and the measures that the Council used to evaluate, monitor and report progress.
- 63 Improvement planning was not yet aligned with all other strategic planning activities and some of the development processes across the different plans were out of sync. This was preventing the Council from making the links across all of its strategic plans.
- 64 Through the Whole Place approach, the Council improved the way that partners and communities were engaged in planning for improvement and setting priorities.

- 65 It was not always clear what the Council wanted to achieve through activities associated with each improvement objective, how activities and performance measures linked or what the timescales and milestones for delivery were. The Council did not always develop a broad or comprehensive range of measures to evaluate the success of its activities for each improvement objective.

The Council's arrangements to evaluate its performance during 2012-13 started to improve but there were some weaknesses in arrangements for local indicators

- 66 The Council's central performance team supported service areas to manage their performance. Some services used performance information to improve their services, for example, social services.
- 67 The Council was developing a new performance management framework with better arrangements to evaluate and score performance against improvement objectives, a suite of corporate health indicators and a new (Ffynnon) performance data repository and reporting mechanism. It was also developing a self-evaluation framework based upon 10 questions with supporting evidence informed by the three directors' annual reports. The framework will also include reviews of governance and political and corporate capacity. We will assess the robustness and effectiveness of this framework as part of our 2014-15 Improvement Assessment work.

68 During summer 2013 we looked at a sample of performance measures and data systems to assess whether data was appropriate, robust and accurate. We examined the data systems for two National Strategic Indicators (NSIs) and four local indicators. Corporate arrangements for co-ordinating and reporting performance were developing but some systems for managing performance and ensuring data quality within services were not robust. The Council's arrangements using Internal Audit to check NSIs were well established and worked well.

69 However, local indicators were not subject to independent checks. Accountability for the quality of performance information within service areas was not always clear. We found avoidable errors in local indicator information that should have been corrected before being reported. Introducing checks would help to improve the accuracy and quality of the information being reported by services and support more effective performance management arrangements. Member involvement in scrutiny of performance data was limited and members were not involved in agreeing changes to performance targets. The Council needs to improve arrangements for setting and making changes to performance information and targets, to ensure that actual performance against targets is not being distorted and that there is sufficient justification for making changes during the year.

70 Of the sample of six indicators audited we found errors in one and another could not be audited because no data had been collected. A number of data reporting issues were also outlined in CSSIW's annual letter to the Council particularly in terms of child protection reviews carried out within timescales and adults receiving services for longer than 12 months.

There were some examples of good scrutiny but overall scrutiny of performance was patchy and assessments of performance were not always balanced

71 Challenge and scrutiny of performance was patchy. Cabinet members recognised that they need to challenge more and that existing relationships and ways of working had some key weaknesses in terms of diluting members' ability to challenge officers effectively and hold them to account in relation to progress and performance. Cabinet members were not always clear about their role and role descriptions were developed as a result. Cabinet members recognised the need to have a more formal approach to appraising officers of their performance. There were some examples of good evaluations against activity reviews in Service Improvement Plans, for example, in Housing. There were some examples of strong scrutiny but scrutiny committees need to seek assurance that the information they are provided with is accurate and consistently reported.

72 In 2012-13 members and officers took part in our Scrutiny Study. This provided opportunities to learn from each other by observing scrutiny meetings of neighbouring councils and providing feedback to each other. The Council undertook a self-evaluation of its Scrutiny function which was subsequently peer reviewed by the other councils. The Council then produced a final scrutiny self-evaluation reflecting their experience and peer feedback, and prepared an action plan to address the issues identified for improvement. The findings from the self-evaluation, and action plan (integrated into the scrutiny business plan) were received by the Council's Audit Committee in September 2013. The action plan identifies all of the key issues for Scrutiny and these have been reported regularly. Good progress has been made. But it is not clear what is left to do or by when, and all of the actions in the plan are the responsibility of one officer, which is a risk.

73 Assessments of performance against Improvement Objectives were not always balanced. Some of the Council's assessments were overly positive, for example, on the Improvement Objective on waste, the Council reports good performance overall, despite the fact that no usage or satisfaction ratings were carried out and of the eight measures of performance, three were not collected and three failed to meet targets. Actual performance declined on two measures and improved on one.

74 The Council did not systematically compare itself with others with a similar demographic profile in addition to looking for global solutions. Whilst it has compared itself with the Wales average for all NSIs, and in some cases with the UK average, it has not compared its performance to other councils with a similar profile, or used a broad range of comparative information.

The Council discharged its improvement reporting duties under the Measure for 2012-13; however, it should ensure that it acts more in accordance with Welsh Government guidance

75 The Council published an assessment of its performance before 31 October 2013 which assessed performance and set out how the Council sought to discharge its duties under the measure. It included details of performance and comparisons as measured by NSIs.

76 The report also included a section on partnerships and collaboration, although only two key partnerships were specifically mentioned. The performance report could be improved by setting out the intended benefits and outcomes of partnerships and collaboration and their timescales and milestones.

- 77 The report was promoted in the press and on the homepage of the Council's website. It was available in Welsh and English and other formats on request. Summaries of the report were also available. The report included a section for citizens who wanted more information or wished to get involved in the future. However the report could be made more accessible by using plain language and less jargon.
- 78 In addition to the annual performance report, bi-annual outcome based score cards were reported to senior leadership team, Cabinet and Scrutiny.

The Council failed to discharge some of its improvement planning duties for 2013-14 and it was uncertain whether it was likely to make arrangements to secure continuous improvement in 2013-14

In 2013-14, the Council failed to discharge some of its improvement planning duties under the Measure and should ensure that it acts more in accordance with Welsh Government guidance

- 79 In our Improvement Assessment Letter dated 24th September 2013, we reported that the Council's 'Improvement Plan Stage 1 Forward Looking Plan 2013-16', (the Plan), met most of the requirements of the Measure but it was not published until 10 July 2013, which was not within a reasonable timescale. The Council planned to publish the report by the end of June 2013 but needed to make changes following comments at a Council meeting on 27 June, delaying publication. The Council needs to allow appropriate time in its plans to allow members to comment fully on the proposed final Plan and respond to any agreed amendments arising through the democratic process.
- 80 The Plan was not easily accessible to citizens, it is available in hard copy and this states that it is also available in English and Welsh to download from the Council's website, but we had difficulty finding it on the Council's website, and a Welsh version was not available. The Council needs to make the Plan more easily accessible on its website and more readily available to specific interest groups.
- 81 For 2013-14, the Council revised its improvement objectives and merged two improvement objective themes from previous years into one. For the five improvement objectives, the Plan includes an explanation of why and how they were chosen and how they reflect the key priorities for the Council. The basis and rationale for selecting each improvement objective was clearly set out and included context and stakeholder information. For each improvement objective, the resources available, activities planned and measures of impact were included (using an Outcomes Based Accountability² framework).
- 82 For some improvement objectives, for example, improving educational attainment, the evidence to judge impact was clear, with actions and measures on attendance and attainment. In others, however, the measures were not as robust. For example, in modernising the Council, the Council identifies 'cost effective ICT provision and strengthening absence management' as its focus. From the measurers identified, it was not clear how the improvement objective would be achieved, or how the measures of success linked to the activities and intended outcomes. There was no measure of sickness absence although we understand baseline information was being established. The measure, 'the number of times information is accessed from the website', was not robust. It is not possible to determine if the website was achieving efficiencies without other measures to compare with, such as the number of phone calls and face-to-face contacts. In addition,

² Outcome Based Accountability is focused on judging impact and outcomes and the difference services can make to people's quality of life.

the Council did not use a range of measures to evaluate website success (such as why it was accessed, customer satisfaction, and repeat visits) but focused only on the number of times it was accessed.

- 83 The Council undertook an equalities impact assessment for each of its five improvement objectives and brief information relating to protected groups under the Equality Act was provided in the Plan. For example, improvement objectives focused on young people fulfilling their potential within the education system, and protecting young people and their families, older people and people with disabilities. The activities contained within the Plan will be subject to an equality impact assessment prior to implementation.

It was uncertain whether the Council was likely to comply with the requirement to make arrangements to secure continuous improvement during 2013-14

- 84 The Council's 'Your County Your Way' approach to delivering better and more efficient services is being embedded across the Council. It is based on five interconnected approaches designed to deliver better and more efficient services for Monmouthshire citizens. They focus on: innovation and creativity, agile working, using excellent practice, using customer and citizen engagement, and using systems thinking. The Council has told us that these approaches have already delivered significant service improvements that have led to better services and cost efficiencies.

The Council's new arrangements to monitor progress against proposals for improvement made by the Wales Audit Office are not yet effective and progress on addressing proposals is mixed

- 85 In our Improvement Assessment Letter dated 24th September 2013, we reported that the Council has recently revised arrangements to monitor and report progress against our findings and proposals for improvement. The Council's Senior Leadership Team³ is now responsible for providing oversight and ensuring actions are taken to address proposals for improvement. These arrangements are still being embedded and further work is required to strengthen these processes. For example, the new reports that the Council has developed to track progress do not set out clear lines of accountability or timescales for delivery of actions and improvements. They also do not provide an evaluation of progress in addressing the proposals for improvement. This means that it is not possible to assess whether progress is being made or to determine if this is on track. Without clear lines of accountability it is also not possible for members and senior officers to effectively challenge progress and hold those responsible to account.
- 86 The Council has not accepted all of the areas for improvement we identified in our recent work. Its progress in addressing those that it has accepted is mixed. The Council reports that progress has been made in some areas, for example: its work on ensuring services comply with the Welsh Language Act; strengthening of its equalities

³ Outcome Based Accountability is focused on judging impact and outcomes and the difference services can make to people's quality of life.

impact assessment process; the update and sharing of its medium-term financial plan; the development of the Children's Services scorecard; and the improvements to the accessibility and publicity of the Council's performance assessment. Work in other areas, such as the implementation of the Ffynnon performance management system to support the Council's performance and programme management framework is on-going.

The Council is improving the way it identifies and monitors savings targets

- 87 In our Improvement Assessment Letter dated 24th September 2013, we reported that the Council is taking steps to address the difficult financial challenges it faces. The Council needs to save £2 million in 2013-14, increasing to £10 million in 2014-15. Historically, the Council has agreed percentage reductions in the budget, but for 2013-14 it has revised how it monitors the delivery of identified savings targets. Previously, the Council focused its monitoring on financial performance against the global departmental budget, but has now amended quarterly monitoring reports to specifically track progress against individual savings targets. During 2013-14, the Council aims to strengthen arrangements to monitor its progress in achieving the savings required.
- 88 In preparation for the medium-term financial plan, the Leader presented a 'state of the county speech' to full Council, setting out the context in which the Council will be

operating in the future with projected 20 to 40 per cent cuts in non-statutory services.

A Ministerial Education Recovery Board has been appointed following Estyn's judgement that the Council's education services for children and young people are unsatisfactory

- 89 In our Improvement Assessment Letter dated 24th September 2013, we reported that the Council is working closely with the Ministerial Recovery Board to address the shortcomings identified in the Estyn inspection of February 2013. Estyn will continue to monitor the authority's progress against its post inspection action plan throughout the year.

The Council's social services department has undertaken significant restructure both in adult and children's services over the last two years

- 90 The restructure in adult and children's services has resulted in staff vacancies at times and lack of capacity to achieve everything it set out to. Changes to assessment processes and ways of working in children's services and, in particular, referral and assessment teams have resulted in more effective decision making which has reduced caseloads to a more manageable level. However, increased numbers of looked after children and court proceedings created pressures in this area. The Council supported the team with additional temporary staff and further recruitment of staff to this team. The head of children's services reports an overall increase in staffing levels in children's services.

Some arrangements for planning and management of collaborative projects could be improved and that the lack of information on costs and benefits for many projects makes it difficult to assess value for money

91 In our collaboration report in February 2014, we reported the findings of our review of collaborative working across four councils in Gwent: Blaenau Gwent, Caerphilly, Monmouthshire and Torfaen. The reviews sought to assess whether the councils' approaches to collaboration were robust and delivering what they intended.

92 We found that councils we surveyed are involved in many collaborative projects and Monmouthshire has fewer of these projects than the other councils. We also found that the planning and management of some projects could be improved by clearly setting out the rationale for collaborating, nominating a lead officer and specifying clear timescales for the project. And finally, we found that collaboration projects in the councils we surveyed generally lack information on the costs and benefits of collaboration, which has made it difficult to assess value for money.

The Council's review of its governance arrangements was reasonably robust

93 We reported our findings on the Council's review of its governance arrangements in April 2013 in our 'Joint Progress Report' which was too late to fully address all of the findings and recommendations as part of preparing the 2012-13 Annual Governance Statement. We are monitoring progress in

implementing the agreed actions within this report and will update the Council's Audit Committee on the following matters:

- whether the 2013-14 Annual Governance Statement not only meets the high-level requirements of the accounting code and 'Delivering Good Governance in Local Government: Framework' published by CIPFA/SOLACE in June 2007; and
- whether formal evidence has been retained that shows whether the specific assurance measures stated in the Corporate Governance Code have been delivered satisfactorily.

94 We will also assess whether there is an increased officer and member understanding of the principles underpinning the Annual Governance Statement and their roles in identifying and assessing the effectiveness of each element of the governance framework as set out in the Corporate Governance Code. This would lead to greater challenge of the Annual Governance Statement content by SLT/Members to ensure broad ownership and that that it takes into account wider issues affecting the Council. It would also lead to broadening the commentary in the Annual Governance Statement concerning the governance arrangements of the Council's involvement in collaborative projects.

It is uncertain whether the Council is likely to make arrangements to secure continuous improvement for 2014-15

- 95 The Council has made some improvements to its arrangements in 2012-13 and 2013-14, particularly in the way it engages citizens in improvement, works in partnership with other organisations and manages its finances and savings. A senior management restructure is currently taking place to create capacity that is fit for the future. The Council has improved the timeliness of its improvement planning and the 2014-15 Improvement Plan was approved by at the Council meeting on 23 May and published on 30 May 2014.
- 96 In the current challenging financial climate, all councils are being encouraged to challenge existing service delivery models, to develop more efficient and effective ways of working and to take well managed risks. Monmouthshire has developed and introduced a number of new approaches, including demand management and local area co-ordination as part of its drive to reshape the Council to be fit for the future. We are not yet in a position to judge the success and impact of these changes and will continue to monitor the Council's progress in improving its arrangements and performance.
- 97 But there are still areas for improvement that are not being addressed effectively, for example, in delivering improvements in some priority areas and in self-assessing and challenging the Council's performance.
- 98 Our previous Annual Improvement Report published in April 2013 reported positively on the strength of the Council's financial leadership which has dealt well with the budgetary challenges of the last few years. The Council continues to set and manage its budget well but now faces further significant challenges following fundamental changes in the financial climate.
- 99 Despite a very challenging grant settlement from the Welsh Government, the Council has set a balanced budget for 2014-15. Following a period of consultation and public engagement this has been achieved by identifying savings of £7.2 million, utilising general and earmarked reserves of £2.1 million and increasing council tax by 3.95 per cent. A £11.3 million funding gap has been identified for 2015-16 to 2017-18. To bridge this gap, the 3.95 per cent increase in council tax is expected to generate £4 million, with £6.9 million being sourced from recurring and additional savings with the balance coming from reserves.
- 100 At the nine-month point the Council is projecting a £0.336 million overspend on its 2013-14 revenue budget and the potential consequences of this will need to be monitored in regard to the impact on reserves, in particular in ensuring that general balances are retained at a prudent level.

- 101 Capital expenditure is also under pressure. Future investment in capital schemes, particularly in regard to the Council's 21st century schools programme, is dependent on the future success of the Council receiving expected capital receipts and there are significant risks attached to this.
- 102 The increasing financial challenges put significant pressure on officers and members, but we remain confident that the Council will continue to manage its financial position robustly and responsibly. We will continue to monitor how the Council develops its detailed proposals to manage its financial position.
- 103 Estyn will continue to monitor the Council's progress against its post inspection action plan throughout the year.
- 104 Based on this and taking into account the conclusions in this report, the Auditor General for Wales believes that it is uncertain whether the Council will meet the requirements of the Measure in making arrangements to secure continuous improvement.

Appendices

Appendix 1 Status of this report

The Local Government (Wales) Measure 2009 (the Measure) requires the Auditor General to undertake an annual improvement assessment, and to publish an annual improvement report, for each improvement authority in Wales. This requirement covers local councils, national parks, and fire and rescue authorities.

This report has been produced by the Wales Audit Office on behalf of the Auditor General to discharge his duties under section 24 of the Measure. The report also discharges his duties under section 19 to issue a report certifying that he has carried out an improvement assessment under section 18 and stating whether, as a result of his improvement plan audit under section 17, he believes that the authority has discharged its improvement planning duties under section 15.

Improvement authorities are under a general duty to 'make arrangements to secure continuous improvement in the exercise of [their] functions'. Improvement authorities are defined as local councils, national parks, and fire and rescue authorities.

The annual improvement assessment is the main piece of work that enables the Auditor General to fulfil his duties. The improvement assessment is a forward-looking assessment of an authority's likelihood to comply with its duty to make arrangements to secure continuous improvement. It also includes a retrospective assessment of whether an authority has achieved its planned improvements in order to inform a view as to the authority's track record of improvement. The Auditor General will summarise his audit and assessment work in a published Annual Improvement Report for each authority (under section 24).

The Auditor General may also in some circumstances carry out special inspections (under section 21), which will be reported to the authority and Ministers, and which he may publish (under section 22). An important ancillary activity for the Wales Audit Office is the co-ordination of assessment and regulatory work (required by section 23), which takes into consideration the overall programme of work of all relevant regulators at an improvement authority. The Auditor General may also take account of information shared by relevant regulators (under section 33) in his assessments.

Appendix 2

Useful information about Monmouthshire and Monmouthshire County Council

The Council

The Council's budget is £179.8 million for 2013-14. This equates to about £1,965 per resident. In the same year, the Council also had a capital budget of £18.4 million.

Band D council tax in 2012-13 for Monmouthshire was £1,229 per year. This has increased by 0.6 per cent to £1,236 per year for 2013-14. 46.6 per cent of Monmouthshire's housing is in council tax bands A to D.

The Council is made up of 43 elected members who represent the community and make decisions about priorities and use of resources. The political make-up of the Council is as follows:

- 19 Conservatives
- 10 Independent
- 11 Labour
- 3 Welsh Liberal Democrats

Monmouthshire's Chief Executive is Paul Matthews. There are three Chief Officers: for Education (Simon Burch), Enterprise (Kellie Beirne) and Social Care and Health (Sarah McGuinness). The Strategic Leadership team is made up of the Chief Executive, the three Chief Officers, and the Head of Finance (Joy Robson), Head of Democracy (Tracey Harry), Head of Partnerships (Will McLean), Head of Operations (Roger Hoggins) and Head of Innovation (Peter Davies).

Other information

The Assembly Member for Monmouthshire is:

- Nick Ramsey, Monmouthshire, Conservative

The Regional Assembly Members for Monmouthshire are:

- Mohammad Asghar, South Wales East, Conservative Party
- Jocelyn Davies, South Wales East, Plaid Cymru
- Lindsay Whittle, South Wales East, Plaid Cymru
- William Graham, South Wales East, Conservative Party

The Members of Parliament for Monmouthshire for 2010-15 are:

- David Davies, Monmouthshire, Conservative.

For more information see the Council's own website at www.monmouthshire.gov.uk or contact the Council at PO Box 106, Caldicot, NP26 9AN.

Appendix 3

Annual Audit Letter

Councillor Peter Fox
Leader
Monmouthshire County Council
County Hall
Rhadyr
Usk
Monmouthshire
NP15 1GA

Dear Councillor Fox

Annual Audit Letter

This letter summarises the key messages arising from my statutory responsibilities under the Public Audit (Wales) Act 2004 as the Appointed Auditor and my reporting responsibilities under the Code of Audit Practice.

The Council complied with its responsibilities relating to financial reporting and use of resources

It is the Council's responsibility to:

- put systems of internal control in place to ensure the regularity and lawfulness of transactions and to ensure that its assets are secure;
- maintain proper accounting records;
- prepare a Statement of Accounts in accordance with relevant requirements; and
- establish and keep under review appropriate arrangements to secure economy, efficiency and effectiveness in its use of resources.

The Public Audit (Wales) Act 2004 requires me to:

- provide an audit opinion on the accounting statements;
- review the Council's arrangements to secure economy, efficiency and effectiveness in its use of resources; and
- issue a certificate confirming that I have completed the audit of the accounts.

Local authorities in Wales prepare their accounting statements in accordance with the requirements of the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom. This Code is based on International Financial Reporting Standards.

On 30 September 2013 I issued an unqualified audit opinion on the accounting statements confirming that they present a true and fair view of the Council's financial position and transactions. My report is contained within the Statement of Accounts. The key matters arising from the accounts audit were reported to members of the Audit Committee and to the full Council in my Audit of Financial Statements report on 19 and 26 September 2013 respectively.

We reported that a small number of amendments were made to the draft Statement of Accounts and that none of these were material. We also reported that whilst some misstatements were identified they were also not material and therefore they had no adverse impact upon the audit opinion.

A further report, Joint Progress Document, which summarised all of the issues identified from our audit was reported to the Audit Committee on 7 November which the Council should address as part of the 2013-14 accounts production arrangements. During our 2103-14 audit we will be tracking the progress made by officers to address these issues and we will keep members of the Audit Committee appropriately informed of the outcome of this work.

During the year, we have reported weaknesses in the Council's grant management arrangements. Our 2012-13 grants certification work is ongoing and the results of our work, including the follow-up of our recommendations, will be reported to the Council's Audit Committee early in 2014.

My consideration of the Council's arrangements to secure economy, efficiency and effectiveness has been based on the audit work undertaken on the accounts as well as placing reliance on the work completed as part of the Improvement Assessment under the Local Government (Wales) Measure 2009. Overall, I am satisfied that the Council has appropriate arrangements in place. The Auditor General will highlight areas where the effectiveness of these arrangements has yet to be demonstrated or where improvements could be made when he publishes his Annual Improvement Report.

Going forward the recent budget settlement will mean that all local government bodies in Wales will face extremely challenging financial positions. The Council has identified a £22 million funding gap over the next four years and whilst the Council are in the process of updating its Medium Term Financial Plan (MTFP) and identifying the potential savings areas to bridge this gap, it should be ensured that appropriate arrangements are established to closely monitor the extent to which the Council meets the finalised savings targets.

I issued a certificate confirming that the audit of the accounts has been completed on 30 September 2013

The financial audit fee for 2012-13 is currently expected to be in line with the agreed fee set out in the Annual Audit Outline.

Yours sincerely

Richard Harries

For and on behalf of the Appointed Auditor
21 November 2013

cc. Mr Paul Matthews, Chief Executive
Mrs Joy Robson, Head of Finance

Appendix 4

Monmouthshire County Council's improvement objectives and self-assessment

The Council's improvement objectives

The Council is required by the Welsh Government to make plans to improve its functions and the services it provides. Each year it must publish these plans along with specific 'improvement objectives' that set out the key things that the Council intends to do to improve. The Council must do this as soon as possible after 1 April each year.

The Council published its improvement objectives for 2013-14 in its *Sustainable and Resilient Communities 2013-2016* which can be found on the Council's website at www.monmouthshire.gov.uk/wp-content/uploads/2013/08/Stage-1-Improvement-Plan-2013-16_2.01.pdf

2012-13 Improvement Objectives	2013-14 Improvement Objectives
We will continue to bring together health, social care and independent agencies in a single model of community based care called the Gwent Frailty Programme. More specifically, this year we will continue to operate multi-disciplinary teams to deliver integrated practice and instigate the 'Missing link' programme aimed at improving our response to missing/runaway children.	We will provide an improved education provision for Monmouthshire.
We want to improve the prosperity of our county and its attractiveness to business. This year we will build on the progress we have made in supporting both existing and new businesses and also turn our focus to maximising both the financial and social return on investment in our tourism economy.	We will work to help people live their own lives by building flexible and responsive services building on people's strengths and helping people find local connections and lasting solutions to their needs.
We want to provide a joined-up and comprehensive approach to area regeneration and development. Continuing from last year, we will work in partnership with key organisations to either review existing or develop new holistic area regeneration plans for our key towns of Abergavenny, Caldicot, Chepstow and Monmouth. We will also use this approach in developing smaller communities starting in Llanelly Hill and Overmonnow.	We will help to regenerate our towns and create employment opportunities within the county.

2012-13 Improvement Objectives	2013-14 Improvement Objectives
<p>We want to improve the way we provide education to ensure the best learning opportunities for our children, young people and the wider community. More specifically this year we will implement the Education Achievement Service as a joint authority approach to develop better teaching and learning practices, we will put the wheels in motion to improve the school sites so they are fit to deliver 21st century education and we will continue our programme of building a modern ICT infrastructure within our schools.</p>	<p>We want to work with our residents to reduce the impact we have on the environment and use our resources more sustainably.</p>
<p>We want to work with our partners and the community to increase the amount of waste treated in a sustainable manner and work towards a long-term sustainable alternative to landfill. As part of this we will progress Prosiect Gwyrdd to offer a long-term and sustainable way of treating residual waste.</p>	<p>We want to remain an efficient and effective organisation, delivering our priorities in conjunction with key partners, stakeholders and citizens, amidst significant ongoing financial constraints.</p>
<p>We want to modernise the way the Council is run to improve the way we work. More specifically we will focus on changing the culture of our organisation to make sure that we listen to what our communities want and become more responsive and innovative in meeting those needs.</p>	

The Council's self-assessment of performance

The Council's self-assessment of its performance can be found in the *Looking at the Future: Your County Your Way. How we performed 2012/13 Improvement Plan – Stage 2* located on the Council's website at: www.monmouthshire.gov.uk/wp-content/uploads/2013/09/2013-14_Improvement-Plan_Stage-2_2.0-Published.pdf

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**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Scrap Metal Dealers Act 2013 – Statement of Licensing Policy

DIRECTORATE: Chief Executive

MEETING: Cabinet

Date to be considered: 16th July 2014

DIVISION/WARDS AFFECTED: All Wards

1. Purpose:

1.1 To consider the authority's Licensing Policy under the Scrap Metal Dealers Act 2013

2. Recommendation(s):

2.1 To approve the Statement of Licensing Policy under the Scrap Metal Dealers Act 2013 (attached as Appendix A).

3. Key Issues:

3.1 The Scrap Metal Dealers Act 2013 (SMDA) came into effect on 1st October 2013. The Act was introduced by UK Government in response to a growth in metal theft offences along with its associated impact upon individuals, businesses and communities.

3.2 Each Authority has the power to put in place arrangements for administering and enforcing the SMDA.

3.3 At the Cabinet Meeting held on 2nd October 2013 it was agreed that a further report on a proposed Scrap Metal Policy should be brought back to Cabinet. That policy will provide guidance on how the Council will administer and enforce the requirements of the Act. Cabinet agreed that the Policy would be developed through a Gwent wide approach, which would involve Blaenau Gwent County Borough Council, Caerphilly County Borough Council, Newport City

Council, Torfaen County Borough Council and this Monmouthshire County Council. Members also endorsed the role of the Licensing and Regulatory Committee in considering licensing issues prior to approval by Cabinet.

- 3.5 Before drafting this Policy it was initially endorsed by the Gwent Licensing Forum for all of the Authorities mentioned in 3.1 to adopt.
- 3.6 The Policy drafted by the Forum was brought before the Licensing and Regulatory Committee on 11th February 2014, who agreed to a 90 day consultation with those licensed under the remit of Scrap Metal, Heddlu Gwent Police, British Transport Police, Natural Resource Wales and Industry Associations.
- 3.7 The consultation was duly carried out and the consultation responses were considered at the Licensing and Regulatory Committee on 17th June 2014. The attached Statement of Licensing Policy under the Scrap Metal Dealers Act 2013 was subsequently endorsed by the Committee with a recommendation to Cabinet to adopt.

4. Reasons:

To guide consistent decisions, support a collaborative approach, deal with applications without unnecessary delay and assist in the enforcement of the Act.

5. RESOURCE IMPLICATIONS:

None. The Licensing application process is set out on a cost recovery basis. There will be additional workload for both Licensing and Trading Standards, however it is anticipated, based on current registrations, that this will be absorbed within the existing teams.

6. Sustainable Development and Equality Impact Implications

The recommendations within this report are not considered to have any Equality Impact. They are considered to make a positive contribution to Sustainable Development.

7. CONSULTEES:

Senior Leadership Team
Cabinet Members
Head of Legal Services
Head of Finance
Head of Regulatory Services
Equality@monmouthshire.gov.uk

8. Result of Consultation:

TBC

9. Background Papers:

Scrap Metal Dealers Act 2013

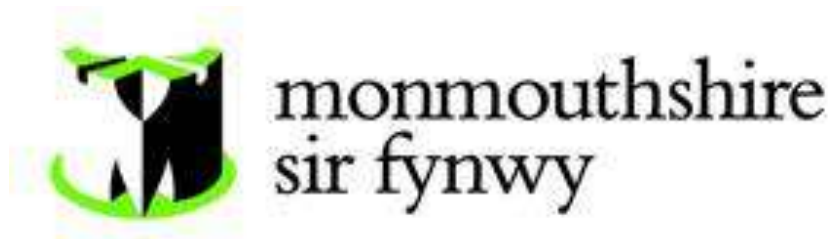
10. Author:

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APPENDIX A



**DRAFT SCRAP METAL DEALERS ACT 2013
STATEMENT OF LICENSING POLICY**

**Licensing Section
Monmouthshire County Council
The Drama Centre
Pen-y-Pound
Abergavenny
NP7 5UD**

**Tel : 01873 735420
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**Further copies may be obtained from
the above address or from the website
www.monmouthshire.gov.uk**

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20. Closure of Unlicensed Sites
21. Delegation of Authority

APPENDICIES

Appendix 1 Application Process

Appendix 2 Relevant Offences & Penalties

Appendix 3 Compliance

Appendix 4 Delegation of Power

1. Introduction

1.1 This Policy which was approved at the meeting of Monmouthshire County Council's Cabinet on **** DATE ****, outlines the requirements of the Scrap Metal Dealers Act 2013 (the Act). It gives guidance to new applicants, existing licence holders, consultants and members of the public as to how the Council will administer and enforce the requirements of the Act.

Though the Act does not stipulate that the Council is required to publish a policy it felt good practice to do so, the Policy will reviewed if required to do so. Monmouthshire County Council (the licensing authority) may depart from its own policy if individual circumstances of any case warrant such a deviation. In such cases the Council will give full reasons for doing so.

Metal theft over recent years has had significant impact on communities, businesses and local authorities alike. Such thefts have seen communications and train networks disrupted, buildings, churches and historic monuments vandalised alongside drainage gully covers, road signage and house hold items being stolen. The Scrap Metal Act 2013 has been created to help prevent some of the previous issues surrounding the sale, collection, storage and disposal of scrap metal.

The Law

1.2 The Scrap Metal Dealers Act 2013 ("the Act") received Royal Assent on 28 February 2013. The Act repeals the Scrap Metal Dealers Act 1964 (and linked legislation) and Part 1 of Vehicles (Crime) Act 2001 creating a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries.

The Act maintains local authorities as the principal regulator, but replaces the old registration system with a full licensing regime. It grants power to refuse a licence to "unsuitable" applicants and a power to revoke licences if the dealer becomes "unsuitable".

The Act requires a scrap metal dealer to obtain a licence in order to carry on business as a scrap metal dealer.

Definition of a Scrap Metal Dealer

1.3 A person carries on business as a scrap metal dealer if:

a) they wholly or partly buy or sell scrap metal (whether or not sold in the form it was bought in)

or;

b) they carry on business as a motor salvage operator (see 1.10).

1.4 A person selling scrap metal as surplus materials or as a by-product of manufacturing articles is NOT regarded as a scrap metal dealer.

1.5 Motor salvage operation is defined in the Act as a business that consists wholly or mainly of:

a) recovering salvageable parts from motor vehicles for re-use or sale and selling the remainder of the vehicle for scrap;

b) buying written-off vehicles, repairing and reselling them;

c) buying or selling motor vehicles which are to be the subject of any of the activities mentioned in (a) or (b);

d) wholly or mainly in activities falling within paragraphs (b) and (c).

1.6 Scrap metal includes:

- a) any old, waste or discarded metal or metallic material, and
- b) any product, article or assembly which is made from or contains metal and is broken, worn out or regarded by its last holder as having reached the end of its useful life.

1.7 Scrap Metal does not include:

- a) Gold;
- b) Silver; or
- c) Any alloy of which 2% or more by weight is attributable to gold or silver.

2. Consultation

2.1 There is no requirement, in the Act, for a Council to have in place a formal policy for dealing with applications made under the Scrap Metal Dealers Act 2013. As a process of 'Best Practice' the Council has chosen to adopt a formal policy for this purpose.

2.2 In developing this policy statement, the Council will consult with existing scrap metal dealers/motor salvage operators, Gwent Police, British Transport Police, National Resource Wales and Industry Associations.

3. Types of Licences

3.1 Anyone wishing to operate a business will require a site licence or a collector's licence. The licence is valid for three years and permits the holder to operate within the boundaries of the issuing authority. These are:

- **Site Licence** – A licence will be issued by the Council in whose area a scrap metal site is situated. A site licence will require all of the sites at which the licensee carries on the business as a scrap metal dealer, within the local authority area, to be identified and a site manager to be named for each site. This will permit them to operate from those sites including transporting scrap metal to and from those sites from any local authority area.
- **Collectors Licence** – authorises a licence holder to operate as a 'mobile collector' in the area of the issuing local authority area. A mobile collector is a person who a) carries on business as a scrap metal dealer otherwise than at a site, and b) regularly engages, in the course of that business, in collecting waste materials and old, broken, worn out or defaced articles by means of visits from door to door. This permits them to collect any scrap metal as appropriate, including commercial and domestic scrap metal. It does not permit the collector to collect from any other local authority area, separate licences should be obtained from each local authority.

The licence does not permit a licensee to carry on a business at a site within any area. If a collector wishes to use a fixed site, they will need to obtain a site licence from the relevant local authority. There is no restriction as to the location where the collector can transport and sell their material.

3.2 A person may hold more than one licence issued by different authorities, but may NOT hold more than one licence issued by any one local authority.

4. Application Process

4.1 When the Council is considering an application, it will have regard to:

- The Scrap Metal Dealers Act 2013;
- Any supporting regulations

- Guidance issued by the Secretary of State

- This statement of licensing policy

4.2 This does not undermine the rights of any person to apply under the 2013 Act for a licence and have the application considered on its individual merits.

4.3 A person carrying on, or proposing to carry on, a business as a scrap metal dealer may apply to the Council to be licensed. The application must be in writing and contain the appropriate mandatory particulars, as set out in Appendix 1.

4.4 A local authority may request that an applicant provide such other information, as it considers relevant, for the purpose of considering the suitability of an applicant. The additional information that is required is set out in Appendix 1.

4.5 The application must be accompanied by the fee set by the Council, under guidance from the Secretary of State with the approval of the Treasury.

4.6 If the applicant fails to provide the information requested, including the additional supporting documentation, the Council may refuse the application as a valid application.

5. Suitability of Applicants

5.1 A local authority must determine whether the applicant is a suitable person to carry on a business as a Scrap Metal Dealer.

5.2 In determining this, the Council may have regard to any information it considers to be relevant, including whether any relevant enforcement action has been taken against the applicant or whether the applicant has been convicted of a relevant offence. A list of relevant offences are set out in Appendix 2.

5.3 The Council must also have regard to any guidance on determining suitability which is issued by the Secretary of State.

5.4 The Council will consult with other agencies regarding the suitability of an applicant, including:

- Any other local authority;
- The Environment Agency;
- The Natural Resources Body for Wales;
- An officer of a police force;
- Local Authority Environmental Health; and
- Trading Standards

6. Determination of Application/Issue of Licence

6.1 Where the Council is satisfied that an applicant is a 'suitable person' to hold a Scrap Metal Dealers Licence, it must issue a licence.

6.2 In reaching its decision the Council will have regard to:

- Whether the applicant or any site manager has been convicted of any unspent relevant offence;

- Whether the applicant or any site manager has been the subject of any relevant enforcement action;
- Any previous refusal to issue or renew a scrap metal licence;
- Any previous refusal for an environment permit or registration;
- Any previous revocation of a scrap metal licence; and
- Whether the applicant has demonstrated that there will be adequate procedures to comply with the Act.
- In exceptional circumstances the Authority may consider convictions for non-relevant offences. Each application will be taken on its own merit and appropriate weight to the information provided will be given.

All of the above will apply to any director, any secretary of a company or any shadow director of the company if the applicant is not an individual.

6.3 If an applicant or any site manager has been convicted of a relevant offence, the Council may include in the licence one or both of the following conditions:

- To limit the dealer to receiving any metal within the hours of 9.00am to 5.00pm;

and

- That any scrap metal must be kept in the form in which it is received for a specified period of time, not exceeding 72 hours.

6.4 Where the Council is not satisfied that an applicant is a 'suitable person' to hold a Scrap Metal Dealers Licence, or a licence holder is no longer considered 'suitable' to continue to hold a licence, the Council must consider refusing the application or revoking the licence where a licence has been issued.

Right to Make Representations

6.5 If the Council proposes to refuse an application or to revoke/vary a licence a notice must be issued to the applicant/licensee setting out what the authority proposes to do and the reasons for this. The notice must also state that within the period specified the applicant/licensee can either:

- a) make representations about the proposal; or
- b) inform the authority that the applicant/licensee wishes to do so.

6.6 The period specified in the notice must be not less than 14 days beginning with the date on which the notice is given to the applicant/licensee. Within this time the applicant/licensee must notify the Council that they do not wish to make representations. Should this period expire the applicant/licensee has not made representations, or informed the authority of their wish to do so the authority may refuse the application, or revoke or vary the licence.

6.7 If, within the period specified, the applicant/licensee informs the authority that they wish to make representations, the authority must allow a reasonable period to make representations and may refuse the application or revoke or vary the licence if they fail to make representations within that period.

6.8 If the applicant/licensee notifies the authority that they wish to make oral representations, the authority must give them the opportunity of appearing before, and being heard by, a person appointed by the authority. In this instance, this will be before the Cabinet Member(s) and Licensing and Regulatory Committee.

It will be common practice for those agencies that have made representations regarding the application to also be in attendance at the hearing and will be able to present their case before the Cabinet Member(s) who will make a decision regarding the representation.

Notice of Decisions

7.0 If the application is refused, or the licence is revoked or varied, the Council must give a notice to the applicant/licensee setting out the decision and the reasons for it. The notice must also state that the applicant/licensee may appeal against the decision, the time within which the appeal may be brought and, if revoked or varied, the date on which the revocation or variation is to take effect.

8. Variation of Licence

8.1 An applicant can, on application, apply to the Council to vary licence by changing it from one type to another. The variation application must be made to reflect changes to:

- Site licence – name of licensee, the sites, site manager
- Collector's licence – name of licensee

The variation can amend the name of the licensee but not transfer the licence to another person.

8.2 Application is to be made to the issuing authority and contain particulars of the changes to be made to the licence.

9. Revocation of Licence

9.1 The authority may revoke a scrap metal licence if it is satisfied that the licensee does not carry on the business of scrap metal dealing at any of the sites identified in the licence.

9.2 The authority may revoke a licence if it is satisfied that a site manager named in the licence does not act as site manager at any of the sites identified in the licence.

9.3 The authority may revoke a licence if it is no longer satisfied that the licensee is a suitable person to carry on a business as a scrap metal dealer.

9.4 A revocation or variation under this section comes into effect when no appeal under section 16.9 is possible in relation to the revocation or variation, or when any such appeal is finally determined or withdrawn.

9.5 If the authority considers that the licence should not continue in force without conditions, it may by notice provide:

- a) that, until a revocation under this section comes into effect, the licence is subject to one or both of the conditions set out in section 7.2; or
- b) that a variation under this section comes into effect immediately.

Appeals

An applicant may appeal to the Magistrates' Court against the refusal of an application or a variation. The licensee may appeal to a Magistrates' Court against the inclusion in a licence of a condition under section 7.2 or the revocation or variation of a licence under section 9.

An appeal must be made within 21 days beginning on the day the notice to refuse the application, to include the condition or to revoke or vary the licence under section 7 was given.

The procedure on an appeal under this paragraph is to be by way of complaint for an order and in accordance with the Magistrates' Court Act 1980. For the purposes of the time limit for making an appeal, the making of the complaint is to be treated as the making of the appeal.

On appeal, the Magistrates' Court may confirm, vary or reverse the Council's decision, and give such directions as it considers appropriate having regard to the provisions of the Act

10. Register of Licences

10.1 The Natural Resource Wales must maintain a register of scrap metal licences issued by authorities in Wales.

10.2 Each entry must record:

- a) the name of the authority which issued the licence;
- b) the name of the licensee;
- c) any trading name of the licensee;
- d) the address of the site identified in the licence;
- e) the type of licence; and
- f) the date on which the licence is due to expire.

10.3 The registers are to be open for inspection to the public.

11. Notification Requirements

11.1 An applicant for a scrap metal licence, or for the renewal or variation of a licence, must notify the authority to which the application was made of any changes which materially affect the accuracy of the information which the applicant has provided in connection with the application.

11.2 A licensee who is not carrying on business as a scrap metal dealer in the area of the authority which issued the licence must notify the authority within 28 days.

11.3 If a licence is issued to a business under a trading name the licensee must notify the authority which issued the licence of any change to that name within 28 days.

11.4 An authority must notify the National Resource Wales, of –

- a) any notification given to the authority under section 11.2 or 11.3;
- b) any variation made by the authority under section 8 (variation of type of licence or matters set out in licence); and
- c) any revocation of the authority of a licence.

11.5 Notification under subsection 11.4 must be given within 28 days of the notification, variation or revocation in question.

11.6 Where the authority notifies the National Resource Wales under subsection 11.4, the body must amend the register under section 10 accordingly.

12. Display of Licence

12.1 A copy of a site licence must be displayed at each site identified in the licence. The copy must be displayed in a prominent place in an area accessible to the public.

12.2 A copy of a collector's licence must be displayed on any vehicle that is being used in the course of the dealer's business. This must be displayed in a manner which enables it easily to be read by a person outside the vehicle.

13. Verification of Supplier's Identity

13.1 Prior to receiving scrap metal the scrap metal dealer must verify the person's full name and address by reference to documents, data or other information obtained from a reliable and independent source.

13.2 Should verification not be gained then each of the following are guilty of an offence:

- a) the scrap metal dealer;
- b) if metal is received at the site, the site manager;
- c) any person who, under arrangements made by a person within paragraph (a) or (b), has responsibility for verifying the name and address.

14. Payment for Scrap Metal

14.1 A scrap metal dealer must only pay for scrap metal by either:

- a) a cheque (which is not transferrable under Section 81A Bills of Exchange Act 1882); or
- b) electronic transfer of funds (authorised by a credit, debit card or otherwise).

14.2 Payment includes payment in kind – with goods or services.

15. Records: Receipt of Metal

15.1 If any metal is received in the course of the dealer's business the dealer must record the following information:

- a) description of the metal, including its type (types if mixed), form, condition, weight and any marks identifying previous owners or other distinguishing features;
- b) date and time of receipt;
- c) the registration mark of the vehicle delivered by;
- d) full name and address of person delivering it;
- e) full name of the person making payment on behalf of the dealer.
- f) If the metal received is in the form of a vehicle the registration number and VIN number should be recorded.

15.2 The dealer must keep a copy of any documents used to verify the name and address of the person delivering the metal.

15.3 If payment is made via cheque, the dealer must retain a copy of the cheque.

15.4 If payment is made via electronic transfer, the dealer must keep a receipt identifying the transfer, or (if no receipt identifying the transfer) record particulars identifying the transfer.

16. Records: Disposal of Metal

16.1 The Act regards the metal to be disposed of:

- a) whether or not in the same form it was purchased;
- b) whether or not the disposal is to another person;
- c) whether or not the metal is despatched from a site.
- d) An assessment on whether metal in the form of a vehicle is regarded as scrap the dealer should refer to the Scrap Metal Dealers Act 2013 and guidance documents issued by the Home Office.

16.2 Where the disposal is in the course of business under a site licence, the following must

be recorded:

- a) description of the metal, including its type (or types is mixed), form and weight;
- b) date and time of disposal;
- c) if to another person, their full name and address;
- d) if payment is received for the metal (by sale or exchange) the price or other consideration received.

16.3 If disposal is in the course of business under a collector's licence, the dealer must record the following information:

- a) the date and time of the disposal;
- b) if to another person, their full name and address.

17. Records: Supplementary

17.1 The information in sections 15 and 16 must be recorded in a manner which allows the information and the scrap metal to which it relates to be readily identified by reference to each other.

17.2 The records mentioned in section 15 must be marked so as to identify the scrap metal to which they relate.

17.3 Records must be kept for a period of 3 years beginning with the day on which the metal is received or (as may be the case) disposed of

17.4 If a scrap metal dealer fails to fulfil a requirement under section 15 and 16 or this section each of the following is guilty of an offence:

- a) the scrap metal dealer;
- b) if the metal is received at or (as the case may be) despatched from a site, the site manager;
- c) any person who, under arrangements made by a person within paragraph (a) or
- d) has responsibility for fulfilling the requirement.

17.5 It is a defence for a person within subsection 17.4 (a) or (b) who is charged with an offence under this section to prove that the person

a) made arrangements to ensure that the requirement was fulfilled,

and

b) took all reasonable steps to ensure that those arrangements were complied with.

19. Compliance

19.1 The Act provides a Police Constable or an Officer from the Council with a right to enter and inspect the premises of licensed and unlicensed scrap metal dealers. The full provisions of the powers are set out in Appendix 3.

19.2 The Act does not provide an Officer of the Council with the power to inspect premises of licensed and unlicensed scrap metal dealers outside the area of the authority.

19.3 The Council delivers a wide range of compliance services aimed at safeguarding the environment and the community and at providing a 'level playing field' on which businesses can fairly trade.

19.4 The administration and compliance of the licensing regime is one of these services.

19.5 Compliance will be based on the principles that businesses should:

- Receive clear explanations from regulators of what they need to do and by when;
- Have an opportunity to resolve differences before compliance action is taken, unless immediate action is needed;
- Receive an explanation of their right of appeal.

19.6 The council recognises the interest of both citizens and businesses and will work closely, with partners, to assist licence holders to comply with the law. However, proportionate but firm action will be taken against those who commit serious offences or consistently break the law.

20. Closure of Unlicensed Sites

20.1 Interpretation

A person with an interest in a premises is the owner, leaseholder or occupier of the premises. Local authority powers are exercisable only in relation to premises in the authority's area.

20.2 Closure Notice

Not applicable if the premises are residential premises. A constable or the local authority must be satisfied that the premises are being used by a scrap metal dealer in the course of business and that the premises are not a licensed site.

A 'closure notice' may be issued by a constable or local authority which states they are satisfied of the above, the reasons for that, that the constable or local authority may apply to the court for a closure order and specifies the steps which may be taken to ensure that the alleged use of the premises ceases.

The notice must be given to the person who appears to be the site manager of the premises and any person who appears to be a director, manager or other officer of the business in question. The notice may also be given to any person who has an interest in the premises.

The notice must be given to a person who occupies another part of any building or structure of which the premises form part and the constable or local authority believes at the time of giving the notice, that the person's access to that other part would be impeded if a closure order were made in respect of the premises.

20.3 Cancellation of Closure Notice

A 'cancellation notice' issued by a constable or local authority may cancel a closure notice. This takes effect when it is given to any one of the persons to whom the closure notice was given. This must also be given to any other person to whom the closure notice was given.

20.4 Application for Closure Order

When a closure notice has been given, a constable or the local authority may make a complaint to the justices of the peace for a closure order. This may not be made less than 7 days after the date on which the closure notice was given or more than 6 months after that date.

A complaint under this paragraph may not be made if the constable or authority is satisfied that the premises are not (or are no longer) being used by a scrap metal dealer in the course of business and there is no reasonable likelihood that the premises will be so used in the future. The justice may issue a summons to answer to the complaint. This must be directed to anyone whom the closure notice was given and must include the date, time and place at which the complaint will be heard.

20.5 Closure Order

A closure order requires that a premises be closed immediately to the public and remain closed until a constable or the local authority makes a termination of closure order by certificate. The use of the premises by a scrap metal dealer in the course of business be discontinued immediately and that any defendant pay into court such sum as the court determines and that the sum will not be released by the court to that person until the other requirements of the order are met.

The closure order may include a condition relating to the admission of persons into the premises, the access by persons to another part of any building or other structure of which the premises form part.

A closure order may include such provision as the court considers appropriate for dealing with the consequences if the order should cease to have effect. As soon as practicable after the closure order is made, the complainant must fix a copy of it in a conspicuous position on the premises in respect of which it was made.

A sum ordered to be paid into court under a closure order is to be paid to the designated officer for the court.

20.6 Termination of Closure Order by Certificate

Once a closure order has been made and a constable or local authority is satisfied that the need for the order has ceased a certificate may be made. This ceases the closure order and any sum paid into a court is to be released by the court to the defendant.

As soon as is practicable after making a certificate, a constable or local authority must give a copy to any person against whom the closure order was made, give a copy to the designated officer for the court which made the order and fix a copy of it in a conspicuous position on the premises in respect of which the order was made.

A copy of the certificate must be given to any person who requests one.

20.7 Discharge of Closure Order by Court

A closure order may be discharged by complaint to a justice of the peace. This can be done by any person to whom the relevant closure notice was given or any person who has an interest in the premises but to whom the closure notice was given.

The court will make a discharge order if it is satisfied that there is no longer a need for the closure order. The justice may issue a summons directed to a constable as the justice considers appropriate or the local authority, requiring that person appear before the magistrates' court to answer to the complaint.

If a summons is issued, notice of the date, time and place at which the complaint will be heard must be given to all persons to whom the closure notice was given (other than the complainant).

20.8 Appeal

Appeal may be made to the Crown Court against:

- a) a closure order;
- b) a decision not to make a closure order;
- c) a discharge order;
- d) a decision not to make a discharge order.

The appeal must be made before the end of 21 days beginning with the day on which the

order or decision in question was made.

An appeal under a) or b) may be made by any person to whom the relevant closure notice was given or any person who has an interest in the premises but to whom the closure notice was not given.

An appeal under b) and c) may be made by a constable or the local authority.

20.9 Enforcement of Closure Order

A person is guilty of an offence, without reasonable excuse, if they permit a premises to be open in contravention of a closure order, or fails to comply with, or does an act in contravention of a closure order.

If the closure order has been made, a constable or a person authorised by the local authority may (if necessary using reasonable force) enter the premises at any reasonable time, and having entered the premises, do anything reasonably necessary for the purpose of securing compliance with the order.

If the owner, occupier or other person in charge of the premises requires the officer to produce evidence of identity or evidence of authority to exercise powers, the officer must produce that evidence.

21. Delegation of Authority

21.1 Decisions on licensing matters will be taken in accordance with the Council's scheme of delegation.

21.2 This scheme may be subject to amendment from time to time as shown in the Council's Constitution.

APPENDIX 1

1. APPLICATION PROCESS

An application for a licence should be made to the following address:

Licensing Section
Monmouthshire County Council,
The Drama Centre,
Pen-y-Pound,
Abergavenny,
Monmouthshire,
NP7 5UD.

Full details regarding making application can be found on www.monmouthshire.gov.uk or by contacting the Licensing Team on 01873 735420

APPENDIX 2

RELEVANT OFFENCES

The Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013

The Secretary of State, in exercise of the powers conferred by sections 3(3)(b) and (c) and 20(4) of the Scrap Metal Dealers Act 2013(1) makes the following Regulations:

Citation, commencement and interpretation

1. (1) These Regulations may be cited as the Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013 and shall come into force on 1st October 2013.

(2) In these Regulations—

“environment-related offence” means an offence which relates to the transportation, shipment or transfer of waste, or to the prevention, minimisation or control of pollution of the air, water or land which may give rise to any harm;

“harm” means:

- (i) harm to the health of human beings or other living organisms;
- (ii) harm to the quality of the environment;
- (iii) offence to the senses of human beings;
- (iv) damage to property; or
- (v) impairment of, or interference with, amenities or other legitimate uses of the environment.

Relevant offences

2. For the purposes of section 3(3)(b) of the Scrap Metal Dealers Act 2013, “relevant offence” means any offence specified in the Schedule to these Regulations, and includes an offence of—

- (a) attempting or conspiring to commit any offence falling within the Schedule;
- (b) inciting or aiding, abetting, counselling or procuring the commission of any offence falling within the Schedule, and
- (c) an offence under Part 2 of the Serious Crime Act 2007(2) (encouraging or assisting crime) committed in relation to any offence falling within the Schedule.

Relevant enforcement action

3. For the purposes of section 3(3)(c) of the Scrap Metal Dealers Act 2013, a person is the subject of “relevant enforcement action” if—

- (a) the person has been charged with an offence specified in the Schedule to these Regulations, and criminal proceedings in respect of that offence have not yet concluded; or
- (b) an environmental permit granted in respect of the person under the Environmental Permitting (England and Wales) Regulations 2010 (3) has been revoked in whole, or partially revoked, to the extent that the permit no longer authorises the recovery of metal.

SCHEDULE

PART 1

Primary Legislation

- (a) An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989(4)
- (b) An offence under section 170 or 170B of the Customs and Excise Management Act 1979(5), where the specific offence concerned relates to scrap metal
- (c) An offence under section 110 of the Environment Act 1995(6)
- (d) An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990(7)
- (e) An offence under section 9 of the Food and Environment Protection Act 1985(8)

- (f)An offence under section 1 of the Fraud Act 2006(9), where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (g)An offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(10)
- (h)An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002(11)
- (i)Any offence under the Scrap Metal Dealers Act 1964(12)
- (j)Any offence under the Scrap Metal Dealers Act 2013
- (k)An offence under sections 1, 8,9,10, 11, 17, 18, 22 or 25 of the Theft Act 1968(13), where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (l)Any offence under Part 1 of the Vehicles (Crime) Act 2001(14)
- (m)An offence under sections 85, 202, or 206 of the Water Resources Act 1991(15).

PART 2
Secondary Legislation

- (a)An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007(16)
- (b)An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010(17)
- (c) Any offence under the Hazardous Waste (England and Wales) Regulations 2005(18)
- (d) Any offence under the Hazardous Waste (Wales) Regulations 2005(19)
- (e) An offence under regulation 17(1) of the Landfill (England and Wales) Regulations 2002(20)
- (f) Any offence under the Pollution Prevention and Control (England and Wales) Regulations 2000(21)
- (g)Any offence under the Producer Responsibility (Packaging Waste) Regulations 2007(22)
- (h) Any offence under the Transfrontier Shipment of Waste Regulations 1994(23)
- (i) Any offence under the Transfrontier Shipment of Waste Regulations 2007(24)
- (j) Any offence under the Waste (Electrical and Electronic Equipment) Regulations 2006(25)
- (k) An offence under regulation 42 of the Waste (England and Wales) Regulations 2011(26).

Summary of Rehabilitation Periods Applicable to Certain Sentences
(Section 5 Rehabilitation of Offenders Act 1974 as amended by the Legal Aid, Sentencing and Punishment of Offenders Act 2012)

For Custodial Sentences	
Sentence	Rehabilitation Period (Period of sentence plus the 'buffer' period below which applies from end of sentence)
0-6 months	2 Years
6-30 months	4 Years
30 months – 4 years	7 Years
Over 4 years	Never Spent

For Non - Custodial Sentences	
Sentence	'Buffer' period will apply from end of sentence
Community order (& Youth Rehabilitation Order)	2 Year
Sentence	Period
Fine	1 Year (from date of conviction)
Absolute discharge	None
Conditional discharge, referral order, reparation order, action plan order, supervision order, bind over order, hospital order	Period of Order

The above periods are halved for persons under 18 years at date of conviction (except for custodial sentences of up to 6 months where the buffer period will be 18 months for persons under 18 years at the date of conviction).

APPENDIX 3

COMPLIANCE - RIGHT OF ENTRY

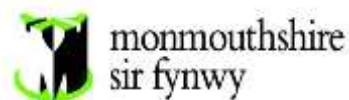
1. A constable or an officer of the Council may enter and inspect a licensed site at any reasonable time on notice to the site manager.
2. A constable or an officer of the Council may enter and inspect a licensed site at any reasonable time, otherwise than on notice to the site manager, if
 - a) reasonable attempts to give notice have been made and failed,or
 - b) entry to the site is reasonably required for the purpose of ascertaining whether the provisions of this Act are being complied with or investigating offences under it and (in either case) the giving of the notice would defeat that purpose.
3. (1) and (2) above do not apply to residential premises.
4. A constable or an officer of the Council is not entitled to use force to enter a premises in the exercise of the powers under sections (1) and (2) above.
5. A justice of the peace may issue a warrant authorising entry to any premises within section 6 below if the justice is satisfied by information on oath that there are reasonable grounds for believing that entry to the premises is reasonably required for the purpose of:
 - a) securing compliance with the provisions of the Act, or
 - b) ascertaining whether those provisions are being complied with.
6. Premises are within this section if:
 - a) the premises are a licensed site, or
 - b) the premises are not a licensed site but there are reasonable grounds for believing that the premises are being used by a scrap metal dealer in the course of business
7. The warrant is a warrant signed by the justice which:
 - a) specifies the premises concerned, and
 - b) authorises a constable or an officer of a local authority to enter and inspect the premises at any time within one month from the date of the warrant.
8. A constable or an officer of the Council may, if necessary, use reasonable force in the exercise of the powers under a warrant under section 5.
9. A constable or an officer of the Council may:
 - a) require production of, and inspect, any scrap metal kept at any premises mentioned in section 1 or 2 or in a warrant under section 5;
 - b) require production of, and inspect, any records kept in accordance with section 15 or 16 and any other records relating to payment for scrap metal;
 - c) take copies of or extracts from any such records.
10. Section 11 below applies if a constable or an officer of the Council who seeks to exercise powers under this section in relation to any premises.
11. If the owner, occupier or other person in charge of the premises requires the officer to produce:

- a) evidence of the officer's identity, or
- b) evidence of the officer's authority to exercise those powers the officer must produce that evidence.

12. In the case of an officer of the Council, the powers under this section are exercisable only in relation to premises in the area of the authority.

APPENDIX 4**DELEGATION OF POWERS**

Matter to be dealt with	Cabinet	Head of Regulatory Services	Officer	Cabinet Member
Determination of Fees	X	X	X	Yes
Application for Site licence or Collectors licence	X	If a relevant representation is made.	If no relevant representation is made	X
Application to vary Site licence	X	If a relevant representation is made.	If no relevant representation is made	X
Application to revoke site licence or collectors licence	X	Yes	X	X
The inclusion of conditions on a licence	X	Yes	X	X
Issue of a Closure Notice	X	X	Yes	X
Cancellation of a Closure Notice	X	X	Yes	X
Application for a Magistrates Closure Order	X	X	In conjunction with legal.	X



SUBJECT: 21st Century Schools Programme – Formalisation of the programme into the Councils Capital Programme

MEETING: Cabinet

DATE: 16th July 2014

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- a. To include the 21st Century Schools development programme in the Councils Capital Programme.
- b. To establish the best option in the development of Monmouth Comprehensive School.
- c. To re-allocation of the funds associated with the Welsh Medium Secondary Provision from 2015-2016 to 2018-2019 (within the agreed Band A funding period)
- d. To extend the current secondment arrangements for two employees currently seconded to the 21st century schools project.

2. RECOMMENDATIONS

That Cabinet recommends to Council:

2.1 That the following budgets are established in the capital programme subject to Welsh Government final approval of the Full Business case and grant allocation for each scheme:

- Calidicot Comprehensive - £31.5 million
- Monmouth Comprehensive - £36 million
- Primary School investment - £3.4 million
- Welsh Medium secondary - £5 million

2.2 That funding for the above projects is from the following sources:

- 50% from Welsh Government funding - £37.5 million
- 50% from MCC funding, from a combination of capital receipts (circa £29.5 million) and prudential borrowing (circa £8 million), precise mix depending on timing of expenditure and realisation of capital receipts.

2.2 That Cabinet receives further reports on the specific allocation of these budgets within their areas once further feasibility work has been concluded.

3. KEY ISSUES:

Matrix provided to WG in December 2013 indicated that the overall requirement from MCC for Band A was £81,500,000

Nature	Indicative Feasibility	Build Gross Cost	WG Funding	Net MCC Cost
Caldicot Comprehensive	£0.9m	£30.6m	(£15.3m)	£16.2m
Monmouth Comprehensive	£0.9m	£36m	(£18m)	£18.9m
Primary School Investment		£3.4m	(£1.7m)	£1.7m
Welsh Medium Secondary		£5m	(£2.5m)	£2.5m
Raglan VC Primary	£0.2m	£4.5m	(2.25m)	£2.45m
Total	£2m	£79.5m	(£39.75m)	£41.75m

The Feasibility budget is wholly funded by MCC, and as at 31st March 2014, £1.3m remained unspent.

- Caldicot School Cluster – Funding £31.5 m (Welsh Government grant - £15.3 m)

Secondary School costs approximately £31.0m - £31.5m (approx. £2,000 per m²) (of which £750k is in abnormalities). Abnormalities on this project are based around enabling works (temp carparks and play areas), temporary accommodation (minimised requirement) and service diversions.

Monmouth Comprehensive Cluster – Funding £36.9m (Welsh Government grant £18.0m)

Secondary School costs approximately £33.0m - £33.5m (approx. £2000 per m²) – abnormalities on top of this build cost differ regarding each option. See the build up under each option.

Background to project to date.

The existing Monmouth Comprehensive site is a challenging site with key issues/ considerations around flooding, tightness of the site and its geology, town site and proximity its adjoining neighbours, number of differing uses on the site (Swimming pool, leisure centre), traffic and access.

The primary driver in developing the new school on this site is the risks around flood. Extensive engagement has been undertaken with Natural Resource Wales (NRW) around establishing key principles around the development of the existing school site. The outcome of these discussions is that the finish floor level of any new build on the Monmouth Comprehensive site would have to be 19.8m above sea level to meet the 1 in 100 year flood benchmark (standard practice). Most of the existing school site (main bulk) is approximately 18.5m above sea level with the playing fields/ pitches around 15.5 – 16.0m above sea level. The existing site, west of the main entrance to the school, north of the Leisure centre and school site towards the Burgage is above 19.8m and outside of the flood plain (see attached map for clarification). It is not prohibited to build in a flood plain (educational establishments have special dispensations) however the levels, above sea level, that are set by the NRW are mandatory and are there to ensure that the property is not damaged, insurances can be obtained for the estate and that by building on the site you do not affect other surrounding / adjacent properties, sites and services.

An option study has been undertaken to look at the potential site development opportunities for the new school. 3 options were developed (see summary option sheets attached)

Option 1 – Siting of the new school on the existing pitches (close to the existing coach drop off).

- Pros:
 - Clean / clear construction site and simple building programme
 - Minimal disruption to the general working of the school

- Minimal site enabling and temporary works.
- Quicker programme delivery.
- School provided in one building – economic in use.
- Cons:
 - Ground floor / entrance of the new school would be 3.4 – 3.9m from the existing site level. School would have to be built on stilts, minimal ground contact to avoid affecting the flood plain. Undercroft could only be used for parking.
 - Poor access and connectivity to the outside environment- material effect on educational delivery.
 - 4 storey building close to residential street. Planning objection around siting and material effect on neighbours.
 - Proposal would not obtain NRW approval.
 - Development would not be viewed as a good investment in delivering 21st C schools.

There is an abnormal cost of an additional £1.5- £2.0m for flood mitigation works and building an additional single storey platform to raise the school out of the flood plain.

Total outline cost for the option 1 proposal = £34.5m – £36.0m – A reduction in the cost per square metre can be sought to increase the potential capital pot for the primaries if required.

Option 2 – Siting of the new school at the front of the site (North West of the leisure centre).

- Pros:
 - New school to be built outside the flood plain and complies with the 1 in 100 year flood risk rule.
 - Better integration with the existing leisure centre and flexibility in community / school use of the whole estate.
 - Connectivity to the town better, use of public spaces to give it a civic presence.
 - Some disruption to the existing school whilst construction but can be managed.
 - Positive integration of the internal and external environments.
 - Better traffic management and pupil routes to school.
 - 3 storey building on the site and in keeping with the existing morphology of the town.
 - School provided in one building – economic in use.
- Cons:
 - Existing community swimming pool would have to be re-located, effect on service will need to be evaluated (feasibility report has been commissioned by Leisure Services)
 - Some temporary accommodation required for the school, but this will be minimised.

- Close proximity to the neighbours on Dixton Road.
- There are abnormal cost of an additional £5.0m - £5.5m for the replacement of the pool and around £1.5m in temporary works (temp accommodation / temp carparks etc).

Total outline cost for the option 2 proposal = £38.0m – £38.5m , this includes a new asset of a modern community swimming pool (20m only). The over budget spend would have to be found in reducing the abnormal and the cost per sq. m, this would have an effect on the quality of the new school however clarification has been sort from Welsh Government regarding this option especially around the investment into the re-provision of the pool.

A feasibility has been commissioned around moving the existing swimming pool at Monmouth Comprehensive that will look at the:

- Lifespan / quality of the existing community pool.
- Management and governance.
- Mitigation strategies if the option to move the pool is approved.
- How continuity of service provision can be maintained during the development of the school site.
- What a potential provision should look like and provide.
- Costing, programme and deliverability.

The feasibility is scheduled to take around 6-8 weeks to produce its findings and recommendations to the Leisure Services team.

Option 3 – Siting of the new school on the footprint of the existing school.

- Pros:
 - School built mainly out of the flood plain, some level adjustments would need to be made. (between 750mm and 1000mm of make up land)
 - Retains the siting of the existing community pool.
 - The bulk of the building is away from the immediate residents off Dixton Road.
 - School provided in one building – economic in use.
- Cons:
 - To deliver this option a whole temporary school would have to be re-provided. Large capital investment with no retained asset.
 - Massive disruption to the workings of the school and its operation for 2 years.
 - Loss of connectivity to the existing leisure and community facilities.
 - More challenging site logistic and development, difficult to deal with traffic and parking issues.

Total outline cost for the option 3 proposal (including abnormals) = £38.3m – £38.5m. The majority of the additional costs are in the re-provision of a whole temporary school for 1600 pupils which is in the region of £4.5m including all the temporary works/ services, site logistics and flood protection to the temporaries. The over budget spend would have to be found in reducing the abnormals, challenging the temporary accommodation requirements and the cost per sq. m of the new build, this would have an effect on the quality of the new school. No investment monies would be available for the primaries in the cluster.

Summary table of options and associated budget costs. (Funding for Monmouth Cluster is currently £36.9m)

Options for Monmouth Comprehensive	Total project Cost for the new school	Abnormals associated with the options	Total budget cost (mean cost)
Option 1	£33.5m	£1.5m - £2.0m	£34.5m - £36.0m
Option 2	£33.5m	£4.5m - £5.0m	£38.0m - £38.5m
Option 3	£33.5m	£4.5m - £5.0m	£38.3m - £38.5m

Primary Works within the Band A Clusters Funding £3.4 m (Welsh Government grant - £1.7 m).

Currently a programme of learning walks are being undertaken by the 21st Century Team and representatives from the schools and governors to ascertain the capital works required at each school. The initial walk around are establishing key principles of development and investment. These learning walks are to be complete by the end of July 2014 and outline budgets established and included in the Full Business Case submission to Welsh Government scheduled for August 2014. Once funding programme has been finalised, then the formation of a Premises Development Plan for each school will be developed. It is understood by all primary schools visited to date that this round of funding is targeted at improving existing educational environments and settings to raise attainment and standards as well as assist in the transition of pupils into the new secondaries. The budget is not for major works and its total value must sit within the overall funding allocation for Band A.

Welsh Medium Secondary Provision. Funding £5.0m (Welsh Government Grant £2.5m)

The requirement to provide additional Welsh Medium Secondary places within the South East Consortium by September 2016 is to be met by the re-development of the Dfryn Secondary School site in Newport. To secure places in the Newport proposal, Newport have requested

a financial contribution. Levels of this investment need to be identified and appropriate protocols and agreements to be developed for approval.

Our capital spend allocation for this element of the 21st Century Programme was scheduled for the year 2015 / 2016. The proposal is to move this funding allocation to later in the programme 2018 / 2019 (Band A) allowing MCC and the consortium to review the further need for this provision and what it may look like in the future. Additional feasibility / review will be required in 2017.

Approval sought.

- Approval is sought to move the funding to later in the programme and to undertake discussions with Newport CC around agreements for securing places in 2016.
- Monmouthshire County Council's WESP has been approved by Welsh Government and is currently being translated into Welsh. Is formalisation of the WESP before it is published required by council?

Raglan Primary School - £4.7m - (Welsh Government Grant £2.25m)

Capital expenditure for this project within the 21st Century Programme has already been agreed with cabinet. Project has commenced on site and is on budget and on time.

Staff / Team resources for the 21st Century Schools Programme

The secondments of the two employees seconded to the 21st century schools project has now come to an end and it is vital that these secondments are extended to cover the remainder of the project.

4. RESOURCE IMPLICATIONS:

The capital investment for the 21st Century Schools programme is considerable and one of the biggest single investments that council would have made for some time. The spending / draw down profile below for each cluster is shown below. Capital receipts will need to be realised and accounted for by the council in order to meet this spending profile. Council policy is to direct all capital receipts to investment in the 21st century schools programme. The need to invest in 21st century schools is understood given the considerable funding being made available by Welsh Government, however it is recognized that this will put pressure and risk on the rest of the capital programme and require the sale of assets at a time when market prices are less than could be achieved in the height of the property boom. Indicative projections are that of the £37.5 million funding required from MCC, £29.5 million will come from projected capital receipts and £8 million from prudential borrowing. In the event that capital receipts are not received in time or are not sufficient, the balance of funding will need to be found from prudential borrowing.

SCHEME NAME	2014/15	2015/16	2016/17	2017/18	2018/19	TOTAL
Caldicot Cluster	£2,300,000	£9,100,000	£4,200,000	£1,075,000	£325,000	£17,000,000
	£1,736,500 Match Funding from WG	£10,811,000 Match Funding from WG	£3,127,500 Match Funding from WG	£500,000 Match Funding from WG	£825,000 Match Funding from WG	£17,000,000
	£4,036,500	£19,911,000	£7,327,500	£1,575,000	£1,150,000	£34,000,000

SCHEME NAME	2014/15	2015/16	2016/17	2017/18	2018/19	TOTAL
Monmouth Cluster	£2,300,000	£9,100,000	£4,700,000	£1,075,000	£325,000	£18,000,000
	£1,736,500 Match Funding from WG	£10,311,000 Match Funding from WG	£4,627,500 Match Funding from WG	£500,000 Match Funding from WG	£825,000 Match Funding from WG	£18,000,000
	£4,036,500	£19,411,000	£9,327,500	£1,575,000	£1,150,000	£36,000,000

(tables above include the element of primary school investment)

The potential for the new Monmouth Comprehensive School to over spend due to the unique abnormalities on the site is high and mitigation strategies around capital cost reduction are in hand with the contracting partner. It is felt that with more detailed work, investigation and market testing that the Monmouth Cluster should be brought back into line with funding profiles however there are some consequences. Option 2 is the preferred way forward with regards to capital investment and achieving value for money however leaves very little

opportunities to provide additional investment in the primary schools if the costs of relocating the swimming pool is to be found from within the funding envelope for 21st Century Schools. No other funding sources have been identified to date; feasibility has been commissioned by Leisure to look into all aspects of the pool and any mitigation strategies that may need to be used to ensure levels of service during the construction period. Feasibility report to be completed by the end of August 2014.

An application has been lodged with Welsh Government to enquire if additional monies are available to meet the unusually high abnormalities found on the Monmouth Comprehensive Site.

Funding for the extension of the two secondments has been identified within the £2.0m already agreed to prime pump the programme. The secondments are required to be extended until December 2018. Costs are recognised in the feasibility element as well as the build cost.

4. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The potential impact of relocating the community swimming pool at Monmouth Comprehensive (option 2) is being addressed in a commissioned feasibility and consultation programme. This is likely to take approximately 6-8 weeks to complete. Leisure Services are managing the feasibility and will report on its findings. Mitigation strategies for maintaining the service during the construction of the new school are also being reviewed.

5. CONSULTEES:

- Children and Young People Services Directorate. - MCC
- Leisure Services & Regeneration & Cultural Services. – MCC
- Members seminars (monthly)
- Estates Directorate.- MCC
- Finance Directorate- MCC
- Property Services. - MCC
- Welsh Government 21st Century Programme team – Peter Hindley.
- Project Board Members.- MCC.
- Monmouth Comprehensive School – SLT.
- Caldicot Comprehensive School – SLT.
- South Wales Consortium board. (Welsh Medium provision).
- Public and local residents in Monmouth and Caldicot via drop in days and personalised meetings.
- SLT

- Cabinet

6. BACKGROUND PAPERS:

- SWOT analysis for the three options on Monmouth Comprehensive site.
- Copy Adkins Flood Consequences Assessment – Monmouth Comprehensive School (01, July 2014) - Draft
- Letter from Natural Resources Wales regarding development on the Monmouth Comprehensive site.

7. AUTHOR:

Simon Kneafsey 21st C Programme Manager.

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Monmouth Comprehensive School
Flood Consequences Assessment
Monmouthshire County Council

01 July 2014

ATKINS

Plan Design Enable

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Client signoff

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DRAFT

Executive summary

Site Name and Address:	Monmouth Comprehensive School, Old Dixton Road, Monmouth NP25 3YT.																																		
Grid Reference:	NGR 351330, 213280	Size (hectares):	0.54																																
Current Use:	<table border="1"> <tr><td>Greenfield</td><td>X</td></tr> <tr><td>Brownfield</td><td>X</td></tr> <tr><td>Industrial</td><td></td></tr> <tr><td>Commercial</td><td></td></tr> <tr><td>Landfill</td><td></td></tr> <tr><td>Rail</td><td></td></tr> <tr><td>Residential</td><td></td></tr> <tr><td>Other</td><td></td></tr> </table>	Greenfield	X	Brownfield	X	Industrial		Commercial		Landfill		Rail		Residential		Other		Proposed Use:	<table border="1"> <tr><td>Residential</td><td></td></tr> <tr><td>Commercial</td><td></td></tr> <tr><td>Industrial</td><td></td></tr> <tr><td>Hospital</td><td></td></tr> <tr><td>Educational</td><td>X</td></tr> <tr><td>Rail</td><td></td></tr> <tr><td>Landfill</td><td></td></tr> <tr><td>Other</td><td></td></tr> </table>	Residential		Commercial		Industrial		Hospital		Educational	X	Rail		Landfill		Other	
Greenfield	X																																		
Brownfield	X																																		
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Commercial																																			
Industrial																																			
Hospital																																			
Educational	X																																		
Rail																																			
Landfill																																			
Other																																			
Comment:	Existing use is a Secondary School therefore a mix of greenfield and brownfield	Comment:	Secondary School																																
Flood Zone:	Flood Zone 3	Vulnerability:	Highly Vulnerable																																
DAM Zone:	Zone C2																																		
Justification Test:	Failed	Consequences Test:	Failed																																

Description:

This report comprises the Flood Consequences Assessment for the proposed development within the existing bounds of Monmouth Comprehensive School. The proposed development site is located in Monmouth in South East Wales. The site has numerous access points along the Dixton Road and Old Dixton Road, and is a mix of brownfield and greenfield areas.

The proposed development is a new school building which will remain flood free for the 1% AEP and offers significant betterment to the existing school.

The proposed school re-development is considered in terms of the criteria defined in Section 5 of TAN15, and can be defined as highly vulnerable development. This FCA has identified and assessed the risks of all forms of flooding for the life of the development. This FCA has demonstrated that during the extreme 0.1% AEP event the site does not meet the indicative acceptance criteria as defined in Appendix 1 of TAN15.

As part of the detailed design stage a surface water management plan for the proposed development will be developed involving the use of SuDS.

The development site is not appropriate for the proposed use of a school according to TAN15 guidance.

1. Introduction

1.1. Purpose of this Report

This report comprises the Flood Consequences Assessment (FCA) for the proposed re-development of a school building.

We describe the assessment of flood risks associated with the proposed development. This includes an assessment of the baseline flood risks to the existing site and that of the proposed development. It is important to demonstrate that the school will have an acceptable level of flood risk and the proposed development does not make flooding worse elsewhere.

1.2. Site Location and Description

The proposed development site is located in Monmouth in South East Wales, within Monmouthshire County Council (MCC). Figure 1.1 shows the proposed development site, which lies to the east of Monmouth, at National Grid Reference 351330, 213280. The site has access points along both Dixon Road and Old Dixon Road, and is currently a mix of brownfield and greenfield areas.

Appendix A contains a more detailed site plan.

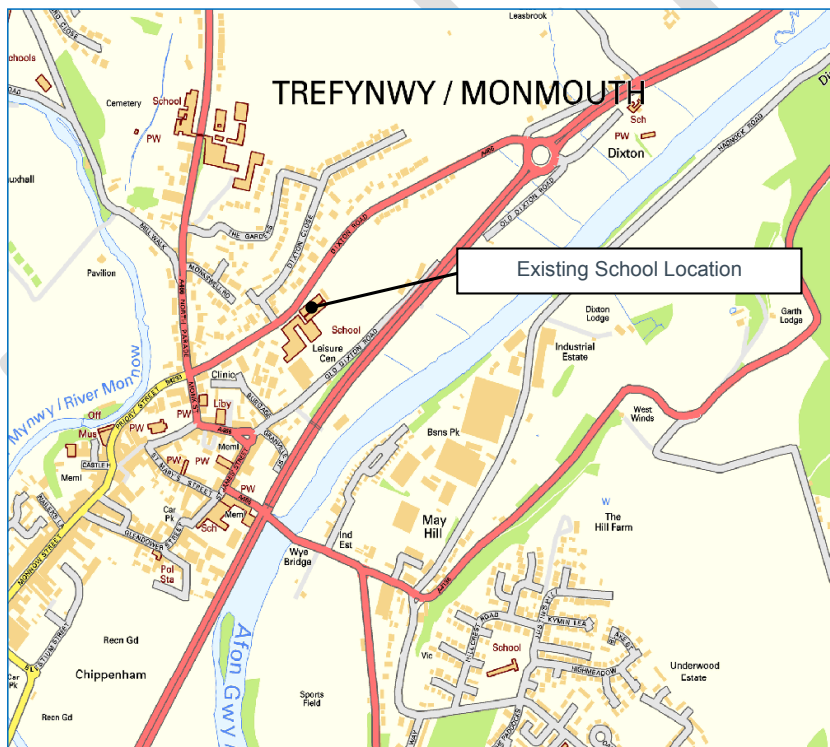


Figure 1-1 Site Location Plan

1.3. Development Proposals

The main element of the proposed development is a new school building with associated facilities. The development proposals can thus be summarised as follows:

- Demolition of existing school buildings;
- Provision of temporary classrooms;
- Provision of a new school building on three stories with a reduction of ground floor footprint from 6450m² to 5824m² and an increase in finished floor level from 18.57mAOD to 19.65mAOD; and
- New pedestrian and vehicular access and egress onto the Dixon Road and Old Dixon Road.

1.4. FCA Planning Context

A FCA should consider all types of flooding to satisfy the following three key objectives:

- To assess flood risk to the proposed development and to demonstrate that any residual risks to the development and its users would be acceptable;
- To assess the potential impact of the proposed development on flood risk elsewhere and to demonstrate that the development would not increase flood risk elsewhere; and
- To satisfy the requirements of Technical Advice 15 (TAN15).

Flood risk should be considered alongside other spatial planning issues such as transport, housing, economic growth, natural resources, regeneration biodiversity, the historic environment and the management of other hazards. A FCA should be carried out to an appropriate degree at all levels of the planning process. It should assess the risks of all forms of flooding to and from development, taking into account climate change over the design life of the development, and should inform the application of the sequential approach if appropriate.

1.5. Assessing Flood Risks

CIRIA C624¹ provides guidance on the implementation and good practice in assessing flood risks through the development process. The aim of C624 is to promote developments that are sustainable with regard to flood risk. The document recommends that a FCA should be undertaken in phases so that the type of development corresponds with the detail required. There are three levels of assessment:

- **Level 1 FCA (Screening Study):** To identify if there are any flooding issues related to a development site which may warrant further consideration. The screening study will ascertain whether a Level 2 or Level 3 FCA is required;
- **Level 2 FCA (Scoping Study):** undertaken if a Level 1 study indicates that the site may lie within an area which is prone to flooding or that the site may increase flood risk due to increased runoff; and to confirm the possible sources of flooding which may affect the site. The Scoping Study will identify any residual risks that cannot easily be controlled and, if necessary will recommend that a Level 3 FCA is undertaken; and
- **Level 3 FCA (Detailed Study):** Undertaken if the Level 2 study concludes that quantitative analysis is required to assess flood risk issues related to the development site, or if existing modelling information is not sufficient to complete an adequate assessment. This may include detailed hydraulic modelling of rivers or drainage systems.

This report forms a **Level 3 FCA (Detailed Study)** which will review all forms of flood risk.

1.6. Structure of the report

This FCA is structured as follows:

- Chapter 2 presents a review of flood risk policies and local flood risk documents relevant for the proposed development site;

¹ Lancaster, J.W., Preene, M. & Marshall, C.T. (2004) Development & Flood Risk – Guidance for the Construction Industry, CIRIA publication C624.

- Chapter 3 presents the available information specific to the site and outlines the proposed development details;
- Chapter 4 reviews all forms of flood risk and identifies those that require more detailed assessment and/or mitigation measures and those that need to be considered as residual flood risks;
- Chapter 5 reviews residual flood risks and outlines mitigation measures proposed as part of the development;
- Chapter 6 discusses the application of flood risk policy, and reviews the Sequential and Exception Test compliance; and
- Chapter 7 presents the main conclusions and recommendations for the development with a view of compliance with planning policy, MCC requirements and Environment Agency (EA) Standing Advice.

2. Flood Risk Policy

2.1. Flood Risk and Flood Probability

Flooding is a natural process that can present a range of different risks depending on its form. Flood practitioners and professionals define the risks presented by flooding according to an Annual Exceedance Probability (AEP), or as having a 'return period.'

Flood risk includes the statistical probability of an event occurring and the scale of the potential consequences. Flood risk is estimated from historical data and expressed in terms of the expected frequency of a flood of a given magnitude. The 10-Year, 50-Year and the 100-Year floods have a 10%, 2% and 1% chance of occurring in any given year, respectively. However, over a longer period the probability of flooding is considerably greater.

For example, for the 100-Year return period flood:

1. There is a 1% chance of the 100-year flood occurring or being exceeded in any single year;
2. There is a 26% chance of the 100-year flood occurring or being exceeded in a 30-year period;
3. There is a 51% chance of the 100-year flood occurring or being exceeded at least once in a 70-year period.

The table below provides a summary of the relevant AEP and corresponding return period events of a particular sensitivity.

Table 2-1 Definition of AEP and Return Period Flood Events

AEP (%)	Return Period (Years)
100%	1 in 1-year (annual)
10%	1 in 10-year
2%	1 in 50-year
1%	1 in 100-year
0.5%	1 in 200-year
0.1%	1 in 1000-year (extreme)

2.2. Planning Policy Guidance

This FCA is undertaken in compliance with the Planning Policy Wales (PPW), Technical Advice Note 15, Development and Flood Risk (TAN15) (2004), which supplements the policies set out in Planning Policy Wales, 2012 (PPW). Flood risk must be considered over the anticipated lifetime of each development.

The Development Advice Map (DAM) which accompanies TAN15 contains three Zones (A, B and C with subdivisions C1 and C2) which trigger the appropriate planning tests in relation to sections 6 and 7 and Appendix 1 of TAN15. These are defined as follows:

- Zone A: Little or no risk of fluvial or tidal flooding;
- Zone B: Areas known to have been flooded in the past evidenced by sedimentary deposits;
- Zone C1: Areas at risk of flooding from fluvial or tidal sources (based on EA extreme flood outline for 0.1% annual chance event), but currently developed and served by significant infrastructure, including flood defences; and
- Zone C2: Areas at risk of flooding from fluvial or tidal sources (based on EA extreme flood outline for 0.1% annual chance event) and without flood defence infrastructure.

New development should be directed away from Zone C and towards suitable land in Zone A, otherwise to Zone B, where river or coastal flooding will be less of an issue.

The proposed school development is considered in terms of the criteria defined in Section 5 of TAN15, and can be defined as highly vulnerable development. Appendix A1.14 of TAN15 defines that such highly vulnerable development, such as a school should be flood free during the 1% (1 in 100) annual chance fluvial flood event allowing for climate change over the development lifetime. It is accepted in TAN15 that developments may flood during a more extreme / less probable 0.1% (1 in 1000) annual chance event. Indicative acceptance criteria including the maximum depths and velocities of flood water are given in Appendix A1.15.

Planning authorities should only consider development in flood risk areas as appropriate where informed by a site-specific FCA. The FCA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how flood risks will be managed to that the development remains safe through its lifetime, taking climate change into account.

For flood risks in general, there is a hierarchy that should be applied for flood risk management, with avoidance or prevention being the preferred first measure to reduce flood risk. The table below presents the flood risk management hierarchy:

Table 2-2 Flood Risk Hierarchy

Number	Flood Risk Hierarchy	Explanation
1	Assess	Undertake studies to collect data at the appropriate scale and level of detail to understand what the flood risk is
2	Avoidance / Prevention	Allocate development to areas of least risk and apportion development types vulnerable to the impact of flooding to areas of least flood risk
3	Substitution	Substitute less vulnerable development types for those compatible with the degree of flood risk
4	Control	Implement flood risk management measures to reduce the impact of new development on flood frequency and use appropriate design
5	Mitigation	Implement measures to mitigate residual risks

2.3. Local Planning Policies

The MCC SFCA provides an overview of flood risk from all sources within the MCC administrative area. This provides MCC, developers and other interested parties with general guidance on flood risk and issues associated with flooding. MCC completed their Stage 1 Strategic Flood Consequence Assessment (SFCA) in March 2009 and the Stage 2 SFCA in November 2009.

The SFCA does not explicitly assess the proposed development site.

3. Potential Sources of Flooding

3.1. History of Flooding

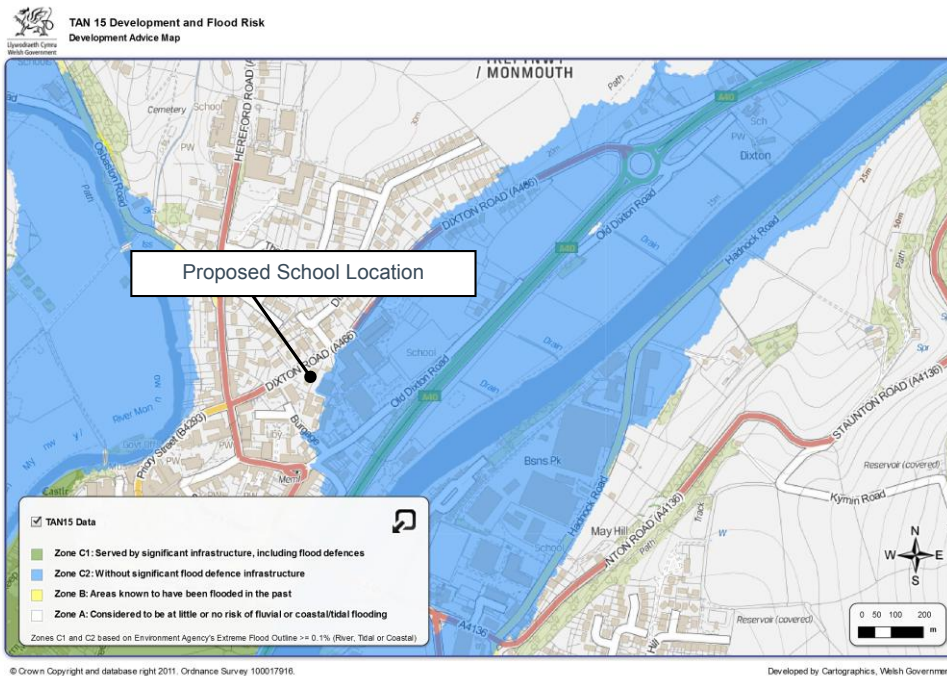
MCC completed their Preliminary Flood Risk Assessment (PFRA) in June 2011. The PFRA reports that there have been no records of fluvial flooding from the River Wye to the proposed site.

The site is highlighted as within an area that has experienced historic surface water flooding.

3.2. Flooding from Rivers

The TAN15 Development Advice Maps (DAMs) indicate that part of the site is completely within Zone C2, defined as areas “without significant flood defence infrastructure”, which is shown in Figure 3-1.

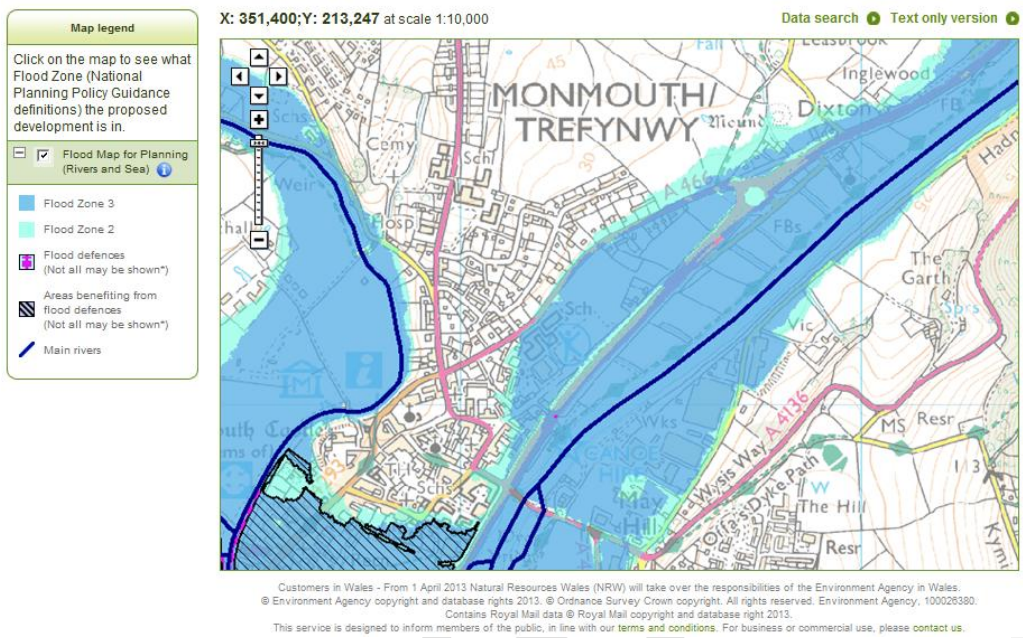
Figure 3-1 TAN15 DAM showing the proposed development location



In addition to the DAMs, Local Planning Authorities (LPAs) utilise the EA Flood Maps to define areas at potential risk and further define the potential flood risks posed to a proposed development. The risk of flooding from the River Wye therefore requires further assessment; this will be quantified in more detail in Section 4.

Figure 3-2 shows the EA Flood Zones, which define the proposed development as within Flood Zone 3. The risk of flooding from the River Wye therefore requires further assessment; this will be quantified in more detail in Section 4.

Figure 3-2 Environment Agency Flood Zones



3.3. Flooding from the Sea / Tidal

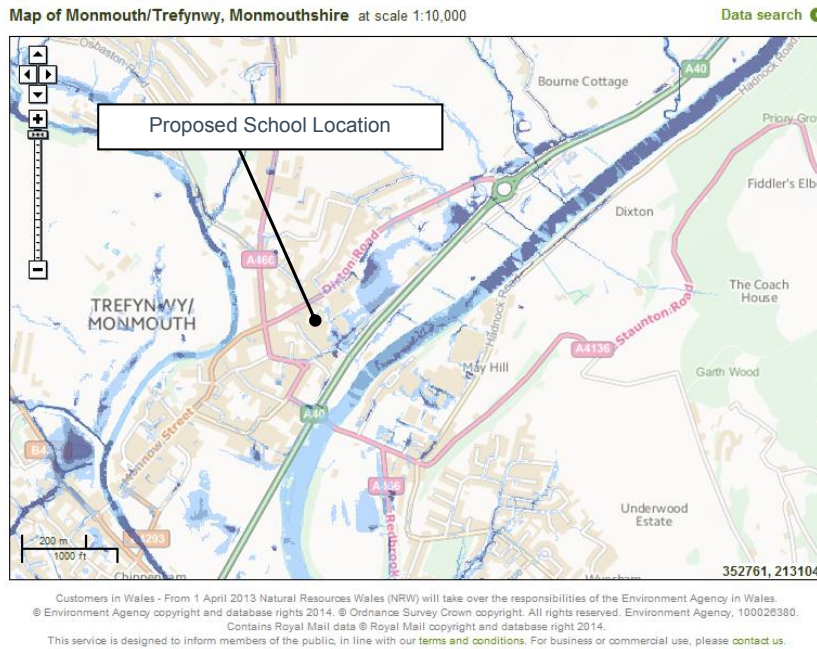
The proposed development site is over 20km from the Severn Estuary and is therefore not a risk of flooding from this source.

3.4. Flooding from Surface Water Runoff

Flooding from surface water runoff includes water flowing over the ground that has not reached a natural or artificial drainage channel. This can occur when intense rainfall exceeds the infiltration capacity of the ground, or when the ground is so highly saturated that it cannot accept anymore. Excess surface water runoff can originate either from on-site or from adjacent sites.

There are historical records of surface water flooding on the proposed development site; and the Flood Maps for Surface Water (FMfSW) indicate that the site would be at risk. The risk of surface water flooding will be assessed in more detail in Section 4.

Figure 3-3 Risk of flooding from surface water from the Environment Agency FMfSW



3.5. Flooding from Groundwater

Groundwater flooding is caused by water originating from beneath the ground surface from permeable strata through a natural process, usually after periods of higher than average rainfall. This can lead to high levels of infiltration to sewers, underground services and soakaways, reducing their capacity to remove surface water runoff.

The MCC Preliminary Flood Risk Assessment (PFRA) stated that the risk of groundwater flooding in the MCC area is considered to be low, and not considered a significant issue within the catchment.

3.6. Flooding from Sewers

The risk of developments flooding from sewers comes from either poorly performing drains and/or from the system drainage surcharging due to higher river water levels in the receiving watercourse. Available information indicates that there are no records of sewer flooding occurring at this site. The risk of flooding from rainfall intensities exceeding the ability of the system to collect and drain the site is described in the surface water runoff section above. Proposals for the design are included in the mitigation Section 5.

3.7. Flooding from Infrastructure Failure

Flood risk can result from failure of infrastructure which transmits, retains or controls the flow of water. Examples could include failure of a dam, canals, burst water mains or blocked sewers.

There is no risk of flooding of the proposed development from canals or reservoirs.

The A40 road separates the proposed site and the River Wye. This dual-carriageway road is raised above the floodplain and acts as a defence protecting the town from minor flood events. Flood gates are fitted on the underpass that leads from the school access road (Old Dixon Road) to the rowing club on the riverbank (Figure 3-4). NRW were consulted on the operation of these gates and the following information provided,

When the Monmouth Gauge reaches a level of 4.2m above stage datum, a decision will be taken by the Duty Team who will decide whether closing the gates is necessary and if so the time which the closure will take place. This means that there is no set level at which the gates will be closed but they will be closed before water starts to enter the underpass.

When the gates are in operation they are monitored. Should the water level stored behind the gates reach a level of 4.7m above stage datum over-pumping is used to manage seepage around the gate doors.

Figure 3-4 Flood gates on underpass



The impact of this flood gate in terms of flood risk from the River Wye is assessed further in Section 4.

4. Assessment of Actual Flood Risk

4.1. Flood Risks Scoped Out

As described in Section 3 the following flood risks have been scoped out from more detailed assessment:

- Flooding from the sea; and
- Flooding from groundwater

4.2. Data Collection

The following information was collected or sought for the FCA:

- Environment Agency Wales Flood Map covering the site and adjacent areas;
- details of the proposed development site layout and topographical survey ;
- hydrological data from Trevor Bowen Court FCA as recommended by NRW;
- existing available hydraulic model of the River Wye;
- historical flooding data for the site and surrounding areas; and
- available flood warning and flood forecasting information relating to the site.

4.3. Consultations

NRW have been consulted throughout the development of this FCA.

- Initial advice was sought regarding the development and a checklist was provided by NRW in April 2013 for information to be included in the FCA. Advice was sought and followed regarding suitable hydraulic and hydrological models to use for the study.
- Originally the school was proposed to be within the existing site boundary but to the south east of the existing school building so allowing the existing school to stay in use whilst the new school was built. We modelled the post development situation and provided interim results to NRW in March 2014. NRW responded to these interim results and suggested that the school should be built in its existing location in order to not increase flood risk to the school.
- A meeting was held in June 2014 with NRW in attendance. The proposed school layout was discussed and proposed finished floor levels were adjusted in line with advice from NRW. The meeting was extremely helpful.

4.4. Climate Change

The future implications of climate change are outlined in TAN15 and in research carried out by DEFRA. A range of recommendations have been made for precautionary approaches to development design for rainfall, river flows, wind speeds and wave heights that are applicable. Whilst TAN15 does not specify climate change allowances to be applied in FCAs, guidance is provided in the National Planning Policy Framework (NPPF) technical guide. The table below summarises this guidance.

Table 4-1 NPPF Recommended Precautionary Sensitivity Ranges

Parameter	1990-2025	2025-2055	2055-2085	2085-2115
Peak rainfall intensity	+5%	+10%	+20%	+30%
Peak river flow intensity	+10%	+20%	+20%	+20%

For any development, climate change (for rainfall-runoff calculations and surface water management considerations) will need to be accounted for in accordance with the planned lifetime of the constructed development, in this case we have assumed a lifetime of 100 years. Short duration rainfall may increase by 30% and flows by 20%, with suggestions that winters could become generally wetter and could lead to an increase in identified Flood Zones.

4.5. Assessment of Fluvial Flood Risks

4.5.1. Introduction

As noted in Section 3 the DAMs are based on a high level, catchment wide JFLOW model which is not suitable for the detailed assessment of flood risks to the proposed development site. It was therefore necessary to obtain the hydraulic model of the Rivers Wye & Monnow at Monmouth (as made available by the Environment Agency) to provide a more detailed assessment of fluvial flood risk.

4.5.2. Hydraulic Modelling

4.5.2.1. Introduction

Atkins was supplied with the hydraulic modelling used as part of the Rivers Wye and Monnow at Monmouth Strategic Flood Risk Modelling (SFRM) & Mapping Study². The Rivers Wye and Monnow SFRM model was built with an existing Section 105 HEC-RAS model covering the Monnow and a HEC-RAS model of the River Wye created by Atkins for the purpose of a SFRM study.

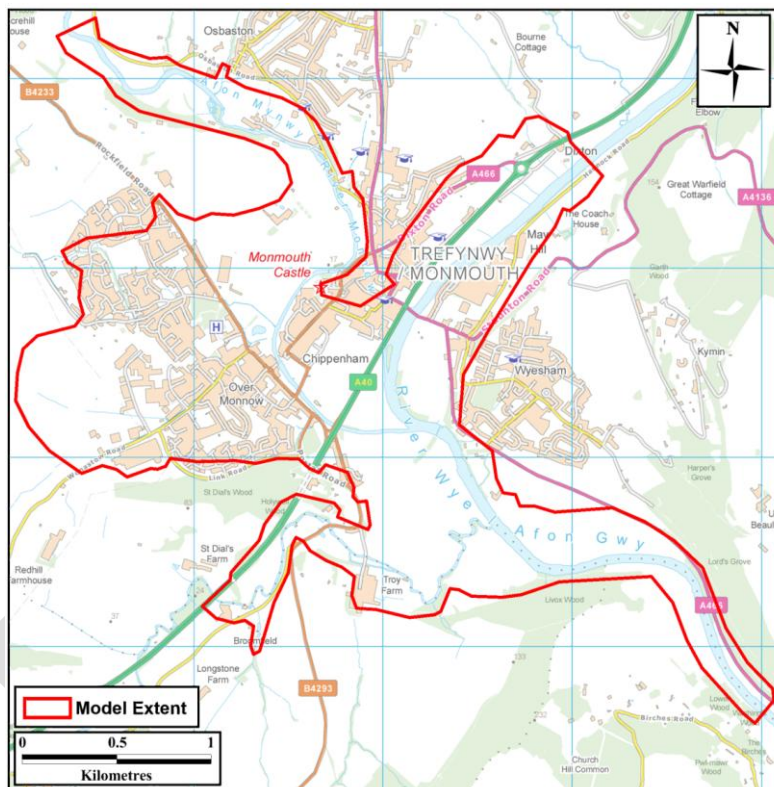
In channel modelling was undertaken using the ISIS 1D modelling solution. Floodplain flows were modelled using the 2D TUFLOW modelling solution which enables water to propagate across the floodplains. The resultant model provided for this assessment was a coupled ISIS-TUFLOW model. The original software

² Edenvale Young (2008) *Rivers Wye & Monnow at Monmouth Strategic Flood Risk Modelling & Mapping Study*, completed by Edenvale Young on behalf of the Environment Agency.

versions used were ISIS v6.0.0.12 and TUFLOW 2007. The latest software versions (ISIS v3.6 and TUFLOW 2012) however were used for this assessment. Initially the transferral of the software to newer versions caused model instabilities. These model instabilities were resolved as described in Section 4.5.2.3 below.

This model extends along the River Monnow just upstream of Osbaston to the confluence with the River Wye, and extends along the River Wye at Dixton with the downstream extent of the model reaching Upper Redbrook. The extent is provided in Figure 4-1 below.

Figure 4-1 Extents of the Rivers Wye & Monnow SFRM model



4.5.2.2. Hydrology

The hydrology associated with the Rivers Wye and Monnow hydraulic model as completed for the 2008 SFRM was not deemed appropriate for this assessment. The hydrology was updated in 2013 by Waterman Group for the purpose of a FCA. This hydrology calculated by Waterman Group was obtained and alongside consultation from Natural Resources Wales, was deemed appropriate for use for this assessment. Further details associated with the hydrology are available in the Proposed Development at Trevor Bowen Court FCA³. The hydrology used for this assessment is discussed no further in this FCA.

4.5.2.3. Model Instabilities

The model was initially showing instabilities along the River Monnow just downstream of Monmouth Priory in which high velocities were passing between the 1D-2D connection. This issue was resolved by including a

³ Waterman Transport & Development Limited (2013) *Proposed Development at Trevor Bowen Court Flood Consequences Assessment*, completed by Waterman Transport & Development Limited on behalf of Monmouthshire Housing Association.

form loss coefficient of 0.25 into the 2d_bc_IsisLink layer which reduced velocities crossing the 1D-2D connection. This loss in velocity represents the energy losses between water passing from the (1D) river onto the (2D) floodplain, which can be expected along sinuous rivers where a high level of turbulence at the river/floodplain interface will be apparent. Further instabilities were observed at the confluence of the River Monnow and River Wye. These were resolved by moving an HX line at two locations at the confluence to ensure the 1D-2D link was located at the crest of the river bank. A CN line connected to the 1D node 'WYERE_1.36d' was also deleted. After inspection of the results the water level of the River Wye and River Monnow at the confluence was the same and so the deletion of this CN line is unlikely to affect the model results. These modifications resolved the model instability for the 1% AEP event.

A further instability occurred during the 0.1% AEP event, in which high velocities were again passing across the 1D-2D connection, which was located along the left bank just downstream of the B2493 road bridge crossing (1D node 'MonMo_600b'). A 2D z shape polygon was used to flatten the flood defences along this left bank which were poorly defined in the DTM. A 2D z line was then used to redefine the flood defences and crest levels which ensured the defences were not omitted from the modelling.

Opening the flood gate under the A40, by making changes to the 1D node 'WYERE_fg_us' caused another instability where again high velocities were passing across the 1D-2D connection. An inspection of the model revealed that the invert of the flood gate was at 15.825mAOD within the 1D extent of the model. The flood gate connection point in the 2D domain was initially on the Old Dixton Road; over 3m higher than the flood gate invert level, resulting in high velocities and instabilities. The connection point in the 2D domain was therefore moved away from the Old Dixton Road to a level similar to the invert of the flood gate, resolving the instability.

4.5.2.4. Baseline Results

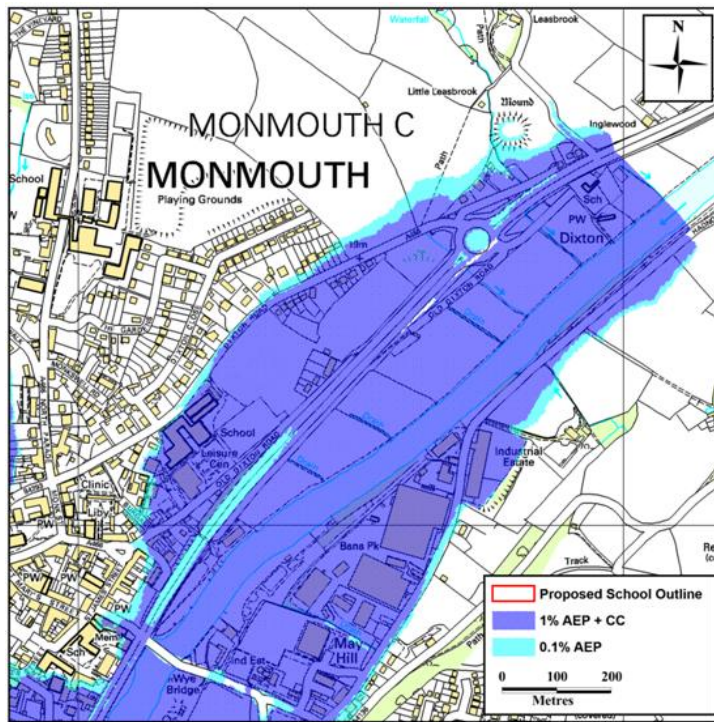
The 1% AEP + CC flow and the 0.1% AEP flow were run through the model to obtain design peak water levels for the proposed development site. For the 1% AEP + CC and 0.1% AEP events the times to peak were 28 and 41 hours respectively. Table 4-2 contains the peak water levels along the River Wye at key cross section locations.

Table 4-2 Baseline modelled peak water levels

Cross Section Reference	Location Description	1% AEP + CC (mAOD)	0.1% AEP (mAOD)
WYERE_1.51	Adjacent to A40 roundabout west of Dixton	19.55	20.821
WYERE_1.50	Just upstream of Industrial Estate	19.535	20.819
WYERE_1.49	Upstream of school site adjacent to Industrial Estate	19.514	20.8
WYERE_1.48	Adjacent 130m upstream of proposed school site	19.471	20.785
WYERE_1.47	Adjacent to proposed school site	19.439	20.764
WYERE_1.46	Adjacent to boating club and flood gate	19.351	20.694
WYERE_1.45	240m downstream of boating club	19.283	20.595
WYERE_1.44	21m upstream of Wye Bridge	19.296	20.637
WYERE_1.43	Immediately upstream of Wye Bridge	19.325	20.718
WYERE_1.41	Immediately downstream of Wye Bridge	18.486	19.966

Figure 4-2 shows the 1% AEP event plus climate change and the 0.1% AEP event outlines. The model results indicate that the entire development site does fall within the 1% AEP plus climate change and 0.1% AEP floodplains. The floodplain outlines generated by this FCA are broadly similar to the Environment Agency flood Zones and DAM's. Differences are expected since this FCA uses a more detailed hydraulic model of the River Wye when compared to the methods used to generate the Environment Agency flood Zones. Floodplain outlines illustrating the wider catchment area are provided in Appendix D.

Figure 4-2 Baseline flood extents



4.5.2.5. Assessment of infrastructure failure

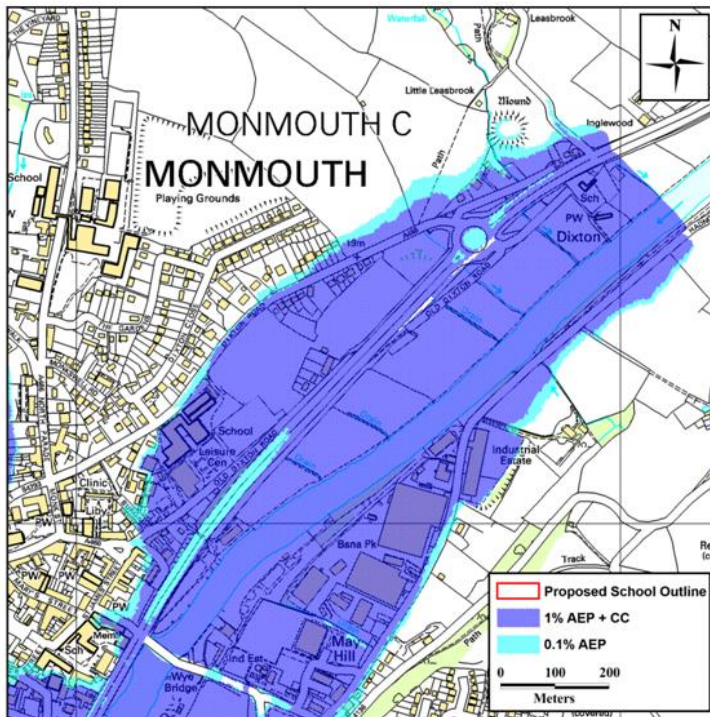
An assessment was undertaken on the flood gates fitted on the underpass that leads from the school access road (Old Dixon Road) to the rowing club on the riverbank. The purpose of this assessment was to identify the impact of structural or operational failure of the flood gates. This was undertaken by modelling the flood gates fully open, reflecting either complete structural failure or failure to close the gates during a flood event. The 1% AEP plus climate change flow and the 0.1% flow were run through the model to obtain peak water levels for the proposed development site, with the flood gates fully open for the full duration of these flows.

Table 4-3 Flood gates open peak water levels

Cross Section Reference	Location Description	1% AEP + CC (mAOD)	0.1% AEP (mAOD)
WYERE_1.51	Adjacent to A40 roundabout west of Dixon	19.579	20.828
WYERE_1.50	Just upstream of Industrial Estate	19.543	20.812
WYERE_1.49	Upstream of school site adjacent to Industrial Estate	19.539	20.809
WYERE_1.48	Adjacent 130m upstream of proposed school site	19.474	20.787
WYERE_1.47	Adjacent to proposed school site	19.458	20.777
WYERE_1.46	Adjacent to boating club and flood gate	19.35	20.694
WYERE_1.45	240m downstream of boating club	19.323	20.61
WYERE_1.44	21m upstream of Wye Bridge	19.301	20.627
WYERE_1.43	Immediately upstream of Wye Bridge	19.355	20.731
WYERE_1.41	Immediately downstream of Wye Bridge	18.506	19.975

Figure 4-3 shows the 1% AEP event plus climate change and the 0.1% AEP event outlines. These results are very similar to the baseline results in Figure 4-2, showing that there is a negligible change in the flood extent during these AEP events as a result of flood gate failure. This can be attributed to the fact that the Old Dixton Road above the flood gates is overtopped during both these AEP events, therefore essentially rendering them redundant in higher return period events.

Figure 4-3 Flood gates open flood extents



The changes in peak level as a result of the fully open flood gates when compared to having them fully closed is shown in Table 4-4. Both increases and decreases in peak level are observed, ranging from -7mm to 40mm. This change can be classified as minimal and within model tolerance levels, showing there is a minimal impact on peak flood levels as a result of failure of the flood gate during the 1% AEP event plus climate change and the 0.1% AEP event.

However the time to flooding on site would be decreased should a failure of the flood gates occur.

Table 4-4 Change in peak water level between baseline and flood gates open scenarios

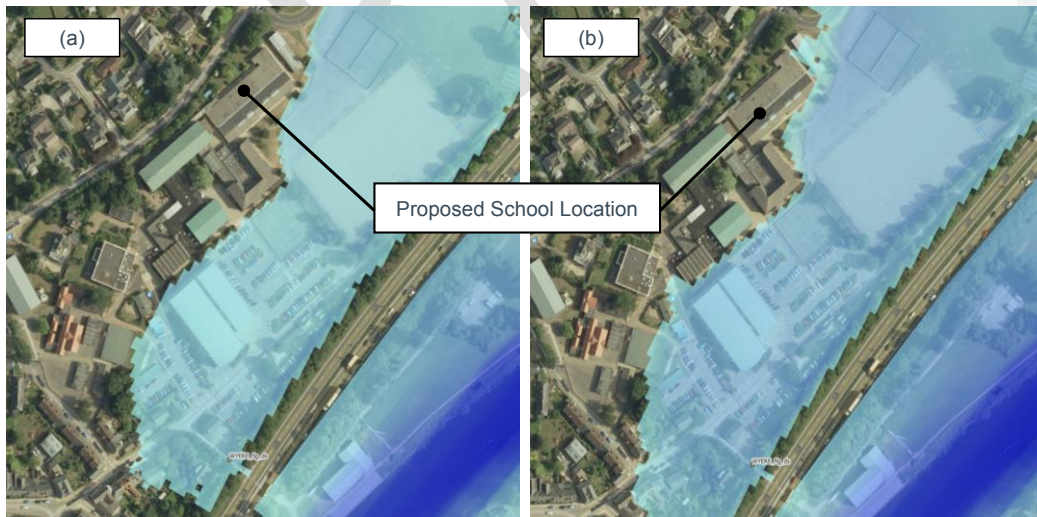
Cross Section Reference	Location Description	1% AEP + CC (mm)	0.1% AEP (mm)
WYERE_1.51	Adjacent to A40 roundabout west of Dixton	29	7
WYERE_1.50	Just upstream of Industrial Estate	8	-7
WYERE_1.49	Upstream of school site adjacent to Industrial Estate	25	9
WYERE_1.48	Adjacent 130m upstream of proposed school site	3	2
WYERE_1.47	Adjacent to proposed school site	19	13
WYERE_1.46	Adjacent to boating club and flood gate	-1	0
WYERE_1.45	240m downstream of boating club	40	15
WYERE_1.44	21m upstream of Wye Bridge	5	-10
WYERE_1.43	Immediately upstream of Wye Bridge	30	13
WYERE_1.41	Immediately downstream of Wye Bridge	20	9

4.5.2.6. Lower Return Period Modelling

To assess the impact of flood gate failure at lower return periods, hydraulic modelling was also undertaken for the 20 year (5% AEP) and 75 year (1.33% AEP) events. This hydrology was taken from the SFRM study as lower return period flows were unavailable from the more recent FCA and so should be treated as indicative.

Flooding of the school footprint was not predicted for the 20 year or 75 year events even assuming complete failure of the flood gates. With the flood gates in place no flooding of the school site or playing fields was predicted by the model. However should the flood gates fail the playing fields and surrounding area were predicted to flood. Dependant on the failure mechanism the inundation could be rapid. This risk should be addressed in the school flood plan.

Figure 4-4 Flood extents assuming failure of the flood gates for (a) 20 year and (b) 75 year events



4.6. Assessment of Surface Water Runoff Flood Risks

4.6.1. Existing surface water runoff flood risks

Ground levels fall in a southerly direction from the north of Dixton Road from levels of >24mAOD to the north of Dixton Road to levels of <17mAOD further down the site. There are therefore potential surface water overland flow routes from the north of Dixton Road on to the proposed development site.

During the detailed design stage the site layout and levels will be designed to ensure that any surface water flood flow routes are managed.

4.6.2. With scheme surface water runoff flood risks

A drainage strategy is being developed for the proposed school. This will limit the surface water discharge to the existing run-off rate. It is believed surface water currently discharges into the river and a CCTV survey is being undertaken to confirm this. The CCTV survey will also be used to assess if the current outfall structure is operation efficiently or whether this could be the cause of standing water observed on the site after rainfall events.

The use of permeable pavement is proposed subject to ground conditions.

Further details of the proposed drainage strategy can be found within the full planning application.

4.7. Assessment of Flood Risk from Sewers

The preliminary drainage strategy states that foul drainage from the new building will discharge into existing sewers at discharge rates to be agreed with Welsh Water.

5. Mitigation and Residual Flood Risks

5.1. Mitigation Measures for Identified Flood Risks

5.1.1. Fluvial Flooding

The design team have prioritised flood risk when designing the proposed school. The design philosophy follows the following principles in order to minimise flood risk at the site:

- The new school will have a reduction of ground floor footprint from 6450m² to 5824m²
- Betterment will be provided by increasing the existing finished floor level from 18.57mAOD to 19.65mAOD which provides a free-board of 100mm above the peak 1%AEP plus climate chance event. This free-board is lower than the preferred 300mm allowance. However as the modelling is based upon and approved NRW model with approved hydrology this is felt to be appropriate.
- The main entrances to the new school building have been relocated to higher areas of land to the North West of Dixon Road to improve the access and egress.
- The design has minimised the loss of flood storage caused by the new school and associated landscaping. The designers have quoted a reduction of floodplain in the valley of 0.22%.
- The existing school flood plan will be updated.
- Whilst temporary class rooms are in place there will be a reduction in floodplain storage. This is expected to be for a period of approximately 18 months. NRW felt this temporary reduction would not be an issue.

5.1.2. Surface Water Flooding

As part of the detailed design stage a surface water management plan for the proposed development will be developed involving the use of Sustainable Drainage Systems (SuDS). A SuDS strategy will be used to collect, clean and store runoff from the developed area, to discharge at the existing rate. SuDS options will be developed further during the detailed design stage.

5.2. Residual Flood Risks

5.2.1. Extreme Event

The new school design will be flood free for the 1% AEP plus climate change.

The school would flood in a 0.1% AEP. With a finished floor level of 19.65mAOD the school would flood to a depth of just over 1m. The lead time for such an event is likely to be several days and so the school could be evacuated. However resilience should be considered when building the school, such as positioning electrical sockets above the potential flood levels and keeping more expensive equipment on higher floors. The use of waterproof surfaces could be considered for ground level floors.

The school has a comprehensive flood plan described below in section 5.2.5.

5.2.2. Risk of Breach

The flood gates under the A40 have been assessed in terms of the risk of structural or operational failure.

Indicative hydraulic modelling for the 5% AEP and 1.33% AEP events show that with the flood gates in place no flooding of the school site or playfields was predicted. However, the playing fields and surrounding area were predicted to flood assuming failure of the gates. However the school buildings would be un-affected.

For the more extreme flood events (100 year plus climate change upwards) modelling showed that the flood gates have a minimal impact on the risk of flooding to the site. Maximum flood levels and extents at the site are not significantly different when the flood gates are either fully open or closed.

The flood plan should be updated to consider the risk of using the playing fields when the flood gates are in operation.

5.2.3. Access and Egress Conditions

Safe access and egress westwards along the A466 (Dixton Road) would be possible during both the 1% AEP event plus climate change and the 0.1% AEP event.

5.2.4. Management over Development Lifetime

5.2.5. Flood Warning and Evacuation

Monmouth Comprehensive School currently operates on the existing site and is therefore at flood risk. The school has an existing Flood Plan which sets out flood evacuation procedures for a number of different scenarios.

The flood warning system consists of two water level sensors located at low points on the school site; the western end of the school sports field and the buildings adjacent to the sports centre. The water level sensors detect flood water and automatically raise an email and text message warning dependant on the water level detected.

Dependant on the level of alert issue the flood plan sets out the required action including evacuation of the school in the event of a High Alert.

The water level sensors are regularly maintained by Hydrologic.

The flood plan should be updated. The flood plan should ensure that the school are aware when the flood gates are in operation.

6. Application of Flood Risk Policy

6.1. Policy Context

This FCA is undertaken in compliance with TAN15 (2004), which supplements the policies set out in PPW. Flood risk must be considered over the anticipated lifetime of each development.

Appendix A1.14 of TAN15 defines that such highly vulnerable development, such as a school should be flood free during the 1% AEP fluvial flood event allowing for climate change over the development lifetime. It is accepted in TAN15 that developments may flood during a more extreme / less probable 0.1% AEP event. Indicative acceptance criteria including the maximum depths and velocities of flood water are given in Appendix A1.15.

6.2. Justifying the Location of Development

The location of proposed developments must give consideration to the principles stated in Section 6 of TAN15. The proposed location of the school development adheres to these principles as:

- Its location in Zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement;
- [MCC to provide info] and
- It concurs with the aims of PPW and meets the definition of previously developed land.

Comment [w1]: Have asked John for some text on this.

This FCA has identified and assessed the risks of all forms of flooding for the life of the development and has shown that the site will be flooded by the fluvial 1% AEP event plus climate change. This would suggest that the site is not suitable for the proposed school development.

6.3. Assessing Flood Consequences

The proposed school development is considered in terms of the criteria defined in Section 5 of TAN15 as highly vulnerable development. This FCA has demonstrated that during the extreme 0.1% AEP event the site does not meet the indicative acceptance criteria as defined in Appendix 1 of TAN15. However the proposed school does provide considerable betterment to the existing building.

7. Conclusions and Recommendations

This FCA has the following conclusions:

1. The new school will have a reduction of ground floor footprint from 6450m² to 5824m²
2. Betterment will be provided by increasing the existing finished floor level from 18.57mAOD to 19.65mAOD which provides a free-board of 100mm above the peak 1%AEP plus climate chance event. This free-board is lower than the preferred 300mm allowance. However as the modelling is based upon and approved NRW model with approved hydrology this is felt to be appropriate.
3. The main entrances to the new school building have been relocated to higher areas of land to the North West of Dixon Road to improve the access and egress.
4. The design has minimised the loss of flood storage caused by the new school and associated landscaping. The designers have quoted a reduction of floodplain in the valley of 0.22%.
5. The existing school flood plan will be updated.
6. Whilst temporary class rooms are in place there will be a reduction in floodplain storage. This is expected to be for a period of approximately 18 months. NRW felt this temporary reduction would not be an issue.
7. The entire site is at risk from a 1% AEP event (including an allowance for climate change) and 0.1% AEP event.
8. The development site is not appropriate for the proposed use of a school according to TAN15 guidance.
9. However the Local Authority has demonstrated the importance of locating the school in its current location and the absence of other suitable sites.
10. A comprehensive flood plan is in place.

Appendices

Appendix A. Site Location Plan

DRAFT

DRAFT

Appendix B. Development Proposals

DRAFT

DRAFT

DRAFT

Appendix C. Model Schematic

DRAFT

Appendix D. Floodplain Outlines

DRAFT

Appendix E. Surface Water Runoff Assessment

DRAFT

DRAFT

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Annwyl Mr Ince / Dear Mr Ince

REDEVELOPMENT OF MONMOUTH SECONDARY SCHOOL AT DIXTON ROAD, MONMOUTH

I refer to your e-mail dated 12th March 2014, requesting our opinion on the acceptability, in flood risk terms, of the re-development of the school in its existing location.

Based on the conclusions in the e-mail of 12 March 2014, the re-development of the school at its existing location, as opposed to relocating it within other areas of the site, appears to be the best option, in terms of the risks and consequences of flooding to the site as a whole. The proposed re-location of the school to the north east is assessed to be at a greater risk, in terms of flood depths, and is affected at lower return periods than the current site.

Any re-development of the school taken forward for planning, should ensure that there is a betterment in terms of flood risk to the site and it does not increase flood risk elsewhere as a result of the development. We may object to the proposals if they are not in accordance with the requirements of TAN15.

We advise that the Flood Consequence Assessment (FCA) is amended accordingly to reflect the final proposals which must also take into account the requirements of our FCA checklist dated 25th April 2013.

Please note the view expressed in this letter is a response to a pre-planning enquiry. I trust these comments will prove helpful but they should not set a precedent for any future Natural Resources Wales' response to any formal application for planning permission or other legal consent. Such applications shall be assessed on the information submitted and regulations of relevance at that time. The details contained in this letter are based on the

information available to date.

If you have any queries on the above please do not hesitate to contact me.

Yn gywir / Yours faithfully

Mrs Claire McCorkindale
Development Planning Advisor



SWOT ANALYSIS

The purpose of this analysis is to compare the **Strengths**, **Weaknesses**, **Opportunities** and **Threats** of three potential sites for the new Monmouth Comprehensive School.

Site **Option 1**, currently two sports pitches, is located to the north east of the existing school and accessed from the A466 Dixon Road.

Site **Option 2**, is located to the west of the existing school and accessed from within the education campus and Burgage Road.

Site **Option 3**, is located on the existing school site and accessed from the A466 Dixon Road.

OPTION APPRAISAL

OPTION 1



Strengths:

- No disruption to existing school buildings during construction
- Proximity to coach drop off
- Undercroft parking
- Views out and views in
- Swimming pool, Phoenix block and Gryphon building retained post construction
- Opportunities for future development from west of site to proposed building
- School and leisure centre parking separated alleviating traffic issues on Old Dixton road
- Space between building and neighbours
- Existing tennis courts retained and expanded
- Single entrance

Weaknesses

- Building on flood zone - Finished floor level likely to be between 3 and 4.3m above indicated hard play area
- Loss of sports pitch
- Visibility from town centre
- Travel distance to town and leisure centre

Opportunities

- Undercroft parking
- Develop western site area (including Phoenix block and Gryphon building) for other uses
- New public realm running from west of site to proposed building

Threats

- Flood mitigation measures
- Lack of connection from inside spaces to outside spaces
- Disconnect from Monmouth centre
- Shared coach, service and car access

OPTION 2



Strengths:

- Retains physical link with monmouth centre
- Retains existing number and location of grass sports pitches
- Utilises existing levels for building access
- Consolidates & compacts campus
- Separate student entrance from coach drop off
- Separate service access from Dixton road
- Coach drop off retained
- New swimming pool
- New sports facilities combined with existing and new swimming pool building
- School and leisure centre parking separated alleviating traffic issues on Old Dixton road
- Link to river maintained

Weaknesses

- Scale and proximity of new building with surrounding residential properties
- Views in and out restricted by surrounding buildings
- Cost of new swimming pool and loss during construction period
- Loss of gym during construction period
- Temporary dining and kitchen facilities during construction
- Tennis courts reprovided

Opportunities

- Expanded and improved sports facilities
- Improved links with community and Monmouth centre

Threats

- Planning
- Lack of visibility from surroundings

OPTION 3

**Strengths:**

- Retains existing school location and physical link with monmouth centre
- Retains existing number and location of grass sports pitches
- Utilises existing levels for building access
- Consolidates & compacts school/leisure campus
- Views in and out
- Coach drop off retained
- Swimming pool retained
- Gryphon building retained
- Single entrance
- Link to river maintained
- Separate service access from Dixton Road

Weaknesses

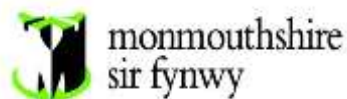
- Bulk of school to be accommodated in temporary accommodation during construction
- Temporary dining & kitchen during construction
- Loss of hall and gym during construction period
- Tennis courts to be reprovided
- Parking access remains from Old Dixton Road
- Proximity of north elevation with Dixton road

Opportunities

- Improved links with community and Monmouth centre with new piazza
- Reclad swimming pool to unify with new school
- Canopy linking Gryphon, swimming, new school building, Burgage road and coach drop off

Threats

- Flood risk on temporary accommodation during construction
- Drop in educational attainment during construction period



SUBJECT: DEVELOPING A NEW SOCIAL SERVICES I.T SYSTEM

MEETING: CABINET

DATE: 16th July 2014

DIVISION/WARDS AFFECTED: NONE

1. PURPOSE:

To provide finance from the Invest to Redesign Reserve for the replacement of the Social Services SWIFT system

2. RECOMMENDATIONS:

That Cabinet agree to fund the development of a new IT system to replace the current SWIFT system from the Invest to Re-design reserve.

3. KEY ISSUES:

3.1 Currently Monmouthshire is part of a SE Wales consortium that uses Northgate’s SWIFT system as it’s Social Services I.T. system. Practice demands, moves to greater integration and the need for a modern and user friendly system mean that this product is no longer suitable. These issues are mirrored across Wales and a national specification is being developed to ensure compatibility and consistency. In Monmouthshire we have made considerable progress in prototyping a new adult care system and in clarifying the requirements for Childrens services; both of which address the needs of practitioners whilst also meeting the national specification.

3.2 The current contract with Northgate is due for renewal, and alongside our development work we have evaluated all options, including remaining with SWIFT and procuring a new system via one of three organisations that have expressed interest in tendering for the delivery of the national All Wales specification.

For over 2 years in Social Services we have reviewed the working systems and processes through a Systems Thinking review. Any I.T. system should reflect these processes and be based on service department and citizen needs. For the past year we have been

trying to adapt the current Northgate IT system to meet our processes, but it hasn't proved possible as the system is inflexible. We are also involved in the tendering process on the All Wales solution and we note that the vendors are not offering anything different to the standard Northgate product.

Issues including flexibility, cost, ease of use and deliverability have led to the conclusion that self-build is the best option for Monmouthshire. Details of benefits and shortfalls of the various options are detailed in Appendix 2.

3.3 Self-build is made possible by the use of open source technology which enables the development of bespoke systems that are built to the specifications and design of the practitioners using it. A more intuitive system which reflects modern practice demands means less time on data entry and more time spent with children and families.

3.4 Monmouthshire County Council has made the decision to build the replacement system in partnership with CMC², who will provide the necessary technical expertise in open source platforms in line with the corporate iCounty strategy. We will continue to work with colleagues and partners across Wales and ensure we meet the requirements of the all Wales initiative. In particular we have a positive relationship with the other members of the SWIFT consortium and are keeping them fully apprised of these developments

3.5 The potential for further development of the system, linking it with other MCC applications and providing a suite of tailor made solutions is significant, and it will be the first step of the corporate i-county strategy. Building and linking systems will provide bespoke, cost-effective and integrated solutions for Monmouthshire. There is the potential to generate finance through the resale of the product to other health and social care agencies. Most importantly the new system will support practice, reduce the administrative burden on staff and generate the performance data required to improve the service.

4. REASONS:

There is a requirement to replace the current Northgate social services I.T. system with a modern cost effective bespoke solution that is responsive to service change and modern working practices.

5. RESOURCE IMPLICATIONS:

Please see Appendix 1 for detailed resource implications. In summary, over a five year period the new build option will result in an overall saving of £158,130. This includes the £200,000 build cost.

In addition, the new system build will avoid potential costs of £41,000 as highlight in Table 1 of Appendix 1.

A sum of £40,000 has also been invested from 2013/14 revenue budgets to build a prototype of the system to ensure that the design and build met the specification for the client department.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The significant equality impacts identified in the assessment (Appendix 1) are summarised below for members' consideration: This proposal has a positive effect; we have not identified significant negative impacts.

The actual impacts from this report's recommendations will be under constant review to ensure it meets the needs of practitioners and other stakeholders

7. CONSULTEES: SLT, SC&H DMT, Social Services team leaders and staff

**8. BACKGROUND PAPERS:
None**

9. AUTHOR: Sian Hayward/ Simon Burch

10. CONTACT DETAILS:

E-mail: simonburch@monmouthshire.gov.uk

Appendix 1 - RESOURCE IMPLICATIONS:

The new self-build open source system will be developed for a fixed cost price of £200,000. The programme will be funded by the Invest to Re-design fund. The detailed costings are as follows- .

Table 1 - Costs for year 1 2014/15 if we renew a contract with Northgate

Period & Cost Base	Actual Cost	Comments
Northgate	£62,000	Per annum
Capital cost – Server upgrade	£20,000	5 new servers are required if we are to stay on SWIFT. This is a one-off cost.
Capital cost - File archive facility	£21,000	There is a one-off cost with Northgate (plus 20% maintenance per annum) to comply with information governance legislation.
Total year 1 cost for 2014/2015	£103,000	

Table 2 – Estimated costs for the four years 2015/16 to 2018/19 if we renew a contract with Northgate

Revenue	Estimate Cost	Comments
Northgate Licence fees 2014/15	103,000	Total year 1 cost from table 1
Licence Fees 2015/2016	£69,000	Includes 4% contract uplift Northgate charge
Licence fees 2016/2017	£72,760	4% uplift
Licence fees 2017/2018	£75,672	4% uplift
Licence fees 2018/2019	£78,698	4% uplift
Support and maintenance for 5 years at £32,000 per annum	£128,000	
Estimate 5 year Cost	£527,130	

2014/15 to 2018/19		
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In summary, over the next 5 years a renewal of the contract with Northgate will cost us £527,130. This excludes the cost of extra modules to provide remote access and links to the Health Boards.

Table 3 – Cost Matrix for a Self-Build Open Source System

Period & Cost Base	Estimate Costs	Comments
Northgate	£31,000	Part year contract cost. The current contract is paid in full until 31 st of October 2014
New Build	£200,000	For development of the full system
Licence costs for 5 years	£0	There are no licence fees payable under this option
Support and maintenance (£32,000 per annum)	£128,000	
Total Cost for 2014/2015	£359,000	

As with any system, ongoing development and improvements will be necessary, and these will be quantified on a case by case basis. This development will cover new ideas and innovation, making the product more marketable to other organisations.

Appendix 2 - Benefits and shortfalls of the various options

	Proprietary System	New Build
Flow of Information	<p>The flow of information is dictated by the proprietary system which can be clunky and mean information is not accessible to workers.</p> <p>There is an unnecessary amount of navigation required to obtain information with duplication of record entry.</p>	<p>The flow of information is dictated by our workers which will mean information is available to workers when and where they want it. This decreases time spent searching for information.</p>
Ease of Use	<p>A proprietary system will not be designed for Monmouthshire's new way of working so we will end up with a process manual and an IT manual.</p> <p>This means we often have to enter data on the IT system that is redundant from a worker and citizen point of view. The system will not let you proceed to the value parts unless information is entered, increasing time spent on the system.</p> <p>To use our current system requires a 9 day course for all modules.</p>	<p>The system will be our process with no need for a separate IT manual.</p> <p>Training/input times and familiarisation of the system will be greatly reduced, increasing the time workers will spend with the people who require our services.</p>
Ability to Change to adapt to the Social Services and Well-	Proprietary systems cost money to change and a time	The new build is being designed so that the majority

<p>Being Bill 2014 and the local changes required as a result of the Systems Thinking reviews that have been going on for the last 2 years.</p>	<p>delay in receiving these changes.</p> <p>We currently have to wait a year between software releases to receive changes. This doesn't reflect changes in practice which are constantly being refined.</p> <p>We have been changing our Adult system over the last two years and it still doesn't match our process.</p>	<p>of changes are within the remit of Monmouthshire County Council. This will allow us to have a real time system that matches process change and requirements of the 2014 Act.</p>
<p>Redundant Modules</p>	<p>Proprietary systems often have more modules that we would never use as we already have corporate modules – e.g. Finance, Payroll</p>	<p>The new system will be built to only hold the information that is required (based on systems thinking work) and links will be built into existing/future corporate systems. This will make the user experience and the availability of information far better and also our links to corporate systems more seamless.</p>
<p>Architecture</p>	<p>Proprietary systems are designed on top of legacy systems and incur licence costs.</p>	<p>The new build will incorporate modern open source technology in line with Monmouthshire's ICounty strategy and avoid vendor lock in and licence costs.</p>

The “Equality Initial Challenge”

Name: SimonBurch Service area: SCH Date completed: 2/7/14		Please give a brief description of what you are aiming to do. Design and build a new IT system	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age	N	All of the impacts are neutral as the IT system has no impact on any of the protected characteristics	N
Disability	N	N	N
Marriage + Civil Partnership	N	N	N
Pregnancy and maternity	N	N	N
Race	N	N	N
Religion or Belief	N	N	N
Sex (was Gender)	N	N	N
Sexual Orientation	N	N	N
Transgender	N	N	N
Welsh Language	N	N	N

Please give details about any potential negative Impacts.	How do you propose to MITIGATE these negative impacts
➤	➤
➤	➤
➤	➤
➤	➤

Signed

S Burch

Designation

Chief officer SCH

Dated 2/7/14

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
New IT system	SCH
Policy author / service lead	Name of assessor and date
Gary Thomas/ Steve Beard	Simon Burch

1. What are you proposing to do?

Work in partnership with CMC2 to build a bespoke IT system to support practice in adults and Children’s services.

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

3. Please give details of the negative impact

None identified. Only issue would arise if the system was not sufficiently robust or did not meet the needs of practitioners as they worked with vulnerable people

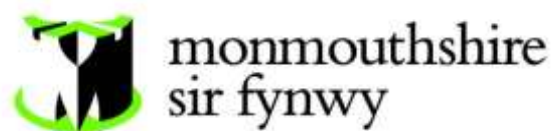
4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

High level of engagement with staff, prototyping and model of continuous improvement. Use of tested technologies and trusted delivery partners

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc..

Analysis of wide range of systems. Data and views from frontline staff.

Signed.....Simon Burch.....**Designation**.....**Chief Officer**.....**Dated**...2nd july 2014.....



Appendix A The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Simon Burch		Please give a brief description of the aims proposed policy or service reconfiguration Provide a modern IT system for social services	
Name of the Division or service area SCH		Date “Challenge” form completed 2 nd July 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		x	

Improve housing quality and provision		x	
Reduce ill health and improve healthcare provision			X Introducing a new integrated approach to assessment supported by the new system should improve the assessment and support planning for the people we work with
Promote independence			X as above
Encourage community participation/action and voluntary work			X focus on what matters and less time on data entering will strengthen focus on families in their communities
Targets socially excluded		x	
Help reduce crime and fear of crime		x	
Improve access to education and training		x	
Have a positive impact on people and places in other countries		x	
PLANET			
Reduce, reuse and recycle waste and water		x	

Reduce carbon dioxide emissions			X some impact from better use of electronic forms
Prevent or reduce pollution of the air, land and water			X use of mobile technologies should minimize car travel
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		x	
Protect or enhance visual appearance of environment		x	
PROFIT			
Protect local shops and services		x	
Link local production with local consumption			X work is being procured locally i.e. south wales
Improve environmental awareness of local businesses		x	
Increase employment for local people			X as above
Preserve and enhance local identity and culture			X will support development of the distinctive Monmouthshire approach to community resilience
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC		x	

logo) etc			
Increase and improve access to leisure, recreation or cultural facilities		x	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ NONE IDENTIFIED	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

Some relatively minor benefits around travel, engagement of people etc. and no identified negative ones. Overall a positive impact

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed

Simon Burch

Dated 2nd July 2014 if you would like to discuss

the completion of this form or any issues arising out of its completion please contact:

Name: Hazel Clatworthy, Sustainability Community Officer, Tel: 01633 644843

Contact Email: hazelclatworthy@monmouthshire.gov.uk

SUBJECT: Afghan Relocation Scheme

MEETING: Cabinet

DATE: 16th July 2014

DIVISION/WARDS AFFECTED: All of county

1. PURPOSE:

To seek Cabinet's agreement to participate in the Home Office Afghan National Relocation scheme.

2. RECOMMENDATIONS:

That Cabinet agree to Monmouthshire County Council's participation in the Afghan National Relocation Scheme.

3. KEY ISSUES:

Background

The National Security Council has agreed a package of measures to offer to locally engaged staff in Afghanistan who will be made redundant as a result of the withdrawal of British troops.

The option of relocating to the UK will be offered to those who have put themselves in the most danger whilst serving Her Majesty's Government. It is estimated that 600 main applicants will qualify and relocation will take place in waves over 2 years from April 2014 to end of 2015 (possibly extending to early 2016). Those eligible for relocation will also be allowed to bring their immediate family with them. This however will be limited to one spouse / partner (who must be over 18) and their minor dependent children (under 18 and not living an independent life). There will be no provision to allow applicants to bring over-age dependant relatives.

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The latest information from Central Government on the make-up of the families suggests that 150 individuals have been given the redundancy offer and 120 have taken up the relocation option. Out of the 120 – 41 single men, 61 married/engaged and 18 with families.

The role of local authorities in this scheme

Local authorities who choose to participate in the scheme will take the lead in determining how new arrivals are integrated into their community. Funding will be available from Central Government to cover the cost of the first four months of support, but it will be down to local authorities to put in place the mechanisms needed to integrate new arrivals.

The Local Authorities will Provide: -

- 1) Reception arrangements for individuals and families at the airport, including handover from flight escorts, welcome briefing, transfer to their accommodation and overnight accommodation near the airport if travel to local area is not feasible at that time, with transfer to accommodation the next day.
- 2) Four months accommodation from the date of arrival and the accommodation will be in accordance with Local Authority housing standards and should be modestly furnished. This will be done via private provision and not affect our social housing register.
- 3) A minimum provision of a six month assured short hold tenancy following the first four months. This will not be funded under the agreement with Central Government. If the new arrival chooses to stay on in the accommodation they will be expected to pay the rent and can seek housing benefit for this.
- 4) Provision of weekly cash payments pending access to and receipt of mainstream welfare benefits. These payments will be equivalent to Income Support rates for adults and Child Tax Credit + Child Benefit for children which will be refunded by Central Government.
- 5) A package of advice and assistance to cover employment, welfare benefits, housing, health, education and utility supply & orientations to the local area.

Profile of the Translators

The majority of those who will qualify i.e. main applicants, for relocation will have been employed as interpreters and will have some degree of English language. However, the level of English language skills may vary considerably and some may have limited abilities with written English. With the integration funding, there will be scope to provide them with intensive ESOL support.

The main applicants are considered to be well educated and include individuals from various professional backgrounds including dentists, software programmers, engineers, doctors etc. It is expected that the group will have a desire to find employment once in the UK. However, it is recognised that initially there may be a gap between the desire to work and actually finding work, and assistance to find work will be necessary. This support can be provided via the integration support fund.

Immigration Status and Health Checks

It is important to note that these individuals are not asylum seekers and are not arriving in the UK via the asylum process. Central Government have set up a special immigration scheme to facilitate their relocation to the UK. Pre-departure training on the reality of life in the UK will be provided prior to arrival in the UK.

A medical screening will be conducted prior to arrival in the UK and all applicants (including accompanying family members) will be subject to the usual immigration checks and vetting, prior to a visa being granted. Those with a criminal past or links to war crimes or extremism will be excluded from the scheme. This is very different to those applying for asylum where health and criminal checks are made AFTER arrival to the UK. This is in addition to the pre-existing checks that have already been done on the applicants prior to their employment with the British Armed Forces.

Those who fulfil the eligibility and immigration requirements will be granted leave to enter for 5 years. This leave to enter will grant them the right to work in the UK upon arrival. After the 5 years applicants will be able to apply for permanent settlement.

Security

Following consultation with the Commander of the Local Policing Unit we are able to confirm that Gwent Police (specifically the Monmouthshire LPU) will provide the same quality of policing that is afforded to all Monmouthshire residents. In addition, they would also be able to develop a risk assessment plan for the translators as they have done with 'high-risk' individuals.

It is anticipated that the translators would be relocated to the UK without any publicity and there is a high-level of confidence that these individuals are discreet about their background and would be fully briefed by Ministry of Defence prior to relocation. These are individuals who have worked in high-level security roles where they have had to be discreet in their home countries and would continue to be as discreet when they are here.

4. REASONS:

On 27th September 2012 Monmouthshire County Council signed a Community Covenant that recognised the contribution of the Armed Forces. Specifically the role of the Covenant is to:

'Encourage support for the Armed Forces Community working and residing in Monmouthshire and to recognise and remember the sacrifices made by members of the Armed Forces Community..'

Support for the relocation of these Afghan nationals who have worked alongside the British Armed Forces is a natural extension of the commitment we made in the Covenant.

The individuals relocating are considered to be highly skilled migrants with transferrable skills. In addition, the Council will not be financially disadvantaged from its participation.

There was a high profile campaign to persuade the UK government to change its mind over the refusal to allow the Afghan interpreters to be given the right to settle in Britain.

Senior former army officers, including Sir Winston Churchill's great-grandson, were among those who supported the relocation of brave people who had risked their lives to work with UK forces. It was feared they and their families faced persecution and even death if they had to remain in Afghanistan.

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Monmouthshire will be standing alongside other English and Scottish councils who are offering refuge to the interpreters and their families. Compared with the general population statistics, the total number who may come to the UK is very small. The maximum expected in the UK is 3,600 – less than 0.006 per cent of the total population.

These are also individuals who have worked in high-level security roles where they have had to be discreet in their home countries and would continue to be as discreet when they are here.

Monmouthshire has a proud history of supporting members of the armed forces and their families and would be a welcoming new home for the translators. We would be extending a helping hand to a very deserving group of people who served on the front line with our forces. We needed them at the time and now they need our support

5. RESOURCE IMPLICATIONS: Costs and Financial Remuneration from Central Government

The Ministry of Justice is offering a fairly comprehensive financial package to Local Authorities who participate in this scheme that would cover all costs incurred (i.e. set-up costs, rent, and financial payments) as well as an additional integration fund ranging from £4500 per person (for families) up to £7500 per person (for singles).

The table below outlines the funding offer from Central Government. The figures do not take into consideration the weekly financial payments to the applicants (and families) as this will be refunded in full.

In relation to singles accommodation, due to the general lack of accommodation available for single individuals, the Ministry of Justice has agreed that the Local Authority can house a number of them together (recommendation 3 per house) at the 'singles' payment rate. An administrative fee can be taken by the relevant Local Authority department from the rental allocation to cover the administrative cost of procuring the property etc.

	Single (£)	Couple (£)	Family (1 dependant) (£)	Family (2 dependants) (£)	Family (3 dependants) (£)
Travel from Airport to	40	80	120	160	200

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Monmouthshire					
Housing for 4 months	1,800	3,600	5,400	7,200	9,200
Set-up fund	2,850	2,850	3,750	5,000	6.250
Integration Fund	7,500	12,000	13,500	18,000	22.500

The table below outlines the potential income for the Local Authority based only on the Integration fund

Income	Per person (£)	No. of people	Total over two years (£)
10 Singles	7,500	10	75,000
15 Couples		30	180,000
15 Families (1 dependant)		45	202,500
	Total	85	457,000

If Afghan nationals were to choose to relocate to Monmouthshire there would be no initial additional associated costs, these would be met through the Home Office. However, if at the end of the 4 months the individuals have not been able to find employment, they will be eligible for housing benefits. Housing benefits are paid from DWP however the authority could lose some Council Tax collection. This works out to approximately £936 - £1053.12 for couples and families and £702 - £789.84 for singles.

It has to be noted that in the long term these individuals will be included in Monmouthshire's population count and will attract resources to the area through the Revenue Support Grant. It is also envisaged (like the Iraqi translators who relocated to Glasgow) that the majority of the men will find employment in the long term.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

See appendix for details.

7. BACKGROUND PAPERS:

None

8. CONSULTEES

Cabinet

Senior Leadership Team

Chief Inspector Mick Moyles, Gwent Police LPU Commander, Monmouthshire

9. AUTHOR:

Will McLean, Head of Policy and Partnerships, Monmouthshire County Council

10. CONTACT DETAILS:

Tel: 07834435934

E-mail: willmclean@monmouthshire.gov.uk

The “Equality Initial Challenge”

Name: Will McLean Service area: Policy and Partnerships Date completed: 3 rd June 2014		Please give a brief description of what you are aiming to do. Agree to the effective resettlement of Afghan nationals, formerly employed by the United Kingdom Armed Forces through participation in the Home Office relocation scheme	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age		X	
Disability		X	
Marriage + Civil Partnership		X	
Pregnancy and maternity		X	
Race			<p>There is a positive benefit in the relocation and integration of the Afghan nationals into Monmouthshire.</p> <p>It demonstrates the commitment to the Community Covenant and promotes racial equality.</p>
Religion or Belief		X	
Sex (was Gender)		X	
Sexual Orientation		X	
Transgender		X	

Welsh Language		X	
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Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤	➤
➤	➤
➤	➤
➤	➤

Signed



Designation: Head of Policy and Partnerships

Version - March 2014

Date 03/07/2014

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Restorative Practice Project	Partnerships / Children and Young People
Policy author / service lead	Name of assessor and date
Will McLean	Will McLean 10/6/2014

1. What are you proposing to do?

Establish a common engagement framework across Monmouthshire and its partners.

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

3. Please give details of the negative impact

None

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

None were noted

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc..

The Monmouthshire Unified Needs Assessment formed the basis of our partnership engagement studies. It draws extensively on a wide range of statistical resources.



Signed.....

Designation Head of Policy and Partnerships.....

Dated...3rd July 2014.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Will McLean, Head of Policy and Partnerships		Please give a brief description of the aims proposed policy or service reconfiguration Implement a new Engagement Framework in Monmouthshire	
Name of the Division or service area Chief Executives		Date “Challenge” form completed 18th June 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		X	
Improve housing quality and provision		X	
Reduce ill health and improve healthcare provision		X	
Promote independence		X	
Encourage community participation/action and		X	

voluntary work			
Targets socially excluded		X	
Help reduce crime and fear of crime		X	
Improve access to education and training		X	
Have a positive impact on people and places in other countries		X	
PLANET			
Reduce, reuse and recycle waste and water		x	
Reduce carbon dioxide emissions		x	
Prevent or reduce pollution of the air, land and water		x	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		x	
Protect or enhance visual appearance of environment		x	
PROFIT			

Protect local shops and services		x	
Link local production with local consumption		x	
Improve environmental awareness of local businesses		x	
Increase employment for local people		x	
Preserve and enhance local identity and culture		x	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		x	
Increase and improve access to leisure, recreation or cultural facilities		x	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤	➤

➤	➤
➤	➤


The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

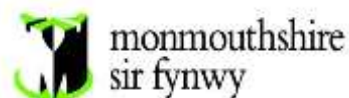
As per the table above

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed



Dated 3rd / July / 2014



SUBJECT:	CMC²- REVISED YEAR THREE BUSINESS PLAN
MEETING:	Cabinet
DATE:	16th July 2014
DIVISION/WARDS AFFECTED:	All

1. PURPOSE:

To provide an update on the Year Three activities and income generation forecasts of CMC².

2. RECOMMENDATIONS:

2.1 To endorse the revised Year Three CMC² business plan and revised income generation forecasts, for the year ending 30th September 2014.

3. KEY ISSUES:

3.1 CMC² was established in July 2011 as an arm's length Community Interest Company wholly owned by Monmouthshire County Council. As a Community Interest Company, CMC² is not just for profit but for purpose, operating in a socially entrepreneurial and innovation focussed culture. It is asset locked, ensuring any surplus is invested principally for the benefit of Monmouthshire's communities, addressing the company's social aims.

3.2 In its relatively short trading history and from a standing start it has successfully established itself, turning a profit in only its second year of operation whilst deriving a mutual benefit for Monmouthshire communities. In December 2013 Cabinet endorsed CMC²'s year three business plan which saw CMC² continuing to focus on driving forward the digital, economic, and social agendas within Monmouthshire by meeting the social needs of the county in a commercial manner, utilising business disciplines to maximise community impact.

3.3 With an increasingly successful business strategy CMC² has grown its digital expertise and presence year on year and is now looking to capitalise on commercial opportunities to establish and expand its capabilities in this area. The company has recently taken decisive steps to focus on the potential to income generate from digital innovative activities, seizing on market opportunities to develop open-source bespoke software solutions and provide IT consultancy. This focus remains consistent with the company's social objects relating to the development of digital infrastructure, technologies and systems.

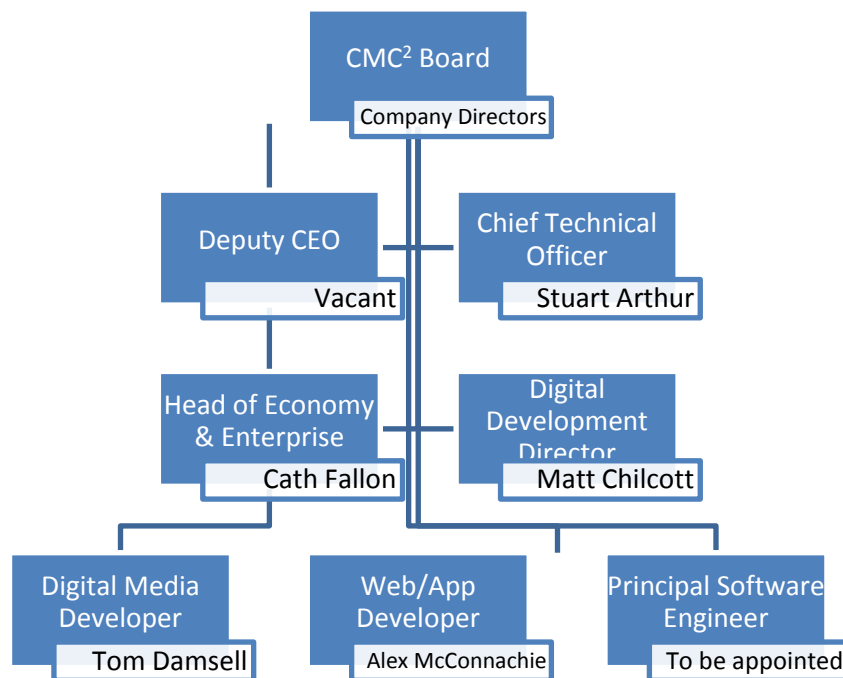
3.4 The Board has subsequently appointed a Chief Technology Officer in January 2014 to lead on delivery of commercial opportunities derived from its digital innovation activities. The company are also recruiting a Principal Software Engineer. These steps have been taken to ensure that

CMC² has the core capacity and capability to deliver on contracts that are either secured or at an advanced stage of negotiation. The company will look to act flexibly yet cautiously in securing any additional temporary resources, which will be dependent on the level of contracts secured.

- 3.5 As a result of the revised focus that the Company is now taking, and the updated income generation forecasts that have now been established, a revised year three business plan has been produced. This was subsequently considered and approved by CMC² at its April Board meeting.
- 3.6 The revised and updated future operational plan therefore reflects the Company's revised ambitions, utilising an opportunity to develop its digital expertise and presence through Agile Software Development and IT Consultancy. For completeness a full list of activities is summarised below:
1. Agile Software Development and IT Consultancy – development of bespoke software products with a view to pursuing commercialisation opportunities in the future;
 2. Digital Impact, Inclusion and Communications;
 3. Monmouthshire Enterprise;
 4. The continuation of 'Y' Prentis;
 5. Community Engagement Activities;
 6. Renewable Energy Activities
- 3.7 The growing success of CMC² is a great advert for the enterprising culture that the Authority is looking to nurture. The company continues to identify opportunities and the staff and its Board continue to be progressive, ambitious and resourceful. These have proven to be key ingredients in its success to date.
- 3.8 Noting the pace of change the company is currently encountering a targeted programme of work is being undertaken ahead of the production of the year four business plan. This will ensure the company continues to operate in a well-controlled and commercially focused environment. This will involve:
- The development of a revised business strategy
 - Review of governance arrangements
 - Review of social aims and objectives
 - Review of key policies and procedures, including HR and Contract Procedure Rules
 - Review ongoing need for bank overdraft arrangements, for MCC acts as guarantor
 - Staff review and restructuring
- 3.9 Cabinet will be subsequently updated upon receipt of the year four business plan in the autumn.

4. Revised Staff Structure

4.1 In order to deliver the programme of activities the staffing structure has been revised as follows:



4.2 The current status of the team is as follows:

- Deputy Director/ Head of Operations – vacant (Cath Fallon has recently taken up the position of Head of Economy and Enterprise);
- Chief Technical Officer – Stuart Arthur (Permanent) – additionally covering interim operational leadership and direction
- Digital Development Director - Matt Chilcott (Full-time secondment from University of South Wales to be made permanent);
- Head of Economy and Enterprise – Full-time post vacant covered by line management agreement;
- Monmouthshire Enterprise Team (line managed by CMC²);
- Digital Media Developer – Tom Damsell (Full-time permanent appointment);
- Web/App Developer – Alex McConnachie (Full-time fixed term appointment until September 2014 initially; now to be made permanent); and
- Principal Software Engineer (to be appointed)

Depending upon fee generation income, additional software developers will also be appointed on an ad hoc basis via a framework agreement to address capacity issues as they arise.

5. Revised financial projections

- 5.1 The table below indicates the proposed activities for Year Three, the estimated income source and income generation forecasts, along with the predicted expenditure profiles for the year.

2.3 CMC ² Financial Projections Year Three	Income Source	Original Year Three Projections £000s	Revised Year Three Projections £000s	Difference
Income				
Agile Software Development and IT Consultancy	Private/Public	n/a	-348	-348
Digital Impact, Inclusion and Communication Services to include: <i>Blaenau Gwent Digital Regeneration Bid Digital Heritage Portal Web/App development, graphic design, Project Management for Broadband infrastructure roll out, etc.</i>	Private/Public	-103	-46.5	56.5
Monmouthshire Enterprise Management to include: <i>line management of staff; strategic development; enhancement of on-line presence</i>	Public	-25	-25	n/a
Y Prentis Shared Apprenticeship Scheme – Management support	Private	-7.5	-7.5	n/a
Community Engagement Activities – work plan and budget to be confirmed		-15	0	15
Project Management and Consultancy to include: <i>Provision of client support to include funder finding; project design, development & management; partnership development; feasibility studies; monitoring & evaluation</i>	Private/Public	-10	-10.5	.5
Monmouthshire Museums to include: <i>Digitisation of collections e.g. Nelson Management of Museums Manager secondment</i>	MCC – subject to Cabinet approval	-42.5	-40	2.5
Renewable Energy Activities	Private/Public	-2	-2	n/a
Total Income		-205	-480	-274.5
Expenditure				
Employee Costs		165	278	113
Premises Related		8	8	-
Supplies and Services		17	123	106
Total Expenditure		190.5	409	219
Net Operating (Surplus)/Deficit		-14.5	-70	-55.5

5.2 As the table indicates the Year Three Financial projections predict a net operating surplus of £70,000 in comparison to a previous prediction of £14,500. This is due to the following:

- The establishment of a new Agile Software Development/ IT consultancy; which is mitigating some areas of the original Year Three business plan which are no longer forecast to materialise as follows
- The slippage of the Blaenau Gwent Digital Heritage project to Year 4;
- The slippage of community engagement activities due to budget issues;
- An increase in project management/consultancy activities;
- A decision not to second a Museums Manager into the company

5.3 All income projections are predicated on contracts either secured or at an advanced stage of negotiation. This is derived from the USP of the services which are demonstrating strong currency amongst the private and public sector. In addition new business opportunities are being pursued through the development of private sector partnerships, the perusal of funding opportunities and the development of new services which add value to the current offer whilst maximising income generation opportunities.

5.4 As CMC2 is a Community Interest Company and if, as is predicted, CMC² makes a profit in Year Three the Board will need to decide how these profits are to be distributed for the benefit of Monmouthshire’s communities. It is intended that the details will be agreed and presented as part of the review of Year Three activities and the presentation of the Year Four business plan.

5.5 The table below indicates the likely outcomes associated with year three activities:

Outcome Category	Projected Key Performance Indicators 2013/14
Business start-ups	75
Jobs created	260
Jobs safeguarded	85
No. Digital Interpretation Schemes Delivered	3
No. Digital Inclusion Schemes Delivered	2
No. research activities undertaken	2
No. of projects undertaken to raise awareness of environmental sustainability	2
No. of Education awareness activities undertaken	2
No. of new income generation initiatives instigated	4
No. new software products developed	3
No. of apprentices on Y Prentis scheme	80

6. Governance

- 6.1 CMC²'s assets are locked for the benefit of the community so by lending directorial support precludes any Directors from entering into any commercial relationship with CMC², CMC² currently has two Directors, Deputy Leader of MCC Councillor Bob Greenland and Joe Hemani of Westcoast Ltd who receive no remuneration for their work with CMC². Delyth Harris, Claire Morgan and Jason Smith are the three unpaid Non-Executive Directors who were appointed in January 2014 following a recruitment drive.
- 6.2 As CMC² is owned by MCC, MCC is the key stakeholder and therefore is the only Member Organisation of CMC², in accordance with the articles of the company, Councillor Peter Fox, is an authorised representative for all company meetings pursuant to Article 39.5 as agreed at Council in May 2012. In addition MCC appointed an Observer to the Board, Councillor Armand Watts, in June 2013.

7. Risks and Mitigations

- 7.1 Following the trading loss in Year One of £51,000 which fell below first year expectations Year Two generated a net trading surplus of £7,000. The Year Three revised projections of a net operating surplus of £70,000 indicate the company is moving in the right direction.
- 7.2 Inherent in this type of business is a need for flexibility and through a process of feasibility assessment or contract negotiation some proposals may fall away. Year Three proposals seek to maximise opportunities for external fee generation and are based on reasonable assumptions and reflect on both successes and challenges faced in the first and second years of operation.
- 7.3 There is also a risk of standing still. With further public sector spending cuts projected, new ways of working and delivering services that are non-statutory are vital not only to achieve sustainable local economies but to build necessary levels of community.
- 7.4 In terms of on-going risks MCC have put in place appropriate financial scrutiny and legal arrangements to establish MCC rights to future income streams should CMC² cease to exist. CMC² is a company limited by guarantee and liability is therefore limited to £1 for its members.

8. REASONS

- 8.1 In its relatively short trading history and from a standing start CMC² has successfully established itself, turning a profit in only its second year of operation whilst deriving a mutual benefit for Monmouthshire communities. Year three of its business plan saw CMC² continuing to focus on driving forward the digital, economic, and social agendas within Monmouthshire by meeting the social needs of the county in a commercial manner, utilising business disciplines to maximise community impact. With an increasingly successful business strategy CMC² has grown its digital expertise and presence year on year and following recent CMC² Board approval is now looking to capitalise on commercial opportunities to establish and expand its capabilities in this area.
- 8.2 The revised and updated future operational plan therefore reflects these ambitions, and the opportunity to develop its digital expertise and presence through Agile Development and IT Consultancy. As a result of notable revisions to the business plan it was necessary to present to Cabinet an updated and revised business plan for year three.

9. RESOURCE IMPLICATIONS

- 9.1 The proposed Year Three business plan figures demonstrate CMC^{2s} viability for future years with a third year forecasted profit of £70,000 based on reasonable assumptions.
- 9.2 Based on the revised Year Three proposals, the underlying cash flow model allows the company to work well within the overdraft facility of £150,000, for which the Authority acts as guarantor. This position is monitored on an ongoing basis. The need for any ongoing overdraft facility will be reviewed as part of the preparation of the year 4 business plan.

10. SUSTAINABILITY AND EQUALITY IMPACT ASSESSMENT

- 10.1 There are significant positive equality impacts identified in the assessment (Appendix 1) are summarised below for members' consideration:
- 10.2 CMC² offers an ability to generate surpluses that can be reinvested locally, offsetting the need for the Council to continue making direct service investments in the traditional way. The organisation has a strong sense of purpose and social principles. It is therefore well placed to work with speed, agility and without the constraints brought about by conventional thinking. In the future, as the Council seeks to fundamentally redesign and re-model services, CMC² presents opportunities for increased community ownership and empowerment and to access forms of funding the Council cannot easily access directly. The outcome of CMC^{2's} Year Two activities and the proposals for Year Three offer many positive impacts for the communities of Monmouthshire – Employment, education and training for young people will be created via Y Prentis, Shared Apprenticeship Scheme; community participation via our digital innovation projects which also address digital inclusion issues; promotion of renewable energies; protection of local shops and services via our digital high street innovation activities.
- 10.3 The actual impacts from this report's recommendations will be reviewed every quarter at CMC² Board meetings with regular reports also being submitted to MCC's Economy and Select Committee. The criteria for monitoring and review will be measured via performance indicators approved by the CMC² Board.
- 10.4 This report presents an opportunity for CMC² to deliver as a nimble, SMART and sustainable organisation, working with partners to generate income and drive forward Monmouthshire County Council's Green and Digital Agendas. Using its resources imaginatively CMC² will deliver sustainable and inclusive growth in Monmouthshire's communities, securing a brighter future for Monmouthshire's generations.
- 10.5 The report is specifically geared towards providing an update on revised activities for Year Three and demonstrates no negative impact in terms of sustainability and equality issues.

11. CONSULTEES:

CMC² Board

Leadership Team

Cabinet

Monitoring Officer

12. BACKGROUND PAPERS:

CMC² Revised Year Three Business Plan.

13. AUTHORS/CONTACT DETAILS:

Peter Davies, Head of People and Commercial Development, MCC – peterdavies@monmouthshire.gov.uk (01633) 644294

Cath Fallon, Deputy CEO, CMC² – cath@communitymc2.org.uk (01633) 748316



Community MC² – ‘Making more of Monmouthshire’

Revised Year Three Business Plan

Year ending 30th September 2014

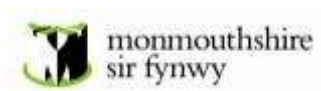


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Community MC² - Company Overview

1. Aims and Objectives

1.1 Community MC², trading as CMC², was established in July 2011 as an arm's length Community Interest Company wholly owned by Monmouthshire County Council. CMC² offers a unique opportunity for Monmouthshire County Council to do things differently, as small nimble organisation, it is able to be efficient and effective, offering an opportunity to meet the social needs of the county in a commercial manner, utilising business disciplines to maximise community impact. As a Community Interest Company, CMC² is not just for profit but for purpose, operating in a socially entrepreneurial and innovation focussed culture it is asset locked, ensuring any surplus is invested principally for the benefit of Monmouthshire's communities, addressing the company's social aims.

1.2 Overview of Activity to Date

1.2.1 As a semi-commercial organisation driving forward the digital, green, economic and social agendas within Monmouthshire, CMC² generates income by offering public and private sector partnership opportunities through joint delivery models. Key achievements of CMC² over the past two trading years have included:

- The establishment of a Digital Impact and Communities Service specialising in digital tourism and culture whilst enabling digital innovation and addressing digital inclusion - <http://www.youtube.com/user/CMC2media>.
- Transfer of the management and reporting arrangements of 'Monmouthshire Enterprise' an integrated economic development and investment entity developed by MCC as a result of a previous partnership with Venture Wales, a business development specialist.
- The establishment of a 'Shared Apprenticeship Scheme' with Melin Homes, via a Special Purpose Vehicle 'Y Prentis', to support the delivery of the scheme and promote the use of training within the construction industry across South East Wales. The company started to trade in September 2012, with the first apprentices placed in November 2012.
- Provision of a procurement framework for the installation of solar panels on assets and buildings owned by MCC.

1.3 Governance and Structure

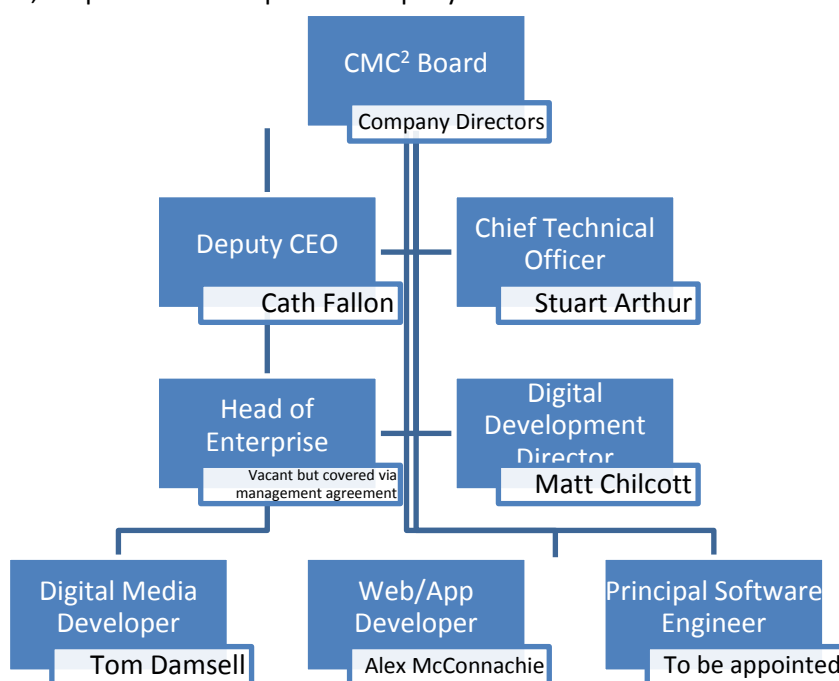
1.3.1 CMC²'s assets are locked for the benefit of the community so by lending directorial support precludes any Directors from entering into any commercial relationship with CMC². CMC² currently has two Directors and three Non-Executive Directors - Deputy Leader of MCC Councillor Bob Greenland and Joe Hemani of Westcoast Ltd are the two Directors who receive no remuneration for their work with CMC². Delyth Harris, Claire Morgan and Jason

Smith are the three unpaid Non-Executive Directors who were appointed in January 2014 following a recruitment drive.

1.3.2 As CMC² is owned by MCC, MCC is the key stakeholder and therefore is the only Member Organisation of CMC², in accordance with the articles of the company, Councillor Peter Fox, is an authorised representative for all company meetings pursuant to Article 39.5 as agreed at Council in May 2012. In addition MCC appointed an Observer to the Board, Councillor Armand Watts, in June 2013.

1.3.3 The Strategic Decision Making Process is conducted at the Board of Directors meetings which take place on a quarterly basis whilst the Day to Day Decision Making Process is agreed by the Deputy CEO and the Senior Management team.

1.3.4 Details of the staffing structure are detailed below, the Shared Apprenticeship Scheme, Y Prentis, is operated as a separate company.



1.3.5 The current status of the team is as follows:

- Deputy Director/ Head of Operations – Cath Fallon (Full-time secondment from MCC, adventa Programme Manager);
- Chief Technical Officer – Stuart Arthur (Permanent)
- Digital Development Director - Matt Chilcott (Full-time secondment from University of South Wales to be made permanent);
- Head of Economy and Enterprise – Full-time post vacant covered by line management agreement for Monmouthshire Enterprise Team;
- Digital Media Developer – Tom Damsell (Full-time permanent appointment);
- Web/App Developer – Alex McConnachie (Full-time fixed term appointment until September 2014 initially now to be made permanent); and
- Principal Software Engineer (to be appointed)

Depending upon fee generation income, additional software developers will also be appointed on an ad hoc basis via a framework agreement to address capacity issues as they arise.

1.4 Lending and Day to Day Cash Flow Arrangements

- 1.4.1 Monmouthshire County Council has supported the start-up of CMC², endorsing the areas of activity as a means of maximising strategic return for Monmouthshire County Council and the county, through the provision of a lending arrangement to allow the company to manage day-to-day cash flow requirements. An initial overdraft limit of £150,000 was agreed, £100,000 of which was repaid in September 2012.
- 1.4.2 An additional borrowing facility has been agreed where additional project loan finance is sought, e.g. renewable energy installations. In these cases prior approval of Monmouthshire County Council’s Cabinet has been sought for use of the capital budget for this purpose, on a project-by-project basis which has been subject to a the submission of a business case by Community MC².

1.5 Risks and Mitigation

- 1.5.1 Risks initially outlined by Monmouthshire County Council when looking at operationalising CMC² included legal and reputational risk, financial/collaboration risk, timing risk, an unsupportive stance and ‘standing still’ risk. These risks remain although as the company is limited by guarantee and therefore liability limited to £1 for each of the two members, the risks are therefore minimal to an organisation of Monmouthshire County Council’s size and stature.

2. Revised Year Three Business Plan

2.1 In taking forward Year Three trading activities the CMC² team intends to remain focussed on driving forward the digital, economic, green and social agendas within Monmouthshire by meeting the social needs of the county in a commercial manner, utilising business disciplines to maximise community impact. As a Community Interest Company, CMC² is not just for profit but for purpose, operating in a socially entrepreneurial and innovation focussed culture it is asset locked, ensuring any surplus is invested principally for the benefit of Monmouthshire’s communities, addressing the company’s social aims. The future operational plan therefore reflects these ambitions, undertaking activities in the following areas:

7. Agile Development and IT Consultancy – development of bespoke software products (for MCC), with a view to pursuing commercialisation opportunities in the future;
8. Digital Impact, Inclusion and Communications;
9. Monmouthshire Enterprise;
10. The continuation of ‘Y’ Prentis;
11. Community Engagement Activities;
12. Renewable Energy Activities

2.2 The table below indicates the proposed activities for Year Three, the likely income source and income generation forecasts, along with the predicted expenditure profiles for the year.

2.3 CMC ² Financial Projections Year Three	Income Source	Original Year Three Projections	Revised Year Three Projections	Difference
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		£000s	£000s	
Income				
Agile Development and IT Consultancy	Private/Public	n/a	-348	-348
Digital Impact, Inclusion and Communication Services to include: <i>Blaenau Gwent Digital Regeneration Bid Digital Heritage Portal Web/App development, graphic design, Project Management for Broadband infrastructure roll out, etc.</i>	Private/Public	-103	-46.5	56.5
Monmouthshire Enterprise Management to include: <i>line management of staff; strategic development; enhancement of on-line presence</i>	Public	-25	-25	n/a
Y Prentis Shared Apprenticeship Scheme – Management support	Private	-7.5	-7.5	n/a
Community Engagement Activities – work plan and budget to be confirmed		-15	0	15
Project Management and Consultancy to include: <i>Provision of client support to include funder finding; project design, development & management; partnership development; feasibility studies; monitoring & evaluation</i>	Private/Public	-10	-10.5	.5
Monmouthshire Museums to include: <i>Digitisation of collections e.g. Nelson Management of Museums Manager secondment</i>	MCC – subject to Cabinet approval	-42.5	-40	2.5
Renewable Energy Activities	Private/Public	-2	-2	n/a
Total Income		-205	-480	-274.5
Expenditure				
Employee Costs		165	278	113
Premises Related		8	8	-
Supplies and Services		17	123	106
Total Expenditure		190.5	409	219
Net Operating (Surplus)/Deficit		-14.5	-70	-55.5

2.4 As the table indicates the Year Three Financial projections predict a net operating surplus of £70,000 in comparison to a previous prediction of £14,500. This is due to the following:

- The establishment of a new Agile Development/Software development IT consultancy which is mitigating some areas of the original Year Three business plan which are no longer forecast to materialise;
- The slippage of the Blaenau Gwent Digital Heritage project to Year 4;
- The slippage of community engagement activities due to budget issues;
- An increase in project management/consultancy activities;
- A decision not to second a Museums Manager into the company

2.5 All projections are predicated on reasonable assumptions derived from the USP of the services which are demonstrating strong currency amongst the private and public sector. In addition new business opportunities are being pursued through the development of private sector partnerships, the perusal of funding opportunities and the development of new services which add value to the current offer whilst maximising income generation opportunities.

2.6 The table below indicates the likely outcomes associated with these activities:

Outcome Category	Projected Key Performance Indicators 2013/14
Business start-ups	75
Jobs created	260
Jobs safeguarded	85
No. Digital Interpretation Schemes Delivered	3
No. Digital Inclusion Schemes Delivered	2
No. research activities undertaken	2
No. of projects undertaken to raise awareness of environmental sustainability	2
No. of Education awareness activities undertaken	2
No. of new income generation initiatives instigated	4
No. new software products developed	3
No. of apprentices on Y Prentis scheme	80

3. Social Return on Investment

3.1 As a CIC there is also a need to demonstrate added value and social return on investment rather than concentrate purely on the bottom line. The following activities are therefore also being considered;

- Growing Entrepreneurs – facilitation and development of a Young Enterprise School encouraging young people to start their own business or social enterprise. Activities to include developing links with schools, funder finding and the coordination of training and support to release the potential of Monmouthshire’s entrepreneurs;
- Investigation into business incubation opportunities to promote MCC commercial properties to business but with an emphasis on the establishment of social enterprises and young entrepreneurs through the use of preferential start up rates, coaching, mentoring, etc.
- Funder finding for community groups and Whole Place, place shaping programmes; and

- Continued investment in the development of additional Shared Apprenticeship Schemes namely digital, food, hospitality, etc.

3.2 If, as is predicted, CMC² makes a profit in Year Three the Board will need to decide how these profits are to be distributed for the benefit of Monmouthshire's communities. It is intended that the details will be agreed and presented as part of the review of Year Three activities and the presentation of the Year Four business plan.

4. Risks

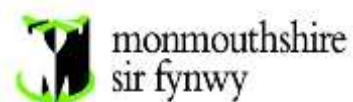
4.1 Some of the key financial risks are around being able to generate the level of income set out in the Projected Financial Summary table (section 3). This table has been constructed using prudent yet reasonable assumptions.

4.2 Following the trading loss in Year One of £51,000 which fell below first year expectations Year Two generated a net trading surplus of £7411. Although £20,589 less than the predicted net operating surplus of £28,000 the company is moving in the right direction with a predicted operating surplus of £70,000 predicted for Year Three. This significant rise in surplus is as a direct result of CMC²'s investment in the new Agile Development and IT consultancy and the increased trade from the growing video production activities.

4.3 Inherent in this type of business is a need for flexibility, through a process of feasibility assessment some proposals may fall away. Year Three proposals not only maximise potential earning opportunities for CMC²'s Digital Impact Services but also include opportunities to renewable energy proposals at a future stage, should Council support exist. As stated above Year Three proposals are based on reasonable assumptions and reflect on both successes and challenges faced in the first and second years of operation. To this end potentially lucrative renewable energy opportunities that include Anaerobic Digestion, Solar Farms and Wind Turbines have not been included in the Year Three modelling as these require further consideration by MCC.

4.4 There is also a risk of standing still. With further public sector spending cuts projected, new ways of working and delivering services that are non-statutory are vital not only to achieve sustainable local economies but to build necessary levels of community.

4.5 In terms of on-going risks MCC have put in place appropriate financial scrutiny and legal arrangements to establish MCC rights to future income streams should CMC² cease to exist. CMC² is a company limited by guarantee and liability is therefore limited to £1 for its members.



SUBJECT:	Dignity at Work Policy for School Based Employees
MEETING:	CABINET
DATE:	July 2014
DIVISION/WARDS AFFECTED:	All

1. PURPOSE:

The purpose of this report is to introduce the revised Dignity at Work Policy for schools based employees.

This policy is designed both to help prevent any harassment and bullying and to offer support to any employee who feels that they are being harassed or bullied. It aims to assist in developing and encouraging a working and learning environment and culture in which harassment and bullying are known to be unacceptable, and where individuals have the confidence to report harassment or bullying without fear or intimidation.

2. RECOMMENDATIONS:

That the revised Dignity at Work Policy be accepted and commended to governing bodies for adoption as soon as possible.

3. KEY ISSUES:

The appeals procedure within the policy requires updating.

The current policy refers to use of the Governing Body's Grievance Procedure when there is an appeal about a Dignity at Work case.

Recent case work when dealing with this part of the policy has shown that the process of appeal has resulted in a degree of uncertainty and confusion for those managing the process. It draws out the process unnecessarily, and, as part of a grievance process, effectively provides for two appeal stages, which is not reasonable or practicable.

Therefore the revised policy includes an appeal procedure as an appendix to the policy.

4. REASONS:

The policy is revised to ensure it is as robust as possible for Head Teachers and Governors in schools. To enable more effective management of HR case work in schools.

5. RESOURCE IMPLICATIONS:

None

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The Equality Impact Assessment is attached.

7. CONSULTEES:

JAG

All recognised trade unions

Head teachers

8. BACKGROUND PAPERS:

None

9. AUTHOR:

Sally Thomas HR Lead for education

10. CONTACT DETAILS:

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E-mail: sallythomas@monmouthshire.gov.uk

DIGNITY AT WORK POLICY FOR SCHOOL BASED EMPLOYEES

The Governing Body of: _____

Date Adopted: _____

Version Control

Title	Dignity at Work Policy for School Based Employees
Owner	Schools HR
Approved by	JAG
Date	
Version Number	Policy produced: 2005 Revision 1: April 2006 Revision 2: June 2011 Revision 3: June 2014
Status	Draft
Consultation	Trade Unions, Headteachers, JAG

POLICY STATEMENT

The Governing Body is committed to its legal obligations to Equality in Employment and believes that all its employees have the right to a working environment, which encourages harmonious, considerate and dignified working relations.

The Governing Body recognises its responsibilities under the following legislation:-

- Employment Rights Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Employment Equality (Religion or Belief Regulations 2003)
- Gender Recognition Act 2004
- Disability Discrimination Act 2005
- Racial and Religious Hatred Act 2006
- Equality Act 2010

The Governing Body is determined to eliminate all forms of bullying and intimidation among its employees.

This policy is designed both to help prevent any harassment and bullying and to offer support to any employee who feels that they are being harassed or bullied. It aims to assist in developing and encouraging a working and learning environment and culture in which harassment and bullying are known to be unacceptable, and where individuals have the confidence to report harassment or bullying without fear or intimidation.

DEFINITIONS OF HARASSMENT AND BULLYING

Harassment

Harassment is defined under the Equality Act 2010 as:

“unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

The Equality Act 2010 prohibits three types of harassment:-

1. Harassment related to the following 'protected characteristics':
 - age
 - disability
 - race
 - sex
 - gender reassignment
 - religion or belief
 - sexual orientation
2. Sexual harassment
3. Less favourable treatment of an employee because s/he submits to or rejects sexual harassment related to sex or gender reassignment.

Conduct that is acceptable to one person may prove to be unwanted by another and the test applied must be that the conduct, whether unwitting or deliberate, is unacceptable to the recipient and would be judged as harassment by any reasonable person. The word 'unwanted' means 'unwelcome' or 'uninvited'. In deciding whether conduct is unwanted the following factors should be taken into account:-

- The perception of the employee alleged to have been harassed – ie. Whether they regard it as creating an intimidating environment.
- Whether it is reasonable for the conduct to be unwanted.

Harassment can range from extreme forms such as violence and bullying, to less obvious actions like ignoring someone at work. It may be an isolated incident or repeated action. It can be deliberate or unintentional. Whatever form it will be behaviour that the employee alleged to have been harassed finds unwelcome and unpleasant. It is not necessary for the perception of the employee alleged to have been harassed to be shared by others for the behaviour to constitute harassment. It should be noted that this is not an exhaustive list.

- Behaviour which is racist, sexist, homophobic, transphobic, ageist or aimed at an employee's disability
- Any behaviour or abuse which may cause distress, such as name-calling, ridicule, insults, jokes, graffiti or physical abuse/threats.
- Abuse through email, text, website or other electronic media.
- Invasion of personal space
- Displaying offensive material (on paper or electronically)
- Spreading malicious rumours or insulting someone.
- Intentional isolation or exclusion.
- Persistent unwelcome contact which may include text messages, emails, phone calls, gifts, letters, calling at your home or place of work or study.
- Stalking
- Offensive sexual behaviour such as: suggestive looks, leering and remarks, offensive flirtations and unwanted physical contact or sexual advances.
- Offers of favoured treatment in return for sex (or threats of disadvantage if refused).
- Drawing unwelcome attention to, or abusing someone's religious beliefs.

Bullying

ACAS has provided the following definition:-

“Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient”.

Behaviour that is considered bullying by one person may be considered firm management by another. However, inappropriate behaviour that leads to employees becoming stressed, demotivated or frightened is unacceptable. Unacceptable behaviours include the following examples:-

- Overbearing supervision, shouting, verbal, written or electronically transmitted or published abuse.
- Abuse of power or position which causes fear or distress to others.
- Academic bullying, for example: asserting a position of intellectual superiority in an aggressive, abusive or offensive manner verbally or using electronic media.
- Preventing individuals from progressing by deliberately blocking educational or training and development opportunities or promotion.
- Ridiculing or demeaning someone – picking on them or setting them up to fail.
- Making threats or comments about job security without foundation.
- Deliberately undermining a competent worker by overloading and constant criticism.
- Inconsistent management style where some individuals are favoured more than others.

Bullying and harassment are not only unacceptable on moral grounds but can also create serious problems for a School including:-

- Poor morale and poor employee relations
- Loss of respect for Head Teachers and managers
- Poor performance
- Increased sickness absence/resignations
- Damage to reputation of school
- Tribunal and other court cases and payment of unlimited compensation.

For these reasons the Head Teacher and Governing Body promote a safe, healthy and fair environment in which people can work.

GOVERNORS' & HEADTEACHER'S RESPONSIBILITY

The Governing Body and Head Teacher have a responsibility to take all practical steps to prevent unwanted behaviours occurring in the workplace. This includes:

- Ensuring that employees are aware of the Dignity at Work policy
- Promoting a positive working environment by treating everyone with respect, dignity and consideration.
- challenging inappropriate remarks, jokes, written or electronic and photographic material
- displaying anti-bullying/harassment publicity material
- attending any appropriate training
- ensuring that employees know that they are approachable on bullying or harassment issues

Head Teachers may not always be able to prevent such treatment occurring. Where it does occur it is their responsibility to ensure that it is dealt with quickly and effectively. Prompt and effective action will in itself help to prevent reoccurrence and failure to do so may result in disciplinary action being taken against the Head Teacher.

EMPLOYEES' RESPONSIBILITY

Every employee carries responsibility for their own behaviour under this policy and accordingly, bullying and harassment can lead to charges of gross misconduct and where proven, disciplinary action up to and including dismissal.

Employees in schools have a clear role to play in helping to create a positive climate at work. This will include:

- Promoting a positive working environment by treating everyone with respect, dignity and consideration.
- challenging inappropriate remarks, 'jokes', written or electronic and photographic material
- displaying appropriate publicity material
- reporting any incidents they witness or are subjected to as soon as possible to the Head Teacher or HR.

DIGNITY AT WORK PROCEDURE

1. INTRODUCTION

- When dealing with bullying and harassment action should be taken without delay. Normally within three months of the incident occurring. The rights of the parties will be protected and confidentiality maintained.
- Consideration will be given as to the severity of cases of harassment and bullying and a decision made as to whether referral to the Police is appropriate. Once the case is being investigated by the Police the School will suspend all internal proceedings pending the outcome of such investigations.
- All employees have the right to be represented by their Trade Union or work colleague throughout the proceedings.

Options to consider if you are unsure whether you are being harassed or bullied

Bullying and harassment are often clear cut but sometimes employees are unsure whether or not the way they are being treated is acceptable. If this applies to you then please consider the following points:-

- Has there been a change of management or organisational style to which you just need time to adjust – perhaps because you have a new manager or work requirements?
- Can you talk over your worries with your colleagues, Trade Union representative, line manager/Head Teacher or HR, who may find shares your concerns?
- Can you agree changes to workload or ways of working that will make it easier for you to cope?
- Try to talk to colleagues to find out if anyone else is feeling the same or if anyone has witnessed what has happened to you.
- If you are reluctant to make a complaint go to see someone with whom you feel comfortable to discuss the problem.

- Keep a diary of all incidents – records of dates, times, any witnesses, your feelings. Keep copies of anything that is relevant, for example: letters, emails, notes of meetings that relate to your ability to do your job.

- Inform your Head Teacher and HR of any medical help you seek.

2. INFORMAL PROCEDURES

- 2.1 It is often sufficient to raise the issue informally with the person who is creating the problem, pointing out that their conduct is unwelcome, offensive or interfering with work. It is preferable for all concerned that complaints of bullying or harassment are dealt with informally whenever appropriate. This is likely to produce solutions that are speedy, effective and minimise both embarrassment and the risk of breaking confidentiality and continuance of working relationships.
- 2.2 The use of an informal procedure generally will not result in disciplinary action being taken against the person causing offence. This fact may encourage the employee alleged to have been harassed to take that initial step to discuss their problem and receive confidential support and advice, free from worry about 'getting someone into trouble' or of being caught up in action which is not in his or her control.
- 2.3 Judgements by the Head Teacher will need to be made in each case, as to when the use of informal procedures may be appropriate. In general, those cases where the employee alleged to have been harassed prefers this route or where evidence is open to subjective interpretation, or where the behaviour in question may be unintentional and/or would probably be defined as 'minor misconduct', are likely to be best dealt with in this way.
- 2.4 The responsibility for approaching the person causing offence does not lie with the employee alleged to have been harassed. They may make such an approach alone or with a workplace colleague or a trade union representative. However, if preferred they can also ask a workplace colleague or trade union representative to make the approach on their behalf. Any approach on behalf of the employee alleged to have been harassed must be at the specific request of the employee alleged to have been harassed. No action should be taken based on assumptions. (This is not intended to preclude any individual challenging inappropriate behaviour that they witness).
- 2.5 Where a Trade Union representative or a workplace colleague is asked by the employee alleged to have been harassed to speak to the person causing offence on their behalf, this should be carried out in a low key and non-confrontational manner. It is important that the only issues raised are those of the unwelcome behaviour, its effect on the employee alleged to have been harassed and the request to stop. The person might be unaware of the effect

of their actions and that their actions are causing distress. Personal attacks on the person causing offence must be avoided.

- 2.6 The general principle should be that the decision to progress a formal complaint rests with the employee alleged to have been harassed.
- 2.7 Access to formal procedures must be available to an employee alleged to have been harassed who prefers that option, despite the advantages of informal solutions. It must be clear to all parties however, that disciplinary procedures will only be invoked when a management investigation finds this to be the appropriate course of action, not as an automatic part of the formal procedure. Sensitive advice and guidance on the policy at the outset will help the employee alleged to have been harassed to judge which route is most likely to bring about a satisfactory resolution to the problem.
- 2.8 In the first instance the employee alleged to have been harassed may wish to discuss their concerns either with the Head Teacher or colleague or one of the people listed below:
- Line Manager
 - HR/Counsellor
 - Trade Union Representative
- 2.9 Where the person causing offence is the Head Teacher, consideration may be given to an informal approach to the Chief Education Officer or their representative.
- 2.10 Following the initial approach, or as part of it, consideration may be given to whether a joint meeting in a sensitive and supportive environment may enable the employee alleged to have been harassed and the person causing offence to reach an understanding that will speed the return to good working relations.
- 2.11 The employee alleged to have been harassed and any other party involved on his or her behalf should keep details of incidents, with dates, details and witnesses. This will help establish a case, if formal procedures are required.

3. FORMAL PROCEDURE

- 3.1 The Formal Procedure will be necessary where the informal route proves ineffective or if more serious behaviour is evident (such as where the behaviour would be defined as 'serious misconduct' if proven) or where an individual prefers to use the formal procedure.
- 3.2 There are three main stages under the Formal Procedure:
Stage 1 - Raising a Complaint
Stage 2 - Investigation
Stage 3 - Decision and Course of Action
Appeals Procedure

4. STAGE 1 - RAISING A COMPLAINT

- 4.1 The purpose of this initial stage is to ensure that the employee alleged to have been harassed fully understands the procedure and is given assistance to decide whether or not this procedure is the appropriate one for pursuing the complaint.
- 4.2 In the interests of fairness and to assist investigation, employee alleged to have been harassed should, where practicable, act reasonably promptly in registering a formal complaint, normally within two weeks. The outside time limit is no more than three months from an incident occurring, except for complaints of continued behaviour.
- 4.3 If the employee alleged to have been harassed decides to make a formal complaint it should be put in writing to the Head Teacher, who will appoint an Investigating Officer. The nature of the complaint will need to be detailed and reference made to specific occurrence(s) with dates if possible. The names of any individuals who are willing to act as witnesses should also be included.
- 4.4 Where the complaint is about a Head Teacher, then the matter must be referred to the Chair of Governors who should seek advice from the Chief Education Officer or their representative in organising and overseeing the investigation and appointing the Investigating Officer.
- 4.5 The employee alleged to have been harassed may be assisted in writing the complaint by any of the people listed at 2.8, but it should not be an individual who has seen or overheard the alleged incidents as they may be required to give evidence separately as a witness.

5. STAGE 2 – INVESTIGATION

- 5.1 The Governing Body has a responsibility to act promptly on receiving a formal complaint under this policy. An interview should be arranged with the person causing offence as soon as practicable and, if possible, within 10 school days of the complaint being received. The Head Teacher will provide a copy of the complaint to the person against whom the complaint has been made as soon as possible and advise them of their rights under this policy.
- 5.2 The person causing offence should be advised that to approach the employee making the complaint or any witnesses involved in connection with the matter may be seen as intimidation which could in itself be a disciplinary offence. Any such approach would need to be made in consultation with the Investigating Officer dealing with the case.
- 5.3 Consideration should be given, where appropriate and depending on the severity of the allegations, to the need to temporarily transfer or suspend the employee who is being complained about. Normally this would be in cases where the incident has caused an intolerable working situation.
- 5.4 An Investigating Officer will normally be briefed to investigate the matter. This investigation should be given priority to commence as quickly as possible and within no more than 10 school days.

- 5.5 The Investigating Officer may decide immediately that the case is sufficiently serious and clear-cut to invoke the disciplinary procedure and should report accordingly to the Head Teacher.
- 5.6 Where the allegations are against the Head Teacher, the Investigating Officer will be appointed by the Governing Body. The Investigating Officer will liaise with the Chief Education Officer and will report their findings directly to the Chair of Governors.
- 5.7 Consideration should also be given to whether the parties involved should be given some leave of absence. Where the severity of the case and the immediate distress of the employee alleged to have been harassed warrant it, this may take the form of a short paid special leave from work.
- 5.8 The Investigating Officer will complete the necessary enquiries into the complaint as soon as possible. The investigation should be completed as soon as is reasonably practicable and should include interviewing all those concerned separately. The Head Teacher and/or Chair of Governors and employee and their representative should be advised of timescales and progress of the investigation. On completion, the Investigating Officers report should be submitted to the Head Teacher and/or Chair of Governors.
- 5.9 Advice and guidance is available at all times from HR. It is recommended that as this is a complex and sensitive issue that has legal implications Schools should seek advice from HR on any aspect of a case of which they are uncertain.

6. STAGE 3 - DECISION ON COURSE OF ACTION

- 6.1 Immediately following the investigation, the Investigating Officer will discuss the details of the case with the Head Teacher and / or Chair of Governors. Taking this advice into account the relevant person will then decide upon a course of action that will be notified to the parties involved and confirmed in writing within 5 school days.
- 6.2 One of the following courses of action will be decided upon:
- (i) Not to uphold the complaint and to take no further action.
 - (ii) To uphold the complaint and take non-disciplinary action.
 - (iii) To uphold the complaint and invoke the Governing Body's formal Disciplinary Procedure.
- 6.3 At the end of the investigation the employee alleged to have been harassed must be told whether the complaint has been upheld or not. Where disciplinary action is to be taken against the person causing offence, the employee alleged to have been harassed should be told this, but has no right to be told the detail of action taken.
- 6.4 Where the decision is as at 6.2 (i) no records relating to the case will be held on personal files. Support should be made available to the employee alleged to have been harassed to help them to understand and come to terms with the decision. It may be useful at this point to refer to the Informal Procedures, as a means of resolving what may still be a problem for both parties involved.

- 6.5 A decision as at 6.2(ii) should only be taken in cases of harassment where the behaviour complained of is of a very minor nature and was either unintentional or a once only occurrence. In cases of this kind a judgement should be made as to whether a positive outcome may be more speedily affected through informally warning the offender. This option should not be used to avoid the responsibility to take disciplinary action where this is appropriate. Failure to take appropriate action could lead to claims of discrimination being taken against the Governing Body at an Employment Tribunal. Due regard must be paid to the feelings of the employee alleged to have been harassed who may again need support to understand the decision in such cases.
- 6.6 Where the decision is as at 6.2 (iii) the Governing Body's Disciplinary Procedure should be invoked in the normal way.

7 APPEALS PROCEDURE

- 7.1 If the employee alleged to have been harassed, or the person who has allegedly caused offence, is not satisfied with the way in which the complaint has been investigated, or with the decision taken with regard to further action, then an appeal may be lodged. It should be stressed however, that any appeal cannot be used to simply hear the case once again. Any appeal must relate to a claim of specific instance(s) of mishandling or misjudgement by those conducting the investigation. The Appeals Procedure is at Appendix One.
- 7.2 It is not open to the employee alleged to have been harassed, within these procedures, to take issue with a decision on disciplinary action against the person causing offence that results from the Formal Disciplinary Procedure.
- 7.3 Where the Governing Body's Disciplinary Procedure is invoked as a result of a complaint of bullying or harassment, the normal channels of appeal will be open to an employee should a decision on disciplinary action be reached.

Following the resolution of any incident, the Head Teacher will need to manage the return to normal working in a sensitive manner. However, there is a need to be aware that the hurt and upset that may exist on one or both sides will not dissipate immediately just because the matter has been formally resolved.

Further information and contact details

External Counselling Service – contact HR

ACAS National helpline – tel: 08457 47 47 47

www.workplacebullying.co.uk

www.bullyonline.org

Disability on the Agenda - www.disability.gov.uk

Disability Rights Commission - www.drc-gb.org

Equal Opportunities Commission – www.eoc.org.uk

Commission for Racial Equality – www.cre.gov.uk

Appendix 1 APPEALS PROCEDURE

PROCEDURE FOR APPEAL HEARINGS

Principles

1. The employee shall give written notice of their wish to appeal against the decision of the Head Teacher/ Chair of Governors within 10 school days of the date of the decision, stating the grounds for their appeal. Any appeal must relate to a claim of specific instance(s) of mishandling or misjudgement by those conducting the investigation.
2. The employee shall be given notice in writing at least 10 school days in advance of the time and place of the appeal hearing and is entitled to be accompanied by a trade union representative or work colleague.
3. The investigation report and all relevant documentary evidence should be exchanged via the Chief Education Officer or his representative 10 school days in advance of the appeal hearing. Additional documents may only be submitted to the hearing with the mutual agreement of both parties and the Committee.
4. The meeting shall be clerked.
5. The Head Teacher (or Chair of Governors) may be requested to attend.
6. The Chief Education Officer, or their representative, is entitled to be present throughout the hearing.
7. The Governors may request the advice of such other persons, as they consider necessary (for example, a legal advisor), the cost of which will be borne by the Governing Body.

The Investigating Officer's Case

8. The investigating officer shall present their report to the appeal committee.
9. The employee shall have the opportunity to ask questions of the investigating officer.
10. The Committee may ask questions of the investigating officer.

The Employee's Case

11. The employee shall present their appeal to the appeal committee.
12. The investigating officer shall have the opportunity to ask questions of the employee.
13. The Committee may ask questions of the employee.

Summing Up

14. The investigating officer and the employee shall have the opportunity to sum up their case should they so wish.
15. Where the opportunity to sum up is taken the investigating officer shall sum up first.

Consideration and Decision

16. The investigating officer, the employee, their trade union representative, the Head Teacher or Chair of Governors (if present) shall withdraw.
17. The Committee, with any officers appointed to advise them and any independent advisor appointed by the Governors, shall deliberate in private, only recalling the other parties to seek clarification on points of uncertainty in the evidence already given.

If recall is necessary both parties shall return notwithstanding the point in doubt relates only to one party.

18. The Committee will announce their decision to the parties personally and in writing for confirmation within 5 school days of the appeals hearing.
19. The decision of the Appeals Committee is final.



SUBJECT:	AMENDED DISCLOSURE AND BARRING SERVICE POLICY
MEETING:	Cabinet
DATE:	16 July 2014
DIVISION/WARDS AFFECTED:	ALL

1. PURPOSE

1.1 To introduce an amended and updated Disclosure and Barring Service Policy.

2. RECOMMENDATION

2.1 That Cabinet approve the amended policy and the revision of timescales for checking detailed within it.

3. KEY ISSUES

3.1 The existing policy “Employing People with Convictions and CRB Disclosure Check” has been in place since 2002.

3.2 The merger of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) has resulted in the formation of the Disclosure and Barring Service (DBS). The merger has resulted in a change of terminology and has signalled the need to review and update both our policy and our practices.

3.3 The Policy will apply to those seeking paid or unpaid opportunities/employment with the Council. In addition, certain types of voluntary or seasonal work, fostering and adoption arrangements, student placements, permitted drivers, elected members, school governors, preferred contractors and other regulated positions will also come under the provisions of the policy, particularly where they involved unsupervised contact with children and adults.

4. REASONS

4.1 The Council is committed to safeguarding the welfare of those accessing our services and has a statutory duty of care towards vulnerable members of society under the Safeguarding Vulnerable Groups Act (2006) and the Rehabilitation of Offenders Act 1974

(Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013. However, this duty must be carried out with due regard to all other relevant legislation including the Protection of Freedoms Act 2012, the Data Protection Act (1998), the DBS Code of Practice and the Human Rights Act (1998).

4.2 The Protection of Freedoms Act 2012 has resulted in a differentiation between those posts which can legally have an Enhanced DBS check and those posts which can also legally be checked against the Children or Adult Barred lists (an Enhanced check for Regulated Activity). The definition of Regulated Activity has been changed from 10 September 2012.

5. RESOURCE IMPLICATIONS

5.1 Reduced costs for MCC due to the change in the re-checking procedure for those staff who occupy posts which require a DBS check. As part of the amended policy, staff (except for those in posts which require a 3 yearly re-check due to professional registration requirements) will no longer be re-checked every 3 years. A recent discussion paper for SLT identified costs savings to be an estimated £58,000 per year

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

6.1 None.

7. CONSULTEES:

Senior Leadership Team
Joint Advisory Group
All Trades Unions
People Services Manager

8. BACKGROUND PAPERS:

None

9. AUTHORS:

Claire Robins, People Services
Sally Thomas, People Services

10. CONTACT DETAILS:

clairerobins@monmouthshire.gov.uk
sallythomas@monmouthshire.gov.uk

Employee Services



Disclosure and Barring Service

DBS Policy

Contents

- 1 Disclosure and barring service (DBS) policy.
- 1.1 Types of DBS disclosure and barred list checks
- 1.2 Definition of regulated activity.
- 1.3 Establishing DBS requirements for a new post.
- 1.4 Recruitment.
- 1.5 After recruitment.
- 1.6 Applicants with disclosures on the certificates.
- 1.7 DBS re-checks.
- 1.8 Employees with disclosures on the certificates.
- 1.9 Employees Responsibility
- 1.10 Data protection
- 1.11 Elected member checks
- 1.12 Agency workers
- 1.13 Contractors
- 1.14 Volunteers
- 1.15 Referral to the disclosure and barring service (DBS)
- 1.16 Gender recognition certificates

DRAFT

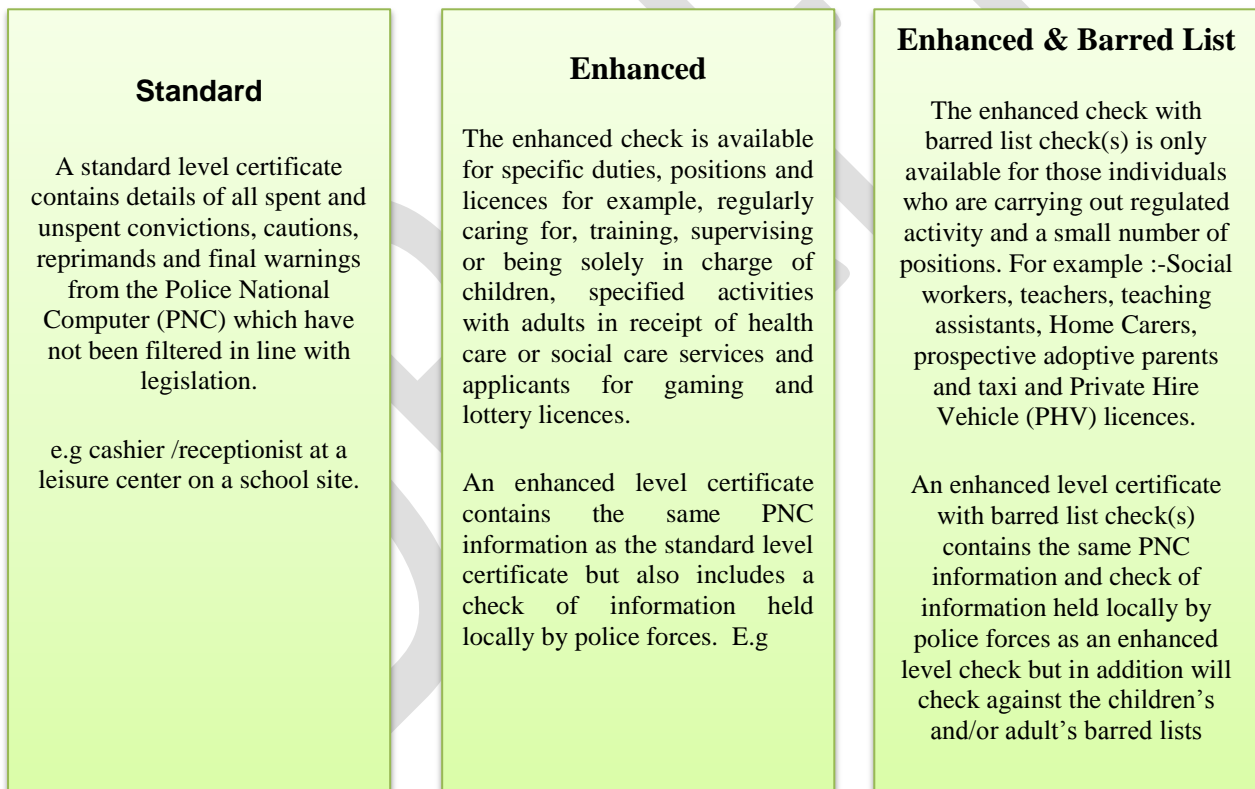
1 DISCLOSURE AND BARRING SERVICE (DBS) POLICY

In Monmouthshire we are committed to safeguarding the welfare of those accessing our services and we have a statutory duty of care towards vulnerable members of society under the Safeguarding Vulnerable Groups Act (2006) and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013. However, this duty must be carried out with due regard to all other relevant legislation including the Protection of Freedoms Act 2012, the Data Protection Act (1998), the DBS Code of Practice and the Human Rights Act (1998).

Our policy applies to those seeking paid work or volunteering opportunities with Monmouthshire. In addition, certain types of voluntary or seasonal work, fostering and adoption arrangements, student placements, permitted drivers, elected members, school governors, preferred contractors and other regulated positions will also come under the provisions of the policy, particularly where they involve unsupervised contact with children or adults.

1.1 TYPES OF DBS DISCLOSURE AND BARRED LIST CHECKS

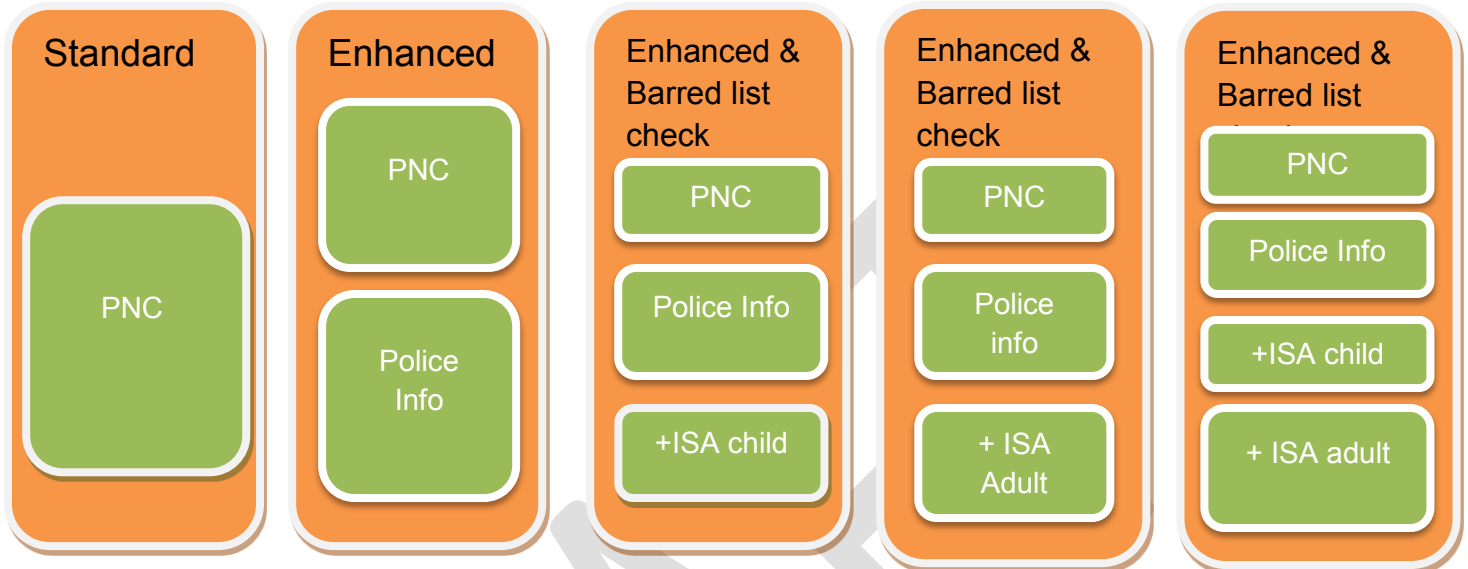
There are 3 types of DBS checks these are:



As a manager/head teacher you can begin by establishing if a position / post requires a DBS check and if so if it comes under the definition of Regulated Activity and is therefore entitled to an Enhanced DBS check.

It is an offence for individuals on the Barred List to apply for posts in Regulated Activity. The fact that someone is on the Barred List will not be stated on an Enhanced DBS check, but there will be details of criminal convictions that would indicate that someone might be on the Barred List and a manager / head teacher must investigate thoroughly and complete Risk Assessment 1 form if any such disclosures are received.

The minimum age that someone can have a DBS check is now 16 years old. Managers, head teachers or a member of the employee services team will not be able to countersign an application for anyone under 16.



1.2 DEFINITION OF REGULATED ACTIVITY

There are clear definitions in relation to what constitutes 'regulated activity and these are available in the 'guide to regulated activity'.

1.3 ESTABLISHING DBS REQUIREMENTS FOR A NEW POST / CHANGE IN POST

If a manager / head teacher creates a new post, or a current post now requires a DBS check due to a change in duties, a DBS application is completed. A requirement for a DBS check may also become necessary if there are changes within an employee's existing job role which results in the duties/type of work falling under the definition of Regulated Activity. In such circumstances, employees will be required to comply with the legal requirement of having a satisfactory DBS check.

1.4 RECRUITMENT

All recruitment will be in line with Monmouthshire's Recruitment and Selection Policy. Where a post is identified as one that requires a DBS check, all application forms, job adverts and recruitment literature will contain a statement advising that this will be requested in the event of the individual being offered the position. Applicants should be made aware that enhanced disclosures might include non-conviction information from local police records if the police 'reasonably believe' the information is relevant to the post in question.

Where a DBS check is to form part of the recruitment process, we will ask all applicants to 'self disclose' details of their criminal record at an early stage in line with the recruitment process. This information will only be seen by those that need to as part of the recruitment process. Failure to reveal information that is directly relevant to the position sought may lead to the withdrawal of an offer of employment.

We will not employ someone to work in Regulated Activity with children / vulnerable adult if they have been identified as barred via the respective list. We would be breaking the law if we did so. Conversely if we receive an application from a person barred from working with children or adults they are breaking the law if they work/volunteer or seek to work/volunteer with these groups and we will report them to the relevant Authorities.

We will use a DBS check as one part of a range of safeguarding tools for assessing the suitability of preferred candidates, volunteers, contractors, agency workers. Other tools include thoroughly confirming identity, qualifications, taking up written and verifying references and examining dates of employment histories on application forms. (in line with recruitment and selection policy)

For new applicants to Monmouthshire who already have an DBS certificate for the relevant workforce and who are signed up to the online update service, we will accept this and carry out an online status check to ensure that their certificate is still valid. Anyone applying for a position within a different workforce (moving from adult workforce to children's workforce or vice versa) then a new DBS check will be required.

Applicants who have worked or been resident overseas for longer than three months within the previous five years, including UK citizens who have worked or lived overseas, require the Statement of Good Conduct. Monmouthshire will request that a Statement of Good Conduct (SOGC) (sometimes referred to as a Certificate of Good Conduct) is provided where one is required. See Statement of Good Conduct Guide for further information.

1.5 AFTER RECRUITMENT

As part of an employee's induction new employees should be made aware of their commitment to safeguarding children and adults.

DBS checks must be in place prior to an employee starting employment. In exceptional circumstances a manager / head teacher must complete a risk assessment if they have to, for operational reasons, allow someone to work before the DBS check is returned. The manager / teacher must complete Risk Assessment 2 using the Monmouthshire template – Exceptional Circumstances (working without a DBS), prior to any work being undertaken and update this once a relevant check is received.

1.6 APPLICANTS WITH DISCLOSURES ON THE CERTIFICATE

If a DBS check reveals details of convictions which may render the applicant unsuitable for the applied post, the appointing manager / head teacher will discuss the situation with the applicant in line with the DBS Code of Practice using the Risk Assessment 1 form.

When assessing any disclosure or declared conviction information received, consideration will be given to a range of issues and the risk assessment will support a manager's / head teachers decision enabling them to assess the suitability. In some cases a manager/head teacher may wish to discuss the information with a People Management Adviser prior to discussing it with the applicant for guidance.

Having a conviction will not necessarily exclude someone from employment with Monmouthshire. We will only take a criminal record into account when the conviction is relevant. Protection of the applicant's rights and interests must be weighed against the rights and interests of clients, employees and the public, including Monmouthshire's duties and responsibilities towards these or other groups.

Managers / head teachers will not allow personal prejudices to 'cloud' their judgement and good practice. They will consider the relevance of offences and be aware that no two offences are exactly alike.

If the candidate has made a false declaration on their application form then Monmouthshire will not be able to confirm the appointment. If the disclosure certificate contains information that was not revealed by the candidate or additional information from the Police is received it will be necessary to hold a further discussion with the candidate and undertake a further review against any risk assessment before deciding to confirm or withdraw the offer of employment. People Management Team and legal advice should be sought at this point.

It is an offence for a barred person to work, apply to work or offer to work in Regulated Activity with a group they are barred from working with. Candidates on the Barred List will not be employed in Regulated Activity by Monmouthshire. If the checks reveal that a candidate is on the Barred List for Regulated Activity we will make a referral to DBS to notify them of the individuals attempt to apply for barred work.

1.7 DBS RE-CHECKS

DBS re-checks will be carried out every three years for all posts where this is required due to professional registration. For example, a Social worker is required to be registered with the Care Council in order to work as Social Worker and an up to date DBS check is required for registration. For all other posts 3 yearly re-checks will not be undertaken.

If a post requires a DBS check, we can legally re-check our employees as regularly as we wish to.

Where there are reasonable grounds we may require existing employees to re-apply for an up to date DBS check. We reserve the right to ask existing employees in relevant positions to apply for a new DBS check if their actions or activities give 'cause for concern'. The grounds for 'cause for concern' could include allegations of suspicious or inappropriate behaviour made by a child or other person or a colleague, parent, carer or member of the public. This list is not exhaustive and will depend on the individual circumstances. In such instances, a full investigation of any such allegations will be

conducted in accordance with Monmouthshire's Disciplinary Policy. As part of the investigation process, the employee may be required to undergo a new DBS check.

Where, due to changes in legislation, occupational groups become subject to regulation for the first time, we will inform employees in these groups of the requirement to obtain a DBS check. All employees will be expected to comply. Any existing employee refusing to comply with the request for a DBS check will be advised that their deliberate and unreasonable refusal to carry out lawful and safe instructions issued by an appropriate manager / head teacher and/or to comply with a contractual agreement will lead to the employee being subject to a disciplinary investigation.

1.18 EMPLOYEES WITH DISCLOSURES ON THE CERTIFICATE

Where existing employees, who have not been previously checked, or their post requires a re-check and subsequently have an adverse disclosure result, the manager / head teacher should follow the guidance in section 1.6 and complete a Risk Assessment 1 form and discuss the contents with a people management adviser. It may be appropriate to move the employee to an alternative post with no access to children and/or vulnerable groups, property/information/resources etc. depending on the nature of the disclosures and pending the outcome of a full investigation. It may be that there are no suitable duties the employee could undertake during this period which do not bring them into contact with children/adults. If this is the case, the manager must give consideration to suspending the employee on full pay pending the outcome of the disciplinary investigation.

The employee may confirm or refute the information provided by the DBS, where this is the case the people management adviser in conjunction with the manager / head teacher may pursue a range of options and this may include further checking with the DBS.

When completing Risk Assessment 1 it should be considered whether the conviction is relevant to the post and evidence of previous convictions should not be used to dismiss a person for poor performance. Consideration should also be made to timing of the incident and whether the employee has made us aware of it. The track record of the individual should be carefully assessed and if it is satisfactory, this should be considered positively. If the disclosure results are considered to be of a serious nature and prove to be correct the manager / head teacher may consider various options. Options include:

- Termination of employment.
- Redeployment pending the availability of a suitable vacancy.
- The introduction of safeguards.

Only after a full appraisal of the situation including the risks involved and other alternative employment options investigated should dismissal be considered and then only after advice from people management team. If the manager / head teacher decides to consider termination of employment, then our Disciplinary Procedure will be followed. If the disclosure results are considered not to be serious and do not impinge on an employee's ability to work in their existing role the manager / head teacher should inform the employee accordingly in writing.

1.9 EMPLOYERS RESPONSIBILITY

If circumstances change or an employee receives a criminal conviction then they are obliged to inform Monmouthshire as the employer. Failure to do so will result in a disciplinary investigation which could result in dismissal.

1.10 DATA PROTECTION

Monmouthshire will ensure that sensitive personal information is held securely, and only seen by those entitled to see it. A DBS check and if applicable, risk assessments will only be stored for as long as necessary, and then confidentially destroyed. Under section 124 of The Police Act 1997 it is a criminal offence to pass disclosure information about a spent conviction to anyone who is not entitled to receive it. Serious misuse of a person's criminal record could result in a prison sentence of up to six months or a fine of up to £1,000, or both.

1.11 ELECTED MEMBER CHECKS

Certain members are required to undertake a DBS check. These are members who sit on committees, panels or forums linked to children and vulnerable groups.

1.12 AGENCY WORKERS

The agency is legally the employer of any agency workers and the responsibility to obtain a relevant DBS check is theirs. This check can then be used within any organisation that the agency provides workers to work within.

When using an agency worker, a manager / head teacher should ask to see written confirmation from the agency or a copy of the DBS check, to ensure that each worker supplied to them has a satisfactory DBS check of the level required for the role undertaken in Monmouthshire. Where a risk assessment is required this will be undertaken by Monmouthshire.

1.13 CONTRACTORS

The organisation providing the contractor is legally the employer of any contractors and the responsibility to obtain a relevant DBS check is theirs. (if applicable) This check can then be used within any organisation that contractors are provided to. If contractors are used it is the managers / head teachers responsibility to ensure that all Safeguarding requirements are in place.

Monmouthshire's Transport department coordinates DBS checks for its contractors. Where a risk assessment is required this will be undertaken by Monmouthshire.

1.14 VOLUNTEERS

Some people can be referred to as volunteers but do not actually meet the DBS' criteria to get a free disclosure check. To qualify for a free of charge disclosure, the applicant must not benefit directly from the position the DBS application is being submitted for.

The applicant must not:

- receive any payment

- be on a placement/work experience;
- be on a course that requires them to do this job role; and/or
- be in a trainee position that will lead to a full-time role post qualification.

Volunteer roles should be properly described under 'role of applicant' on the DBS disclosure form e.g. "volunteer classroom helper".

1.15 REFERRAL TO THE DISCLOSURE AND BARRING SERVICE (DBS)

The Safeguarding Vulnerable Groups 2006 Act sets a legal duty for us to refer information to the DBS if we dismiss or remove a member of staff/volunteer from working with children and/or adults (in what is legally defined as Regulated Activity) because they meet the referral criteria. Monmouthshire has a duty to refer information to the DBS as both a Regulated Activity Provider and as a Local Authority. Further information is available in the 'Guide to Referral to the DBS'.

1.16 GENDER RECOGNITION CERTIFICATES

The Gender Recognition Act 2004 allows transsexual people who have undergone gender reassignment to apply for a gender recognition certificate. When a full gender recognition certificate has been issued, the person is legally considered to be of the acquired gender.

If the person is required to undergo a DBS check as part of the recruitment process they must disclose any previous names and/or gender to the DBS who have established a special application procedure/dedicated contact officer to maintain confidentiality (email: sensitive@dbs.gsi.gov.uk or telephone: 0151 6761452).

Gender confidentiality will be maintained where the individual has no criminal convictions and where there is no other information held by any Police Authority, as a clear disclosure certificate is the ultimate result. However, if they did have convictions under their previous gender that were considered relevant to the post/position, then the individual's gender change would become evident through the provision of conviction information on the DBS disclosure certificate showing both gender names.

USEFUL CONTACTS

- Employee Services
- People Management Team

FURTHER INFORMATION

Managers Guide

- 'Guide to eligibility' – posts requiring a DBS check
- Documentary Evidence Sheet
- Posts requiring an enhanced check for regulated activity guide.
- Guide on making a Referral to the DBS.

Applicants Guide

Forms

- Risk Assessment 1 – Disclosure on Certificate or Self Disclosure
- Risk Assessment 2 – Exceptional cases (working without a DBS)
- DBS consent form

Supporting Documents

- Relevant Legislation Guide
- Statement of Good Conduct Guide
- Secure Storage & retention Guide
- Rehabilitation of Offenders and Self Disclosure
- Recruitment and Selection Policy (Including Safer Recruitment)
- Disciplinary Policy
- Safeguarding Policy

Version Control

Title	DBS Policy
Purpose	
Owner	Employee Services
Approved by	JAG, Cabinet June 2014
Date	Revised June 2014
Version Number	CRB policy
Status	Draft
Review Frequency	Annual
Next review date	June 2015
Consultation	SLT, Employee Services, Trades Unions

SUBJECT: WELSH CHURCH FUND WORKING GROUP
MEETING: Cabinet
DATE: 16th July 2014
DIVISIONS/WARD AFFECTED: All

1. PURPOSE:

- 1.1 The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications 2014/15, meeting 2 held on the 26th June 2014

2. RECOMMENDATION:

- 2.1 We resolved that the following grants be awarded to:

Charlotte Kilby: request £500 for assistance in an educational working trip to Borneo to set up community educational facilities

Recommendation - £300 to help in the education of both the indigenous people of Borneo and the life experience of the applicant

Earlswood and Newchurch West Memorial Hall: request £350 for assistance in a project to enhance the appearance of the Memorial Hall

Recommendation – £250 to assist in an environmental project for the benefit of the community

Birbeck Road Park Regeneration Group: request £2,800 for a communal park toddler ride and slide

Recommendation – £500 to be awarded upon receipt of confirmation that no other sources of local authority funding will be received.

Chepstow & District Rotary Club: request £500 for help in the installation of a 'Light Tree' to assist in facilitating the raising of charitable funds.

Recommendation: Defer pending confirmation of other potential funding sources.

Blue Pheonix Jazz Club: request £450 for assistance in providing transport for underprivileged children to a competition.

Recommendation: £450 for relief of poverty and community well-being

Caldicot Street Pastors: request £825 for the training and clothing of volunteer pastors

Recommendation: £500 to assist in this valuable charitable service in the community in it's assistance to the young and vulnerable

Raglan Baptist Church: request £4,000 for essential repairs to the church hall that facilitates many youth and adult groups

Recommendation: £1,000 contribution for essential structural repairs to the hall

2.2 KEY ISSUES

The nature of the request in each case is set out in the attached schedule.

3. REASONS

A meeting took place on Thursday, 26th June 2014 of the Welsh Church Fund Cabinet Working Group to recommend the payment of grants as detailed in the attached schedule.

County Councillors in attendance:

D. J Evans, B. Strong and A. E. Webb

Officers in attendance:

Mr D. Jarrett and Mrs E.M. Tapper

We elected County Councillor D.L. Edwards as Chairman of the Welsh Church Fund Cabinet Working Group for 2014/15. We appointed County Councillor B. Strong as Vice Chairman of the Welsh Church Fund Cabinet Working Group for 2014/15.

Apologies for absence:
County Councillor D.L. Edwards

Declarations of Interest:
None recorded.

4. RESOURCE IMPLICATIONS

As set out in the recommendations. .

5. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

There are no equality or sustainable development implications directly arising from this report. The assessment is contained in the attached appendix.

6. CONSULTEES:

Senior Leadership Team
All Cabinet Members
Head of Legal Services
Head of Finance
Central Management Accountant

7. BACKGROUND PAPERS:

Welsh Church Fund Schedule of Applications 2014/15 – Meeting 2

8. AUTHOR:

David Jarrett – Central Management Accountant

9. CONTACT DETAILS

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WELSH CHURCH FUND - APPLICATIONS 2014/15

MEETING 2 - 26th June 2014

	<u>ORGANISATION</u>	<u>ELECTORAL DIVISION</u>	<u>Signed by Councillor</u>	<u>REQUEST</u>	<u>DECISION</u>	<u>NATURE OF REQUEST</u>	<u>APPROX COST</u>	<u>DATE Received</u>	<u>D of I*</u>	<u>Comments</u>
	<u>NEW APPLICATIONS AWAITING DECISION</u>			£	£		£			
1	Charlotte Kilby	Shirenewton & Mathern	G.L. Down	£500	300	Going to Borneo for 1 month to help with community facilities and expand their education as they are a third world country with little support. Trip 11/07/14 to 08/08/2014	£3,900		No	I have raised £2,800 so far through baby sitting, animal sitting, cake sales, sponsored head shave along with 90% of last year's pocket money. Am so doing bag packing and curry evening
2	Earlswood & Newchurch West Memorial Hall	Shirenewton & Mathern	G.L. Down	£350	250	Require funding for 'Shrub Tub' project. This will enhance the front of the Memorial Hall. Like to purchase 4 half barrels and plant with shrubs and flowers.	£350	03/06/2014	No	Their organisation maintains Earlswood Hall for the benefit of the local community and enhance the facilities for users of the hall and passers by alike
3	Birbeck Road Park Regeneration group	Severn	R J higginson	£2,800	500 subject to conditions	The purchase and installation of a Toddlers slide	£2,800		No	CHECK WITH M Moran Section 106 funding / other MCC funding
4	Chepstow & District Rotary Club	Chepstow St Mary's	Peter Farley	£500	defer, to assess contributions from other sources	Funding required to purchase outdoor decorative lights to set up a 'light tree' - a large tree in a prominent place to be filled with many lights at Christmas. The lights will then be sold in 'celebration of life' or some special occasion and the money used for local / national charitable projects.	£4,420	03/05/2014	No	Money raised used for charitable projects such as The Berkeley Centre (MENCAP), Chepstow Hospital Assessment Centre, 1st Bulwark Scouts and other Rotary Charities
5	Blue Phoenix Jazz Club	Severn	R J higginson	£450	450	Subside transport to last and most important competition of the Season. Mon CC has provided a quote for Transport. Many families low income / income support and they want to exclude on grounds of poverty	£550	26/06/2014	No	Some children won't be able to take part if costs cannot be offset.
6	Caldicot Street Pastors	Green Lane	John Marshall	£825	500	Funding for Volunteer Uniforms and Training	£1,650	26/06/2014	No	The organisation provide care, listen and help people in the Community
7	Raglan Baptist Church	Raglan	Penny Jones	£4,000	£1,000	Essential repairs to the Meeting Hall, damp proofing, re-plastering, new flooring and redecoration works	£6,700	26/06/2014	No	Estimate that 350 adults / children use the meeting hall on regular basis supporting activities for Youth / Adult groups
8										
9										
	Late Applications									
	Deferred Applications									
				£0	£0					
	SUB TOTAL Meeting 2			£9,425	£2,500					
	Meeting 1 Award				6,236					
	Meeting 2 Award				0					
	Meeting 3 Award				0					
	Meeting 4 Award				0					
	Meeting 5 Award				0					
	TOTAL AWARDED FOR 2014/15 TO DATE				8,736					
	BUDGET 2014/15				20,401					
	BALANCE B/F TO 2014/15				£10,059					
	Monmouthshire's Allocation for 2014/15				£30,460					
	REMAINING BALANCE AVAILABLE IN 2014/15				£21,724					

The “Equality Initial Challenge”

Name: Dave Jarrett Service area: Central Finance Date completed: 30 th April 2014		Please give a brief description of what you are aiming to do. To assess the Grant Allocation Processes of the Welsh Church Fund for the meeting of the Welsh Church Fund Working Group on the 26th June 2014.	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age			positive
Disability		Neutral	
Marriage + Civil Partnership		Neutral	
Pregnancy and maternity		Neutral	
Race			Positive
Religion or Belief			Positive
Sex (was Gender)		Neutral	
Sexual Orientation		Neutral	
Transgender		Neutral	
Welsh Language		Neutral	

Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤ <i>NONE</i>	➤
➤	➤
➤	➤
➤	➤

Signed D Jarrett **Designation** **Central Finance Management Accountant**
Dated 30th Aril 2014

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Welsh Church Fund Working Group Meeting 2 2014/15	Central Finance
Policy author / service lead	Name of assessor and date
Joy Robson	D Jarrett 30 th June 2014

1. What are you proposing to do?

To assess the Grant Allocation Processes of the Welsh Church Fund for the meeting of the Welsh Church Fund Working Group on the 26th June 2014

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

3. Please give details of the negative impact

No Negative consequences towards any groups with protected characteristics

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

Applications are considered and decisions made by the Welsh Church Fund Working Group

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc..

Applications to Welsh Church Fund Working group on a standard application form where questions and requirements are consistent across all applications

Signed D Jarrett...**Designation**...Central Finance Management Accountant.....**Dated**.....30th Junel 2014.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Dave Jarrett		Please give a brief description of the aims proposed policy or service reconfiguration The Purpose of the Working Group is to assess and consider applications and grant aid from the Welsh Church Fund in line with the Charitable Objectives of the Trust.	
Name of the Division or service area Central Finance		Date “Challenge” form completed 30th June 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		No effect at this meeting	
Improve housing quality and provision		No effect at this meeting	
Reduce ill health and improve healthcare provision		No effect at this meeting	
Promote independence			Grant awarded for support to assist indigenous people of a different culture
Encourage community participation/action and			Grants for Community Projects

voluntary work			
Targets socially excluded			Grant awarded for relief of poverty in a community group
Help reduce crime and fear of crime		No effect at this meeting	
Improve access to education and training			Grant awarded for support to assist in the education of an indigenous people of a different culture
Have a positive impact on people and places in other countries			Positive impact on the people of a country in S.E. Asia
PLANET			
Reduce, reuse and recycle waste and water		No effect at this meeting	
Reduce carbon dioxide emissions		No effect at this meeting	
Prevent or reduce pollution of the air, land and water		No effect at this meeting	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		No effect at this meeting	
Protect or enhance visual appearance of environment			Grants for Community and Religious Projects
PROFIT			

Protect local shops and services		No effect at this meeting	
Link local production with local consumption		No effect at this meeting	
Improve environmental awareness of local businesses		No effect at this meeting	
Increase employment for local people		No effect at this meeting	
Preserve and enhance local identity and culture			Grants for Community and Religious Projects
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		No effect at this meeting	
Increase and improve access to leisure, recreation or cultural facilities			Grants for Community and Religious Projects

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ None, as grants for benefit of Applicants	➤
➤	➤

➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

There are positive outcomes in relation to age (mainly as most organisations that apply seem to contain a higher majority of older retired people). Also disabled people have a positive outcome as the Welsh Church Fund indicates that applications are looked upon favourable for this area. The churches and applications with religious protected characteristics have the most positive outcome as the applications from this area tend to receive the highest awards as the fund was initially set up to support churches by charitable donations. The grant aid supports and highlights the positive effect that future decisions have on the Religious, Age and Disability characteristics, with particular emphasis on helping religious organisational applicants.

The Grant Allocation Policy is set in accordance with the charitable objects of the Trust.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

No adverse effects can be detected in regard to who can apply for budgeted funding based upon any of the characteristics.

Signed

D Jarrett

Dated 30th June 2014