

No.

CORPORATE PERFORMANCE AND RESOURCES SCRUTINY COMMITTEE

Minutes of a Remote Meeting held on 15th February, 2023.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor J. Protheroe (Chair), Councillor E. Goodjohn (Vice-Chair);
Councillors G.D.D. Carroll, P. Drake, C.P. Franks, S.J. Haines, S.M. Hanks,
Dr. I.J. Johnson, B. Loveluck-Edwards and N.J. Wood..

Also Present: Councillors A. Asbrey, R.M. Birch, L. Burnett (Executive Leader and
Cabinet Member for Performance and Resources), V.P. Driscoll, W.A. Hennessy,
C. Iannucci, G. John (Cabinet Member for Leisure, Sport and Wellbeing),
S. Sivagnanam (Cabinet Member for Community Engagement, Equalities and
Regulatory Services), E. Williams (Cabinet Member for Social Care and Health) and
M.R. Wilson (Cabinet Member for Neighbourhood and Building Services).

727 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing.”

728 APOLOGY FOR ABSENCE –

This was received from Councillor H.C. Hamilton.

729 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 18th January, 2023 be approved as a correct record.

730 DECLARATIONS OF INTEREST –

Councillor S.J. Haines declared an interest in Agenda Item 7 - Vale of Glamorgan Council – Proposed Fees and Charges for 2023/2024. The nature of his interest was that he rented a Council allotment. Although he had dispensation to speak and vote on matters relating to rented allotments at Vale of Glamorgan Council meetings, this did not include on matters of finance. Due to this being a prejudicial interest, as per 19.3.3 of the Council’s Constitution, Councillor Haines withdrew from the meeting during the consideration of this item.

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Councillor Dr. I.J. Johnson declared an interest in Agenda Item 7 – Vale of Glamorgan Council – Proposed Fees and Charges for 2023/2024. The nature of this interest was that he was a Member of Barry Town Council and had made a decision with regards to Appendix 1C of the appended report, concerning fees for Porthkerry Cemetery. He also had dispensation to speak and vote on matters relating to sports facilities within the Vale of Glamorgan when being discussed at both Vale of Glamorgan and Barry Town Council meetings. Due to this, and with no prejudicial interest present, Councillor Dr. I.J. Johnson remained in the meeting during the consideration of this item.

731 DRAFT TRANSGENDER INCLUSION TOOLKIT AND GUIDANCE DOCUMENT FOR SCHOOLS AND OTHER SETTINGS (REF) –

The reference from Cabinet of 19th January, 2023 was presented by the Head of Additional Learning Needs (ALN) and Wellbeing and the Safeguarding Officer (ALN and Wellbeing). The reference asked the Committee to consider the Cabinet reference and appended Cabinet report in relation to the Draft Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings (Appendix A) and the Equality Impact Assessment (Appendix B) as part of the proposed wide ranging consultation exercise, which would also include other key stakeholders such as teachers and parents, trade unions, faith and LGBTQ+ groups, etc. The documentation had also been reviewed by Legal colleagues. The wider consultation period would end on the 17th March, 2023.

The ‘Toolkit’ would help ensure that effective support could be provided by teachers and other education staff to Trans children and young people, who were vulnerable to bullying, prejudice and poor mental health outcomes if they were not adequately supported. The Toolkit would be subject to ongoing review and development, as well as continual discussion and engagement around this process.

The background to the Toolkit was outlined to Members, as well as the review and update of the guidance by way of looking at national best practice including the Brighton & Hove Trans Inclusion Schools Toolkit. Furthermore, the various sections of the Toolkit Guidance were summarised, ranging from developing understanding of trans, non-binary and gender exploring children and young people through to the legal context, and the ‘whole school’ approach to providing information, help and support to trans, non-binary and gender exploring children and young people.

After the presentation of the reference, the Committee raised a number of questions and comments.

Councillor Carroll raised his concerns around the need for precision and clarity when drafting this Toolkit so that teachers and others were not put in difficult situations and that this should be addressed post-consultation. Also, it was important that the guidance was legally compliant (i.e. in terms of the Equality Act). It was confirmed that the draft Toolkit had been subject to two rounds of legal review and following consultation and any amendments to the Toolkit, this would be further reviewed by Legal Counsel and further legal assurance sought. On the previous Toolkit’s legality,

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it was explained that due to the number of changes in society and law, it was necessary to review and revise it and seek legal assurances on the new draft.

The Vice-Chair referred to the overwhelmingly positive response from younger persons' groups such as the School Council as well as schools' staff to the draft Toolkit. He also stressed the importance and benefits of looking at individuals' needs on a 'case by case' basis and using kindness and respect, with the Toolkit providing the supporting framework in order to achieve this. On the help that the Toolkit could provide to non-binary children / young persons, this was very much included within the guidance, which emphasised the need to celebrate difference, encourage inclusivity and move away from a 'one size fits all' approach.

Councillor Wood referred to the lack of details within the guidance around help and guidance from external agencies and charities and how this connected with them and their targets, as well as linking into these bodies when children and parents had been referred to them for support. He also asked if any advice could be taken from NHS Wales on linking in with them about any wider or underlying issues that children who may identify as Transgender, etc. may be facing, as the advice within the guidance was quite vague other than advising teachers to suggest to parents to approach the relevant charity for assistance. The response was that the Councillor's comments would be taken on board and the guidance had deliberately been limited to purely the school context, thereby avoiding the medical context which would be outside its remit and taking a 'watch and wait' approach around any potential transitioning. All teachers were also 'trauma informed' and would refer children / parents on to the relevant support for a wide range of issues. Welsh Government (WG) had also recently published its LGBTQ+ Action Plan which gave clear guidance on working with NHS Wales in supporting Trans individuals.

Councillor Dr. Johnson referred to the previous Toolkit and that the new one would benefit from the wider consultation being undertaken for it, including teachers who had experience in implementing the previous version. The language used in the new Toolkit was also less emotive and was far more appropriate in terms of guidance to teaching professionals. He also suggested that this guidance be forwarded to the Corporate Parenting Panel with reference to Children Looked After and greater consideration should be made around the Welsh Language and the draft Toolkit, as well as the Guidance Document and the Equality Impact Assessment.

On Councillor Haines' concerns around the lack of clear guidance in the Toolkit around safeguarding and safe spaces, as well as a perceived lack of back up support to teachers, it was explained that feedback would be sought from teachers and others around these issues as part of the consultation on the guidance. Due to the complex nature of the Equality Act, it was difficult to provide definitive advice on safe spaces and therefore there was no standard response, but rather the need to deal with the specific and individual circumstances as they arose and build consensus on solutions to often complex matters. Local Authority officers also worked with teachers to help them provide the best advice and support possible with these issues.

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The Executive Leader and Cabinet Member for Performance and Resources referred to the need for the Toolkit to be updated to reflect changes since the original one and this would help to support teachers on such issues going forward, based on the WG definitions. The Toolkit would help protect individuals and groups who were vulnerable as well as affirming the Council's ongoing commitment to valuing all children and young persons in the Vale of Glamorgan.

On Councillor Carroll's concerns around the effectiveness of a written Toolkit or guidance on issues that could be very complex and subjective, and the alternative to 'signpost' interested parties to the relevant external support instead, it was explained that the Toolkit provided a much needed framework of support for Trans children, etc., as well as the need to look at their individual needs and circumstances at a practical level. Headteachers and teachers were 'crying out' for such guidance in order to offer support to these vulnerable young people.

Councillor Loveluck-Edwards cited the success of the previous version of this Toolkit and asked if children and young people themselves were also asking for this updated Toolkit in order that schools could properly understand their needs. This was confirmed as being the case and there had been consultation events held with young people who expressed their support for this Toolkit and the need for fairness and support to Trans individuals and others. On Trade Union participation in the consultation, they had been engaged with and a formal response was being awaited from them, although the general impression had been that this Toolkit was helpful for teaching professionals.

The Cabinet Member for Community Engagement, Equalities and Regulatory Services added that the Toolkit would help children and young persons impacted by these issues and reflected the legal framework and duties the Council had towards children and young persons with specific characteristics. She also encouraged Members to reach out to their communities and encourage people to participate in the consultation for the Toolkit.

Having considered the reference and report, Scrutiny Committee subsequently

RECOMMENDED –

- (1) T H A T both the Cabinet reference and appended Cabinet report in relation to the Draft Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings (Appendix A) and the Equality Impact Assessment (Appendix B) be noted.
- (2) T H A T greater consideration is made around the Welsh Language and the Draft Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings and the Equality Impact Assessment.
- (3) T H A T the report be referred to the Corporate Parenting Panel for consideration as part of the proposed consultation exercise.

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Reason for recommendations

(1-3) Having regard to the contents of the Cabinet reference, report and discussions at the meeting.

732 PAY POLICY 2023/24 (REF) –

The reference from Cabinet of 2nd February, 2023 was presented by the Head of Human Resources and Organisational Development, the purpose of which was to consider and endorse the Council's annual Pay Policy for 2023/24 prior to its submission to Council for approval.

This was a statutory requirement, under the Localism Act 2011, and recently there had been further changes to it, i.e. with reference made in relation to benefits and the Council's commitment to sustainability from a Project Zero perspective, greater detail on the Chief Executive role and Chief Officer profiles, living wage accreditation and an update on gender pay.

After the presentation of the reference, the Committee raised a number of questions and comments.

On Councillor Carroll's query on a concluding date for wage negotiations, there was no final date as yet, although the aim was to conclude these negotiations as soon as possible.

On Councillor Dr. Johnson's comment on paragraph 6, regarding the role of the Chief Executive and on the total budget and actual income totals included therein, and which was more appropriate for considering with regard to the size of the organisation. It was explained that either or both could be utilised.

On Councillor Haines' question on whether the Annual Performance Review had a bearing on the pay rise of senior staff, it was explained that in fact it was only through the relevant pay discussions that pay uplifts were determined. Any underperformance would result in Officers getting the RPI increase but not a full wage uplift.

Having considered the reference and report, Scrutiny Committee subsequently

RECOMMENDED – T H A T the Council's Pay Policy 2023/24 be noted and therefore referred to Full Council for consideration.

Reason for recommendation

Having regard to the contents of the reference, appended report and discussions at the meeting.

733 BUDGET 2023/ 24 FOR CONSULTATION AND FURTHER MTFP UPDATE (REF) –

The reference from Cabinet of 19th January, 2023 as contained within the agenda was presented by the Head of Finance / Section 151 Officer. The reference asked Committee to consider and comment on the report and appendices as part of the budget setting process.

The Head of Finance / Section 151 Officer presented the key highlights such as the positive financial settlement for Wales, including the Vale of Glamorgan Council with its Aggregate External Finance (AEF) to increase by 8.9% (£16.6m) which was a £10m improvement on the £6.5m / 3.5% anticipated in the Financial Strategy in October. The overall Vale Standard Spending Assessment (SSA) increase was 6.4% and the increase for Schools Service and Social Services 5.1% and 7.0% respectively, which were slightly higher than the Welsh average. Despite these, the Council still faced a funding 'gap' and cost pressures; however, the Council was addressing these, with the Strategic Leadership Team (SLT) working hard to push down cost pressures across the Council through the Budget Working Groups. Although certain challenges remained such as ongoing inflationary costs, pay and energy, Residential / Domiciliary care providers, homelessness, special school places, school transport, etc.

The Director of Corporate Resources outlined the relevant areas and pressures within the remit of the Committee, i.e. reducing cost pressures down from £1.4m to around £690k within Corporate Resources, as well as the need for additional investment / costs due to the creation and capacity building of this new Directorate. The Head of Finance / Section 151 Officer outlined the impact of the Fire Levy and Members' Remuneration on the Policy budget.

The savings and reserves proposals, both Council wide and within the remit of the Committee, were outlined, ranging from the removal of vacant posts to moving away from paper-based solutions through to reviewing the use of Council premises in terms of office accommodation, as well as looking to reduce the hospitality budget and twinning services. In terms of reserves, which remained robust for the Council despite the challenges it had faced, would be streamlined and have greater alignment to key risks of the Council, as well as tighter governance. Reserves had been used to smooth the impact of homelessness and energy costs, stepped down over two years. The reserves would also be used to support the step-in approach to Social Services cost pressures.

Next steps included consultation with both the public and Scrutiny through to the final proposals to Cabinet and then Full Council on 6th March, 2023.

After the presentation of the reference, the Committee raised a number of questions and comments.

Regarding Councillor Franks' query on cuts to the Schools' budget, the Executive Leader and Cabinet Member for Performance and Resources explained that schools recognised that the Council passed on as much funding as possible to them and that as they received over 50% of the Council's budget they understood that they had to

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share some of the burden concerning savings. The Council would also continue to support schools and pupils as much as it could in the case of ongoing financial challenges. On the impact of the financial forecast from October 2022 on schools, staffing etc. it was explained that officers had worked with the figures they had to hand at the time of the October forecast, especially the second year of the current three year settlement from Welsh Government (WG). Subsequently the WG settlement had been better than expected, which had helped to revise those figures down. However, the Council was 'not out of the woods yet' in terms of a funding gap, etc. and therefore some cuts were still required, and investments deferred / cancelled, and these would also help to lessen the rise in Council Tax bills for residents. On the queries raised around the Fire Levy and Docks Office, the precept for the Fire Levy had seen a 8.2% increase. Regarding the Council's Docks Offices, the proposal was to make £300k in savings across two financial years from the facilities management budget, as part of greater 'hybrid' working by Council staff. A report on the overall use of the Council's estate would be brought to Cabinet within the next couple of months for their consideration.

On Councillor Carrol's comments on the importance of scrutiny of the budget and its forecasting methodology, etc. the Leader agreed but stated it was also important that this was framed in the most appropriate manner.

Councillor Dr. Johnson queried the following: the nature of the cost pressures for the Leisure contract, the costs around homelessness accommodation, the reduction of 'out of County' income for the Learning and Skills Directorate, the suggested reduction of the provision of newspapers and DVDs to local Libraries as well as sandbags to local residents and the projected numbers of residents subscribing for the chargeable green waste service. On the Leisure contract, the Council carried the utility cost risk, but the anticipated reduction in energy costs would help this. On homelessness accommodation costs, it was explained that there had been a temporary use of reserves, to cushion the impact of a reduction in WG support there. The Housing Team were putting a strategy in place to create additional capacity and to be less reliant on more costly third-party provision. Out of County placements for children with complex needs, etc. had reduced due to neighbouring Local Authorities creating their own provision and the need for the Vale of Glamorgan Council to create provision for local children. On the reduction of funding for newspapers and DVDs for libraries and sandbags, further information would be sought and provided to the Committee when available. Regarding garden waste take up, etc. this was difficult to forecast and the £500k savings target was based on the best available information at this time.

On Councillor Wood's query on the forecast 3.5 % increase in schoolteachers' pay from September 2023 and the potential for this to be an underestimate in light of ongoing industrial action and pay negotiations by teaching unions, it was explained that forecasting pay rises was difficult and WG had advised that forecasting may need to be revised up to 5% for teachers and other workers in Local Government.

The Vice-Chair stated that as well as the risks raised around the Garden Waste subscription service, there was also potential benefits, such as generating more than £500k in revenue. He also asked if it was possible to illustrate the Council Tax amounts and increases by each Band (in addition to the Band D used as many

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properties in the Vale of Glamorgan were outside of this Band). The Head of Finance / Section 151 Officer indicated that this was possible.

The Committee also considered the comments provided by the Healthy Living and Social Care Scrutiny Committee on the report, which were endorsed and asked for these to be referred on to Cabinet for their consideration.

Having considered the reference and report, Scrutiny Committee subsequently

RECOMMENDED –

(1) T H A T both the Cabinet reference and appended Cabinet report in relation to the 2023/24 Budget for Consultation and Further Medium-Term Financial Plan Update be noted.

(2) T H A T the Committee supported the comments made by the Healthy Living and Social Care Scrutiny Committee and asks Cabinet to consider these, namely:

- As a result of continued diligence shown by Council Officers, Committee are already well versed in the significant pressures faced by the Social Services sector.
- Members of the Committee commend the proposed budget as presented which is a detailed proposal around investing in vital areas of Social Care provision despite the enormous financial pressures that the Council is facing.
- The Committee welcomes all proposals for investment as presented within the report.
- The pressures that are clearly evidenced within the Social Services sector are increasing and statutory. Therefore, the Council has a statutory obligation to fund said pressures and to ensure that services operate as effectively as possible.
- The Committee thank Finance Officers for a comprehensible report and useful supporting presentation.

Reasons for recommendations

(1) Having regard to the contents of the reference, appended report and discussions at the meeting.

(2) In order that Cabinet be informed of the comments or recommendations made by any of the Scrutiny Committees as part of their consideration of the 2023/24 Budget for Consultation and Further Medium Term Financial Plan Update.

734 VALE OF GLAMORGAN COUNCIL – PROPOSED FEES AND CHARGES FOR 2023/2024 (REF) –

The reference from Cabinet on 19th January, 2023 as contained within the agenda was presented by the Head of Finance / Section 151 Officer, which provided a consolidated overview of the fees and charges for the whole Council (predominantly neighbourhood services, but also resources, place, learning skills and social

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services). The reference asked the Committee to consider the proposals for amendments to fees and charges and associated policy and process changes. It also asked Committee to forward any such comments from the other Scrutiny Committee on to Cabinet for their consideration as part of the final fees and charges setting at the meeting on 27th February, 2023.

The Committee were informed that it was important when the Council set fees and charges that these covered all of the Council's costs unless it made a conscious decision to give some concession. Therefore, the majority of fees and charges reflected increases in line with inflation. The majority of the proposed fees and charges reflected an increase of between 5% and 11%. Some fees and charges had increased higher than this percentage; remained the same; or decreased to reflect the take up of services and the cost of delivery and rationale for doing so was outlined in the body of the report.

The Director of Corporate Resources outlined the areas within the remit of the Committee, including fees and charges related to Registrars, Legal Services, Land Charges and Human Resources (HR). The majority of charges had been increased by 11% for 2023/24. Details were also given around the proposed flat fee for Registrars regarding wedding ceremonies and civil partnerships as well as the proposed delegated power to set fees for statutory and non-statutory registry events two financial years in advance by the Operational Manager (Democratic Services).

Finally, the timetable for consultation and the finalisation of the proposed revised fees and charges was discussed.

Following the presentation of the report, the Chair welcomed Miss. Amy Greenfield, a public speaker, who put forward the views of the Holton Road Traders Association regarding the impact of the increases on fees and charges for Café Style Licences to trade on the highway on small independent businesses. She argued that the Council needed to work much more closely with those businesses affected in order to address their concerns, as such costs could hasten the decline of shops and businesses on Holton Road and other areas impacted. The Council's approach also seemed to be in contrast to the support that Welsh Government (WG) had given to such businesses, particularly during the Pandemic and its aftermath, such as lowering non-domestic business rates.

Councillor Carroll wished to echo the concerns raised by Miss. Greenfield about the Café Style Licence fees / charges, which could have a detrimental impact on local shops, high streets and the wider communities they served. He also wished to raise his concerns around the proposed increase for bulky waste collections and the proposed increases for hygiene caddies, which could increase the risk of 'fly tipping'. The Executive Leader and Cabinet Member for Performance and Resources stated that the Council was taking a differentiated approach to fees and charges and in some areas the Council would be looking at full cost recovery. In terms of Café Style Licences to trade on the highway, it would not be possible to charge only those shops and businesses who were responsible for infringements as this would require constant monitoring and extensive use of Council resources, although monitoring was undertaken by Highways Officers on a regular basis. She stated that so far, the business owners she had spoken to did not oppose the proposed increase in

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charges, but she was happy to speak to any business owners who did have concerns and look to allay these. Similarly, the Cabinet Member for Neighbourhood and Building Services stated that although it was regrettable to have increased charges around bulky waste services, etc., such services were run at a cost to local taxpayers and it was necessary to ensure the continued functioning of such key Council services, with consideration given to full cost recovery as part of this. These and other waste charges would still be far cheaper than their equivalent in the private sector, with the Council not making any profits from such increases. Both also stressed that in terms of increased charges for hygiene caddies, etc. this was only to ensure that the Council was able to continue to provide such services and to 'break even' rather than make any profit. The Executive Leader and Cabinet Member for Performance and Resources stated that the fees for both the Café Style Licences and hygiene caddies would be looked at further before the finalisation of the fees and charges.

Councillor Dr. Johnson stated that broadly it was correct to be looking at increasing Council fees and charges in line with inflation and actual costs and there was a discussion to be had on full cost recovery. However, other opportunities needed to be looked at too, i.e. maximising income from external organisations who wanted to use Council facilities. He wished to also raise his concerns around the large increase in fees around hygiene caddies, the proposed move to the three-week black bag collection and the considerable increase in fees / charges on Café Style Licences which could harm the local economy.

Councillor Hanks also raised concerns around increased fees / charges on Café Style Licences, referred to the potential benefits of a more 'tiered' approach to charges at coastal car parks in the Vale, rather than a 'flat rate' and the need for facilities to be in place for the public to be able to pay with either cash or card at these locations, as well as the potential for 'benchmarking' charges for filming within the Vale of Glamorgan. She also asked about the length of time that temporary traffic lights could be deployed for and the charges around these, as well as enquiring about the prices for planning permission, retrospective planning, enforcement, etc. which she could not see in the report. On temporary traffic lights, it was explained that the Councillor should contact the Cabinet Member for Neighbourhood and Building Services about any concerns on traffic lights that have seemingly been left at a location with no further need, although occasionally the use of such lights may need to be extended at a location due to works taking longer than expected. On the planning fees, the Chief Executive explained that these were set nationally and not by the Council. On filming fees, the Council did benchmark these against other Local Authorities, with Council officers able to use their discretion with the fees, due to this being a very competitive environment.

On Councillor Wood's concerns around the impact of higher fees / charges on high streets and small businesses and the need for a more 'graded' system of car parking charges at coastal parks to encourage greater footfall and accessibility to the public at these locations, the Executive Leader and Cabinet Member for Performance and Resources explained that the Council was looking at a more 'tiered' system of car parking charges in order to encourage footfall and help to increase trade for local businesses. Season tickets could also be bought for the use of the coastal car parks, etc. However, to maintain these car parks and the surrounding areas required

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money and resources and the Council only sought to be cost neutral with the increased fees and charges in order to achieve this.

The Chief Executive wished to add that on the Café Style Licences to trade on the highway, no fee was applied for the consideration of such applications and cited the support the Council had given to local businesses during the Pandemic, i.e. granting licences to business free of charge, with fees kept as low as possible immediately after the end of the lockdown. The increased fees and charges were simply to ensure that the Council was able to continue to operate on a 'cost neutral' basis, with such funding used to i.e. process, monitor and regulate license applications.

Having considered the reference and report, Scrutiny Committee subsequently

RECOMMENDED – T H A T Cabinet be informed of the following comments and recommendations made by the Committee regarding the Vale of Glamorgan Council – Proposed Fees and Charges for 2023/2024, for their consideration:

- That Cabinet considers the potential impact of increased charges on the purchase / service fees of Hygiene Caddies.
- That Cabinet considers the potential impact of increased fees and charges on Café Style Licences to trade on the highway, with regard to local shops, small businesses, traders and the overall high street economy within the Vale of Glamorgan.

Reason for recommendation

To enable Cabinet to consider the views of the Scrutiny Committee when reaching a determination on the Vale of Glamorgan Council – Proposed Fees and Charges for 2023/2024.

735 DRAFT CAPITAL PROGRAMME PROPOSALS 2023/24 TO 2027/28 (REF) –

The reference from Cabinet of 19th January, 2023 as contained within the agenda was presented by the Head of Finance / Section 151 Officer as part of the consultation with, and consideration by, this and other Scrutiny Committees.

Alongside the revenue settlement, the Council had received the provisional settlement for capital, with the bulk of support from Welsh Government (WG) for capital totaling just under £7m made up of approximately £3.5m grant and £3.5m of supported borrowing, which amounted a modest increase of roughly £1m compared to 2022/23 general capital funding. WG had confirmed that the general capital funding would remain at the same level for 2024/25. No further projections beyond this point had been given.

The Council's ambitious 5 Year Capital Programme was also outlined to Members, as well as the related schemes, including their means of funding, via grants contributions and borrowing.

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Following the outlining of the draft Capital Programme and its timetable, Councillor Franks asked about the proposed S106 funding referred to in the report, to which the Executive Leader and Cabinet Member for Performance and Resources referred the Member to the Planning portal on the Council's website, where there was a section detailing S106 and the annual reporting of the same, including allocations of spending, etc. The Councillor raised a number of follow up questions regarding highway resurfacing, the current state of Leckwith Bridge, the glazing works for Penarth Leisure Centre and the Hayeswood Housing Development. It was explained that current spending on highway resurfacing, £1m, was the level historically that had been spent by the Council, plus any additional grants provided by WG. To increase this would require a corresponding increase in Council Tax or reduction in funding for other schemes. On Leckwith Bridge, a report would be produced by Council officers on the structure and its condition. Regarding Penarth Leisure Centre, work was being undertaken around the glazing, but this depended on the clemency of the weather and other factors, although any issues or delays would be reported on. Finally, on the Hayeswood Housing Development, it was explained that the Council would be taking over the contract to continue its construction and further information would be sought.

On Councillor Haines' query about the quite sizeable figures for Edge Switching, these would be checked to ensure that they were accurate; it was explained that this related to a programme of asset renewal work to replace some of the ICT infrastructure across the Council's estate. On the Councillor's query concerning what due diligence was undertaken by the Council in procuring ICT equipment, it was explained that the ICT Team undertook a rigorous procurement exercise and were conscious of the associated security risks.

The Committee also considered the comments provided by the Healthy Living and Social Care Scrutiny Committee on the report, which were endorsed and asked for these to be referred on to Cabinet for their consideration.

Having considered the reference and report, Scrutiny Committee subsequently

RECOMMENDED –

- (1) T H A T the draft Capital Programme for 2023/24 to 2027/28 be noted.
- (2) T H A T the Committee supported the comments made by the Healthy Living and Social Care Scrutiny Committee and asks Cabinet to consider these, namely:
 - As a result of continued diligence shown by Council Officers, Committee are well aware of the significant costs incurred as a result of the requirement to place children and young people out of area.
 - The report is phrased as 'investment-to-save' and as such the Committee commends the report as presented which includes details on investing in community-based specialist accommodation provision despite the enormous financial pressures that the Council is facing.
 - The Committee welcomes the report which demonstrates the Council's approach of putting the needs of children and vulnerable adults before the requirement to save money.

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- As a Council and Committee, we look to offer the best protection we can offer to vulnerable individuals within the Vale of Glamorgan considering the financial constrictions placed upon the Council.
- The Committee thank Finance Officers for a comprehensible report and useful supporting presentation.

Reasons for recommendations

- (1) Having regard to the contents of the reference, appended report and discussions at the meeting.
- (2) In order that Cabinet be informed of the comments made by any of the Scrutiny Committees before making a proposal on the Capital Programme.

736 CAPITAL MONITORING FOR THE PERIOD 1ST APRIL TO 30TH NOVEMBER 2023 (DCR) –

The report, presented by the Head of Finance / Section 151 Officer, provided an update on the progress of the Capital Programme for the period 1st April to 30th November, 2022. The report also set out any requested changes to the 2022/23 and future years' Capital Programme.

The report noted the current approved Programme of £90.413m but it was important to note that this was unlikely to be delivered and slippage was requested of £2.369m. Schemes would continue to be monitored closely as part of the regular monitoring arrangements with project managers and sponsors. Further slippage would be reported in future reports, although it was important to note that Council officers were doing their utmost to deliver these schemes, despite various ongoing challenges.

Reference was also made to capital schemes carried forward into the 2023/24 Capital Programme, i.e. Free School Meals and the Business Service Centre 2. Also mentioned were the additions, increases and movements in the 2023/24 Capital Programme, i.e. concerning the Barry Leisure Centre Boiler and the Building Stronger Communities Grant.

Having considered the report and all the issues and implications contained therein, Scrutiny Committee

RECOMMENDED –

- (1) T H A T the progress made on delivering the 2022/23 Capital Programme be noted.
- (2) T H A T the use of Delegated Authority as set out in the report be noted.
- (3) T H A T the use of Emergency Powers as detailed in the attached Appendix be noted.

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(4) T H A T the changes to the 2023/23 and future years' Capital Programme, as set out in the report, be noted.

Reason for recommendations

(1-4) Having regard to the contents of the report and discussions at the meeting.

737 REVENUE MONITORING FOR THE PERIOD 1ST APRIL TO 30TH NOVEMBER 2023 (DCR) –

The report, presented by the Head of Finance / Section 151 Officer, provided an update on revenue expenditure for the period 1st April to 30th November, 2022.

Key areas outlined included the revised budget for transfers (including Insurance and ICT Licences); virement from Policy to Corporate Resources for Project Zero and Budget Transfers within the Place Directorate to reflect some restructuring.

Also referred to, was the generally reduced need from services of a contribution from the Policy underspend to offset additional pay costs; efficiencies in Policy and Resources having been addressed; policy underspends (i.e. continuing to internally borrow); use of reserves (i.e. for Oracle and HGV Drivers) and the benefits the Council had accrued from the increase in interest rates from the Bank of England rate rises in terms of investment income.

The Vice-Chair asked about the current overspend regarding Oracle. It was explained that the latest reported figures concerning this were contained with the report, but that a further report to Cabinet in April would have the most up to date figures.

On the Chair's query around transport pressures costs, this was confirmed as being around HGV drivers as opposed to PSV drivers for schools.

Having considered the report and all the issues and implications contained therein, Scrutiny Committee

RECOMMENDED –

(1) T H A T the position with regard to the Authority's 2022/23 Revenue Budget be noted.

(2) T H A T the arrangements to offset the projected overspends in 2022/23 as set out in the report be noted.

(3) T H A T the Amended Revenue Budget or 2022/23 as set out in Appendix 1 to the report be approved.

Reasons for recommendations

(1&2) Having regard to the contents of the report and discussions at the meeting.

No.

(3) To adjust the Amended Revenue Budget for 2022/23 for movements between Directorates.

738 CHIEF OFFICER APPRAISAL SCHEME – PROPOSED MODIFICATIONS (DCR) –

The report, presented by the Head of Human Resources and Organisational Development, sought the Committee's endorsement of proposals to refine the Chief Officer Appraisal system.

The current Chief Officer Appraisal Process had been in place since 2012, with only minor adjustments. It was therefore timely to now look at a revised approach as to how the Council reviewed the performance of its Chief Officer grades.

The proposed changes to the Chief Officer Appraisal Scheme were considered initially by the Senior Leadership Team on 15th November, 2022, the Trade Unions and Diversity Networks were briefed in November 2022. Heads of Service were initially briefed on the proposed changes in January 2023.

The proposal supported the principles of Performance Management best practice and the current Appraisal process, but sought to enhance and provide more rigour to the process through the following measures:

- Robust SMART (Specific, Measurable, Achievable, Results Focused, Timebound) objectives and targets, both behavioural and technical should be agreed for all participants both fairly and consistently;
- Behavioural competency reflected the expectations contained within the Senior Leaders Competency Framework;
- Increase frequency from an annual review to quarterly reviews – this supported best practice performance management of moving away from a single looking back appraisal, to multiple touch points looking forward;
- Moving towards coaching conversations focusing on a strengths-based improvement, based on robust data and evidence linked to clear objectives;
- Encouraging a rounded view of performance through peer review and 360 feedback;
- Use of a suitable rating scale that supported both technical (what) and behavioural (how) assessment and provided a reliable assessment using the full breadth of scale;

The above would help to ensure that the performance process was more forward-looking and to look at what the future requirements were for the organisation as well as looking back.

The updated Chief Officer Appraisal system, if approved, would be introduced from 1st April, 2023 with a trial period being undertaken in order to help inform, improve and prepare the Appraisal system for its full roll out from April 2024.

No.

Following the presentation of the report, the following comments and questions were raised by the Committee.

Councillor Carroll welcomed the move to a competency-based framework and assessment and felt that this would help to improve output and performance.

The Vice-Chair asked what mechanisms were in place to ensure that Council officers, especially at the most senior level, were not solely reviewing one another and that a wider range of officers and Council staff were included to ensure as wide a range of opinions were considered as possible. It was explained that such reviews would be led by the Council's Organisational Development and Learning team who would ensure that there was a wide range of opinions and staff involved, such as line managers and other team members, as well as the Equalities Team.

Councillor Haines also raised the issue and risks of 'peer review' and how these could be adequately addressed and monitored by the Council in order to prevent any abuse of the process for appraisals. It was explained that the Organisational Development and Learning team would ensure that the appraisal process would have rigor and that Chief Officers were highly competent professionals who were very constructive in terms of the criticism or feedback they would provide to one another.

Councillor Dr. Johnson felt that the greater number of touch points, a greater amount of reflection and more frequent appraisals as part of the updated process would be beneficial to Chief Officers in terms of development and performance. Regarding his query on what groups of officers / staff would come under this Chief Officer Appraisal system, it was explained that the Council was looking to integrate all Chief Officer grades into this appraisal process. On his query about possible duplication within the appendices to the report concerning performance / ratings matrixes, this would be looked into by the Head of Human Resources and Organisational Development.

Regarding Councillor Wood's query on the setting of targets as part of the appraisal process, and the need for 'quantifiable' targets (such as efficiencies and savings achieved) to be set alongside behavioural ones, it was explained that these would be addressed in the appraisal process through the use of SMART objectives, based on competency and performance, as aligned to the Annual Delivery and Team Plans. The performance framework as part of the appraisal process would also be clearly visible and transparent.

Having considered the report, Scrutiny Committee

RECOMMENDED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T the proposals for Chief Officer Appraisals be referred to the Cabinet meeting on 16th February, 2023 for their endorsement prior to final consideration and approval by Council on 6th March, 2023 in order to introduce the new scheme from 1st April, 2023.

No.

Reasons for recommendations

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) To seek endorsement from Cabinet for the proposed changes to the appraisal system and enable all Council Members to consider the proposals in line with the Council's Constitution to enable the new scheme to operate from 1st April, 2023.

739 DRAFT VALE OF GLAMORGAN COUNCIL ANNUAL DELIVERY PLAN 2023-24 (CX) –

The report, presented by the Director of Corporate Resources, set out how the draft Annual Delivery Plan (ADP) 2023-24 had been developed, the outcome of the consultation and the subsequent changes to the Plan, as well as detailing the activities that would be undertaken in 2023-24 to deliver those objectives.

This was being brought to the Committee as the main Scrutiny Committee with oversight of the ADP, prior to it being presented to Cabinet and then on to Full Council.

The Plan also detailed three critical challenges which would be a key focus for the organisation in 2023-24. These were: cost of living, Project Zero and organisational resilience.

The commitments within the Plan would be reflected in Annual Service Plans together with a suite of performance measures which would detail how different Council services would contribute to the delivery of the Council's four Well-being Objectives.

From the consultation exercise, people largely agreed with the objectives and with the focus in terms of the critical challenges, but there was also a call for further specific detail in terms of what activities the Council were undertaking and the use of 'plainer' language, which would be addressed by producing a plain language version of the ADP.

The Vice-Chair stated that further work needed to be done in reaching out to the public and others in order to gain a larger, broader and therefore more representative 'base' of people surveyed as part of the consultation and to help rebuild trust and engagement with public services, following Austerity. This was also echoed by the Chair, particularly in light of the cost of living crisis. It was explained that work was already being undertaken to run a public opinion survey to help inform the next self-assessment.

Councillor Wood also endorsed the importance of using plainer, less 'Corporate' type language in the ADP, in order to encourage public engagement.

Having considered the report and all the issues and implications contained therein, Scrutiny Committee subsequently

No.

RECOMMENDED – T H A T the updated draft Annual Delivery Plan (attached at Appendix A to the report), the consultation feedback report (Appendix B to the report) and the Equality Impact Assessment (Appendix C to the report) be noted.

Reason for recommendation

Having regard to the contents of the report and discussions at the meeting.