CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD

CABINET: THURSDAY, 11 JUNE 2015 at 4.00 PM

A Cabinet Meeting will be held in the Ferrier Hall at City Hall on Thursday 11 June 2015 at 4.00 pm

A G E N D A

PAUL ORDERS
Chief Executive
5 June 2015

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**CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD**

MINUTES

CABINET MEETING: 28 MAY 2015

Cabinet Members Present:	Councillor Phil Bale (Chair) Councillor Sue Lent Councillor Peter Bradbury Councillor Dan De'Ath Councillor Bob Derbyshire Councillor Susan Elsmore Councillor Sarah Merry Councillor Ramesh Patel
Observers:	Councillor Dianne Rees Councillor Eleanor Sanders Councillor Judith Woodman
Officers:	Paul Orders, Chief Executive Marcia Sinfield, for Section 151 Officer Shaun Jamieson, County Solicitor Joanne Watkins, Cabinet Office
Apologies:	Councillor Graham Hinchey

1 **RESOLVED:** that the minutes of the Cabinet meeting held on 2 April be agreed

2. **'YR HEN LYFRGELL' WELSH LANGUAGE AND CULTURAL CENTRE**

Councillor Peter Bradbury declared a personal interest in this item as a Council appointed trustee of the Cardiff Story Museum and was not present during consideration of this item.

The Cabinet received a report outlining proposals for the establishment of a Welsh Language and Cultural Centre at the Old Library. The aim of the centre was to create a welcoming Open Space that would promote and facilitate Welsh as a living language for all citizens of Cardiff and its visitors. The Council had identified The Old Library as a suitable location capable of delivering the vision for the new centre through a consortium of partners including Menter Caerdydd (as lead partner), Cardiff University, Clwb Ifor Bach, Mudiad Meithrin and Mela. It was reported that an offer of funding had been received from the Welsh Government to cover the fit out cost for the purpose of establishing the centre at the Old Library.

Cabinet was advised that the loss of the gallery space was a substantive concern for the Cardiff Story Museum trustees. The Trustees remained to be convinced of the asserted level of benefit to the Museum of co-location with the WLCC, especially regarding the additional footfall assisting with fund-raising. However the trustees were committed to working with the Council with a view to protecting the interests of the Museum in the context of co-location with the WLCC and officers advised that the head lease would include provisions to safeguard the interests of the Cardiff Story and arrangements between the Council and the Welsh Language Centre would be put in place to ensure a partnership approach to the management of the Old Library as a whole, including ensuring that the Cardiff Story would have reasonable access to gallery space. Appropriate monitoring arrangements would be put in place to further support the development of the overall concept.

RESOLVED: that

(1)   the development of the Welsh Language and Cultural Centre (WLCC) in the Old Library, alongside the Cardiff Story be authorised

(2)   authority be delegated to the Director of Economic Development to progress with the proposed development and capital works programme.

3.   **ST MELLONS COMMUNITY HUB – PHASE 2 EXTENSION**

A report outlining proposals for extending the St Mellons Community Hub was considered. It was proposed that consultation take place on amalgamating the services currently provided at the St Mellons Youth & Community Centre and St Mellons Enterprise Centre and the Community Hub by extending the hub to include a youth area, multi-purpose community hall, café and kitchen, multi-use spaces, and training room. It was also proposed that St Mellons Flying-Start would transfer to the extended facility.

RESOLVED: that

1.   consultation on proposals for a phase 2 extension to the St Mellons Hub and associated land disposals be agreed;

2.   the intention to report back to a future Cabinet meeting on the outcome of the consultation programme which will inform a final decision on any realignment of services and facilities in St Mellons be noted.

4. **SCHOOL ORGANISATION PLANNING: THE PROVISION OF ADDITIONAL PRIMARY SCHOOL PLACES IN THE ADAMSDOWN AND SPLOTT WARDS**

Authorisation to hold a public consultation on options which respond to the rising demand for both English-medium and Welsh-medium primary school places in the Adamsdown and Splott wards was sought. It was proposed that the proposal to increase the capacity of Baden Powell School be withdrawn and public consultation on two further options to increase provision of primary school places in the Adamsdown and Splott wards be held.

RESOLVED: that

1. officers be authorised to formally withdraw the proposal to increase the capacity of Baden Powell to 3FE published on 01 July 2013.

2. Officers be authorised to consult on options to increase English-medium and Welsh-medium primary school places on the following options:

   Option 1
   • A new 2FE *'standardised build' Baden Powell Primary school with additional part-time nursery places on the Willows High School site which would require the transfer of Baden Powell Primary to the Willows High School site. Both schools (Baden Powell Primary School and Willows High School would remain as separate entities and be funded accordingly)
   • Increase the capacity of Ysgol Glan Morfa from 1FE to 2FE with 80 part-time equivalent nursery places.
   • Transfer the expanded Ysgol Glan Morfa to the vacated Baden Powell Primary School site.
   • Increase the capacity of Moorland Primary School from 2FE to 3FE with 96 part-time nursery places utilising the vacated Ysgol Glan Morfa buildings.

   Option 2
   • Increase the capacity of Ysgol Glan Morfa from 1FE to 2FE with 80 part-time nursery places.
   • Transfer the expanded Ysgol Glan Morfa to a new 2FE *'standardised build' primary school on a new site on land at the Maltings.
   • Increase the capacity of Moorland Primary School from 2FE to 3FE with 96 part-time nursery places, utilising the vacated Ysgol Glan Morfa buildings
   • Baden Powell Primary School to remain at its existing capacity on its current site

3. it be noted that officers will bring a report on the outcome of the consultation to a future meeting to seek authorisation as to

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whether to proceed to publish proposals in accordance with section 48 of The School Standards and Organisation (Wales) Act 2013.

5. **SCHOOLS ORGANISATION PLANNING: THE PROVISION OF ADDITIONAL ENGLISH-MEDIUM PRIMARY SCHOOL PROVISION IN CYNCOED, PENYLAN AND PARTS OF PLASNEWYDD.**

A report outlining details of objections received in relation to proposals to establish a new 2FE English-medium community primary school serving the age range 3-11 on part of the Howardian Community Education Centre, Hammond Way, Cardiff, CF23 9NB from September 2015 was received. The Cabinet considered details of the five objections together with the Council's response.

RESOLVED: That

1. the proposal as set out in paragraph 2 of the report be approved without modification

2. officers be authorised to take the appropriate actions to implement the proposal as set out in paragraph 2 of the report

3. officers be authorised to publish a summary of the statutory objections and the Authority's response to those objections (referred to as the "Objection Report") within 7 days of the determination of the proposal.

4. approval of any necessary contracts be delegated to the Director of Education and Lifelong Learning in consultation with the Section 151 Officer, Director of Legal Services and the Cabinet Member for Finance and Education and Lifelong Learning.

6. **SCHOOLS ORGANISATION PLANNING: SECONDARY SCHOOL PROVISION IN THE WEST OF CARDIFF.**

The Cabinet received a report containing details and an evaluation of the responses received following consultation on a proposal to rationalise high school accommodation in the West of the city as part of maximising educational outcomes. It was proposed that Glyn Derw High School be transferred to the Michaelston Community College site from January 2016 with the two schools remaining as schools in their own right, under their existing federation and sharing the accommodation.

RESOLVED: that

1. officers be authorised to publish a statutory notice to transfer Glyn Derw High School to the Michaleston High Community College site from January 2016.

2. It be noted that prior to implementation of the proposal a further report will be provided to the Cabinet providing details of any

objections received, the proposed response to those objections and recommendations for implementation or otherwise of the proposal.

7. **LLANDAFF COMMUNITY POLL**

Cabinet received details of the results of the Llandaff Community Poll. It was reported that the first poll question had been raised in the Fairwater Community Poll and full Council had agreed to take no further action on the basis that the closure of Waungron Road Recycling Centre was part of the approved budget savings for 2014/2015, and there was no provision to allow for its re-opening in the 2015/16 budget. In relation to the second question it was reported that as part of the statutory LDP Examination process, Hearing Sessions had been held and the Planning Inspectors were currently assessing the soundness of the submitted Plan. The Inspectors Report, with binding recommendations on the Council, was anticipated in Autumn 2015 and therefore it was recommended that no further action be taken.

RESOLVED: that

1.   the results of the Llandaff Community Poll held on 9th April 2015 (Appendix A to this report) be noted; and

2.   the matter be referred to full Council, with a recommendation that, in response to the Llandaff Community Poll:

   (i)   Poll Question 1; and
   (ii)   Poll Question 2

   No further action should be taken.

8. **CARBON REDUCTION STRATEGY AND ENERGY POLICY**

The Cabinet considered the Carbon Reduction Strategy and supporting policies. It was reported that adoption of the strategy would help contribute towards Cardiff's One Planet aspiration and e national and local carbon reduction and renewable energy targets. It was also intended to promote energy efficient behaviour of the Council's occupiers and staff and help reduce the Council's operational costs

RESOLVED: that the Carbon Reduction Strategy be approved as the basis for ongoing energy saving and carbon reduction activity across the Council's Estate.

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CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD

CABINET MEETING: 11 JUNE 2015

ASSISTANT CABINET MEMBERS

REPORT OF COUNTY CLERK AND MONITORING OFFICER

AGENDA ITEM: 2

PORTFOLIO : LEADER (ECONOMIC DEVELOPMENT & PARTNERSHIPS)

Reason for this Report

1.   To consider the appointment of Assistant Cabinet Members for 2015/16.

Background

2.   Article 7.5 of the Council's Constitution provides that:

"The Cabinet may appoint Councillors to act as assistants to the Cabinet as the Cabinet considers necessary and appropriate. Their role will be:

(a) to assist the Cabinet collectively;
(b) to liaise with the Chairs and members of relevant Scrutiny Committees; and
(c) to act as observers at meetings of the Cabinet or a committee of the Cabinet.

Assistants to the Cabinet may not vote on any matters before the Cabinet, neither may they substitute for a Cabinet Member at a meeting of the Cabinet nor in any decision-making role."

3.   Assistant Cabinet Members that are appointed by the Cabinet can work with a Cabinet Member or Cabinet Members in taking forward particular projects or programmes and can represent the Cabinet at any meeting or function which does not involve any decision-making role.

Assistant Cabinet Members 2014/15

4.   On 15 May 2014, the Cabinet agreed to create three new Assistant Cabinet Member roles to provide additional support to Cabinet portfolios on the following issues:

 •   Delivering the Co-Operative Council
 •   Young People and Learning (including libraries)
 •   Housing and Tackling Poverty

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5.   A copy of the Role Description for Assistant Cabinet Members that was agreed previously by the Cabinet is attached as **Appendix A** to this report.

6.   On 12 June 2014, the Cabinet agreed the appointment of the following Members to these roles:

- Cllr Sam Knight – Delivering the Co-Operative Council
- Cllr Sarah Merry – Young People and Learning (including libraries)
- Cllr Darren Williams – Housing and Tackling Poverty

Assistant Cabinet Members 2015/16

7.   Following the appointment by Council on 21 May 2015 of Councillor Sarah Merry as the new Cabinet Member for Education, it is proposed that Councillor Chris Weaver be appointed to the vacant Assistant Cabinet Member position for 2015/16 and to take on a new role providing additional support to the Cabinet on transport policy matters relating specifically to the Active Travel (Wales) Act 2013 and the development of the city's new transport interchange.

8.   In addition, it is proposed that the Assistant Cabinet Member role of Councillor Sam Knight be amended in 2015/16 to focus specifically on the provision of additional support to the Cabinet in developing the Council's 'Smart Cities' agenda, including work to develop the provision of open data by the Council.

Reasons for Recommendations

9.   To approve the appointment and roles of Assistant Cabinet Members for 2015/16.

Legal Implications

10.   There are no legal implications arising from this report.

Financial Implications

11.   There are no financial implications arising from this report.

RECOMMENDATION

Cabinet is recommended to approve the appointment of three Assistant Cabinet Members in 2015/16 to the following roles:

- Councillor Sam Knight – Technology, Innovation and Skills
- Councillor Chris Weaver – Active Travel & Wellbeing (including Libraries)
- Councillor Darren Williams – Housing and Tackling Poverty

Marie Rosenthal
County Clerk & Monitoring Officer
5 June 2015

The following appendix is attached:

Appendix A: Assistant Cabinet Member Role Description

The following background papers have been taken into account:

Cabinet Report, 12 June 2014 – Deputy Cabinet Members Appointments
Cabinet Report, 15 May 2014 – Deputy Cabinet Members and Member
Champions

ASSISTANTS TO CABINET MEMBERS – Article 7.5 Cardiff Constitution

The Cabinet may appoint Councillors to act as Assistants to the Cabinet as the Cabinet considers necessary and appropriate. Their role will be:

(a) To assist the Cabinet collectively

(b) To liaise with the Chairs and members of relevant Scrutiny Committees and

(c) To act as observers at meetings of the Cabinet or a committee of Cabinet

ROLE DESCRIPTION

1. Assistants to Cabinet Members are members appointed by the Cabinet to work with a Cabinet Member or Cabinet Members and deputise for them for any function except decision-making subject to the limitations set out below.

2. This includes taking forward particular projects or programmes. Most Assistant posts will range across the functions of the Cabinet Member but it is a matter for each individual Cabinet Member, after discussion with the Leader of the Council, to establish any limits or conditions on the ways in which the Assistant will operate. Any limitations on the role of Assistant which the Cabinet Member wishes to impose should be a matter of record, to be copied to the Leader of the Council and the Monitoring Officer.

3. The role of Assistant to Cabinet member does not attract a special responsibility allowance

4. Assistants to Cabinet Members may:

   • Undertake specific tasks, research and investigations and attend conferences, seminars and meetings as requested by the Cabinet Member so as to keep abreast of current policy and development initiatives.

   • Deputise for a Cabinet Member at Cabinet Briefings.

   • Deputise for a Cabinet Member (but not vote) at Cabinet meetings.

   • Deputise for the Cabinet Member at formal and informal functions except for official openings or ceremonies where it is appropriate for the Cabinet Member to have a role in which case, in the event of the absence of the Cabinet Member, the Lord Mayor will normally represent the Council.

   • To liaise with non-executive members in order to ensure that the Cabinet Member is fully aware of issues which are of concern to members.

   • Appear before a Scrutiny Committee where the Cabinet Member cannot attend or where the Assistant has focussed on the particular project or

programme. (However, the Scrutiny Committee may also request the Cabinet Member to attend on a further occasion).

- Be a member of a Scrutiny Committee which does not relate to his or her Cabinet Member's portfolio.
- Be a member of a Scrutiny Task and Finish Group.

5.   However, an Assistant to a Cabinet Member cannot:

- take decisions
- deputise for a Cabinet Member at Council Meetings
- be a member of the Scrutiny Committee which scrutinises his or her Cabinet Member's portfolio

Marie Rosenthal
County Clerk and Monitoring officer
2 April 2014

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CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD

CABINET MEETING:11 JUNE 2015

WELSH LANGUAGE SCHEME ANNUAL MONITORING REPORT TO THE WELSH LANGUAGE COMMISSIONER 2014 - 2015

REPORT OF COUNTY CLERK & MONITORING OFFICER
AGENDA ITEM: 3

PORTFOLIO: LEADER (ECONOMIC DEVELOPMENT & PARTNERSHIPS)

Reason for this Report

1. To agree and approve the content of the 2014-15 Welsh Language Scheme Annual Monitoring Report prior to presentation to the Office of the Welsh Language Commissioner in accordance with The Welsh Language Act 1993 and Welsh Language (Wales) Measure 2011.

Background

2. The Council recognises that, as a Capital City, Cardiff represents Wales and is committed to ensuring equality between the Welsh and English languages by actively promoting and supporting the Welsh language and increasing its capacity to deliver bilingual services. The Welsh Language Scheme sets out how the Council will deliver this commitment.

3. The report provides the formal basis on which compliance with the Council's statutory Welsh Language Scheme is monitored. Conducted annually, the report provides a clear picture of the progress made in 2014-15, as well as identifying any areas for improvement.

Issues

4. The Welsh Language Scheme monitoring report has been completed to meet the requirements of the Welsh Language Act 1993.

5. Approval needs to be given by the Cabinet so the report can proceed to Council prior to it being accepted by the Office of the Welsh Language Commissioner within the required timescales. The Council is required to present an approved bilingual report to the Office of the Welsh Language Commissioner by 30th of June 2015 and publicise the report thereafter. It is envisaged that this will be the last reporting year in the current format as reporting arrangements will change when the Welsh language standards come into force later this year.

6.   In order to prepare for the standards, the Bilingual Cardiff Members Group has asked for a progress report from each directorate on meeting the proposed standards. The Council will receive its compliance notice from the Welsh Language Commissioner on the 22nd of June, and after a consultation period the council will be issued with a set of standards which will replace the current arrangement of Welsh language schemes. This will be the last reporting year in the current format as reporting arrangements will change when the Welsh language standards (under the Welsh Language [Wales] Measure 2011) come into force next year.

Reasons for Recommendations

7.   Compliance with the Welsh Language Scheme is a statutory requirement, monitoring the Council's progress against it is an effective way to ensure that targets are being met.

<u>**Legal Implications**</u>

8.   The Welsh Language Scheme is a requirement of the Welsh Language Act 1993. The Welsh Language Act 1993 has been repealed by the Welsh Language (Wales) Measure 2011.

9.   The Welsh Language (Wales) Measure 2011 introduces a new system of regulation through 'standards', which specify how an organisation should use the Welsh Language. Until such a time as the 'standards' come into force organisations should continue to implement their 'Welsh Language Scheme' which will continue to be monitored/inspected by the Welsh Language Commissioner.

10.   It is expected that the 'Standards' will be enforced by September of this year;

11.   The Assembly approved Regulations on the 24th March 2015 (The Welsh Language Standards (Number 1) Regulations 2015) which specify standards in relation to the Conduct of County Councils (and other organisations). The following is an outline of the timetable for the implementation:

April – June 2015 -the Welsh Language Commissioner will prepare individual compliance notices for each organisation.

22 June 2015- A consultation period will begin with organisations on the content of the compliance notices (s.47 Welsh Language (Wales) Measure 2011)

20 July – Consultation period Ends

September 2015 - it is expected that the Welsh Language Commissioner will issue a compliance notice on the Authority (s.44 Welsh Language (Wales) Measure 2011)

Financial Implications

12.   There are no direct financial implications arising from this report. In the event of any action being required to be taken then any associated costs would need to be found from within the existing budgetary resource allocation.

RECOMMENDATIONS

The Cabinet is recommended to approve the Welsh Language Monitoring Report (as attached as Appendix A) for consideration at Council prior to submission to the Office of the Welsh Language Commissioner in accordance with the Welsh Language Act 1993 and Welsh Language (Wales) Measure 2011.

MARIE ROSENTHAL
County Clerk & Monitoring Officer
5 June 2015

The following Appendix is attached:

Appendix A The Welsh Language Scheme Annual Monitoring Report 2014 - 15.

Welsh Language Scheme

Annual Monitoring Report to the Welsh Language Commissioner

2014 - 2015

Contents

Introduction

The City of Cardiff Council's third statutory Welsh Language Scheme was formally approved by the Welsh Language Board on 1st of July 2009.

As a Capital city the Council recognises that Cardiff represents Wales and is committed to ensuring equality between languages by actively promoting and supporting the Welsh language and increasing its capacity to deliver bilingual services. The Welsh Language Scheme sets out how the Council will deliver this commitment.

In order to ensure that the Welsh language and the needs of Welsh speaking residents are considered by all directorates, whilst also making sure that the Council meets its obligations under the Welsh Language Act 1993 and the Welsh Language (Wales) Measure 2011, the following areas of improvement have been imperative:

➢ Establishing the Welsh Language Coordinators which includes one representative from each directorate, to discuss and deal with issues relating to the Welsh language as well as informing staff within their directorates of the Scheme's requirements.

➢ Creating a new Welsh Language Champions group in 2010 which includes one representative, of Operational Manager level or above, from each directorate to champion bilingualism, support Coordinators and raise awareness of the Welsh Language Scheme within their directorates.

➢ Re-branding of the Welsh language unit as 'Bilingual Cardiff' with a new emphasis on providing an advisory role for other organisations, whilst continuing to actively promote and further raise awareness of the Welsh language across the city through better collaborative working arrangements.

➢ Providing a real language choice and an equally excellent service to Welsh and English speaking citizens through the C2C contact centre.

➢ Ensuring that the Scheme's Timetable for Implementation has been incorporated into the Cardiff Improvement System (CIS) which has played a key role in ensuring the successful implementation and mainstreaming of the revised Welsh Language Scheme and Corporate Welsh Language Skills Strategy.

➢ The establishment of the Welsh Language Cross-Party Members Working Group to drive forward the Bilingual Cardiff agenda.

➢ In October 2014, the Welsh Language Champion and Senior Manager in Health & Social Care released some management hours from within the Directorate to allow the Welsh Language Co-ordinator to work on the implementation of the Welsh Government's 'Mwy Na Geiriau' Strategy which has resulted in significant progress being made against the 3 year Action Plan.

➢ The proposed development of a Welsh Language Centre in the city centre.

We recognise that more work is needed to realise our ambition of developing a truly bilingual capital city for Wales. This report outlines a number of planned actions for the future as well as reporting on progress to date.

The Annual Monitoring Report will be agreed and approved by full Council on **25th of June 2015** prior to being submitted to the Welsh Language Commissioner by their deadline of 30th of June 2015.

The report is available bilingually to download on the Council's website www.cardiff.gov.uk/bilingualcardiff

Please Note - Officer titles and Service Areas in the action plan will not reflect the current structure as the action plan was approved in 2009 and therefore reflects the officer titles and Service Areas at the time of approval. As the Timetable for Improvement is lifted out of a statutory Scheme for the purpose of the Report, we cannot change the titles, or any other element of the Scheme without the approval of the Welsh Language Commissioner. This is the last reporting year in the current format as the new Welsh language standards come into force later this year, as a result of which we will have a new reporting mechanism in place next year with a new action plan that adequately reflects the structure and officer titles at that time.

Welsh Language Scheme Compliance – Timetable for Improvement

MEASURES	TIMING	RESPONSIBILITY	PROGRESS	COMPLETED
1. WELSH LANGUAGE INDICATORS				
WL Indicator 1 To monitor and report annually the number and % of third parties monitored that conform to the requirements of this Scheme in the following areas: i. care services ii. youth and leisure services pre-school provision	Draw up structured Monitoring Plan for each service listed by September 2009 then monitor and report annually.	Relevant Chief Officers in conjunction with the Welsh Language Officer.	i. **Care Services** ii (a) **Youth service contracts** ii (b) **Leisure service contracts** iii **Pre-school provision** For full details please see section 3. Scheme Management and Administration (page 30). For Health and Social Care 'Mwy na Geiriau / More than just Words' Action Plan 2014/15 see **Appendix I**	(orange/amber)
WL Indicator 2 Identify workplaces and posts where the ability to speak or write Welsh is an essential or desirable requirement (using the Welsh Language Skills Strategy and Assessment Tool).	April 2015	All Chief Officers in conjunction with the Welsh Language Officer	Over **975** posts have been assessed in the current financial year, of these a total of **111** posts (**11%**) will now be designated Welsh Essential in accordance with the Corporate Welsh Language Skills Strategy (please see **Appendix II**). The revised Corporate Welsh Language Skills Strategy was approved by the Cabinet on the 13th of March 2014. A copy of the strategy which includes revised timescales, measures, and also an updated linguistic assessment tool was included in the council's response to the standards investigation April 2014. The linguistic assessment of teams is ongoing and will continue in 2015-16.	(green)

WL Indicator 3 Create an annual audit programme of software and systems to ensure that Welsh language issues are an integral part of all e-Government projects.	Septembe r 2009	All Chief Officers in conjunction with the Welsh Language Officer	Welsh language requirements are actively considered as part of any project brief or new project mandate as part of the statement of requirements – this has been the case for some time ICT will continue to advise customers of their responsibility to provide Welsh language material for all customer facing projects at the project brief phase of all IT related projects but it is the customers responsibilities to determine whether they require bilingual aspects of any new system after receiving this advice so it is their responsibility to satisfy themselves that they are meeting the measure.
WL Indicator 4 To monitor the number and % of staff who have reveived training in Welsh to a specific qualification level and the number and % of staff who have received Welsh Language Awareness training.	Produce a full report by April each year for inclusion in the Annual Monitoring Report to the WLB.	Chief Officer People and Organisational Development with the Welsh Language Officer.	The number and percentage of staff who received Welsh language and Welsh language awareness training is monitored closely and individual records kept on DigiGov. Please see **Appendix III** for breakdown of staff who have attended these courses.

Indicator	Timing	Lead Officer	Progress
WL Indicator 5 The number and % of staff who are able to speak Welsh according to i. service area ii. post grade iii. workplace	Produce a full report by April each year for inclusion in the Annual Monitoring Report to the WLB	Chief Officer People and Organisational Development	A total of 4,546 staff have validated their entries on the DigiGov system. From these 221 staff have stated they have Welsh language skills. This represents 4.86% of those registered on the system. Details of the service area, post grade and location of these members of staff are attached in **Appendix IV**
WL Indicator 6 Monitor the number and % of complaints in relation to the operation of the Welsh Language scheme and dealt with in accordance with corporate standards.	April 2009 and every April thereafter in readiness for the Annual Monitoring Report	Chief Officer Legal Services	During 2014/15, a total of 24 complaints were received in relation to the Welsh language scheme. The percentage of Welsh language scheme complaints in relation to all complaints received (2354) is 1%. The Annual Corporate Complaints Report will be available in Autumn 2015.
2. SERVICE PLANNING AND DELIVERY			
Assess the effectiveness of the Policy Integration Tool and Equality Impact Assessments for mainstreaming Welsh language into Corporate and key policies, plans and	Bi-annual audit. First audit September 2009	Chief Policy Officer and Welsh Language Officer	The Policy Integration Tool has been developed into the **Statutory Policy Screening Tool** to reflect the evolving policy context. Please see section 5. Mainstreaming (page 34) for full details.

strategies.				
Prepare a list of key partners, check that they are aware of the requirements of the Scheme and insert appropriate and specific wording into contracts and tender documents as and when they are renewed or issued.	List by September 2009. Check one key partner per month thereafter.	All Chief Officers in conjunction with the Welsh Language Officer		The City of Cardiff Council has a number of other contracts in place with contractors or third party organisations for the provision of services. An analysis of our Procurement Portal has highlighted approximately 11 contracts have been awarded for the delivery of 'Services' on behalf of the Council. Only contracts involving a service delivered to the general public are included.

The new contracts/framework agreements would have used pre-qualification/selection questions derived from the Welsh Government's SQuID set of questions which includes a number of questions relating to the Welsh Language. The questions would only be asked where the contract is for services provided directly to the public.

• Describe your experience and / or general approach to delivering public services in Wales to ensure that the requirements of Welsh speakers are met, as provided for by Welsh language legislation.
• Have you had a contract terminated and/or been notified of a breach or potential breach of a contract for reasons related to Welsh Language requirements within the last 3 years?

Wording to the following effect is inserted in contracts prepared on behalf of the Council by the Council's Legal Service and the legal contracts team are reminded of the need to insert such a clause:

During the Contract and the provision of the Services, the Contractor shall comply with the requirements of:
a) the Authority's Welsh Language Scheme; and
b) the Welsh Language (Wales) Measure 2011 as and when the |

Action	Timescale	Responsible Officer	Progress
			provision of the Measure come into force, and in so far as it relates to the provision of the Services.'

As stated in the progress for 2013 -14 in terms of ongoing monitoring procedures for contracts we have a regular contract review meetings with suppliers. The frequency of these meetings is dependent on a number of factors such as the value of the contract and the risk, but generally range from monthly to quarterly.

Any issues relating to the performance of the contract can be discussed at this forum and any issues with the provision of services in the Welsh language can be highlighted and dealt with accordingly. |
| Ensure that the Corporate Grant Scheme complies with the Council's Welsh Language Scheme | Audit September 2010 | Chief Officer Strategy and Enterprise and all Chief Officers | Support and advice has been offered and provided to Service Area Grant Officers regarding compliance to the Council's Welsh Language Scheme. All relevant corporate grant documentation have up to date Welsh versions available on CIS. Ongoing day to day adherence to the Welsh Language Scheme by ensuring Welsh translations of letters available promptly where requested. |

3. DEALING WITH THE WELSH SPEAKING PUBLIC

Action	Timescale	Responsible Officer	Progress
Set up and support a corporate database of the language preference of customers for use by all service areas	April 2012	Chief IT Officer with Chief Officer People and Organisational Development, in conjunction with all Chief Officers and Welsh Language Officer	A detailed design Blueprint for the Customer Relationship Management (CRM) System was successfully completed in February 2014. The solution designed during the Blueprint clearly specifies how markers such as language preference could be stored against customers and how a single Corporate master customer database could be developed, populated and maintained as the CRM is implemented across the Organisation.

The first phase of the CRM is set to go live in September 2015 in the Contact Centre (phone and email channels) and Community |

Action	Timescale	Responsibility	Details	Status
			Hubs (face to face). As customers contact the Council through these three channels, their language preference will be noted against their customer record. In addition to this, as part of the go live, existing Welsh language preference databases held in Directorates across the Organisation could be rationalised and potentially inputted in to the CRM database. Please note in the first phase the CRM (and by extension the customer database including language preference) will only be covering the existing C2C footprint of services. A detailed roadmap for wider roll out across the organisation will be developed over the coming months. In the medium term (2-3 years) as SAP CRM is rolled out to Directorates across the Organisation and a Master Data Management solution is identified, an enterprise wide Corporate database of Customers will be created that will give a single view of the customer.	(orange)
Issue guidance on translation to all Service Areas	New guidelines to be issued when Scheme is launched	Welsh Language Officer	Translation guidance is issued via new articles on 'Your Inbox' as well as via the Welsh language coordinators. Guidance is also sent via a monthly "Welsh Matters" brief which outlines the latest developments regarding the Welsh language agenda, information on courses, advice and a summary of complaints against the Welsh language scheme. Articles in 2014-15 related to the need for forward planning before any large translation work. The translation guidelines are also available on the Bilingual Cardiff intranet page. As the current translation guidelines have been in place for several years most directorates are familiar with the process for requesting translations.	(green)
Prepare and implement a programme for providing Welsh language software	Programme in place by September 2009. To be implemented	ICT Service Manager with all managers and Welsh Language Officer	All members of staff that have access to the Councils ICT Network receive Welsh language capable software as a standard Service area practice. We therefore do not record individual requests for the software. The only information we would record would be individual requests for Welsh translation	(green)

Action	Timescale	Responsibility	Comment
and support materials to all new and existing staff as specified in Section 3.1 of the Scheme	immediately		software however this would not be a true reflection of our provision of Welsh language capable software within the authority. We continue to roll out Welsh language capable software in our Windows 7 and Office 2010 deployment to all new builds / requests either on PC or via our thin client deployment method. Cysgliad is available to all staff who have PC's as their desktop interface, and its availability is frequently advertised in the Welsh Matters Newsletter and articles on Your Inbox. Staff can request a copy via the Service Desk.
Ensure that the following adhere to Welsh Language Scheme: Phone back responses Welsh calls are directed to Welsh speaking Officers iii. Advertised numbers have bilingual greetings	Monitor once per year via Mystery Shopper	Welsh Language Unit and Menter Caerdydd	Guidance to staff on answering Welsh language calls were updated in February 2015 and are available on the Welsh language intranet page. The guidelines were also circulated to staff via the Welsh language coordinators and reminders are featured in the monthly 'Welsh Matters-Materion Cymraeg' brief. Menter Caerdydd conducted a mystery shopper exercise on behalf of the council in September and October 2015. Following the mystery shopper the full results were forwarded to all directors, and relevant guidance on calls issued to staff. Staff were reminded of the need to greet the public bilingually, and have also been made aware of the draft Welsh language standards which relate to calls. The draft regulation standards were circulated to the coordinators and champions following their publication. The Operational Manager for Bilingual Cardiff has also given a presentation on the challenges of the Welsh language standards in a SMT meeting on the 9th of September 2014.
Provide guidance to staff on conducting bilingual meetings and ensure that directive is being	Guidance issued September 2009. Service area	Welsh Language Officer and Welsh Language Coordinators	Guidance on meetings is available on the Bilingual Cardiff Intranet page. Directorates have each responded to the draft standards regulation published by the Welsh Government in anticipation of the compliance notice (expected Summer 2015). Each directorate is aware of the council's current position on

followed.	audits to be conducted every 6 months.		conducting bilingual meetings under its Welsh language scheme and are aware of the potential for this to change under the Welsh language standards. HR were briefed by Bilingual Cardiff in January 2015 on the draft standards regulations and the potential need to provide all internal employee related meetings (e.g. disciplinary, grievance) in Welsh if requested. A HR action plan has been created for all draft standards which are not current practice under our Welsh language scheme. Guidance on meetings is also provided to staff on conducting bilingual meetings via the Equality Awareness sessions and updates in the Service Area Business Improvement Meetings (BIMS). Simultaneous translation services are available at all monthly full council meetings.
Ensure that all information created specifically for the public (in accordance with Appendix A) appears bilingual on the Council's main website	Annual audit of each service area's content. First audit April 2010	All Chief Officers	The City of Cardiff Council's refreshed website was launched in May 2014 with all content published in a new SharePoint content management system. Development work was completed by the web team and ICT to ensure the website would treat both languages equally. Web content principles were drawn up to address governance of web content in future – this includes adhering to the current legislation set out by the Welsh Language Scheme. These principles were signed off by the Web Refresh project board. Key points as follows: • All content is fully bilingual and meets both the Plain English campaign's Crystal Mark standard and the Cymraeg Clir policy. • Documents added to the website as files such as word / PDF need to be translated into Welsh as outlined in the Welsh Language Scheme

The web team are aware that some legacy 3rd party systems and applications exist on the website in English only. These were not in scope for the web refresh project. We are working with directorates to investigate solutions to ensure that all systems are bilingual in future.

During 2014/15 the Council acquired the modern.gov committee management system in both Welsh and English to improve public access to all council reports and decisions via the website. As part of the project the council will make full use of the modern.gov dual language functionality in making Welsh and English documents, as well as combined bilingual document packs, available to the 75 elected members and members of the public. | The central web team in Customer Services receive <u>all</u> requests for additional / edited web content to the corporate site. As part of the team's publishing process all content is reviewed and sent for translation via the intranet request form to Bilingual Cardiff team. Some directorates insist on having information published in English only due to needs of business / public (with translation to follow).The web team continue to issue the following statement to directorates to make clear their responsibility for bilingual web content and their liability should a fine be incurred:

"In accordance with the Council's statutory Welsh language scheme all information (including downloadable documents) should be fully bilingual.

The council is committed to treating both languages on the basis of equality and to ensure that both English/Welsh versions are published at the same time as to not disadvantage Welsh speakers. If documents are published without a corresponding Welsh (or English) version then the service area would be |
	All Chief Officers
	To tie in with service area business plans
If instances of English only material/pages are found, create a service area improvement plan including a translating schedule	

directly liable for being in breach of the Welsh language scheme. Any complaints that are received will be sent to the service area managers for their response.

Please also be aware that a set of new Welsh language standards will come into force next year which will give the Welsh language commissioner the power to issue fines for local authorities who are in breach of these standards.

Welsh Language Scheme
3.5 OTHER DEALINGS WITH THE PUBLIC
The council will ensure that all material published specifically for members of the public and service users on any council website or any website designed and supported by it will be bilingual. The council will also ensure that all automated responses are provided bilingually.

Guidance on which documents should be bilingual
Category A – Fully Bilingual
Websites and web pages
Each English page must have a Welsh equivalent, with a language navigation button and will include any relevant downloadable documentation, feedback forms etc. in accordance with this policy"

Maintain a central directory of Welsh speaking staff and contact officers	Ongoing.	All Chief Officers

A central directory of Welsh speaking staff and contact officers is available on the intranet. Each directorate is responsible for adding the names of any new Welsh speakers to the authority. There are currently **158** Welsh speakers listed on the internal address book who have agreed to deal with external customers listed and each directorate is represented. An article in the Welsh Matters May 2014 edition was included to encourage staff to update their records and note if they are Welsh speakers.

Additionally the 'Bilingual Cardiff' page on The City of Cardiff Council's intranet contains several guidance documents for staff

Action	Timescale	Responsible Officer	Commentary
			including guidance on calls, translation and the Welsh Language Scheme. For telephone guidance there is a process flow chart to help staff from all directorates to deal with Welsh Language Calls efficiently (updated Feb 2015). This document informs staff to use the directory to find Welsh speakers in their directorates. The directory with the Welsh Speaker option has been in place for more than 7 years and during that time the Welsh Language Coordinators have promoted its existence to all staff within their directorates on a regular basis. Most recently staff were reminded in Feb 2015 in the monthly 'Welsh Matters' brief to update their details and to use the directory for Welsh calls.
Use the question on language skills on the standard application form to add any new Welsh speakers to the directory of Welsh speaking staff	With immediate effect	Chief People and Organisational Development Officer	Since DigiGov Recruitment went live in September 2013 we now have the capacity to capture information on the Welsh language ability of applicants. Successful applicants' Welsh language ability is captured in DigiGov which is used to update the directory of Welsh speaking staff.
4 THE COUNCIL'S PUBLIC FACE			
Ensure that Council's title, corporate image and related designs are bilingual on: i. Property ii. Vehicles iii. Clothing iv. Publications v. All types of Public Display	Thematic Annual Audits starting September 2009	All Chief Officers	This is ongoing. A Corporate Brand Toolkit has been produced to ensure that the Council's title, corporate image and related deigns are bilingual. All corporate branding aimed at the public is bilingual. The guide directs guides and supports staff and suppliers when applying the visual style of The City of Cardiff Council to any piece of work. All communication, design and marketing officers have copies of the guidelines and are required to follow and implement where appropriate. As far as Communications and Media are concerned all marketing and design is produced bilingually and is translated internally. Directorates are encouraged to go to Communications for advice on uniforms - but all are to follow guidelines regarding position and colour of identity. There are specific details to follow

Action	Timescale	Responsible Officer	Progress
Ensure that all new and replacement (temporary or permanent) signs, including internal, external and highway signs are fully bilingual and respect the principle of equality.	Annual spot checks of each service area by Welsh Language Coordinators	All Chief Officers	regarding vehicles as shown in the guidelines. Ongoing - all temporary and replacement signs are sent to Bilingual Cardiff for translation or proofing and erected bilingually.
Produce a street naming policy guidance booklet and gazetteer of bilingual, English and Welsh street names and developments	September 2009	Relevant Chief Officer in conjunction with Welsh Language Officer	Strategic Estates manage and maintain a bilingual street and property gazetteer that directly reflects official street and property names created by the Street Naming Officer in Highways. The Gazetteer project is UK wide initiative governed by strict data entry guidelines that ensure Welsh addresses can be accurately recorded. The Council is currently working on finalising the Cardiff Liveable Design Guide which will be published in May 2015 and will set out the Council's ambitions for placemaking, urban design and architecture, which will be applied to strategic development sites throughout the city. The Welsh language forms a key component of one of the 10 'masterplanning principles' and will be important to the successful placemaking of new developments. Please see further information on page 42.
Ensure that all press releases are issued bilingually	From April 2010 onwards but with immediate effect if appearing	Chief Officer Strategy and Enterprise in conjunction with all Chief Officers	The media team in conjunction with Bilingual Cardiff ensure that all press releases prepared by them are issued bilingually. St David's Hall and the New Theatre send all their press releases directly to the Bilingual Cardiff for translation. The Council operates proactive and reactive English and Welsh Twitter accounts featuring news and service information for Cardiff residents and visitors.

on website homepage.			Additionally the Council live tweets from full council meetings in Welsh and English. There are 37,614 followers of the English account and 1,566 followers of the Welsh account (figure as of 15th of April). The media team in conjunction with Bilingual Cardiff ensure that all tweets prepared by them are issued bilingually and all Welsh enquiries are responded to in Welsh. In a survey by the Welsh language commissioner (September 2014) on the use of the Welsh language on Twitter. The City of Cardiff Council was highlighted as an example of good practice. The report stated *"Cardiff Council maintains separate Welsh and English accounts, and is one example of good practice in maintaining this method. It is evident from following both accounts that forward planning does take place which is proving to be an effective method of maintaining separate Welsh and English streams which mirror each other in content. The advantage is that the Welsh account is separate and easy to follow."*
Ensure that the following are bilingual: i. Publications ii. Forms and explanatory material iii. Public notices and advertisements iv. Recruitment advertising	Thematic Annual Audits starting September 2009	All Chief Officers	Staff are made aware of bilingual obligations via 'Welsh Matters' email brief through the Welsh Language Coordinators to Directorates, as well as in Equality Awareness sessions. Information is also available on the Bilingual Cardiff intranet page. All directorates are frequently reminded to ensure that all correspondence is bilingual unless there is a record of an individual's language preference. All recruitment advertising is bilingual, as well as all related documents for each post swyddi.caerdydd.gov.uk

5. IMPLEMENTING AND MONITORING THE SCHEME

Publicise and Implement the Council's Corporate Welsh Language Skills Strategy 2009-2012 in accordance with the measures in the Strategy.	April 2009 – March 2012	Chief Officer – HR People Services and Welsh Language Officer in conjunction with All Chief Officers.	The revised Corporate Welsh Language Skills Strategy was approved by the Cabinet on the 13th of March 2014. In addition to meeting a statutory requirement, implementation of the Strategy will contribute to the Council's Community and People strategies, in particular addressing the current imbalance of Welsh speakers in the workforce ensuring that we are more representative of the community that we serve.

Further to monitoring, reviewing and data storage/retrieval, the Strategy also provides indicative timescales of responsibilities and measures relating to its implementation over the next 3 years and provides a practical toolkit to help managers in assessing their Welsh language requirements. The implementation of the strategy will need to be managed within directorate resources in accordance to meet the indicative timescales in the Strategy.

Detailed updated regarding the skills strategy are circulated within the 'Welsh Matters' monthly brief to all staff (via the coordinators). Reminders to managers to assess their teams have been included in all monthly briefs in 2014-15. The Bilingual Cardiff has communicated through these briefs that the team managers are now responsible for assessing teams. Guidance on the assessments have been distributed via the coordinators to managers, including a FAQ document which addressed questions that managers often have regarding the strategy and assessments. |
| Roll out Welsh Language Awareness | With immediate | Chief Officer – People and | 8 Staff attended a 'Train the Trainer' course run by Cwmni Iaith in June 2014, which will enable them to deliver this training |

Action	Responsibility	Timescale	Progress
training to all staff by ensuring that Welsh Language Coordinators deliver training for at least one day per month per service area until exercise is completed.	effect.		within their directorates. By training Welsh language coordinators and staff to deliver the training we will be able to roll out comprehensive Welsh language awareness programme across the Council. 40 Health & Social Care staff attended Welsh language awareness training in 2013-14 provided by their Welsh language coordinators after they attended a previous train the trainer course. These sessions focus specific on the 'Mwy na Geiriau / More Than Just Words' strategy. Our corporate Welsh language awareness course is expected to begin in the summer (2015) and it is intended that we roll the course out to many directorates during 2015-16. In addition to Welsh language awareness sessions, a group of local authorities including The City of Cardiff Council have jointly purchased an e-Learning module on Welsh language awareness, developed by Learning Industries with Hywel Dda Health Board and now adapted for use by local authorities. We are currently expecting the final version from the software development company. Once launched, this will be placed on the Academy's website and will give the council another way of meeting this requirement. The Welsh language continues to form part of the Equality Awareness and Corporate Induction sessions delivered free to all staff. All staff attending Equality Awareness sessions are reminded of their obligation to implement, inform partners and monitor compliance with the Council's Welsh Language Scheme.
	Organisational Development, Welsh Language Coordinators and Welsh Language Unit		
Publicise new Scheme as well as summaries of sections in the Scheme, translating	Welsh Language Officer and Welsh Language Coordinators	As soon as Scheme is approved	All guidance documents are available on the Bilingual Cardiff's intranet page. The page contains all related guidance documents relating to the Welsh language including scheme summary, information on available courses, contact details for Welsh language scheme queries and a translation request form. There

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| service, good practice and directory of Welsh speakers | is a link to the Welsh language page on the intranet homepage so it is easily accessible for staff.

There are also frequent articles by the Bilingual Cardiff in the staff information communication 'Your Inbox' as well as a monthly brief to all staff targeting various aspects of ensuring compliance with the scheme, including increasing the number of Welsh speakers on the telephone directory and guidance from the translators.

On the central phone directory staff can filter to view all Welsh language speakers and also view their Directorate Welsh Language Coordinator. A full list of Welsh Language Coordinators and Champions in to attached in **Appendix V**.

Articles have been communicated to remind staff to 'plan ahead for their translations' to ensure sufficient time for turnaround.

The Welsh Language Scheme and Annual Monitoring report are now also easily accessible to the public via www.cardiff.gov.uk/bilingualcardiff There is also further information on the 'Bilingual Cardiff' team as well as statistics on the Welsh language in Cardiff.

The Welsh language coordinators meet monthly to discuss the latest developments with the Welsh language agenda and to share good practice across directorates. The coordinators and champions are key to ensuring that staff are aware of their statutory duties under the Welsh language scheme.

In 2014-15 a new Welsh Language Cross-Party Members Working Group (Bilingual Cardiff Member Group) was established to drive the Bilingual Cardiff agenda forward, following on from the Bilingual Cardiff conference held on the 6th |
|---|---|

Action	Timescale	Responsibility	
			of March 2014. The group holds quarterly meetings to monitor performance against the Welsh language scheme, to act as a reference group for Welsh language related issues and provide a voice for service users and providers. The aim of the group is to take a lead role, and in conjunction with our partner organisations, in developing a truly bilingual Cardiff where citizens and staff of the City of Cardiff Council can access services and support in either language equally. For further details see page 41. Also, the Welsh language continues to form part of the Equality Awareness sessions and Corporate Induction courses delivered free to all staff. Equality Awareness sessions are delivered throughout the year.
Log instances on non – compliance with the Scheme as improvement actions on the Cardiff Improvement System	If and when non – compliance is noted	Auditors, Quality Coordinators, Welsh Language Officer and Scheme Coordinators	A total of 24 instances of non-compliance have been reported to the Corporate Complaints section. These instances are monitored and communicated with senior management.
Monitor Compliance for ALL new and renewed contracts and services	From Scheme's approval onwards	All Chief Officers with Monitoring Officer	The City of Cardiff Council has a number of other contracts in place with contractors or third party organisations for the provision of services. An analysis of our Procurement Portal has highlighted approximately 11 contracts have been awarded for the delivery of 'Services' on behalf of the Council. Only contracts involving a service delivered to the general public are included. The new contracts/framework agreements would have used pre-qualification / selection questions derived from the Welsh Government's SQuID set of questions which includes a number of questions relating to the Welsh language. The questions would only be asked where the contract is for services provided directly to the public.

- Describe your experience and / or general approach to delivering public services in Wales to ensure that the requirements of Welsh speakers are met, as provided for by Welsh language legislation.
- Have you had a contract terminated and/or been notified of a breach or potential breach of a contract for reasons related to Welsh Language requirements within the last 3 years?

Also in the standard Terms and Conditions for Services contractors are required to sign up to the following clause:

- The Contractor shall comply with the requirements of the Welsh Language Scheme and the Welsh Language (Wales) Measure 2011 ("the Measure") (as and when the provisions of the Measure come into force and insofar as they relate to the provision of the Services), during the Term of the Agreement.

As stated in the progress for 2013 -14 in terms of ongoing monitoring procedures for contracts we have a regular contract review meetings with suppliers. The frequency of these meetings is dependent on a number of factors such as the value of the contract and the risk, but generally range from monthly to quarterly.

Any issues relating to the performance of the contract can be discussed at this forum and any issues with the provision of services in the Welsh language can be highlighted and dealt with accordingly.

| Work with Cardiff Bus and the Welsh Language Board to | From Scheme's approval | Chief Officer Highways and Waste Management and | Cardiff Bus continues to adopt the Welsh language in line with its published Welsh Language Policy on its website. Information inside and outside of its buses, including information signage, its |

Measure	Progress / Detail	Responsible Officer	Timescale
implement their policy of extending the use of the Welsh language in services provided by Cardiff Bus.	website and publicity material are also bilingual whenever possible. Work builds on the introduction of audio and visual bilingual next stop announcements and this will expand in 2014 and 2015 in line with fleet renewal.	Welsh Language Officer	onwards
Ensure that documents relating to applications for licences, permissions and consents include a statement about the Scheme and bilingual practice (e.g. events)	All licence/registration application forms are currently being reviewed and will be available in English & Welsh upon implementation of new Licensing database system (expected 2015). We have started to upload Welsh versions of documents onto the website and this will be completed by September 2015. Online registers are now available in Welsh on the website. In the meantime, the documents are available in Welsh if a language choice is made in the ethnicity monitoring form attached to each application which asks: **If you wish documents to be supplied to you in Welsh, please tick here:** ☐	All Chief Officers	Annual audit
Monitoring arrangements. Submit performance reports from Service Areas and monitoring reports to Welsh Language Board.	Performance reports from Directorates are submitted or collected by the Bilingual Cardiff team. The Annual Monitoring Report to the Welsh Language Commissioner is then drafted and reported to the Senior Management Team Meeting, the Bilingual Cardiff Member Group, the Cabinet, and full Council for approval before being presented to the WLC by their deadline date of 30th of June 2015. This raises awareness of the Scheme as well as any shortfalls in its implementation at the highest possible level.	Senior Implementation Officer and all Chief Officers	Annually by WLB deadline
Report progress to Council Executive and appropriate Scrutiny Committee	Progress will be reported to Cabinet and Council, as reported against previous measure above.	Senior Implementation Officer and all Chief Officers	Next report within one year of Scheme's

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	approval		
Publicise the Scheme in every possible way, both externally and internally as described in the Scheme	On approval of the revised Scheme	Welsh Language Officer with all Chief Officers and Corporate Communications	A monthly newsletter "Welsh Matters – Materion Cymraeg" is sent to all staff via the Welsh language coordinators to their directorates. This brief contains information on the latest policy developments (e.g. Standards), Welsh language courses, Iaith Gwaith material, a summary of complaints received and reminders to staff. As well as this there are articles published on the 'Your Inbox' newsletter and Council intranet publicising the scheme and reminding staff of the key principals of the scheme. An updated version of the scheme is now available on the intranet as well as to the public via www.cardiff.gov.uk/bilingualcardiff Also the Welsh language continues to form part of the Equality Awareness sessions and Corporate Induction courses delivered free to all staff. Equality Awareness sessions are delivered all through the year.
Conduct surveys to gauge public opinion on Council's Welsh language service (e.g. Ask Cardiff)	Annually	Welsh Language Officer, all Chief Officers and Research team	Please see results from the C2C Customer Satisfaction Survey **Appendix VI**

2. Welsh Language Front Line Services

i. The Cardiff Partnership

Reporting on Welsh Medium Youth Service Provision (prescribed questions to all YPP's)

1) Provision

Have you assessed to what extent the Welsh medium provision meets the needs of young people? What gaps or further needs have been identified? To what extent does the work of organisations such as the Urdd; Mentrau Iaith; and Young Farmers Clubs, where relevant, meet the needs within your County?

Commissioning for the Families First programme was based on the assessment of local need for Cardiff's single integrated plan, 'What Matters', which now incorporates the old Children and Young People's Plan. All specifications included a requirement that 'Providers will be expected to demonstrate how they will meet the requirements of the Welsh Language (Wales) Measure 2011 and promote the Welsh language.' This includes a range of services for young people across the six service packages. Delivery against this is monitored via the contract monitoring meetings and documentation.

Families First has also provided funding to maintain The Sprout young people's website. Over the previous year, particular attention had been paid to the development of the Welsh language version and to ensuring that Welsh speaking young people have access to the advice and information that they need through the language of their choice (see section 6 below). The Families First funding has enabled this to continue. The Sprout has maintained a directory of services, including those which are available specifically through the medium of Welsh, which has been updated within the past year.

2) Co-operation with Partners

Explain the exact nature of any collaboration between the County and Welsh language organisations, e.g. Mentrau Iaith; the Urdd; and Young Farmers Clubs where relevant. You can refer to service level agreements; membership of the Children and Young People Partnership; membership of executive committees; county forums or any other arrangement.

Further development of partnership working between The City of Cardiff Council, Menter Caerdydd and Urdd has developed during this period. Progress has been made in collaborative planning for delivery of additional social youth work provision through the medium of Welsh in 2014/15.

The structure of the C&YP Partnership has ended as a separate entity and new governance arrangements are now in place as part of the delivery arrangements for 'What Matters'. 'What Matters' is performance managed by Cardiff Partnership Board, who oversee eight programmes of workstream activity across the City. There is a clear line of sight between the local authority's corporate plan, service business plans and What Matters. The significance of this for future improvements to Welsh medium provision in the City is that it will enhance the potential to drive progress on issues and agendas which are not the preserve of one agency or service area.

3) Staff Skills

How do you plan your youth service work force for the future in order to meet the needs of Welsh speaking young people?
You will be expected to mention recruitment processes; mapping the number of existing staff and their linguistic skills; plans to develop the linguistic skills of existing staff; and any training.

Youth Service staff linguistic survey undertaken in 2014-15 to inform service requirements and planning.

Standard 9 of the Draft National Standards for the Youth Service in Wales states:

'The Youth Service should provide opportunities for young people to engage in activities which celebrate the language, culture, history and heritage of Wales. This should be focussed on three levels of engagement accessing at least 5% of the Youth Service budget.

i Level 1 Provision through the medium of Welsh
ii Level 2 Provision for young people who are learning Welsh
iii Level 3 A programme that celebrates the culture, history and heritage of Wales and local communities.'

This standard is currently being achieved in Cardiff.

- April 2014- March 2015 maintained two full time Community Education Officer who work through the medium of Welsh. Continued to employ six part time staff covering 60 hours a week of Welsh-medium provision.
- Continued to deliver and develop the open access social provision attracting over 40 young people weekly, in both the East and West areas of the city.
- Support Welsh-medium schools with the delivery of the Duke of Edinburgh Award, Personal and Social Education workshops, year six transition days and Strengthening Families programmes.

- Employed a Welsh-speaking Lead Workers to work specifically with young people identified at risk of becoming not in education, training or employment once post 16 years of age.
- Developed a robust mentoring support programme within the three Welsh- medium Secondary schools, targeting those young people who are most at risk of becoming not in education, training or employment post 16 years of age.
- Supported young people post 16 years of age who attended Welsh-medium education into education, training or employment via the Learning Coach programme.
- Continued delivery of programmes celebrating Welsh culture though English medium youth centres

Families First providers are expected to consider implications for staffing to meet the needs of service users who want services through the medium of Welsh. So far, these numbers have been low. However, a number of services record that they staff who are able to deliver through the medium of Welsh if needed.

4) Finance

What financial plans are in place to support the development and evolution of Welsh medium services for young people within your County?

Section	Movement	Contract	Sum	Length of contract	Comments
Education- Youth Service Core Funding	Cardiff Youth Service	LA Core Funding	£132,547 4.80% of service staffing	2014 - 15	Commitment to core staffing including part time paid workers Commitment to core staffing including FTE workers

5) Consultation

What methods do you use to consult with children and young people in order to identify Welsh medium priority fields for the service? Give specific examples.

Cardiff Youth Service has consulted on a redevelopment of service delivery as part of the budget settlement for 2015/16. A comprehensive consultation process was undertaken with young people through the medium of Welsh as part of the overall discussion with young people in shaping future service.

Families' First providers are required to involve service users in the development of their services and this is monitored via contract monitoring meetings and documentation. Involvement as service users would depend on how many require services through the medium of Welsh.

6) Additional Information

There is funding allocated within the Early Years package to specifically support parents and encourage Welsh medium provision. Menter Caerdydd and Mudiad Meithrin are the delivery partners for this piece of work. This does not directly benefit young people as such but should help to strengthen use of Welsh in families with young children (0-8).

ii.   Welsh language Indicator 2 – Number and % of main reception, call centres or ones stop shop posts that have been denoted as 'Welsh essential' and filled by bilingual staff.

The Council's revised Corporate Welsh Language Skills Strategy was approved by Cabinet in March 2014. The Strategy enables the Council to maintain an overview of its linguistic skill needs and resources, and co-ordinate training and recruitment activities to facilitate the Welsh Language Scheme's objectives.

This Strategy ensures that the linguistic requirements of all frontline posts are assessed and designated Welsh essential, Welsh desirable or no linguistic requirement accordingly.

Directorate Welsh Language Coordinators and/or Welsh Language Officer met with priority frontline services as identified by managers and have assessed over **975 posts** for linguistic requirement before April 2015, of these a total of **111** posts (**11%**) will be designated Welsh Essential in accordance with the Corporate Welsh Language Skills Strategy. A percentage of posts in each team and/or frontline service have been designated Welsh essential and/or desirable in order to ensure that we can guarantee a bilingual service to the public at the first point of contact in accordance with the Strategy. A list of teams assessed in 2014-15 is included in **Appendix II.**

Good Practice Example

Connect to Cardiff are conducting Welsh customer service satisfaction surveys. Every quarter Welsh speaking agents contact 20 customers to conduct a survey of their perception of the Welsh language service. The questions asked are aimed at getting feedback on how the Welsh line can be improved. Please see **Appendix VI** for further information.

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Employee Equality Monitoring Exercise

With the development of DigiGov and the opportunity for staff to validate their own personal data, this has enabled the Council to record the Welsh language ability (and other languages) of staff. A total of **4,546** staff have validated their entries on the DigiGov system. From these **221** staff have stated they have Welsh language skills. This represents **4.86%** of those registered on the system. . Further roll-out of DigiGov will need to be undertaken with other areas of the Council (specifically school based employees), which will enable wider monitoring. Articles have been featured in the Welsh Matters brief reminding staff of the need to update their entries on DigiGov.

iii. **Welsh language Indicator 6 – Standards of service**

During 2014/15, a total of 24 complaints were received by the Corporate Complaints section in relation to the operation of the Welsh Language Scheme. Whether the complaints were received in the medium of English or Welsh they were dealt with in accordance with the corporate complaints procedure.

The Corporate Complaints policy has been well publicised and all directorates are required to complete a Welsh Language Scheme Monitor Form each quarter in order to report complaints relating to the Scheme to the Legal Service Area.

iv. **Welsh Language Indicator 1 – More than just words / Mwy na geiriau**

Strategic Framework for Welsh Language in Health, Social Services and Social Care - Mwy na Geiriau / More than Just Words.

Progress Report 2014 - 15

The City of Cardiff Council

Progress was slow in the months April to September, as competing demands of the Health & Social Care hampered developments and limited resources to work on Mwy na Geiriau during those months. As a result, in October 2014, the Welsh Language Champion and Senior Manager in Health & Social Care released some management hours from within the Directorate to allow the Welsh Language Co-ordinator to work on the implementation of the Mwy Na Geiriau Strategy.

Significant progress has been made since then.

1. After undertaking a three day Training for Trainers Course in Language Awareness training in June (run by IAITH), the Welsh Language Co-ordinator has designed and delivered a training session to 40 managers in Health & Social Care and is continuing to develop the programme for other groups. The session comprises of Welsh Language awareness, presentation of the Mwy Na Geiriau framework with an action plan for managers to include skills assessments for all staff in the Directorate.

2. Managers are sending through completed skills assessments and we are aiming to cover all 1000 staff by April 2015.

3. Liaison with Welsh Language co-ordinator in Childrens Services to ensure consistency

4. Drawing up a community profile of Welsh Language speakers and services by ward in Cardiff

5. Language of choice and need is now written into the client database in use in Cardiff (Care First). This is through a direct question on the initial 'referral' form. This information will be pulled through to the service user's care plan.

6. Asking service users if they had the opportunity to communicate with social care staff in Welsh, is now a mandatory question in the customer satisfaction feedback exercise with all service users.

7. The case file audit exercise for case management quality, will now include language need on the checklist.

8. Language need will be included in the weighting of service provision within the bidding processes used in Cardiff for the commissioning of domiciliary care and residential and nursing care.

9. The service specifications for domiciliary care contracts now includes a paragraph relating to Mwy na Geiriau, as well as the Council's Welsh Language strategy. There is a dedicated section relating to the provision of bilingual service in the new quarterly monitoring questionnaire for all providers, by the Contracts team in Health & Social Care.

10. The Welsh Language Co-ordinator has met Independent sector providers to look at Mwy Na Geiriau requirements and also their activity co-ordinators to suggest ways to include Welsh in their events and activities with service users.

11. We have installed the Gofalu trwy'r Gymraeg app on the mobile devices which will be issued to all home care staff in a new home care initiative due to be launched in July. We are planning to deliver Welsh Language awareness training to care staff to support this.

There is much still to do, so we are hoping that the progress can continue into 2015-16. The resource allocation for this has been increased significantly and now has a remit across both Children's and Health & Social Care Directorates to work on the Action Plan for Year 3 of the Strategy.

3. Scheme Management and Administration

i. Welsh Language Indicator 1 – Procurement

WLI 1 relates to monitoring the number and % of the sample of third parties monitored that conform to the requirements of the Welsh Language Scheme in the following areas:-

i) care services

ii) youth and leisure services

iii) pre-school provision

i) Care Services

With The City of Cardiff Council's Health & Social Care Domiciliary Care Framework Agreement coming to an end in November 2014, the Directorate undertook an accreditation and enrolment process, inviting service providers in both domiciliary and residential and nursing home care, to join a dynamic approved providers list. In addition to the relevant standards in relation to the Welsh Language Scheme, the new service specification for domiciliary care now includes specific reference to 'Mwy na Geiriau' – the Strategic Framework for Welsh Language Services in Health, Social Services and Social Care.

The work on the implementation of the Active Offer has progressed and is ongoing. We have included relevant questions within the core data and assessment process, with the need for Welsh language service provision recorded on individual care plans. This has been incorporated into the Care First service user data record system.

This will then be included in the tendering system for individual Packages of Care (the Matrix system) and will be weighted accordingly within the bidding process.

Compliance to these standards will be monitored through customer satisfaction questionnaires and quarterly self-assessment questionnaires from providers where we have a specific section to this monitoring exercise relating to Mwy na Geiriau.

As this has only been set up during the past 2 months, we are expecting to be able to report with specific data from April 2015. The results will be reported during 2015/16.

Work is ongoing with learning disabilities contracts, and residential and nursing care contracts. This has been set as a priority objective for the Welsh Language Co-ordinator for 2015/16.

We are building on this work with the development of Active Offer from 'Mwy na Geiriau' by undertaking linguistic skills assessment for all social care staff. Starting with the frontline services, we have already completed 450 staff assessments. We have also completed Welsh Language Awareness training for 40 managers within the Directorate, so that social work staff will continue best practice by using the Active Offer and recording language need on care plans.

Cardiff Children's Services is part of The Children's Commissioning Consortium Cymru (4C's). 4Cs staff manage a framework for tendering for individual packages of care on behalf of consortium members. As part of the 4Cs annual Quality Performance Assessment (QPA), Framework Providers are asked to report 'The number of carers who are Welsh speaking'. Numbers have been collected for 2014. Evaluation and calculation of percentages is currently in progress and will be reported to consortium partners by the 4Cs team.

Children's Services does not yet have a system for monitoring the third parties that it commissions independently. However, Children's Services and Health & Social Care are currently exploring opportunities to work collaboratively to implement the requirements of More Than Just Words

and the Welsh Language Standards, including standards around commissioning. Work is underway to identify resources that will release dedicated staff capacity to raise awareness and lead on the implementation of an action plan across both Directorates. It is expected that the new arrangements will be confirmed and implemented early in Quarter 1 2015-16.

See **Appendix I** for 2014-15 Action Plan progress.

ii (a) Youth service contracts
No third party involvement currently

ii (b) Leisure service contracts
Leisure Services has two contractors that deliver activities on behalf of the Council. Menter Caerdydd and Urdd, both are fully compliant with the Welsh Language Scheme.
They also work in partnership with Cardiff and Vale Health Board who deliver the midwifery unit of the Bump into Action and other programmes such as Falls Prevention and Food Wise.

3 Third parties with 2 fully compliant. (66%)

Last year there was no formal funding arrangement for leisure, we worked in partnership with Menter Caerdydd giving discount of up to 50% on space within facilities to deliver a programme of activities through the medium of Welsh. This would have included pool space for swimming lessons, hall space for gymnastics etc. Within the funding arrangement for this year, Menter have received £30k to deliver activities through the medium of Welsh as well as potential discount on hire of space. Activities delivered through the medium of Welsh have included extending the swimming programme and gymnastics and extending provision during the holidays.

iii. **pre-school provision**

Duties within the Childcare Act 2006 require Local Authorities to undertake an Annual Childcare Sufficiency Assessment of the supply and demand for childcare. Within this document we refer to the language available and the demand for Welsh language across all types of childcare including pre-school provision. The Childcare Sufficiency Assessment Refresh and the Action Plan will be presented to the Welsh Government on 30 April 2015.

During 2014/15, 2 New Full Day Care settings have opened offering 19 Welsh language places and 78 Bilingual places. There has been a loss of 2 Cylch Meithrin (51 places) however we are working closely with Mudiad Meithrin who are aiming to set up a new provision to cover the loss of this service.

During 2014/15 Iaith Fyw Language for Living resources were purchased using the Welsh Government Out of School Funding and given to settings that offer childcare outside of the school day (this can include wraparound the nursery place for 3 and 4 year olds)

The application and guidance has been refreshed for the 2015/16 Out of School Funding, the three priorities are: Low income families, Families with disabled children, Families wishing to access childcare through the medium of Welsh.

Successful applicants need to comply with the requirements of the Authority's Welsh Language Scheme; and the Welsh Language (Wales) Measure 2011 ("the Measure") as and when the provisions of the Measure come into force and insofar as it relates to the provision of the Grant.

A Childcare Business Support Service is available to assist new and existing childcare providers to establish new provision, sustain existing provision and improve the quality of existing services, 3 members of the team are Welsh Speakers and are able to support settings wishing to offer Welsh Language settings.

Procurement Strategy

The City of Cardiff Council is committed to improving the way that it buys goods, services and works; we have set out how we intend to do this in our Commissioning and Procurement Strategy (2011-2015). The next 3 years will see major changes in how we manage the over £300 million that we spend annually with external suppliers and contractors.

To deliver the required value for money and efficiency savings the Council is adopting a Category Management approach to manage and organise all of our procurement activities under six key categories and within a clear structured framework. This will result in the Council grouping related spend across the Council and managing demand to avoid unnecessary costs and expenditure. We will also continue working with public sector partners to collaborate where it represents value to the Council. The six key categories are:

*   Social

*   People and Professional Services

*   Construction and Special Projects

*   Environment

*   Corporate and ICT

* Transport and Facilities Management

All of the Council's procurement is carried out in compliance with EU Procurement Directives and Regulations, UK Competition Law and its own Contract Procedure Rules.

4. Linguistic Skills: comparing service needs and capacity

Welsh language Indicator 4 - Welsh language Training and Language Awareness Training

Human Resources – skills
WLI 4
(a) The number and % of staff who have received training in Welsh to a specific qualification level. **622 / 5,505 or 11.30%*** of the workforce (excluding schools based staff, agency and casual staff) have received training to a specific level.
(b) The number and % of staff who have received language awareness training. **870 / 5,505 or 15.80%*** of the workforce (excluding schools based staff, agency and casual staff) have received language awareness training.

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* These figures are cumulative figures. It was agreed with the Welsh language commissioner (Sep 2014) that we would start recording the data afresh when the new standards are adopted. Using the DigiGov governance system which was adopted only a few years ago will give us a more current and up to date accurate account of staff training. We will also ensure that all data is captured accurately as there seems to have been an issue when transferring from the SAP system to the new DigiGov system whereby some information relating to courses had not been transferred correctly.

Welsh Language Training

Welsh language training is aimed initially at developing the bilingual skills of frontline staff. In future, training needs will be identified within workforce plans and through the Personal Performance and Development process.

A comprehensive list of Welsh language courses has been made available to all frontline staff who wished to learn or improve their Welsh from September 2007 onwards. As a result of high drop out numbers, it was decided that the Council would no longer provide Welsh courses in house and instead gave staff the opportunity to access Welsh courses at a time and place more convenient to them, including Community Education Centres and at other various sites around the City organised by Cardiff University. The Council supports all frontline staff that choose to learn or improve their Welsh by paying for the course of their choice as well as giving them time off work to attend training.
A total of **58** members of staff attended Welsh language courses from April 2014 to March 2015. For full details and further information please see **Appendix III.**

Welsh Language Awareness Training

40 Health & Social care staff have attended Welsh language awareness training in 2014-15. In July 2014 8 staff attended a train the trainer course run by Cwmni Iaith. A corporate Welsh language awareness course is currently being developed by Bilingual Cardiff team with the first sessions due to take place in summer 2015. It is intended that these courses are run on a monthly basis and will be rolled out across all directorates to team who have not received training.

Welsh Language eLearning Module

In order to help achieve the target of delivering Welsh Language Awareness courses as well as Conversational Welsh courses, four councils have been working with Learning Industries to adapt the eLearning Welsh Language module (that was developed by them and Hywel Dda Health Board for the Health Sector) for local authorities in Wales.

The councils of Cardiff, Caerphilly, Rhondda Cynon Taf and Merthyr have collaborated on this, which not only demonstrates cross-boundary and regional working, but has delivered financial savings on the cost by working as an ad-hoc consortium with Learning Industries.

Not only will the eLearning module assist The City of Cardiff Council in finally being able to deliver awareness courses to around a third of its workforce via the intranet, but as part of the agreement, and in order to keep costs to a minimum the Council's Bilingual Cardiff has translated the module, thus allowing the training to be accessed fully bilingually. This work in developing a bilingual eLearning module fits perfectly with the proposed All Wales Academy for Local Government, led by The City of Cardiff Council and the WLGA (that is hoped will be funded by an ESF bid via WEFO).

The work has continued into the financial year 2015-16 but is being noted here as an example of good practice and forward planning by four councils in South East Wales.

5. Mainstreaming

The Policy Integration Tool has been developed into the **Statutory Policy Screening Tool** to reflect the evolving policy context. If a strategy, policy or activity is being developed within the Council that is likely to impact people, communities or land use in any way then there are a number of statutory requirements that apply. Failure to comply with these requirements, or demonstrate due regard, can expose the Council to legal challenge or other forms of challenge.

Completing the Policy Screening Tool will ensure that all strategies, policies and activities of the City of Cardiff Council comply with relevant statutory obligations and responsibilities. Where a more detailed consideration of an issue is required, the Screening Tool will identify if there is a need for a full impact assessment, as relevant.

The main statutory requirements that strategies, policies or activities must reflect include:

- Equality Act 2010 - Equality Impact Assessment
- Welsh Government's Sustainable Development Bill
- Welsh Government's Statutory Guidance – Shared Purpose Shared Delivery
- United Nations Convention on the Rights of the Child
- United Nations Principles for Older Persons
- Welsh Language (Wales) Measure 2011
- Health Impact Assessment
- Habitats Regulations Assessment
- Strategic Environmental Assessment

The Policy Screening Tool allows the Council to meet the requirements of all these pieces of legislation as part of an integrated screening method that usually taken no longer than an hour. More importantly, it will ensure that the Council's approach is joined up and well informed.

The Tool is embedded in the corporate process. All reports which require a formal cabinet decision must first of all complete a forward plan. The forward plan established if the strategy/policy or activity needs to be subject to the screening tool. If yes, then the process will be completed

before the report goes to cabinet for final decision. The documents were updated for the 2013/14 financial year an embedded in the Council's decision making process. The tool is updated on a rolling basis as relevant officers with responsibility for specific areas highlight any change to the policy environment. For instance, the tool will be updated to reflect any specific requirements of Council policy emerging from the Welsh language (Wales) Measure 2011. The tool was also considered by independent group NICO as part of the Welsh Language Commissioner's review of working practices in Wales. Though the purpose of the review was not to provide specific feedback, the rationale and methodology was considered sound.

In this way we can encourage joined up decision making and ensure that any development work undertaken within the Council is aware of wider requirements and the potential impact on important matters such as the Welsh language.

To ensure the Welsh language is considered as a central component of any policy development work it has also been included alongside the 9 protected characteristics identified by the Single Equalities Act and features prominently in Everyone Matters (the Council's Strategic Equality Plan). This allows Welsh language to be mainstreamed along with the 9 protected characteristics across the organisation.

Within the screening tool itself, there is a section which prompts a consideration of any impact (positive, negative, neutral or uncertain) on the Welsh language. See below:

Will this Policy/Strategy/Project have a differential impact on any of the following:

- Disability
- Gender Reassignment
- Marriage & Civil Partnership
- Pregnancy & Maternity
- Race
- Religion/Belief
- Sex
- Sexual Orientation
- Welsh Language

The Screening Tool can be completed as a self-assessment or as part of a facilitated session, should further support be needed.

As a critical analysis, a number of major strategies, plans and activities (such as the Corporate Plan) have been considered via the statutory screening tool which has helped policy development; however it is important that a wider awareness of some of the statutory requirements is promoted. It is important that officers across the Council understand the spirit and purpose of the legislation and much of this work is done through the Cardiff academy, particularly Equality Awareness and Welsh language courses. Supporting Information attached.

As part of the impact screening, implications for the Welsh language are specifically considered. Currently the Impact Screening Tool considers the Welsh language in the context of the Welsh Language Scheme but it also recognises the requirements of Welsh Language Act. Subject to any specific requirements set out by the new Welsh Language Commissioner, the Screening Tool will be amended to ensure that our strategies, polices and activities are challenged to ensure they respond positively to any directives or instances of best practice.

All completed assessments can be made available, and processes are in place to ensure that all emerging strategies, policies and activities which need to be, are subject to the Screening Tool. Having ensured the tool covers the Welsh language, the Council has helped ensure that it is a corporate consideration, observed by all directorates in the development of new policies, strategies and activities. Responsibility for making the Corporate Team aware of appropriate updates for specific policy areas will sit with relevant services areas. For instance, Bilingual Cardiff will advise on any amendments required to the screening tool in response to emerging policy requirements relating to the Welsh language.

Business Planning

Corporate Planning: Meeting Statutory Requirements

The Corporate Plan and the Council's corporate planning process enables the Council to meets its duties in key areas. Important responsibilities such as responding to the Wales Programme for Improvement, delivering against the Outcome Agreement with the Welsh Government and being well positioned to deliver against the requirements of emerging legislation such as the Wellbeing of Future Generations Bill are all accounted for as part of our corporate planning process. The Council also remains committed to all its statutory obligations, such as the duties expressed within the Single Equality Act and the Welsh Language (Wales) Measure 2011 which is expressed within the Corporate Plan. (p6).

This shapes Directorate Business Plans, team objectives and individual performance objectives. Important cross cutting policy issues are therefore emphasised within the Council's Corporate Plan to inform Business Planning within the organisation.

Cardiff's partnership strategy, '**What Matters: The 10 Year Strategy for Cardiff**' was published in 2011, setting out 7 strategic 'outcomes' which are the ultimate conditions of well being that all partners in the city have committed to deliver. The 7 outcomes are:

People in Cardiff are healthy
People in Cardiff have a clean, attractive and sustainable environment
People in Cardiff are safe and feel safe
Cardiff has a thriving and prosperous economy

People in Cardiff achieve their full potential
Cardiff is a great place to live, work and play
Cardiff is a fair, just and inclusive society

'What Matters' has been based on a comprehensive needs assessment as well as an extensive programme of consultation and engagement to help identify the priorities for the city.

The City of Cardiff Council's Corporate Plan is structured around these outcomes, effectively setting out the Council's contribution towards What Matters and providing a line of sight between the documents. Welsh language issues are a cross-cutting theme, with the provision of Welsh language services, culture and communication featuring prominently under each of the outcomes in these plans. Welsh language issues do, however, feature particularly prominently under two outcomes: 'Cardiff is a fair, just and inclusive society' and 'People in Cardiff achieve their full potential'. For example, the 'fair, just and inclusive' outcome gives an explicit focus to our commitment to the Welsh Language Act and continuing to accommodate the rising demand for Welsh-medium provision in education, sport, leisure and play. This strategic commitment is in recognition of the importance of the Welsh language within Cardiff. It also ensures that Welsh Language Actions are built into the business planning process, with service area actions reflecting the wider strategic intentions.

Everyone Matters – Strategic Equalities Plan

The Equality Act 2010 placed a duty on all local authorities to produce a Strategic Equality Plan. 'Everyone Matters' is The City of Cardiff Council's Strategic Equality Plan which sets out the Council's strategic equality objectives. The strategic plan was developed during 2011 and published on 2nd April 2012.

The objectives fall under the What Matters Strategy's 7 outcomes (as listed above). Because the needs assessment revealed that inequality within the city represents a major challenge for all partners it was appropriate that our Strategic Equalities Plan aimed to address these issues. Further work was done to consider the needs assessment in the context of the '9 protected characteristics', and the Welsh language, to further understand where the Council could take action.

'Everyone Matters' therefore seeks to address the identified inequalities under Cardiff's 7 outcomes, with a particular focus on the 9 protected characteristics and the Welsh language, as identified within the Equality Act 2010 and the Welsh Language (Wales) Measure 2011. The strategy has includes comments as a result of consultation with the Welsh Language Forum.

Equality Training

During 2014/15 a range of equality and diversity training / briefings have been available to employees and members, these include:
Equality and Diversity Awareness sessions via the Academy
Equality Impact Assessment training sessions via the Academy
Budget Equality Impact Assessment briefing via the Equality Team
Equality Impact Assessment of Budget training sessions for Scrutiny Committee members (the Equality Impact Assessment process still includes the Welsh language) via the Equality Team

Equality Impact Assessment

The Council continues to equality impact assess its main policies and functions. Key assessments undertaken during 2014/15 include:
Implementation of the libraries and community hub strategies
Regionalising Regulatory Services
The Council's 2015/16 budget
(The EIA process still includes the Welsh language)

Bilingual Cardiff Member Group

In 2014-15 a new Welsh Language Cross-Party Members Working Group was established to drive the Bilingual Cardiff agenda forward, following on from the Bilingual Cardiff conference held on the 6th of March 2014. The group holds quarterly meetings to monitor performance against the Welsh language scheme, to act as a reference group for Welsh language related issues and provide a voice for service users and providers. The aim of the group is to take a lead role, and in conjunction with our partner organisations, in developing a truly bilingual Cardiff where citizens and staff of the City of Cardiff Council can access services and support in either language equally.

Meetings 2014-15

8th April 2014 – Members discussed best practice, and the Welsh Language Commissioner's standards investigation and how to ensure that directorates are prepared for the new requirements.

17th September 2014 – Members discussed the proposed development of a Welsh Language Cultural Centre in Cardiff with prominent Welsh language partners, to drive the Bilingual Cardiff agenda forward.

11th February 2015 – Members discussed the progress reports against the proposed Welsh Language Standards that each directorate was asked to complete. The signage audit completed by each directorate was discussed in the context of the proposed Welsh Language Standards, as well as the Corporate Welsh Language Skills Strategy and the need to ensure that all frontline teams are assessed on their capacity to deliver equal bilingual services.

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Cardiff Liveable Design Guide

The Council is currently working on finalising the Cardiff Liveable Design Guide which will be published in May 2015 and will sets out how new developments will help Cardiff become Europe's most liveable capital city.

The guide sets out the Council's ambitions for placemaking, urban design and architecture, which will be applied to strategic development sites throughout the city.

The guide contains ten 'masterplanning principles' which includes the Welsh language. Collectively seeking to deliver liveable neighbourhoods through good planning and design.

The Council's ambition is for new development to exemplify the very best in UK and European good practice in terms of a range of key liveability indicators, such as:

- quality of life,
- identity,
- public and green spaces,
- transport and sustainability.

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The guide is specifically targeted at large-scale development areas, where a new settlement or community is being created which will have an impact on Cardiff and the Capital City Region.

In terms of the Welsh language the guide sets out to achieve:

Bilingual places where people can recognise and celebrate landscape, biodiversity and heritage value. Features that are positively integrated into the area to pick up on and develop the distinctive character that exists in Cardiff and Wales to effectively express this individual quality.

To deliver this the guide states that developers will be expected to:

*03. Outline which elements of the **Welsh (or local traditional Cardiff) vernacular** built features and Welsh language will be drawn upon in character areas and architecture and why. Seek authentic interpretation and look beyond bolt-on facade treatment with pastiche detailing.*

*04. State how the **Welsh language** will be used in place, street and facility naming.*

The full guide is available on the council's website

6. Analysis of Performance by Priority and Target

The Cardiff Improvement System (CIS) which is on The City of Cardiff Council's intranet site is the authority's main tool for monitoring compliance with the Welsh Language Scheme. All the measures in the Scheme's Timetable for Improvement have been entered into the required database on CIS. Each measure appears against each of the directorates in order to ensure that all directorates are aware of every measure, as well as responsibility and target date.

Directorate Welsh Language Coordinators and Quality Coordinators who observe instances of non-compliance with the Scheme in the course of their work will log them as required Improvement Actions (IACTs) on CIS.

Overdue actions are discussed at Management Team meetings where appropriate and actions are updated accordingly. This ensures that Managers and Senior Officers are aware of instances of non-compliance as well as areas for improvement within their directorate.

7. Publishing Information on Performance

Once this report has been approved and submitted to Office of the Welsh Language Commissioner, it will be published on the Council's bilingual website under www.cardiff.gov.uk/bilingualcardiff.

The Council will also advise citizens of the report by publishing an article and the above link in the authority's bilingual newspaper Capital Times, which is delivered to 150,000 homes in Cardiff.

In addition the Council produces an internal quarterly and annual performance report each year as well as a publishing the Corporate Plan and the related Improvement Plan containing specific actions relating to all the equality strands including Welsh language.

8. Additional Information

Welsh in Education Strategic Plan

The School Standard and Organisation (Wales) Act (2013) became law in Wales on 4 March 2013. The Act places a statutory requirement on local authorities to prepare and introduce a Welsh in Education Strategic Plan. The first plans under the new statutory arrangements were implemented from 1 April 2014 and cover a three year period up to March 2017. The Act enables Welsh Ministers to approve the Plan submitted, approve the Plan with modifications or reject the Plan and require the authority to prepare another.

The Plan focuses on the targets in the Welsh Medium Education Strategy and local authorities are expected to report annually on performance against these targets, which are:

- more seven year old children being taught through the medium of Welsh as a percentage of the Year 2 cohort
- more learners continuing to improve their language skills on transfer from primary school to secondary school
- more learners studying for qualifications through the medium of Welsh
- more learners aged 16-19 studying welsh and subjects through the medium of Welsh
- more learners with improved skills in Welsh
- Standards of attainment in Welsh and Welsh Second language
- Welsh medium provision for learners with additional learning needs
- Workforce planning and continuing professional development

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The local authority consulted with a list of prescribed stakeholders as detailed in the 2013 Act as the Plan was prepared and the Plan is published on the Council website and copies available in its offices.

The Plan is approved at the highest level locally, and the Plan is implemented bearing the full authority and support of The City of Cardiff Council.

Bilingual Cardiff – Caerdydd Ddwyieithog

The City of Cardiff Council 'Welsh Language Unit' was renamed Caerdydd Ddwyieithog - Bilingual Cardiff following a decision in full Council in June 2014. Following on from the Bilingual Cardiff Conference in March 2014 and the establishment of the Bilingual Cardiff Member Group, and in order to ensure consistency of approach, it was also agreed that the Welsh Language Unit would be rebranded as 'Bilingual Cardiff' in a proactive response to recent Welsh language legislation and a challenging economic climate.

As the capital city, Cardiff is the gateway to Wales and recognises that its actions must reflect the culture and aspirations of Wales as a whole as well as those of its own citizens and the impact of language and culture in promoting the city is something which must be recognised. Further, Cardiff was one of the few counties in Wales which saw a rise in both the number and percentage of Welsh speakers in the last census with well over a quarter of our children and young people in the 5-15 age group now fluent Welsh speakers. We are already becoming an increasingly bilingual city and we want to ensure that the language continues to flourish in the city. It is our duty as the Capital of Wales to protect and nurture the language for future generations, for them to see bilingualism as the norm and to have the opportunity to use both languages naturally in their daily lives.

As part of the 'co-operative council' approach, Bilingual Cardiff will take on an advisory role for other organisations, whilst continuing to actively promote and further raise awareness of the Welsh language across the city through better collaborative working arrangements which in turn will place a downward pressure on costs.

This innovative new approach is about bringing down the barriers between the Welsh and English languages, promoting bilingualism as something completely natural and being equally proud of both official languages here in Cardiff in order to ensure that our vision of an increasingly bilingual Cardiff is realised.

Eisteddfod Genedlaethol 2014

The City of Cardiff Council was present at the National Eisteddfod in Llanelli to promote our services and to engage with the public at one of the biggest cultural events in Europe. By working in partnership with four South East Wales authorities, namely Monmouthshire, Torfaen, Caerphilly and Rhondda Cynon Taf, the Council secured a week long presence.

Volunteers from across the council's directorates attended the weeklong festival providing information to the public and promoting various events and services as well as promoting Cardiff as a visitor destination. Following on from the Bilingual Cardiff conference and the establishment of the Bilingual Cardiff Member Group as well as the recent announcements regarding the Council's support for a new Welsh language centre in the city, it was important for the Council to have a presence at the Eisteddfod and to show support for the annual Welsh language cultural event.

Cardiff has seen an increase in the number and percentage of Welsh speakers over the past decades and it is imperative that the Welsh language and culture is a key component when promoting the city. It was also an opportunity for council officers to discuss the new 'Bilingual Cardiff' brand with visitors, aimed at raising awareness of the language through better collaboration with third parties and by removing any perceived barriers between the Welsh and English languages. At a time of significant budget pressure, through working together with partners we aim to realise our vision of an increasingly bilingual Cardiff and celebrate both languages equally.

As well as discussing Welsh language developments, it was an opportunity to raise awareness of the Cardiff Debate, to promote other council services such as the new community hubs for example, as well as giving services the opportunity to highlight certain campaigns and issues such as Illegal Money Lending.

Our theme for the week was 'Y Pethau Bychain' (The Little Things) which aimed to promote ideas to increase the use of the Welsh language in every day life. As a council we are committed to providing services of an equally high standard in Welsh and English, and during the week we sought to raise awareness of all the Welsh language services we provide e.g. C2C. Our theme also tied in with the launch of the Welsh Government's new campaign of the same name which aims to increase our use of the Welsh language by sharing ideas and inspiring others to likewise through twitter using the hash-tag #pethaubychain. By encouraging behavioral changes and through greater use of the language we seek to ensure that we build on the successes of previous decades to ensure Cardiff continues to be a thriving bilingual city.

Information and Communications Technology (ICT)

ICT have implemented the Welsh language packs across all the Citrix users allowing customers to use the Welsh language Dictionary and spellchecker within their Microsoft Office environment. ICT are also continuing to investigate new technologies and the potential for those to be used bilingually.

ICT will continue to use their customer assistance document to ensure that consideration is given to the Welsh language whilst planning development / purchasing of new IT systems within the authority. ICT will continue to emphasise the requirement of a bilingual approach on any future programmes and projects that have any public facing elements.

The Welsh language Awareness program has been rolled out to the majority of staff within ICT in line with the Welsh Language Scheme requirements. ICT will continue to roll out the Welsh language Awareness programme to those staff who have not attended previous sessions.

ICT will continue to investigate new technologies that may assist with Welsh language customer's experiences with dealing with the authority.

Cysgliad software is available ac can be requested through ICT Service Desk. Reminders about the availability of this software have been regularly sent to staff via 'Welsh Matters' and 'Your Inbox' articles.

Splash Page

The introduction of the bilingual splash page to the Council's fully bilingual website we hope will encourage more Welsh speakers to use the website in the language of their choice so that traffic to the Welsh pages increases. We will continue to monitor the impact and effectiveness of the splash page to ensure that it is having a positive impact for customers using the Council's online facility.

Personal / Generic Email Addresses

The Council has activated its bilingual mailing system ensuring that all members of staff with email addresses can be contacted not only on their @cardiff.gov.uk addresses but also on @caerdydd.gov.uk e.g. a.person@cardiff.gov.uk would also receive mail to the same mailbox on a.person@caerdydd.gov.uk. Generic mailboxes have also been translated to allow mail to be directed to the same mailbox e.g. libraries@cardiff.gov.uk will also receive mail on llyfrgelloedd@caerdydd.gov.uk to ensure business continuity through the medium of Welsh. Bilingual Cardiff ensure that all advertised mailboxes are translated and activated by ICT.

Working with partners

Following on from the Bilingual Cardiff conference held on the 6th of March 2014 and attended by over 40 of our partners, stakeholders and third party organisations. The BCMG holds quarterly meetings to monitor performance against the Welsh language scheme, to act as a reference group for Welsh language related issues, and provide a voice for service users and providers. The aim of the group is to take a lead role, and in conjunction with our partner organisations, in developing a truly bilingual Cardiff where citizens and staff of the City of Cardiff Council can access services and support in either language equally.

One of the main ideas to come from the conference was to establish a Welsh language centre in Cardiff. Subject to cabinet approval, the proposed Welsh language centre would be a centre point for engaging people with a wide variety of activities and experiences involving the Welsh language. The centre would be open and inclusive, providing opportunities to experience the Welsh language as well as delivering a package of activities that significantly add to the Cardiff offer.

It would offer a range of opportunities, including café bar, book shop, teaching rooms as well as a flexible exhibition area, performance space and conference facilities. It would be a focus of Welsh culture in the city as well as an accessible centre for education where people can learn or practice their Welsh in a social and friendly atmosphere. It could also serve as a research lab on language and bilingualism in collaboration with other partners.

The centre would promote the use of the Welsh language in Cardiff and create new opportunities for people to socialise, participate and express themselves. It would be home to a number of Welsh language organisations, adding value and increasing their visibility, and would host a variety of events and opportunities for visitors, young people and Welsh learners in particular. However the unique selling point would be the availability of high quality open space at the heart of the city that can be used by people and communities in any way which promotes the language, culture and heritage of the city.

Signage Audit & Standards Progress Report

Following the September Bilingual Cardiff Members Group (BCMG) meeting it was agreed that all directorates should complete an audit of signage across Council Estates for discussion in their February meeting. The majority of council buildings have bilingual signs externally and internally, with English appearing first in most cases. With proposed Welsh language standards under the Welsh Language [Wales] Measure 2011 stating that Welsh should appear first it was agreed that corporate guidance on the procurement of signs should be delayed until the Council is issued with a compliance notice from the Welsh language commissioner. The signage audit was also an opportunity to remind managers responsible for signage of the need to ensure that all new and replaced signs including internal signage for staff should be bilingual in accordance with the Welsh language scheme.

All directorates were also asked to report on current progress against the draft regulation standards and any improvement measures which they have. As reported in the Council's response to the draft standards regulations in April 2014, the City of Cardiff Council is already complying with around 80% of the proposed new standards. Of the remaining standards which are not current practice under our Welsh language scheme most directorates did not highlight significant issues and would await corporate guidelines in relation to specific standards. Some directorates raised concerns of resource impact and capacity to meet these standards. The responses were discussed in the BCMG meeting in February.

Corporate guidance will be issued upon receiving compliance notice from the Welsh language commissioner.

Cardiff Central Library

Compliance with the Welsh Language Act was factored in at the initial design stage of the fit-out of the new Central Library and all guiding treats the English and Welsh languages on the basis of equality. The main wayfinding guides and appropriate stock guides are also in Braille which is also bilingual. This will also be the case when the Library undergoes extensive refurbishment in 2015.

The library has a Welsh Librarian who is responsible for stock and enquiries relating to Wales whether in Welsh or English, written or verbal. All libraries, both Central and the branch libraries hold collections of contemporary welsh language material of varying sizes, with Central holding the

largest most comprehensive collection. The library holds a large collection of Welsh material; books, newspapers and periodicals, the bulk of which dates from the 17th century onwards, together with an important collection of manuscripts.

Staff are regularly reminded of the Council's Welsh Language Scheme and the strategies to implement should customers want to access the service through the medium of Welsh during the programme of Welsh awareness training.

The library tepee proved to be very popular again at the 2014 summer Tafwyl festival It was a fantastic opportunity to promote the Summer Reading Challenge to the Welsh speaking children of the city and encourage the ones who signed up to read welsh books in order to complete the challenge.

The Central Library runs a popular monthly 'Clwb Llyfrau Cymraeg', and supports three other Welsh language reading groups in different parts of the city in partnership with Merched y Wawr providing the reading material.

Menter Caerdydd

In partnership with the City of Cardiff Council, Menter Caerdydd has developed the following services:

1. Menter Caerdydd provide 6 free open access Welsh language Play sessions every day during school holidays in Llanedeyrn, Trowbridge, Ely, Fairwater, Splott and Gabalfa. Over 850 children attend these free play sessions every week during school holidays and a number of them experience activities outside school hours in Welsh for the first time.

2. Menter Caerdydd also offer free Welsh language Play opportunities for children in numerous Park across the city during the summer holiday. These activities are organised in Hayley Park, Llandaff North and Llandaff Fields, Pontcanna. On average over 525 children attend during the week.

3. Menter Caerdydd's Welsh language Care Provision during School is also going from strength to strength. Additional funding was received from Clybiau Plant Cymru via The City of Cardiff Council this year to establish a Sports Care scheme in the North Cardiff area of the city. The Care schemes provide full day care throughout all school holiday periods through the medium of Welsh for Children 4 – 11 year old Our schemes are located in Canton, Whitchurch and Gabalfa. On average over 650 children attend the care schemes each week.

4. We organised accredited Training courses throughout the year for all our Play and Care staff in order to ensure that we meet CSSIW guidelines and to ensure that our services are run professionally, safely and successfully. Per year, we employ approximately 52 staff within our Care and Play services.

5. Menter Caerdydd received a 2nd Service Level Agreement from The City of Cardiff Council Neighbourhood Learning Department to provide accredited Training Courses through the medium of Welsh specifically targeting young people between the ages of 16 – 25. These courses have proved to be a huge success with attendance levels very high and very positive feedback. This year we anticipate that over

150 new students will have received accredited training in various subjects through the medium of Welsh in partnership with Menter Caerdydd and The City of Cardiff Council.

6. A successful Adult Education package continues to be delivered by Menter Caerdydd through a Service Level Agreement with The City of Cardiff Council's Neighbourhood Learning Team. This year, we delivered 24 weekly evening classes and 2 day courses through the medium of Welsh Cooking, Guitar, Yoga, Local History, Web Design, Photography, Sewing, Poetry Writing etc. This year, over 311 adult participated in one or more of our courses. An Estyn Inspection took place during January 2012 of which the Welsh Language Service delivery received good feedback and Estyn were happy with the service that we provide.

7. Menter Caerdydd organise a comprehensive package of workshops through the medium of Welsh during each holiday period targeting children and young people between the ages of 4 – 13 years old. The package includes Arts, Music, Cookery, Technology, Sports and Drama. Over 1100 children and young people participate in these activities throughout the year and over 63 workshops have been organised.

8. Tafwyl – Cardiff's Welsh Language Festival was held in July over a period of 7 days and was attended by over 16,534 people during 2014, an increase in attendance by over 35.9% to compare with 2013. Menter Caerdydd succeeded in working effectively with over 68 partners this year to ensure that Tafwyl festival was a success and a strong platform for the Welsh Language within Cardiff's summer festival programme.

9. Menter Caerdydd in partnership with The City of Cardiff Council receive a Service Level Agreement to organise weekly Leisure services for families and children in Cardiff through the medium of Welsh. During 2013, we organised 20 weekly Leisure clubs ranging from Swimming, Football, Rugby, Gymnastics, Tennis, Athletics, Cricket, Dance etc. On average over 529 children per week attend these clubs. The demand for Welsh medium Leisure services is high and our aim will be to develop this service in partnership with The City of Cardiff Council during the coming year.

10. Working in partnership with The City of Cardiff Council and 6 Core Welsh language partners to establish a Welsh Language Cultural Centre in Cardiff City Centre from 2015 onwards.

9. Contract Details

Any enquires should be directed to:

Bilingual Cardiff
Room 400
County Hall, Atlantic Wharf, Cardiff, CF10 4UW

02920 872527
BilingualCardiff@cardiff.gov.uk

Appendix I

Strategic Framework for Welsh Language Services in Health, Social Services and Social Care - 'More than just words'.

The City of Cardiff Council - Health and Social Care Action Plan 2014/15

Strategic Objective 1: Social Services Departments and Social Care providers to implement a systematic approach to Welsh language services as an integral element of service planning and delivery

Action from Strategy	Action for Health & Social Care directorate	Lead responsibility	Completed by end of year
1.1.2 Under the leadership of the Director of Social Services, departments to establish the Welsh language community profile and use this information as a baseline for planning local services	• Community profile of population speaking Welsh by ward • Compile profile Welsh language support services & social opportunities e.g. Welsh language lunch clubs.	Director Health & Social Care Sian Walker (SW)	1 Progress – Community profile of Welsh speakers by ward produced. Working with Age Connects Cardiff & Vale to produce resource directory of community based social activities, including those offering Welsh language
1.1.3 Planning and commissioning systems to include reference to the linguistic profile of their communities and reflecting this in planning, commissioning and service delivery	As above.	SW	2 Progress – As above
1.1.4 Registered providers to provide information to service users on level of bilingual provision, ensuring the staff register includes information of WL skills.	Something written into service specification or accreditation standards to reflect the Council's Welsh Language Scheme.	CCSIW Contracts & Development team	3 Progress – Statements relating to the Welsh Language Scheme and Mwy na Geiriau Strategy has been inserted into the new service specification for

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domiciliary care providers.

Action from Strategy	Action for H & SC	Lead responsibility	Completed by end of year
1.1.5 To offer and record user's language of need and ensure care is linguistically sensitive.	Language need to be recorded on the Integrated Assessment, care plans and on Care First as a matter of course.	SW	3 Progress – specific section for Welsh language need /choice now inserted in Integrated Assessment documentation and Care First system, which will pull through to individual care plans.
1.2.1 Increase awareness of impact of language sensitivity among ICT staff that support social services	All staff to do awareness training including business support & ICT / commissioning staff. Volunteers from within the staff group to undertake 'Training the Trainers' course, which is provided by the Welsh Language Unit. Discuss with Care First group	SW and IT manager	1 Welsh Language awareness training completed for managers in Business support. Not Care First team yet.
1.2.2 ICT specifications to include details of the Welsh Language dimension of the service being commissioned	Discuss with Care First group	SW	3 Not yet achieved
1.3 Data systems enabling the service to operate bilingually e.g. matching staff/Service Users in care rotas; Workforce data systems record staff language skills; language need/choice recorded on client data systems	• Care rota systems matching Welsh speaking staff to service users. • DigiGov to record staff WL skills • Language need / choice recorded on Care First.	SW	3 Staff been reminded to record language skills on DigiGov. Language need/ choice of service user has been included on Care First data system
1.3.2 Local Authority procurement to follow the Welsh Language Commissioners guidance on commissioning services.	• Corporate	DHSSC and SW	2 No Guidance?

Strategic Objective 2: To build on current best practice and plan, commission and provide care based on the 'Active Offer'

Action from Strategy	Action for H & SC	Lead responsibility	Completed by end of year

Action	Details	Lead	Priority / Progress
2.1.2 Provide staff training on the 'Active Offer' service and ensure it's mainstreamed into induction and other training programmes etc	• Council induction • Service area induction programmes • National Training programme	HR Training Officer	3 Discuss with Training
2.1.3 Take practical steps to implement Active Offer service in an incremental way, starting with the first point of contact service and information services. Record where able to respond.	• Use Active Offer for all callers to H&SC via Contact & Assessment, OT and hospitals - access points. • Record response on Care First	SW	1 First response is now covered by C2C which offers a bilingual service. Core data set includes active offer question. Need to progress with practice in assessmernt of need.
2.2.1 Map current provision and capacity to deliver Active Offer service within dementia services	• Would come from staff profile • Discuss with MHSOP • DHSSC Welsh language version of core dementia assessment tools?	SW	2 Need to discuss specifics with MHSOP
2.3 Take action to ensure that staff teams have the capacity to provide services through medium of Welsh	• Skills assessment of all teams • Recording abilities • Access to training • Issue recording assessments/care plans in Welsh	SW	3 Skills assessments of all H&SC staff 75% complete.
2.3.1 Map current provision and capacity to deliver Active Offer service in other priority service areas e.g. children under 5; speech and language therapy	•	SW	3 ongoing
2.3.2 Service heads to consider appropriate ways to deliver Welsh Language services (model of delivery) according to capacity, language skills, willingness and confidence of staff to use the language.	Service leads.	SW / service leads	3 To be undertaken once staff skills profile is complete and H&SC structure is finalised
2.4.1 Welsh Language Champions within Social Services Dept and local authority HR depts. to disseminate current best practice, particularly to service heads	• Clarify role of Welsh Language Champion within • Develop structure of Welsh Language 'co-ordinators' within the service to help share information and champion the strategy	SS and HR	1 Some reps from service area groups within H&SC have completed' train the

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Action from Strategy		Lead responsibility	Completed by end of year
• Rep in each service area / team ?			trainers' training and will act as reps for their teams.
2.4.3 Welsh Language Champions and local authority HR depts. to lead a staff 'language of care in the workplace' initiative to increase staff confidence to speak Welsh at work	Home care staff especially	SS and HR	2 Bespoke training to be arranged for home care staff. Need to agree a training strategy for wider staff group.
2.4.4 Encourage social services and social care staff to wear "Working Welsh" logo and incorporate into uniforms they provide for some workers	Home care staff and providers	Commissioners and providers of care services.	Ongoing from 1 Not achieved. Not yet explored.

Strategic Objective 3: To increase the capability of the workforce to provide Welsh language services in priority areas and language awareness amongst staff

Action from Strategy	Action for H & SC	Lead responsibility	Completed by end of year
3.1.1 Workforce planning to incorporate assessment of community Welsh Language needs and the Welsh Language skills of the workforce	• Write into all workforce plans • Ensure staff establishment complies with WL standards e.g. 10% welsh speakers • Ensure spread of Welsh speakers across all teams to enable us to deliver service in Welsh. • Identify 'Welsh essential' posts via the skills assessment process. • Staff need to validate and input language skills onto DigiGov.	SW	1 Skills assessments of all H&SC staff 75% complete. Workforce plan to be agreed once directorate structure is finalised.
3.1.7 Social Services Depts to report on Welsh Language skills within their workforce as part of LA data collection for their Welsh Language Scheme performance	Need timescales & structure for monitoring. 6 month report. We will feed into Corporate annual monitoring report Bilingual Cardiff report. Form part of service delivery plan	SW	1 To form part of the Corporate plan for 2015/16 6 month review.

3.2.3 All Social Services Depts to operate in line with the Welsh Language commissioner's recruitment guidelines	• Welsh essential posts • Adverts in Welsh	SW	2 Workforce plan to be agreed once directorate structure is finalised.

Strategic objective 4: To create leaders who will foster a supportive ethos within the organisations, so that Welsh speaking users and carers receive language sensitive services as a natural part of their care.

Action from Strategy	Action for H & SC	Lead responsibility	Completed by end of year
4.1.1 Ask political leaders and Directors of Social Services to issue statement setting out: their wish to see sensitivity to the Welsh Language reflected throughout their organisation to ensure quality care and effective services and the importance of responding to users' Welsh language needs in assessing and caring for users	Joint statement by Sian Walker and Directorate Cabinet member via email or newsletter to all staff.	SW / Susan Ellsmore	1 This was achieved in year 1. Need to issue another statement with Cllr. Susan Elsmore, who has taken over from Cllr Thomas.
4.1.2 Agree the steps they will take to satisfy themselves that the services they provide will be sensitive and appropriate	Sian Walker and Cllr Thomas to agree	SW/HT	1 Now need similar for Cllr Elsmore
4.1.3 Directors of Social Services to put arrangements in place to monitor how the National Strategic Framework and Action plan is being implemented		SW?	1
4.1.4 Directors of Social Services to publish a Welsh Language Strategic Framework and Action Plan for the services they deliver, commission and contract		SW	2
4.1.5 Director of Social Services to designate senior officer as Welsh Language Champion	Susan Schelewa, Operational Manager	SW	1 Achieved

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within the Department			
4.1.6 Leadership training programme to include a strand on the impact of language sensitivity on effectiveness of care, as an integral part of planning and as a responsibility of Social Services to provide services in English and Welsh (5.1.3)	• Training dept • PI training	SW	1 Ongoing. Need to complete work with training manager

Strategic objective 5: To design and provide education learning and development programmes which reflect the services' responsibility to plan and provide Welsh language services.

		All care providers including home care	ongoing
5.2.2 Social Services and Social care organisations to ensure that the principles of linguistic awareness and the 'Active Offer' service forms part of all induction programmes.			
5.2.3 Staff training and development programmes to increase the capacity of staff to provide services through the medium of Welsh. Start by increasing the confidence of existing Welsh speakers to use Welsh at work and raise awareness among key staff i.e. front line and team managers	Training courses in improving language skills Awareness for all staff but with priority groups e.g. C&A, hospitals and managers	SW	1 Welsh Language awareness training has been completed for most managers. Plan to widen the scope for 2015/16

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APPENDIX II Frontline post assessments

Linguistic Assessments April 2014 - March 2015	
Directorates	**Teams**
Children Services	Fostering Service
Communities, Housing & Customer Services	Penylan Library & Community Centre
	Adult Community Learning
	C2C
	Community Alarm Service
	Concierge Services
	Library Services (All Libraries)
	Sheltered Housing
Democratic Services	Bilingual Cardiff
	Communication & Media
	Electoral Services
	Web Team
Education & Lifelong Learning	Family Information Services
	School Admissions
Environment	Waste Collective Supervisors
	Waste Strategy
Health & Social Care	University Hospital of Wales social work team/
	Llandough Hospital social work team
	Occupational Therapy service
	Home Care service
	Learning Disabilities Day services East
	Learning Disabilities Day services West
	Mental Health Services for Older People
	Joint Equipment Service
	Mental Health Outreach service
	Community Alcohol and Drugs team /

	Homelessness team
	Training Dept (adults and childrens services)
	Adult Assessment team
	Performance team
	Community Mental Health Team East
	Business Support
	Emergency Duty Team
HR	Cardiff Works
Sport, Leisure & Culture	Active Cardiff Membership
	Cardiff Castle Business Support Team
	Cardiff Castle Education & Events
	Cardiff Castle Visitor Hosts
	Fairwater Leisure Centre
	Maindy Leisure Centre
	Pentwyn Leisure Centre
	Riding School
	Penlan Leisure Centre
	Western Leisure Centre

Appendix III – Welsh Language Training

Welsh Learners 2014/2015 Report	
Entry	
Childrens Services	1
Communities, Housing & Customer Services	6
Democratic Services	4
Education & Lifelong Learning	3
Environment	4
Finance	1
Health & Social Care	2
HR People Services	3
Legal Services	2
Sport Leisure & Culture	4
Strategic Planning & Highways, Traffic & Transport.	3
Foundation	
Childrens Services	1
Communities, Housing & Customer Services	3
Education & Lifelong Learning	1
Finance	2
HR People Services	3
Legal Services	1
Partnerships & Citizen Focus	1
Sport Leisure & Culture	4
Intermediate	
Childrens Services	2
Communities, Housing & Customer	4

Services	
Advanced	
Education & Lifelong Learning	1
Proficiency	
Childrens Services	1
Democratic Services	1
Welsh Taster Course	27
Total Learners	85
Total Spend on Learners	£9,247.00
Welsh Language Awareness	40

APPENDIX IV – Welsh Language Skills

Welsh Language Ability by Service Area

SERVICE AREA	Total
CHANGE & IMPROVEMENT	6
CHILDREN SERVICES	17
COMMUNITIES HOUSING & CUSTOMER SERVICES	32
DEMOCRATIC SERVICES	17
ECONOMIC DEVELOPMENT	9
EDUCATION & LIFELONG LEARNING	44
ENVIRONMENT	13
FINANCE	14
HEALTH & SOCIAL CARE	24
HR PEOPLE SERVICES	6
LEGAL SERVICES	2
RESOURCES	4
SPORT LEISURE & CULTURE	29
STRATEGIC PLANNING HIGHWAYS TRAFFIC&TRAN	4
Grand Total	**221**

Welsh Language Ability by Location *	Total
CITY HALL	12
COUNTY HALL	71
GLOBAL LINK	11
WILLCOX HOUSE	13
Other	114
Grand Total	221

*Due to the numbers identified in some Locations, we are unable to publish the data as individuals may be identified.

Welsh Language Ability by Grade

Grade	Total No.
GRADE	
CE2	6
EAI	3
EDPSY A	4
GRADE 1	8
GRADE 2	2
GRADE 3	22
GRADE 4	17
GRADE 5	18
GRADE 6	35
GRADE 7	35
GRADE 8	25
GRADE 9	14
GRADE 10	9
JNC Chief Officer (OM+)	7
Other	1
Youth and Community	2
TEACHER	13
Grand Total	**221**

APPENDIX V – Welsh Language Coordinators - Champions

Directorate	Service Area	Coordinator	Champion
CHIEF EXECUTIVE	CABINET OFFICE		
	DEMOCRATIC SERVICES	Dylan Hughes Rhian Phillips Rhian Temple	Ffion Gruffudd Susan Edwards Timothy Gordon
	ECONOMIC DEVELOPMENT	Rhian Jones	Heledd Williams
OPERATIONS (DIRECTORATE)	CHILDREN SERVICES	Karen Wilkinson	Ingrid Masmeyer
	COMMUNITIES HOUSING & CUSTOMER SERVICES	Mair Newton / Carole Morgan	Elisabeth Morris
		Huw Parry-Evans / Leanne Vaughan	Rachel Bishop
		Gareth Pierce	Jane Thomas
	EDUCATION & LIFELONG LEARNING	Nicola Hayward	Avril Hooper
	ENVIRONMENT	Bernadette Lewis / Aled Evans Steve Bumford Alison James	Tara King Dave Smith
	HEALTH & SOCIAL CARE	Jackie Burns	Susan Schelewa
	SPORT LEISURE & CULTURE	Alison James Daniel Allcock	Roger Hopwood

STRATEGIC PLANNING HIGHWAYS TRAFFIC & TRANSPORT	Kadie Irish	Shaun Reville
FINANCE	Iestyn Roberts	Ian Allwood
HR PEOPLE SERVICES	Olwen Medi	Lynne David
LEGAL SERVICES	Lisa Michael	Ian Allwood
RESOURCES	Jessica Pritchard Mike Reilly	Julie Jones
RESOURCES (DIRECTORATE)		

Appendix VI

C2C
Welsh Surveys
Q1-Q3 2014/15

Customer Satisfaction - Welsh

Surveys completed in Quarter 1 - 20

Firstly, how satisfied were you with the time you waited before we answered your call?

| Very Satisfied | 70.0% | Unsatisfied | 5.0% |
| Satisfied | 25.0% | Very Unsatisfied | 0% |

Did the person who answered your call greet you in an appropriate manner?

| Yes | 100% | No | 0% |
| Don't Know | 0% | | |

How would you rate the attitude and knowledge of person who dealt with your call?

Attitude

| Very Good | 80.0% | Poor | 0% |
| Good | 20.0% | Very Poor | 0% |

Knowledge

| Very Good | 70.0% | Poor | 5.0% |
| Good | 25.0% | Very Poor | 0% |

Were you told what action would be taken following your call?

| Yes | 95.0% | No | 0% |

Did Connect to Cardiff resolve your enquiry?

| Yes | 92.0% | No | 0% |

92.0% of Welsh-speaking customers surveyed said that their enquiries were resolved at Connect to Cardiff without being transferred elsewhere

If no, were staff able to connect you to the correct person to deal with your enquiry??

| Yes | 85.0% | No | 15.0% |

Overall, how would you rate the service you received from Connect to Cardiff?

100.0% of customers were satisfied with Connect to Cardiff's Welsh line during Quarter 1

| Very Satisfied | 75.0% | Unsatisfied | 0% |
| Satisfied | 25.0% | Very Unsatisfied | 0% |

Where did you see our number advertised?

| Council Website / Internet | 55.0% | Poster | 5.0% |
| Bill / Letter | 25.0% | Other | 15.0% |

Can you think of anything we can do to improve our service

Customer thinks it should be made more visible that there is a Welsh language line - e.g. the number printed in a different colours to English line number on forms etc.

Agor dros y penwythnos - Open on weekends

Customer says sometimes he calls and is told there's no Welsh speaker available - he is unhappy with this.

Dim o gwbl - not at all

Customer Satisfaction - Welsh

Surveys completed for Quarter 2 - 20

Firstly, how satisfied were you with the time you waited before we answered your call?

Very Satisfied	64%	Unsatisfied	0%
Satisfied	36%	Very Unsatisfied	0%

Did the person who answered your call greet you in an appropriate manner?

Yes	100%	No	0%
Don't Know	0%		

How would you rate the attitude and knowledge of person who dealt with your call?

Attitude			
Very Good	70%	Poor	0%
Good	30%	Very Poor	0%

Knowledge			
Very Good	70%	Poor	5%
Good	25%	Very Poor	0%

Were you told what action would be taken following your call?

Yes	80%	No	10%
Don't Know	10%		

Did Connect to Cardiff resolve your enquiry?

Yes	90%	No	10%

90% of Welsh-speaking customers surveyed said that their enquiries were resolved at Connect to Cardiff without being transferred elsewhere

If no, were staff able to connect you to the correct person to deal with your enquiry??

Yes	100%	No	0%

Overall, how would you rate the service you received from Connect to Cardiff?

100% of customers were satisfied with Connect to Cardiff's Welsh line during Quarter 2

Very Satisfied	75%	Unsatisfied	0%
Satisfied	25%	Very Unsatisfied	0%

Where did you see our number advertised?

Council Website / Internet	35%	Bags / Bin	5%
Bill / Letter	30%	Capital Times	5%
Other	5%	Don't Remember	15%

Can you think of anything we can do to improve our service

No. Being able to converse in Welsh makes it easier.

Has had to wait a long time before to be answered. Have been times where there was no Welsh-Speaker.

na, bodlon iawn

na, pob peth yn proffessiynol iawn. (No, everything very professional)

mwy o pobl gymraeg ym phob adran, yn enwedig ar y ffon. (There is more welsh people in every department, especially noticeable on the phone)

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Customer Satisfaction – Welsh

Surveys completed during Quarter 3 - 20

How satisfied were you with the time you waited before we answered your call?

Very Satisfied	60%	Unsatisfied	0%
Satisfied	40%	Very Unsatisfied	0%

Did the person who answered your call greet you in an appropriate manner?

Yes	95%	No	0%
Don't Know	5%		

How would you rate the attitude and knowledge of person who dealt with your call?

Attitude

Very Good	70%	Poor	0%
Good	30%	Very Poor	0%

Knowledge

Very Good	55%	Poor	0%
Good	45%	Very Poor	0%

Were you told what action would be taken following your call?

Yes	80%	No	5%
Don't Know	15%		

Did Connect to Cardiff resolve your enquiry?

Yes	100%	No	0%

Overall, how would you rate the service you received from Connect to Cardiff?

100% of customers were satisfied with Connect to Cardiff's telephone service during Quarter 3

Very Satisfied	80%	Unsatisfied	0%
Satisfied	20%	Very Unsatisfied	0%

Where did you see our number advertised?

Council Website / Internet	35%	Friends / Family	5%
Bill / Letter	30%	Leaflet	5%
Telephone Directory	10%	Other	15%

Can you think of anything we can do to improve our service

Dim - ond angen aros yn hir I person ateb yn Gymraeg - No but need to wait a long time for a Welsh speaker

Wedi gorfod gael ei galw nol yn Cymraeg gan fod neb ar gael pan ffoniodd y Cwsmer - Had to be called back in Welsh as no one was originally available.

Na - hapus iawn bod yr alwad wedi cael ei ateb yn gyflym a bod rhif y lein Gymraeg ar y wefan ar bwys yr un Saesneg. - No, very happy that the call was answered quickly and the telephone number on the Welsh site is near the English one.

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CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD

CABINET MEETING: 11 JUNE 2015

PROPOSED MERGER OF CORONER AREAS

REPORT OF CHIEF EXECUTIVE

AGENDA ITEM: 4

PORTFOLIO: CORPORATE SERVICES & PERFORMANCE (COUNCILLOR GRAHAM HINCHEY)

Reason for this Report

1. To consider the Rhondda Cynon Taf Council proposal to merge the existing Cardiff and Vale Coroner Area with the Powys, Bridgend and Glamorgan Valleys Coroner Area.

Background

2. It is a statutory requirement that Local Authorities appoint a Coroner and reimburses the cost of providing the Coroner Service under the provisions of the Coroners and Justice Act 2009. A coroner is an independent judicial office holder, appointed and paid by the relevant local authority. A coroner must be a lawyer or a doctor, and in some cases is both. Each coroner has a deputy and usually one or more assistant deputies, and either personally or through a deputy he or she must be available at all times. The costs of the coroners' service are generally met by local authorities, not by central Government. In some districts the local police force may also contribute towards a coroner's resources, usually by providing and paying the costs of coroner's officers.

3. The Coroners role is to inquire into violent or unnatural deaths, sudden deaths of unknown cause, and deaths which have occurred in prison. A coroner's authority to inquire flows from the report of a body being within the coroner's district and not from where the death occurred. The coroner's inquiries may take one of several forms and may result in the holding of an inquest.

4. The current position affecting Cardiff is that of a shared Coroners service with the Vale of Glamorgan who act as the host Authority at present.

5. As host Authority the Vale of Glamorgan is currently responsible for the appointment of the Coroner and their officers. They are also responsible for negotiating all associated cost and fees with the Coroner and management of the budget and premises. Due primarily to available

funding from both Authorities the combined area currently only provides a Part Time Coroner.

6.   Cardiff's only role is that of an annual financial contribution based on population census figures (2001), currently this cost is £555,250 but due to the population increase recorded in the 2011 census is set to rise to around £565,000. The proposals in this report however seek to provide both an improved service and at a slightly reduced cost of the current service.

7.   Upon Local Government re-organisation in 1996, the Bridgend and The Glamorgan Valleys jurisdiction was created (excluding the Rhymney Valleys) with Rhondda Cynon Taf (RCT) assuming the Lead role. Similarly, the Cardiff and Vale of Glamorgan (VGC) area was created with The Vale of Glamorgan as the Lead Authority.

8.   In July 2014, Judge Peter Thornton QC in his first annual report to Lord Chancellor Chris Grayling quoted that the '99 coroner areas should be reduced further, to around 75 or fewer. At present, 60% of coroner areas have fewer than 2,000 reported deaths a year and Judge Peter Thornton said most senior coroners should deal with between 3,000 and 3,500 deaths to make the service viable. The Lord Chancellor has the power to combine, or merge, coroner areas after consultation.

9.   At the beginning of 2012, the Coroner for both Powys and Bridgend and The Glamorgan Valleys resigned and a Coroner was appointed as his successor. The post was subject to a joint appointment between Powys, Bridgend and The Glamorgan Valleys (PB&GV), albeit these remained as separate areas prior to their amalgamation in July 2013. The Coroner resigned from this post in November 2013 and a further appointment assumed the role of Acting Senior Coroner.

10.   Similarly, following the resignation of the Coroner for Cardiff and the Vale (C&V) in July 2013 the post has until recently been covered by two Part-time Assistant Coroners.   One of the Part-time Coroners has subsequently stepped down and consequently further interim arrangements have been put in place. This has meant that PB&GV's acting Senior Coroner, supported by RCT, has assumed, in addition to his current role, the Acting Senior Coroner for C&V.   An Assistant Coroner for PB&GV is also assisting in this arrangement. The Acting Senior Coroner is confident that whilst he has only been assisting C&V for a short period of time, he will be able to introduce some savings with further savings if a formal merger were to be agreed.

11.   Appendices A1 and A2 show the current structures of both the PB&GV area and the C&V area and Appendix C the current financial position for C&VG.

Issues

12.   A review process has been undertaken involving officers which have resulted in a merger proposal from Rhondda Cynon Taf (RCT) whereby

they would act as the relevant authority for a merged Coroner Area of C&V and PB&GV. Details of the merger proposal and other Options considered are contained in this Report.

13. The merger proposal for the RCT option relies on achieving £70k efficiency savings and will ensure

- Continuity of service delivery across the merged area;
- be cost neutral to existing authorities;
- potential future savings resulting from inter alia economies of scale, rationalisation of back office support and SLA's with Local Health Boards.

14. The scope of the merger proposal relates to the two coroner jurisdictions PB&GV and C&V and sets out the rationale and benefits for a single area to cover the six local authorities. Also included is the proposal to recruit a whole time Senior Coroner and part time Area Coroner ensuring a resilient service whilst maintaining current service provision.

15. Drivers for change include direct correspondence from the Ministry of Justice (MOJ) and the Chief Coroner who are very keen to explore the potential for amalgamating the two Coroner Areas particularly as both are covered by part time provision and also advocates the post of a Whole Time Coroner as set down in the Coroners and Justice Act. This is supported by the Coroner's Society for England and Wales who appear to also prefer this arrangement. This has been the case in a recent review with the appointment of a Whole Time Coroner for North East Wales and North Central Wales which have recently merged into one jurisdiction; this took effect from 1st January 2013.

16. RCT has previously attempted to recruit a whole time Coroner for the PB&GV Coroner Area but the Chief Coroner's Office has advised that a merger should be considered prior to initiating any recruitment processes. Whilst a merger is unlikely to be forced, participating Local Authorities must demonstrate valid reasons against such an amalgamation. In the short term mergers of Coroner areas are only likely to take place with the agreement of all local authorities, amongst others. There is, however, no reason in principle, why the Lord Chancellor should not in due course combine areas after consultation but without agreement if there is a clear case for merger.

17. The MOJ and Chief Coroner are aware that the Acting Senior Coroner and Assistant Coroner for PB&GV are providing cover in the absence of a Coroner presence in C&V and will question how effective this assistance is proving to be. They may well determine that the next natural step would be to merge the two Coroner Areas.

18. The introduction of medical examiners, expected to be introduced following the UK General Election in May 2015 will also impact on the number of cases investigated and the number of inquests held in the future. This will have a positive impact as it will decrease the number of cases going to Inquest and thus result in a reduction in expenditure.

19. As the proposed option RCT have agreed the terms on which it is prepared to act as relevant authority for the merged Coroner Areas. As constituent authorities for the C&V Area, both Cardiff and the Vale of Glamorgan Councils must also agree in order for the proposed merger business plan to be submitted to the Chief Coroner and Lord Chancellor for approval.

20. RCT have agreed to take on the Relevant Authority role on the following basis. To merge the two Coroner Areas with one whole-time Senior Coroner, one part time Area Coroner, shared administration and potentially achieve £70k efficiency savings in year 1. This proposes that the PB&GV and C&V Areas merge to form a single entity. One whole-time Senior Coroner would be employed to manage the new Area which will be supported by a shared administration. This proposal is supported by both the Ministry of Justice and the Coroner's Society. Whilst it would mean a slight increase in the Coroner's salary costs, these would be negated in part by the cessation of Long Inquest payments.

21. The reconfiguration of the administration structure could result in redundancies, the costs of which would fall to those Councils of the existing coroner areas, should the redundancy occur prior to any merger and 12 months thereafter, note that as the VoG currently hosts the service covering Cardiff then these costs will be shared. The current proportion fo the contribution to the C&V area is 72% Cardiff 28% VoG.

22. Appendix B sets out the structure for the proposed merger and Appendix D the financial case (assuming £70k efficiency savings).

23. As discussed this would see the two Coroner Areas merge, with one permanent Senior Coroner, a permanent part-time Area Coroner, introducing a new restructured administration service headed by a Service Manager. This would relieve some of the existing cost pressures as it also factors in potential service savings of £70,000.

   Examples of how these savings could be made include;

   • Development of beneficial service level agreements.
   • Increased options to undertake competitive tenders from Area Health Boards
   • A reduction in Long Inquests realised through employing a full time Senior Coroner.

24. In addition the work of the Service Manager should realise additional savings through more efficient procurement of services and reducing unnecessary expenses where possible. There would also be a part -time Area Coroner which would result in all current service provision being maintained and added resilience in event of leave and sickness. This would significantly reduce the risk of future service cost increases and would result in the following small savings against current contributions for Cardiff & the Vale of Glamorgan Local Authorities - A detailed breakdown is included as Appendix D to this report:

Cardiff   £ 6.2k saving
Vale of Glamorgan £ 2.3k saving

25. It should emphasize that this is the preferred proposed option with RCT as the Relevant Authority.

26. The current Acting Senior Coroner for the PB&GV has worked with Rhondda Cynon Taf on the following initiatives which could be replicated for C&V and the proposed wider area;

- Introduction of a Service Level Agreement with Cwm Taf Local Health Board for the provision of an autopsy service – this will allow more efficient payment of invoices and effective budget monitoring. It will also enable the Coroner to closely monitor the number of Post Mortems performed with a view to reducing the numbers actually required and thus decrease future costs.

- Introduction of a Service Level Agreement with Abertawe Bro Morgannwg University Health Board for the provision of an autopsy service – again this will see the same benefits as above.

- Initiated a pilot scheme with a Consultant Pathologist with a view to reducing the number of invasive Post Mortems required, which will see considerable savings in the future.

- The Coroner is also working closely with GPs to establish Causes of Death, in order to avoid the requirement for unnecessary Post Mortems. In April 2014, a total of ten Post Mortems were avoided which resulted in a saving of £4,000, thus potential savings of £48,000 per annum.

- A pilot is also underway in PB&GV with an Assistant Coroner who as well as being legally qualified, has a medical background. The purpose of this pilot scheme is to utilise the Assistant Coroner's skills and experience to further reduce the number of required Post Mortems by determining the Cause of Death through the medical records. This initiative will further complement the point above in making future savings.

27. Under this proposal regular budget reports will be circulated to all partner authorities for consideration and Client Officers will have the ability to meet when necessary. A number of performance management reports and procedures will be put in place to ensure that all partner authorities are being informed of service performance and achievements. A Service Level Agreement will be negotiated between the authorities to ensure that all relevant information is communicated in agreed time frames. Quarterly financial updates and invoices are examples of information that could be shared with all partner authorities. This group will operate at Officer Level and report back to the relative Local Authorities as required.

28. A Relevant Authority is the local authority that is responsible for the delivery of a Coroners service on behalf of its partnering authorities. It is

proposed in this case that that RCT will be the Relevant Authority as the Council has the specialist knowledge, experience and expertise to effectively deliver the service and the anticipated savings.

29.   It would however be a requirement that RCT as the Relevant Authority produce a Service level Agreement in consultation with all of the partner Authorities to ensure a robust system of Governance and financial management is put in place. This SLA should be reviewed in 3 years' time to include a review of the future of the agreement being based on a population basis.

30.   Other options considered for the future of the Coroner Service include;

- Do Nothing with Merger and retain current Cardiff & Vale of Glamorgan structures and increase apportioned costs to Cardiff in line with latest Census figures. This would realise a short term saving for the Vale of Glamorgan of £9k and additional cost to Cardiff of £9k. This would not put the service in a position to find possible long term savings and could actually cost more as we would only be able to appoint a Part Time Area Coroner who would be entitled to long term Inquest payments as has been the issue previously. Also this option may not be acceptable to the Chief Coroner and Ministry of Justice who may intervene to enforce a merger at their terms.

- Merge with Powys Bridgend and the Glamorgan Valleys in relation to Rhondda Cynon Taf becoming the 'Relevant Authority' for both areas. In this option both services would be run separately which would be £10k increase in cost for the Vale of Glamorgan and £27k increase for Cardiff as the pool of costs is higher without management & admin changes. Again this would miss opportunities to save on other back office costs and lose the benefit of economies of scale in tendering for services. RCT have identified that this option is not acceptable to them and that they would not be prepared to be involved if this was put forward.

31.   It is therefore proposed that the option put forward by RCT to undertake a full merger between PB&GV and C&V Coroner areas is implemented at the earliest opportunity to adopt and drive forward the efficiency initiatives. Whilst this Option is dependent on achieving £70k efficiency savings it should be achievable through a restructured administration and management arrangement plus the added benefit of bargaining power within a much larger area and enable the new merged area to drive through further economies of scale.

32.   If there is a decision not to proceed with the proposed merger, the current interim support will be at risk in the medium and long term. RCT would look to ensure a Senior Coroner is fully employed in their area and would fill their vacancy for a Coroner in the PB&GV Area which has been on hold for some considerable time whilst merger options have been investigated and proposals drawn up. RCT would give notice for the withdrawal of the interim arrangements to support the C&V Area.

33.   The Vale of Glamorgan as relevant authority for their C&V Area would also need to take appropriate steps to fill the vacancy for C&V in light of the instruction from RCT above and overspends from previous years are likely to continue due to long inquests payments. This service is also out of scope of the Regulatory Services Collaboration.

34.   There is of course the added fact to consider that the Ministry of Justice and Chief Coroner could force a restructured area in the future. It is currently unknown how large an area would be considered and whether a Coroner for the whole of Wales could eventually be appointed however given the geographic size of the area this is unlikely. Further mergers could occur in Wales which would result in larger areas and this current proposal may well be seen as a future operating model for other areas.

35.   The proposed merger will ensure that there is a full time Coroner presence in Cardiff which is an improvement on the current part time arrangements. Assurances have been given that the merger will not require families to travel out of the area to attend inquest hearings as local facilities will continue to be used and an administrative base will be retained in Cardiff.

Reason for Recommendations

36.   The Vale of Glamorgan is the relevant authority for the Cardiff and Vale of Glamorgan Coroner Area (C&V). RCT is the relevant authority for the Powys, Bridgend and Glamorgan Valleys Coroner Area (PB&GV) (comprising the unitary authorities of Powys, Merthyr, RCT and Bridgend). At present there are Coroner vacancies in the two adjacent Coroner Areas of C&V and PB&GV.

37.   RCT as relevant authority for PB&GV had prepared an advertisement to fill their vacancy but were requested by the Chief Coroner's Office to defer placing the advert until merger with the adjoining vacant Area of C&V was explored.

38.   There is currently an Acting Coroner for PB&GV until a successor can be appointed. In addition to this role he is also supporting the C&V Coroner Area until a decision is taken on the proposed merger of the two Coroner Areas. Clearly these temporary measures cannot continue indefinitely.

39.   The merger proposal offers an improved service to the City of Cardiff through a full time presence and adequate cover arrangements for the whole area.

40.   There is also a small financial saving with the opportunity for this to improve in the future through more streamlined processes and greater bargaining power of the larger area to reduce necessary costs such as post mortem charges with the local health boards.

41.   Cardiff will retain a position on the service board at officer level overseeing the new arrangements as a stakeholder and ensure that the

City still receives value for money, a high standard of service and that annual costs are effectively managed.

Financial Implications

42.   The total annual budget for Coroners in the Coroner Area of PB&GV is £1,005,190 and in the Coroner Area of C&V is £771,180 giving a combined total budget of £1,776,370. Within both Coroner Areas, a budget is allocated for Local Authority administration. Consideration has been given to a restructure of the staff that are currently based in Rock Grounds, Aberdare (PB&GV) and Cathays Police Station (C&V) with a view to consolidating the support provided for the Coroner's Service, albeit there would still be a requirement to run the service across the aforementioned sites.   Appendix C details the current financial position for the Cardiff & Vale of Glamorgan Coroner Area.

43.   Table1 below states the budgets set by Cardiff &Vale for the last three financial years against the actual spend. Cardiff & Vale have exceeded their budget in all three financial years. The main reason for this is the substantial costs of Long Inquest payments. Table 2 shows the same period for Bridgend & Glamorgan Valleys

- Table 1 – Cardiff & Vale of Glamorgan

Financial year	Budget	Actual Spend	(Under)/Overspend	(Under)/Overspend %
2011/2012	£626,000	£656,693	£30,693	5%
2012/2013	£664,000	£743,714	£79,714	12%
2013/2014	£722,000	£765,646	£43,646	6%

Table 2 – Bridgend & Glamorgan Valleys

Financial year	Budget	Actual Spend	(Under)/Overspend	(Under)/Overspend %
2011/2012	£824,630	£812,900	£(11,730)	(1)%
2012/2013	£824,630	£795,510	£(29,120)	(3.5)%
2013/2014	£826,572	£746,000	£(80,572)	(9.75)%

44.   Cost Apportionment - As per the recommendations of the Ministry of Justice, the cost of the service for both Coroner Areas is apportioned amongst the participating Local Authorities on a population basis (as per the current Census). Recent discussions have resulted in a review of the contributions that Cardiff and The Vale of Glamorgan local authorities make towards the service provision for their Coroner Area. Previous contributions have been based on the 2001 Census figures. As a result of this review, future contributions will be made according to the most recent Census. A budget position for the existing Coroners service for C&VG is attached as Appendix C.

45.   For the proposed merger it is proposed that the most appropriate commonly used cost apportionment method is on the basis of population as supported by the Ministry of Justice. The reasoning for this is that it is

readily available, is updated regularly and is a fair and stable basis which enables accurate financial planning for the service and the authorities. Implementation and operational costs will be apportioned on this basis. Redundancy costs are the exception to this, which will be met by the local authorities that contributed to the coroner area from where the member of staff originated from. The financial case for the proposed new structure is in Appendix D.

Jurisdiction	Population*	%
Glamorgan Valleys, Bridgend & Powys	565,366	54
Cardiff & Vale of Glamorgan	472,426	46
Total	1,037,792	100

*Source: Census 2011

Legal Implications

46. Legal Services are instructed that Rhondda Cynon Taff County Borough Council ("RCT"), on behalf of six local authorities, including Cardiff Council, is proposing to submit an application to the Lord Chancellor to consider a request to merge the existing coroner areas into one new merged coroner area covering the whole of the six local authority areas. If, following consultation, the Lord Chancellor is agreeable to the same, he will make a legal order to merge the existing coroner areas to one coroner area. Legal Services are instructed that the consent of all six councils is required prior to RCT submitting the application to the Lord Chancellor, hence the purpose of this report.

47. Statutory Powers in relation to the Coroners Service

48. The provision of a Coroner's Service is a legal and statutory function of the Council. Put simply, the Council has a duty to appoint a Coroner and to provide appropriate resources, funding and support to enable the Coroner to carry out his/her statutory role and responsibilities. The Coroner is an independent judicial officer holder and is not employed by the local authority.

49. The relevant legislation is set out in the Coroners and Justice Act 2009 ("the 2009 Act"). Schedule 2 of the 2009 Act makes provision for England and Wales to be divided into areas known as coroner areas and gives the Lord Chancellor the power to set and alter the boundaries of these areas by order after consultation with the relevant local authorities, the Welsh Ministers, and any other persons the Lord Chancellor thinks appropriate. A coroner area may cover either the whole of one local authority area or the whole of two or more local authority areas. Where the area includes two or more local authorities one of them will be the lead authority for the area, known as the "relevant authority".

50. Pursuant to Part 1 of Schedule 3 of the Coroners and Justice Act 2009 ("the 2009 Act") appointments of coroners are to be made by the relevant authority for each coroner area. The relevant authority for a coroner area

must provide appropriate staffing levels and accommodation to enable the Coroner to carry out its functions (Section 24 of the 2009 Act).

51.   It is noted from the body of the report that it if the Lord Chancellor consents to the proposal and makes an order to create a newly merged coroner area, RCT will take the role of the "relevant authority". That is, in relation to the merged coroner area, RCT will undertake the statutory functions of appointing the Coroner and providing the appropriate resources to enable the Coroner to carry out his/her statutory duties.

52.   At this stage Legal Services do not know the content of the proposed order but it is assumed that it will be based on the business case which is to be developed and submitted in support of the proposal.

53.   The Council will need to be satisfied that:

- the proposals for merger of the budgets and apportionment between the Authorities is appropriate and represents value for money;
- roles and responsibilities are agreed with clear accountability; and
- the Council has appropriate controls/oversight concerning the continued improvement of the services and delivery of future financial savings.

54.   Accordingly a service level/funding/collaboration agreement should be negotiated with the Authorities as part of any consent to a submission being made to the Lord Chancellor relating to a merger of the two Coroner's jurisdictions. Negotiation of such an agreement should finalise the arrangements to ensure the above issues are satisfactorily addressed.

55.   The agreement should include a provision to enable each of the Authorities to call for a review of the arrangements to determine whether the contributions each Authority is required to make are appropriate to reflect the costs of the Coroner's Service which are properly attributable to each local authority administrative area at that time. The review should be capable of ensuring that the arrangements are not prejudicial to any Authority.

Equalities Duties

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

57. The report identifies that an Equality Impact Assessment has been carried out and is appended at Appendix E. The purpose of the Equality Impact Assessment is to ensure that the Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty. The decision maker must have due regard to the Equality Impact Assessment in making its decision.

HR Implications

58. As the Vale of Glamorgan acts as the current Relevant Authority there are no staffing issues within the proposal that affect any Cardiff Council staff.

RECOMMENDATIONS

Cabinet is recommended to recommend that Council:

1. delegate authority to the Director with responsibility for this matter in consultation with the Portfolio Cabinet Member, the County Solicitor and the Section 151 Officer, to deal with all matters required in order to facilitate the proposed merger of the Coroner's areas referred to in the body of the report including:

   o finalisation of the proposals to ensure they are appropriate and represent value for money, provide clarity on roles and responsibilities and facilitate appropriate controls/oversight concerning the continued improvement of the services and delivery of future financial savings;
   o entry into a service level/funding/collaboration agreement with all of the partner Authorities to reflect the finalised proposals including setting out controls for management and governance of the new arrangements subject to a provision that the agreement (and the roles and responsibilities of each of the Authorities) will be reviewed every 3 years (to include a review of the basis of apportionment of the costs to ensure that the arrangements are equally advantageous to each of the Authorities and equitable)

2. subject to finalisation of the details of the business case to be submitted in support of the application to reflect the finalisation of the proposals referred to in the above recommendation, consent to an application being submitted by Rhondda Cynon Taff County Borough Council to the Lord Chancellor in respect of the proposed merger of the Coroners areas referred to in the body of the report
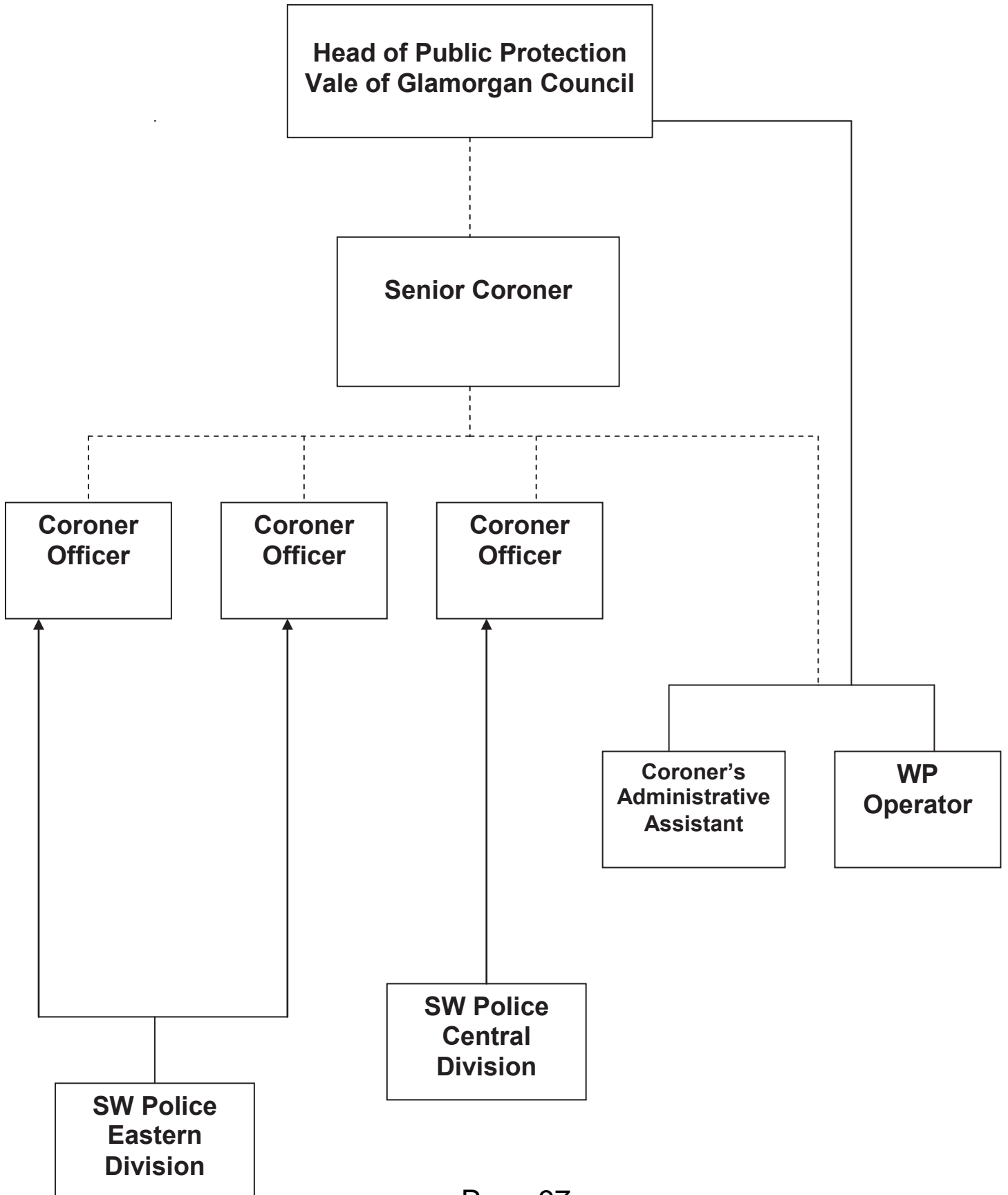
PAUL ORDERS
CHIEF EXECUTIVE
5 June 2015

The following appendices are attached:

Appendix A1 – Current Cardiff and Vale Coroners Service Structure

Cardiff and the Vale of Glamorgan Coroner Service

Existing 2014 Structure

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                    ┌──────────────────────────────┐
                    │  Head of Public Protection   │
                    │  Vale of Glamorgan Council    │
                    └──────────────────────────────┘
                                 ┆
                    ┌──────────────────────────────┐
                    │       Senior Coroner          │
                    └──────────────────────────────┘
```

Coroner Officer	Coroner Officer	Coroner Officer

Coroner's Administrative Assistant	WP Operator

SW Police Central Division

SW Police Eastern Division

Appendix A. 2

Current Powys, Bridgend and Glamorgan Valleys

Director of Legal & Democratic
Rhondda Cynon Taf CBC

Senior Coroner

Coroner Officer   x1
(Dyfed Powys Police)

Coroner Officer   (South
x3   Wales Police)

Assistant Coroner
2x

Head of Business Support &
Elections

Team Leader

Coroner's Office Manager

Coroner Inquest Assistant

Coroner Clerk 2x
(0.6FTE) 20Hrs

KEY:

Line responsibility

Liaison

reporting
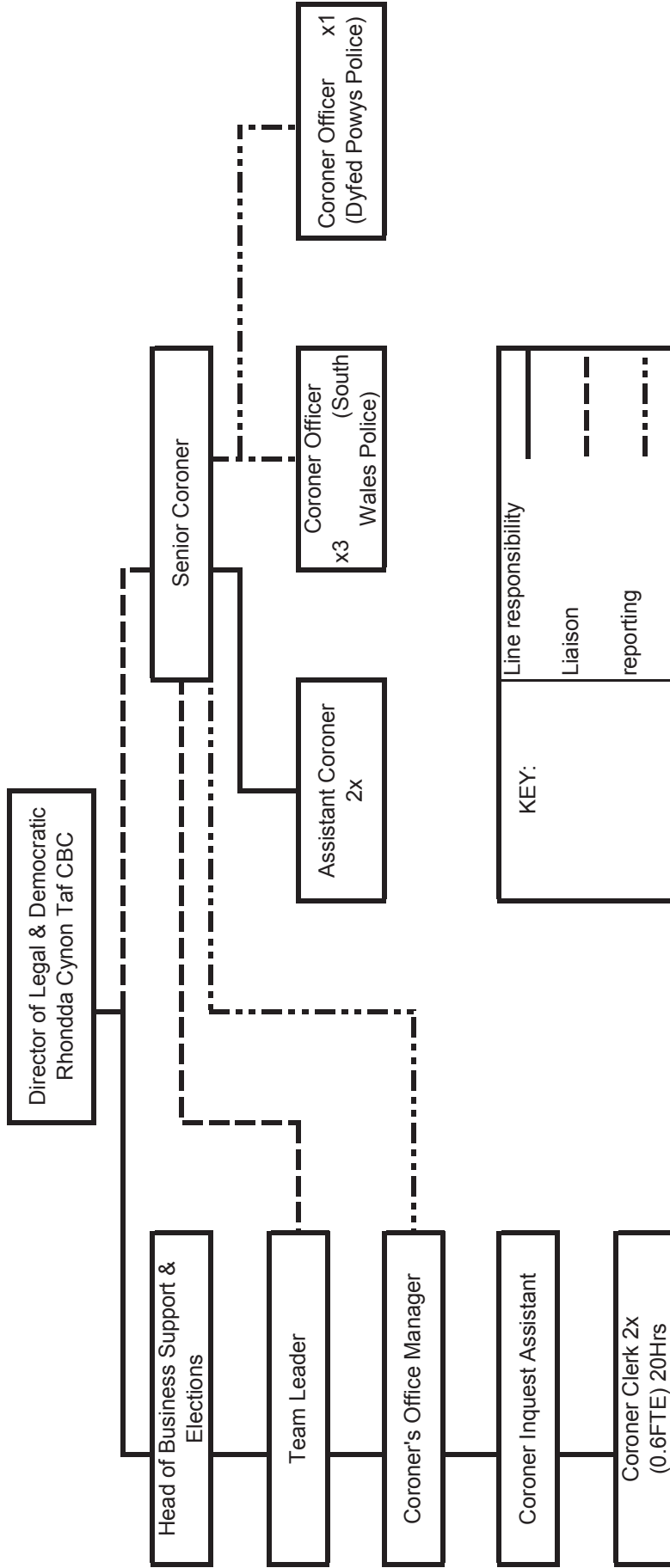
Proposed Merged Cardiff & The Vale and Powys, Bridgend and the Glamorgan Valleys Coroner Structure

Appendix B

Director of Legal & Democratic Rhondda Cynon Taf CBC

Senior Coroner

Coroner Officer   x1
(Dyfed Powys Police)

Coroner Officer   (South Wales Police)
x6

Part time   Area Coroner

Head of Business Support & Elections

Service Manager

Coroner Inquest Assistant   x2
FTE

Coroner Clerk   x2
FTE

KEY:

Line responsibility

Liaison

reporting
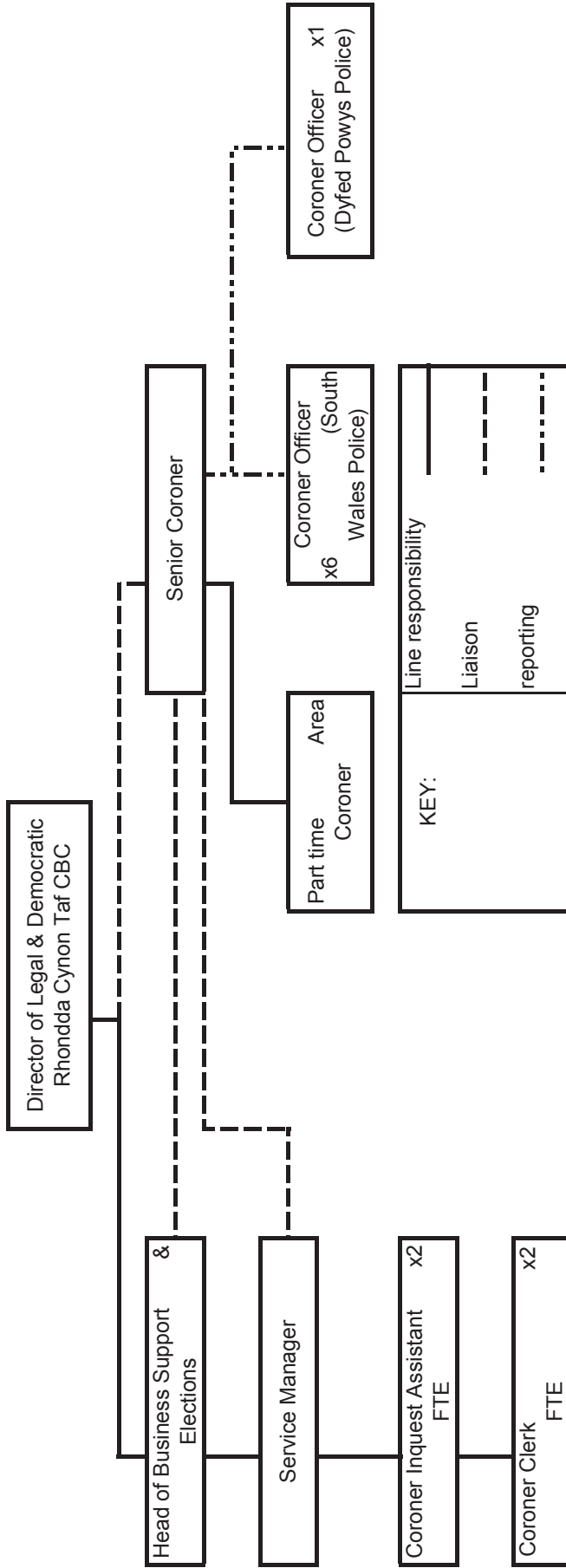
Cardiff & Vale of Glamorgan Current Coroner and Administration Costs

Vale of Glamorgan and Cardiff only (existing)	2014/15 Budget
	£
Employees	144,282
Premises	10,500
Transport	200
Supplies & Services	581,198
Support	39,000
Income Charges	-4,000
Efficiency Target	0
New Jurisdiction Budget	771,180

Current Cost Allocation

Authority	Based Upon 2001 census	Apportioned cost	Based Upon 2011 census	Apportioned cost	Impact of upgrading to 2011 census cost / (Saving)
	%	£	%	£	£
The Vale of Glamorgan	28.00%	215930	26.74%	206214	(9,717)
Cardiff	72.00%	555250	73.26%	564966	9,717
	100%	771180	100%	771180	0

RCT Proposed Coroner and Administration Costs

Merged Coroner Jurisdiction	2014/15 Budget £
Employees	339,194
Premises	71,900
Transport	5,300
Supplies & Services	1,283,658
Support	49,300
Income Charges	-4,000
Efficiency Target	-70,000
New Merged Jurisdiction Budget	1,675,352

Population	%	Authority	Existing Contributions - Without Merger (using 2011 census) £	Estimated Future Contributions Post Merger (based on 2011 Census) £	Effect of Merger - cost/(Saving) £
132,976	12.81%	Powys	236,424	214,613	(21,811)
139,178	13.41%	Bridgend	247,451	224,665	(22,786)
234,410	22.59%	Rhondda Cynon Taf	416,768	378,462	(38,306)
58,802	5.67%	Merthyr Tydfil	104,547	94,992	(9,555)
126,336	12.17%	The Vale of Glamorgan	206,214	203,890	(2,324)
346,090	33.35%	Cardiff	564,966	558,730	(6,236)
1,037,792	100%		1,776,370	1,675,352	0

14/15 Powys & Glam Valleys - pre-merger allocation basis

Population	%	Authority
132,976	23.52%	Powys
139,178	24.62%	Bridgend
234,410	41.46%	Rhondda Cynon Taf
58,802	10.40%	Merthyr Tydfil
565,366	**100%**	

The Vale of Glamorgan & Cardiff - pre-merger allocation basis

Population	2011 census %	2001 census %	Authority
126,336	26.74%	28.00%	The Vale of Glamorgan
346,090	73.26%	72.00%	Cardiff
472,426	**100%**	**100%**	

Equality Impact Assessment
Corporate Assessment Template

Policy/Strategy/Project/Procedure/Service/Function Title: Proposed Merger of Coroners Areas
New/Existing/Updating/Amending: New

Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?	
Name: Martin Birch	Job Title: OM Bereavement & Registration
Service Team: Bereavement & Registration	Service Area: Sport, leisure & Culture
Assessment Date: 16th March 2015	

1.   **What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?**

The merger proposal offers an improved service to the City of Cardiff through a full time Coroner presence and adequate cover arrangements for the whole area. There is also a small financial saving with the opportunity for this to improve in the future through more streamlined processes and greater bargaining power of the larger area to reduce necessary costs such as post mortem charges with the local health boards.

Cardiff will retain a position on the service board at officer level overseeing the new arrangements as a stakeholder and ensure that the City still receives value for money, a high standard of service and that annual costs are effectively managed.

2.   **Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]**

It is a statutory requirement that Local Authorities appoint a Coroner and reimburses the cost of providing the Coroner Service under the provisions of the Coroners and Justice Act 2009. A coroner is an independent judicial office holder, appointed and paid by the relevant local authority. A coroner must be a lawyer or a doctor, and in some cases is both. Each coroner has a deputy and usually one or more assistant deputies, and either personally or through a deputy he or she must be available at all times. The costs of the coroners' service are generally met by local authorities, not by central Government. In some districts the local police force may also contribute towards a coroner's resources, usually by providing and paying the costs of coroner's officers.

Equality Impact Assessment
Corporate Assessment Template

The Coroners role is to inquire into violent or unnatural deaths, sudden deaths of unknown cause, and deaths which have occurred in prison. A coroner's authority to inquire flows from the report of a body being within the coroner's district and not from where the death occurred. The coroner's inquiries may take one of several forms and may result in the holding of an inquest.

The current position affecting Cardiff is that of a shared Coroners service with the Vale of Glamorgan who act as the host Authority at present.

As host Authority the Vale of Glamorgan is currently responsible for the appointment of the Coroner and their officers. They are also responsible for negotiating all associated cost and fees with the Coroner and management of the budget and premises. Due primarily to available funding from both Authorities the combined area currently only provides a Part Time Coroner. This obviously causes some issues affecting bereaved families as the Coroner must be satisfied of a cause of death before a body is released for a funeral.

The scope of the merger proposal relates to the two coroner jurisdictions of Powys, Bridgend & Glamorgan Valleys and Cardiff & the Vale and sets out the rationale and benefits for a single area to cover the six local authorities

The proposal is to consent to an application being submitted by Rhondda Cynon Taff County Borough Council to the Lord Chancellor in respect of the proposed merger of the Coroners areas as detailed in the body of the Coroners Merger report.

3   Assess Impact on the Protected Characteristics

3.1   Age
Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years		N	
18 - 65 years		N	
Over 65 years		N	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
No differential Impact – Improved service expected through the full time availability of a Coroner.

Equality Impact Assessment
Corporate Assessment Template

What action(s) can you take to address the differential impact?		

3.2 Disability

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment		N	
Physical Impairment		N	
Visual Impairment		N	
Learning Disability		N	
Long-Standing Illness or Health Condition		N	
Mental Health		N	
Substance Misuse		N	
Other		N	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
What action(s) can you take to address the differential impact?

3.3 Gender Reassignment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
Transgender People (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)		N	

Equality Impact Assessment
Corporate Assessment Template

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
What action(s) can you take to address the differential impact?

3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage		N	
Civil Partnership		N	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
What action(s) can you take to address the differential impact?

3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

Equality Impact Assessment
Corporate Assessment Template

	Yes	No	N/A
Pregnancy		N	
Maternity		N	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
What action(s) can you take to address the differential impact?

3.6   Race

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White		N	
Mixed / Multiple Ethnic Groups		N	
Asian / Asian British		N	
Black / African / Caribbean / Black British		N	
Other Ethnic Groups		N	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
What action(s) can you take to address the differential impact?

Equality Impact Assessment
Corporate Assessment Template

| | | | |

3.7   Religion, Belief or Non-Belief
Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist		N	
Christian		N	
Hindu	Y		
Humanist		N	
Jewish	Y		
Muslim	Y		
Sikh	Y		
Other		N	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
Some Religious Groups require a funeral to be undertaken as soon as possible after death due to cultural and religious requirements. If a death is required to be reported to the Coroner this can cause delays to the body being released for a funeral.
What action(s) can you take to address the differential impact?
The proposed merger will allow for a Full Time Coroner presence in Cardiff rather than the current Part Time arrangement. This should therefore have a positive impact on those requiring an immediate decision by the Coroner to release a body for a funeral.

3.8   Sex
Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men		N	
Women		N	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Equality Impact Assessment
Corporate Assessment Template

What action(s) can you take to address the differential impact?

3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual		N	
Gay Men		N	
Gay Women/Lesbians		N	
Heterosexual/Straight		N	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
What action(s) can you take to address the differential impact?

3.10 Welsh Language

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Equality Impact Assessment
Corporate Assessment Template

What action(s) can you take to address the differential impact?

4.   **Consultation and Engagement**

What arrangements have been made to consult/engage with the various Equalities Groups?

Engagement has been ongoing with the Authorities considering the Merger.   **Cardiff has a higher ethnic population than the other Authorities and has discussed the role of the Coroner with affected cultural groups in the City previously through our regular stakeholder meetings.**   **Once the SLA is being negotiated the Cardiff representative will look to try and establish an improved response for those with a cultural need for a short notice funeral, the decision however will ultimately rest with the Coroner themselves.**

5.   **Summary of Actions [Listed in the Sections above]**

Groups	Actions
Age	
Disability	
Gender Reassignment	
Marriage & Civil Partnership	
Pregnancy & Maternity	
Race	
Religion/Belief	**Consultation with Coroner as part of SLA development to recognise the needs of certain religious groups.**

Equality Impact Assessment
Corporate Assessment Template

	Consult with identified local religious groups as part of the SLA negotiations.
Sex	
Sexual Orientation	
Welsh Language	
Generic Over-Arching [applicable to all the above groups]	

6.   Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

7.   Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By : Martin Birch	Date: 16th March 2015
Designation: Operational Manager Bereavement & Registration Services	
Approved By: Chris Hespe	
Designation: Director	
Service Area: Sport, Leisure & Culture	

7.1   On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 3059 or email citizenfocus@cardiff.gov.uk

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CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD

CABINET MEETING: 11 JUNE 2015

REVIEW OF ATTENDANCE & WELLBEING POLICY

REPORT OF CORPORATE DIRECTOR RESOURCES

                                                                  AGENDA ITEM: 5

PORTFOLIO: CORPORATE SERVICES AND PERFORMANCE (COUNCILLOR GRAHAM HINCHEY)

Reason for this Report

1.   To update Cabinet on a review of the Attendance and Wellbeing Policy and seek approval for an amended version of the policy to be implemented.

Background

2.   In September 2011 the Policy Review and Performance Scrutiny Committee published an Inquiry into Managing Attendance that had been undertaken by a task and finish group of the Committee. The task and finish group reported back to the Committee in October 2011.

3.   The policy was agreed at Cabinet in April 2013 for implementation from 1 July 2013 and it was agreed that a review would take place of the policy at 6 and 12 months. At the 6 month review, it was determined that there needed to be further operational experience before any changes could be proposed. Following the 12 month review post implementation involving, representatives from Directorates, schools, Trade Unions and the Equality Networks, a revised policy has been drafted and is attached as Appendix 1.

4.   In addition to consultation with stakeholders, the review also took account of the Wales Audit Office Report of May 2014, relating to the Management of Sickness Absence in the Council. Additionally, points raised on benchmarking and accountabilities by Policy Review and Performance Scrutiny Committee of 4 March 2014 which looked at the impact of the Attendance & Wellbeing Policy. Further, proposed revisions to the Policy have also been considered by Policy Review and Performance Scrutiny Committee on 2 June 2015.

Issues

5.   The revised Policy and the accompanying procedures (Appendix 1), if approved, will apply to all employees of the Council, irrespective of status

and/ or grade, except those employed directly by Schools. There will be a separate version of the Policy for schools based staff based on this policy that will be commended to School Governing Bodies. The reason for the separate version is the need to reflect the involvement of school governors with any dismissal that takes place in a school.

Impact of the Attendance &Wellbeing Policy

6.   Since the introduction of the revised Attendance and Wellbeing Policy in July 2013 (Q2 2013/14) there has been an improvement in the overall sickness rates for the Council. For comparison purposes the number of FTE days lost for the 12 months before the introduction of the policy was 11.73 FTE days lost per employee and 12 months after implementation the figure reduced to 9.98 FTE days lost per employee. The chart below shows the FTE days lost per person since 2011/12, pre and post Attendance &Wellbeing Policy introduction.

Sickness FTE days lost per person (Cummulative data)
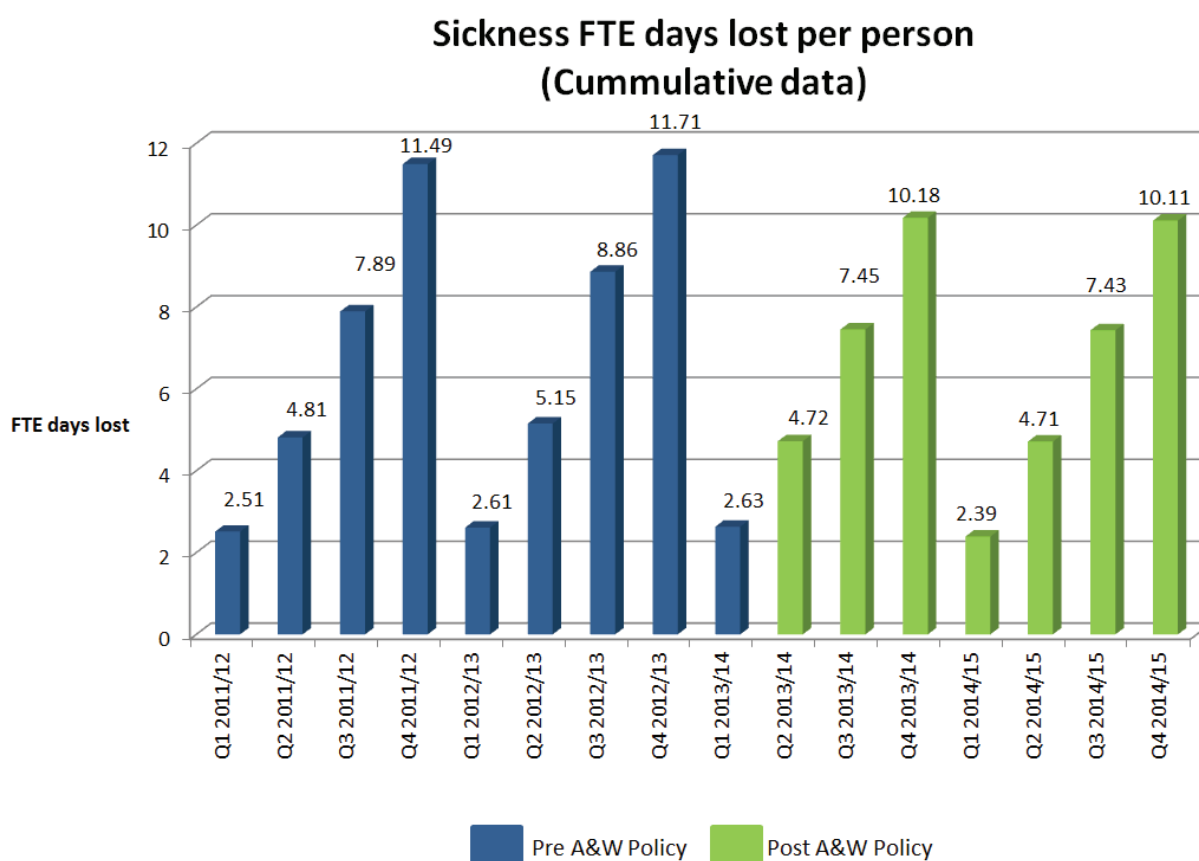
7.   The number of sickness dismissals had also increased over the years:

Sickness Dismissals			
	Long term Sickness	Short term Sickness	Total
2011/12	49	3	52
2012/13	50	3	53
2013/14	69	2	71
2014/15	69	10	79

Benchmarking of Data with Core Cities

8.   Further work has been undertaken to benchmark our management of sickness and sickness absence levels with the Core Cities. More detailed information on this can be found in a report in Appendix 2. A summary of the sickness data for total FTE days lost per person is as follows:

	2010/11	2011/12	2012/13	2013/14	FTE 2013/14	Initiatives
Cardiff	11.45	11.49	11.71	10.18	11677	See para 11
Birmingham	11.72	11.67	12.4	10.7	13736.5	Employee Assistance Programme & earlier intervention
Bristol*	Not supplied	7.89	Not supplied	Not Supplied	7213 (Headcount)	Employee Assistance Programme
Leeds	11.78	10.56	10.6	10.34	13136	Corporate target introduced
Liverpool	8.29	7.8	9.75	8.74	2890.03	New triggers 6 months ago
Manchester	10.7	11.52	10.98	12.23	6581	Proactive support from HR to managers on short term absence, targeted intervention for major causes of absence, health checks and specific activities in areas with the highest absence
Newcastle	8.35	8.05	9.5	6.18	5322	24 hr counselling helpline. Directors run monthly sickness challenge meetings with their managers. Wellbeing at Work booklet and workshops
Nottingham	11.64	10.26	10.7	Not Supplied	5432.11 (2012/3)	Improving attendance roadshows
Sheffield*	11.54	12.19	11.42	Not Supplied	6364 (2012/13)	Improving managerial skills in tackling sickness absence

* Have outsourced waste services

9.   As can be seen from the table the FTE varies greatly across the core cities. The most comparable authorities to Cardiff are Birmingham and Leeds. As can be seen in the table in 2013/14 the FTE days lost per person in Cardiff was lower than both Birmingham and Leeds, as well as Manchester.

Current Position

10.   The Council wide target for 2014/15 was **9.00 FTE** days lost per person. This was a reduction of 11.6% on last year's outturn figure of 10.18 days. The final sickness outturn figure for 2014/15 is **10.11 FTE** days lost per person. Whilst the target was not reached, the figure is the lowest sickness level the Council has achieved. Also, significant improvements have been achieved by Children's and Environment Directorates who have met and exceeded the targets set.

Actions Taken and Initiatives in Place

11.   Actions and initiatives taken outside of any policy review to emphasise the continued priority of sickness absence management include:

Management Accountabilities
- Directorate sickness absence compliance information is now included in quarterly Cabinet Performance reports.
- Directors have been reminded by the Chief Executive of their accountabilities and responsibilities in managing absence and a number were invited to attend Works Council meeting in December 2014 to update on progress.
- Inclusion of sickness absence management as a cascaded objective for all managers as part of 2015/16 PP&DR process.

Data Provision
- In addition to monthly reports provided to Directors and Head Teachers, detailing sickness absence data such as missed returned to work interviews, missed triggers and long term absence cases, more detailed sickness data is now available directly to all managers in respect of their teams in DigiGOV as part of a dashboard approach. Additional information to be made available shortly will include compliance with timescales for referral to OHS and numbers of no shows at OHS appointments.
- Extending the DigiGOV module relating to absence management to schools. To date, 97% schools are now using DigiGOV to record and monitor their sickness absence.

Stress Management
- Introduction of new Stress Control Programme and pilot of 1-to-1 Wellbeing sessions have been positively received and evidence shows that   they have supported staff either to stay in work or assist with an early return
- As raised at Health &Safety Advisory Forum in March 2015, commitment to redesign the Stress Risk Assessment form in order to better support employees and managers by making it more user friendly and fit for this specific purpose.

Occupational Health Services (OHS)
- Recent discussion at Star Chamber challenge approach with Directors and Cabinet Members in relation to OHS which resulted in a number of improvements made to the OHS process e.g. introduction of a clinical audit of OHS reports , clarity over role of OHS and management responsibilities regarding referrals.
- The Employee Counselling Service, which transferred to OHS within HRPS on April 1 2015, is being monitored in terms of resource issues in order to assess current waiting times for appointments.

Directorate Initiatives
- Sickness Absence Management Action Plan initiative in place within Environment and Sports and Leisure Directorates around

weekly focus on sickness absence by Operational Managers, regular long term absence management monitoring meetings involving HRPS, managers and Management Team and rigorous monitoring. This approach is now being extended to other Directorates such as Communities.

Health & Wellbeing

- The Partnership for Change report, agreed as part of the 2015/16 budget includes developing the principle of supporting Health & Wellbeing into a wider strategy to better support employees. This will include commitment to pursue Welsh Government's Corporate Health Standard.

- Based on experience of core cities and other evidence e.g. CIPD Annual Survey report 2014, started to explore the viability of Employee Assistance Programmes to support the Well Being agenda and complement what is already in place.

- Health and Wellbeing is a key element of the Council's Workforce Strategy and Employee Charter, agreed by Cabinet on 2 April 2015

- Development of clear advice for staff regarding the use of e-cigarettes and commitment to update and refresh the current No Smoking Policy.

- Extension of the new mediation service available from within HRPS. This approach to alternative dispute resolution aims to restore and maintain the employment relationship wherever possible by focussing on working together to go forward .Where there have been workplace issues, this may assist someone from going on sick leave or help someone on sick leave return back to the work.

Summary of Key Changes Proposed

12. Although the overall target for the Council for 2014/15 was not met, improvements were secured in a number of Directorates ie Environment and Children's Services who met their targets. The Council wide target for 2015/16 remains 9 FTE days. On this basis, it is therefore proposed that no fundamental changes are made to the policy at this stage with the suggested changes designed to tighten up and further strengthen provisions within the existing policy, further clarity on responsibilities and accountabilities of all employees (especially managers) and adjusting some operational matters which have emerged since the policy was implemented in July 2013.

13. General tightening up proposed includes:

- Building in a requirement that, in relation to work related stress, a meeting takes place with the employee as soon as possible to discuss issues and try to resolve prior to referral to OHS. Also made clear is the ability of the employee to request meeting with an alternative manager if the current manager is the perceived source of

the stress. The revised form referred to in paragraph 11 will assist this discussion.

- Clarifying those employees can return to work at any time without seeing their doctor in line with fit note rules. The RTW interview would address any reasonable adjustments.
- Ensuring that employees being referred to OHS understand from their managers beforehand that this is happening and why they are being referred
- Clarifying that employee compliance must include attending referrals to OHS and engagement with contact meetings plus improvements put in place to address "no shows" i.e. those who simply do not turn up and provide no explanation.
- Putting in place a clear and consistent process to be used for potential dismissal meetings in both the short term and long term absence process.

Short Term Sickness Absence

14. As stated above, the review approach has been to strengthen and tighten up the policy so it is not proposed to significantly change the triggers stages within the policy. The first change is to add in that Stage 1 is triggered by '1 additional absence of 6 calendar days or more within the 8 month period'. This brings this stage in to line with Stages 2 and 3. Clarification has been added into Stage 2 and 3 that the 'additional absence of 6 calendar days or more' needs to be within the period of the caution. In Stages 2 and 3 it says that failure to achieve and sustain performance can trigger the next stage and it has been clarified that this will be the case where an employee has 2 absences in a six month period during the period of the caution.

Long Term Absence

15. In respect of Long Term sickness absence there are no proposed major changes to the policy or the way that this is managed at this stage. The changes proposed are to ensure clarity of the process, which includes:

- contact "visit" changed to contact "meeting" to better reflect that it is 2 way flow of communication and information and made clearer that alternative location to home can be made for the meeting.
- removal of reference to a formal case conference. This is no longer required as cases are subject to ongoing review in addition to that which takes place at each contact meeting.
- clarification that refusal to attend or non-attendance at OH appointments and contact meetings may result in suspension of sick pay.
- Where advice is needed on whether someone is fit to attend meetings with management , employees should be asked this first by their line manager and only where they are not sure or say that they are not well enough should they be referred to OHS for a view

- Those referred to OHS must notify if they are unable to attend at the earliest opportunity and no less than 3 working days prior to the appointment.
- In cases where an employee gives no notice of non attendance, the matter will be referred back to the relevant manager to take the matter up with individual concerned. Refusal or failure to attend 2 appointments (without notice of non attendance) will result in pay being stopped and disciplinary action may be taken.
- Inclusion of specific requirements for actions required of managers following receipt of OHS reports.
- Inclusion of an example where triggers can be relaxed e.g. employee undergoing treatment and may wish to return to work between treatments rather than be on continuous long term absence.
- Made explicit that communication should also be maintained with employees who are sick whilst on suspension.

Wales Audit Office Recommendations Relating to Management of Sickness

16. Supplementary to the full Corporate Assessment, WAO undertook a review of how sickness is managed across the Council. In December 2013, they reviewed the Council's corporate arrangements and their implementation across Directorates in order to consider:

- Whether corporate arrangements are sufficiently robust to bring about a reduction in sickness absence?
- Are policies being implemented effectively at Directorate level?
- Are review arrangements driving improvements?

17. In addition to reviewing a range of Council documents and interviewing HR and managers from all Directorates, they also reviewed the data capture systems and management information available both corporately and to managers. Their conclusions were that although the policies & procedures for managing absence are based on positive practise models, they are not being applied consistently at Directorate level. WAO have therefore proposed the following which has been taken into account in the review:
- Directors needing to clarify their expectations of how managers should use and report on sickness targets – more accountability and challenge within and across Directorates .
- Making existing sickness absence data more widely and routinely available for all managers as part of their "dashboard"
- Review of the central sickness team within HRPS and ensure that good practice examples of managing absence are shared across Directorates.

18. The issue of accountability and challenge is being cascaded by the Chief Executive to all managers. The inclusion of a specific 2015/16 sickness management PP&DR objective for all managers further supports this. A number of Directorates e.g. Environment and Sports & Leisure have also

put in place Sickness Management Action Plan approach which is routinely monitored by the Management Team. As stated earlier in the report , dashboard information has been made available directly to all managers through DigiGOV and further information regarding OHS referral information including "no shows" will be provided from June. Positive feedback has been received from managers and Star Chamber Challenge meetings regarding the work , support and impact of the central sickness team within HRPS and good practise examples about case management and strategies are being extended to other Directorates .

Development of Managers

19.   A theme highlighted by the WAO report and confirmed as part of consultation were issues around consistency of policy application by managers. Whilst there were many examples of managers who applied the policy in a consistent and fair way, the Trade Unions continued to highlight examples of where this was not always the case. Whilst the Cardiff Manager Programme and specific skills based training courses are facilitated by the Academy, there is limited capacity to offer specific training in this area. Consequently, it is proposed that the current Attendance & Wellbeing e-learning module will be refreshed and updated and it would be a mandatory requirement for completion by all those who manage staff. Compliance with this requirement would be regularly monitored at a senior level.

External Review

20.   The proposed revisions have been subject to an external review by Association of Public Service Excellence (APSE). The APSE review has provided external validation and compared the Council's updated policy proposals against industry best practice. They have confirmed that the content and approach of the revised A&W policy is comprehensive, in line with good practise and principles. They have made some suggestions in terms of format and content which have been taken into account in the revised policy attached. They too have commented on the need to focus on management capability, compliance and the need for accountability. They have also made a number of suggestions including the development and implementation of a Health & Wellbeing Strategy, which aligns with the Council's intentions already highlighted within the Partnership for Change Agreement, Workforce Strategy and Employee Charter.

21.   Policy Review and Performance Scrutiny Committee considered the changes being proposed at their meeting on 2 June 2015. Their response is attached as Appendix 3. In summary, whilst they acknowledged that the direction of travel relating to sickness management is in the right direction, there still remains some way to go. They expressed support for the work of the HRPS Central Sickness Team and confirmed the policy changes proposed in particular those relating to Occupational Health Service appointments, relaxation of trigger points for example where an employee is undergoing treatment,

mandatory requirement for all managers to complete the e-learning module, etc. They have made a series of suggestions as to what could be considered as part of the next review, should sickness absence plateau rather than reduce further.

Special Leave

22.   As Special Leave is part of the Attendance & Wellbeing Policy, a number of comments have been received as part of the consultation process. Whilst a number of these are clarification points, a number of policy issues have been raised regarding time off for Election duties, time off for interviews (mainly but not exclusively from schools) and these require further consultation with stakeholders. The outcome of this will be reported to Cabinet in July.

Equalities Impact Assessment

23.   An Equalities Impact Assessment has been carried out on the updated Attendance and Welbeing Policy and this has identified that the policy and statistics should continue to be monitored.

Reasons for Recommendations

24.   To strengthen the policy in order to improve the management of sickness absence in the Council thereby reduce costs and ultimately save jobs.

Legal Implications

25.   The management of sickness absence must have due regard to employment law implications generally and particularly in respect of disability discrimination and unfair dismissal legislation. It is considered that the proposed Policy is consistent with the legislation.

26.   A Sickness Absence Policy is vitally necessary to ensure legal compliance combined with the effective management of absence. However it must also be remembered that each case of sickness absence will have its own particular set of circumstances. There will be a legitimate expectation that a policy will be adhered to in most cases but under the law a policy can never be regarded as absolute in its application.

Financial Implications

27.   The report proposes a number of measures to strengthen the policy in order to improve the management of sickness absence in the Council. Any reduction to sickness levels and paid absences as a result of these changes would reduce the opportunity cost of staff absence and provide increased capacity in terms of working hours. It would also reduce the cost of staff agency or temporary cover where these are necessary to maintain services during periods of sickness absence. This would also apply to schools but only if the policy is adopted by school governing

bodies. Any costs or management time associated with implementing the policy will be met by directorates from existing resources.

HR Implications

28. This review of the policy will further strengthen the Council's approach to dealing with sickness absence. Whilst the corporate target for sickness absence for 2014/2015 was not achieved, there were a number of Directorates who achieved their targets.

29. A significant amount of consultation has been carried out again during this review with Directorate managers, Head Teachers, the 5 employee networks and the Trade Unions on the proposed changes. Throughout the period, the proposed policy has been amended to reflect comments and suggestions, where possible. The Trade Unions again raised the issue of the policy being consistently and properly applied by all managers. It is clear that whilst a lot of work has been carried out in managing sickness levels, the issue of compliance with the policy by managers is still an area of concern. This has been addressed in the policy review with the manager responsibilities in Section 1 being strengthened and a mandatory e-learning refresh for all managers.

30. A review of the Council's Disciplinary policy is currently underway and is due to be considered by Cabinet in July. A number of recommendations relating to the link between disciplinary investigations/processes and sickness absence have been identified . The Attendance and Wellbeing Policy has been updated to make explicit some of the more straightforward areas highlighted e.g. need to communicate with those on suspension ; rather than immediate referral to OHS where advice is needed on whether someone is fit to attend meetings with management, employees should be asked this first by their line manager and only where they are not sure or say that they are not well enough should they be referred to OHS for a view. However the whole issue of sickness absence management during Disciplinary Investigations will require further discussion and supplementary guidance.

Trade Union Comments

31. Trade Unions have been consulted on the proposals. Their preference was to leave the current A&W policy in place for the time being and to drill down and further analyse the data so that any patterns, hot spots, etc. could be identified and addressed and that managers apply the provisions of the policy fairly and consistently.

32. Comments have been received from the Trade Unions and Employee Equality Networks about the availability of the Employee Counselling Service. At the moment employees can call between 9am and 5pm Monday to Friday to book an appointment for counselling. There is no access to telephone counselling and there is currently a 4 week wait for an appointment. For Cardiff staff, 1.5 Counsellor posts and a 0.5 admin resource transferred to HRPS on 1 April 2015 and are based within the OHS team at Nant Garw. Resources available and waiting lists will be

monitored to try and address the current waiting time for staff and this will continue throughout 2015/16. The Trade Unions are also supportive of the stress control programmes and associated 1 to 1 Wellbeing support pilot sessions which have been provided and are keen that a rolling programme of this type of provision be put in place.

33.   The Disability Network have suggested that it would be useful for managers (and employees) to be trained in understanding and dealing with Mental Health issues in the workplace. There is e-learning available regarding this as well as external organisations that will deliver training on this. Another suggestion from them regarding training was that it would be useful if other colleagues were trained where employees in their teams are prone to seizures, diabetic hypes, etc. The Network has said that there are such courses available in Wales. These suggestions will be considered in the future. Reference to Time for Change (Welsh Government initiative), raised previously, will be explored as a way of providing support for employees experiencing mental health issues.

34.   Some of the Teaching Trade Unions have made representation that the provisions of the policy are not fully suited to the working arrangements within schools.

35.   The Cabinet needs to consider the draft policy in light of these views.

RECOMMENDATIONS

Cabinet is recommended to:

1.   approve the revised proposals in relation to the Attendance and Wellbeing Policy, attached at Appendix 1 and note that proposals regarding Special Leave changes will be considered by Cabinet in July 2015.

2.   agree that the policy should be commended to School Governing Bodies for adoption and that all avenues should be rigorously explored to ensure that they adopt the policy.

3.   agree that the policy be implemented with effect from 1 July 2015.

4.   agree that the implementation of the revised Attendance & Wellbeing policy arrangements be monitored and be subject to review following a further 12 months of operation.

5.   agree that a Health & Wellbeing Strategy be brought forward, following due consultation, to a Cabinet meeting in the Autumn.

CHRISTINE SALTER
Corporate Director Resources
5 June 2015

The following Appendices are attached

Appendix 1 - Updated Attendance and Well Being Policy
Appendix 2 - Core City Benchmarked Information
Appendix 3 - Response from PRAP of 2 June 2015*)*

The following Background Papers have been taken into account:

- Equality Impact Assessment
- APSE Review of Proposed Changes to A&W policy
- WAO Review of Sickness Absence Management Arrangements
- Full schedule of details of all proposed changes to A&W policy

ATTENDANCE AND WELLBEING POLICY

DATE DOCUMENT PUBLISHED	July 2015
APPROVED BY	Cabinet
APPROVAL DATE	June 2015
DOCUMENT OWNER	Lynne David
DATE FOR REVIEW	July 2016

CONTENTS

SECTION 1 - INTRODUCTION

Introduction

1.1 The Council considers the health and well being of its employees important, and is committed to providing a high quality working environment for all employees. The Council aims to promote a positive approach to maximising attendance through work life balance and health promotion.

1.2 The Council is committed to help prevent and reduce absence levels, to respond effectively to actual and potential problems with service delivery, and also provide assistance to employees with health problems at an early stage. It is recognised that high levels of attendance contribute to the planning and provision of its service. The reduction of sickness absence levels will improve service delivery, increase employee morale, ensure the organisation is more competitive and increase job security. Sickness absence is an inevitable and complex organisational issue and should not be viewed in isolation but within the broad context of the Council's obligation to ensure the health, safety and well being of all employees and the organisational factors, which may affect sickness absence levels.

1.3 The reason for absence from work is not limited to sickness and health issues. Employees can experience non medical issues such as domestic problems, both short and longer term that make attendance problematic. It is acknowledged that, at times, employees need to take time off work due to personal illness or injury or other unexpected domestic emergencies. The Council provides appropriate paid (or in some instances unpaid) leave in such circumstances and expects its employees to respond by ensuring they take reasonable care of their health and attend work unless they are unable to do so. Attendance is regarded as an essential element of an employee's overall performance along with quality of work, output, attitude to the job, relationships, attention to safety and time keeping.

1.4 The Council aims to ensure that employees experiencing problems with attendance at work are supported, wherever it is both practicable and reasonable. Employees who are absent from work due to sickness will be treated consistently, with respect, understanding and sensitivity.

Roles and Responsibilities

1.5 It is important that everyone clearly understands their roles and responsibilities within this process.

Employee Responsibilities

1.6 All Council employees are responsible for:

a. Attending work on a regular basis in accordance with their contract of employment

b. Ensuring they read, understand and comply with this policy and procedure

c. Fully co-operating with the requirements of this policy when they are in operation, including attendance at Occupational Health and contact meetings.

d. Maintaining confidentiality at all times during any sickness proceedings, with the exception of any conversations which may be necessary with their Trade Union

e. Behaving and acting in a way that is consistent with the Council's values of accountability, flexibility, openness, professional integrity, diversity, respect and working with others

Management Responsibilities

1.7 In addition to their responsibilities as employees, managers are also responsible for:

a. Ensuring employees are aware of all relevant policies and procedures by whatever means are most appropriate.

b. Establishing, demonstrating and consistently upholding standards of acceptable attendance.

c. Fully understanding the Council's Attendance and Wellbeing policy and where it is implemented, applying it fairly, consistently and in a timely way.

d. Completing the mandatory on-line training on the Attendance and Wellbeing Policy within the prescribed timescales .

e. Seeking advice from HR People Services on all matters relating to attendance.

f. Keeping adequate notes and records of all events and evidence to support the use of the policy. This is to ensure that there is a robust record to protect the Council if there is an Employment Tribunal claim and also to ensure the manager has sufficient notes to support any witness statement they are required to provide. Notes of meetings should be provided to the employee and signed by the employee and manager as an accurate record of the meeting.

g. Ensuring that the Council's Attendance and Wellbeing policy is adhered to at all times including timescales, appeal rights, rights to representation, etc.

h. Arranging any meetings and support required as part of the procedure, e.g. securing dates, despatching invitation letters people to attend stage interviews, contact meetings etc, organising administrative support to record the proceedings, send decision letters, etc.

i. Contact the HR People Services Central Sickness Absence management team immediately to arrange a referral in cases of industrial accidents or occupational ill health.

j. Contact HR People Services Central Sickness Absence management team immediately regarding work related stress conditions

k. Regularly access information about compliance with the policy by their direct reports via DigiGov and ensure that non compliance is addressed

l. The Council's Senior Management Team will monitor absence and compliance but this should also be a standing agenda item for Directorate management team meetings

m. Maintaining confidentiality at all times throughout the process.

1.8   HR People Services responsibilities:

- Act as advisor to managers to ensure that the Council's Attendance and Wellbeing Policy is applied correctly.
- Provide all employees with information and advice as necessary throughout the process.
- Review and monitor sickness cases and outcomes and support managers to undertake any remedial action that may be necessary.
- Review and collate corporate monitoring data in relation to sickness for consideration by various groups, e.g. Senior Management Team, Works Council, etc.
- Support line managers to manage sickness cases of 4 weeks plus and cases of absence due to stress.
- Review the application of the policy and procedures in the light of operational experience.

Purpose

1.9   The attendance at work by employees is essential to enable the Council to deliver quality services to the citizens of Cardiff.

1.10   This Policy is intended to help and encourage all employees to achieve and maintain acceptable standards of attendance and aims to ensure a consistent and fair approach to the application of the Council's attendance requirements for all within the Council.

1.11   It is therefore essential that employees observe and abide by the requirements of this policy.

Who is covered by this Policy?

1.12 This Policy applies to all employees of the Council, irrespective of status and/ or grade, except those employed directly by Schools. There is a Policy for schools based on this policy that has been commended to school governing bodies.

Key Principles

1.13 The key principles related to Special Leave and Sickness Absence are detailed below in the relevant sections.

SECTION 2 – EMPLOYEE WELLBEING COMMITMENT

2.1 The Council aims to promote and encourage wellbeing at work. Wellbeing produces positive attitudes, engagement, motivation and innovative thinking. Wellbeing is an important factor in building employee engagement and is therefore a key management issue for the Council. The Council has an ongoing agenda in this area and is committed to continuing to address barriers to wellbeing as well as proactively identifying ways in which it can enhance employee wellbeing. This commitment is endorsed and fully supported by elected members, senior management teams and trade unions.

2.2 The Council already has in place a number of policies, services and initiatives designed to support employee wellbeing such as our in-house Occupational Health Service, Employee Counselling Service, Work Life Balance Policies, etc. In addition a range of health and wellbeing initiatives are implemented throughout the year to support employees.

2.3 Commitment to employee wellbeing is referenced within the Council's Workforce Strategy and Employee Charter and will be further demonstrated through the development and implementation of an Employee Wellbeing Strategy. This will set out the ways in which it will respond to employees physical, mental and psychological wellbeing needs. It will outline the role of senior managers, HR People Services, trade unions and employees in this agenda. It will also identify the ways in which we can continue to develop a culture that supports employee wellbeing, where employee wellbeing can flourish through the removal/ reduction of barriers to wellbeing and implementation of systems and initiatives to proactively address employee wellbeing.

2.4 The Council will:

- continue to promote health and wellbeing through management policies, support services, information networks and health promotions, including initiatives such as smoking cessation, alcohol awareness, diet, exercise, self management, and by liaising with external agencies.

- prevent, so far as is practicable, those circumstances detrimental to employee wellbeing or where such outcomes are for whatever reason unavoidable, respond with early support and intervention to limit the effects and promote recovery.

SECTION 3 – SPECIAL LEAVE PROVISIONS

PURPOSE

3.1 One of the Council's key commitments is to support the Work life Balance Strategy and in support of this, a range of flexible working policies and arrangements exist. These, in addition to the Council's annual leave arrangements, should provide sufficient time off to deal with the personal needs of most employees. However the Council recognises that there are times when employees will need short periods of time off work to deal with family and domestic situations.

3.2 The Council recognises that many areas of public service can only function through the good will of employers who agree to their employees having time off to attend to such duties. The Council wishes to encourage its employees to enter into public service, but must balance this with the needs of service users.

3.3 These provisions outline the reasons where special leave may be granted (over and above annual leave entitlements), and the number of days allowable.

KEY PRINCIPLES

3.4 Managers are responsible for ensuring that there is adequate provision for the needs of service users and therefore any of the provisions in this policy are subject to management approval. **They are not an automatic entitlement and any request will be subject to the needs of the Service**. To ensure a fair and consistent approach Managers must consult HR People Services prior to giving approval for other than routine special leave requests.

3.5 Employees requesting special leave must apply for approval through DigiGov (or the Special Leave application form for those without DigiGov access), as far in advance as possible taking into account the circumstances of the request.

3.6 These provisions are to deal with genuine requests for special leave and any abuse of the provisions will be dealt with under the Council's Disciplinary Policy. Where applications for special leave are frequent then managers should discuss this with the employee.

3.7 Where special leave is granted and the employee is entitled to claim an allowance for loss of earnings, the employee should claim and pay the allowance to the Council e.g. Jury Service. In such cases, advice should be sought from HR People Services.

3.8 Where special leave with pay is approved the daily amount payable will be the amount normally payable when an employee is taking annual leave.

Where special leave is for periods of less than a day then pro rata payments will apply. Unless stated otherwise special leave is with pay.

3.9 Where any of these special leave provisions could also be approved under other provisions such as the Parental Leave and Time Off for Dependants (both of which are unpaid) then the provisions of special leave would normally apply.

3.10 Frequently Asked Questions regarding Special Leave are available in the Attendance and Wellbeing Toolkit.

PROVISIONS

Reason for Leave	Further Details	Days Allowable (Paid unless otherwise specified)	Authority to approve
1. Bereavement	a. Death of immediate relative: Husband/ wife/ partner/ child/ parent*/ sibling*/ civil partner/ guardian/ dependant.	10 days. This may be extended in exceptional circumstances by Assistant Director/ Director	Line Manager .
	b. Death of other relative:	1 day for day of funeral.	Line Manager.
	c. Death of a member of staff.	Leave to attend funeral. – for direct line manager or representative Other employees may request leave/ flexi	Line Manager.
2a. Domestic / Personal emergencies	Leave to deal with certain unexpected or sudden emergencies which are immediate, severe and/or tragic and to make necessary long-term arrangements. Some examples are: critical illness of family/ fire/ theft/ flood	Depending on the circumstances of the case, up to a maximum of 2 days leave for each circumstances	Line Manager
2b Dependant care arrangements	To make arrangements for care (not actually caring for) of dependants	Up to 1 day paid per instance This will be monitored and where it is shown to be excessive then limits over a period of time will be set.	Line Manager

		Guidance on this is available in the A&W Toolkit	
3a. Personal Medical appointments	Authorised absence for medical reasons to attend e.g. GP, dentist, optician, etc. GP's, dentists and opticians often have extended hours and so employees should make every effort to make appointments outside of their normal working hours. Where this is not possible the appointment must be made for the start/ end of working hours	Where not possible to arrange an appointment outside of working hours time allowed for appointment and reasonable travel time. This is usually up to 2 hours, although extended reasonable time may be agreed. This will be monitored and where it is shown to be excessive then limits over a period of time will be set. Guidance on this is available in the A&W Toolkit	Line Manager
	Hospital appointments/ OH appointments/ Employee Counselling Service	Time allowed for appointment and reasonable travel time. This will usually be 2 hours, although extended reasonable time may be agreed. This may be extended to a maximum of 1 day in exceptional circumstances e.g. IVF treatment/ day surgery/ medical procedure. This will be monitored and where it is shown to be excessive then limits over a period of time will be set. Guidance on this is available in the A&W Toolkit	Line Manager
3b. Dependant appointments	Accompanying dependants to attend a medical appointment at a hospital or GP which cannot be made outside normal working hours. (i.e.	Time allowed for appointment and reasonable travel time, this would usually be up to 2 hours, although	Line Manager

	for circumstances where the relative cannot attend on their own). Accompanying dependants to non medical appointments e.g. social worker, care professionals which cannot be made outside normal working hours (i.e. for circumstances where the dependant cannot attend on their own). Where 2 employees working for the Council have the same dependant usually only 1 of them may claim this unless there are exceptional circumstances	extended reasonable time may be agreed. This will be monitored and where it is shown to be excessive then limits over a period of time will be set. Guidance on this is available in the A&W Toolkit Time allowed for appointment, this would usually be up to 2 hours, although extended reasonable time may be agreed. This will be monitored and where it is shown to be excessive then limits over a period of time will be set. Guidance on this is available in the A&W Toolkit	Line Manager
4. Sporting /Cultural Events.	Employees who are selected to participate in representative sporting or cultural events at National/ International levels.	Participants in representative events to be allowed to stay for the duration that they are actively participating in the event, up to a maximum of 5 days. Requests in excess of above may be considered in exceptional circumstances.	Operational Manager OM in consultation with HRPS
5. Training	Leave to sit approved examinations relevant to job plus examinations approved through post entry training scheme.	Time required to sit exam plus up to 3 days revision leave, maximum ½ day per examination.	Line Manager.
	Leave to attend personal graduation.	Up to ½ day.	Line manager
6. Attendance at job	For jobs within Cardiff Council.	Time required to attend interview.	Line Manager

interview	Any other job interview.	Annual leave / flexi leave. (Paid leave will be given for the time required to attend interviews for employees under notice of redeployment/ redundancy)	Line manager
7. Public Duties	Leave to attend official meetings/ mandatory training during working hours for employees who are • members of Local Authorities; • appointed by a Govt. ministry, assoc. of local authorities or a local authority to serve on a Committee, Tribunal or panel; • Justices of the Peace; • School Governors; • Official Prison Visitors; • Any other body in accordance with Sect 50 of the Employment Rights Act 1996. • Special Constabulary	Up to a maximum of 18 days p.a. for all categories (up to a total of 18 days aggregated over all categories listed).	Initial approval by Operational Manager. Subsequent requests for time off approved by Line Manager
	Military Service (Non Regular Forces).	Up to a maximum of 2 weeks per annum for annual camp.	Operational Manager
	Candidate in Local Authority, Parliamentary, Welsh Assembly or European Election.	One day's leave on polling day	Line Manager
8. Cardiff Council run Elections	Employees involved with election duties i.e. Senior Election Staff, Presiding Officers, Poll Clerks, Count Assistants and Assistants for the issue and opening of postal ballot papers.	1 day off with pay per election, subject to business requirements	Line Manager.

9. Volunteering Activities	Employees undertaking approved volunteering activities in accordance with Cardiff Volunteering Service **www.vcscardiff.org.uk**	Up to a maximum of 5 days (pro rata).	Operational Manager
10. Attendance at Court as a witness or a juror (not in connection with work)	Time required to attend court. (Employee must claim and pay to the Council any "loss of earnings" payable).	Time required attending court.	Operational Manager
11. Attendance at Court as a Defendant	Discretion to allow time off in exceptional circumstances.	Depending on circumstances.	Operational Manager
12. Unpaid Leave	Requests to take unpaid leave will normally be considered after the employee's annual leave allowance has been exhausted, and in appropriate circumstances (Employees in the Pension scheme should seek advice from the Pensions section). Each case to be dealt with on its own merits, with requests to be managed by Service Areas and advice sought from HR People Services.	Unpaid leave	Operational Manager (Requests beyond 5 days to be approved by Chief Officer and HRPS Officer, in consultation with Line Manager).
14. Adverse Weather	Non attendance due to adverse weather e.g. snow (See Severe Weather Conditions Guidance Note – 5.C.177)	Annual leave, flexi, unpaid leave or making up of hours	Line Manager

NOTE: **Special leave provisions cannot cover all eventualities, and there will undoubtedly be exceptional circumstances where it would be appropriate to grant special leave. Where this is the case, managers should consult hr people services to ensure consistency.**

Where leave is to be unpaid this must be confirmed in writing to the employee before any deduction from their wages takes place.

For the purposes of this policy 'Dependent' is defined as: a spouse, a child of the employee, a parent of the employee, a person who lives in the same household as the employee (excluding tenants, lodgers, live in employees e.g. nanny) or a person that reasonably relies on the employee for assistance.

UNPAID PARENTAL LEAVE

3.11 Under the Maternity and Parental Leave etc Regulations there is an individual right for a female or male parent to take unpaid time off work to look after a child or make arrangements for a child's welfare. Parents can use it to spend more time with children and strike a better balance between their work and family commitments.

3.12 For an employee to be eligible all of the following must apply:

(a) they have one year's service with the Council
(b) they are named on the child's birth or adoption certificate
(c) they have or expect to have parental responsibility
(d) they are not be a foster parent to the child (unless they've secured parental responsibility through the courts
(e) the child is under 18

3.13 The entitlement is for each child and is for 18 weeks unpaid leave up to their 18th birthday.

3.14 There is a limit of 4 weeks per year that can be taken and the leave must be taken as full weeks rather than days. However, where a child qualifies for Personal Independence Payments it may be taken as days.

3.15 A 'week' is defined as the time worked over a 7 day period, e.g. and employee who works 2.5 days a week will have 2.5 days unpaid leave and a week will come off their entitlement.

3.16 Unpaid parental leave can carry over from previous employment. However, an employee needs to have one year's service to apply for the leave. Previous employers should be asked for information about the amount of parental leave taken where a new employee requests unpaid parental leave.

3.17 Employees should provide 21 days notice of their request to take unpaid parental leave, where they or their partner are having a baby or adopting a child notice should be given 21 days before the week the baby or child is expected.

3.18 Leave can be postponed if the relevant notice is not given. It can also be postponed where there is a significant business reason to do so. Within 7 days of the request, if it is to be postponed, a written explanation for the postponement must be provided and a new date suggested. Leave

should not be postponed where it's being taken by the father or partner immediately after the birth or adoption of a child.

3.19 Unpaid parental leave is requested via Digigov and it will ask managers to confirm they have seen relevant documents to confirm eligibility. For non pc users there is a form in the Attendance and Wellbeing Toolkit for employees to make requests and their managers should then enter it onto DigiGov.

SECTION 4 – SICKNESS MANAGEMENT

KEY PRINCIPLES

4.1 It is the responsibility of managers to minimise absence through sickness, not only to ensure and maintain best quality service delivery but also to avoid disproportionate stress upon remaining employees. The management of sickness absence will be a key element in the Personal Performance and Development Scheme process for managers. Failure of managers to properly manage sickness absence could lead to disciplinary action under the Council's Discipline Policy and Procedure. There is a mandatory e-learning module for all employees who line manage employees.

4.2 To encourage good attendance, Directors should:

- provide good working conditions
- ensure health and safety standards are maintained
- carry out appropriate risk assessments including stress
- ensure all employees are aware of this policy and other relevant Council policies, e.g. Dignity at Work, equality, stress, etc.
- ensure managers are given appropriate training and support to operate policies effectively
- design jobs so that they give motivation and provide job satisfaction
- encourage teamwork

Employees must not attend work if their condition means that they could compromise their own, or others (e.g. colleagues, service users), health and safety.

4.3 This procedure deals with sickness absence and the effects it has on employees and the organisation. Any form of abuse of this procedure will be dealt with under the Council's Disciplinary Policy.

4.4 Any cautions issued under this scheme will not be taken into account when a disciplinary penalty is being determined.

4.5 Each sickness case must be judged on its merits, and the individual circumstances of each case must be considered with understanding and sympathy. The importance of the operational effect of the absence must also be taken into account.

4.6 At all stages of the procedure, a proper investigation should be conducted into the circumstances of the absence and appropriate information gathered.

4.7 Work related factors, including the job itself, should be monitored by managers as part of this process to assess if they are adversely affecting attendance. Employees should raise concerns with their manager or HR People Services if they believe their job, or any circumstances connected

with their employment, is making them ill or contributing to illness. Employees should also advise their managers if they have any condition which is substantially affecting their ability to do their work. In such cases early referral to Occupational Health may be appropriate.

4.8   Employees must be advised by their managers of their right to be represented at all formal stages of this procedure by a Trade Union representative or a work colleague and that they have a right of appeal in relation to any formal action taken as a result of this procedure. Sufficient notice must be given to employees prior to any formal interview being convened. At the informal support stage an employee would not normally need to be represented but they may request it if they feel that the circumstances require it.

The routine Return to Work interview is excluded from these provisions.

4.9   Appropriate training will be provided to managers to achieve consistent and sympathetic treatment of all employees under this procedure. All employees must be made aware of the sickness procedures and their responsibilities.

4.10   This Policy will link in with other associated Council policies in relation to health and wellbeing. Whilst the Council will manage cases in accordance with the provision of these policies, the fact that sickness absence is as a result of a disability, work related or caused by substance misuse does not mean that appropriate action cannot be taken in these circumstances.

4.11   Employees will automatically be referred for a medical examination if the reason for their sickness absence is, Industrial Injury, work place injuries or Occupational Ill Health. (Industrial Injury is defined as 'an injury that is the result of the work that someone does or an accident at work that happens to an employee while they are performing their job and is as a result of the employer failing in its duty to provide a safe work environment'). Referrals may also be made at any stage during this process, regardless of the duration of sickness absence. Such referrals must be made through consultation with HR People Services and the employee informed accordingly. In all of the above cases it is the manager's responsibility to contact the sickness team immediately.

In the case of Work Related Stress managers should ensure that when an employee makes contact to report sick and state this as the reason that they try and ascertain more information about the situation and where possible seek to resolve the issue straight away. There are relevant questions in the First Call Checklist that is on page 5 of the Attendance and Wellbeing Toolkit. If the issue is not resolved straight away then a meeting with the employee should take place as soon as possible and will be facilitated by HR People Services. The meeting should look at constructive dialogue about the work place issues and additional information will be gathered in line with a stress risk

assessment. A referral will take place following this meeting if the employee has not returned to work. This is due to a high percentage of stress cases being linked to organisational issues rather than being medical. By meeting as soon as possible with the employee and discussing the issues and looking at the areas identified within the stress risk assessment document HR People Services, the manager and employee may actually resolve any concerns and the employee could return to work without requiring a referral. If it is not possible to be resolved in this way the details of the discussion and the stress risk assessment will provide Occupational Health with the required information to deal more effectively with the referral. Employees may request for someone other than their line manager to be involved in the meeting and if this is the case the Service Area should allocate this to another appropriate manager to liaise with HR People Services. Employees may be accompanied by a trade union representative or work colleague at the meeting.

Referrals may also be made where the employee expresses concerns about their health before they actually reach the point of reporting sick.

4.12 Communication with employees throughout any period of absence should be maintained by line managers. This will be managed through HR People Services for cases of stress or absences of 4 weeks plus. This communication should also be maintained with employees who are suspended and are also sick.

4.13 Return to work interviews must be carried out by the relevant manager after every incidence of sickness, preferably on the day of return but no later than 3 days after the return to work, unless work patterns dictate otherwise.

4.14 The Council recognises that a proactive approach to health and well being is the best mechanism for improving the attendance and performance of employees. It therefore is committed to developing such programmes on an on-going basis.

4.15 Employees who have more than one job with the Council and are absent from one job may only remain working in another job if the nature of illness does not impact on their capability to carry out the duties of their other job. Advice from HR People Services **must** be obtained in all sickness cases where an employee has more than one job with the Council and this includes where one post is a school based post.

4.16 Employees must not engage in any external work (paid or unpaid) whilst on sickness absence from the Council, without prior approval from their Operational Manager.

4.17 Any form of abuse of the requirements of the sickness procedure will be dealt with under the Council's Disciplinary Policy.

SICKNESS NOTIFICATION REQUIREMENTS

4.18 Service Areas will ensure that all employees are aware of this policy, and the specific sickness notification requirements relating to their particular workplace. Reporting arrangements for employees who have varied work patterns is a matter for local determination but all elements of this process will continue to apply.

4.19 Employees need to fully comply with the procedure and any local reporting arrangements to be eligible to receive sick pay and this includes attendance at any occupational health appointments or contact meetings.

4.20 The provisions in relation to payment during sickness absence (except teachers) are:

During 1st year of service	1 months full pay (26 days)
During 1st year and after completing 4 months' continuous service	2 months half pay (52 days)
During 2nd year of service	2 months full pay and 2 months half pay (52 days)
During 3rd year of service	4 months full pay and 4 months half pay (104 days)
During 4th and 5th year of service	5 months full pay and 5 months half pay (130 days)
After 5 years of service	6 months full pay and 6 months half pay (156 days)

4.21 For teachers the provisions in relation to payment during sickness absence are:

During 1st year of service	25 working days' full pay and (after completing four calendar months' service) 50 working days' half pay
During 2nd year of service	50 working days' full pay and 50 working days' half pay
During 3rd year of service	75 working days' full pay and 75 working days' half pay
During 4th and successive years	100 working days' full pay and 100 working days' half pay

In recognition of the anxiety that a reduction in sick pay causes for employees on long term sick a service to provide signposting to relevant benefits and advice is to be set up at satellite locations. These will be communicated to employees in general but also specifically to employees before they are likely to go into half or nil pay.

FIRST DAY OF ABSENCE

4.22 On the first day of absence, the employee (or, in exceptional circumstances, someone acting on their behalf) must contact the relevant manager or nominated representative by telephone as soon as possible. This will be at least before the time stipulated by the Line Manager which will usually be before the scheduled start time for the employee. The manager should be advised of the start date of illness, nature of illness, likely duration, and any outstanding work commitments. This contact should be by telephone. If any employee has concerns about this process in relation to their access to a telephone or difficulty in using a telephone they should discuss these concerns with their manager and agree alternative methods of communication. There is a First Call Checklist on page 5 of the Attendance and Wellbeing Toolkit that managers should use to gather information from employees reporting sick. This form can then be attached to DigiGov when the absence is recorded. A copy of the form should be provided to the employee on request. If the Line Manager is not available when the employee calls in sick, the Line Manager will return the employee's call as soon as possible.

4.23 If the employee believes that their absence may have been caused by an accident or incident that happened at work, including alleged work related ill health, they should inform their manager who will arrange for an Accident At Work Form to be sent to them for completion. Where the reason for their sickness absence is perceived work related stress the manager should gather more information about the situation and where possible seek to resolve the issue straight away (see paragraph 4.11 for more details on this).

4.24 If an employee is taken ill at work and continues to be absent the next day, the manager must be notified on the first full day of absence by the time stipulated previously.

SECOND TO FIFTH DAY

4.25 The employee (or in exceptional circumstances, someone acting on their behalf) must maintain this contact each day thereafter for the next four working days or until a Statement of Fitness for Work from the General Practitioner is submitted. This reporting requirement may be varied by the manager depending on the information received on Day One. Examples of this can be found in the Attendance and Wellbeing Toolkit.

MORE THAN 7 DAYS ABSENCE

4.26 A Statement of Fitness for Work (previously known as a medical certificate) will be required on the eighth day of absence and should be forwarded to the manager or nominated representative. For continuing absences, further statements will be required. If a private Statement of Fitness for Work is requested at any time by the manager the cost will be reimbursed to the employee on provision of a receipt. Failure to provide

these statements despite two reminders will result in the absence being treated as leave without pay rather than sickness. Managers will be prompted by DigiGov where a Statement of Fitness for Work is overdue and DigiGov contains standard letters for managers to send. Managers must inform HR People Services of any extenuating circumstances to prevent unnecessary stoppage of pay.

SICKNESS AND ANNUAL LEAVE

4.27 Employees who are taken ill on annual leave must follow the normal sickness notification procedure, including the requirement to make contact with their manager on the first day of sickness absence and submit a Statement of Fitness for Work to cover the absence dated from the first day of illness if they wish to reclaim the leave.

4.28 Where an employee is on long term certified sickness and wishes to travel on holidays, they must inform their manager in writing of their intentions at least two weeks in advance. They should also provide written confirmation from their GP that they are fit to travel (ideally with an explanation of why they are fit for travel and not work) and that the holiday will not be detrimental to their recovery.

4.29 The European Working Time Directive allows employees to carry forward any annual leave which cannot be taken due to long term sickness absence. In this instance the calculation of outstanding leave will be based on the Statutory Entitlement to annual leave and bank holidays stated within the European Working Time Directive and not the Council's annual leave entitlements. Any annual leave and bank holidays already taken will be deducted from the statutory amount to determine the amount of leave to be carried forward. Where an employee comes back before the leave year ends, any outstanding annual leave wherever possible should be taken before the end of that leave year.

4.30 An employee on sickness absence can request to take leave whilst they are sick. This may occur where an employee is in half or nil pay. If a request is made then the employee will receive normal holiday pay (if they are in receipt of SSP the Council will offset the SSP against the holiday pay). This will not break the period of sickness for reporting purposes and will not lead to the absence being counted as 2 separate absences. There is no requirement for an employee to get a Statement of Fitness for Work to say they are fit as they are not being required to work.

SICKNESS RELATED TO THIRD PARTY ACCIDENTS

4.31 Where an employee is absent as a result of an accident where damages may be receivable from a third party, the Council will pay the relevant sick pay entitlement, subject to the employee undertaking to refund the total amount paid, or a proportion (dependent on the damages received) should the claim be successful. In such circumstances the employee

must take all reasonable steps to pursue the claim, which must include the sick pay received from the Council.

Where a full refund of the sick pay is made, the absence shall not be recorded for the purpose of calculating sickness entitlement or for trigger purposes. This will only happen once the refund has been received. If the refund is paid in part only, then the Council will decide to what extent the absence should be recorded against the occupational sick pay scheme. Advice on this issue is available from HR People Services.

RESUMPTION OF DUTIES

An employee who is sick may return to work at any time (including before the end of the Statement of Fitness for Work) without going back to see their doctor – even if the doctor has indicated that they need to assess them again. A suitable risk assessment must be carried out if requested by the employee or their trade union representative.

4.32 In order to assist in the organisation of work, employees must give the maximum possible notice to their manager of their return to work. Where specific rota schedules may be affected a period of notice may be agreed as a specific requirement.

4.33 It is the responsibility of Directors to ensure that there is a system within their Directorate to input sickness absence into DigiGov.

SUSPENSION/ RECOVERY OF SICKNESS ABSENCE PAYMENTS

4.34 Sick pay may be suspended if an employee abuses the Sickness Absence Procedure by:

- failing to provide relevant certification
- failing to report on the days/ times stipulated by the manager
- failing to attend 2 or more appointments with Occupational Health without giving prior notice
- refusal to attend/ non attendance at Occupational Health appointments (reasonable costs associated with travelling to occupational health can be reimbursed upon production of receipts)
- refusal to attend/ non attendance at contact meetings

Or is absent on account of sickness due to:
- deliberate conduct prejudicial to recovery
- misconduct or neglect
- active participation in professional sport
- working on their own account for private gain
- working for another employer (paid or unpaid) where they are able to access sick pay/ compensation from that employer

4.35 Where sick pay is suspended, employees shall have a right of appeal, through the Grievance Policy.

PLASTIC OR COSMETIC SURGERY

4.36 Where plastic or cosmetic surgery is certified by a Medical Adviser indicating that such surgery is essential to the employee's health or wellbeing this is a valid reason for an employee to receive occupational sick pay.

4.37 If surgery is to be carried out without this certification then occupational sick pay will not be paid and arrangements for annual leave or unpaid leave must be made in advance. Statutory Sick Pay (SSP) would be payable and where annual leave is taken then pay will be offset against the SSP.

SECTION 5 - FREQUENT/ PERSISTENT ABSENCE

5.1 Frequent/ persistent absences are normally sporadic and are often attributable to unconnected, minor ailments. Absences of one day or less caused by pre-arranged appointments for doctors, dentists, hospital or physiotherapist etc, which are validated by an appointment card are not included, as these are covered by the special leave provisions (see Section 3). However, wherever possible employees should arrange such appointments outside working hours. **Sickness Absences of less than a full day will count as a full day's absence for the purpose of this Policy.**

5.2 On some occasions, Managers will be required to take action in line with the short term absence trigger stages when there is a pattern of absence or the frequency/ quantity of absence gives cause for concern. Managers should specify why the absences are causing concern. Examples of patterns of absences are:

- Sickness absence during School Holidays/ Christmas period
- Sickness absence immediately before or after Bank Hols/ Annual Leave
- Sickness absence on Fridays/ Mondays
- Sickness absence at other times of year (e.g. around deadlines, Inspections)
- Recurring dates
- Sporting events
- Always returning to work when going into half pay/ nil pay
- Sickness Absences that always last 5 days or are of a similar duration
- Sickness Absences that just miss out on triggers
- Repeatedly hitting informal stages
- Sickness absence resulting from frequent/ regular industrial accidents.

This list is neither prescriptive nor exhaustive and there is no set number of times that absences have to occur before it becomes a pattern. Where a pattern is observed this must be dealt with in a timely manner. Although some patterns may take time to become evident a manager should not normally need to look further than 2/3 years for a pattern to be identified. In relevant cases, Managers should consider whether it is appropriate to escalate the employee to the next trigger stage as set out in the Short Term Absence procedure.

5.3 There is no automatic entitlement to have any adjustments to the trigger stages for absences related to disability. Where an employee is disabled their absences should initially be counted for the purposes of the "triggers" for the stages below. However, whether they should subsequently be counted will be determined at the formal sickness absence trigger interviews and on receipt of medical advice (see Appendix 1 with regard to sickness absence related to disability and Appendix 3 regarding critical illnesses).

5.4 Pregnancy related illnesses will not be counted towards the trigger process. Where an employee is going through IVF then any absences linked to this after their eggs have been collected will not be counted towards the trigger process.

5.5 In order to calculate whether absences have automatically "triggered" a stage in this procedure, the relevant dates are the first day of the most recent absence back to the end date of the oldest absence in the time period, e.g. for the Informal Support Stage this would be the first day of the **second** absence in the six month period and the last day of the **first** absence. DigiGov will notify managers when employees hit triggers.

5.6 Managers must conduct any sickness absence stage interviews within 14 calendar days of the employee returning to work. If these interviews are not held promptly there is the possibility of further absences occurring which would have triggered later stages of the policy. It is not appropriate to miss out stages in the procedure and move to a further level. Employees must have been interviewed in accordance with this procedure, allowed a period of time for improvement where appropriate, before moving on to a next stage of the policy.

5.7 There is flexibility to refer employees to Occupational Health for a medical opinion at any point in this procedure.

RETURN TO WORK INTERVIEWS

5.8 The Return to Work interview is a key measure in supporting employees who have been unwell, controlling sickness absence, and identifying any underlying work related issues. It is therefore essential that managers undertake Return to Work interviews as soon as possible after employees return to work and within working hours. Compliance with Return to Work interviews will be reported to the Senior Management Team and all managers are responsible for ensuring that their direct reports comply with this requirement.

5.9 Irrespective of the length of absence, all employees, on their return to work, must report to their manager and their manager will complete a Return to Work interview.

5.10 Ideally the Return to Work interview should be on the day of return. However, if that is not possible, it should be held no later than 3 days following the return to work unless work patterns dictate otherwise.

5.11 The Return to Work Interview Form, including the discussion notes on the back of the form, should be completed at the Return to Work interview. The form is available on DigiGov to print off prior to the interview but is also in the Attendance and Wellbeing Toolkit. The purpose of the interview is for the manager to discuss and raise any concerns about the individual's health, well being, recovery and overall attendance as well as

highlight any effect the absence has had upon the work of the section/ unit. During the interview the manager should discuss or consider, as appropriate to the circumstances, the relevant issues listed below:-

- Enquire about the employee's well being and ascertain whether they have made a full recovery
- Bring the employee up to date on work related issues/ developments during the absence
- Discuss whether there are any work related problems which may be connected to the absence/ and or whether the employee requires any support
- Discuss whether the employee's health is affecting their ability to carry out the job
- Consider whether the employee's illness could be regarded as a disability under the Equality Act 2010 and if so then a referral to Occupational Health may be necessary
- Consider referral to, or involvement of, the Occupational Health Service
- Discuss whether there are any adjustments required to enable the employee to carry out the duties of the post
- Remind the employee of the need for good attendance in order to maintain service provision, and the financial effect that absence has on the service area
- Advise of the possibility of the employee hitting an absence trigger
- Advise the employee of the help available through the in-house Employee Counselling Service
- Advise the employee of the Council's Stress Management Policy and any other appropriate policies.

This list is neither prescriptive nor exhaustive.

5.12 Managers are responsible for closing down absence records on DigiGov when an employee returns to work and also for recording the Return To Work Interview.

Managers may wish to follow a similar process to the return to work process where employees have been absent from work for other reasons, e.g. jury service, bereavement, personal emergencies, etc

SHORT TERM ABSENCE TRIGGERS

It is recognised that the majority of disabled employees maintain an excellent attendance record and that it should not be assumed that if an individual is disabled they are at a higher risk of sickness absence. Whilst the Council is committed to being supportive of individuals affected in this way and to implement reasonable adjustments, care must also be taken not to create a situation that can be abused and in turn be seen as unfair to other employees. Where sickness absence occurs, reasonable adjustments such as modification

to trigger points can be considered but this is not an automatic right under the terms of the legislation. Further advice on these should be discussed with HR People Services and the opinion of Occupational Health must be sought.

5.13 It is paramount that employees should be informed of their rights to representation at ALL formal stages by a trade union representative or a work colleague. At the informal support stage an employee would not normally need to be represented but they may request it if they feel that the circumstances require it. At each formal stage there is a right of appeal which is detailed in Section 8.

5.14 Managers should provide support to employees who are experiencing periods of sickness absence. However, it is not usually appropriate for the manager to offer advice related to personal, financial or domestic problems. The support referred to here is informal discussion and advice and not in-depth counselling which should be referred to a qualified counsellor e.g. via the Employee Counselling Service, if this is what the employee wants as an outcome of the discussion.   An employee can be referred to occupational health at any stage and so there could be consideration of this.

INFORMAL SUPPORT STAGE

5.15 Managers are required to meet with employees to discuss their attendance where:-

(a)   there are 2 absences within a **6 month** rolling period

Or

(b)   It is considered that the employee's **pattern of absence** is likely to lead to or is already causing difficulties - see paragraph 5.2.

Managers need to include the following when reviewing patterns:
- Failure to attend work – Absent Without Leave (AWOL) (this will need to be dealt with as it occurs)
- Special Leave

Managers need to take into account any reasonable adjustments agreed.

5.16 The absences should be brought to the attention of the employee concerned and discussed to determine if there is any underlying reason for the absence. If it is discovered that the individual has some problem relating to their work situation, which has resulted in sickness absence, then this must be discussed with a view to rectifying the situation. Managers should advise the employee that the next step in this process will be the formal stages of the procedure and that would be a written caution stage should there be further absences over the next 2 months or the pattern of absence causes concern.

5.17 The manager has a duty at this point to consider carefully whether it would be appropriate for an individual who has a record of sickness absence to work overtime or undertake stand-by duties until their attendance sufficiently improves. Where an employee has been sick then the sick days do not count towards the 37* hours required for the over time rate to be paid. They need to have actually worked 37* hours before they receive the enhanced over rate (*36 hours until 31/3/15).

STAGE 1 – FORMAL FIRST WRITTEN CAUTION STAGE

5.18 Managers are required to take action where following the informal support stage :-

(a) there are 4 absences within a **8 month** rolling period

Or

(b) 1 additional absence of 6 calendar days or more within the 8 month period

Or

(c) It is considered that the employee's **pattern of absence** is likely to lead to or is already causing difficulties - see paragraph 5.2. Managers need to include the following when reviewing patterns:
- Failure to attend work – Absent Without Leave (AWOL) (this will need to be dealt with as it occurs)
- Special Leave

Managers need to take into account any reasonable adjustments agreed.

5.19 The absences should be brought to the attention of the employee concerned and discussed to determine if there is any underlying reason for the absence. If it is discovered that the individual has some problem relating to their work situation, which has resulted in sickness absence, then this must be discussed with a view to rectifying the situation. Managers should advise the employee that the next step in this process will be the final written caution stage should there be further absences over the next 6 months.

5.20 The manager has a duty at this point to consider carefully whether it would be appropriate for an individual who has a record of sickness absence to work overtime or undertake stand-by duties until their attendance sufficiently improves.

5.21 The Stage 1 meeting will include a meeting (organised by the manager) involving the relevant manager, HR People Services, the employee and the Trade Union representative, where appropriate. The aim of this meeting is to ensure that all options have been considered.

5.22 Unless there are reasons under the Equality Act why it would be inappropriate, the employee concerned must be issued with a first formal written caution (the relevant documentation is available via DigiGov), advising of possible consequences.

5.23 The manager will place the employee under "Case Management" which will involve close monitoring of the situation. Each subsequent absence will be reported to the manager who will discuss the appropriate action to be taken with HR People Services.

5.24 The letter sent to the individual confirming the action to be taken should make absolutely clear that failure to improve the unsatisfactory absence record could lead to a further caution and that their future employment is at risk.

5.25 To allow an assessment of sustained improvement over a more realistic timescale, this formal written caution will remain valid for a period of 12 months. HR People Services should be consulted and involved from stage 1 onwards. Should a formal written caution not be issued due to consideration under the Equality Act, the Sickness Workflow will be reset accordingly.

STAGE 2– FINAL WRITTEN CAUTION STAGE

5.26 Managers are required to take action where following Stage 1:-

(a) there have been 6 absences within a 10 rolling month period;

Or

(b) 1 additional absence of 6 calendar days or more within the period of the stage 1 warning, i.e. 12 months

Or

(c) an absence pattern emerges which causes concern - see paragraph 5.2. Managers need to include the following when looking at patterns:
   • Failure to attend work (AWOL) (this will need to be dealt with as it occurs)
   • Special leave

Or

(d) the employee fails to achieve and sustain the required improvement during the period of the caution, i.e. they have 2 further absences in a six month period.

Managers need to take into account any reasonable adjustments agreed.

5.27 The employee will be required to attend a formal hearing when their future employment position will be reviewed.

5.28 The employee should be issued with a final written caution valid for 18 months. The employee concerned must be left in no doubt that they have been given a final opportunity to substantially improve and sustain their attendance, or there will be no alternative but dismissal in accordance with Council's procedures.

5.29 As part of the Stage 2 meeting and following the issue of a final written caution, there will be a meeting involving the relevant manager(s), HR People Services, the employee and the Trade Union representative, where appropriate, to ensure that all options have been considered and to see if any further action can be taken.

5.30 If it has not already taken place, a medical opinion **must** be sought from the Council's Occupational Health Adviser in respect of whether there are any underlying medical conditions that should be taken into consideration.

5.31 Where attendance levels have improved and been sustained as previously agreed, the manager in conjunction with HR People Services will consider ending "Case Management". Monitoring of attendance will then recommence under the trigger point arrangements previously outlined from a date to be determined by the manager and HR People Services. Should a final formal written caution not be issued due to considerations under the Equality Act, the employee will revert to Stage 1 of the Procedure and the Sickness workflow will be reset accordingly.

STAGE 3 – POTENTIAL TERMINATION OF EMPLOYMENT

5.32 Managers are required to take action if, following Stage 2, the employee has:

(a) 8 absences in any rolling 14 month period

Or

(b) 1 additional absence of 6 days calendar or more within the period of the stage 2 warning, i.e. 18 months

Or

(c) fails to achieve and sustain the required improvement during the period of the caution, i.e. they have 2 further absences in a six month period.

Or

(d) an absence pattern emerges which causes concern - see paragraph 5.2. Managers need to include the following when looking at patterns:
- Failure to attend work (AWOL)
- Special leave

Managers need to take into account any reasonable adjustments agreed.

CONDUCTING A STAGE 3 MEETING

5.33 The employee will be invited to a formal Stage 3 interview which will take the form of a hearing and be conducted by a more senior manager with a member of HR People Services present. The process is as follows:

- Letter sent recorded delivery to the employee giving them 14 calendar days notice of the meeting, informing them of their right to be accompanied by a trade union representative or a work colleague and advising them that a possible outcome could be termination of their employment. Where it is already known that the employee is represented then where possible dates should be pre-arranged with their trade union representative and the trade union representative would receive a copy of the letter.
- Copies of the paperwork to be considered will be sent to the employee with the notification letter and they will be given the opportunity to submit any paperwork 5 calendar days prior to the meeting
- At the meeting the employee's line manager will provide details of the sickness absence to date and the actions taken to date. The employee will be able to state their case and any factors they wish to have considered.

5.34 If absences are related to disability, managers should ensure no reasonable adjustment could have prevented dismissal (including discounting absence where recommended by occupational health/ HR People Services), that redeployment has been properly considered (if appropriate via the Council's Redeployment Procedure) and that dismissal is fully justified in accordance with this policy. (See Appendix 1).

5.35 The manager hearing the case will be able to question those involved in the case and will consider all representations before reaching a decision. The decision may be, but will not be limited to, one of the following outcomes:

- there is insufficient evidence that reasonable adjustments and/ or redeployment have been fully explored and so it is not appropriate to terminate the employee's contract and a timescale will be given for this to be carried out
- termination of employment with appropriate notice or pay in lieu of notice.

5.36 The decision may be given verbally at the conclusion of the meeting and will in any event be confirmed in writing within 5 working days of the meeting. Where termination of employment is the outcome the employee will be notified of their right of appeal.

SECTION 6 - MANAGING LONG TERM SICKNESS

6.1 Long-term sickness absence is defined as continuous sickness of four weeks or more and can usually be traced to a particular medical condition. Management responses to long term absence are determined on the basis of much firmer medical evidence with advice and support from HR People Services and Occupational Health. A central sickness team in HR People Services will support the management of any sickness cases that go beyond 4 weeks. The manager is an integral part of the process but HR People Services will lead on the management of the case.

6.2 It is possible that long term absence, by its nature, will stem from a disability within the meaning of the Equality Act. If this is the case specific advice should be sought from HR People Services. (See Appendix 1).

6.3 Each case, particularly of long term absence, must be assessed on its own merits with advice and support from HR People Services and Occupational Health. However, the Council cannot keep jobs open indefinitely and the underlying principle in dealing with long term absence must be to balance the Council's needs against the circumstances of the employee concerned.

6.4 Employees may be referred for a medical examination at any stage in this procedure. However, as it is recognised that early support can lead to an earlier return to work then this will be done by HR People Services after the first Contact Meeting (which should be arranged by the manager by the time the employee reaches 2 weeks absence). It should be discussed with the employee at the Contact Meeting that a referral to occupational health will take place should they remain absent for 4 weeks.

6.5 No two long term absence cases are the same, and managers will be supported with any long term absences cases by HR People Services who will manage the process.

6.6 Managers may not be able to accommodate indefinitely the consequence of an employee's long term absence and an assessment of this will need to take place following consultation with the individual concerned, HR People Services, Occupational Health and consideration of the service needs e.g. impact on the continuing sickness absence on colleagues' workload and flexibility of the unit.

6.7. When an employee is on long term sickness absence the case will be reviewed and there will be consideration of the most appropriate future action. Clarification can be sought at any time in this process from Occupational Health.

6.8   Where employees are on long term sickness and their condition and their work is such that they would be able to effectively undertake their duties from home, this may be arranged. The arrangement would be subject to the agreement of all parties and a risk assessment. Where employees carry out work from home under this provision, they will not be regarded as sick.

6.9   Where an employee is waiting to be seen by a consultant in relation to a medical problem and the appointment is unlikely to be within a reasonable timescale, Occupational Health may make arrangements for a consultant to examine the employee concerned and provide a report to the Occupational Health Adviser and the employee's GP. In such instances, the fee payable will be met by the Directorate.

CONTACTING EMPLOYEES ON SICKNESS ABSENCE

6.10   Appropriate contact with employees on long term sickness absence is particularly important. Effective dialogue should continue throughout the absence to enable managers to have a clear understanding of the individual's present health and future employment prospects, at all stages of the absence. Throughout this process, employees must always be informed that their employment is at risk. After 4 weeks absence HR People Services will coordinate this process. It is important that managers maintain contact during the first 4 weeks of absence.

CONTACT MEETINGS

6.11   As it is known that early support can lead to an earlier return to work then arrangements for a contact meeting (normally at the place of work) should be made when the employee reaches 2 weeks of sickness absence. Thereafter, meetings will be coordinated by HR People Services on a regular basis (at least every 6 weeks) but attended by the manager along with a member of HR People Services. It should be stressed that this is not in any way checking up on the individual. Additional contact can be maintained by telephone and should be encouraged. However, telephone contact should be additional, not a replacement for contact meetings unless in exceptional circumstances.

6.12   The contact meeting will be pre-arranged with the individual concerned. The employee may wish to be represented by a Trade Union during such a meeting. Arrangements should, as far as possible, be mutually agreed. Normally, meetings should be undertaken by the manager who will be accompanied by a representative from HR People Services.

6.13   If employees are not able to attend a contact meeting at their place of work then alternative arrangements should be made to use another venue, which could include their home or a neutral venue.

6.14   If, due to special circumstances, a contact meeting between the employee and the manager is not feasible, then regular contact should

be maintained through other means e.g. telephone, letter, e-mail, contact with relatives, etc.

6.15 The aim of maintaining contact/ undertaking contact meetings is to be constructive and positive and to:-

- keep in touch with employees who are absent
- establish the length of time the employee is expected to be absent and inform them if and when a referral to Occupational Health would be appropriate
- ensure the employee is aware of the Employee Counselling Service and how they can access it
- ensure that the individual is kept acquainted with developments at work and that they do not feel isolated
- enable managers to establish if the cause of absence is job-related
- ensure that the employee is aware of the position of their future employment and has received a copy of this policy

6.16 Managers conducting contact meetings should do so with sensitivity and take into account the possible stressful nature of the meeting. However contact with the employee is maintained, a record of the outcomes, information sought/ provided and other associated actions should be made on the contact meeting form.

6.17 At the first contact meeting, the employee should be advised that the next step will be a medical referral to Occupational Health.

SECTION 7 - MEDICAL EXAMINATIONS

7.1 The Council has the right to require an employee who gives cause for concern as a consequence of illness to undergo a medical examination at any stage with the Occupational Health Service. Occupational Health endeavours to review an employee within 10 working days of referral and where possible submit a medical report within 5 working days of examination. The Occupational Health Service can provide advice as follows:-

- The likely duration of sickness absence
- Where absence seems excessive in relation to the nature of the illness/ injury
- Where there is concern about recovery
- Whether there is a underlying reason for absence
- Whether the absence is due to a work related cause
- Adaptations to work activities or the working environment to enable an employee to continue to work in their substantive post.
- Suitable alternative employment where the employee cannot return to their substantive post.
- Rehabilitation after a period of absence
- When referral to an Occupational Health Physician is appropriate

7.2 Employees who have been absent through sickness and are still absent following a Contact Meeting will be referred to Occupational Health by HR People Services. Employees will automatically be referred for medical examination if the reason for their sickness absence is, Industrial Injury or Occupational Ill Health. For work related stress the manager must find out as much information as possible about the reason for the stress. A meeting will then be arranged for the employee, manager and HR People Services. At this meeting there will be constructive dialogue with the employee and the relevant areas on the stress risk assessment will be explored. It is the manager's responsibility to inform the HR People Services sickness team immediately where an employee is absent due to the above reasons in order for referrals to be made or a meeting arranged. An employee may request that this meeting takes place with someone other than their own line manager. Where this is the case a manager within the same service should be nominated.

Referrals may also be made at any stage during this process, regardless of the duration of sickness absence. Such referrals must be made through consultation with HR People Services and the employee informed accordingly. See paragraph 4.11 for further details on referrals for work related stress.

7.3 The Occupational Health Adviser may be available to assist with a contact meeting in exceptional circumstances.

7.4 Where an individual refuses to attend an appointment, the Disciplinary Policy will be invoked. At each stage, the request to undergo a medical examination should be repeated along with a request to the employee to give reasons for any refusal.

7.5 The employee must notify the Occupational Health Service at the earliest opportunity and no less than 3 working days prior if they are unable to attend an appointment, e.g. they are too ill to travel, etc. If an employee does not attend an appointment (without giving any notice of non-attendance) the case will be referred back to the manager. The manager will need to check with the employee the reason for non attendance and discuss with HR People Services the next steps. Failure to attend the 2nd appointment (without giving notice of non-attendance) or refusal to attend will result in a stoppage of pay and disciplinary action may be taken. The Occupational Health service must notify the relevant manager and HR People Services of an employee's non-attendance.

7.6 If the employee has specific or real concerns about attending a medical examination or seeing a particular Occupational Health Adviser, the Council should take this into account and will be flexible to try to overcome these concerns.

7.7 The Council will take account of the Occupational Health Adviser's or Occupational Physician's report in making any decision in relation to an employee. Employees can request that they are provided with the opportunity to see a report before it is sent to their manager and this can be covered at the OH examination meeting. Whilst they may raise any concerns they have about accuracy, this does not give them the right to re-write the report

7.8 Occupational Health reports will be sent directly to the manager via DigiGov for them to liaise with HR People Services.

REFERRAL TO OCCUPATIONAL HEALTH

(Please read in conjunction with Appendix 2: Action in Particular Cases)

7.9 All employees on long term sickness absence should be referred to the Council's Occupational Health Service immediately after the first Contact Meeting for long term absence or when they hit Stage 2 of the short term triggers.

7.10 **Managers need to provide as much information as possible to HR People Services so this can accompany the Occupational Health referral and detail any specific issues they would like a medical opinion on. The referral MUST be discussed with the employee so that they are clear about the reason for referral.** Employees are able to request a copy of the referral form.

7.11 A medical referral may be sought in the following circumstances:

- Immediate referral in cases of industrial accidents and occupational ill health
- Referral for work related stress following a meeting with the employee to discuss the contributory factors and reach a resolution to any non medical organisational factors. This meeting must be arranged as soon as it is known that the absence is linked to work related stress
- When advice is needed on the likely duration of the sickness absence and an indication of when a return to work is anticipated;
- To provide an opportunity for confidential support and advice to employees affected by ill health or other wellbeing issues
- Whether an earlier return to work could be achieved on a part time or phased basis or to a different job, etc
- When the length of absence appears to be longer than would be expected in relation to the illness or injury
- When there appears to be serious doubt whether the employee will recover sufficiently to resume their duties
- Whether there could be an underlying reason for the level of absence
- Where the employee expresses such concerns before they actually reach the point of reporting sick
- For advice on whether the Equality Act 2010 is likely to apply and whether reasonable adjustments are required
- When advice is needed about whether employees are fit enough to attend meetings with management/ hearings as prompt resolution is in everyone's interests (however, employees should be asked if they are able to attend first by the manager and it is only where they are unsure or say they are not well enough to attend that a referral to occupational Health should be made)

Reasonable costs associated with travelling to Occupational Health appointments will be re-imbursed to employees upon provision of a receipt. Employees should discuss with their manager whether travel can be organised via the service area.

7.12 Further referrals by HR People Services will take place as advised by Occupational Health. Further referrals should be to ascertain whether a return to work in the near future is likely.

7.13 The Council will need to assess future employment capability taking into account at least:

- the medical advice received
- the likelihood of the current level of absence occurring or some other illness arising
- the length of the various absences and periods of good health in between

- the impact on those who work with the employee and the overall effect of the organisation
- the likelihood of suitable alternative employment being found or accepted.

ACTION ON OCCUPATIONAL HEALTH REPORTS

7.14 The Council's Occupational Health Adviser will give an opinion on the individual's fitness for work. HR People Services and the manager should at the earliest opportunity meet with the employee to discuss the report. The manager must contact the employee within 7 calendar days of receiving the report to arrange this meeting. The meeting should be confirmed in writing with a copy of the report enclosed. Employees have the right to be accompanied at this meeting by a trade union representative or work colleague. .

7.15 There will usually be one of **5 options** indicated in relation to the employee referred:

Option 1 - Fully fit to resume Duties

7.16 Where the occupational health report states that the employee is fully fit to resume duties, when HR People Services and the manager meet with the employee they will request that the employee to return to work. This can happen even where they are still covered by a Statement of Fitness for Work.

7.17 If it is considered justified for therapeutic reasons, the employee may return on a phased return to work for up to a month with the actual working arrangements being agreed with the manager and employee with advice from HR People Services.

7.18 The situation will be reviewed after a month's phased return and if the manager after consultation with HR People Services and Occupational Health considers it necessary, the period may be extended by a further month. The maximum period for any phased return will be 2 months.

7.19 Where an employee is undergoing a phased return, they will receive normal pay during the period in question.

7.20 It is reasonable for the Council to rely on the opinions and recommendations of Occupational Health regarding whether an employee is fit to return to work. Where there is a potential conflict of opinion then each case will be considered on its merits. If necessary this may mean a further referral back to Occupational Health for a further opinion and to determine whether any additional measures or actions are required.

Option 2 - Unfit to return at present, but likely to be able to return within reasonable timescale.

7.21 The employee will remain sick but the case will continue to be closely monitored by HR People Services to ensure that there is the possibility of a return to work within a reasonable timescale.

Option 3 - <u>Unfit To Return to Full Duties of their Substantive Post</u>

7.22 Where employees are deemed unfit to return to the full duties of their post on a long term or permanent basis, consideration must be given to the three options listed below. While the options are being explored, the position with the sickness must be kept under constant review, with regular support continuing. At appropriate intervals, further medical referrals should be made to re-consider the options.

(i) *Rehabilitation Within their Substantive Post*

Rehabilitation within their post may take the following forms:

(i) A phased return to work (See paragraph 7.17 above)
(ii) Part time working either shorter hours or limited days per week on a long term basis, with subsequent reduction in pay
(iii) Changes to work practices

Any rehabilitation to the current job must be done in conjunction with any medical advice received and HR People Services.

It should be clearly specified whether any rehabilitation is on a temporary or permanent basis. Where it is on a temporary basis, the time constraints should be clearly communicated to all parties.

Any rehabilitation agreement should be reviewed on a regular basis until such time as the employee and manager do not feel it is necessary.

There may be a need to seek external specialist help e.g. Disability Advisers from Access to Work, to help to provide advice and guidance (see Appendix 5 for contact details).

(ii) *Redeployment*

Recommendations for redeployment must be based on medical grounds as advised by Occupational Health.

If medical redeployment needs to be sought, the employee must complete the relevant form and apply for inclusion on the Redeployment Register in accordance with the Redeployment Policy which only gives an employee 12 weeks to find suitable alternative employment. Where the employee is suffering from an illness that falls under the provisions of the Equality Act 2010, consideration should also be given to redeployment to higher graded jobs (refer to Redeployment Policy & Procedure). Where a post is identified as a possible redeployment

opportunity HR People Services will seek advice from Occupational Health on the individual's likely fitness for the role..

Where an employee is not eligible for redeployment on medical grounds managers may contact HR People Services to discuss redeployment on others grounds as per paragraph 2.2c of the Redeployment Policy which states: 'Employees need to be moved from one work environment to another either for service essential reasons or other exceptional circumstances'.

(iii) Mutual Termination of Contract and Early Release of Pension Benefits

Mutual termination of contract occurs where both the employee and the manager agree that employment should cease. Where the employee is eligible under the pension regulations, consideration will be given to an early payment of pension benefits. This will involve a reduction in the benefits payable because of the early release which must be agreed by the employer. This may involve an assessment by Occupational Health.

Option 4 – Unfit to Return to Work for the Forseeable Future

7.23 The Council cannot keep jobs open indefinitely and if appropriate, HR People Services, in conjunction with the manager, will initiate proceedings to consider dismissal on the grounds of long term ill health. Before proceeding, given the sensitivity of the situation, a case conference will be convened by HR People Services with the manager.

7.24 Prior to dismissal, the Council should seek to redeploy and offer suitable alternative employment where available. This will be important where the cause of the individual's absence is disability related. Under the Equality Act this could mean either making significant alterations to a disabled person's original job to prevent "substantial disadvantage" or redeployment to a more suitable position.

7.25 Dismissal on the grounds of long term but not permanent ill health is distressing for both employer and employee. However, the Council has a duty to efficiently maintain its services and cannot therefore sustain indefinite long term absences.

7.26 To contemplate dismissal, HR People Services and the manager must have provided the employee with previous specific cautions that their employment is at risk. The first such caution, where appropriate, should take place after the Occupational Health Service referral and report.

7.27 The employee will be invited to a formal meeting which will take the form of a hearing and be conducted by a more senior manager with a member of HR People Services present. The process is as follows:

- Letter sent to employee giving them 14 calendar days notice of the meeting, informing them of their right to be accompanied by a trade

union representative or a work colleague and advising them that a possible outcome could be termination of their employment. Where it is already known that the employee is represented then where possible dates should be pre-arranged with their trade union representative and the trade union representative would receive a copy of the letter.

- Copies of the paperwork to be considered will be sent to the employee with the notification letter and they will be given the opportunity to submit any paperwork 5 calendar days prior to the meeting

7.28 At the meeting the employee's line manager will provide details of the sickness absence to date and the actions taken to date. The employee will be able to state their case and any factors they wish to have considered.

7.29 If absences are related to disability, managers should ensure no reasonable adjustment could have prevented dismissal (including discounting absence where recommended by occupational health/ HR People Services), that redeployment has been properly considered (if appropriate via the Council's Redeployment Procedure) and that dismissal is fully justified in accordance with this policy. (See Appendix 1).

7.30 The manager hearing the case will be able to question those involved in the case and will consider all representations before reaching a decision. The decision may be, but will not be limited to, one of the following outcomes:

- there are insufficient grounds to terminate the employee's contract under this policy and further consideration should be given to the possibility of reasonable adjustments, e.g. allowing a longer period for recovery
- further consideration given to redeployment
- consideration given to requesting ill health retirement, where supported by medical evidence
- termination of employment with pay in lieu of notice.

7.31 The decision may be given verbally at the conclusion of the meeting and will in any event be confirmed in writing within 5 working days of the meeting. Where termination of employment is the outcome the employee will be notified of their right of appeal.

7.32 If a meeting is arranged and an employee is not able to attend, HR People Services will attempt to re-arrange the meeting within the next 5 working days, at a mutually convenient time.

7.33 If a second meeting has been arranged with an employee but, for example, due to the health of the employee cannot attend, a decision will be taken in their absence as outlined in paragraph 7.30.

7.34 Following dismissal on the grounds of long term ill health:

(i)   If after their appeal and notice period, an employee subsequently regains fitness to work, the Council could consider giving prior consideration to re-employment as close to their earlier grade and nature of work as possible;

(ii)   If an employee in the pension scheme is subsequently found to be permanently unfit without regaining fitness to work, under the provisions of the Pension Regulations they may be entitled to a pension based on ill health retirement (early payment of deferred pension benefits).

There is the right of appeal against termination of contract on the grounds of long term not permanent ill health and this will follow the Sickness Appeal process detailed in Section 8.

Option 5 - Possible Ill Health Retirement

7.35 Where an employee is declared unfit to resume duties in the long term, if they are a member of the Local Government Pension Scheme, they can request that their case is reviewed to see whether they would be eligible for ill health retirement. There are 3 tiers of ill health retirement and if an Occupational Health Physician, deems that the employee is permanently medically unfit , they will determine which tier of ill health retirement is applicable. Where an employee is in the Teachers' Pension Scheme the employee would need to apply for ill health retirement.

7.36 Where ill health retirement has not been requested and such an opinion is received, HR People Services and the manager should meet with the employee and inform them of the position. If the employee decides that they wish to retire, their request should be confirmed in writing, and the procedure outlined above should be followed. However, if the employee wishes to be considered for alternative employment, then the Council's Redeployment Policy should be utilised to seek suitable alternative employment. Where necessary there should be a referral to Occupational Health to ascertain what work would be suitable.

7.37 If a search for alternative employment is unsuccessful and the employee still does not wish to retire but it is decided that dismissal is the only option, the correct procedure must be followed. i.e. see paragraphs 7.27 - 7.31 above. Employees found permanently unfit on medical grounds will normally be given a payment in lieu of notice.

SECTION 8 – SICKNESS APPEAL PROCEDURE

8.1   Where an employee appeals against any action taken under the formal stages of the sickness absence procedure, either short term or long term, the grounds and reasons for appeal need to be identified.

8.2   At the commencement of the appeal hearing, the Chair of the Appeal (a manager more senior than the one that took the decision) will introduce all parties present, outline the procedure to be followed and will confirm that all parties understand the procedure. At any stage during the appeal, the Chair will be able to questions any of the parties present.

8.3   The manager that took the decision will outline the circumstances around the employee's absence that led up to the decision to issue a warning/ proceed to dismissal and explain the rationale for their decision. The employee or their Trade Union representative and the Chair can ask questions of the manager.

8.4   The Chair of the Appeal should ask the employee or their Trade Union representative to outline the grounds of their appeal. The manager and the Chair can ask questions of the employee.

8.5   After both parties have provided their evidence, each will be given the opportunity to sum up the main points, with the Management Side going first. No new evidence can be submitted at this stage. Following the summing up stage, all parties will withdraw leaving only the Appeal Chair authorised to make the final decision and the HR People Services representative.

8.6   In making a decision, the Chair can, if required, recall any of the parties involved to clarify any areas of misunderstanding or doubt. If one party is recalled, then the other party must be present to hear any questions and the answers provided.

8.7   The decision should be communicated in writing to the employee as soon as is reasonably practicable. The decision of the Chair of the Appeal will be final and there are no further appeal rights within the Council.

SECTION 9 – RELATED DOCUMENTS

Document Name	Reference
Alcohol & Drug Misuse Policy	1.CM.134
Carers Policy	1.CM.188
Domestic Violence Policy	1.CM.153
Flexible Working Policy	1.CM.088
Dignity at Work Policy	1.CM.109
Reasonable Adjustments Guidance	5.C.275
Redeployment Policy	1.CM.207
Stress Management Policy	1.CM.118

Appendix 1: GUIDANCE ON DISABILITY RELATED ABSENCES

1. From 1st October 2010, the Equality Act replaced the Disability Discrimination Act (DDA). The Equality Act aims to protect disabled people and prevent disability discrimination. The Disability protected characteristic of the Equality Act is complex and needs careful consideration in relation to definition of disability and of discrimination. Advice can be sort from HR People Services and Occupational Health,

2. Under the Equality Act, a person has a disability if:

    - **they have a physical or mental impairment**
    - **the impairment has a substantial and long term adverse effect on their ability to perform normal day-to-day activities**".

    There is no definitive list of impairments covered by the legislation. The definition is very wide and depending on the nature and severity and the effect on normal day to activities **might** include, for example, people with:

    - Sensory impairments (vision and hearing)
    - Heart conditions
    - Musculoskeletal conditions, affecting the limbs, hands, back or neck
    - Recurring or fluctuating conditions such as arthritis, irritable bowel syndrome, Crohn's disease
    - Mental health problems such as depression, schizophrenia, eating disorders, bipolar affective disorders, personality disorders
    - Epilepsy
    - Asthma
    - Dyslexia
    - Diabetes
    - Severe disfigurements
    - Learning disabilities
    - Progressive conditions (e.g. cancer, HIV or multiple sclerosis etc)

    This is not an exhaustive list.

3. A disabled person has the right to take a complaint under the Equality Act to an Employment Tribunal. Where a complaint is upheld, the Employment Tribunal may award compensation and damages. As with race and sex discrimination, there is no upper limit for compensation for Disability Discrimination.

4. The Equality Act recognises that treating all employees the "same" can penalise disabled people unfairly. Consequently, to remove this disadvantage, employers are obliged to make reasonable adjustments to working practices to accommodate the needs of disabled people. This duty arises where a provision, criterion or practice applied by or on behalf

of the employer, or any physical features of premises occupied by the employer, places a disabled person at a substantial disadvantage compared with people who are not disabled. Where the duty arises, an employer cannot justify a failure to make a reasonable adjustment. "Substantial disadvantages" are those which are not minor or trivial and must be causing a substantial disadvantage to the disabled person in question.

5.   An employer has a duty to make reasonable adjustments if it knows or could reasonably be expected to know that an employee is disabled. **The implementation of adjustments is not an absolute duty. It is a duty to make a <u>reasonable</u> adjustment.** In this context reasonableness will often depend on likely effectiveness, practicality and cost. Further information on reasonable adjustments can be found in the Council's Reasonable Adjustments Policy.

6.   In many cases employees will advise managers that they think that they are disabled. Managers may also use one to one meetings, return to work discussions and/ or <u>Personal Performance and Development Review</u> meetings where they think there is a problem to sensitively raise the issue. The Disability Rights Commission has advised that local authorities should follow self-classification systems, i.e. individuals define themselves as having a disability. Whilst the Council adopts this approach, to consider relaxing of triggers or discounting absences we would look for confirmation from Occupational Health that the Equality Act applies.

7.   Where managers become aware that a disabled employee has a condition that is affecting their ability to do their job, consideration <u>must</u> be given as to whether reasonable adjustments could be instigated which would enable the person to work effectively. Advice may be sought from the Occupational Health Service in order to clarify whether the Equality Act does apply and if so, whether there are any adjustments that the Council should consider. A review of adjustments should take place every 6 months (as per the Reasonable Adjustments Policy) and/ or when:

- the effects of an existing impairment changes;
- a disabled employee's work or work pattern changes;
- a disabled employee requires additional training.

8.   Some examples of what could be considered as "reasonable adjustments" are as follows:

- making adjustments to the working environment, e.g. making a doorway wider or easier to open, providing natural daylight bulbs or changing the height of shelving
- allocating some of the employee's less important duties to another person
- redeploying the employee to fill an existing vacancy.

- altering the employee's hours of working, including flexible working
- assigning the employee to a different place of work or training closer to their home
- allowing the employee to be absent during working or training hours for rehabilitation, assessment or treatment
- modifying instructions or reference manuals
- modifying a policy, practice or criteria
- providing a reader or interpreter
- changing attitudes, e.g. providing mental health or HIV awareness sessions for staff to ensure a more welcoming environment, free from misinformed opinions and prejudice
- acquiring or modifying equipment (advice may be obtained from the Access to Work Team) e.g. voice activated software an adapted keyboard or mouse
- giving or arranging training or mentoring/ coaching
- allowing an advocate to attend any meetings that take place as part of this process
- allowing an employee to record meetings with the prior agreement of all parties and recordings to be made available to all parties with no editing

- relaxing of the trigger stages **as appropriate**[*]. An example of this could be where an employee is undergoing treatment and may want to come into work in between treatments rather than be on long term sick and so may have periods of short term absence following each treatment.

This is not an exhaustive list.

*

It is recognised that the majority of disabled employees maintain an excellent attendance record and that it should not be assumed that if an individual is disabled they are at a higher risk of sickness absence. However, it is recognised that in some cases, medical conditions that may fall within the definition of disability may give rise to sickness absence. Whilst the Council is committed to being supportive of individuals affected in this way and to implement reasonable adjustments, care must also be taken not to create a situation that can be abused and in turn be seen as unfair to other staff. Where sickness absence occurs, reasonable adjustments such as modification to trigger points can be considered but this is not an automatic right under the terms of the legislation. Further advice on these should be discussed with HR People Services and the opinion of Occupational Health must be sought.

9. Whether it is reasonable or not for an employer to have to make any particular adjustment will depend on a number of things, such as cost and effectiveness. However, if an adjustment is reasonable to make, the employer must make it. In order to avoid discrimination, it would be prudent for managers not to make fine judgements as to whether a

particular individual falls within the statutory definition of disability, but to focus instead on meeting the needs of each employee. Each reasonable adjustment request made should be considered on an individual basis depending on the nature of the case.

Various factors influence whether a particular adjustment is considered 'reasonable'. These include:

- How effective the change would be in avoiding the disadvantage the disabled person, any other employee or member of the public would otherwise experience
- Its practicality
- Costs and extent of any disruption caused
- The availability of financial and other assistance
- Effect on other employees
- Adjustments made for other disabled employees

10. Additional advice and support in this area is available from HR People Services and Occupational Health.

11. Some practical examples of reasonable adjustments are as follows:

- A person who is disabled because they have dyslexia applies for a job which involves writing letters. The employer gives all applicants a test of their letter writing ability. The person can generally write letters very well, but finds it difficult to do in stressful situations and within short deadlines. They are given longer to take the test.

- A call centre normally employs supervisors on a full time basis. A person with sickle cell anaemia applies for a job as a supervisor. Because of pain and fatigue relating to their condition they ask to be able to do the job on a part time basis. The employer agrees. The hours of work offered amount to an adjustment to a working practice.

- An employer has designated car parking spaces for senior managers. An employee who is not a manager, but has mobility impairment and needs to park close to the office and so is allocated a car parking space.

- An employer makes structural or other physical changes such as widening doorways, providing ramps, relocating light switches or moving furniture for wheel chair users.

- An employer reallocates minor or subsidiary duties to another employee as a disabled person has difficulty doing them because of his disability. e.g. a job involves occasionally going onto the open roof of a building but the employer transfers this work away from an employee who suffers with severe vertigo.

12.   The manager should talk to the employee who requires a reasonable adjustment to find out exactly what difficulties or barriers they are facing in achieving their role effectively. Once the specific detail has been ascertained, the Manager is likely to be in a position to assess what reasonable adjustments can be made to overcome the barriers experienced by the employee. If the Manager and the employee are able to easily and informally implement or accommodate the adjustment, without having to seek further advice from Health and Safety or Occupational Health; they should do so.

13.   Records of the conversations/ agreements made between the manager and employee should be made, ensuring both parties have a copy. Where a more formal approach may be required then the documentation in the Reasonable Adjustments Policy should be used.

14.   Where a manager is considering refusing a reasonable adjustment they must refer to the relevant section of the Reasonable Adjustments Policy.

Appendix 2 - ACTION IN PARTICULAR CASES

1. An employee will be entitled to be paid if suspended from work on medical grounds under various statutes.

2. Where the individual is unable to work because of adverse medical reaction to workplace conditions, consideration should be given to a search for alternative work.

3. In cases where effective consultation directly with the affected individual proves difficult, the manager should keep in touch through relatives/ carers.

4. An investigation of every accident which results in time being lost from work will be undertaken by the manager and, where appropriate, the relevant Health and Safety Adviser. A written report of the incident will be made. Similarly all alleged work-related ill health must be investigated by the manager with the support of a Health and Safety Adviser and Occupational Health Adviser. (Please see 1.CM.012 and 1.CM.122).

Terminally Ill Employees

5. In the case of a terminally ill employee, there is a need to consider the person's situation and their continued employment in a particularly sensitive and understanding way.

6. Consultation is a key part in determining the individual's wishes and in providing them with information on the best options available.

Alcohol/Drug Dependency

7. Managers should ensure that such issues are dealt with in an appropriate manner, i.e. recognising that normally drug/ alcohol dependency is a health problem, which could be treated, and that employees need to be treated with sympathy and understanding.

8. HR People Services will provide assistance to managers in dealing with people who have dependency problems.

9. The Council's Alcohol and Drug Misuse Policy should be followed and training will be available to assist managers in this area.

10. Addiction to or dependency on alcohol, nicotine or any other substance (apart from prescribed medication) is explicitly excluded from constituting a disability under the Equality Act. However, illnesses caused by addiction e.g. certain liver conditions, will be covered.

Stress

11. It is a legal obligation for stress to be included in the health and safety risk assessment process. The Council has procedures and offers training in risk assessing and stress for teams and individuals.

12. The Council has a Stress Management Policy that should be implemented. e.g. in respect of risk assessing and implementation of Annual Service Area Stress Action Plans. The Council is addressing the Health and Safety Executive's six stress management standards as part of its approach to managing stress.

HIV/ Progressive Illnesses

13. Managers should approach HIV and AIDS as one of a number of illnesses where mismanagement can result in stigma and discrimination for the individual concerned. Confidentiality is, therefore, of the utmost importance and will be reflected in any Policy the Council determines. In many cases, time off for counselling should be allowed and systems should be established for the safeguarding of the employee's privacy. An employee diagnosed as either HIV or AIDS is under no obligation to disclose this to the Council, however under the Equality Act a person diagnosed with HIV or AIDS is classed as disabled from the point of diagnosis.

14. Progressive conditions are conditions which are likely to change and develop over time. Where an employee has a progressive condition, they will be covered by the Equality Act from the moment the condition leads to an impairment which has some effect on ability to carry out normal day-to-day activities, even though not a substantial effect, if the impairment is likely eventually to have a substantial effect on such ability (with the exception of HIV/ Aids as per paragraph 13).

Critical Illness/ Cancer in the Workplace Policy

15. A manager may be one of their employee's most important sources of support when faced with dealing with a critical illness such as cancer. An understanding of what that illness is, its treatment, side effects and the issues that may emerge during an individual's recovery and return to work will help managers fulfil this important role. Macmillan has developed specific advice and guidance for employers on how to handle cancer related cases and this has been incorporated into Appendix 3 Critical Illness guidance. The Council has a Carers Policy which further supports staff in the management of attendance. Details of the Carers Policy can be obtained from HR People Services.

Appendix 3 – CRITICAL ILLNESS GUIDANCE

1. The Council has a responsibility to provide help and to support employees diagnosed with a critical illness and will be as flexible as possible in its approach to these situations, dealing with each case on its own merits. At a time of uncertainty and conflicting emotions for those diagnosed, this guidance endeavours to establish a good practice framework approach whilst allowing flexibility to accommodate the circumstances of each case. It also provides guidance to managers in how best to support their employees and signposts sources of internal and external guidance and advice.

2. The way the Council responds to the needs of employees diagnosed with a critical illnesses will reflect its commitment to being an employer of choice, adhere to the Social Model of Disability and will impact on employee morale.

3. For the purpose of this guidance a critical illness is broadly defined as a life limiting and/ or life threatening condition as diagnosed by a GP and/ or professional health specialist that may or may not require a course of treatment. By way of example, critical illnesses would include cancer, heart attack, Muscular Dystrophy, Parkinson's Disease, polio, etc. This list is illustrative only and is not exhaustive.

4. An employee's dignity, privacy and confidentiality should be respected at all times. Consequently, no sensitive information concerning their medical condition should be shared without their prior consent.

5. Every effort will be made to support individuals diagnosed with a critical illness and this will include sensitive communication with and appropriate involvement/ engagement with the employee whilst they are in work and during periods away from the workplace.

6. Advice from Occupational Health and HR People Services should be sought at the earliest opportunity on the possibility , where practicable, of introducing temporary flexible working arrangements, where necessary or required, to support employees in managing their absence, treatment and related needs.

7. Employees will in no way be discriminated against on the grounds of their critical illness and the principles of the Council's Equal Opportunities Policy will be fundamental to the implementation of this guidance. Specifically, the Council will not discriminate against those diagnosed with a critical illness in relation to access to learning and development opportunities, promotion, secondment opportunities, etc.

8. Practical and relevant guidance, advice and support covering issues such as treatment, absence from work, return to work, work adjustments etc. will be made available to the employee. Further, in recognition that teams

may also be affected by the employee's situation, support and information will also be widely available.

9.   Employees diagnosed with a critical illness should be treated fairly and consistently although each case will be slightly different. However, where an employee feels that they have been treated unfairly as a result of their critical illness, the matter should be raised with their manager in the first instance who will seek to try to resolve the issue informally. If the matter cannot be resolved in this way, the Grievance Procedure remains available to the employee. The Grievance Procedure should not be used following any formal action taken against an employee in respect of the Sickness Absence Procedures. In these instances employees have the right to appeal using the appeals procedure outlined in the Sickness Absence Procedures.

PROCEDURE FOR EMPLOYEES DIAGNOSED WITH A CRITICAL ILLNESS

ADVISING MANAGERS

10. Once an employee feels able to share their diagnosis, they should advise their manager and/ or arrange to meet. If the employee feels unable to discuss this with their line manger, if they have been referred or have self referred, they can request that Occupational Health and/ or HR People Services can be involved on their behalf. In some cases, employees may feel more comfortable with Occupational Health advising the organisation about the illness as part of the Occupational Health report process. Occupational Health can provide advice in their report and agree a way forward with the individual regarding what information needs to be relayed to their manager. Occupational Health will provide appropriate support throughout the illness.

11. Although the initial disclosure may not be easy for the employee, it is difficult for a manager (and therefore the Council) to support someone if they are unaware of the individual's circumstances. In practical terms, it is also difficult to attend treatment, take time off to meet health needs or ensure that work is covered, without the manager knowing the reason why and what is involved.

12. Employees have the right to be accompanied by a Trade Union representative or work colleague at any time during discussions with their manager.

13. The employee may not know the full extent of their illness until they have begun treatment, or had some form of surgical procedure/ investigation and so there may be a need to take time off at very short notice. This would be covered by time off arrangements in Sickness Absence Procedure, Special Leave Provisions or some other form of flexible working arrangements.

EARLY DISCUSSIONS

14. Following disclosure of the diagnosis by the employee and as soon as it is appropriate to do so, the manager should meet with the employee and discuss:-

- The provisions and application of the Sickness Absence Procedure including any reasonable adjusting advised by Occupational Health
- Any need to take immediate time off e.g. special leave, annual leave to come to terms with the immediate diagnosis
- Any potential impact of treatment on the employee's ability to work and whether working arrangements need to be temporarily adjusted to assist in supporting them to continue working
- What agreed information, if any, should be shared with team/ work colleagues and when
- Referral to Occupational Health, if not already done, to seek information about the illness, recommendations for returning to work, reasonable adjustments, possibility of redeployment, etc.

15. In practical terms, the employee will be offered information on:

- The Council's Sickness Absence Procedure and details of sick pay entitlements
- Counselling and other support services, e.g. Employee Counselling Services, external support agencies
- Flexible working information and possible work adjustment options
- Other sources of information and support

ADVISING WORK COLLEAGUES

16. It is up to the employee, when they feel ready, to share any information with others who need and/ or should know and they can either relay this information themselves or ask their manager to do so on their behalf. Where possible, the manager will agree with the employee from the outset what (if anything), when and who will advise colleagues and others at work

17. Managers should respect the employee's wish for privacy and confidentiality concerning their personal circumstances. At the same time, however, the manager may need to make arrangements to cover sickness absence if it occurs.

PAYMENT OF SALARY/ WAGES DURING SICKNESS ABSENCE

18. The Sickness Absence Procedure will be applied (including provision of a Statement of Fitness to Work, etc). The payment of sick pay will be in accordance with the relevant sick pay provisions and will be based on the employee's sickness entitlement. Further advice can be sought from HR People Services or the Trade Unions.

OPTIONS FOR SUPPORT

19. The employee may choose to seek counselling and support and this can be from the in-house confidential Employee Counselling Service, Occupational Health Service, the Disabled Employee Group or external agencies. Full contact details of further sources of information are attached in Appendix 5 of this policy.

20. Occupational Health, because of their required early involvement, will play a key role in advising on fitness for work, suitable alternative duties to be undertaken, reasonable adjustments, etc. The Council has a duty to make reasonable adjustments to workplaces and working practices to make sure that disabled people are not at a substantial disadvantage compared to others .What is considered a reasonable adjustment will depend on the costs and practicality of making the adjustment and affects on the employer's business. Health and safety issues should also be considered.

21. Depending on the nature of the illness, the employee may wish to carry on working during treatment, either on a full time or part time basis. Prior to treatment; it is often difficult to know exactly how it may affect the employee so it is important that close contact on this matter is maintained. Full or part time flexible working options, where practicable, should be explored and discussed by the manager with the employee. Based on advice from Occupational Health, reasonable adjustments and modification should, wherever the job allows it, be made.

22. In summary the manager can help an employee by:-

    - Planning a reduced and/ or more flexible working arrangement, e.g. changing the employee's hours so that the employee can travel to and from work at less busy times (e.g. outside rush hour).
    - Temporarily reassigning duties to others, if this is feasible and/ or considered appropriate.
    - Encouraging the employee to take short breaks every now and again to rest.
    - Allowing the employee to work from home, if the job can be reasonably adjusted to sustain home working for an agreed and time limited period of time

23. It may however not be practicable for the employee to continue working during treatment and consequently, they will be on sick leave. The manager should ensure that formal contact meetings, in accordance with the Sickness Absence Procedure, take place so that the employee knows what is happening at work and is kept up to date with developments.

TIME OFF FOR TREATMENT

24. If an employee returns to work either during or after treatment, they may need to take time off for medical appointments and follow up procedures. These appointments are covered as part of Special Leave provisions. The employee should, as far as possible, let their manager know of these appointments in advance so that any cover arrangements if necessary can be made.

EXTENDED PERIOD OF ABSENCE

25. If an employee needs to take an extended period of absence, this time off will be treated as sickness absence in accordance with their entitlement. Trigger points may be varied and advice should be sought from HR People Services.

KEEPING IN TOUCH

26. Employees on sickness absence may feel very vulnerable which can exacerbate any feelings of isolation .In the case of a lengthy period of absence away from work and in addition to contact meetings by the manager; colleagues may wish to keep in social contact with the individual, in order to keep them updated on a range of matters. Where contact meetings are not appropriate, the option of periodic telephone discussions by the manager to review how the employee is doing should be considered.

AFTER TREATMENT - RETURNING TO WORK

27. Often a diagnosis of a critical illness will lead individuals to rethink their lifestyle and priorities. Some employees may choose not to return to work or are not able to do so. For others, work can take on an increased importance in their life.

28. It is important that employees returning to work, especially following a prolonged absence, are offered the support they need. After treatment has finished and, if the employee has not been working during this period, the basis of the return to work will need to be determined. This will be based on the Occupational Health advice received.

29. Returning to work after a break of a few weeks or months can be physically and emotionally stressful and difficult to adjust to. The employee must take time to think about what is right for their situation and circumstances. Again, the role of Occupational Health is important. Planning for the return to work and welcoming them back is key along with monitoring their progress once they have returned

30. Prior to the formal return to work, the manager will arrange to meet with the employee to discuss the options for making the transition back to work. A visit to the workplace by the employee prior to the formal return to work should also be considered. Other options to be explored could include:

- Agreeing a phased return to work within an agreed timescale, where an employee increases their hours gradually over a period to time
- A change to working pattern or hours
- Temporarily working from home, where the job can be appropriately modified
- Other flexible arrangements working or reduced hours
- Modifying the employee's role or some of the employee's responsibilities for a temporary period
- Help with transport to and from work, e.g. Access to Work
- Reasonable adjustments to the employee's physical location or workstation
- Consider any training or refresher course that may be needed
- Scheduling regular review dates for this transition period

IMPAIRMENT CAUSED BY CRITICAL ILLNESS

31. If an employee's illness causes an impairment that affects the return to work, the Council will make reasonable adjustments to enable the employee to continue to work. The Disability provisions of the Equality Act 2010 cover all aspects of the employment cycle from recruitment through to an individual leaving the organisation, including after they have left. It also makes it unlawful for an employer to treat a disabled person less favourably, (e.g. an employer cannot refuse to employ or promote an individual simply because they have an illness that is covered by the Equality Act.)

32. The Act also protects an employee against harassment and/ or victimisation and makes it unlawful for an employer (or prospective employer) not to make 'reasonable adjustments' for disabled employees (or job applicants), such as changes to employment practices and procedures and the working environment, if it means someone with illness covered by the Equality Act is placed at a substantial disadvantage. Further advice on these issues is available from HR People Services.

GIVING UP WORK

33. Some people choose to give up work completely when they are diagnosed with a critical illness. This allows them to focus on their illness, its treatment and to reassess their lives and priorities. If work has been a major focus of an employee's life, it can be difficult to adjust to not working. If the employee wishes to leave, it is important to clarify the reasons why as sometimes these decisions are taken when emotions are at an all time low. Whilst such decisions are personal, employees should be encouraged to take proper advice before making the decision to give up work. In this situation an employee may want to seek counselling and talk this through. The Employee Counselling Service or external agencies listed in Appendix 5 can be accessed. The employee could consider

leave under the Sabbatical Leave Policy whilst they consider their long term options.

34. If following referral to Occupational Health the employee is considered to be permanently unfit and suitable alternative roles are not available, their employment will be terminated on ill health grounds with any associated pension benefits. If an employee is ineligible for retirement because of ill health, can no longer carry out their role and alternative employment is unavailable, termination of the contract may need to be considered. Managers should consult HR People Services and seek advice from Occupational Health to discuss options prior to making these decisions.

35. It is strongly advised that in these circumstances, if the employee is in the Local Government Pension Scheme, they (or someone acting on their behalf) should contact the Pensions Section for advice on options available.

Appendix 4 - GUIDANCE ON MENTAL HEALTH CONDITIONS

1.   Where it is known that an individual suffers from a mental health condition, it is reasonable that the manager should take account of this when reviewing sickness absence. In relation to the normal approach to sickness absence management, because of the nature of certain types of mental health conditions, managers should be particularly alert to the effects of their action on the employee.

2.   In recognition of this, it is advisable that close liaison with Occupational Health, the relevant GP and Trade Union, etc is maintained throughout. Specialist bodies such as charities and Disability Service Teams in some of the larger local Job Centres can also be of help.

3.   Mental health conditions include a wide range of experiences: some conditions may be quite mild and moderate, while others may take on a more severe form, affecting a person's ability to cope with day-to-day living.

4.   Mental health conditions can range from feeling 'a bit down' to common disorders such as anxiety and depression, to severe mental health conditions such as bipolar disorder or schizophrenia.

5.   No one really knows why some people react to life events far more than others. There are various medical, psychological and social factors which may contribute to a decline in a person's mental health, but there is no one 'cause'.

6.   Conditions may emerge suddenly, as a result of a specific event or incident, or gradually, over a period of time when the condition may worsen or improve.

7.   Some conditions are persistent and may be classed as a disability, while others come and go, giving the individual 'good days' and 'bad days'.

8.   According to some estimates, 1 person in 4 has some form of mental health condition in their lifetime. For as many as 1 person in 50, the condition will be serious enough to affect their ability to work or to form personal relationships.

9.   Illness is more easily understood if it is visible and mental health conditions may be less conspicuous than some forms of physical illness. An employee may also work very hard to disguise their symptoms, or they may develop other 'secondary symptoms' not directly related to the original condition – for example, the strain of coping with depression may cause someone to become dependent on alcohol or drugs.

10. Many employees and line managers are uncomfortable talking about mental health. Misconceptions about mental health conditions persist –

mental health is often viewed as something disturbing or dangerous that lurks hidden beneath the surface of someone's personality.

11. Managers may also be reluctant to intervene because:

- They feel they may have contributed to the poor mental health of the employee – perhaps by overloading them with work
- They do not have the confidence or knowledge to deal with an issue and may feel out of their depth.

12. You do not necessarily need to be an expert or counsellor to manage mental health conditions. A good starting point is to manage physical and mental illness in the same way by focusing on:

- Effective line management, particularly around communication –with the employee and other employees
- Awareness of the issues and the ability to empathise – feeling sympathetic may not be appropriate
- The development of an open culture in which employees feel able to discuss their problems

13. Learning about mental health conditions will prevent managers from feeling they are getting out of their depth and to judge when they need to refer employees to outside help.

14. ACAS have stated that there are three things you can do to help maintain the health of employees and help those with mental health conditions remain in work and productive:

- **Spot the signs –** This may initially mean taking a note of what you see as you walk around or in team meetings and then choosing the right moment to intervene.
- **Engage with the problem –** There are some good practical steps you can take to help with coping strategies, and some legal requirements you need to bear in mind, for example your duty to make reasonable workplace adjustments to the working environment in certain circumstances
- **Keeping a watching brief –** This does not necessarily mean passively observing, although in some circumstances this be the best option. Promote awareness of mental health issues and create a culture where employees feel they can talk to you about their concerns. Keeping communication channels open is critical.

15. The first signs of mental health conditions will differ from person to person and are not always easy to spot. In many cases of moderate depression (the most common mental health condition) the person becoming distressed may not display symptoms, or may seek to hide them because they worry about what others will say or think about them. The key thing to look out for is **changes** in usual behaviour and some common early signs of a mental health condition could be:

- Losing interest in activities and tasks that were previously enjoyed
- Poor performance at work
- Mood swings that are very extreme or fast and out of character
- tearfulness
- Self-harming behaviour
- Changes in eating habits and/or appetite: over-eating, bingeing, not eating
- Sleep problems
- Increased anxiety, looking or feeling 'jumpy' or agitated, sometimes including panic attacks
- Feeling tired and lacking energy
- Isolating themselves, socialising less
- Wanting to go out a lot more, needing very little sleep, feeling highly energetic, creative and sociable, making new friends rapidly, trusting strangers or spending excessively – this may signal that they are becoming 'high'
- Hearing and seeing things that others don't
- Other differences in perception; for example, mistakenly believing that someone is trying to hurt them, or trying to take over their body.

All these signs can vary in severity. They can be relatively minor, or pass quickly, or be particularly severe and distressing.

16. Possible issues to raise with an employee who has a mental health condition (taken from SHiFT Line Managers' Resource -A Practical Guide to Managing and Supporting People with Mental Health Problems in the Workplace):

- ask open questions about what is happening, how they are feeling, what the impact of the mental health condition is. Ask them what solutions they think there might be but appreciate that they may not be able to think clearly about solutions while experiencing distress
- how long has the employee felt unwell? Is this an ongoing issue or something that an immediate action could put right?
- discuss whether work has contributed to their distress. Listen without passing judgement and make sure you address their concerns seriously
- are there any problems outside of work that they might like to talk about and/ or it would be helpful for you to know about? (You should not put pressure on the person to reveal external problems)
- is the employee aware of possible sources of support such as relationship or bereavement counselling, drug/ alcohol services, legal or financial advice?
- ask the employee if there is anything that you can do to help and make sure that they are aware of any support that the organisation may provide such as reference to occupational health, counselling and that if they access them it will be confidential

- is there any aspect of the employee's medical care that it would be helpful for you to know about? For example, side effects of medication that might impact on their work. While you have no right to this information, the employee should be aware that you cannot be expected to make 'reasonable adjustments' under the terms of the Equality Act if you are not informed about the problem
- does the employee have ideas about any adjustments to their work that may be helpful? These could be short or long term
- do they have any ongoing mental health condition that it would be helpful for you know about? If so, is it useful to discuss their established coping strategies and how the organisation can support them? It is the employee's choice whether to reveal this but you can explain that it will be easier for you to make reasonable adjustments for a condition you know about
- establish precisely what they wish colleagues to be told and who will say what. Any inappropriate breach of confidentiality or misuse of this information might constitute discrimination under the Equality Act
- agree what will happen next and who will take what action

Appendix 5 – USEFUL CONTACTS

INTERNAL SOURCES OF SUPPORT

Employee Counselling Service

The Employee Counselling Service (ECS) offers free and confidential counselling to anyone who is employed by Cardiff Council.

The Employee Counselling Service is confidential. No-one will be told that an employee has been in contact: Manager, Supervisor or colleagues in People and Organisational Development do not have to know. Employees can access the Employee Counselling Service between 9am - 5pm Monday to Friday (answer phone at all other times). The telephone number is 029 2078 8301

HR People Services Advice and Guidance

Tel. 029 2087 2222 or hrpeopleservices@cardiff.gov.uk

Occupational Health Service

Tel. 02920 788534 or 02920 788535 or occupationalhealth@cardiff.gov.uk

Pensions Section - Financial Services

Tel. 029 2087 2330 or pensions@cardiff.gov.uk

EXTERNAL SOURCES OF INFORMATION

Access to Work
Jobcentre Plus
Alexandra House
377 Cowbridge Road East
Cardiff
CF5 1WU
Email: AWTOSU.LONDON@DWP.GSI.GOV.UK
Tel: 0845/0345 268 8489

There are a number of external organisations that can provide support to employees with particular conditions and these can be found via the internet

CORE CITY SICKNESS DATA

Background

1. A request was sent to the following authorities to obtain data of their sickness absence.

   - Birmingham City Council
   - Bristol City Council
   - Leeds City Council
   - Liverpool City Council

   - Manchester City Council
   - Newcastle City Council
   - Nottingham City Council
   - Sheffield City Council

Cardiff has worked extremely hard to reduce levels of sickness absence and the ability to benchmark its performance against other major UK cities should aid further reductions in sickness absence levels.

2. Each authority was asked to provide the following information;

   Question 1   Sickness information for the authority as a whole.

   Question 2   Sickness information of FTE days lost per person broken down by service area with specific interest in the area of waste services.

   Question 3   Age profile for the authority and waste services.

   Question 4   Confirmation if a separate sickness policy was used for manual workers compared to office workers, given the more intensive nature of the constant outdoors work?

   Question 5   What new initiatives, if any, have been introduced which have shown a reduction in sickness absence levels?

Question 1 Responses - Sickness Information for Authorities as a Whole

3. Cardiff's sickness data for both long and short term absence has been reported as shown below; Each authority were asked to provided data under these headings to enable us to compare our progress.

The City of Cardiff Council

Result Date	No. of FTE staff	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person	Industrial Accident FTE days lost
2009/10	12,786	87,017	6.81	64,911	5.08	151,928	11.88	3,460
2010/11	12,399	82,199	6.63	59,703	4.82	141,902	11.45	1,731
2011/12	11,985	83,077	6.93	54,585	4.55	137,662	11.49	1,751
2012/13	11,790	85,317	7.24	52,726	4.47	138,043	11.71	1,776
2013/14	11,677	71,653	6.14	47,201	4.04	118,854	10.18	2,191

Core City Data

Birmingham City Council

Authority as a whole	Result Date	No. of FTE staff	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person	Industrial Accident Incidents	Industrial Accident FTE days lost
Birmingham City Council	2010/11	17948.91	152064	8.47	58149	Not supplied	210213	**11.72**	Data Not available	
	2011/12	16873.12	148509	8.80	48844	Not supplied	197353	**11.67**		
	2012/13	14795.91	119139	8.05	64256	Not supplied	183396	**12.40**		
	2013/14	13736.50	94311	6.86	52667	Not supplied	146978	**10.70**		

Bristol City Council

Authority as a whole	Result Date	Headcount	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person	Industrial Accident Incidents	Industrial Accident FTE days lost
Bristol City Council	2010/11	8851					77110	**8.71**		Data Not available
	2011/12	8375	Data Not available				66091	**7.89**	Data Not available	367
	2012/13	8052					67512	**8.38**		835
	2013/14 Ending 31/05/14	7213					62258	**8.63**		967

Leeds City Council

Authority as a whole	Result Date	No. of FTE staff	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person	Industrial Accident Incidents	Industrial Accident FTE days lost
Leeds City Council	2010/11	13158	104668.99	7.95	50367.37	3.83	155036.36	**11.78**	Data Not Supplied	2206.04
	2011/12	12876	91205.50	7.09	44647.75	3.47	135853.26	**10.56**		2285.98
	2012/13	12555	87393.60	6.96	45717.94	3.64	133111.54	**10.60**		1568.07
	2013/14	13136	93132.22	7.08	43010.54	3.26	136142.76	**10.34**		1076.71

Liverpool City Council

Authority as a whole	Result Date	No. of FTE staff	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person	Industrial Accident Incidents	Industrial Accident FTE days lost
Liverpool City Council	2010/11	6113.11	42888.94	5.87	17869	2.44	60569	**8.29**	Data Not supplied	497.66
	2011/12	4987.53	33750.41	5.34	15179.68	2.40	49281	**7.80**		870.16
	2012/13	4424.46	39448.23	6.75	15952.87	2.73	56951	**9.75**		146.19
	2013/14	2890.03	34304.21	6.25	13682.70	2.49	47989	**8.74**		183.71

Manchester City Council

Authority as a whole	Result Date	No. of FTE staff	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person	Industrial Accident Incidents	Industrial Accident FTE days lost
Man. City Council	2010/11	9310	62633	6.72	37135	3.98	99768	**10.70**	Data Not Supplied	
	2011/12	7616	57491	7.54	30327	3.98	87818	**11.52**		
	2012/13	7495	51281	6.84	31060	4.14	82341	**10.98**		
	2013/14	6581	54381	8.26	26179	3.97	80560	**12.23**		

Newcastle City Council

Authority as a whole	Result Date	No. of FTE staff	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person	Industrial Accident Incidents	Industrial Accident FTE days lost
Newcastle City Council	2010/11	7214	Data Not Supplied				71627.81	**8.35**	Data Not Supplied	913.26
	2011/12	6531					61198.59	**8.05**		722.15
	2012/13	6114					55571.75	**9.50**		1034.97
	2013/14	5322					47621.19	**6.18**		639.18

Nottingham City Council

Authority as a whole	Result Date	No. of FTE staff	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person	Industrial Accident Incidents	Industrial Accident FTE days lost
Notting. City Council	2010/11	5667.52	44487.35	7.85	21489.44	3.79	65976.99	**11.64**	Data Not Supplied	4176.18
	2011/12	5413.20	35242.51	6.51	20313.73	3.75	55556.24	**10.26**		4355.63
	2012/13	5432.11	35964.05	6.62	22161.43	4.08	58125.48	**10.70**		2833.29
	2013/14	Data Not Supplied								

Sheffield City Council

Authority as a whole	Result Date	No. of FTE staff	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person	Industrial Accident Incidents	Industrial Accident FTE days lost
Notting. City Council	2010/11	6686	Data Not Supplied				77154	**11.54**	Data Not Supplied	
	2011/12	5848					71311	**12.19**		
	2012/13	6364					72712	**11.42**		
	2013/14	Data Not Supplied								

4. Cardiff's total FTE days lost per person for 2013/2014 is 10.18 days. From the 8 core cities sampled for data, Cardiff shows more positively than 5 of them in connection to total FTE days lost per person. However, the number of FTE staff varies considerably and so the closest comparable match with Cardiff is that of Birmingham City Council losing 10.70 days per person and Leeds City Council losing 10.34 days per person.

Question 2 Responses - Sickness Information Broken Down by Service Area with Specific Interest in the Area of Waste Services

The City of Cardiff Council

Service Area: WASTE OPERATIONS, FTE in: Days				
Post Type: Permanent,Temporary				
Reporting Period	**Short term Sickness FTE**	**Long term Sickness FTE**	**Total Sickness FTE**	**No of Days Lost per Employee Year**
July 12 -March 13	3,325.99	4,396.38	7,722.36	23.94
April 13 - March 14	3,627.49	5,700.16	9,327.65	21.36
April 14 - Oct 14	1,103.93	2,587.18	3,691.11	16.42

DigiGov Report as at 16.10.14

5. For several authorities it is not possible, since the introduction of Single Status, to identify those employees who could be deemed to be part of this part of the workforce and thus sickness information for them cannot be provided. However, the below information has been provided by 5 authorities.

Birmingham City Council – Fleet and Waste Management Service

Fleet & Waste Management Services	Result Date	No. of FTE staff	Long Term FTE Days Lost	FTE Days lost per person (LT)	Short term FTE Days Lost	FTE Days lost per person (ST)	Total FTE days lost	Total FTE days lost per person
	2010/11	850.95	6264.15	7.36	3329.84	3.91	9594.00	11.27
	2011/12	720.83	5643.79	7.83	2297.57	3.19	7941.36	11.02
Birmingham City Council	2012/13	576.20	5786.78	10.04	2511.28	4.36	8298.06	14.40
	2013/14	532.66	4700.83	8.82	1776.49	3.34	6477.32	12.16

Bristol City Council – Service Area Breakdown

Service Areas	Headcount ***				Total FTE days lost **				Total FTE days lost per person *			
	2011	2012	2013	2014	2011	2012	2013	2014	2011	2012	2013	2014
Restructured Department	N/A	1	N/A	0	N/A	0	N/A	4351	N/A	0	N/A	0.00
Chief Executive	N/A	83	197	N/A	N/A	331	442	N/A	N/A	3.99	2.24	N/A
Corporate Services	1693	2076	2018	N/A	11574	15797	16298	N/A	6.84	7.61	8.08	N/A
Children Young People and Skills	1660	1581	1445	1320	15191	11949	11890	9749	9.15	7.56	8.23	7.39
Deputy Chief Executives	594	88	N/A	N/A	4339	350	N/A	N/A	7.30	3.98	N/A	N/A
Health & Social Care	1908	1709	1596	1329	25706	18536	19176	12895	13.47	10.85	12.02	9.70
Neighbourhoods & City Development	N/A	2837	2796	2003	N/A	19128	19708	15856	N/A	6.74	7.05	7.92
City Development	1016	N/A	N/A	N/A	6941	N/A	N/A		6.83	N/A	N/A	
Neighbourhoods	1980	N/A	N/A	5	13359	N/A	N/A	0	6.75	N/A	N/A	0.00
Organisational Development	N/A	N/A	N/A	1238	N/A	N/A	N/A	8507	N/A	N/A	N/A	6.87
People	N/A	N/A	N/A	7	N/A	N/A	N/A	54	N/A	N/A	N/A	7.64
Place	N/A	N/A	N/A	13	N/A	N/A	N/A	1	N/A	N/A	N/A	0.08
Business Change	N/A	N/A	N/A	12	N/A	N/A	N/A	857	N/A	N/A	N/A	71.42
Public Health	N/A	N/A	N/A	34	N/A	N/A	N/A	33	N/A	N/A	N/A	0.97
Regeneration	N/A	N/A	N/A	1341	N/A	N/A	N/A	12416	N/A	N/A	N/A	9.26

*** Employees who have more than one job with the council are included once for each job

** Working days lost is based on Mon-Fri (excluding bank holidays) pattern applied to all instances of absences

* Average number of working days / shifts lost due to sickness absence per employee. Excludes absence of leavers

Leeds City Council – Waste Services

Waste Services	Result Date	Total FTE days lost per person
Leeds City Council	2012/2013	11.77
	2013/2014	13.58

Newcastle City Council – Refuse & Cleaning Staff

Refuse & Cleansing Staff Only	Result Date	Sickness days lost per FTE	Total FTE days lost per person
Newcastle City Council	2010/11	Refuse staff	10.60
		Cleaning staff	10.66
	2011/12	Refuse staff	9.71
		Cleaning staff	9.75
	2012/13	Refuse staff	9.50
		Cleaning staff	12.26
	2013/14	Refuse staff	10.31
		Cleaning staff	6.81

Nottingham City Council – Service Area Breakdown

Service Area	2010/11	2011/12	2012/13
Chief Executives Group	8.91	5.98	8.29
Children & Families	13.17	11.99	11.53
Communities	12.44	11.55	12.42
Development	9.22	8.51	9.72
Resources	8.29	8.61	8

The sickness levels for waste services in FTE days between 2010 and 2013, which in Nottingham City Council was called 'City Services' were as follows:

Waste Services	Result Date	Total FTE days lost per person
Nottingham Council	2010-2011	16.81
	2011-2012	11.29
	2012-2013	13.97

Question 3 Responses – Age Profile for Authority and Waste Services

6. Only those authorities below were able to provide the data following single status:

Bristol City Council

Age Profile as at 31.03.14

Age Range	Staff
16 – 24	267
25 – 34	1,087
35 – 44	1,631
45 – 54	2,385
55 – 64	1,604
65 – 70	193
70+	75

Liverpool City Council

Age Profile as at 31.03.14

Age Range	Staff
16 – 24	159
25 – 34	578
35 – 44	973
45 – 54	1778
55 – 64	1184
65 +	174

Nottingham City Council

Age Profile as at 31.03.14

Age Band	All Staff	City Services
16-19	74	28
20-24	342	59
25-34	1221	60
35-44	1643	89
45-54	2273	173
55-64	1331	111
65+	140	9
Grand Total	**7024**	**529**

Manchester City Council – Service Area Breakdown

It is not possible to provide a breakdown to reflect waste/ cleaning services for Manchester due to single status:

Age Profile as at 31.03.14.		
Department	**Age Range**	**%**
Corporate Core	< 20	0.12
	>= 70	0.12
	20 - 29	2.61
	30 - 39	8.31
	40 - 49	11.41
	50 - 59	11.50
	60 - 69	2.31
Growth & Neighbourhoods	< 20	0.03
	>= 70	0.03
	20 - 29	1.12
	30 - 39	4.58
	40 - 49	5.76
	50 - 59	7.27
	60 - 69	0.76
Children's & Families	< 20	0.15
	>= 70	0.50
	20 - 29	3.29
	30 - 39	8.62
	40 - 49	13.72
	50 - 59	14.01
	60 - 69	3.78
Grand Total		**100**

Newcastle City Council – Service Area Breakdown

Age profile as at 1 April 2014

Count of Pers.No.	Age Range					
Directorate	**16 TO 24**	**25 TO 44**	**45 TO 64**	**65 TO 74**	**75 AND OVER**	**Grand Total**
Assistant Chief Executive's	3	141	133	4		281
Communities	97	1042	2068	54	6	3267
Investment and Development		69	50			119
Resources	61	299	387	2		749
Schools	189	2119	1851	50	2	4211
Tyne and Wear Archives & Museums	26	109	92	2		229
Wellbeing, Care and Learning	26	837	1091	32		1986
Grand Total	402	4616	5672	144	8	10842

Age profile as at 1 April 2014		Age Range				
Count of Pers.No.						
Directorate	Personnel Subarea	16 TO 24	25 TO 44	45 TO 64	65 TO 74	Grand Total
Communities	Street Services	2	56	186	1	245
	Waste, Rec & WM	3	46	90		139
Communities Total		5	102	276	1	384
	Grand Total	5	102	276	1	384

Sheffield City Council

The graphs below illustrate the age profile of the Council as a whole and the five portfolios as at Quarter 4 2013/14. Household waste services in Sheffield are provided by Veolia Environmental Services under an integrated waste management contract. We therefore have no data relating to their age profile.

Age Profile - SCC Q4 2013/14

	COUNCIL	Children Young People and Families	Communities Portfolio	Chief Executive's Office	Place Portfolio	Resources Portfolio
25 and Under	3.65%	4.36%	3.17%	2.00%	3.65%	3.85%
26 - 35	17.56%	21.54%	15.87%	39.00%	17.93%	12.85%
36 - 45	23.99%	24.51%	24.07%	29.00%	23.82%	22.73%
46 - 55	36.87%	33.79%	39.26%	23.00%	35.85%	38.20%
56 - 65	16.71%	15.38%	17.08%	7.00%	17.59%	17.92%
Over 65	1.22%	0.41%	0.55%	0.00%	1.16%	4.46%

Age Profile - SCC Q4 2013/14

	COUNCIL	Children Young People and Families	Communities Portfolio	Chief Executive's Office	Place Portfolio	Resources Portfolio
25 and Under	232.24	79.02	79.05	2.00	36.29	35.89
26 - 35	1099.78	355.77	385.47	34.03	194.28	130.23
36 - 45	1461.62	391.26	588.28	24.14	247.01	210.92
46 - 55	2325.29	567.42	997.49	20.56	392.84	343.99
56 - 65	973.37	249.65	426.01	6.25	163.97	126.48
Over 65	44.33560036	5.627027027	13.20810811	0	3.864014948	21.63645028

Question 4 Responses – Separate Sickness Policy for office / manual workers

7.   All authorities confirmed that they only have one Managing Sickness Absence procedure which applies to all council staff.   However, Nottingham City Council's Employee Health & Wellbeing team provides a number of health checks specifically for manual workers, including hand-arm vibration syndrome checks, hearing tests, sleep pattern checks for night working and confined spaces checks.

8.   Bristol and Sheffield City both outsource their waste services.   Bristol's waste services (bin collection and recycling) are out-sourced to May Gurney: **http://www.bristol.gov.uk/press/recycling-rubbish-and-waste/new-%C2%A396-million-waste-contract-means-fresh-approach-bristol**. However, cleaning of council property is still undertaken in-house.   Sheffield's waste services are outsourced to Veolia.

Question 5 Responses – New Initiative to reduce sickness absence levels

Birmingham City Council

Has introduced changes whereby employees can be assisted earlier via a final case hearing system to determine what assistance can be offered to an employee to assist them to return to work in a timelier manner than was previously the case. A new employee assistance programme is now in place to support employees.

Bristol City Council

A new Employee Assistance Programme (EAP) initiative was implemented on 1 April 2013. Details of the programme are as follows:

The EAP provides confidential support, which is available to employees 24 hours a day and 7 days a week. If they are experiencing issues / concerns either at home or at work, then EAP is on hand to provide support and guidance to them wherever they are. The service is fully confidential and employees are able to refer themselves for support rather than requesting this via their manager.

The team of trained counselling practitioners offer discreet, independent and unbiased guidance in a range ways. These include:

- Over the phone
- Online
- Face to face appointments
- Mediation (this must be referred by Occupational Health):

Over 1,000 employees have called the EAP service and 200 employees have had a face-to-face appointment with the EAP since its launch earlier this year. There is no waiting list. Where appropriate, employees have been able to access face to face counselling within ten days of initial referral. Feedback from employees using the service has been extremely positive.

Leeds City Council
Have introduced a corporate target for sickness absence (not disclosed) and every employee who triggers this is placed on Stage One of their internal policy.

Liverpool City Council
Have introduced new sickness trigger points (not disclosed) to prompt managers to address short term absences along with a series of new review meetings with timescales attached for addressing long term absences. However, these were only introduced six months ago, so it is too early at this stage to identify any clear impact or trends regarding reductions in overall sickness absence.

Manchester City Council
They have introduced proactive support from HR to managers on short term absence. There is targeted intervention linked to some of the major causes of absence and health checks for employees. There are specific activities within the Directorates with the highest absence rates. The below report details ongoing measures to reduce absence by the Human Resources Scrutiny Sub-Group.

http://www.manchester.gov.uk/download/meetings/id/16727/2_attendance_monitoring

<u>Newcastle City Council</u>

HR holds regular sickness surgeries with managers to discuss sickness absence and strategies to help enable staff to return to work or achieve sustainable attendance levels. The Council has a 24 hour counselling helpline for all staff. Directors run monthly sickness challenge meetings with their managers to discuss staff with a Bradford Factor of 500+. These meetings are also a way of ensuring consistency of approach across council directorates when managing sickness absence. Staff are referred immediately to Occupational Health for reasons relating to stress/anxiety/depression and musculoskeletal (these are the two main reasons for sickness absence at Newcastle). The period of a formal sickness warning was recently extended from 6 months to 12 months.

Newcastle has introduced the following 2 new policies to provide more support to staff with caring and disability related health issues:

- Disability Related Special Leave
- Leave for Carers of Terminally Ill Dependents

The Council has recently launched their Wellbeing at Work booklet and as part of their Health at Work Award they have held health and wellbeing workshops across a range of council depots and offices. These workshops offer staff the following:

- Blood pressure test
- Cholesterol test
- Diabetes check
- Body composition analysis
- Healthy eating advice
- Back massage taster sessions

Staff were then given additional support/directed to their GP if their test results showed cause for concern.

<u>Nottingham City Council</u>

Has undertaken several 'Improving Attendance' road shows for employees to attend, in addition to undertaking an employee survey questionnaire to help further understand how issues of absence can be corporately addressed. The outcomes of this will be feed into new strategies for improving attendance.

<u>Sheffield City Council</u>

There has been an overall reduction in sickness levels compared to last year and links to improving managerial skill in tackling sickness absence and a focus on the issue within services. Children and Young People's Portfolio has used workshops and a courageous conversations approach to dealing with sickness levels. The Portfolio has also invested in their approach through the purchase of additional HR support. A new Managing Absence Procedure has recently been launched replacing the Managing Absence and Capability at Work procedure. It includes new sickness absence trigger points and provides managers with a framework for identifying and supporting employees back to work as quickly and effectively as possible.

CONCLUSION

The Council is currently reviewing its Attendance and Wellbeing Policy and Procedures and will pay close attention to the initiatives implemented from other authorities in an attempt to further reduce our level of sickness absence. It is encouraging to see that Cardiff shows more positively than 5 authorities on average days lost for 2013/2014. Early intervention with employee support appears to be the key in tackling absence management. 2 authorities provide a 24 / 7 confidential employee counselling service with no waiting lists. HR surgeries are held with managers along with skills training to tackling sickness related absences and health checks are used with feedback on managing any conditions effectively to reduce the likelihood of future absences.

EMPLOYEE RELATIONS TEAM
HR PEOPLE SERVICES
October 2014

My Ref: T: Scrutiny/PRAP/Comm Papers/Correspondence

Date: 5 June 2015

County Hall
Cardiff,
CF10 4UW
Tel: (029) 2087 2087

Neuadd y Sir
Caerdydd,
CF10 4UW
Ffôn: (029) 2087 2088

Councillor Graham Hinchey,
Cabinet Member, Corporate Service & Performance,
Cardiff Council,
County Hall
Cardiff
CF10 4UW

Dear Councillor Hinchey,

Policy Review & Performance Scrutiny Committee: 2 June 2015
Attendance & Wellbeing Policy Review

Please accept my thanks on behalf of the Committee for attending the Policy Review and Performance Scrutiny Committee to facilitate consideration of the Attendance and Wellbeing Review. Please also pass our thanks to your officers who supported the scrutiny. The Committee has asked me to pass on the following comments and observations.

Overall the Committee considers that the direction of travel of sickness absence is clearly in the right direction, however we feel that there is still some way to go on the journey. We suggest that, to have a more dramatic impact on the figures, greater urgency is required. Members were encouraged to hear that you will continue reviewing the policy, and when sickness absence reaches a plateau you will consider further measures. However it is Members' view that at some point the Council should consider setting harder targets and timescales, and if these are not achieved then the Council should consider revising the policy. Members feel this view is justified given the significant cost of high sickness levels in services where agency staff are brought in to cover. The Committee would urge it is important that the Trade Unions continue to be a part of this journey.

The Committee wishes to endorse the existence of an HR Central Sickness Team, noting that both the Environment, and the Sports, Leisure and Culture Directorates consider the support received from the team has been critical in assisting them to tackle sickness levels. They recognise the impact such support has had, and would therefore support its continuation going forward.

During our discussion Members felt strongly that the strengthening of Occupational Health support will be a positive action in lowering sickness levels. They wish to add their weight to the views expressed by the Directorates they heard from at the meeting, that there is an opportunity for stronger, more challenging, occupational health support. For example, Members feel it would be helpful to take action if a

Cardiff County Council, Atlantic Wharf, Cardiff Bay, CF10 4UW E-mail: nhowells@cardiff.gov.uk

member of staff misses a first occupational health appointment. They also wish to propose that pay is stopped where occupational health appointments are repeatedly missed. Members are interested in the cost to the Council of missed appointments, particularly where those appointments have required the Council to book specialist sessional doctors.

More generally, the Committee wishes to point out it considers it appropriate that the Council is more flexible with trigger points where there are long term sickness issues, for example where an employee has cancer and is undergoing radiotherapy. Members are most keen to support phased return to work from sickness absence, and welcome the recommendation of the review that staff be allowed to return to work without a doctor's note.

The Committee wishes to re-state its view that the key to achieving success from the freshly reviewed policy is the quality of implementation by all managers. Members feel that management accountability for tackling sickness absence is key. The Committee raised the matter of how managers are held to account for their team's sickness absence levels over the period of a reporting year. They considered that, whilst sickness absence is a routine part of the Challenge Sessions, as compliance and training in policy implementation is key, a strengthening of holding managers to account might be appropriate.

Members were interested to note that work related stress is automatically referred to Occupational Health; and that the manager is expected to identify the source of a stress related illness. Therefore they wish to suggest that sickness absence e-training for managers be made mandatory.

A few Members suggested that in some cases accidents that lead to long term sickness absence may be resolved sooner with private health care. They felt there may sometimes be a business case for earlier referral to a consultant. The Committee was therefore pleased to hear that HR is looking into Employee Attendance Support packages for staff.

Members found it most useful to hear the experiences of two frontline services in tackling sickness absence, noting that there are challenging differences between those Directorates with many frontline workers exposed to sickness bugs in dealing with the general public. They were pleased to hear that the Sport Leisure and Culture Directorate trains all duty managers in the sickness & absence policy; has in place a Directorate action plan to tackle sickness absence levels; and monitors patterns of absence. They note also the particular difficulty faced by the Environment Directorate in achieving all Return to Work interviews within 3 days, due to the mobile nature and shift working patterns of operatives.
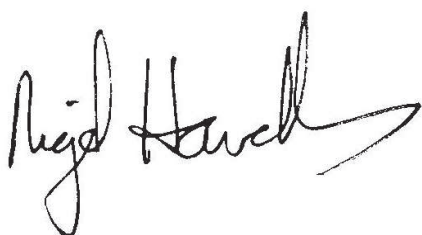
You will be aware that the Committee has flagged up the value of comparative performance data on many occasions, particularly with regards to non-Welsh authorities. We were therefore pleased to note the core city sickness data

comparisons you provided. Whilst this is reassuring, the Committee feel rather than comparing the City just with core cities, it would be enlightening to compare the Council with large organisations within business and industry. Members are aware, for example, that organisations that gave evidence to its *Infrastructure Business Model & Alternative Delivery Options* task group typically suggested they would be seeking to reduce sickness to 3 days FTE per annum.

With regard to DigiGov, the Committee wishes to highlight the risk of inaccurate manual inputting of sickness data. The officers confirmed those checks are not currently a part of any existing audit and Members were pleased that you consider auditing the accuracy of data would be a good idea, and is achievable.

During the meeting, the Committee requested clarification of the final sickness 2014/15 outturn figures for Waste Operations. We would be grateful if this could be forwarded.

Once again on behalf of the Committee, please pass my thanks to all who attended PRAP Scrutiny Committee to brief Members on the review of the Council's Attendance & Wellbeing Policy.

Yours sincerely,

COUNCILLOR NIGEL HOWELLS
CHAIR, POLICY REVIEW AND PERFORMANCE SCRUTINY COMMITTEE

cc   Christine Salter, Corporate Director Resources
        Philip Lenz, Chief Human Resources Officer
        Lynne David, Operational Manager, Human Resources
        Jane Forshaw, Director of Environment
        Malcolm Stammers, Operational Manager, Leisure & Play
        Cabinet Office
        Members of the Policy Review & Performance Scrutiny Committee

Cardiff County Council, Atlantic Wharf, Cardiff Bay, CF10 4UW E-mail: nhowells@cardiff.gov.uk

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CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD

CABINET MEETING: 11 JUNE 2015

ANTI - FRAUD, BRIBERY & CORRUPTION POLICY (INCLUDING MONEY LAUNDERING POLICY AND PROCEDURE)

REPORT OF CORPORATE DIRECTOR RESOURCES

AGENDA ITEM: 6

PORTFOLIO: CORPORATE SERVICES & PERFORMANCE (COUNCILLOR GRAHAM HINCHEY)

Reason for this Report

1. The purpose of this report is to present the Anti Fraud, Bribery and Corruption Policy, and the Money Laundering Policy and Procedure for Cabinet to approve.

Background

2. This policy was last reviewed and updated in 2011.

3. Whilst the main thrust of the Policy has not changed significantly in recent years, Members will be aware from regular reports that the Council does deal with a number of cases of suspected fraud and financial impropriety and that there has been an increase in the number and complexity of these in recent times. This has emphasized the importance of having a policy in place which is fully understood and implemented consistently across the Council.

4. The Financial Procedure Rules place a responsibility on Corporate Directors and Chief Officers to immediately notify the Audit and Risk Manager whenever any matter arises which involves, or is thought to involve, a breach of security, theft, or irregularities concerning cash, stores or other property of the Authority. They are also required to liaise with Internal Audit in respect of the investigation of these irregularities.

5. In July 2014 the responsibility for investigating benefit related frauds transferred to the Department for Work and Pensions under the Single Fraud Investigation Service initiative, which impacted on the work undertaken within the Internal Audit team. Members will be aware a resource has been retained to target non benefit related fraud.

6. During 2014 - 15 Internal Audit undertook a wide range of non benefit fraud work and continue to be part of the National Fraud initiative. The team received notifications from directorates in respect of 48 cases that

required further investigation. These cases covered a range of allegations, including: flexi abuse, inappropriate use of social media, inflated hours, not following procedures, speeding, submitting false invoices, theft (from buildings, cash, stock, vehicles) and working whilst sick. A number led to disciplinary action, undertaken in accordance with the Council Disciplinary policy, and as a consequence there was 1 prosecution, 6 dismissals, 7 formal warnings issued and 3 resignations.

7.   In recent times there has been a slight increase in the incidence and complexity of investigations undertaken and this has been reflected by having a Corporate risk for fraud on the Corporate Risk Register and a briefing is provided to the Corporate Director Resources - Section 151 Officer and the Audit Committee each quarter.

8.   There is a detailed review underway of the Council's Disciplinary Policy and Procedure which has a direct impact on how suspected cases of fraud and financial impropriety investigations will be handled. The Internal Audit team has contributed to this and worked closely with the lead reviewer.

9.   Whilst updating the Anti Fraud, Bribery and Corruption Policy, it was apparent that the Money Laundering Policy and Procedure also required updating.

Issues

10.   The Anti Fraud, Bribery and Corruption Policy (see Appendix A), sets out how the Council will prevent, detect and investigate any suspicions of fraud or financial impropriety both from within and referrals received from outside the Council, setting in place a framework to ensure a consistent approach.

11.   The opportunity has been taken to set out clearly the expectation of officers working within the Council and those who have dealings with the Council, in terms of our "zero tolerance" approach to this type of activity.

12.   The Section 151 Officer, under her responsibility for overall financial stewardship, plays a key role through the work of the Investigation team, within Internal Audit. Under the Council's Financial Procedure Rules, Audit are required to be involved with investigations in all suspected cases of fraud, bribery and financial impropriety. The officers within Internal Audit are professionally trained in undertaking Investigations including PACE interviewing, surveillance etc.

13.   The policy highlights where the Council is proactive in adopting prevention and detection techniques and sets out a detailed process for investigation of cases to ensure these are undertaken to professional standards and in a consistent manner.

14.   The procedures recognise the role of Senior Management in terms of their responsibility for financial control and the actions of their members

of staff, but with the requirement that Internal Audit oversees and is content with how the investigation is undertaken and reported.

15.   The main changes made have been to remove reference to the investigation/prosecution of benefit frauds as the responsibility to investigate benefit fraud transferred from the Council to the Department for Work and Pensions in July 2014 and to emphasize the zero tolerance approach given the increasing trend of referrals in times of austerity where it is even more important that all frauds are identified and acted upon as a priority.

16.   In respect of Money Laundering, suspicious activity reports used to be dealt by the Serious Organised Crime Agency, but are now dealt with by the National Crime Agency.

Reason for Recommendations

17.   To receive and approve the updated Policies, taking into account recent changes to the responsibilities for the investigation, and sanctioning, of benefit fraud.

Financial Implications

18.   There are no direct financial implications arising from this report.

Legal Implications

19.   There are no direct legal implications arising from this report.

RECOMMENDATIONS

Cabinet is recommended to approve the Anti Fraud, Bribery and Corruption Policy, and the Money Laundering Policy and Procedure.

CHRISTINE SALTER
Corporate Director Resources
5 June 2015

The following Appendices are attached:

Appendix A – Fraud, Bribery and Corruption Policy
Appendix B – Money Laundering Policy and Procedure

Anti Fraud, Bribery & Corruption Policy

A guide to the City of Cardiff Council's approach to preventing fraud, bribery and corruption, and managing suspected cases

Owner: Derek J King, Audit & Risk Manager	May 2015

Contents   Page

FRAUD, BRIBERY AND CORRUPTION POLICY

PURPOSE OF THE POLICY

1. The Council is one of the largest employers in Wales, delivering services to approximately 340,000 people, with assets, interests and annual transactions running into billions of pounds. This policy details how the Council will deal with its responsibilities in relation to fraud, bribery and corruption, whether it is attempted on the Council or from within it.

2. The Council's reputation is underpinned by ethical behaviour, financial probity and honesty. Fraud, bribery, corruption or other dishonesty adversely affects the Council's reputation and puts its ability to achieve its policies and objectives at risk by diverting the Council's limited resources from the provision of services to the people of Cardiff.

3. The Council has a zero tolerance approach to fraud, bribery and corruption and in managing its responsibilities is determined to protect itself against fraud and corruption both from within the authority and from those who have dealings with the Council. The Council is committed to an effective Policy designed to:

   - encourage prevention
   - promote detection
   - identify a clear pathway for investigation
   - act as a deterrent against future fraud or corruption

4. Members and staff are an important element in the Council's stance on fraud, bribery and corruption and they are expected to be alert to the possibility of such activity in all their dealings and are positively encouraged to raise any concerns associated with Council's activities, either currently or in the past. They can do this in the knowledge that such concerns will be properly investigated.

5. The Council requires Members and employees at all levels to lead by example in adhering to legal requirements, financial and contract rules, codes of conduct and prescribed procedures and practices.

FRAUD PREVENTION

Policies, Action and Awareness

6. The Council uses a number of ways to deter potential fraudsters from committing or attempting fraudulent or corrupt acts (including bribery) whether they are inside and/or outside of the Council, including:-

   - Having a zero tolerance approach to fraud;

   - Publicising the Council's determination to prevent and detect fraud, bribery and corruption e.g. clauses in contracts, publications etc;

   - Acting robustly and decisively when fraud, bribery and corruption are suspected and proven e.g. the termination of contracts, dismissal, prosecution etc;

- Taking action to recover any losses through fraud, bribery and corruption e.g. through agreement, Court action, penalties, insurance etc;

- Having sound internal control systems, which allow for innovation, whilst limiting opportunities for fraud, bribery and corruption;

- Optimising the publicity opportunities associated with anti - fraud and corruption activity within the Council and where appropriate, publishing the results of any action taken, including prosecutions in the media.

Recruitment and Training

7.   The Council recognises that a key preventative measure in the fight against fraud, corruption and bribery is to take effective steps at the recruitment stage to establish, as far as possible, the previous record of candidates in terms of their propriety and integrity. Staff recruitment is, therefore, required to be in accordance with procedures laid down by the Council. In particular, written references regarding known honesty and integrity of potential staff must be obtained before employment offers are confirmed. Where appropriate Disclosure and Barring Service (DBS) checks will also be undertaken before appointments are confirmed.

8.   It is essential that the Council delivers appropriate training to employees that relates to identifying possible fraud, corruption and / or bribery and that this is tailored for employees who are involved in internal control systems and financial and finance-related systems. The development of appropriate knowledge and skills in respect of fraud awareness, prevention, detection and investigation applies more widely across the Council than those directly engaged in investigative work.

9.   Senior managers have a responsibility to understand and implement this policy in seeking ways of preventing fraud by working with employees specifically involved in the review of internal control systems and investigative work.

Procedures for Preventing and Detecting Fraud

10.   There are a wide range of procedures in place to minimise the risk of fraud that constitute a major part of the Council's system of internal control, designed to ensure the Council conducts its business properly and effectively and completes its transactions fully, accurately and correctly.

11.   The Council aims to have in place efficient and effective systems of control that as far as possible prevent potential fraudsters from exploiting weaknesses. The prime responsibility lies with senior management who are expected to design and operate systems and procedures that will minimise losses due to fraud, bribery, corruption and other dishonest action. The Council's Internal Audit Team supports senior management through an independent appraisal of the integrity of all internal control systems and assists with or leads investigations as appropriate.

12.   Key documents in the prevention of fraud and corruption are the Council's Financial Procedure Rules and Contract Standing Order & Procedure Rules which must be adhered to at all times. Employees are expected to abide by their professional Codes of Conduct and the Local Government Wales Code of Conduct.. Members

are required to adhere to the Council's Member's Code of Conduct – need link to this document.

13.   Employees are reminded that they must operate within Section 117 of the Local Government Act 1972, regarding the requirement to disclose any pecuniary interests in contracts relating to the Council and not to accept any fee or reward other than their proper remuneration. Employees are also required to comply with other Council policies such as those relating to gifts and hospitality etc.

14.   Any failure to comply with this policy may result in disciplinary proceedings in accordance with the Council's Disciplinary Policy.

15.   The County Clerk is the appointed Monitoring Officer in line with the Local Government Act 2000. This role includes overall responsibility for the Council's Whistleblowing Policy.

DETECTION

16.   It is important that there are ways of detecting fraud when it happens. Most systems will have controls to measure the throughput of transactions and provide management reports for monitoring as a means of identifying suspected fraud.

17.   The work of both Internal and External Audit is primarily to ensure controls are embedded into systems as a prevention measure, but as part of their work around compliance etc they will be proactively looking at areas where there is increased risk of fraud or financial impropriety and reporting any suspicions that arise. Management should also have inbuilt mechanisms to support early detection of anything untoward.

18.   It is the responsibility of all managers, Members and employees to prevent and help detect fraud, bribery and corruption.

19.   The Council is committed to exchanging information with other local and national agencies in order to identify and prevent fraud using data matching techniques. Such activity is carried out in full compliance with the Data Protection Act and with the Audit Commission's Code of Practice for the National Fraud Initiative, Data Matching exercises, and includes providing information to other agencies for data matching purposes. Any employee found to be perpetrating fraud, corruption or bribery against a local or national agency could be the subject of disciplinary proceedings which could result in dismissal. Internal Audit, undertakes the NFI Data Matching exercise at least every 2 years.

20.   With the increase in recent years of fraud perpetrated against a variety of public bodies, which usually involve fraudsters having multiple identities and addresses, the necessity for liaison with other organisations has become paramount. Some of these include Police forces, the Audit Commission, Universities and Colleges, Student Loans Company, HM Immigration Service, Department for Work and Pensions and the National Anti Fraud Network.

21.   Fraud, corruption or bribery is often detected because employees and the public are alert to this activity. Any person who suspects fraud or financial impropriety has a responsibility to report this and if in doubt, should contact Internal Audit for advice.

All referrals will be considered, but officers must not abuse the process by raising unfounded or malicious allegations.

22.   Depending on the nature and anticipated extent of the allegations, Internal Audit will work closely with Directorates, other agencies and, as appropriate, the Police, to ensure that all allegations and evidence are properly investigated and reported upon.

REPORTING

Employees

23.   Under the Financial Procedure Rules – Section 4, Senior Managers are required to notify the Audit Manager immediately when any matter arises which involves, or is thought to involve, a breach of security, theft, or irregularities concerning cash, stores or other property of the Council, or any suspected irregularity in the exercise of its functions.

24.   Suspected fraud can be notified in a number of ways, but in all cases it is important that employees and/or the public feel confident to report their concerns and are clear of the means by which they are able to do so.

25.   If an employee discovers suspected fraud then they should first report the matter, as soon as is practicable, to their line manager. Line managers should attempt to establish as many details as possible (by discussion with the notifying officer only).

26.   If the concern relates to the employee's line manager, the notifying officer may consider reporting their concerns direct to the Audit Manager or the Section 151 Officer.

27.   Following any notification of fraud, financial impropriety or irregularity, Management should in the first instance take the following actions:

   a.   Send an email to the Group Auditor Investigations, d.hexter@cardiff.gov.uk summarising allegation(s), including as much detail as possible;

   b.   Determine and agree with the Group Auditor Investigations who will lead the investigation i.e. Directorate or Internal Audit;

   c.   Determine and agree with the Group Auditor Investigations who will initiate actions where the allegation is against an employee

28.   The overall responsibility for investigating suspected fraud, bribery, corruption or financial impropriety rests with management of the employing Directorate; however, the Section 151 Officer has overall responsibility for financial stewardship throughout the Council and as such seeks assurance, through the Audit Manager, that a proper investigation is undertaken.

29.   For the majority of allegations a Director/Assistant Director will appoint an Investigating Officer from within their own Directorate and it is important that this person is of sufficient grade, seniority and status with the appropriate skills, experience and training to undertake the role. Ideally the Investigating Officer

should be independent of the area where the suspicion has arisen to reduce the risk of any conflict of interest.

30.   For all Investigations where the Investigation Officer is appointed from within the employing Directorate, support will be provided by an Investigator from the Internal Audit Team, who will provide professional advice and guidance and ensure proper process is followed in accordance with this policy.

31.   There may be certain circumstances i.e. serious and/or complex cases or where monitoring of an employee's movements are involved, where discussion with the Group Auditor Investigations determines that it will be more appropriate for Internal Audit to lead the investigation.

32.   Where the circumstances suggest a criminal offence has been, or is about to be committed, then consideration should be given to referring the matter immediately to the Police. Internal Audit can advise on this and need to be informed, at the earliest opportunity.   In such circumstances reference should be made to the guidance "Police involvement in allegations against Council employees" contained within the Council's Disciplinary Policy, Procedures & Guidance Notes

33.   Every effort should be made to protect the interest of any person who honestly reports a suspicion of fraud or corruption to try to ensure they do not receive any adverse treatment as a consequence of making such a report.

Members of the Public

34.   The Council's website www.cardiff.gov.uk hosts an online referral form which may be completed by members of the public to report their suspicions.

35.   Alternatively the Internal Audit Investigation Team can be contacted as follows:

Email: fraud@cardiff.gov.uk
Telephone: 029 2087 2284
Post: Audit Manager, Internal Audit Section, Financial Services, County Hall, Atlantic Wharf, Cardiff CF10 4UW. All mail to Internal Audit is delivered unopened.

36.   Any member of the public wishing to report suspicions of a breach of security, theft, or irregularities concerning cash, stores or other property of the Council, or any suspected irregularity in the exercise of the functions of the Council, should in the first instance refer to information, guidance and FAQ's available on the Council's Fraud web page at www.cardiff.gov.uk. (Your Council/Council Finance/Managing the Council's Finances/Fraud).

INVESTIGATION

37.   The Internal Audit Investigation Team is professionally trained and follows methodology in accordance with professional standards. The team is available to offer advice and support to Investigating Officers. The team has a responsibility to provide assurance to the Section 151 Officer that all suspicions of fraud, bribery and corruption and financial impropriety are dealt with in an effective, efficient and consistent manner and it is important it works closely with the Directorate where fraud or financial impropriety is suspected.

38.   In all investigations undertaken by the Council or the Police into fraud, bribery or corruption, the Council requires full co-operation to demonstrate and preserve transparency, integrity and accountability for the public funds it administers.

39.   Whether the investigation is led by a Manager from within the employing Directorate or from within Internal Audit, it is important that both are kept fully informed and that there is an ongoing dialogue as the investigation proceeds.

40.   Following an assessment of the case, where it is decided further investigation is not appropriate, then this will be agreed between the Investigating Officer and the Internal Audit Investigator. The officer who raised the initial concern will be notified with the reason why the matter is not being pursued.

41.   All investigations into the conduct of officers will be undertaken in accordance with the Disciplinary Policy and Procedure.

42.   If at any time there is a suspicion or an allegation that a serious crime may have been committed (or is about to be committed) the Directorate, in conjunction with the Audit Investigation Team, should immediately report the matter to the Police (see paragraph 32).

43.   Throughout all investigations the Investigating Officer will retain material obtained as part of the investigation. This includes not only material coming into the possession of the investigator (such as documents seized) but also material generated by them (such as interview records).

44.   The Investigating Officer will ensure that interviews are conducted and statements taken in accordance with relevant Council policy and procedures.

45.   The Council's Disciplinary Policy, Procedures & Guidance Notes will be used where the outcome of the investigation indicates any evidence of employee misconduct.

46.   Where a case to answer is established against an employee, this will be managed in accordance with the Disciplinary Policy. Internal Audit will report anonymised Disciplinary Hearing outcomes and sanctions relating to fraud, bribery, corruption or financial impropriety to the Audit Committee.

POST INVESTIGATION

47.   The Investigating Officer is responsible for identifying and reporting on failures to comply with procedures and/or control failings, however, it is important that Internal Audit works closely with Directorate colleagues to ensure that all control issues relating to any suspected financial impropriety are identified along with appropriate actions to target weaknesses.

48.   Where applicable the Investigating Officer should incorporate weaknesses or failings in a report/action plan (along with appropriate recommendations to address the control issues) which will be forwarded to the Director for him/her to consider and act upon.

49.   Internal Audit will follow up the issue of a report/action plan after 3 months to confirm all recommendations have been implemented or ensure progress is being made towards doing so.

50.   Where Directorates do not respond to the report of action plan, or there are delays in taking action, this will be referred to the Audit Manager and consideration will be given to advising the Section 151 Officer and Audit Committee.

COUNCIL MEMBERS

51.   The County Clerk and Monitoring Officer, in liaison with the Audit Manager, will arrange for an appropriate investigation of referrals, in accordance with the Member's Code of Conduct.

CONTACTS

52.   Initial contact on any matters relating to investigations should be with David Hexter, Group Auditor Investigations, Tel: (029) 2087 2284, alternatively, contact the Audit Manager, Tel: (029) 2087 2248.

53.   Further guidance relating to making a fraud referral can be found on the Council's internet site at www.cardiff.gov.uk (Your Council/Council Finance/Managing the Council's Finances/Fraud).

Cardiff Council

Money Laundering Policy and Procedure

A Proud Capital

CARDIFF
CAERDYDD

1. Introduction

Although local authorities are not directly covered by the requirements of the Money Laundering Regulations 2007, guidance from the Chartered Institute of Public Finance and Accounting (CIPFA) indicates that they should comply with the underlying spirit of the legislation and regulations.

The legislative requirements concerning money laundering procedures are lengthy and complex. Cardiff Council is committed to the highest possible standards of conduct. This policy has been written to enable the Council to meet the legal requirements in a way that is proportionate to the Council's risk of contravening the legislation and to ensure that there are adequate safeguards and reporting arrangements to ensure that the Council is not used by 3rd parties for the purpose of money laundering.

This Policy sets out the procedures which must be followed and it is suggested that this be read in conjunction with the referral guide for money laundering, the Fraud, Bribery and Corruption Policy and the Financial Procedure Rules which governs the day to day operation of the Authority's financial administration.

2. Scope of the Policy

This policy applies to:

- All council employees (permanent, temporary or casual)
- Elected Members
- Agency Staff
- Consultants
- Contractors
- Partners

The aim of this policy is to enable officers and Members to respond to a concern they have in relation to suspicions of money laundering activity as part of their work and sets out the procedures that must be followed. The policy and procedures as set out are commended for use by schools.

Individuals who have a concern relating to a matter outside work should contact the Police.

3. Definition of Money Laundering

Money laundering describes offences involving the integration of the proceeds of crime, or terrorist funds, into the mainstream economy. Such offences are defined under the Proceeds of Crime Act 2002 as the following "prohibited acts":

- Concealing, disguising, converting, transferring or removing criminal property from the UK
- Becoming involved in an arrangement which an individual knows or suspects facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person
- Acquiring, using or possessing criminal property
- Doing something that might prejudice an investigation e.g. falsifying a document
- Failure to disclose one of the offences above, where there are reasonable grounds for knowledge or suspicion

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- Tipping off a person(s) who is or is suspected of being involved in money laundering in such a way as to reduce the likelihood of, or prejudice an investigation

Whilst the risk to the Council of contravening the legislation is low, it is extremely important that all employees are familiar with their legal responsibilities as serious criminal sanctions may be imposed for breaches of the legislation.

4. What are the obligations on the Council

The main requirements of the legislation are:

- Appoint a Money Laundering Reporting Officer to receive disclosures from employees of money laundering activity
- Implement a procedure to enable the reporting of suspicions of money laundering
- Maintain client identification procedures in certain circumstances and
- Maintain record keeping procedures.

The key areas covered by the Act relate mainly to Accountancy, Audit services and property transactions undertaken by Legal Services. However, to ensure compliance with the law, all staff are required to comply with the reporting / disclosure procedure set out in section 6 below.

5. The Money Laundering Reporting Officer (MLRO)

The Council is not obliged to appoint a MLRO, however, it is considered to be best practice to nominate one or more officers to become responsible for their organisations anti money laundering activities. The officer appointed to receive disclosures about suspected money laundering activity within the Council is David Hexter, Group Auditor (Investigations) whose contact details are as follows:

Group Auditor (Investigations)
Resources
Internal Audit
County Hall
CF10 4UW

Telephone: 029 2087 2284

The Money Laundering Reporting Officer is responsible for receiving reports of suspicious activities relating to money laundering and evaluating the information provided, before determining if a referral should be made to the National Crime Agency.

6. Reporting Procedure for Suspicions of Money Laundering

Where a person identified in section 2 knows or suspects that money laundering activity is taking / has taken place, or is concerned that their involvement may amount to a prohibited act, a disclosure must be made to the MLRO as soon as is reasonably practicable, a referral form is available on the intranet. You must not make any further enquiries yourself or warn the individuals against whom you have concerns.

The Council has set a general cash transaction limit of £13,000 (in line with the Money Laundering Regulations 2007) over which any transaction or group of transactions for the purchase of goods must be classified as suspicious. This does not mean that transactions under this limit should not be reported, as all suspicious transactions, irrespective of their value should be reported.

A significant overpayment of an amount owed, which results in a repayment should be treated as suspicious and advice sought from the MLRO.

7. Client Identification

Although there is no legal requirement for the Council to have formal procedures for evidencing the identity of those they do business with, staff should be alert to potentially suspicious circumstances. Where there may be doubt and in particular, when forming a new business relationship or considering a significant one off transaction, identification of the party to the transaction(s) should be sought.

8. Record Keeping

Each section of the Council conducting relevant business (Accountancy, Audit and certain Legal Services) must maintain appropriate records of:

- Client identification evidence obtained and
- Details of all relevant business transactions carried out for clients for at least 5 years. This is so that they may be used as evidence in any subsequent investigation into money laundering.

The precise nature of the records to be held is not prescribed by law, however they must be capable of providing an audit trail during any subsequent investigation, for example distinguishing the party giving rise to concern and the relevant transaction and recording in what form any funds were received or paid.

9. Training and Awareness

The Council does not have any areas of activity that are considered to be especially vulnerable to money laundering. This is supported by the fact that local authorities are not included as a "relevant person" in the Money Laundering Regulations 2007 and are therefore not covered by those regulations.

Those receiving, or arranging to receive cash on behalf of the Council must ensure they are familiar with this policy. As the types of transactions which may be used by money launderers are almost unlimited, it is difficult to define a suspicious transaction.

Training will be delivered upon request.

10. Further information

Money Laundering guidance is available from professional bodies (for example ACCA, CIPFA, IIA, The Law Society) and HM Revenue and Customs.

CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD

CABINET MEETING: 11 JUNE 2015

APPROACH TO HOMELESSNESS 'INTENTIONALITY' DECISIONS

REPORT OF DIRECTOR OF COMMUNITIES, HOUSING & CUSTOMER SERVICES

AGENDA ITEM: 7

PORTFOLIO: HEALTH, HOUSING & WELLBEING (COUNCILLOR SUSAN ELSMORE)

Reason for this Report

1. To confirm the City of Cardiff Council position on the use of intentionality in homelessness decisions Under the Housing Wales Act 2014 and in accordance with the Homelessness (Intentionality) (Specified Categories) (Wales) Regulations 2015.

Issues

2. On 2nd April 2015 Cabinet received an update on the progress with the implementation of the new homelessness duties under Part 2 of the Housing Wales Act 2014. Cabinet approved the approach to be taken including the consideration of intentionality in homelessness decisions.

3. The Welsh Government have since advised that decisions made by local authorities prior to the new legislation coming into force on 27th April 2015 could be open to challenge. They have therefore recommended that decisions be remade after this date and have extended the deadline for local authorities to make their decisions on the use of intentionality until 1st July 2015

4. The Council must then notify the Welsh Government before 1st July 2015 and the decision must be published on the Council's website at least 14 days before it can take effect.

Intentionality

5. The new Act gives local authorities the option to continue to assess whether the applicant is intentionally homeless and to take this into account in determining whether they should be provided with accommodation.

6.   While it is not envisaged that this power would be used in a large number of cases (only 5% of homeless cases were found to be intentionally homeless in 2014) it is still considered important that this remains an option.

7.   Consideration of intentionality works as a deterrent to households to discourage them from giving up accommodation which is suitable for their needs. It also deters behaviour which could lead to loss of accommodation such as deliberately failing to pay the rent or serious antisocial behaviour. It recognises the expectation that, where possible, people should take responsibility for their actions.

8.   To continue to consider "Intentionality" the Council must notify the Welsh Government and publish which priority need categories the 'intentionality test' will be applied to. These categories are -

- A pregnant woman;
- A person with whom a dependent child resides;
- A person who is vulnerable as a result of some special reason (for example: old age, physical or mental illness or physical or mental disability);
- A person who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster
- A person who is homeless as a result of being subject to domestic abuse;
- A person who is aged 16 or 17;
- A person who has attained the age of 18, but not the age of 21, who is at particular risk of sexual or financial exploitation;
- A person who has attained the age of 18, but not the age of 21, who was 'Looked After', accommodated or fostered at any time while under the age of 18;
- A person who has served in the regular armed forces of the Crown who has been homeless since leaving those forces;
- A person who has a local connection with the area of the Local Housing Authority and who is vulnerable as a result of one of the following reasons:
    i. Having served a custodial sentence within the meaning of section 76 of the Powers of Criminal Courts (Sentencing) Act 2000,
    ii. Having been remanded in or committed to custody by an order of a court, or
    iii. Having been remanded to youth detention accommodation under section 91(4) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Proposal

9.   It is proposed that intentionality should be considered for all of the priority need categories with the exception of 16/17 year olds, who it is felt cannot be deemed responsible for any loss of previous accommodation.

10.   Each case will be considered carefully on an individual basis to ascertain whether the loss of tenancy was really deliberate and to identify any

mitigating factors which should be taken into account such as whether they had unmet support needs which resulted in difficulty sustaining the tenancy or whether failure to pay rent was a result of financial difficulties beyond the applicants control.

11. If found intentionally homeless the Council will not have a duty to provide accommodation however will still have a duty to provide advice and assistance and also help to secure accommodation. The Council may also need to provide temporary accommodation while the applicant seeks their own accommodation.

Reason for Recommendations

12. To agree the approach to be taken to the implementation of the new homelessness legislation. The decision to consider intentionality in making homeless decisions must be forwarded to the Welsh Government and published on the Council's website 14 days before it can be brought into force.

Financial Implications

13. The Welsh Government has made available transitional funding for the implementation of the new homelessness legislation under the Housing Wales Act 2014. This funding is for the 3 year period 2015/16 to 2017/18 and the grant award for Cardiff for 2015/16 has been confirmed as 520,714. It is proposed that this grant will be utilised to meet all costs of the new responsibilities including additional staffing resources and the payment of bonds and other measures.

Legal Implications

14. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

15. The Council may not have regard to intentionality, unless it has decided to have regard to one or more of the categories of applicants of applicants specified by Welsh Ministers in Section 78(1) of the Housing Wales Act 2014.

16. When discharging a housing function to secure that accommodation is available for an applicant who is homeless, or threatened with homelessness, a local authority must ensure that is suitable.

17. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these

legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are:

- Age
- Gender reassignment
- Sex
- Race – including ethnic or national origin, colour or nationality
- Disability
- Pregnancy and maternity
- Marriage and civil partnership
- Sexual orientation
- Religion or belief – including lack of belief

18.   As such a decision to implement the proposal has to be made in the context of the Council's equality act public sector duties.

19.   The report identifies that an Equality Impact Assessment has been carried out. The purpose of the Equality Impact Assessment is to ensure that the Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty.

20.   The decision maker must have due regard to the Equality Impact Assessment in making its decision.

21.   The decision maker must also have regard to certain other matters when making its decision as outlined in the Statutory Screening tool. The decision maker is therefore referred to the Screening Tool attached.

HR Implications

22.   There are no direct human resources implications.

RECOMMENDATION

Cabinet is recommended to agree to the consideration of intentionality as part of homeless decision making as set out in the report.

SARAH MCGILL
Director
5 June 2015

The following Background Papers have been taken into account:

Cabinet Report, 2nd April, 'Implementing Part 2 of the Housing Wales Act 2014'

CITY & COUNTY OF CARDIFF
DINAS A SIR CAERDYDD

CABINET:11 JUNE 2015

COMMUNITY COUNCILS CHARTER

REPORT OF THE MONITORING OFFICER   AGENDA ITEM: 8

PORTFOLIO: SAFETY, ENGAGEMENT & DEMOCRACY (COUNCILLOR DAN DE'ATH)

Reason for this Report

1.   To review and update the Community Councils Charter.

Background

2.   On 8th March 2012, the Executive adopted a Community Councils Charter ("the Charter"), following consultation with relevant stakeholders, including the six Community Councils within the Council's area and the Standards and Ethics Committee. The Charter reflects the model Charter issued by the Welsh Government under section 130-133 of the Local Government (Wales) Measure 2011.

3.   The aim of the Charter is to support structured, regular engagement and communication between the County Council and the six Community Councils in Cardiff, based on the key principle of equality of partnership between the two tiers of local government.

4.   The Charter provides that it is to 'be fully reviewed every four years or more often if there is a need to do so'; and that the 'Standards and Ethics Committee will also review progress towards achieving the measures and actions set out in the Charter and Charter Action Plan respectively on an annual basis'.

5.   In response to concerns about the implementation of the Charter, the Standards and Ethics Committee has reviewed the Charter, and at its meeting on 27th January 2015 the Committee resolved to recommend to Cabinet that the Charter should be updated.

Issues

6.   The Charter adopted by Cardiff Council on the 8 March 2012 is attached as **Appendix A** to this report.

Proposals to update the Charter

7.   The Standards and Ethics Committee considered the Charter at its meeting on 21st October 2014, at a Task and Finish group meeting on 16th December 2014 and a further Committee meeting on 27th January 2015. The Chair of the Standards and Ethics Committee and the Committee's Community Council representative have also met informally with the Cabinet Member for Safety, Engagement and Democracy. Discussions at these meetings have indicated that most of the Charter is still relevant and an important recognition of the role of Community Councils in representing their local areas.

8.   However a few sections of the Charter do need to be updated in the light of the reduced resources now available to the Council. The Charter currently comprises 16 sections, out of which 5 sections have been identified as requiring revision, as follows:

- **Recognition**
- **Local Governance** – Review obligation to hold regular quarterly liaison meetings (an annual meeting with the Monitoring Officer is a possible alternative) and to nominate a Community Liaison Officer (but seek to ensure that Community Councils have access to a contact officer). Also, to delete reference to the "Proud capital leadership group"
- **Consultation**
- **Information and Communication** - Review obligation to provide a list of contact persons (but seek to ensure access to a contact officer, as above)
- **Joint Working and Engagement**
- **Land use Planning**
- **Financial Support**
- **Expertise**
- **Ethics**
- **Financial Arrangements**
- **Delegating Responsibility for Service Provision**
- **Sustainability**
- **Community Strategy** – Inserting reference to Neighbourhood Partnership arrangements was considered but not agreed to be appropriate from the Community Councils' perspective.
- **Community Council Elections**
- **Action Plan** - Review obligation to develop and monitor an annual Charter Action Plan in light of resource limitations.
- **Monitoring and Review** – Review obligation to review Charter every 4 years (and develop an annual Action Plan) to reflect resource limitations.

9.   The Community Council representative on the Standards and Ethics Committee, Community Councillor John Hughes, has discussed the current Charter arrangements and suggestions for improvement with the Clerks to the Community Councils. The feedback received highlights the perception of many Community Councillors that County Councillors have

limited knowledge of the work of Community Councils and the contribution Community Councillors make to their wards. It has been suggested that from the Community Council's perspective, the key to the success of the Charter will be improving communication and access to information.

Reason for Recommendations

10.   To refresh and update the commitments set out in the Community Councils Charter to facilitate good working relationships between the City of Cardiff Council and the six Community Councils in Cardiff.

<u>**Legal Implications**</u>

11.   There are no direct legal implications arising from the recommendations of this report.

<u>**Financial Implications**</u>

12.   There are no direct financial implications arising from the recommendations of this report, as any liaison or support must be provided from within existing resources.

RECOMMENDATIONS

Cabinet is recommended to:

1.   Note the information set out in this report;

2.   Reaffirm the Council's commitment to the aims of the Charter;

3.   Delegate authority to the Monitoring Officer, in consultation with the relevant Cabinet Member, the Standards and Ethics Committee and the six Community Councils, to update the Charter and make any further minor amendments as may be required from time to time; and

4.   Authorise the relevant Cabinet Member, with advice from the Monitoring Officer and Section 151 Officer, to sign the Charter (updated or amended under recommendation 3 above) on behalf of the City of Cardiff Council.

MARIE ROSENTHAL
County Clerk and Monitoring Officer
5 June 2015

The following Appendix is attached

Appendix A   A Shared Community – Charter between Cardiff Council and Community Councils in Cardiff

The following background papers have been taken into account

Standards & Ethics Committee reports 'Community Councils Charter', dated 21 October 2014 and 27 January 2015; and minutes thereof;

Executive report 'A Shared Community – Charter Between Cardiff Council and Community Councils in Cardiff', 8th March 2012; and minutes thereof

'A Shared Community'

Charter between Cardiff Council
and Community Councils in Cardiff

Introduction

The six Community Councils of Lisvane; Old St Mellons; Pentyrch; Radyr & Morganstown; St Fagans and Tongwynlais and the County Council of the City & County of Cardiff (hereby referred to as 'Cardiff Council') have agreed to publish a Charter which sets out how we aim to work together for the benefit of local communities whilst recognising our respective responsibilities as autonomous, democratically elected statutory bodies.

The Charter is designed to build on existing good practice and embrace the shared principles of openness, respect for each other's opinions, honesty and our common priority of putting citizens at the centre. The Charter is based on equality of partnership and is not a top-down arrangement.

Partners to the Charter

Unitary Authority

- Cardiff Council

Community Councils

- Lisvane Community Council

- Old St Mellons Community Council

- Pentyrch Community Council

- Radyr & Morganstown Community Council

- St Fagans Community Council

- Tongwynlais Community Council

Recognition

We accept the legitimacy and benefits of partnership working whilst at the same time recognising and respecting each other's roles. We aim to work together as a partnership of equals rather than tiers.

Cardiff Council	Community Councils
Acknowledges and recognises that community councils are the grass roots level of local government. In their role as democratically accountable bodies, community councils offer a means of engaging with local people, of decentralising the provision of certain services, and of revitalising local communities.	Recognise the strategic importance of Cardiff Council and the economy of scale and appropriate distribution of certain services they are able to achieve.
Recognise and respect the diversity of community councils and that their needs vary according to size, and the extent to which they participate varies.	Recognise that community councils come within the common umbrella of Cardiff Council.

Local Governance

We will be clear about the expectations that we have of each other in order to facilitate a smooth working relationship. In this regard, we will define the way in which we interact with each other. We will be clear about the role of councillors at all levels in the relationship and in community leadership.

Cardiff Council	Community Councils
Will hold liaison meetings with nominated representatives of community councils that wish to take part. Such meetings will be held in the first instance on a quarterly basis at a location to be mutually agreed and which is convenient for all councils. These meetings will be known as Community Liaison Meetings.	Will contribute towards the agenda of liaison meetings and contribute proactively to the attendance and discussion.
Will nominate an appropriate officer(s) to act as a liaison between Cardiff Council and community councils.	Will contact the nominated liaison officer(s) on the agreed issues and make them aware of any difficulties being encountered.
Will ensure that community councils are formally represented on the Council's Standards and Ethics Committee and the Proud Capital Leadership Group, which oversees the strategic development and delivery of the Integrated Partnership Strategy. Cardiff Council will seek to ensure that these arrangements are regarded as suitable and sufficient.	Will invite local county councillors/officers (as appropriate) from Cardiff Council to community council meetings and will provide a space on their meeting agendas for presentations.
Will administer the holding of community council elections.	Will notify the need for community council elections in a timely manner.
	Will facilitate public participation at all relevant meetings of the community council and its committees to encourage community involvement.

Consultation

We appreciate the importance of meaningful consultation and set out a genuine commitment among all parties to consult on matters of mutual concern. We will agree clear, specific and time limited procedures and processes for consultation.

Cardiff Council	Community Councils
Will aim to give community councils the opportunity to comment before making a decision that affects the local community (particularly on matters relating to planning and other environmental proposals).	Will respond to consultation opportunities in a timely manner, addressing the key issues in the consultation document, where applicable.
Will publish dates of public meetings and agendas & reports for Executive, Council and other Committee meetings on the Council's website as soon as possible.	Will make full use of the papers available to them to inform local decision-making.
Will, in accordance with existing protocols and subject to available resources, allow appropriate officers to attend meetings with community councils (or groups of community councils) at a mutually agreed time to discuss matters of common interest when requested to do so and given sufficient notice.	Will provide an opportunity for local county councillors/officers (as appropriate) from Cardiff Council to speak at community council meetings on matters of mutual interest.
Will encourage scrutiny committees to consult with community councils on relevant local issues.	Will respond to requests to input views to scrutiny committees.

Information and Communication

We appreciate the need for timely, clear and relevant information and communication in fostering good relationships and better joint working for the benefit of local people.

Cardiff Council	Community Councils
Will provide community councils with a list of appropriate contact persons, telephone numbers and e-mail addresses.	Will utilise the agreed contact points and respond in the most appropriate and timely method.
Will communicate by providing appropriate consultation documents and other information electronically to community council clerks for distribution to community councillors.	Will ensure that all community councillors have access to the appropriate documents.

Joint Working and Engagement

The Charter defines 'partnership' as working together towards a common set of goals, based on equality in terms of ownership, decision-making and recognition of each party's distinctive contribution. It is recognised that an equal and effective partnership brings benefits and responsibilities to all those involved. Local government at both tiers must work together to promote the economic, social and environmental well being of our area. If doing things differently achieves a better service, we will seriously examine these methods.

Cardiff Council	Community Councils
Will provide the opportunity for community council clerks to meet with the Monitoring Officer or an officer representative from Cardiff Council to discuss common concerns and resolve issues, at the specific request of the clerks.	Will encourage participation by community council clerks in opportunities to network and share common concerns.

Land Use Planning

Community councils know and understand their local area and must be able to comment effectively on planning matters. Cardiff Council is able to take an overview of the needs of the whole local area and make decisions, taking local views into account.

Cardiff Council	Community Councils
Will reaffirm its statutory duty to consult community councils on all planning applications in, or directly affecting, their communities.	Will make appropriate responses to Cardiff Council recognising the parameters imposed by planning law and agreed planning policy.
Will inform a community council of any site visit by Planning Committee members relating to a planning application in its area.	Will offer community councillors training on planning issues to ensure that they have a sound understanding of how planning law works.
Will provide a community council with a copy of the final report relating to a planning decision in its area within seven days of the decision being made, if the community council has submitted written representations in relation to the planning application.	Will maintain an objective and professional approach to planning matters at all times.
Will provide community councils with details of relevant Planning Committee meetings so that community councillors may attend as observers.	Will encourage community councillors to take up the opportunity to attend meetings of Cardiff Council's Planning Committee as observers.
Will provide timely information to a community council about any planning appeals in its area.	

Practical Support

In order to be effective, elected members and officers must be well-trained and have the support they need to carry out their roles.

Cardiff Council	Community Councils
Will, where practical, offer community councils access to support services, to enable them to take advantage of facilities such as printing, IT and purchasing at the Council's agreed rate to recover costs.	Will follow established procedures to access support services from Cardiff Council, but will also have the opportunity to make their own arrangements.

Expertise

We will encourage continuous development of officers and members in both Cardiff Council and the community councils, either in their individual groupings or together. Improved expertise leads to professionalism and more effective joint working.

Cardiff Council	Community Councils
Will offer member induction training to community councillors to enable them to understand the role and function of the unitary authority.	Will provide an induction to newly elected community councillors to enable them to undertake their role effectively.

Ethics

We will provide an ethical service to local people, following the appropriate standards and Codes of Conduct. We will encourage links between community council clerks and Cardiff Council's Standards & Ethics Committee.

Cardiff Council	Community Councils
Will, through the appointed Monitoring Officer, support community councils in the timely consideration and provision of advice & training in relation to the application of the Member Code of Conduct.	Community councillors shall not make vexatious complaints under the Member Code of Conduct and will provide all such information as required by the Monitoring Officer to enable him/her to carry out his/her function effectively.

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Financial Arrangements

Both Cardiff Council and the community councils recognise the need for clarity and transparency in financial arrangements. In developing and implementing financial arrangements, relevant national and local priorities will be taken into account.

Cardiff Council	Community Councils
Will, in setting the level of council tax for the area, have regard to services being delivered by the Council as a whole.	Will, in setting the annual precept, have regard to local priorities and the services provided within the community by Cardiff Council.

Delegating Responsibility for Service Provision

Services should be delivered in the most appropriate manner, with regard to value for money and added value for local people.

Cardiff Council	Community Councils
Will, on a case-by-case basis and in line with any related policy or guidelines that may be developed by the Council, give due consideration to all reasonably argued formal requests for the delegation of responsibility for local service delivery to community councils, basing its consideration primarily on the improvement of service delivery for citizens whilst ensuring value for money is retained or enhanced.	Will recognise that there are certain instances where it is not appropriate or desirable for Cardiff Council to delegate service delivery.
Will, in the absence of formal delegation, seek ways in which local information from communities might be used to enhance service delivery to better meet the needs of citizens.	Will engage with citizens in the communities they serve to better understand their needs and convey these needs in a coherent and constructive manner to Cardiff Council, such that they can be taken account of in service design and delivery.

Sustainability

We will work in ways that are sustainable, reconciling the long-term needs with those of the present; and protecting and improving the quality of life of current generations without compromising the quality of life of future generations.

Cardiff Council	Community Councils
Will assist community councils by providing information on sustainability and related good practice.	Will proactively assess the sustainability of current practices and processes.
Will outline how Cardiff Council is actively pursuing sustainable development.	Will investigate projects which contribute to sustainability where beneficial to the community.

Community Strategy

We recognise the strategic importance of the Community Strategy which establishes the overarching strategic vision and sets out the priorities for the local area. In Cardiff, these are set out within the 10 year Integrated Partnership Strategy – *'What Matters'* – which incorporates the Community Strategy; the Children & Young People's Plan; the Health, Social Care & Wellbeing Strategy and the Community Safety Strategic Assessment. Furthermore, we recognise that this will only be fully effective if it is informed by the grass roots experiences from within our communities.

Cardiff Council	Community Councils
Will, in recognition of their local knowledge and experience, invite a representative of community councils to sit on the Proud Capital Leadership Group, which oversees the strategic development and delivery of the Integrated Partnership Strategy.	Will together nominate a community councillor to be their representative on the Proud Capital Leadership Group, which oversees the strategic development and delivery of the Integrated Partnership Strategy. This individual shall proactively represent the sector, raising matters of general concern appropriate to the agenda.
Will involve community councils in the development of the Integrated Partnership Strategy.	Will contribute to the development of the Integrated Partnership Strategy in its development stage.
Will involve community councils in the implementation of the Integrated Partnership Strategy.	Will respond actively and fully to consultation on the draft Integrated Partnership Strategy and support the monitoring and implementation of the strategy.

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Community Council Elections

Fair and open elections are the bedrock of local democracy. We will ensure that community council elections are freely and fairly contested, and encourage local people to become involved in local democracy.

Cardiff Council	Community Councils
Will involve community councils in the planning process for community council elections.	Will encourage participation by members of the local community in the community council election process
Will involve community councils in any awareness raising/publicity to encourage nominations for candidacy at community council elections.	Will ensure wide publicity of vacancies on community councils to maximise community representation.
Will help to publicise forthcoming community council elections on behalf of community councils.	Will publicly display statutory notices for forthcoming community council elections.
Will brief community council clerks on the nomination process so that they are equipped to assist any potential candidates who come forward for community council elections.	
Will provide help and assistance with the legal and administrative processes and procedures for community council elections.	

Action Plan

The Charter will be supported by the development of an annual Action Plan (the first Charter Action Plan will be developed for 2012/13) addressing each of the individual topics contained herein. The Charter Action Plan will be developed on a joint basis and shall attribute responsibilities to each partner. Actions will be accompanied by a timescale and will be reported on a quarterly basis during the year concerned at Community Liaison Meetings.

Cardiff Council	Community Councils
Will nominate a lead officer from Legal & Democratic Services with responsibility for the development and monitoring of the Charter Action Plan.	Will collectively agree priorities for inclusion in the Charter Action Plan.
Responsible officers will have due regard to the Charter Action Plan and include relevant actions in their work plans for the year.	Will have due regard to the Charter Action Plan and all actions relevant to them during the course of the year.

Monitoring and Review

The Charter will be fully reviewed every four years or more often if there is a need to do so. Cardiff Council's Standards & Ethics Committee will also review progress towards achieving the measures and actions set out in the Charter and Charter Action Plan respectively on an annual basis.

Cardiff Council	Community Councils
Will arrange for the Charter to be reviewed every four years.	Will actively contribute to the review of the Charter.
Will arrange for the development of an action plan linked to the Charter (the Charter Action Plan) and will actively contribute to achieving the Charter Action Plan.	Will actively contribute to the development and delivery of the Charter Action Plan.

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Conclusion

Cardiff Council and the undersigned community councils and are committed to the principles and statements with the Charter, for the benefit of local people.

Leader of Cardiff Council

Chair, Lisvane Community Council

Chair, Old St Mellons Community Council

Chair, Pentyrch Community Council

Chair, Radyr & Morganstown Community Council

Chair, St Fagans Community Council

Chair, Tongwynlais Community Council

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**CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD**

CABINET MEETING: 11 JUNE 2015

RESIDENTIAL EXTENSIONS AND ALTERATIONS SUPPLEMENTARY PLANNING GUIDANCE (SPG)

REPORT OF DIRECTOR OF STRATEGIC PLANNING, HIGHWAYS AND TRAFFIC AND TRANSPORTATION

           AGENDA ITEM: 9

PORTFOLIO: TRANSPORT, PLANNING & SUSTAINABILITY (COUNCILLOR RAMESH PATEL)

Reason for this Report

1. This report seeks approval of the Residential Extensions and Alterations document as Supplementary Planning Guidance (SPG)

Background

2. Welsh Government guidance encourages local planning authorities to prepare SPG to provide advice on how development plan policies will be implemented. Such guidance should help those involved in the development and planning process understand the purpose and objectives of policies and assist the submission of permissible planning applications.

3. SPG must be consistent with planning legislation, guidance and relevant development plan policies. It should be prepared in consultation with the public and appropriate interests, and their views should be taken into account before formal Council approval. SPG may be given weight as a material consideration when making decisions on planning applications.

4. The design guidance for Residential Extensions and Alterations will update and replace the Householder Design Guide SPG (Approved March 2007) which formed one of a series of design guidance documents prepared by the Authority to guide the design quality of development in Cardiff.

Issues

5. Residential Extensions & Alterations are one of the most common forms of development and the majority of planning applications made to the Council are householder applications.

6.   Both individually and cumulatively, extensions and alterations can have a significant impact on the quality of the built environment. Changes to Permitted Development came into force in 2013 which allows homeowners to build larger home extensions and garden buildings without planning permission. Guidance is required to give advice as to what is acceptable in planning terms.

7.   The SPG sets out what applicants should consider when planning to extend or alter their home, even if it does not require planning permission.

8.   The Residential Extensions and Alterations SPG will update and replace the Householder Design Guide SPG (Approved March 2007) and will form Supplementary Planning Guidance to Policy 11: Design and Aesthetic Quality, of the City of Cardiff Local Plan (Jan 1996)

9.   It will offer robust design guidance in line with national planning policy and will assist Development Management when assessing planning applications.

Public Consultation

10.   Public consultation was undertaken between 17th November and 15th December 2014. A press notice was placed in a local newspaper on Monday 17th November 2014 and notices and copies of the draft guidance were placed in all Cardiff library facilities and at County Hall Reception. The draft guidance was also published on the Council website.

11.   Letters notifying that a public consultation was being undertaken on the draft guidance were sent to all Cardiff Councillors, the Welsh Assembly Government, Community Councils in Cardiff and other organisations and individuals known to have general interest in planning in Cardiff or a potential interest in this guidance.

12.   A total of 30 representations were received from 10 respondents. These have been considered and where necessary amendments have been made to the document. A summary of the consultation responses/representations received have been included in Appendix D of the document.

Local Member consultation

13.   Member consultation was undertaken as part of the Public Consultation identified in paragraphs 10 – 12 above.

14.   Three responses to the consultation were received from local Members, which are included in appendix D of the document.

Reason for Recommendations

15.   To update the design guidance for Residential Extensions and Alterations within Cardiff.

Financial Implications

16.   There are no direct financial implications arising from the attached report.

Legal Implications

17.   The adopted development plan the City of Cardiff Local Plan (adopted January 1996) contains policies and proposals which provide the basis for deciding planning applications.   The policies in the adopted development plan have special status under Section 54A of the Town and Country Planning Act 1990 (re-enacted in section 38(6) Planning and Compulsory Purchase Act 2004) which means that planning decisions must be taken by the Council's planning authority in accordance with it unless material considerations indicate otherwise.

18.   Whilst the development plan contains policies and proposals which provide the basis for deciding planning applications supplementary planning guidance ('SPG') can be used as a means of setting out more detailed guidance on the way in which those policies will be applied in particular circumstances or areas. An SPG may be taken into account by the LPA as a material consideration when determining the planning application.

19.   In order for a SPG to be given as much weight as possible as a material consideration it must be formulated, prepared and adopted in the proper manner. A SPG must therefore conform to the requirements mentioned above.

RECOMMENDATIONS

Cabinet is recommended to approve the Residential Extensions and Alterations Supplementary Planning Guidance for consideration by Council

ANDREW GREGORY
Director
5 June 2015

The following appendix is attached:

Appendix 1: Design Guidance Residential Extensions and Alterations
             Supplementary Planning Guidance (Final Draft for Approval)

Supplementary Planning Guidance
Residential Extensions and Alterations

Final Draft
for Approval

CARDIFF
CAERDYDD

Contents

●●●● Before You Start

1.1   Find out whether a planning or a Building Regulation application is required (see Section 3.0).

●●●● Get Advice If You Need It

1.2   If necessary, get skilled technical advice from an experienced architect or surveyor. They can design, prepare drawings and make an application on your behalf.

●●●● Follow The Design Guidance

1.3   This guidance will help towards a good design solution and a successful planning and Building Regulation application.

●●●● Look At Your Surroundings

1.4   Ensure your proposal respects the context of your neighbourhood.

●●●● Detailing & Use of Materials

1.5   Ensure that your proposal fits in with the detailed design and materials of your existing house.

●●●● Be a Good Neighbour

1.6   Consult your neighbour if your proposal may affect their home or privacy, or if you will need to gain access for building work or maintenance. Be aware of the Party Wall etc. Act 1996 which places obligations on you in such circumstances.

●●●● Introduction

2.1   The City of Cardiff Council is committed to raising standards of design in Cardiff. This guidance sets out what you should consider when planning to extend or alter your property, whether it is in use as a single household, a house in multiple occupation (HMO), or subdivided into flats. It is based upon the principles of good design and intended to be applied to all forms of extensions and alterations including those that do not require planning permission.

2.2   Poorly-designed alterations which detract from the appearance of your property can often reduce its value. All applications are judged on their individual merits. In situations where unsympathetic alterations are evident in a locality, this will not provide justification for further poor design.

2.3   An alteration to a house or garden may have an impact, not only on its own setting, but also on the widerneighbourhood. It is therefore essential that these types of proposals achieve the highest design quality. Good design can be achieved at comparative cost and can avoid future expenditure associated with problems and maintenance due to poor design.

2.4   This design guidance does not detail whether planning permission or Building Regulations approval are required or not, but instead sets out broad principles that will be used to guide and assess the most common forms of development. It is not intended to be an exhaustive document therefore if a particular development type is not covered specifically by this guidance then applicants are advised to contact the council for further advice.

2.5   This SPG is written in the broader context of sustainable development outlined in the Welsh Assembly Government's Planning Policy Wales and Technical Advice Note 12: Design (Tan 12: Design).

2.6   This guidance is primarily supplementary to Policy 11 (Design and Aesthetic Quality) of the Adopted City of Cardiff Local Plan, although other development plan policies may also be relevant.

2.7   The Welsh Assembly Government supports the use of Supplementary Planning Guidance (SPG) to set out detailed guidance on the way in which the development plan policies will be applied in particular circumstances or areas. SPG must be consistent with development plan policies and national planning policy guidance and may be taken into account as a material planning consideration in planning decisions.

2.8   **It is your responsibility to check whether any proposed works require planning permission and/or Building Regulations consent.**

2.9   This guidance is intended for use by prospective applicants, agents, architects, members of the public with an interest in an application, elected Members of the council, and other decision-making bodies. For applicants, agents and architects it should be read prior to the submission of a planning application, or prior to seeking more formal pre-application advice from the Council. For members of the public with an interest in a planning application, this document provides design guidance on the criteria planning applications will be determined against.

2.10   **If you are unclear about how the guidance contained in this guidance applies to your home or want more detailed advice, please contact** *Development Management* **or** *Building Control***. There may be a fee for this service.**

Supplementary Planning Guidance - Residential Extensions and Alterations

5

●●●● Do I need Planning Permission?

3.0 **Planning permission, Building Regulation approval or other consents may be required for even minor alterations to a dwelling.**

3.1   The majority of planning applications that the council receives are for permission to extend a residential property. Improvements to the city's housing stock are welcomed in principle. House extensions and alterations can however have significant impact on the appearance of individual properties as well as the form and character of the surrounding environment.

3.2   Even in cases where planning permission is not required you are advised to consider the guidance contained in this SPG in order to ensure a high standard of design.

3.3   General advice is set out below relating to the main consents you may require.

3.4   Starting building works without the necessary consents can render the owner of the property liable to enforcement action and prosecution.

●●●● Permitted Development

3.5   Starting building works without the necessary consents can render the owner of the property liable to enforcement action and prosecution.

3.6   Permitted Development is granted under the *Town and Country Planning General Permitted (Amendment) (Wales) Order 2013*.

3.7   Not all development requires planning permission. For more information as to what development a householder can carry out without planning permission please use the *Planning Portal* interactive house. (Ensure the Welsh flag is at the top of the page as the regulations differ to those in England).

3.8   The Welsh Government's *Planning: A Guide For Householders (July 2013)* also provides information on what improvements, alterations and extensions to your home you can make without needing planning permission.

3.9   For a formal determination as to whether your proposal requires planning permission you are required to submit an application for a *Lawful Development Certificate*. A fee is charged for this.

3.10   In certain circumstances, Permitted Development rights may have been removed. This applies for example to: all flats, development in some Conservation Areas with an Article 4 Direction, alterations to Listed Building or as a result of conditions placed on a property or development by a previous planning consent.

●●●● Flats and Houses in Multiple Occupation (HMOs)

3.11   The design considerations within this document will also be applied to alterations and extensions involving an existing or proposed HMO or property divided into flats.

3.12   To subdivide a house into multiple units, to extend a ground floor flat or to extend or alter the roof space of a top floor flat you must obtain planning permission.

3.13   Flats have different permitted development rights to single dwellings. You should check if permission is required for the alteration you are considering using the resources above.

3.14   Licensing requirements and the need for planning permission relating to Houses in Multiple Occupation can be found at the Planning Portal and by searching for 'HMOs' on the Council's Website.

3.15   **In general, development rights for extensions and alterations DO NOT apply to flats.**

●●●● Pre-Application Advice

3.16   Pre-application advice can be provided by Development Management prior to the submission of a planning application.

3.17   The benefits to you of obtaining this advice are that it:

- **Explains which policies/standards are likely to apply to your development**
- **Identifies at an early stage any need for specialist input (trees, landscape, noise, transport, contaminated land, ecology, fire safety, conservation areas, listed buildings & archaeology)**
- **Helps ensure that your application is complete and ready for validation, which avoids rejection at the registration stage or early refusal because of inadequate information**
- **Indicates where a proposal is unacceptable, saving you the cost of an application**

3.18   Note: if you want a formal determination as to whether your proposal requires planning permission please submit a *Certificate of Lawful Development application* as outlined previously.

●●●● Conservation Areas

3.19   Alterations to buildings within conservation areas must preserve or enhance the character or appearance of the area.

3.20   If you are not sure whether your home is within a conservation area you can view and download maps of the conservation area boundaries, and advisory leaflets, at *www.cardiff.gov.uk/conservation*.

3.21   If you live in a conservation area, some alterations and extensions may be permissible under Permitted Development rights. However other forms of development normally permitted may require a planning application due to Article 4 Directions. An Article 4 Direction does not prevent occupiers from altering or repairing their homes, rather it requires planning permission to be sought before specific works are carried out. Such works can include the changing or replacing of doors or windows, construction of porches, roof alterations and exterior painting. You should check the specific restrictions of your conservation area first.

3.22   Remember: The council can take enforcement action against any unauthorised work to buildings in a conservation area.

●●●● Listed Buildings

3.23   Alterations to listed buildings will only be acceptable where they relate sensitively to the original building and preserve the character of the listed building.

3.24   Government advice is that there should be a general presumption in favour of the preservation of listed buildings. The council will therefore endeavour to preserve listed buildings, their settings and those features of special architectural and historic interest that they possess.

3.25   Works to listed buildings may require Listed Building Consent and/or planning permission, depending on the nature of the proposal. This applies to all parts of the building including objects and structures, interior or exterior, regardless of its grade and whether or not the feature concerned is specifically mentioned in the list description. It may also apply to associated buildings that are within the curtilage of the principal building and can include boundary walls.

3.26   It is a criminal offence to carry out works to a statutory listed building without first acquiring the necessary Listed Building Consent. Specialist conservation advice should be obtained for proposals affecting listed buildings (See section 5)

●●●●● Archaeology

3.27   Alterations or extensions to buildings (whether 'listed' or not) in certain parts of the city may have archaeological implications which could be affected by even minor works. The *Archaeologically Sensitive Areas SPG* provides further advice.

●●●●● Trees

3.28   Consideration should be given at the design stage for adequate distancing between an extension and trees or hedging to avoid structural design problems with the building, problems with drainage systems, subsequent vegetation loss due to concerns over loss of light and to allow sufficient spacing for future growth to maturity. In circumstances where trees (including canopies and root structures) are likely to be affected by a proposed extension or hardstanding, a tree assessment may be required in accordance with **BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations**, with the assessment being used to inform design.

3.29 Trees In Cardiff: A Householder's Guide offers further advice on trees and legal issues.

3.30   If you live in a conservation area, most works to trees require 6 weeks prior written notification to the council.

●●●●● Tree Preservation Orders

3.31   Some trees which are important to a local area are protected by Tree Preservation Orders (TPO). If your proposed works affect a tree you should take advice from the Council's Tree Officer.

3.32   TPO's are made by the Council to protect trees thought to be of significant public amenity value. Trees of any size or species may be protected and they are usually on private land. Special controls apply with regard to work to protected trees and you should consult the *Tree Officer* for advice, or refer to the *City of Cardiff Council web site* for further information.

●●●●● Protected Species

3.33   The Council's Biodiversity SPG (*Part 1 & Part 2*) explains the action which should be undertaken if protected species such as bats and nesting birds are present on a site. It is important that no works are undertaken until the necessary investigations have taken place.

3.34   Bats and birds such as House Martins, Swifts, Swallows and Barn Owls are all species which regularly use buildings to nest or 'roost' in. Great crested newts are often found in garden ponds. Homeowners can undertake simple compensatory measures such as:
   •   Providing bird boxes
   •   Landscaping your garden to include native hedgerows, trees and wildflower areas
   •   Erecting bat boxes or a barn owl box
   •   Creating a pond or bog garden

●●●● Building Regulations

4.1   This is not the same as planning permission. Building Regulations deal with technical matters such as structural stability, fire resistance, energy conservation, thermal insulation, accessibility and electrical safety. You are strongly advised to seek advice before carrying out any works. Contact *Building Control* for further advice.

4.2   **Important: Obtaining planning permission does NOT mean that you have obtained Building Regulations Approval and any changes sought by building regulations may mean you have to revise your planning application and vice versa.**

●●●● Works Exempted from Building Regulations

4.3   Certain types of work are considered exempt from the requirements of the Building Regulations (e.g. small detached buildings, garden sheds, greenhouses and some conservatories). These are listed under **Schedule 2 of the Building Regulations 2010** (as amended).

●●●● Sewers and Services

4.4   The effect of any development on sewers, water mains, gas pipes and electricity mains should be considered. An extension must not compromise any rights of access required by service providers.

4.5   The position of a sewer can affect the size of the extension that is allowed. Your plans might have to be altered to suit the existing conditions or the sewer has to be diverted. In Cardiff, Dwr Cymru Welsh Water are responsible for the Public Sewer network and Building Control is obliged to consult with them where your proposals have an impact on a public sewer. The advice of *Building Control* should be sought at an early pre-development stage. Failure to do so may jeopardise the viability and implementation of a proposed extension.

●●●● The Party Wall Act

4.6   If you intend to carry out work on or near to a boundary (including boundary walls and lofts), the Party Wall etc. Act 1996 requires that you notify your neighbours and give them the opportunity to comment, whether or not the work needs planning permission or Building Regulation approval. It is always advisable to check before you start work. For guidance, you should read *The Party Wall etc. Act 1996: Explanatory Booklet*.

4.7   **If further guidance is required, the advice of a competent professional Party Wall Surveyor should be sought as the council does not control this matter. The Faculty of Party Wall Surveyors (FPWS) and the Royal Institute of Chartered Surveyors (RICS) hold details of competent surveyors.**

●●●● Flood Risk

4.8   Careful design principles need to be adopted for development within a flood risk area. To establish whether your property is in a flood zone and which appropriate design measures should be employed please go the *Natural Resources Wales website*. Further information on improving the flood performance of buildings can be found in the guidance, *Improving The Flood Performance of New Buildings*.

●●●● Inclusive Design

4.9   The potential for improving accessibility to a property should be considered when alterations and extensions are proposed. Incorporating level access and providing a ground floor bathroom can be helpful to a wide range of households, including families with push chairs and wheelchair users, and can assist everyone in daily life whilst recognising that needs may change in the future.

●●●● Legal Restrictions

4.10   In addition to planning controls, there may be legal covenants which restrict the use and development of your property.

4.11   Details of covenants will be set out in your title deeds. If you require advice or guidance in this matter you should consult a solicitor. It is important to note that covenants are separate and distinct from planning control and from the remit of the council.

●●●● Skips, Scaffolding & Hoardings

4.12   Building materials should not be placed on the pavement or highway – please ensure you have enough space on your own property to accommodate any deliveries (pallets of bricks, bags of sand etc.).

4.13   *Permits and licences* are issued by the council for skips, scaffolding and hoardings to be placed upon footways, verges and carriageways. Inspections are made by Cardiff Council Highway Inspectors to ensure that the skips, scaffolding and hoardings comply with these conditions.

●●●● Deep Excavations

4.14   Deep excavations for foundations and drainage works should be considered carefully, especially near existing buildings or boundaries. Deep excavations can undermine and destabilise existing buildings or structures and pose a significant risk to personal safety. They should always be guarded. The *Health and Safety Excecutive (HSE) website* contains some helpful guidance.

●●●●● Get Advice

5.1   You are advised to use a competent architect or designer to prepare your planning application. They will be familiar with these guidelines and should help you to achieve a well-designed extension/alteration. The Royal Society of Architects Wales (RSAW) provide guidance on selecting and appointing an architect. In addition the Royal Town Planning Institute, (RTPI), The Royal Institute of Chartered Surveyors (RICS) and the Chartered Institute of Architectural Technologists (CIAT) can provide advice. For proposals within a conservation area or affecting a listed building, you should consider using a heritage specialist on a register such as IHBC, AABC or RIBA's Conservation Architect members list. Contact details are provided in Appendix B.

5.2   Alternatively you may know someone who has carried out similar work and may be able to recommend someone to assist you. It is a good idea to obtain references from previous clients if possible.

5.3   Further guidance is available from the *POSW (Planning Officer's Society of Wales) Model Design Guide for Wales: A Guide for Householder Development.*

●●●●● Speak to your Neighbours

5.4   When you have a firm idea of what you want to do it is always good practice to go and see your neighbours. When your planning application is received, we will write to your neighbours to inform them of your proposal and to give them 21 days to formally object to, or support your application in writing. To maintain goodwill, it is therefore a good idea to speak to your neighbours about your plans before submitting your application. Ensuring they are well informed of your proposals may result in a more efficient transition through the planning process.

5.5   If your proposal affects a shared wall or boundary, you must comply with the requirements of the *Party Wall etc. Act 1996*, (See page 9).

5.6   **Please note that issues that relate to boundary disputes and land ownership are not a planning matter.**

●●●●● Design Commission for Wales

5.7   *The Design Commission for Wales* promotes good design and communicates its benefits, across sectors. The Commission prioritises the design quality of the built environment in Wales and of places, buildings and public space. Among a range of services the Commission provides a national Design Review Service facilitating early strategic consultation for plans and projects throughout Wales. The service is available to all Local Authorities, National Parks, clients, developers, other promoters and/or members of the public. The Commission works with all the design professions including the fields of architecture, urban and landscape design, transport infrastructure, civil engineering and significant energy infrastructure. The Commission's advisory services are usually free of charge, and each project is assessed on its significance, which may belie their scale, location or method of construction.

●●●● Understanding the Character of your Area

6.1   All alterations and additions to a property should relate well to the character and context of the surrounding area.

6.2   For smaller schemes, 'context' may relate to the character of the street or estate, while for larger schemes, or those on prominent sites, consideration should be given to the scheme's impact on the wider area.

6.3   House alterations and extensions should be sympathetic to their context in terms of scale, positioning, detailing and materials to ensure that the development results in a balanced appearance and fits comfortably into the wider street scene, particularly if the neighbourhood has a very strong style or character.

6.4   Innovative contemporary design solutions may be appropriate where they demonstrate a sound understanding of context, effective use of resources and satisfactorily address issues of layout, density, scale, massing, height and detailing.

Gaps between properties

Size, position and design of extensions

Shape and pitch of roof

Size and shape of windows and doors

Materials

Symmetry and pattern of windows and doors

Boundary treatment should respect the character of the street
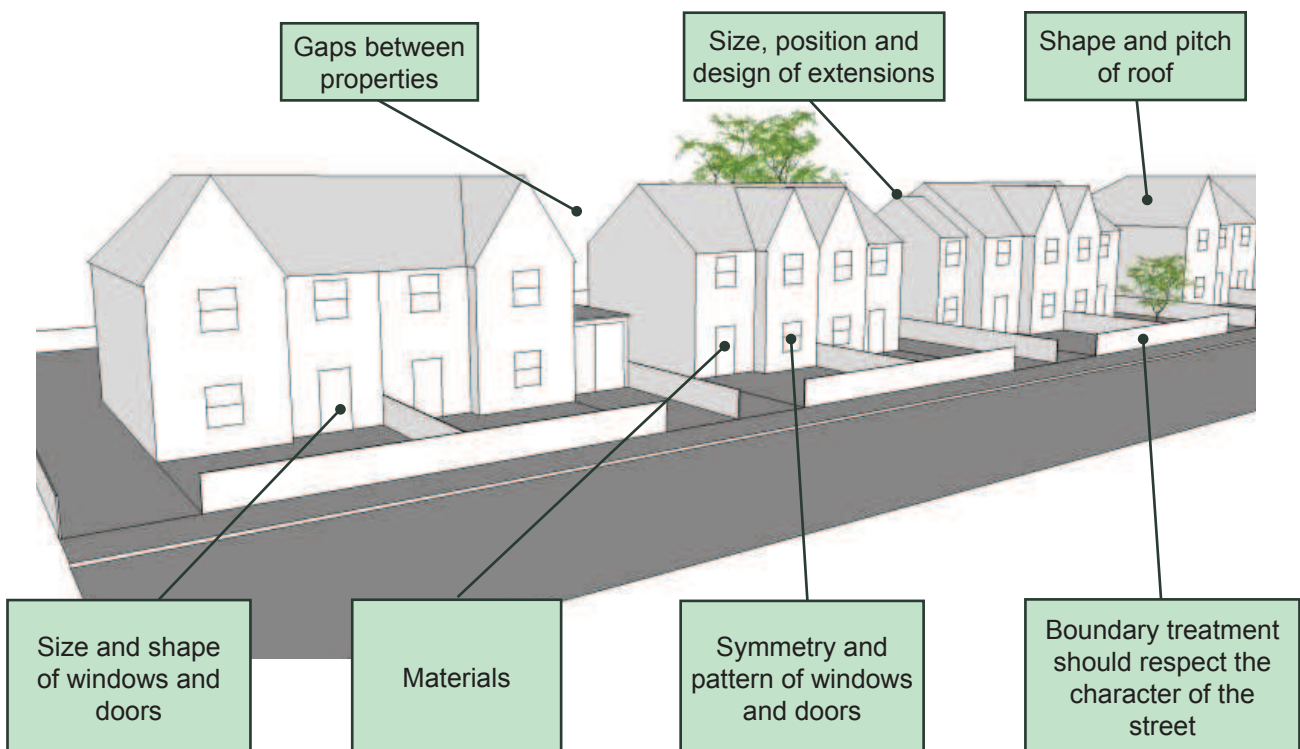
Frontage of a typical street with semi-detached houses

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●●●● Rear Extensions

7.1   A rear extension may have less visual impact on the existing house and the surrounding area than a side or front extension. Rear extensions do however have the potential to impact on the daylight and outlook of your neighbours.

7.2   **Design principles:**

- **Be subordinate to the original dwelling**
- **Avoid blocking natural light and outlook to habitable rooms in neighbouring properties**
- **Avoid reducing garden space to an unreasonable small size**
- **Consider the impact on trees within or adjacent to the site**

7.3   The extension should preferably be set in from the end gable of the building in order to ensure it is subservient to the existing dwelling.

Rear extensions should not adversely impact on the daylight and outlook of your neighbours.

Position, scale and design of extension is subordinate to the main house.

Side Extensions

7.4   Side extensions, particularly to semi-detached dwellings, are likely to have a significant impact on the symmetry of the pair of dwellings.

7.5   With a semi-detached property it is crucial to make sure that the extension does not detract from the character and appearance of not just your property but also the pair of semis. It is important that they appear as a balanced pair. A two storey side extension to a semi detached property should be set back from the front of the original property and set down from the existing ridge line. This will make the extension appear more subservient.

7.6   **Design principles:**

- **Materials and window detailing should match or compliment the existing house**
- **Proposals should be appropriate to the existing house and context**
- **Avoid blank elevations where they front the highway**

7.7   Side extensions should be set in from the neighbouring boundary. This can help to ensure that the street scene does not appear cramped. It will also help to prevent a terracing effect should your neighbours also extend their property. On a practical level it will ensure that sufficient space remains to allow for future maintenance.
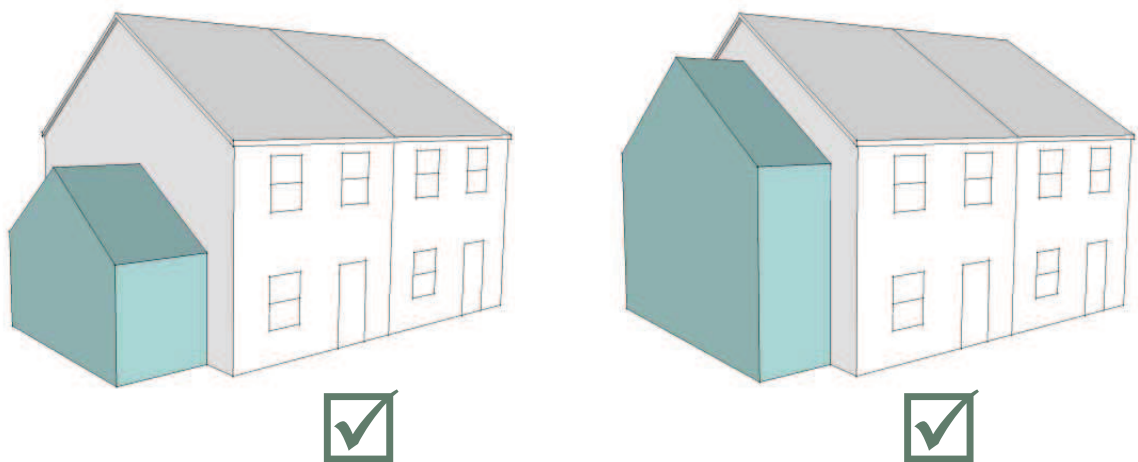
Extensions are subordinate to main property and the roof style compliments the host building.

●●●● Front Extensions

7.8   **Extensions to the front of a property can have a significant impact on the character of the neighbourhood.**

7.9   For most properties, (in particular semi-detached and terraced) any form of front extension other than a porch will appear an overly prominent feature within the street scene. Large detached properties set well back from the road usually have more scope for front extensions.

7.10   An excessive projection can impact negitively on the rhythm of a row of properties and become the dominant feature in the street scene. It can also be overbearing and result in the loss of light or privacy to neighbouring properties.

7.11   Front extensions can also change the overall architectural character and emphasis of a property. They can impact on features such as bay windows or decorative entrances. The loss of these features is detrimental not only to the property, but can also undermine the character of a whole street.

7.12   Front extensions should normally be sited behind the building line The building line is considered a line formed by the fronts or sides of houses along a street. Each case is a matter of judgment. Some areas have a clear building line whereas others are more variable. Any development forward of the building line can have a significant effect on the appearance of the street.

Front extension breaks forward of front building line and does not respect the character of the house.
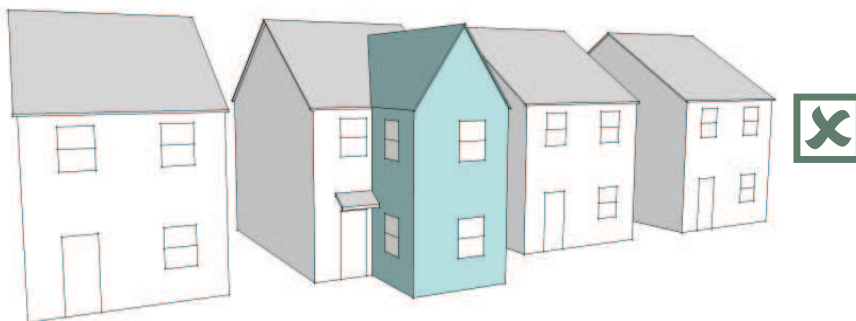
Front extensions that are larger than a porch are usually unacceptable as they are over dominant and significantly change the appearance of the house and street.

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7.13   In Cardiff there are a number of terraced houses that have an original 2 or 3 storey rear annexe. These are usually set in from the boundary on one side, which creates a narrow gap to the boundary wall or passage to the rear of the property, often known as the 'side-return'.

7.14   **A successful extension which infills this space is dependant upon:**

- **The design proposed**
- **The land levels between properties**
- **Whether the adjacent property has an existing infill extension**

7.15   Side Return extensions can have an overbearing impact on the adjacent property. It is important that careful consideration be given to the height and design of the roof of the extension in order to minimise the impact of extension on your neighbour.

7.16   Side Return extensions with flat roofs are often overbearing and you should consider a pitched, 'lean-to' design with the eaves set at a level that respects the fact that Permitted Development would allow for the construction of a 2m high wall or fence along the boundary with your neighbour.

7.17   Materials that are soft or light weight in appearance, such as glazing, may help to reduce the visual impact of any infill extension.

Roof set low relative to retained boundary.

Height of the extension and position on on boundary is overbearing.
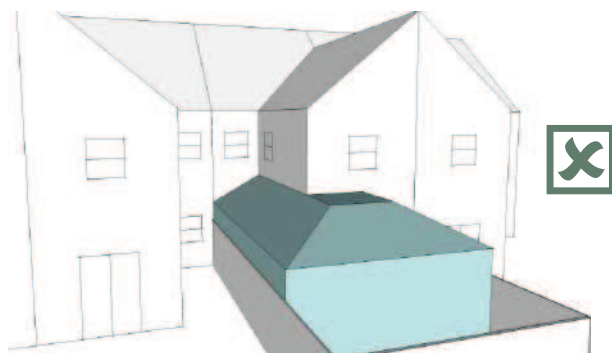
Depth and height of extension is overbearing.

●●●● Corner Plots

7.18 **To avoid creating a 'tunnel' effect, any extension should adhere to the building line along both of the streets to which it relates.**

7.19 Corner plots and plots located at junctions are likely to have more than one established building line, each of which should be respected. In most cases there will be two building lines, one to the road facing the property, and one to the side.

7.20 There may be circumstances where developments on corner plots contribute to the creation of a 'gateway feature' at the entrance to a housing area. In such instances, extensions which do not conform to the above criteria may be acceptable subject to the site context and character.
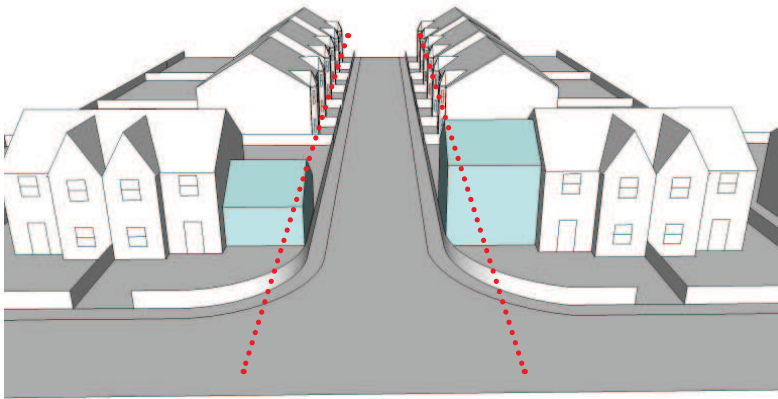
Extensions fail to conform to building line and are of an inappropriate scale to the main dwelling.
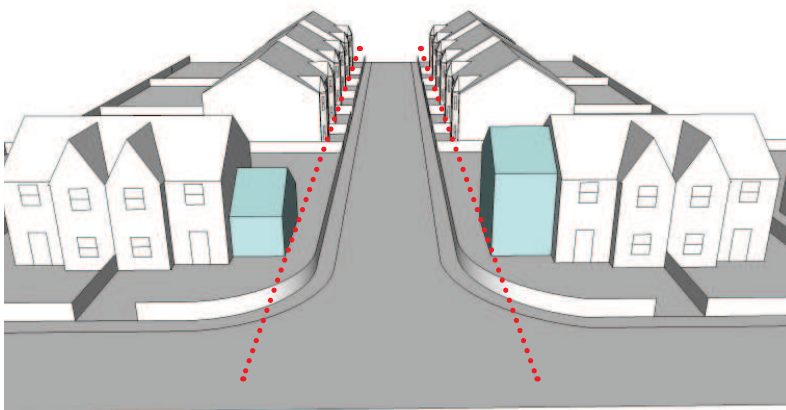
Extensions are subordinate to host dwelling and set off side boundary. Roof matches that of host building. Extension respects building line to street.

●●●● Conservatories

7.21 Conservatories are treated as an extension to your property and are subject to same considerations as a brick extension.

7.22   Care should be taken to ensure that conservatories do not compromise neighbours' privacy. This can be achieved by careful siting, or if necessary, incorporating a solid wall or obscured glazing to the side nearest to the boundary of an adjoining dwelling.

7.23   Ensure that the conservatory can be fully accommodated within your own property boundary. If you build right up to the boundary it is likely that the guttering will overhang. You will need your neighbour's permission to do this, and you will also need to serve notice on them when you apply for planning permission. You should also note the requirements of the Party Wall etc. Act 1996 and the possible implications from building regulations requirements.

A conservatory with a solid wall along the neighbouring boundary to protect privicy and prevent overlooking.

A conservatory with a obscurely glazed glass along the neighbouring boundary to protect privacy and prevent overlooking.

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●●●● Siting, Scale & Impact on Street Scene

7.24   The scale and form of an extension must be in keeping with, and subservient to, the existing building and its setting. Siting is likely to be influenced by a number of factors, including the space available around your home and the prominence and appearance of the extension to the street scene.

●●●● Overlooking

7.25   Extensions should not result in adverse loss of privacy to your neighbours. Windows in an extension must therefore be positioned carefully. First floor side windows, which look directly across to your neighbour's property or garden, should generally be avoided or be obscurely glazed and non-opening. If this is the only window in the room it should only sensibly serve a landing or bathroom.
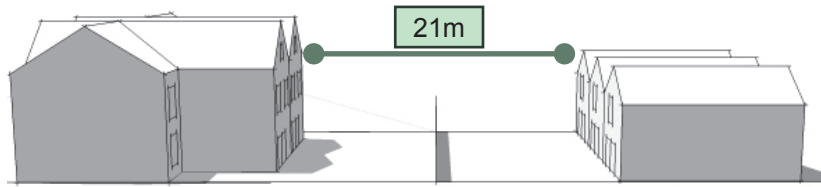
Allowing 21m where there is direct overlooking of a neighbour's principal room window (lounge, dining, bedroom and kitchen) will avoid loss of privacy.

If the angle of rotation is more than 30 degrees, dwellings could be brought slightly closer together. Account needs to be taken of building height.
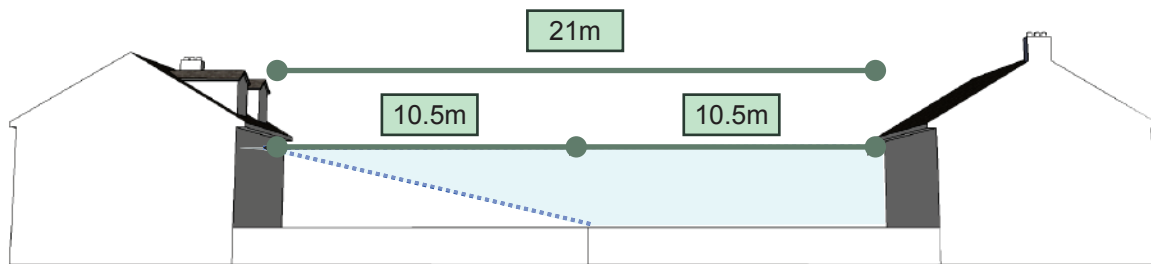
In the case of extensions above single storey, a distance of 10.5m between the rear wall of a property and its rear boundary, and 21m between the rear habitable room windows of dwellings which directly back on to each other, is normally required to avoid overlooking and to protect neighbouring amenity.

●●●● Avoid Overbearing

7.26 Extensions should not be overbearing to your neighbours or result in an unacceptable loss of daylight or sunlight to neighbouring properties.

7.27 As a general rule, two-storey extensions should not be positioned very close to the boundary adjacent to the garden of a neighbour's property. Two storey extensions if appropriate should be subservient to the main dweling and be limited in depth, width and height so as to avoid an overbearing appearance, significant overshadowing and loss of privacy.

The location and scale of the extension would create an overbearing and oppressive impact upon a neighbouring property.

The location and scale of the extension is appropriate to the existing dwelling and minimises any impact upon the neighbouring property.

●●●● Roof Extensions

7.28 Roof extensions can have a significant effect on the appearance of a house and their design needs careful consideration.

7.29 Some roof extensions do not require planning permission, they will however require Building Regulation approval. The *Planning Portal* (Welsh site) provides a comprehensive guide. **Roof extensions in Conservation Areas will always require planning permission for which a fee is applicable.**

7.30 A loft conversion or roof extension is an effective way of achieving extra accommodation within the roof space (play room, guest room, or study), subject to the suitability of the existing roof structure. Different roof types mean there cannot be a standard design solution, but often the work will result in the installation of dormer windows. The same care and attention to detail should be taken over size, position, materials and window details as for any other alteration, addition or extension.

7.31 Roof extensions should be sympathetic to their context in terms of scale, positioning, detailing and materials to ensure that the development results in a balanced appearance which fits comfortably into the wider street scene, particularly if the neighbourhood has a very strong style or character.

●●●● Roof Alterations and Increased Roof Height

7.32 Roof alterations to bungalows, can lead to a significant change in the character and appearance of an area, and can lead to loss of privacy and amenity to neighbours

7.33 As with other types of extensions, the size, location, materials and design should complement those of the existing dwelling. Overlooking should be avoided where possible and the extension should not adversely affect the living conditions of surrounding neighbours.

7.34 Proposals for roof extensions to create extra living space should be designed to minimise the effect on neighbouring properties of overshadowing and overlooking. It may be more appropriate to create a dormer bungalow, by increasing the roof pitch and adding dormer windows. You should follow the advice set out in the Dormer Windows section (see page 28), as in some cases the addition of new loft dormers can overlook previously private areas which could compromise the privacy of neighbours.

7.35 Before submitting for roof alterations to a bungalow it is advised to ensure that the existing bungalow can support the extra weight. Any demolition of a bungalow will require planning permission and the appropriate fee.

Supplementary Planning Guidance - Residential Extensions and Alterations

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7.36 **Where a roof ridge needs to be raised to allow increased headroom in the roof space, careful consideration should be given to its impact on the street scene.**

7.37 Some roof spaces may not be suitable for conversion as the roof pitch is too shallow. In such circumstances getting enough headroom may result in an overly large addition to the roof, which may have a detrimental effect on the character and appearance of the house.

7.38 Where a roof is raised, its pitch should reflect the original, or the roofs of other nearby buildings, as appropriate. Any such proposal will be considered within the context of the site and associated levels.
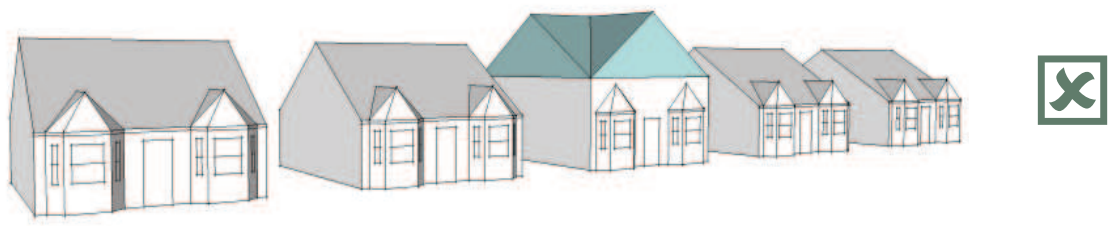
In an area where most roofs are the same height, the significant raising of the roof of a house could look over-dominant and out of character with the surrounding area.

●●●● Roof Form

7.39   **The roof of an extension should match the main roof in terms of style, form, pitch and materials to ensure that the extension appears to be part of the original house.**

7.40   The ridge height of any extension should usually be lower than the original roof to emphasise the distinction between the original dwelling and its addition, and to ensure the subservience of the addition. Depending on the architectural style of the original building, a pitched, hipped or gabled roof will almost always be more appropriate than a flat roof.
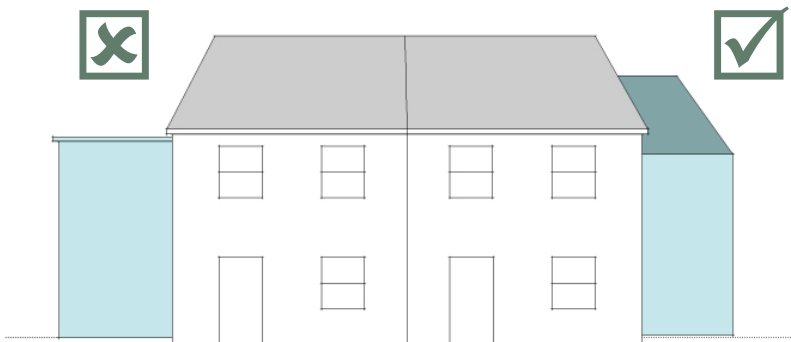
Flat roofs, particularly in prominent positions are best avoided as they can present long-term maintenance problems and rarely appear as though they blend harmoniously with the existing property.

●●●● Impact on Amenity Space, Privacy and Visual Amenity

7.41   **Any extensions to the side or rear of your house should maintain a 'reasonable' extension to back garden ratio. This will vary according to the size and location of your house.**

7.42   Any dwelling can accommodate only a finite amount of extension. In addition to the visual impact, the over-development of a property will result in an inadequate amount of amenity space within the plot and could have a detrimental impact on neighbouring amenity through overshadowing and loss of light and privacy. Any extension should not result in the overdevelopment of the original garden area.
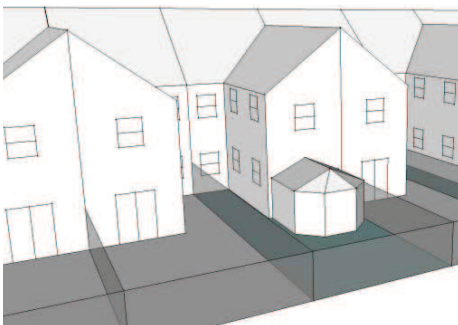
Extension is modest in scale and retains a sufficient and useable rear garden area.

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7.43   Sufficient garden space should be retained to accommodate bin and cycle storage, a washing line and a useable form of private amenity space. A minimum of 25 sqm of an appropriate shape and siting should be retained, although this figure is dependent upon the individual context and size of the house and garden.

7.44   For larger houses, or those in areas where the established character includes good sized private gardens, any extensions or groups of extensions / outbuildings beyond the Permitted Development limit, should ensure the retention of a significant area of garden space. Proposals in this instance will be considered in relation to the character and context of the original house.

Extension is an over-development of the garden plot.

7.45   **Trees and established hedges and vegetation provide amenity value and, wherever possible, should be retained. You should site your extension to avoid the removal of significant and healthy trees.** Where trees and hedges are retained then the foundations for the development must be designed to accommodate existing root structures and future growth. Also ensure that if a young tree is to remain close to the extension that it has room for future growth. If the loss of a tree is unavoidable, a replacement should be planted in another location within the site.

●●●● Rear Access

7.46   Many dwellings have a direct access from the front of the property to the rear, other than by passing through the building. If a side extension is set away from the boundary then it can allow for bins to be stored at the rear, easier access to the rear garden without needing to go through the house, and, for easier access to undertake future property maintenance.

●●●● Bin Storage

7.47   Adequate provision should be made for waste, recycling and composting facilities in accordance with the guidelines of the Councils *Waste Collection and Storage Facilities SPG*.

7.48   If planning an extension you should consider where refuse bins are to be located so that they are stored in a visually discrete manner. It is preferable to provide for bin storage to the rear.

●●●● Highway Safety & Parking

7.49   An extension should not have an adverse impact on highway safety. The loss of parking provision as a result of an extension, or the conversion of a garage, will be assessed against the guidance contained in the *Council's adopted Access, Circulation and Parking Standards SPG (2010)*.

●●●● Detailing and Materials

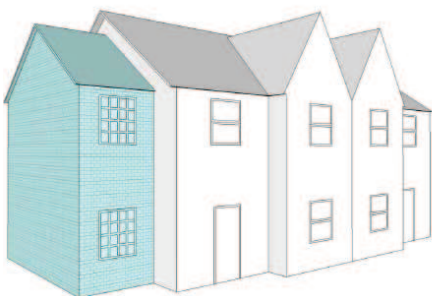7.50   **All materials and detailing should reflect or complement the existing house.**

7.51   Matching brickwork and pointing is important. Unless your property is very modern, it is likely that the original bricks have weathered and changed in appearance. When you construct your extension, even if it is from the same type of bricks that were originally used, there will be a distinctive difference in the appearance of the extension compared to the original house. It is therefore appropriate to set the extension back slightly so that there is a neater join in the materials and a more acceptable visual appearance. If necessary, roof tiles from the rear of the original building should be used to ensure a colour match at the front of the property.
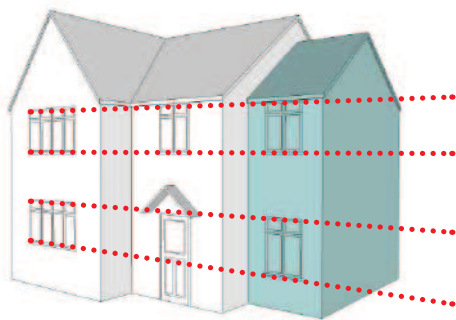
The size, positioning, style and materials of new windows and doors should generally match those on the existing dwelling in order to achieve a consistent appearance.

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7.52   The architectural detailing on the existing property should be repeated, where appropriate, on any extension. This includes the continuation of plinths, stringcourses, decorative brickwork, bargeboards, sills and fascias as they are important elements in the overall design. The repeat of details such as decorative bargeboards, quoins or brick courses can also help to integrate the extension with the original property.

The materials and detailing of the extension fails to complement those used in the existing property. Conflicting materials can lead to an unattractive appearance.New windows should also reflect those in the original dwelling in terms of design, positioning and size.

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●●●● Hip to Gable Roof Extensions

7.53   An extension that results in the conversion of a hipped to a gabled roof can unbalance the appearance of a house, pair of semi-detached houses or terrace. This is especially so when the roofscape and spaces between buildings are important features of the character of a street.

7.54   **All hip to gable extensions should have roof tiles or slates to exactly match those of the original roof. The extended gable wall should also match the materials of the existing dwelling.**

7.55   Often, enough old slates or tiles from the rear of the original property can be salvaged to re-cover the front roof slope to ensure a colour match at the front.

Hip to gable roof extension on a semi-detached property.

The extended gable wall should match the existing dwelling.

●●●● Roof Lights

7.56   Where a roof light is required to the front, or other prominent elevation, care should be taken to ensure that its proportions and positioning reflect the style and character of a dwelling, and that it does not look unduly prominent. Flush-fitting roof lights may help to reduce prominence.

7.57   **In conservation areas the installation of roof lights requires planning permission. Roof lights should be few in number, discreetly positioned so that they are not readily visible from prominent views within the conservation area and should be of a 'conservation type' which do not protrude above the plane of the roof. Consideration should also be given to the general arrangement of any roof lights in order to reduce their impact, even if this is limited to private views alone.**
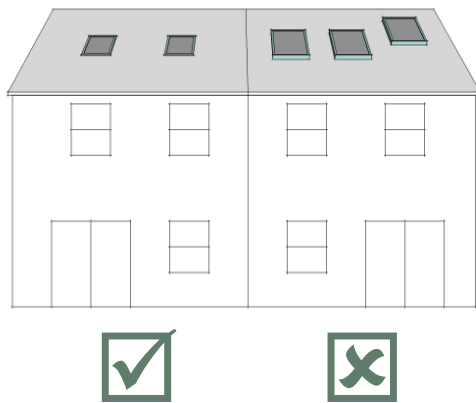
Roof lights should be evenly spaced, matching and relate to features of the house (diagram above details the rear of a typical pair of semi-detatched properties).

●●●● Chimneys

7.58   Chimneys are an important feature of many properties and contribute to the overall character of the skyline. The rebuilding of stacks and reinstatement of chimney pots where possible will be supported. The Building Regulations Part J places specific requirements on the design of chimneys and flues to ensure that they can discharge the products of combustion safely.

7.59   Within conservation areas the installation, alteration, replacement or removal of a chimney will require planning permission.

7.60   **Where a chimney, or group of chimneys, make a positive contribution to the character and appearance of a conservation area, its removal or unsympathetic alteration will be resisted.**

7.61   Where there is inadequate headroom within an existing roof space, it may be possible to create additional space through the insertion of dormer windows.
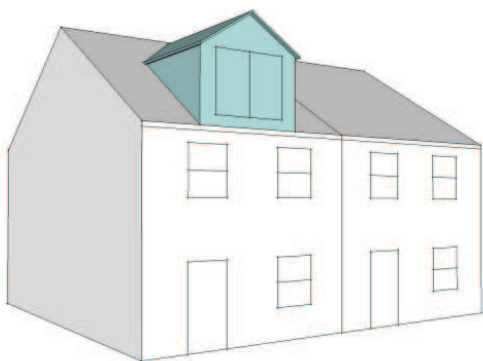
Design

7.62 **The design of dormer windows should be considered carefully as they can have a significant impact on the character and appearance of a house and its surrounding area.**

Dormer windows should:

- **Relate well to the dwelling on which they are positioned/located**
- **Relate well to the context of the street or immediate surroundings**
- **Be avoided on the front elevation of a dwelling, unless they are a local feature**
- **Be appropriately scaled in order that they appear subservient to the existing roof**
- **Be set up from the external wall, down from the ridge and in from either side by an appropriate distance**
- **Be finished in materials which reflect or complement the main dwelling**
- **Respect any symmetry evident within the existing dwelling**
- **Positioned to minimise impact upon neighboring amenity.**

Position

7.63   Dormers should normally be positioned on the least prominent elevation – usually the rear. Front-facing dormers have a big impact on the appearance of the house and the street. Dormers positioned to the side of rear annexes, where planning permission is required, can be inappropriate in terms of privacy and visual impact. Where there is a requirement to provide adequate headroom for stairs, the dormer should be set down from the ridge and clear of the hips.

Front dormers can have a big impact on the appearance of the house and street.
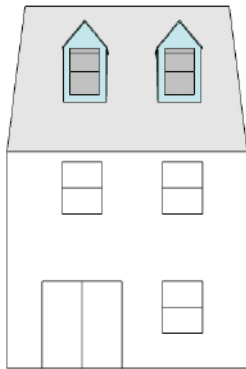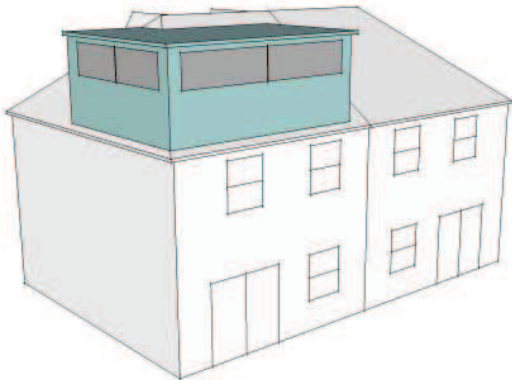
Scale

7.64   Dormer windows should not dominate the original house and should look as though they were designed as part of the original roof of a dwelling.

7.65   The scale of a dormer window should be appropriate to the roof upon which it is located. To achieve this, dormers should be set in from either side of the roof, set down from the ridge and set up from the external wall. It is important that dormers appear well proportioned and therefore subservient to a roof.

7.66   The roof of the dormer should not extend to, or beyond the external wall of the existing roof, nor should it breach any hip. Large, flat roofed dormers are over-dominant and can cause the property to appear 'top-heavy'.

Dormers modestly scaled within roof plane and align with windows below.

The dormer should not extend to, or beyond the external wall of the existing roof, nor should it breach any hip.
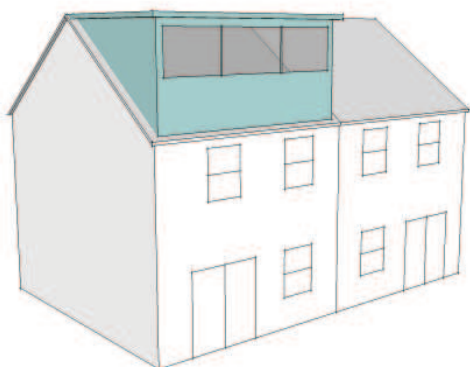
Box dormer excessively scaled within roof, poor window alignment with building below.

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<u>Materials</u>

7.67   Dormer extensions should appear subservient to the original dwelling/roof and relate well to the existing roof through the use of materials. The window(s) should fill the majority of the front of the dormer in order to limit the use of surrounding cladding materials.

<u>Window Style</u>

Avoid mixing window types.

7.68   The windows of the dormer should match those in the rest of the house in terms of proportions, materials and opening and also reflect any evident symmetry.

●●●●● Porches

8.1   A porch can take many forms from a simple canopy to an enclosed structure. The front entrance of a property is the main focal point and small alterations can have a large impact on the streetscene, with poorly designed porches significantly detracting from the appearance of a property.

8.2   Porches should be designed to complement the character of and be subservient to the original house. The roof should reflect the design and pitch of the main property. A porch situated close to a neighbouring property should be designed to have minimal impact on the amenity of the adjacent dwelling.

Scale and design of the porch is out of character within the street scene

●●●●● Recessed Entrances

8.3   The insertion of a second external door, to bring the entrance flush with the front of the property can detract from the appearance of the dwelling.

8.4   Many Victorian and Edwardian terraced houses in Cardiff have recessed front doors, often with ornate tiled or feature doorways. In conservation areas planning permission may be required for the enclosure of this type of entrance and in general such applications will not be supported.

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8.5 **A new garage, whether an extension or a detached structure should:**

- **Reflect the style, character and proportions of the house and its surroundings**
- **Be built of the same materials and have consistent detailing to the main house**
- **Be subservient to the house, in size, scale and location**
- **Not project forward of the house**
- **Be capable of being overlooked from the house.**

8.6   Consideration should be given to how difficult or easy it will be to manoeuvre a car in and out of the proposed garage. You should design a layout which retains some of the landscaping and planting in the front garden, together with safe pedestrian access to the house.

8.7   Separate consent for the construction of a new crossover across the pavement should be obtained from *council's highways section*. They will provide further information about construction standards and current charges.

8.8 **Although car ports do not have enclosing walls, the same design issues apply.**

●●●● Conversion of a Garage to Living Space

8.9   The conversion of an existing garage into additional living space can result in changes to the external appearance of the building as well as reducing parking availability. New windows and doors should match the main property in terms of proportions, materials and openings.

8.10   Advice should be sought from *Development Management* as to whether planning permission is required for converting your garage. See also the *Planning Portal*.

8.11   Building Regulation approval will be required.

8.12   The loss of parking provision as a result of the conversion of a garage will be assessed against the guidance contained in the Council's adopted Access, Circulation and Parking Standards SPG (2010).

●●●● Sheds / Garden Rooms / Home Offices

8.13   Any structures within the curtilage of your property should respect the privacy and amenity of neighbours, and should respond positively to local character and context, as well as the main house.

8.14   Large garden buildings if used for purposes other than storage may intensify the use of garden spaces and they may detract from the generally green nature of gardens, contributing to the loss of amenity for existing and future residents of the property.

- **Siting, scale and design should be visually subordinate to the garden**
- **The development should NOT detract from the amenity of neighbouring gardens**
- **Suitable landscaping should be used to reduce the impact of development**
- **Use materials which complement the main property**

8.15   The materials should be similar to the ones used in the rear of the existing house. The proposed roof style should also match that of the roof of the original house.

●●●● Family Annexes

8.16   If the purpose of an extension is to provide accommodation for a relative, and not a separate dwelling, you should follow the general guidance for extensions outlined in this document.

8.17   Annexes will only be acceptable where:

- **The scale and appearance of the building is modest in proportion to the site**
- **The plot is of sufficient size to comfortably accommodate the building**
- **Clear dependency is retained at all times with the main property**

8.18   Dependency can be demonstrated through the sharing of facilities with the main building, such as garden space, kitchen/bathroom facilities, site access and the retention of internal links.
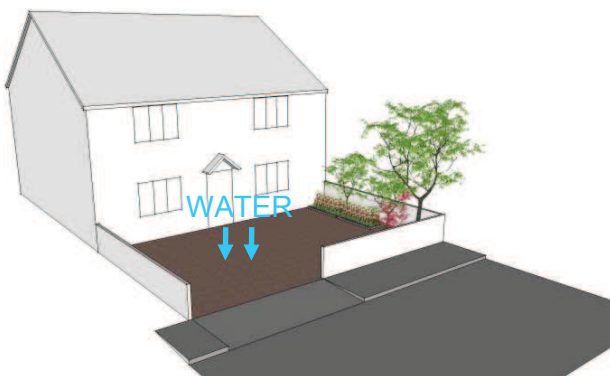
●●●● Driveways and Hardstandings

8.19   When considering driveways and hardstandings you should use permeable surfacing or only cover a small part of the front garden, allowing water to drain into remaining soft landscaped areas such as flower beds. For further advice please see **Guidance on the permeable surfacing of front gardens**. *Department for Communities and Local Government 2008*.

8.20   A standard car parking space is 2.4m (width) x 4.8m (length) and no vehicle must project out from the driveway and over the pavement. If the hardstanding is to be enclosed with gates they should open inwards to prevent obstruction of the pavement/ highway.

8.21   The hardstanding must be connected to the highway via a crossover across the pavement. Separate consent for the construction of a new crossover may be required from the *council's highways section*.
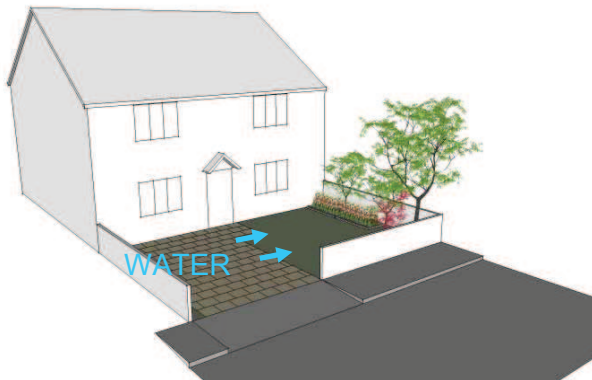
Non permeable surfacing may cover part of the front garden, providing that surface water is directed onto a porous or permeable surface, such as a grassed area.

Driveway / hardstanding constructed from porous or permeable material.

●●●● Garden Decking and Platforms

8.22   Any structures within the curtilage of your property should respect the privacy and amenity of neighbours.

8.23   Proposals will be assessed in terms of:

• **Loss of privacy (in neighbouring houses and gardens)**
• **Dominance**
• **Loss of character or amenity of the area**

8.24   Decking should not be prominently located or easily viewed from public vantage points. It should ideally set in from the boundary and where there is sufficient permanent screening, such as a high boundary wall or an outbuilding in an adjacent garden.

8.25   In some circumstances, to reduce overlooking, it may be possible to install screening such as fencing/trellising but any screening should not result in significant overshadowing or loss of outlook from neighbouring dwellings or have a detrimental impact on visual amenity.

8.26   Raised areas of decking and platforms should be provided with suitable edge protection or guarding to prevent the risk of falls. The *Building Regulations Part K* provides suitable guidance.
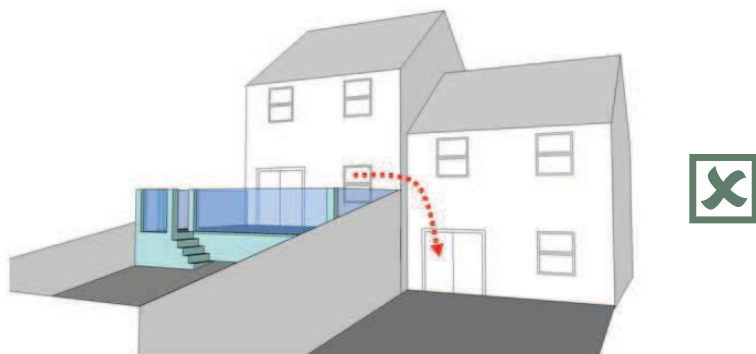
The positioning of decking should respect the rights of neighbouring residents to enjoy their gardens without being the subject of intrusive overlooking.

●●●● Balconies and Roof Terraces

8.27 **When considering a balcony or roof terrace you should take into account the impact on neighbours.**

8.28 Potential problems include overlooking and privacy, structural stability, daylight, noise, light spillage and security. Consideration should therefore be given to the following:

- **Use of setbacks to minimise overlooking (a balcony need not necessarily cover the entire available wall space)**
- **Use of screens or planting to prevent overlooking of habitable rooms or gardens, without reducing daylight and sunlight or outlook**
- **The need to avoid creating climbing opportunities for burglars**
- **Ensuring that the existing flat roof area is designed to accept additional loading as a floor**
- **Balustrades and guarding are designed to prevent the risk of falling**

8.29 A roof terrace should be set back behind the slope of a pitched roof or a parapet. The dimensions of the roof should be sufficient to accommodate a terrace without adversely affecting the appearance of the roof or the elevation of the property. A Building Regulation application will be required to change an existing flat roof in to a balcony or roof terrace.

- **Any balustrades should be well set back behind the line of the roof slope, and be invisible from the ground**
- **The terrace should not result in overlooking of habitable rooms of adjacent properties**
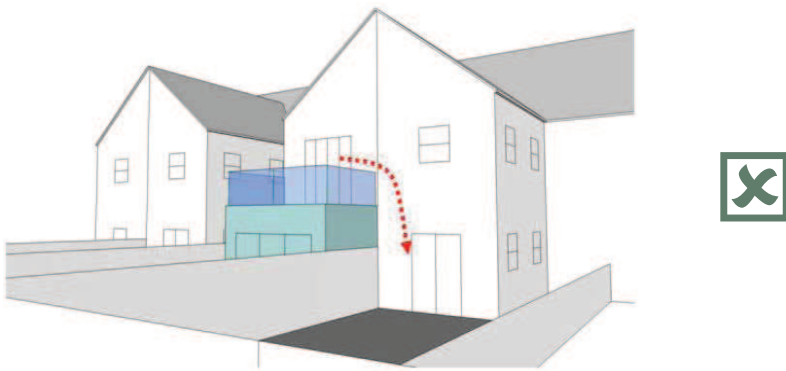
Roof terraces should not allow for the private ammenity of the neighbouring properties to be unacceptably compromised.

8.30   Boundary treatments, particularly front boundaries, have a significant impact on the character of an area and the street.

8.31   Original gates, railings and walls should be retained, restored and repaired. Where walls, hedges or railings have been previously removed, consideration should be given to their reinstatement.

8.32   Alterations to walls, fences, hedges or railings should be carefully considered in terms of both appearance, siting and security.

8.33   Front enclosures will be resisted in areas which have established open plan gardens as they could disrupt the open character of the street and harm the visual amenity of the area.

8.34   The Party Wall etc. Act 1996 may impose specific requirements.

High fences or walls to the front or side of a property can be very stark additions which harm the character of an area.

●●●● Satellite Dishes, TV and Radio Aerials

8.35   In order to minimise the visual impact, such equipment should respect the views from the street and neighbours' properties.

8.36   Keep dishes and aerials out of sight as much as possible. Consider placing them:

- **Within roof slopes**
- **Behind roof parapets**
- **On side walls**
- **On a rear extension roof**
- **On lower roofs or garages**
- **In the rear garden**

8.37   More information is outlined in *A Householders Planning Guide For The Installation Of Antennas, Including Satellite Dishes, Welsh Government 2008*.

8.38   Within conservation areas, satelite dishes require planning permission where they face on to and are visible from a road.

●●●● Cladding, Pebble Dash, External Wall Insulation

8.39   If you are thinking of carrying out any external wall treatment please consider whether it will have an adverse effect on the structural integrity of the house.

8.40   External treatments can bridge damp courses and block air bricks. Rainwater / ice can be trapped behind them. This may result in condensation and timber rot.

8.41   Work on the 'thermal envelope' either inside or outside the property is likely to require Building Regulations approval; you should contact Building Control for further advice.

8.42   Cladding of properties in a Conservation Area in any external wall insulation or with stone, artificial stone, pebble dash, render, timber, plastic or tiles will require planning permission.

●●●● Replacement Windows and Doors

8.43   Altering door or window openings, or replacing windows and doors, can radically change the character and appearance of your home and affect the appearance of the area. This is particularly the case where the property forms part of a terrace or is one of a pair of semi-detached houses.

8.44   Alterations to windows and door in conservation areas often requires planning permission.

8.45   For further advice on window replacement in conservation areas please see the *Window Repair & Replacement in Conservation Areas* advice note.

9.0
Sustainable Design and Renewable Energy

●●●● Energy Efficiency

9.1   All proposals for alterations or extensions should take account of opportunities for reducing energy-use.

9.2   Building Regulations impose minimum standards for energy efficiency. Should you wish to introduce further sustainable design measures, you may wish to consider the following points:

- **Orientation and siting to take account sunlight /other micro-climatic effects**
- **Internal layout which maximises the conservation of heat and natural ventilation**
- **Suitability of renewable energy systems (e.g. solar power)**
- **Grey water recycling and rain water collection systems**
- **impact of planting, such as green roofs or use of natural screening**
- **sustainable choice of materials, such as natural or locally sourced, recycled and recyclable materials.**

9.3   For further guidance see;

Planning Policy Wales, Tan 12: Design and Planning for Sustainable Buildings Practice Guidance (July 2014)

●●●● Solar Panels, Photovoltaics and Wind Turbines

9.4   Consideration needs to be given to the visibility of the panels and turbines and their likely impact. They should be positioned in an unobtrusive location and integrated with existing features such as on a rear or inner roof-slope.

9.5   Solar and PV panels should not be installed above the ridgeline and should be positioned to balance with existing features such as roof lights, chimneys and gable details. Sensitive design and appearance is required. Flat plate solar collectors can be integrated more closely with the roof.

9.6   With domestic wind turbines you will need to consider:

- **Where the turbine is to be installed on the property**
- **How high it will extend above the highest part of the roof**
- **Its physical size**
- **Its colour**

9.7   If you wish to install a solar panel or turbine on your roof Building Regulations will normally apply. The ability of the existing roof to carry the load will need to be checked and some strengthening work may be needed.

9.8   Installation should be carried out by a trained and experienced contractor who is accredited with the *Microgeneration Certification Scheme*. Further guidance is available from the *Welsh Assembly Government*.

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●●●● Green Roofs and Living Walls

9.9   Green roofs or living walls can create habitats and store / slow down the rate of rain water run-off, helping to reduce the risk of flooding.

9.10   Green roofs are specially designed and constructed to be waterproof and covered with material to encourage wildlife and to help plants grow. Green walls are structures attached to walls, where plants have been planted either directly into material within the wall or in the ground or a pot and encouraged to climb up a structure so that the wall is covered with vegetation. They both provide useful habitats and a food source for birds and bats. Dense foliage provides nesting sites for birds, evergreen climbing plants provide insulation and can reduce wind chill during winter months. Climbing plants provide shade which can help to cool a building in summer.

9.11   Careful consideration needs to be given to the design of the roof and any blank walls to enable the incorporation of these features and the need to access these areas for maintenance.

9.12   Where green roofs are to be accessible for amenity / sitting out purposes, potential overlooking and loss of privacy to adjoining properties will need to be assessed; additionally the requirements of the Building Regulations will also be relevant.

●●●●● Design for Security

10.1   Under S17 of the Crime & Disorder Act, the Council is obliged to encourage design that reduces crime.

10.2   All developments must demonstrate how they positively contribute towards safe and secure environments (such as providing natural surveillance together with a sense of ownership), and these measures should be effective, and proportionate to the local crime risk factors.

10.3   Alterations should maximise opportunities to provide overlooking of access routes and parking areas and limit the creation of hidden recesses and poor sightlines.

- Front enclosures should be low enough to see over (no higher than 1 metre)
- High walls and fences of 1.8m provide good security at the rear
- Side entrances should be lockable
- Boundary walls, bin and fuel stores, low flat roofs and balconies should be designed so that they do not provide climbing aids to gain access into the property
- Windows in a new extension should be positioned to maximise views over parking and private areas
- Consider fitting low energy dusk to dawn lighting to front/rear/side access points
- Movement sensitive lighting should be located with suitable timing devices to avoid unnecessary light pollution
- Ensure that all locks are securely fitted and meet British Security Standards
- Fit laminated glass to side lights of doors and accessible windows which are not overlooked

10.4   Particular care is needed when installing security devices on listed buildings. Listed Building Consent may be required.

10.5   Further advice is available from *www.securedbydesign.com*

Householder Design Checklist	
Have you discussed the proposal with neighbours?	
Is a Design and Access Statement required?	
Is your property a Listed Building or in a conservation area requiring specialist advice?	
Are there any implications for Tree Preservation Orders or protected species, requiring specialist advice?	
Does the design address the character of the property and surrounding street?	
Does the design avoid harmful impact on your neighbours in terms of loss of light, overshadowing and privacy?	
Does the proposal result in an adequate provision of amenity space?	
Does the design take account of opportunities for resource efficiency?	
Have measures been taken to reduce crime?	
Have any changes to access and/or parking been agreed with the council?	
Do your proposals also require a separate Building Regulation application to be made to the council?	
Are your proposals affected by the requirements of the Party Wall etc. Act 1996?	

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●●●●● **Appendix A:** Policy Context

The Welsh Assembly Government supports the use of supplementary planning guidance (SPG) to set out detailed guidance on the way in which development plan policies will be applied in particular circumstances or areas. SPG must be consistent with development plan policies and national planning policy guidance and may be taken into account as a material planning consideration in planning decisions.

High quality building design is encouraged throughout the planning policy framework:

Planning Policy Wales

Planning Policy Wales and Technical Advice Note (TAN) 12: Design acknowledge the role that good design in new development can play in enhancing the environment, delivering sustainable development, attracting inward investment and promoting social inclusion and well-being. Good design is not just about the physical appearance of development, but achieving sustainable forms of development that successfully respond to their local context and character.

Town and Country (General Permitted Development) (Amendment) (Wales) Order 2013

The order introduces a number of changes to permitted development rights including:
greater flexibility to enable householders to make a wider range of improvements and alterations to their homes without the need to apply for planning permission.
A Householder Guide is available from the website wales.gov.uk (see *Appendix B*)

City of Cardiff Local Plan

This draft guidance supplements Policy 11 (Design and Aesthetic Quality) of the City of Cardiff Local Plan (Adopted January 1996), which states:

'All new development should be of good design which has proper regard to the scale and character of the surrounding environment and does not adversely affect the aesthetic quality of the area.'

The Cardiff Unitary Development Plan

The Cardiff Unitary Development Plan was placed on deposit in October 2003. Following introduction of the European SEA (Strategic Environmental Assessment) Directive in 2004 and subsequent up-dated guidance from the Welsh Assembly Government on development planning, the Council has sought the agreement of the Assembly to cease preparation of the Cardiff UDP and commence preparation of a Local Development Plan (LDP).

Guidance issued by the Welsh Assembly Government in respect of LDPs indicates that where a UDP has been put on deposit it may remain a consideration in development control decisions until such time as an LDP has been placed on deposit. Generally, the weight to be attached to policies in emerging UDPs depends on the stage of plan preparation, the degree of any conflict with adopted plans, and the number and nature of any objections and/or representations in support of the policy.

Policy 1B (Achieving Good Design) of the deposited Cardiff UDP states:

Good design will be sought in all development

Policy 2.20 (Good Design) of the deposited Cardiff UDP states:

All development will be required to demonstrate good design by:

    a)   **Satisfactorily responding to local character and context;**
    b)   **Achieving a legible development which relates well to adjoining spaces and the public realm;**
    c)   **Providing a safe and accessible environment for everyone who might use or visit it;**
    d)   **Providing for the efficient use of resources and adaptability to changing requirements; and**
    e)   **Satisfactorily addressing issues of layout, density, scale, massing, height, detailing and landscaping**

Representations were made at deposit, objecting to the above proposed policies.

Connect to Cardiff
Tel.: 029 2087 2087
Tel.: 029 2087 2088 (Cymraeg)
Contact form

www.cardiff.gov.uk
Planning advice, Building Control advice, maps to download of conservation area boundaries, advice on statutory considerations listed above.

Development Management
Planning Permission, Pre-Application discussions
developmentcontrol@cardiff.gov.uk

Building Control
Building Regulations
buildingcontrol@cardiff.gov.uk

Biodiversity
biodiversity@cardiff.gov.uk

Conservation and Historic Buildings
conservation@cardiff.gov.uk

LDP (Local Development Plan)
developmentplan@cardiff.gov.uk

Trees and Hedgerows
treeprotection@cardiff.gov.uk

Sewers & Drains
highways@cardiff.gov.uk

Skips, Scaffolding and Hoardings
highwaypermits@cardiff.gov.uk

Sustainable Development
sustainabledevelopment@cardiff.gov.uk

Vehicle Crossovers
highways@cardiff.gov.uk

Cadw
The Welsh Assembly Government's historic environment service
www.cadw.wales.gov.uk
cadw@wales.gsi.gov.uk

CIAT
Chartered Institute of Architectural Technologists
www.ciat.org.uk

DCFW
Design Commission for Wales
www.dcfw.org

Health & Safety Executive
www.HSE.gov.uk

Natural Resources Wales
Floodrisk, protected species etc.
www.naturalresourceswales.gov.uk

Party Walls
Faculty of Party Wall Surveyors provides party wall surveyors by area
www.fpws.org.uk

RICS Wales
Royal Institute of Chartered Surveyors
www.rics.org/wales

RSAW
Royal Society of Architects in Wales

RTPI
Royal Town Planning Institute
www.rtpi.org.uk

Secured by Design
www.securedbydesign.com

Planning Portal
The Government's online planning and building regulations resource. (Please ensure you view the Welsh site – check for the flag in the top right hand corner.)
www.planningportal.gov.uk

IHBC
The Institute of Historic Building Conservation
www.ihbc.org.uk
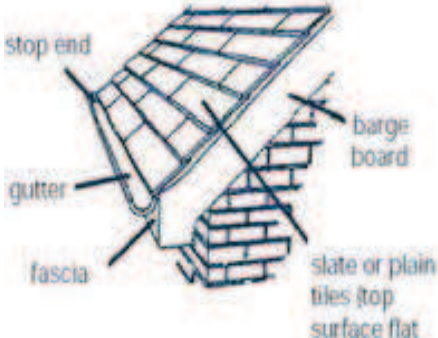
AABC
Register of Architects Accredited in Building Conservation
*www.aabc-register.co.uk*

RIBA
Royal Institute of British Architects
www.architecture.com

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●●●● **Appendix C:** Glossary

<u>**Arboricultural**</u>	Relating to trees.
<u>**Amenity**</u>	The quality of life enjoyed by occupants. Factors which make a positive contribution to the overall character of the area – trees, landscaping, architecture etc.
<u>**Amenity Space**</u>	Areas of open space such as gardens, balconies and roof terraces.
<u>**Article 4 Direction**</u>	A direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995, which removes specified permitted development rights to a property within an identified area, usually within a conservation area.
<u>**Bargeboard**</u>	A timber piece fitted to the outer edge of a gable, sometimes carved for decorative effect.

<u>**Bay**</u>	A protruding element of the main elevation, set forward of the building line.
<u>**Building Line**</u>	The line formed by the frontages of buildings along a street.
<u>**Cill (Sill)**</u>	The horizontal ledge at the base of a window or door frame.
<u>**Conditions**</u>	Requirements or restrictions placed on a property or development, specified in its planning consent.
<u>**Conservation Area**</u>	An area of special architectural or historic interest designated under the Planning (Listed Buildings & Conservation Areas) Act 1990, whose character and appearance is desirable to preserve and enhance.
<u>**Context**</u>	The setting or surroundings of a building, usually the area from which a building can be seen (front, rear or side).
<u>**Curtilage**</u>	The land around, and belonging to, a house. Includes hard standing and garden areas.
<u>**Dormer Window**</u>	A small window, projecting beyond the plane of the existing roof slope.

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Eaves	The point at which the top of the wall meets the roofline.
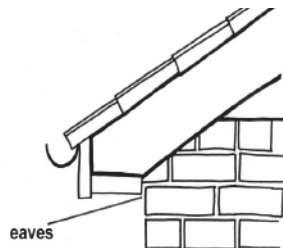
Elevation	The front, side or back walls of the building and features inserted in them.
Features	In relation to buildings; the aspects of it such as windows, materials used, corner and edge treatments that are distinctive and give the building unique character.
Fenestration	The style and arrangement of the windows on a property.
Gable Roof	The generally triangular section of wall at the end of a ridged roof.

Habitable Room	Any room used for sleeping, cooking, living or eating purpose. Bath or toilet facilities, corridors, hallways, utility rooms or kitchens with no dining facilities are excluded from this definition.
Highway	Any road open to vehicles (adopted or not) as well as any footpath (which can be used by the public) and bridleways.
Hipped Roof	A roof that slopes down to each of the eaves of the House.

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| **Listed Building**	A building of special architectural or historic interest. Listed buildings are grade 1, 2* or 2 with grade 1 being the highest. Cadw is responsible for designating buildings for listing in Wales.
Main Windows	The primary source of light into main living rooms of a dwelling, including dining and living rooms.
Off-street Parking	Car parking provided on private land which reduces the use of the highway for car parking.
Party Wall	A wall or fence that straddles the boundary between two or more properties or stands entirely on land in one ownership but used to separate two buildings in separate ownership/occupation.
Permitted Development	You can make certain types of minor changes to your property without needing to apply for planning permission. These are called 'Permitted Development' rights. They derive from a general planning permission granted not by the local authority but by the Welsh Assembly Government.
Plan	The plan should show property boundaries and means of access to the site, and nearby structures if they are relevant to the design. Within the site boundary, the plan should show the buildings already existing and those that are proposed.
Plinth	A visible support or base to a wall, pedestal or column.
Pointing	The visible mortar finish to the jointing between bricks or stone blocks in a wall.
'Principal' Elevation	Usually the front of the house which faces (directly or at an angle) the main highway serving the house. It will contain the main architectural features such as main bay windows or a porch serving the main entrance to the house.
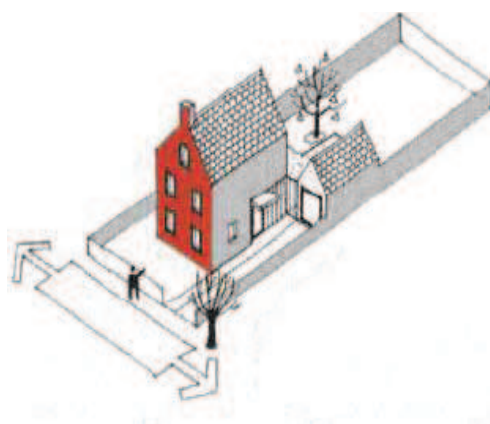
Quoins	The junction formed between the front and side wall of a building; also at a window or door opening. In traditional buildings the quoin is often emphasised by larger blocks of stone or different colours of brickwork.
Render	External wall finish of cement/lime/sand, sometimes textured and often painted.
Ridge Line	Generally the highest point of the roof except for the chimneys, where the slopes meet.
Ridge Tile	Half-round tile fitted to apex of roof.
Roof Light	A window inserted into, and laying flush with, the roof slope.
Roof Pitch	The angle at which the roof slopes from the top of the wall to the ridgeline.
Roughcast	A rough textured render.
Sightlines	Direct lines of vision for a driver of a motor vehicle. Can be taken along a highway or at a road junction or access point.
Skylight	A horizontal glazed opening set in a flat roof. set in a sloping roof.
Street Scene / Streetscape	Everything that can be seen along a street from any given point.
String course	A continuous layer of building material, such as brick or tile, on a wall or roof of a building.
Subordinate / Subservient	Of lesser importance or status
Surveillance	An area which can be easily observed by overlooking windows, doors or other activity such as passing traffic/pedestrians.
Thermal Element	Wall, floor or roof which separates a thermally conditioned part of the building from the external environment or an unconditioned or lesser conditioned space.
Valley	The intersection of two sloping surfaces of a roof towards which water flows.
Visibility Splay	An area of land on which the height of any object is restricted in order that a sightline can be taken across the land.

●●●●● **Appendix D:** Consultation Representations and Responses

Public consultation was undertaken between 17th November and 15th December 2014. A press notice was placed in a local newspaper on Monday 17th November 2014 and notices and copies of the draft guidance were placed in all Cardiff library facilities and at County Hall Reception. The draft guidance was also published on the Council website

Letters notifying that consultation was being undertaken on the draft guidance were sent to all Cardiff Councillors, the Welsh Assembly Government, Community Councils in Cardiff and the following that are known to have general interest in planning in Cardiff or a potential interest in this guidance:

Alder King
Artisreal Ltd
Arup
Asbri Plannning
Atkins
Atriarc Group
Austin-Smith: Lord
Barton Willmore Planning Partnership
Boyer Planning
C2J Architects & Town Planners
CFW Architects
Cadw
Cardiff Access Group
Cardiff University
CDN Planning
Civic Societies of Cardiff and Penarth
Civic Trust Wales
Davies Sutton Architects
David Preece Architect
Derek Prosser Associates
Design Circle RSWA South
Design Group 3 Architects
Design Commission
DLP Consultants Cardiff
DPP
DTB Design
DTZ
Gerald Eve LLP
GL Hearn
G Powys Jones
Geraint John Planning Ltd
GVA Grimley
Harmers
Holder Mathias
Honesty Planning
Hyder Consulting
John Wootton Architects
Loyn & Co Architects
Malcolm Scott Consultants Ltd
Mason Richards Planning
Mango Planning
Nathaniel Lichfield & Partners Ltd
Neame Sutton
Peacock & Smith Planning

Peter Brett Associates
Peter Wiliams Architects
Phillippa Cole PMG
Planning Aid
Planning Issues
Paul Dickinson & Associates
Pagasus Planning Group
Powell Dobson
Robertson Francis Partnership
Rio Architects
RICS Wales
RPS Cardiff
RTPI Wales
RSAW
Savills
SK Design
SLR Consulting
Stedman Architectural
Shawn Cullen
Stephen Hoday MBE
Sullivan Land & Planning
Stridetrglown
Tanner & Tilley
Terry Nunns Architects
The Planning Bureau
Turley Associates
White Young Green
Wigley Fox Partnership
WAG

Vale of Glamorgan Council
Rhondda Cynon Taff County Borough Council
Caerphilly Borough Council
Newport City Council

Lisvane Community Council
Old St Mellons Community Council
Pentrych Community Council
Radyr and Morganstown Community Council

St Fagans Community Council
Tongwynlais Community Council

Llandaff Conservation Group, East Cardiff Conservation Group, North West Cardiff Conservation Group, Cathedral Road Conservation, Central Area Conservation Group

Page	Comment	Response / Action
First Consultation		
Page 10	We welcome reference to 'permits and licences' needed for skips in Other Considerations. Could reference be made here the considerations necessary for materials stored directly on the road or pavement and for proper disposal of waste during development?	This issue falls outside of planning control. No Change.
Page 13	On the issue of developments above a single storey leaving 10.5m to rear garden wall, which we support, can it be specified that evidence of this is expected to be provided in planning applications?	Scale drawings submitted as part of any planning application should demonstrate that appropriate separation distances are achieved. Planning officers will ensure that appropriate levels of privacy are maintained on a case by case basis. No Change.
Page 17	Rear Extensions - there is reference to natural light and outlook to 'habitable rooms' in neighbouring properties. In York's document (House Extensions and Alterations SPG) there is reference on Page 7 & 8 to the impact of light on the neighbouring property and Page 9 of outlook and dominance, some of which potentially could be incorporated to strengthen this guidance.	Issues surrounding light and outlook from rear extensions will be considered by planning officers on a case by case basis. No Change.
Page 20	Side Return Extensions - this should also take into account any previous rear extensions to the original. This side 'infill', whilst possibly relatively small by itself, could create a very domineering effect out-of-keeping with the original property if there is already a rear extension, to the detriment of garden space and neighbouring properties.	Planning officers will consider an application on its merits and on a case by case basis. No change.
Page 26	Why is the sentence that in conservation areas roof lights may only be acceptable to the rear being removed? Whilst sensitive development with front roof lights may be possible, surely keeping that in would retain control in conservation areas. Is this to do with changes in Welsh planning Law?	Changes to permitted development rights mean that the addition of a rooflight in a Conservation area now requires planning permission wherever it is located on a building. As a consequence, the Council has powers to restrict inappropriate placement. No change.
Page 28	With regard to dormer windows - the guidance could say 'The scale of a dormer window should be appropriate to the roof upon which it is located. To achieve this, dormers should be set significantly in from either side of the roof, set down from the ridge and set up a significant distance from the external wall. It is important that dormers appear well proportioned and therefore subservient to a roof. The Householder Design Guide referred to significant distance from the edge of the roof and we feel this should be retained in some form.	The word significant was removed to better reflect recent changes to permitted development rights. These require a minimum 200mm set in distance from the edge of a building. No Change.
Page 31	The section on recessed entrances seems completely unenforceable and unrealistic. I would suggest this element of the SPG for areas not in Conservation Areas is dropped.	Document and illustrations amended to be less prescriptive.
Page 32	Where applications are made to convert garages into living accommodation, consideration should be taken of the impact this will have on parking and what alternative arrangements for parking will be made.	Text amended to reflect representation. Reference made to the Council's adopted Access, Circulation and Parking Standards SPG (2010).

Page	Comment	Response / Action
Page 40 / Section 10	The inclusion of security in section 10 of the document is welcomed.	No Change.
Page 40 / Section 10	An additional bullet point should be added, saying that all ground floor windows, any vulnerable windows and any external double doors should meet the following standards:PAS24:2012 or STS201 issue 3 2012 or LPS 1175 issue 7: 2010 Security Rating 1 or LPS 2081 issue 1:2014 Security Rating 4.	This information is considered to be to prescriptive for the document. No Change.
Page 40 / Section 10	Any new or replacement main entrance door sets should comply with; PAS24:2012 or STS201 issue4:2012 or LPS1175 issue 7:2010 Security Rating 2 or STS 202 issue 3:2011 Burglary Rating 2 or LPS 2081issue1:2014 Security Rating B.	This information is considered to be to prescriptive for the document. No change.
Page 40 / Section 10	French windows should meet PAS2012 with classification DK or DKT.	This information is considered to be to prescriptive for the document. No change.
Page 40 / Section 10	Where reference is made to the councils best practice guide this should be replaced with; Further advice is also available from www.securedbydesign.com	Document amended to include a reference to Secured by Design.
General	The fines currently in place for the removal of a tree with a TPO are not sufficiently high as to discourage developers from protecting them.	The fines with regard to TPO trees are under the control of central government, not the Council. No change.
General	R&MCC welcomes this new guidance and found it useful, easy to read and follow.	Support Noted. No Change.
General	A section should be added to the SPG which addresses the issue of retrospective applications for over-bearing extensions and sets out the penalties which will be enforced on those developers or home-owners who build large extensions without first obtaining planning permission.	With the exception of Listed Buildings, it is not an offence to undertake works to a building, or begin development prior to permission being obtained. All applications are considered on their merits, including those submitted retrospectively. No Change.
General	We have concerns about the consultation process for such an important set of planning guidelines namely the length of the consultation period which made it impossible to get proper input from local residents on the guidelines.	A second public consultation was undertaken on a revised document. This was be advertised in the local press and on the Council's website. The draft document was also available to view online or at any of the libraries in the city and at County Hall. The second consultation provided an additional four weeks to allow any further comments to be made.
General	The document has something to say about porches that I feel is limiting. I love a porch and think that they should be useful. This means that they have to be of a useable size, not just a petty inconvenience (which is what small porches are). So I would like to see some encouragement for larger porches that can act as a proper transition space between outside and in.	Text and illustrations amended to provide greater clarity.

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Page	Comment	Response / Action
Second Consultation		
Page 8	In the first sentence under the section on trees, the word 'mature' should be removed as a tree need not be mature to be a potential constraint to design.	Wording amended.
Page 25	Highway Safety and Parking The current draft says: "Where an extension would be built over an existing car parking space, this may have to be replaced within the boundary of your property to a standard acceptable to the council". I would like to suggest that this wording be amended in two ways. Firstly, that the word "may" is replaced with the word "must" so that developed have to ensure that parking spaces are not lost when extensions are built. Secondly, I would want the SPG to ensure that where extensions are built in such a way that ANY parking is lost (off-street or on-street), it should be replaces elsewhere. In several instances, I have seen extensions built in such a way that they have caused on-street spaces to be lost to allow access, yet these spaces have not been replaced elsewhere. It would be a sensible proposition to ensure that if a development causes any parking to be lost, it has to be replaced elsewhere, so I would hope that these amendments would be taken on board.	The paragraph has been amended to provide greater clarity and place more focus on the requirements set out in the Access, Circulation and Parking Standards SPG.
Page 32	The section on recessed entrances seems completely unenforceable and unrealistic. I would suggest this element of the SPG for areas not in Conservation Areas is dropped.	Document revised to be less prescriptive. Illustrations deleted.
Page 39/40, Section 9	Section 9 Sustainable Design and Renewable Energy should make clear reference to Planning Policy Wales, TAN 12: Design and to current practice guidance Planning for Sustainable Buildings Practice Guidance (July 2014).	Reference to specified documents added.
General	I did think that it might be time to improve some of the very naive graphic images that communicate to people the key messages. I think that Sketch up software can allow much more convincing representations of a domestic/residential environment without distracting from the key messages.	The images used in the document are intentionally simplified and easy to understand as it was felt that more detailed graphics could be more open to misinterpretation. No Change.
General	I would suggest that the SPG sets out the process for retrospective applications but makes it clear to prospective applicants that Cardiff Council takes a dim view of such applications.	With the exception of Listed Buildings, it is not an offence to undertake works to a building, or begin development prior to permission being obtained. All applications are considered on their merits, including those submitted retrospectively. No Change.
General	All references should appear in full e.g. TAN should at first be Technical Advice Note. These and other references to planning policy should be included in the glossary.	Document to be amended accordingly.

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Page	Comment	Response / Action
General	Reference is made to the Design Commission for Wales remit which is NOT accurate. It should be replaced with the below. The Design Commission for Wales promotes good design and communicates its benefits, across sectors. The Commission prioritises the design quality of the built environment in Wales and of places, buildings and public space. Among a range of services the Commission provides a national Design Review Service facilitating early strategic consultation for plans and projects throughout Wales. The service is available to all Local Authorities, National Parks, clients, developers, other promoters and/or members of the public. The Commission works with all the design professions including the fields of architecture, urban and landscape design, transport infrastructure, civil engineering and significant energy infrastructure. The Commission's advisory services are usually free of charge, and each project is assessed on its significance, which may belie their scale, location or method of construction.	Document to be amended accordingly.
General	The document would benefit from simplification of language and terminology throughout. This will help ensure that it is both clear and accessible to a range of users. Phrasing would benefit from further checks throughout to avoid confusion, for example, 'obscurely glazed glass' p18 could simply say 'obscure glazing'.	The language used in the SPG document will be simplified where possible, however a number of technical terms will inevitably need to remain. Text to be amended to reflect representation.
General	An initial explanation of what is meant by 'subordinate' and 'subservient' may help users to understand the overall aim of many of the individual aspects that are covered in Section 7 of the document.	Description added to Appendix C: Glossary.
General	The Design Commission for Wales is keen to ensure that the issue of precedent is considered from a planning perspective and integrated into the document. An existing extension that is unacceptable in design terms should not provide justification for future unacceptable extensions. Currently this is not clear in the document. The principles provided within the SPG, when adopted, should provide the basis for consideration of the application and override historic decisions.	Section added to address the issue of Precedent.
General	There may be some value in examining principles that may apply from the POSW (Planning Officer's Society of Wales) Model Design Guide for Wales: A Guide for Householder Development, that may provide a context for smaller extensions and alterations.	Reference to the document added.

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