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Y Rhadyr
Brynbuga
NP15 1GA

Dydd Mawrth, 5 Rhagfyr 2017

Annwyl Cynghorydd

PENDERFYNIADIAU AELOD CABINET UNIGOL

Hysbysir drwy hyn y caiff y penderfyniadau dilynol a wnaed gan aelod o'r cabinet eu gwneud **Dydd Mercher, 13eg Rhagfyr, 2017,**.

AGENDA

1. PROTOCOL ARGYFWNG TYWYDD DIFRIFOL

CABINET MEMBER: County Councillor Greenland

AUTHOR: Stephen Griffiths, Strategy & Policy Officer (Housing & Communities)

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COUNTY COUNCILLOR: P Murphy

AUTHOR: Jonathan S Davies – Finance Manager, Central Finance

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COUNTY COUNCILLOR: P Murphy

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4. POLISÏAU GWASANAETHAU POBL

CABINET MEMBER: County Councillor P Murphy

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5. GWAREDU Â BUDD RHYDD-DDALIAD TIR YNG NGHOED UCHEL, GILWERN

CABINET MEMBER: County Councillor P Murphy

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Yr eiddwch yn gywir,

Paul Matthews
Prif Weithredwr

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PORTFFOLIOS CABINET

Cynghorydd Sir	**Maes Cyfrifoldeb**	**Gwaith Partneriaeth ac Allanol**	**Ward**
P.A. Fox (Arweinydd)	**Strategaeth a Chyfeiriad Awdurdod Cyfan** CCR Cyd Gabinet a Datblygu Rhanbarthol; Trosolwg Sefydliad; Gweithio Rhanbarthol; Cysylltiadau Llywodraeth; Bwrdd Gwasanaethau Cyhoeddus; WLGA	Cyngor WLGA WLGA Bwrdd Cydlynu Gwasanaethau Cyhoeddus	Porthysgewin
R.J.W. Greenland (Dirprwy Arweinydd)	**Menter** Cynllunio Defnydd Tir; Datblygu Economaidd; Twristiaeth; Rheoli Datblygu; Rheoli Adeiladu; Tai a Digartrefedd; Hamdden; Ieuenctid; Addysg Oedolion; Addysg Awyr Agored; Hybiau Cymunedol; Gwasanaethau Diwylliannol	Cyngor WLGA Twristiaeth Rhanbarth y Brifddinas	Devauden
P. Jordan	**Llywodraethiant** Cefnogaeth y Cyngor a Phenderfyniadau Gweithrediaeth; Craffu; Safonau Pwyllgor Rheoleiddiol; Llywodraethiant Cymunedol; Cefnogaeth Aelodaeth; Etholiadau; Hyrwyddo Democratiaeth ac Ymgysylltu: Y Gyfraith; Moeseg a Safonau; Perfformiad Awdurdod Cyfan; Cynllunio a Gwerthuso Gwasanaeth Awdurdod Cyfan; Cydlynu Corff Rheoleiddiol		Cantref
R. John	**Plant a Phobl Ifanc** Safonau Ysgolion; Gwella Ysgolion; Llywodraethiant Ysgolion; Trosolwg EAS; Blynyddoedd Cynnar; Anghenion Dysgu Ychwanegol; Cynhwysiant; Cwricwlwm Estynedig; Derbyniadau; Dalgylchoedd; Cynnig Ôl-16; Cydlynu gyda Choleg Gwent.	Cyd Grŵp Addysg (EAS) CBAC	Llanfihangel Troddi
P. Jones	**Gofal Cymdeithasol, Diogelu ac Iechyd** Plant; Oedolion; Maethu a Mabwysiadu; Gwasanaeth Troseddu Ieuenctid; Cefnogi Pobl; Diogelu Awdurdod Cyfan (Plant ac Oedolion); Anableddau; Iechyd Meddwl; Iechyd Cyhoeddus; Cydlynu Iechyd.		Rhaglan
P. Murphy	**Adnoddau** Cyllid; Technoleg Gwybodaeth (SRS); Adnoddau Dynol; Hyfforddiant; Iechyd a Diogelwch; Cynllunio Argyfwng; Caffaeliad; Archwilio; Tir ac Adeiladau (yn cynnwys Stadau, Mynwentydd, Rhandiroedd, Ffermydd); Cynnal a Chadw Eiddo; Swyddfa Ddigidol; Swyddfa Fasnachol	Consortiwm Prynu Prosiect Gwyrdd Cymru	Caerwent

S.B. Jones	**Gweithrediadau Sir** Cynnal a Chadw Priffyrdd, Rheoli Trafnidiaeth, Traffig a Rhwydwaith, Rheolaeth Stad; Gwastraff yn cynnwys Ailgylchu; Cyfleusterau Cyhoeddus; Meysydd Parcio; Parciau a Gofodau Agored; Glanhau; Cefn Gwlad; Tirluniau a Bioamrywiaeth; Risg Llifogydd.	SEWTA Prosiect Gwyrdd	Goetre Fawr
S. Jones	**Cyfiawnder Cymdeithasol a Datblygu Cymunedol** Ymgysylltu â'r Gymuned; Amddifadedd ar Arwahanrwydd; Diogelwch y Gymuned; Cydlyniaeth Gymdeithasol; Tlodi; Cydraddoldeb; Amrywiaeth; Y Gymraeg; Cysylltiadau Cyhoeddus; Safonau Masnach; Iechyd yr Amgylchedd; Trwyddedu; Cyfathrebu		Llanofer

Cymunedau Cynaliadwy a Chryf

Canlyniadau y gweithiwn i'w cyflawni

Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy’n hygyrch yn lleol

Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.

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SUBJECT:	**SEVERE WEATHER EMERGENCY PROTOCOL**
MEETING:	**Single Member Cabinet Decision**
DATE:	**13th December 2017**
DIVISION/WARDS AFFECTED:	**All**

1. PURPOSE:

1.1 To seek Cabinet Member approval for the implementation of the attached Severe Weather Emergency Protocol (SWEP) which details the Council's response towards rough sleepers in times of severe weather conditions (Appendix 1).

2. RECOMMENDATIONS:

2.1 To approve and adopt the Severe Weather Emergency Protocol (SWEP) with immediate effect.

3. KEY ISSUES:

3.1 Although there is no strict definition of what counts as "severe weather", it is proposed the Council will adopt a common sense approach and identify any weather that could increase the risk of serious harm to people rough sleeping, this can include extreme cold, wind or rain. For the purposes of the protocol a rough sleeper is as defined as:

3.1.1 People sleeping, about to bed down (sitting in/on or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments). People bedded down in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations or "bashes").

3.2 Every year Local Authorities have to report to Welsh Government on the number of rough sleepers there are within their area. Data collection takes the form of two counts, a one night count and a count over a period of time.

3.2.1 One Night Count - this takes place on a pre determine date and in known geographical areas where rough sleepers are known to bed down or likely to bed down. During 2015 the count took place on the 25th November between the hours of 11pm to 3 where one person was identified as sleeping rough. For 2016/17 the count took place on the 4th November between the hours of 10pm to 5am. No rough sleepers were identified.

3.2.2 Count Period – data is collected over a two week period with assistance from the voluntary sector, faith groups, local businesses/residents, health and substance misuse agencies, and the police. For the winter of 2015/16 this took place during 2nd to 15th November and identified five people sleeping rough. For the winter 2016/17 and

took place during the 10th – 23rd October and identified one person as sleeping rough (more information can be found here).

3.3 There is an expectation within Welsh Government that local authorities should ensure that there is provision in place to address the needs of rough sleepers in their area during period of severe weather conditions, particularly so during the winter months.

3.4 It is aimed to introduce what is known as the 'Severe Weather Emergency Protocol' or SWEP from winter 2017. The protocol will ensure that any verified rough sleeper with or without a local connection is found accommodation during periods of severe weather, particularly when extreme cold temperatures for extended spells can threaten their safety and wellbeing.

3.5 Who is Eligible?

3.5.1 Any person sleeping rough on the streets in the extreme cold. This includes those without recourse to public funds such as A10 nationals from the EU accession. This states the rough sleeper must:

- be at risk if they continue to sleep rough during the course of the severe weather
- have nowhere to sleep indoors during the course of the severe weather (Indoors does not include cars, sheds or garages)
- agree to the assistance offered by the Council.

3.6 The Process

3.6.1 The protocol is triggered by a weather forecast from the Met Office predicting three consecutive nights, or more, of a temperature of zero degrees Celsius or lower. For other forms of extremes of weather, for example wind and rain, the Council will take a pragmatic approach based upon meteorological warnings designated red and the likelihood of serious harm occurring because of extended periods of rough sleeping before triggering the protocol.

3.6.2 As soon as the protocol is triggered, the duty Housing Options Officer will contact the relevant organisations both external and internal agencies, to advise that SWEP is in place, with details of who to contact if they identify any rough sleepers.

3.6.3 If an identified rough sleeper meets the above criteria they will be offered emergency accommodation, which is likely to be B & B, for the duration of the severe weather.

4. OPTIONS APPRAISAL:

4.1 Option 1**:** To do nothing**:** This option would be contradictory to the expectations of Welsh Government and could mean that rough people are at risk of serious of harm during periods of severe weather conditions.

4.2 Option 2: To adopt: By adopting the protocol it will provide the framework in which to establish when severe weather conditions are expected and to plan in advance the appropriate response to prevent serious harm occurring.

4.3 It is recommended to adopt option1.

5. EVALUATION CRITERIA:

5.1 There will be a review of the policy within 12 months of the decision date to determine whether the policy has been successfully implemented. To aid future reviews an evaluation assessment is attached (Appendix 2).

6. REASONS:

6.1 The Welsh Government has a long term objective to end the need for anyone to sleep rough and expects all Local Authorities to implement a written cold weather plan stating their arrangements to give assistance in periods of cold and/or severe weather.

7. RESOURCE IMPLICATIONS:

7.1. In the event of a period of severe weather, the Council should expect take-up and, therefore, will incur costs of approximately £40-50 per person per night, although applicants may be eligible for housing benefit. Any related costs will need to be funded from the Housing & Communities cost centre.

8. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

8.1 The significant equality impacts identified in the assessment are summarised below for members' consideration (Appendix 3) :

- It will positively contribute to the health of rough sleepers; and
- Through increased engagement & support offered to the rough sleeper will reduce the need for that individual to resort to rough sleep in the future

8.2 The actual impacts from this report's recommendations will be reviewed every year and the criteria for monitoring and review will include:

- The numnber of periods of severe weather;
- The number of identified rough sleepers;
- The number of identified rough sleepers taking up help and support;
- The type and duration of the support being taken up by the rough sleeper;
- Follow up enquiries;
- The number of rough sleepers refusing help and support;

8.3 No negative implications have been identified in respect of this report. The Equalities Impact and Sustainable development assessments are attached (Appendix 3).

8.4 The policy supports the Council's Safeguarding policy. There are no implications identified (Appendix 3).

9. CONSULTEES: Adult Select. Cabinet Member for Enterprise; Chief Officer for Enterprise; Head of Planning, Housing & Place Shaping; Shelter, Housing Associations; Citizens Advice; Llamau; Solas-Cymru; Reach Support; Cyfannal; Gwalia; The Wallich; Youth Enterprise.

9.1 The policy went before Adult Select Committee on the 30th October 2017. It considered the implications of rough sleeping and the role of the Council, particularly during periods of severe weather and recommended to Cabinet that the proposed Severe Weather Emergency Protocol (SWEP) is adopted with immediate effect

10. BACKGROUND PAPERS: None

11. AUTHOR: Stephen Griffiths, Strategy & Policy Officer (Housing & Communities)

12. CONTACT DETAILS:

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Appendix 1

Severe Weather Emergency Protocol for Rough Sleepers

1. Introduction

1.1 In times of severe weather conditions, Monmouthshire County Council recognises that rough sleepers are particularly vulnerable to harm and death and it should therefore make provision to prevent this from happening.

1.2 As there is no strict definition of what counts as "severe weather", Monmouthshire County Council will adopt a common sense approach and put measures in place to identify any weather that could increase the risk of serious harm to people sleeping rough. Severe weather can include extreme cold, wind or rain.

1. 3 This document sets out the arrangements that Monmouthshire County Council will put into place to ensure that people sleeping rough are not at risk of dying during extreme cold and severe weather and is known as the Severe Weather Emergency Protocol (SWEP).

1.4 The protocol defines a rough sleeper as:

1.4.1 People sleeping, about to bed down (sitting in/on or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments). People bedded down in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations or "bashes")

2. Purpose of the Protocol

2.1 The purpose of the protocol is to ensure that all necessary steps are taken to move rough sleepers from the streets and in to a place of shelter if it is believed that they are at risk of dying due to sleeping rough during extreme cold and severe weather conditions.

3. When are the protocol arrangements triggered?

3.1 The Duty Housing Options Officer will check weather forecasts on a daily basis by using the Meteorological Office website.

3.2 For periods of extreme cold the protocol is triggered when the night time temperature is predicted to be zero degrees Celsius or below for three consecutive nights for Monmouthshire.

3.3 For other forms of extremes of weather, for example wind and rain, the Council will take a pragmatic approach based upon meteorological warnings designated red and the likelihood of serious harm occurring because of extended periods of rough sleeping before triggering the protocol.

3.4 As soon as the protocol is triggered, the duty Housing Options Officer will contact the relevant organisations both external and internal agencies, to advise that SWEP is in place, with details of who to contact if they identify any rough sleepers.

4. Who is eligible for Help?

4.1 Any person sleeping rough on the streets in the extreme cold. This includes those without recourse to public funds such as A10 nationals from the EU accession states.

4.2 The rough sleeper must:

- be at risk if they continue to sleep rough during the course of the severe weather
- have nowhere to sleep indoors during the course of the severe weather (Indoors does not include cars, sheds or garages or any building not designed for habitation)
- agree to the assistance offered by the Council

4.3 Many entrenched rough sleepers may be wary of services and less likely to engage. The extreme cold weather increases the risk of death or serious illness to people who sleep rough. Given this, a refusal to accept assistance during this time may be grounds to trigger referrals to other services, such as for mental health assessments.

4.4 In rare circumstances we may refuse to accommodate someone if it is considered too high risk to place that person into B&B, for example, on the advice of police, probation or mental health services or when an individual is aggressive, violent or threatening violence. In such circumstances, this will be discussed with our Housing Options Manager and clearly recorded.

5. Procedure

5.1 If the rough sleeper meets the above criteria they will be offered emergency accommodation which is likely to be B & B accommodation for the duration of the severe weather.

5.2 Housing Options Team will manage the emergency accommodation bookings and will place rough sleepers they become aware of into emergency accommodation during the time that the SWEP is in operation. They can be contacted on 01633 644644 both during office hours and outside of office hours.

5.3 The accommodation will be confirmed before midday on a day to day basis.

5.4 The weather forecast will be checked daily and once the minimum temperature is predicted to have risen above zero degrees Celsius, emergency accommodation will no longer be provided.

5.5 On cessation of the protocol Housing Options will work with those who have been temporarily accommodated under the protocol to identify accommodation options and to minimise where possible people returning to the streets.

6. Financial Implications

6.1 The cost of providing emergency accommodation during the SWEP will be covered from existing Council resources although applicants will be supported to apply for housing benefit.

7. Monitoring and Review

7.1 The following information will be recorded and used to monitor the extent of rough sleeping in the borough:

- Number and composition of rough sleeper households.
- Number of nights accommodated for each household.
- The cost of emergency accommodation per night for each household.

7.2 This Protocol will be reviewed on an annual basis. This will be carried out in consultation with our key stakeholder partner organisations working with rough sleepers.

APPENDIX 2

Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

Title of Report:	**Severe Weather Emergency Protocol**
Date decision was made:	**13th December 2017**
Report Author:	**Stephen Griffiths**

What will happen as a result of this decision being approved by Cabinet or Council?
In the event of severe weather conditions rough sleepers will have a place of shelter and will be protected from serious harm to their health including loss of life.
12 month appraisal

What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?
Benchmarks will include identification of rough sleepers; the corresponding use of temporary accommodation; and accessing support services by the rough sleeper. As this is a new policy the number of identified rough sleepers and the corresponding use of emergency accommodation during the winter period for 2017/18 will be the benchmark for future years.

As this is a new policy and this is the first year the policy will be implemented the monitoring of weather conditions; identified rough sleepers and use of emergency accommodation will form the benchmark for future years on which to base the quality of service and record user satisfaction.
12 month appraisal

What is the estimate cost of implementing this decision or, if the decision is designed to save money, what is the proposed saving that the decision will achieve?
There are no planned costs associated with the policy as the policy is about preventing loss of life. Also it is difficult to cost accurately because of the variable nature of the issues, that is, the vagaries of British weather and the number of people sleeping rough at any given time.
12 month appraisal

Any other comments

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Future Generations Evaluation
(includes Equalities and Sustainability Impact Assessments)

Name of the Officer completing the evaluation Stephen Griffiths **Phone no:** 01633 644455 **E-mail:** stephengriffiths@monmouthshire.gov.uk	**Please give a brief description of the aims of the proposal** **Severe Weather Emergency Protocol.** The Severe Weather Emergency Protocol (SWEP) details the Council's proposed response towards rough sleepers in times of severe weather conditions
Name of Service Housing & Community Services	**Date Future Generations Evaluation** form completed 16th November 2017

1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	A neutral contribution.	
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	A neutral contribution	

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	It positively contributes to the health of rough sleepers through the provision of good quality accommodation during times of severe weather. It also provides an opportunity to engage with rough sleeps and offer support for them to access more permanent and stable accommodation.	
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	By increasing engagement with rough sleepers and being able to provide support this will reduce the need for people to resort to rough sleeping and provides the opportunity for the rough sleeper to be better integrated into the general community as a whole.	Through the provision of official sites both transit and permanent sites.
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	All 22 Local Authorities are implementing their own protocols.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	A neutral contribution	

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
Balancing short term need with long term and planning for the future	The offer of accommodation during periods of severe weather conditions will meet the short term need of the rough sleeper but it is the engagement process and support that address their longer term future by enabling them to address their long term accommodation needs.	
Working together with other partners to deliver objectives	Yes - consultation with our partner agencies offering housing support services and organisations providing advice and assistance.	
Involving those with an interest and seeking their views	As above.	
Putting resources into preventing problems occurring or getting worse	Not applicable	

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
Positively impacting on people, economy and environment and trying to benefit all three	Through the right support it is hoped that rough sleepers can access more permanent and stable accommodation, which will lead onto training and/or education opportunities that will lead to stable employment.	

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	None	None	
Disability	None	None.	
Gender reassignment	None	None	
Marriage or civil partnership	None	None	
Race	none	None	
Religion or Belief	None	None	
Sex	None	None	
Sexual Orientation	None	None	
Welsh Language	None	None	

4. **Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities?** For more information please see the guidance note http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx and for more on Monmouthshire's Corporate Parenting Strategy see http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	**Describe any negative impacts your proposal has on safeguarding and corporate parenting**	**What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?**
Safeguarding	None	*No negative impacts*	
Corporate Parenting	None	No negative impacts	

5. **What evidence and data has informed the development of your proposal?**

Rough Sleeper Counts

6. **SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

The main positive benefits of this policy are: The safety and wellbeing of rough sleepers

The main negative impacts are: None identified to date

7. **Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable. Yes**

What are you going to do	When are you going to do it?	Who is responsible	Progress
Submit to Cabinet for review	November / December 2018	Stephen Griffiths	

8. **Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review. –**

The impacts of this proposal will be evaluated on:	December 2018

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SUBJECT:	**LOCAL GOVERNMENT (WALES) ACT 1994 THE LOCAL AUTHORITIES (PRECEPTS) (WALES) REGULATIONS 1995**
MEETING:	**Individual Cabinet Member – Councillor P. Murphy**
DATE:	**13th December 2017**
DIVISION/WARDS AFFECTED:	**All**

1. PURPOSE:

To seek Member approval of the proposals for consultation purposes regarding payments to precepting authorities during the 2018/19 financial year as required by statute.

2. RECOMMENDATIONS:

2.1 That the following schedule of payments be proposed:

(i) The Police Authority precept is paid from the Council Fund by twelve monthly equal instalments on the third Tuesday in each month.
(ii) The Community Council precepts are paid by three equal instalments on the last working day in April, August and December in each year.

2.2 That a further report be produced on the results of consultation enabling a determination to be made by 31st January in accordance with statute.

3. KEY ISSUES:

3.1 The Council as a billing authority is required to determine the schedule of instalments for payment of Precepts from the Council Fund for each year.

3.2 The Regulations provide that on or before the 31st December each year a billing authority must inform each precepting authority of its proposals for a schedule of instalments to satisfy all of the precepts. This proposal should be followed by a determination on or before the 31st January, with at least 21 days elapsing between decision on the proposals and the making of a determination.

3.3 In each schedule the billing authority must specify the number of instalments, the proportion of each precept which is to be paid in each instalment and the dates in the year on which instalments are to be paid. The payment to the Police Authority must be made on the same day and should not be less than twelve instalments in any one financial year. In the case of Town and Community Councils the agreement can be one of the following:

i) Payment by three instalments in April, August and December
or;
ii) Payment by one instalment on the last working day in April.

3.4 For the current year Monmouthshire County Council operate the arrangement identified in (i) above for Town and Community Councils and pay the Police Authority precept on the third Tuesday of each month.

4. REASONS:

4.1 To approve the proposals for consultation purposes regarding payments to precepting authorities during the 2018/19 financial year as required by statute.

5. RESOURCE IMPLICATIONS:

5.1 Slight cash flow advantages would be achieved should a decision be made to pay the Police Authority precept on the last working day of each month.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

This report outlines the available options regarding payments to precepting authorities as required by statute and as such does not have any sustainable development or equality implications.

7. CONSULTEES:

Senior Leadership Team
All Cabinet Members
Head of Finance
Head of Legal Services

Results of Consultation:

8. BACKGROUND PAPERS:

None.

9. AUTHOR: Jonathan S Davies – Finance Manager, Central Finance

10. CONTACT DETAILS:

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SUBJECT: YOUTH OFFENDING SERVICE – PROPOSED IMPLEMENTATION OF REVISED CONTRACTUAL ARRANGEMENTS

MEETING: Single Member Decision

DATE: 13th December 2017
DIVISION/WARDS AFFECTED: All

NON-PUBLICATION

(Insert appropriate non-publication paragraph if necessary and complete attached certificate – paragraphs of exemption are contained within the constitution)

1. PURPOSE:

1.1 The purpose of this report is to seek single member decision approval for the revision of contractual arrangements within the Youth Offending Service.

2. RECOMMENDATIONS:

2.1 To make all existing temporary posts in the Service permanent with the exception of the vacant Business Support and Information Assistant Post.

2.2 To provide approval for the YOS Manager to advertise the vacant Business Support and Information Assistant Post on a two year fixed term basis.

2.2 To provide approval for the YOS Manager to offer fixed term employment contracts to Sessional Workers working regular hours.

3. KEY ISSUES:

3.1 Monmouthshire and Torfaen Youth Offending Service (YOS) was established in 2000 as a statutory function of the Crime and Disorder Act 1998. The primary purpose of the service is to prevent offending and re-offending by children and young people (aged 10-17 years). The Crime and Disorder Act 1998 requires every local authority area to establish a Youth Offending Team (YOT) with the co-operation of Police, Health and Probation.

3.2 The YOS budget is made up of contributions from statutory partners as well as a number of grant funding streams including the:

- Promoting Positive Engagement for Young People (at risk of re-offending) Fund (formerly the Youth Crime Prevention Fund) from Welsh Government.
- Youth Justice Grant from the Youth Justice Board for England and Wales
- Community Safety Fund from the Office of the Police and Crime Commissioner

3.3 There have been a number of temporary posts established over the years that are supported by grant funding, namely:

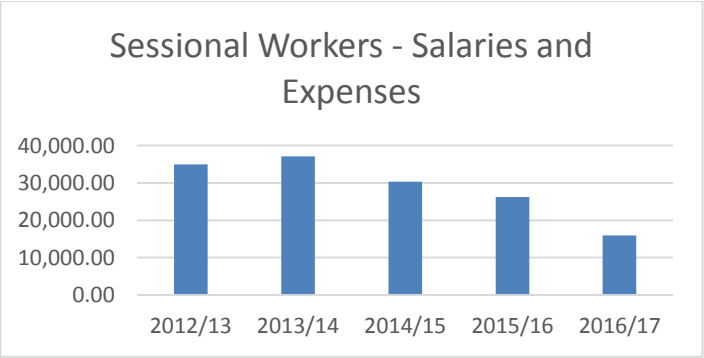
- 1x Senior Practitioner post
- 1x Social Worker post
- 6x Support Worker posts
- 3x Parenting Worker posts
- 2x Business Support & Information Assistant posts
  See appendix a) for breakdown

3.4 Employment legislation stipulates that:
- anyone who has worked for the same employer for two years or more has the same redundancy rights as a permanent employee
- employees on a fixed term contract for four years or more may automatically become a permanent employee

3.5 Despite there being a number of employees occupying these positions for several years they continue to hold temporary contracts of employment that are renewed on an annual basis following confirmation of grant funding. On occasion, this has necessitated renewing contracts for a shorter period e.g. three months whilst awaiting confirmation of funding which has been known to be delayed into the new financial year. This can understandably cause considerable anxiety for employees occupying these positions and there is a risk that they will seek alternative employment for longer-term financial security. In addition to this, fixed term contracts are often less appealing for those seeking employment opportunities and can result in difficulties attracting high calibre candidates. This was recently evidenced when the YOS failed to appoint into a vacant temporary Business Support & Information Assistant Post.

3.6 The temporary nature of grant funding and the requirement to re-apply on an annual basis has been the business justification for maintaining temporary contracts of employment. The YOS has a financial reserve managed by the Local Management Board. This reserve was originally set up to help meet any staff costs linked to redundancies as a result of a loss of grant funding. If there were to be a reduction in grant funding this would necessitate a whole service review rather than simply making those in temporary contracts redundant. All staff listed in appendix a) would be entitled to redundancy pay whether they are transferred to permanent contracts or not.

3.7 In addition to the temporary contracts, the YOS employ a pool of Sessional Workers on a casual basis. As a result of reductions in funding, the YOS have sought to reduce the call upon Sessional Workers. The graph below illustrates the salaries and expenses for Sessional Workers over the past five years.



3.8 Despite a significant reduction in the use of Sessional Workers in 2016/17, the pool of Sessional Workers has also reduced significantly resulting in a small number of workers working regular hours without any contractual guarantee. It is recognised that these

contracts offer little to people in terms of security and reassurance and is no longer consistent with the Council's employment approach.

3.9 Where Sessional Workers are working regular hours, it is proposed that they are offered a fixed term contract of six months duration based upon the average hours worked (*see appendix b) for breakdown of Sessional Worker hours for 2016/17*). This will provide the YOS with the time to review the existing capacity and demand and further explore the possibility of increasing our pool of volunteers to manage reparation and Unpaid Work activities where Support Workers cannot manage this in the team. The YOS are experienced in recruiting volunteers, as we are required by legislation to recruit Community Panel Members to facilitate Referral Order panels. Sessional Workers who work irregularly will continue to be employed on a casual basis.

4. OPTIONS APPRAISAL

4.1 In addition to the recommendations outlined within this report, the following options have been considered:

4.2 Option 1 – Do nothing

There are no benefits and a number of disadvantages to continuing with the existing contractual arrangements. The disadvantages are as follows:

- Low staff morale
- Potential to lose experienced and valued employees who may leave the Service to seek greater financial security
- Difficulty recruiting. Fixed term contracts can seriously compromise the quality of potential applicants

4.3 Option 2 – End all temporary contracts on the 31st March 2018

The Posts affected support a range of grant funded projects designed to prevent offending and re-offending by children and young people. These projects are well established and have contributed to a significant reduction in the number of first time entrants into the Youth Justice System.

In September 2016, the YOS underwent a whole service restructure achieving full year savings of £155,000 in order to address an identified budget deficit. All Posts were considered within the service restructure.

If there were to be a reduction in grant funding this would necessitate a further whole service review rather than simply making those in temporary contracts redundant. All staff listed in appendix a) would be entitled to redundancy pay whether they are transferred to permanent contracts or not.

5. EVALUATION CRITERIA

5.1 An evaluation assessment has been included at Appendix A for future evaluation of whether the decision has been successfully implemented.

6. REASONS:

6.1 The recommended revised contractual arrangements will harmonise contractual arrangements across the service, increase staff morale and improve our recruitment potential. The offer of fixed term contracts to existing Sessional Workers on casual contracts is in line with Public Services Commission guidance and consistent with the Council's employment approach.

7. RESOURCE IMPLICATIONS:

7.1 There are no resource implications in relation to existing employees.

8. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

8.1 The significant equality impacts identified in the assessment (appendix d) are summarised below for members' consideration:

No significant negative impacts have been identified having completed the Future Generations Evaluation. The restructure looks to harmonise existing contractual arrangements across the service.

9. CONSULTEES:

9.1 **Employee Services**
YOS Local Management Board
Youth Offending Service
SCH Workforce Leadership Group
Unions – Unison and GMB
Finance
SLT

9.2 The proposals were discussed at the YOS Local Management Board meeting on the 19th September 2017. The recommendations in point 2 above have been amended to reflect the views of the Local Management Board.

9.3 All YOS staff were informed of the recommendations at a whole service meeting on the 25th October 2017. Those on temporary contracts were invited to attend a consultation meeting on the 1st November 2017 and Sessional Workers on the 8th November 2017. Individual consultation slots were offered to all staff directly affected by the recommendations. The formal consultation period ended on the 22nd November 2017. No changes were made to the recommendations as a result of comments received during the consultation period. Please see appendix c for a list of questions raised by employees during the consultation period and management responses to questions raised.

10. BACKGROUND PAPERS: **Appendix a) Temporary Contracts**
Appendix b) Sessional Workers – Hours Worked
Appendix c) Management response to consultation
Appendix d) Future generations evaluation

11. AUTHOR: Jacalyn Richards – Service Manager

12. CONTACT DETAILS:

Tel: 01495 768330
E-mail: jacalynrichards@monmouthshire.gov.uk

Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

Title of Report:	**Youth Offending Service – proposed implementation of revised contractual arrangements**
Date decision was made:	**13th December 2017**
Report Author:	**Jacalyn Richards – Service Manager**

What will happen as a result of this decision being approved by Cabinet or Council?

What is the desired outcome of the decision?
The recommended revised contractual arrangements will harmonise contractual arrangements across the service, increase staff morale and improve our recruitment potential. The offer of fixed term contracts to existing Sessional Workers on casual contracts is in line with Public Services Commission guidance and consistent with the Council's employment approach.

What effect will the decision have on the public/officers?
The decision will not affect the service provided to the public. Those currently occupying temporary contracts will have greater job security as a result of the revised contractual arrangements. Those currently occupying casual contracts will have the option to transfer to a fixed term contract and enjoy the 'employment rights' associated with this.

12 month appraisal

Was the desired outcome achieved? What has changed as a result of the decision? Have things improved overall as a result of the decision being taken?

What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?

Think about what you will use to assess whether the decision has had a positive or negative effect:

Workforce stability
Ability to recruit to vacant BSIA Post

12 month appraisal

Paint a picture of what has happened since the decision was implemented. Give an overview of how you faired against the criteria. What worked well, what didn't work well. The reasons why you might not have achieved the desired level of outcome. Detail the positive outcomes as a direct result of the decision. If something didn't work, why didn't it work and how has that effected implementation.

What is the estimate cost of implementing this decision or, if the decision is designed to save money, what is the proposed saving that the decision will achieve?

No resource implications.

12 month appraisal

Give an overview of whether the decision was implemented within the budget set out in the report or whether the desired amount of savings was realised. If not, give a brief overview of the reasons why and what the actual costs/savings were.

Any other comments

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Appendix a)

Temporary contracts

Employee number	Post ID	Title	Status
Vacant	SCS093	Social Worker*	Vacant - Start date 09.10.2017 - employee has LGS since 2012
502444	SCS229	Support Worker	In post since 29.09.2014
504772	SCS2901	Support Worker	In post since 29.10.2012
501053	SCS231	Business Support and Information Assistant*	In post since 06.12.2004
Vacant	SCS232	Business Support and Information Assistant*	Vacant
7137	SCS227	Parenting Intervention Worker	In post since 27.02.2006
507014	SCS290	Support Worker	In post since 06.10.2014
502444	SCS228	Parenting Intervention Worker	In post since 05.05.2006
507000	SCS290	Support Worker	In post since 29.09.2014
505491	SCS2902	Support Worker	In post since 22.09.2014
502278	SCS2271	Parenting Intervention Worker	In post since 27.02.2006
500846	SCS265	Support Worker	In post since 13.12.2010
3329	SCS2351	Senior Practitioner*	In post since 03.07.2000

Appendix b)

Sessional Workers

Sessional Workers - Hours worked - 2016/17				
	Employee no - 504773	Employee no - 007131	Employee no - 507429	Employee no - 50009
05/04/2016	79.25	75.50	4.75	33.00
04/05/2016	91.00	69.50		
06/06/2016	92.50	67.25		54.00
05/07/2016	83.00	67.00	13.00	24.00
02/08/2016	75.25	70.50		24.00
01/09/2016	69.75	75.00		
05/10/2016	58.50	78.00		60.00
03/11/2016	56.25	44.75		30.00
01/12/2016		48.25	18.50	24.00
03/01/2017	28.25	53.25		
02/02/2017		47.75	4.00	42.00
02/03/2017	41.12	96.05	4.25	24.37
TOTAL	674.87	792.80	44.50	315.37
AVERAGE WEEKLY HOURS	12.98	15.25	No regular hours	6.06

Management response to consultation

- The flexibility of a casual contract has always suited me. How will my hours of work be determined under a fixed term contract?

Management response:

Your hours/days of work will be negotiated with your line manager prior to you accepting/declining the offer of a fixed term contract.

- What would happen if I was on a fixed term contract and there was no work available for me?

Management response: You will be paid your contracted hours. The hours offered to you on a fixed term contract have been calculated based upon the average hours worked during the last year.

- Will I have redundancy rights under a fixed term contract?

Management response: Fixed term employees have a right to redundancy pay if they have been continuously employed for two years or more with an employer who is on the list of recognised public organisations (the Local Government Modification Order). There are a number of exclusions that apply. Please see the Protection of Employment and Severance Policy for further information.

- What are the benefits of a fixed term contract? What do Monmouthshire offer?

Management response: There are a number of benefits associated with a fixed term contract (as opposed to a casual contract) including:

- Annual leave entitlement
- Sick pay
- Redundancy rights (after 2 years continuous employment)
- Pension scheme
- Monleisure staff membership at a discounted rate
- Savings on childcare costs through tax and national insurance concessions
- Annual leave purchase scheme

- Will I have annual leave entitlements under a fixed term contract?

Yes. Your annual leave entitlement will be based upon your length of service (see table below):

Basic	After 3 years' service	After 5 years' service	After 8 years' service
23 days (170.2 hours)	25 days (185 hours)	27 days (199.8 hours)	30 days (222 hours)

These entitlements are for a full year of service. Where service for the year is incomplete, proportionate leave entitlement will apply based on one twelfth for each completed calendar month of service.

Those employed on a part time basis will receive a proportion of their personal holidays above according to their length of service and the number of hours they work. The holiday should be converted and recorded in hours. Please see the Hours and Leave Policy for further information.

- I am currently paid my annual leave entitlement. Will this still be an option under a fixed term contract?

Management response: Payment shall not be made for untaken leave except in exceptional circumstances when such an arrangement is in the interests of the Authority and has prior approval of the appropriate Chief Officer.

- How will my hours of work be determined under a fixed term contract?

Management response: The contracted hours of work offered have been calculated based upon the average hours worked in the last year. Your days/times of work will be negotiated with your line manager prior to you accepting/declining the offer of a fixed term contract.

- I have a number of relatives who depend upon me for support to attend medical appointments. What happens if I run out of annual leave?

Management response: You may be able to apply to purchase additional annual leave. Depending upon the circumstances you may be eligible for special leave. Please see Hours and Leave Policy for further information.

- How would a fixed term contract affect my right to notice of termination of employment?

Management response: You will be entitled to a months' notice of termination of employment.

- Will I be contracted to work on weekends and bank holidays?

Management response: You may be required to work on weekends / bank holidays. Your hours/days of work will be negotiated with your line manager prior to you accepting/declining the offer of a fixed term contract.

- Will my continuous service be affected by the change from temporary to permanent contract?

Management response: No.

<u>Additional comments received</u>

- If my contract were to remain temporary, I would definitely consider applying for a permanent position in the future, even if this meant leaving Torfaen and Monmouthshire YOS. I would have to think carefully about this, as I am enjoying working here and I do want to stay, but if a similar role came up in another authority that was permanent, I would consider applying...

- I had to put down a higher deposit in order to secure a mortgage as the result of being on a temporary contract.

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Future Generations Evaluation
(includes Equalities and Sustainability Impact Assessments)

Name of the Officer: Jacalyn Richards **Phone no: 01495 768330** **E-mail: jacalynrichards@monmouthshire.gov.uk**	**Please give a brief description of the aims of the proposal** To harmonize contractual arrangements across the service
Name of Service: Youth Offending Service	**Date Future Generations Evaluation**: September 2017

NB. Key strategies and documents that may help you identify your contribution to the wellbeing goals and sustainable development principles include: Single Integrated Plan, Continuance Agreement, Improvement Plan, Local Development Plan, People Strategy, Asset Management Plan, Green Infrastructure SPG, Welsh Language Standards, etc

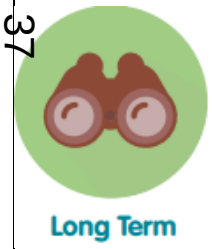
1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

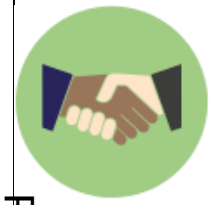
Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The revised contractual arrangements will provide greater certainty to those currently occupying temporary contracts without any financial impact on the service. The revised contractual arrangements will provide those occupying casual contracts with the opportunity to transfer to a fixed term	N/A

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	contract and enjoy the 'employment rights' associated with this.	
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Neutral.	N/A
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	As 1 above. Workers far more contented knowing that they are permanently employed rather than on fixed term contracts with no financial impact on the service.	N/A
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	The Youth Offending Service is a statutory partnership established by the Crime and Disorder Act 1998 with the principle aim of preventing offending and re-offending thus ensuring that communities are safe.	N/A
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Neutral.	N/A
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Neutral	N/A

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A more equal Wales People can fulfil their potential no matter what their background or circumstances	We will ensure that our protection of employment policies are delivered to ensure that equal opportunities are implemented.	We will work with our Unions in order to receive feedback to ensure that we continue to work within our policies in relation to equal opportunities.

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	Under the current contractual arrangements, there is a risk that employees occupying temporary contracts will leave the service in search of greater financial security. This will result in a significant loss of skill and experience. The offer of a six month fixed term contract to those currently occupying casual contracts is in line with Public Services Commission guidance and will provide the service with the opportunity to review capacity and demand.	N/A

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Working together with other partners to deliver objectives	The Youth Offending Service is multi-disciplinary service made up of staff from: Social Services, Health. Police, Probation, Education. The YOS is hosted by Monmouthshire County Council. Our statutory partners are: Torfaen County Borough Council National Probation Service Aneurin Bevan University Health Board Gwent Police. The YOS is governed by a Local Management Board made up of representatives from our statutory partners and others. The LMB oversee the implementation of the Youth Justice Plan Cymru.	N/A
Involving those with an interest and seeking their views	The current proposals have been agreed by the Local Management Board. All YOS staff have been consulted. The recommendations will not affect upon the service provided to the public.	N/A

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
Putting resources into preventing problems occurring or getting worse	A number of the posts affected are supported by grant-funded projects aimed to prevent offending and re-offending by children and young people.	N/A
Considering impact on all wellbeing goals together and on other bodies	The overall impact is neutral.	N/A

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this link:http://hub/corporatedocs/Equalities/Forms/AllItems.aspx or contact Alan Burkitt on 01633 644010 or alanburkitt@monmouthshire.gov.uk

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Neutral		

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Disability	Neutral		
Gender reassignment	Neutral		
Marriage or civil partnership	Neutral		
Pregnancy or maternity	Positive. Those currently on casual contracts do not have maternity/paternity rights.		
Race	Neutral		
Religion or Belief	Neutral		
Sex	Neutral		
Sexual Orientation	Neutral		
Welsh Language	Neutral		

4. **Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities?** For more information please see the guidance http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx and for more on Monmouthshire's Corporate Parenting Strategy see http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?

Safeguarding	Neutral.		
Corporate Parenting	Neutral		

5. What evidence and data has informed the development of your proposal?

- Review of existing contractual arrangements
- Review of hours worked by those on casual contracts
- Public Services Commission guidance

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

No significant negative impacts have been identified having completed the Future Generations Evaluation.

7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible	Progress

8. **MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.**

The impacts of this proposal will be evaluated on:	**Six months – the results will be reported to the YOS LMB.**

9. **VERSION CONTROL: The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.**

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
	e.g. budget mandate, DMT, SLT, Scrutiny, Cabinetetc		*This will demonstrate how we have considered and built in sustainable development throughout the evolution of a proposal.*

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SUBJECT:	**People Services (HR) policies**
MEETING:	**CABINET**
DATE:	**November 2017**
DIVISION/WARDS AFFECTED:	**All**

1. PURPOSE:

The purpose of this report is to provide Cabinet with information around some of the small legislative changes that have been made to some of the People Services (HR) policies so that they remain fit for purpose, up to date and legally compliant.

2. RECOMMENDATIONS:

That the changes outlined for each policy be approved by Cabinet.

3. KEY ISSUES:

The small changes to each policy are set out in the table below. The changes are required immediately to ensure that Monmouthshire employment policies adhere to employment law legislation and reflect the requirement to keep policies up to date and accurate. Despite changes being of this nature, Audit recommends that Cabinet should approve any change to policy.

NAME OF POLICY	CHANGE	ADDITIONAL COMMENT
Corporate Protection of Employment Policy	Calculation of redundancy payment for term time only workers added	Case law has determined that the correct approach is to use a divisor of the number of weeks when the employee is actually required to be at work and the number of weeks paid holiday rather than apply 52 for all calculations. Audit verified calculation. SLT approved the change.
Corporate Travel &	Rates to be claimed amended to	

Reimbursement Policy	reflect the current HMRC rates	
Code of Conduct Policy – joint corporate and schools	Disclosure of Interests form added as an appendix Front cover amended to remove a 'word peg' design which may have alluded (incorrectly) to MCC values	
DBS Policy – joint corporate and schools	Legislative changes in relation to assessing requirements for DBS checks added Supplementary guidance in relation to volunteers and governors added	
Corporate Hours and Leave Policy	To provide the same special leave provision for Special Constables as we do for TAs (territorial army)	

4. REASONS:

The revisions to policies are required speedily in order to ensure that our employment policies are correct, reflect any case law, state accurate rates claimable by employees and are as user friendly as possible.

All HR policies are subject to review, which includes wider consultation.

5. RESOURCE IMPLICATIONS:

The changes in relation to redundancy payments for term time only employees will see an increase in expenditure. The change to the redundancy calculation was applied to redundancy payments this year due to the legal requirement to do so. Audit verified this work.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The Equality Impact Assessment is attached.

7. CONSULTEES: Audit; Trade unions

8. BACKGROUND PAPERS: None

9. AUTHOR: Sally Thomas HR Tel: 07900 651564 E-mail: sallythomas@monmouthshire.gov.uk

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Future Generations Evaluation
(includes Equalities and Sustainability Impact Assessments)

Name of the Officer completing the evaluation Sally Thomas **Phone no: 07900651564** **E-mail: sallythomas@monmouthshire.gov.uk**	**Please give a brief description of the aims of the proposal** **To provide a report to Cabinet to ensure HR policies are up t date and accurate**
Name of Service People Services HR	**Date Future Generations Evaluation** form completed October 2017

1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	n/a	
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	N/a	
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	n/a	

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	n/a	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	n/a	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	n/a	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	*This includes the protected characteristics of age, disability, gender reassignment, race, religion or beliefs, gender, sexual orientation, marriage or civil partnership*	

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
Balancing short term need with long term and planning for the future	*n/a*	

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
Working together with other partners to deliver objectives	n/a	
Involving those with an interest and seeking their views	*n/a*	
Putting resources into preventing problems occurring or getting worse	n/a	
Positively impacting on people, economy and environment and trying to benefit all three	*n/a*	

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age			
Disability			
Gender reassignment			
Marriage or civil partnership			
Race			
Religion or Belief			
Sex			
Sexual Orientation			
Welsh Language	*We will make this policy available in welsh should it be required*		

4. **Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities?** For more information please see the guidance note http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx and for more on Monmouthshire's Corporate Parenting Strategy see http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	**Describe any negative impacts your proposal has on safeguarding and corporate parenting**	**What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?**
Safeguarding	*Safeguarding in this context applies to both children (not yet reached 18th birthday) and vulnerable adults (over 18 who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation.)*	*Safeguarding is about ensuring that everything is in place to promote the well-being of children and vulnerable adults, preventing them from being harmed and protecting those who are at risk of abuse and neglect.*	
Corporate Parenting	*This relates to those children who are 'looked after' by the local authority either through a voluntary arrangement with their parents or through a court order. The council has a corporate duty to consider looked after children especially and promote their welfare (in a way, as though those children were their own).*		

5. **What evidence and data has informed the development of your proposal?**

6. **The reason for development of this policy relates to the SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

This report seeks to ensure accuracy of People Services (HR) policies. The report provides information on small legislative changes affecting HR policies – changes required by law to ensure compliance with employment legislation

7. **Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

What are you going to do	**When are you going to do it?**	**Who is responsible**	**Progress**

8. **Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.**

The impacts of this proposal will be evaluated on: **Review of this policy will be taken in line with our normal review processes – which will be dependent upon employment law changes, review of casework, any legislative changes, welsh government guidance, and best practice.**	

monmouthshire COUNTY COUNCIL sir fynwy

REPORT

SUBJECT: DISPOSAL OF FREEHOLD INTEREST OF LAND AT COED UCHEL, GILWERN

MEETING: Individual Cabinet Member Decision - Cllr P. Murphy

DATE: 13 DEC 2017

DIVISION/WARDS AFFECTED: Llanelly Hill

The appendix to the report is intended to be classed as exempt under Schedule 12A of the Local Government Act 1972 on the grounds that it reveals information in relation to the business and financial affairs of a particular person (inc the Local Authority holding that information). Please therefore treat the appendix as **confidential.**

1. PURPOSE:

1.1 To seek approval for the disposal of the freehold interest at Coed Uchel, Gilwern

2. RECOMMENDATIONS:

2.1 That the Council disposes of the freehold interest in the above premises to the long leaseholder.

3. KEY ISSUES:

3.1 The Council owns the freehold interest in the above property subject to a lease to United Welsh Housing Association for 125 years from 15 April 1991.

3.2 The site contains Unsupported Housing for Older People, and was constructed by United Welsh approximately 1989.

3.3 United Welsh approached MCC requested a Sale of the freehold to allow the Association to solidify its Assets.

3.4 MCC instructed an Independent Valuation for the sale of the Freehold, with United Welsh providing relevant financial information to assist the valuation and agreeing to cover Surveyor Costs attributable to the Valuation.

3.5 The Council will receive a capital receipt which has been agreed with United Welsh and achieves Market Value.

4 OPTIONS APPRAISAL

Option 1 – To decline opportunity to sell freehold and not realise the sum Agreed which was in excess of Independent Valuation.

Option 2 – Consider option to sell freehold subject to recovering costs, An Independent Valuation and Subject to Negotiation

5 EVALUATION CRITERIA

5.1 An evaluation assessment has been included at Appendix A for future evaluation of whether the decision has been successfully implemented. The decision will come back to this committee in 12 months for review.

6 REASONS

6.1 The Sale of the Freehold will support the 21st Century School Scheme and requirement to generate £40 million in capital receipts to support this.

7. RESOURCE IMPLICATIONS:

7.1 A one off capital receipt will be received from the Sale of the Freehold to contribute towards the 21st Century Schools Programme. There will be a small loss of revenue income to the Council in 2031 as a result of the sale.

7.2 The Council will seek to recover all further reasonable Legal & Professional Costs relating to the freehold sale.

8. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

This decision does not impact on the delivery of any service or the provision of any service by the Council and therefore, while the implications have been considered a full assessment is not required.

9. CONSULTEES:

Local Member - Cllr Simon Howarth
Local Member – Cllr Jane Pratt
Monitoring Officer – Robert Tranter
Legal Services – Joanne Chase/John Rogers

10. BACKGROUND PAPERS:

Site location plan
Appendix – Independent Valuation Report (exempt)

AUTHOR:

Nicola Howells - Estates Surveyor
Ben Winstanley – Estates Manager

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Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

Title of Report:	**Disposal of Freehold Interest of Land at Coed Uchel, Gilwern**
Date decision was made:	
Report Author:	**Nicola Howells**

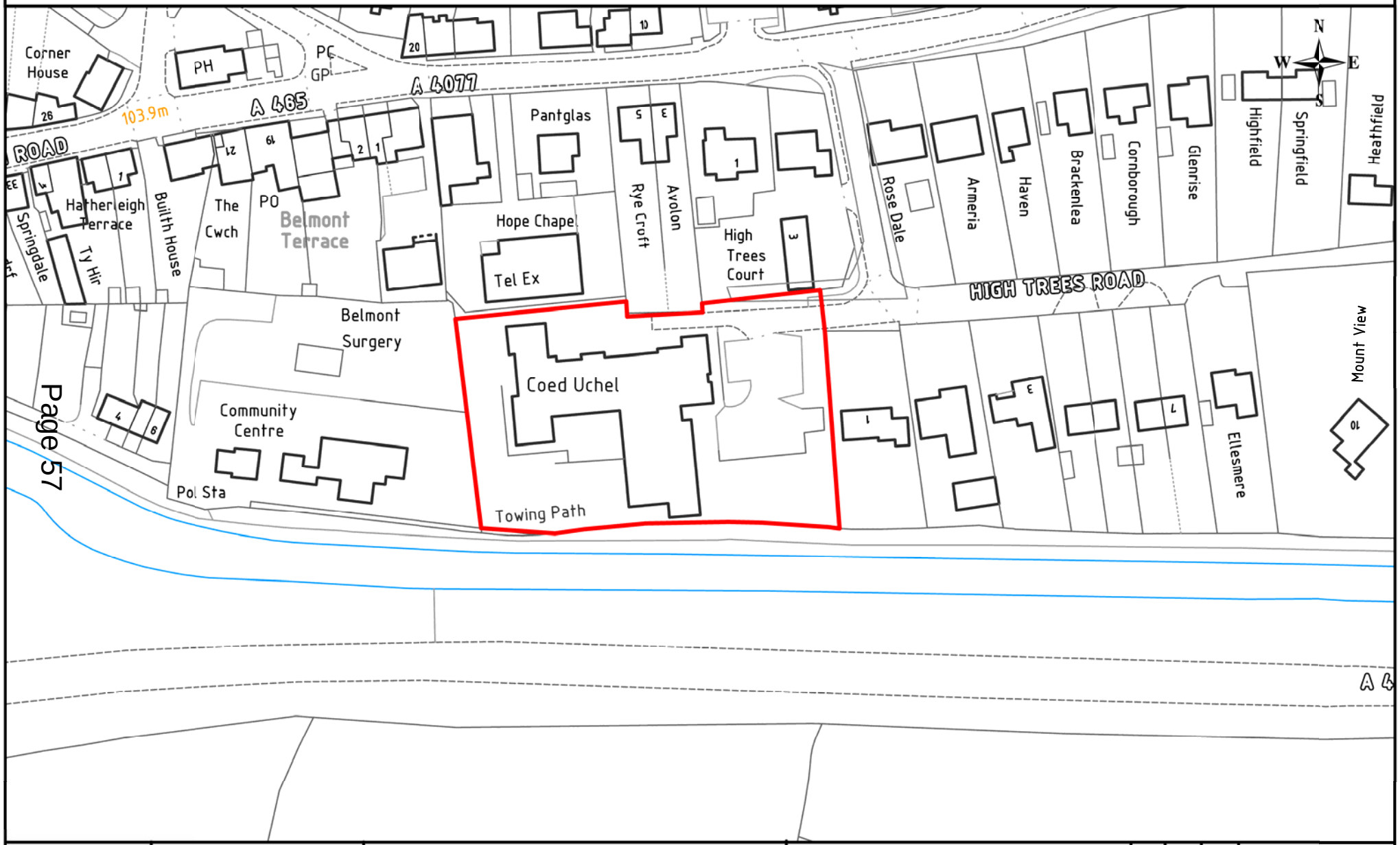
What will happen as a result of this decision being approved by Cabinet or Council?
What is the desired outcome of the decision? **Disposal of Freehold** What effect will the decision have on the public/officers? **None**
12 month appraisal Was the desired outcome achieved? What has changed as a result of the decision? Have things improved overall as a result of the decision being taken?

What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?
Think about what you will use to assess whether the decision has had a positive or negative effect: Has there been an increase/decrease in the number of users Has the level of service to the customer changed and how will you know If decision is to restructure departments, has there been any effect on the team (e.g increase in sick leave)
12 month appraisal *Paint a picture of what has happened since the decision was implemented. Give an overview of how you faired against the criteria. What worked well, what didn't work well. The reasons why you might not have achieved the desired level of outcome. Detail the positive outcomes as a direct result of the decision. If something didn't work, why didn't it work and how has that effected implementation.*

What is the estimate cost of implementing this decision or, if the decision is designed to save money, what is the proposed saving that the decision will achieve?
Give an overview of the planned costs associated with the project, which should already be included in the report, so that once the evaluation is completed there is a quick overview of whether it was delivered on budget or if the desired level of savings was achieved. **No Associated Costs**
12 month appraisal *Give an overview of whether the decision was implemented within the budget set out in the report or whether the desired amount of savings was realised. If not, give a brief overview of the reasons why and what the actual costs/savings were.*

Any other comments

Coed Uchel Gilwern



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SCHEDULE 12A LOCAL GOVERNMENT ACT 1972
EXEMPTION FROM DISCLOSURE OF DOCUMENTS

MEETING AND DATE OF MEETING: Individual Cabinet Member Decision - Cllr P Murphy – 13th December 2017

TITLE OF REPORT: Disposal of Freehold Interest of Land at Coed Uchel, Gilwern.

REPORT AUTHOR: Ben Winstanley/ Nicola Howells

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

Exemption of the appendix only

FACTORS IN FAVOUR OF DISCLOSURE:

Transparency and appropriate scrutiny of the work carried out by the Council in the course if its management of public assets.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

This report is intended to be classed as exempt under Schedule 12A of the Local Government Act 1972 on the grounds that it reveals information in relation to the business and financial affairs of a particular person (inc the Local Authority holding that information).

The report also contains information that is confidential between the two parties, the details of such information could prejudice the Council's negotiations in future if it were to be disclosed.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

The factors in favour of non-disclosure outweigh the factors in favour of disclosure

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

Non-disclosure

Date: 23.11.2017

Signed: NHowells

Name & Post: Nicola Howells MRICS - Estates Surveyor, Estates Department

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I accept/~~do not accept~~ the recommendation made above

Proper Officer: [illegible]

Date: 24/11/2017

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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