

Complete Agenda

CABINET

GWYNEDD COUNCIL

DATE	Tuesday, 23rd July, 2019
TIME	1.00 pm
LOCATION	Siambr Hywel Dda, Council Offices, Caernarfon, Gwynedd, LL55 1SH
CONTACT POINT	Annes Siôn 01286 679490 cabinet@gwynedd.llyw.cymru

GWYNEDD COUNCIL CABINET MEMBERS

Members	
Dyfrig L. Siencyn	Leader
Dafydd Meurig	Deputy Leader, Cabinet Member for Adults, Health and Wellbeing
Craig ab Iago	Cabinet Member for Housing
Gareth Wyn Griffith	Cabinet Member for Environment
Nia Wyn Jeffreys	Cabinet Member for Corporate Support
Dilwyn Morgan	Cabinet Member for Children and Young People
Gareth Thomas	Cabinet Member for Economic Development and Community
Ioan Thomas	Cabinet Member for Finance
Catrin Elen Wager	Cabinet Member for Highways and Municipal
Cemlyn Rees Williams	Cabinet Member for Education

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Agenda Item 5

GWYNEDD COUNCIL CABINET



Report to a meeting of Gwynedd Council Cabinet

Date of meeting: 23 July 2019
Cabinet Member: Councillor Nia Jeffreys
Contact Officer: Iwan Evans, Monitoring Officer
Geraint Owen, Head of Corporate Support Department
Morwena Edwards, Director of Social Services

Contact Telephone Number:

Title of Item: Reports on the Council's Complaints and Service Improvement Arrangements

1 THE DECISION SOUGHT

To accept the reports.

2 BACKGROUND

Corporate Complaints Procedure

2.1 Under the Council's Corporate Complaints Procedure an annual report must be presented to the Cabinet, summarising the lessons learned over this period and showing how they have contributed to improving the way services are delivered. Due to restructuring within the Service, a report was not produced for 2017/18, but the relevant information is included in this Report.

Social Services Complaints Procedure

2.2 The Council also has a specific complains procedure to deal with Social Services complaints. Under this Procedure it is necessary for the Director of Social Services to produce an annual report on how complaints are investigated and dealt with within the Service. It is also necessary to give a summary of the lessons learnt and the steps undertaken regarding the complaints received.

The Ombudsman

2.3 If a complainant remains dissatisfied having followed the Council's complaints procedure, they can refer the matter to the Public Services Ombudsman for Wales, who can investigate the complaint if it is deemed to be appropriate. In addition to publishing an Annual Report, the Ombudsman will send an Annual Letter to each individual authority.

2.4 It is felt that by looking at the three elements together, we can offer Members a picture of the whole situation across the Council of how complaints are dealt with and how lessons can be learnt in order to improve services. It was therefore decided that it would be appropriate to present them together to the Cabinet.

The following documents are offered for the Cabinet's attention:-

- **The Annual Report for 2017-19 for the Corporate Complaints Procedure**
 - **The Annual Report of the Director of Social Services for 2018/19 (2 reports Children and Adults)**
 - **Annual Letters from the Ombudsman for 2016/17 and 2017/18**
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Local Member's views

Not a local matter.

Views of the statutory officers

Monitoring Officer:

Clear and robust arrangements for dealing with complaints are a key part of ensuring the propriety in the Councils governance. The corporate commitment to learn and improve are essential to avoid allegations of maladministration and improve services. There is close contact between this team and the Corporate and Social Services complaints systems providing advice and guidance. The report provides assurance to the Cabinet that the statutory and non-statutory complaints systems are being implemented in accordance with the requirements.

Head of Finance Department:

The Council's services are expected to try to resolve issues and learn lessons within the current resources of the relevant departments.

CABINET REPORT	23 July 2019
SUBJECT	Complaints and Service Improvement Annual Report 2017/18 and 2018/19
CABINET MEMBER	CLlr Nia Jeffreys, Cabinet Member – Corporate Support
OFFICER	Geraint Owen, Head of Corporate Support Department
AUTHOR(S)	Service Improvement and Complaints Coordination Team, Service Improvement Officer (SIO)

1 Purpose of the report

The Report summarises developments in *Complaints and Service Improvement* over the two years from 2017-2019. A report was not submitted for 2017-2018 because of restructuring the services, teams and roles.

The report emphasises the responses to complaints, in order to improve the service, and shows successes through narrative in the report. Obstacles to overcome are also highlighted in order to continue to improve and develop, likewise are the proposed steps.

The Cabinet receives this report as part of the Council's Complaints and Concerns Policy.

2 Decision sought

To accept the report

3 Background

3.1 The procedure adopted by the Council is in accordance with the Model Concerns and Complaints Policy and the Guidance published by Welsh Government, and produced under the supervision of the Public Services Ombudsman for Wales. This is advantageous as it is consistent with the complaint procedures of other public bodies, making it easier for members of the public to submit complaints across public organisations.

3.2 The procedure was adopted by the Cabinet with the following aims:

- Providing a specific benefit for the citizen by focusing on the solution rather than the process. It will allow for complaints to be dealt with more swiftly, by removing one step of the current process, which is fairly laborious and lengthy.
- It will allow complaints which involve more than one department to be better coordinated, and will enable the coordination of complaints which involve external agencies or partners.
- By establishing a central, comprehensive database, it will be possible to keep an overview of the pattern of complaints and to learn lessons as an organisation.
- It is anticipated that the procedure will be better aligned with the Council's new culture of empowering staff to make decisions and to deliver one of the work streams of the "Ffordd Gwynedd" project.

The Procedure

3.3 A complaint is defined as follows:

- an expression of dissatisfaction or concern
- either made in writing or verbally or by any other means of communication
- made by one or more members of the public
- it is in relation to how the Council has acted or failed to act
- or it is regarding the standard of service provided
- and there is a need to respond to it.

A complaint is not:

- an initial request for service, such as informing about a faulty street light
- an appeal against a decision that has been 'made appropriately'
- a way of seeking a change in legislation or a policy decision that 'has been made appropriately'
- a way for lobbying groups/organisations to promote their case.

This procedure is not relevant to users of social services as there is a statutory procedure for them. Schools also operate their own complaints arrangements.

There are two steps to the procedure:

Informal Resolution

3.4 This step offers the complainant an opportunity for informal contact at the place where the service is provided in order to seek a resolution to complaints either as the concern arises or very soon thereafter. Dealing with complaints should be an integral part of service provision and staff are encouraged to consider whether the complaint can be resolved 'there and then'.

3.5 The aim of the procedure is to provide a system that is simple, flexible and places an emphasis on reaching the most appropriate outcome for individuals and services. The arrangements allows the Council to deal with concerns in a far more proactive way by focusing on people's needs. This means solving the problem rather than focusing on the complaints procedure itself.

Formal investigation

3.6 If is not possible to resolve the complaint informally, the complainant can refer it for a formal investigation. *"Investigate once, investigate well"* is the principle for this step of the process. The emphasis is given on one investigation to thoroughly deal with the concerns raised. Usually, an officer within the department who is sufficiently senior and who is independent from the source of the complaint will usually carry out the investigation. From time to time, this will not be appropriate and the complaint will be investigated by an officer who is independent from the department in question. Unlike informal resolutions, all formal complaints are centrally recorded.

3.7 The complainant may take the complaint to the Ombudsman if dissatisfied with the Council's formal response.

3.8 Overview of the steps.

- Complaints come in from various directions - On-line Praise and Complaints form; via e-mail or letter; over the phone; through workplace visits; or through a message from a colleague;
- The Complaints Box is monitored throughout the day and every effort is made not to have complaints awaiting without having passed them on for attention;
- Every complaint that is submitted through the Complaints Box is recorded under its relevant category, as follows: Formal, Informal, or Ombudsman. The name and address of the complainant, if known, and the date the complaint was received and the category to which it belongs are noted;
- Every effort is made to acknowledge a complaint on the day it comes in, wherever possible, if this is a normal working day. An e-mail or letter is sent to confirm receipt. The complaint will then be passed on to the relevant service for attention;
- The SIO, or colleague in his/her absence, monitors the date of response to the complaint and will remind the Service of the requirement to respond promptly where possible. They are also asked to inform the customer if likely to fail to respond in time;
- A report is presented to the Corporate Management Team every six months explaining the way services could be improved as a result of the complaints that are received. Also, in accordance with the procedure, an annual report must be submitted to the Cabinet.

The emphasis is now on Service Improvement after complaints are received, in order to avoid such a complaint in future.

We aim to discover whether any patterns or trends are emerging.

By now, the report focuses on Valid Formal Complaints and Ombudsman Complaints, as Services deal with informal complaints themselves.

A 'valid complaint' means that there are valid grounds for the complaint, and if it is not satisfactorily resolved it could then become a complaint for the Ombudsman

	2017/18 Numbers	Numbers 2018/19
Type of Complaints	Total	Total [1]
Formal Complaints (Valid)	32	49
Complaints for the Ombudsman	24 18 No Investigation 4 No Investigation (Premature) 0 No response 0 Settlement 0 Open investigation 2 Reports	32 16 No Investigation 9 No Investigation (Premature) 0 No response 5 Settlement 0 Open investigation 2 Reports[2]

No Investigation means that the Ombudsman, after initial consideration, is satisfied with the way the Authority has dealt with the matter and no further investigation is required. It could also be a matter beyond its jurisdiction.

Premature means that the Ombudsman believes that the Authority has not yet been given the opportunity to consider the matter. These would usually be referred to the Council for consideration, usually under the complaints procedure.

4. Service Improvement

As previously reported, the Services' have cooperated well with the procedure in general, and in fact several have mentioned that they have found the procedure to be very valuable.

Section 1 contains examples of the complaints received and provides detail about:

- The way services try to satisfy those who have submitted complaints
- Steps taken to consequently improve services.

Before introducing the procedure in 2015, the length of time for complaints to be open was not measured. Since then, we have developed a procedure to measure the average time that complaints are open. The figure for 2018/19 is 8.6 days. Our intention for the future is to use this as a baseline for comparison and to provide an additional performance measure.

It must be noted that the number of complaints received by a service does not necessarily reflect the standard of service provided and these results cannot be considered in isolation. The nature of the services provided heavily influence results. Among the factors that could have an impact on the figures are the rate of direct contact with customers, the service's public profile, or whether an individual has other formal ways of rectifying issues or submitting an appeal. In order to illustrate the context, please bear in mind the number of times each day the Council's Services and the public have contact in order to provide a service, compared with the number of complaints received.

5 Looking to the Future/Next Steps

Services will be informed, when attending Management Team meetings, that the Team is able to provide customer care training, using complaints as a learning tool. Services will be advised about the type of training held with the Leisure Service.

The Successes Wall is in the process of being created and will be set up shortly. Section 2 contains examples of the types of comments received.

These comments have come from the praise received by customers on the praise form on our website. Via e-mail or letters, or over the telephone. Positive feedback is also received following a complaint, and the feeling is that it is very important to celebrate and share this positive feedback/praise among the services. The document will be on "Wordpress" and will be uploaded onto the Intranet. It will also be available for field staff via a link to the Council staff Facebook page. Much of the praise is about our field staff and we believe it is important to celebrate this and ensure they are seen. This is certainly a way of raising staff morale, when they feel appreciated. Discussions are in the pipeline with the Internal Communication Team about how to use the successes wall to coincide with the Council at its Best Awards.

The SIO and Organisational Learning and Development Manager mention the Successes Wall when meeting the Service Management Teams, and the many comments received by the Services directly praising them are forwarded to the SIO's attention.

The Management Team has seen many examples in the past where we have experienced problems with some Services' responses to the procedure and some elements persist in these Services. If things do not change we will seek the support of the Management Team in an attempt to move things on further.

Section 1

Examples of some complaints received over the two years 2017/18 and 2018/19

1.1 Corporate Support (Customer Care)

1.1.1 Nature of the Complaint

A customer who was attempting to renew a Post-16 Travel Pass on-line submitted a complaint. Unable to complete the renewal process for the ticket for some reason. This meant a failure to receive the pass on time. The customer was, therefore, obligated to pay an additional fare to travel on the train. Lack of clear communication between the Council and bus company. Another customer who had experienced similar problems enquired about the same matter. This customer did not wish to make a complaint about the issue but was grateful that the service was already looking into the process.

1.1.2 Service's Response/Service Improvement

The Service investigated two cases and found that a fault existed in the on-line renewal/payment process. Apologies were issued to the customer, together with an explanation of what had gone amiss.

1.1.3. Lessons Learnt

Service's Comments

The service had arranged for the Post-16 Travel Passes to be put on an FFOS priority list. This meant that the process would be reviewed with the end of August as the set target for the new procedure to be operational on FFOS. Until the change ensues, the Team Leader will monitor the situation with the aim of preventing another customer from experiencing the same problem.

The Service also held discussions with the company in order to improve future communication.

Furthermore, the matter was discussed with the Education Department and that Service agreed to refund the customer for the additional costs incurred because of the problem.

1.2. Waste and Recycling Service

1.2.1 Nature of the Complaint

A customer had complained about losing 3 sets of recycling bins over the past 3 months. Consequently, the customer was unable to properly recycle waste. The customer claimed that the bins were not being returned to their rightful places by the collectors, and that they were being left at the end of the street. The collections were every fortnight anyway, and this created problems as the house lacked space in which to store them

1.2.2 Service's Response/Service Improvement

The Team Leader had a word with the collectors noting that they would monitor the situation for a while.

1.2.3 Lessons Learnt

Service's Comments:

The Refuse/Recycling Collection Team, Team Leaders and Refuse/Recycling Officers did their best to provide the best possible service for customers.

In this instance, we have learnt the importance of leaving the bins/boxes tidily and at the right spot following collections.

I telephoned the customer today and received confirmation that things had improved since her complaint was submitted.

1.3 Transportation Service - Transporting Children with Disabilities to School

1.3.1 Nature of the Complaint

A customer complained about safety standards and lack of service from a taxi company contracted to transport his child to school.

- Taxi failed to turn up to collect the child on more than one occasion and no one had contacted the parent to explain the situation, neither from the company nor from the Council
- Because of the child's condition, such situations are unfortunately highly upsetting for him/her

1.3.2 Service's Response/Service Improvement

The Service has investigated to find out the cause. Had sent the customer a letter stating that a new company would be taking over the school transportation contract.

1.3.3 Lessons Learnt

Service's Comments:

Certainly there are lessons to be learnt from the complaint. Greater communication is needed between everyone involved with the contract.

We intend looking carefully at the process of commissioning transportation for pupils with ALN, in the hope of making every possible change that will lead to a service that better meets the needs of ALN pupils who will require transportation in future. The Transportation staff, and the Education Department staff are currently working on this. The intention is for drivers/passenger assistants to receive training about the condition of the pupils being transported. They do not currently receive any training. It is also hoped to produce a small booklet with guidance for workers and parents listing what to do when such a situation arises.

1.4. Leisure Service

1.4.1. Nature of the Complaint

Complaints were received from two customers who wished to draw the Leisure service's attention to a dangerous situation at a swimming pool. Both customers noted that the pool was busy on the day in question, a great many children and older people swimming across each other.

1.4.2 Service's Response/Service Improvement

The Service investigated the case and saw that all appropriate steps had been taken in line with NOP standards (Normal Operating Procedures). Unfortunately, the CCTV camera was not working at the time so there is no evidence of the situation on film.

1.4.3 Lessons Learnt

Service's Comments

The Service has agreed to trial the use of lanes for such occurrences from now on, in the hope that this will make such a situation safer for everyone in the pool.

1.5. Maritime Service

1.5.1. Nature of the Complaint

Complaint about a member of the Maritime staff.

1.5.2 Service's Response/Service Improvement

After the Service Manager investigated the matter, an apology and explanation was sent to the customer about the situation, thanking him/her for drawing the complaint to the attention of the service.

1.5.3 Lessons Learnt

Service's Comments

The manager discussed the matter with the officer in question to prevent a similar situation from arising again.

1.6. Planning Service

1.6.1. Nature of the Complaint

Customer had complained more than once about a local enforcement matter that was being ignored by the Council.

According to the customer, the same problem had been going on for around 9 years. It was affecting her and other residents in the community. The customer felt that the service was not taking her complaints seriously, as she was not receiving any responses.

1.6.2. Service's Response/Service Improvement

An apology was issued to the customer for not responding previously, and an explanation given as to the cause. The situation was highly complex for the service to resolve in the first instance, specific implications deriving from the case. The Service had to await a response/resolution to another complex situation before this situation could be resolved unfortunately.

1.6.3. Lessons Learnt

Service's Comments

The service has realised the importance of keeping regular constant with the customer about such situations. Communicating about any development regarding the situation is crucial at all times. When an officer explains the situation to a customer, it is easier for them to accept any situation. '

1.7. Transportation Service

1.7.1. Nature of the Complaint

Complaint had been received about the process of tendering for the school buses contract. The customer had submitted a tender for the contract but had been unsuccessful. The customer did not believe that he had had enough time to prepare the tender etc. Felt the timing meant that he was not given a fair opportunity to submit a tender.

1.7.2. Service's Response/Service Improvement

The Service had arranged a face-to-face conversation with the customer at once to explain the procedure. Had also asked the Internal Audit Service to look into the tendering process. Internal Audit confirmed that everything had been done correctly. [3]

1.7.3. Lessons Learnt

Service's Comments

It is likely that the lesson that learnt from dealing with Mr X is the importance of including bus companies similar to his early on in our discussions.

We often depend on small bus companies such as Mr X's to assist us in emergencies. It is counter-productive, therefore, to put distance between us and similar companies.

1.8. Revenue Service

1.8.1. Nature of the Complaint

Customer had complained about the lack of response/resolution from the Revenue Service. He had contacted them several times already about the status of his property's bill. The Service claimed that it was classed as a second home but that the customer claimed it had been let as holiday accommodation for years. The matter was resolved for a period of about three months then the process recommenced.

1.8.2. Service's Response/Service Improvement

The Manager explained the situation to the customer but he was not happy with the initial explanation.

The customer paid the bill but noted that he had lost faith in the Council Tax Unit. The complaint was sent back to the service for further attention by the SIO.

1.8.3 Lessons Learnt

Service's Comments

- The main improvement offered to Mr and Mrs Y was to get in touch with individuals within the Department to avoid a three to four week delay over spring and summer. Mr and Mrs Y did not take this opportunity. The next solution was to reduce the delay caused by the introduction of the premium on second homes and long term empty properties.
- The flow of enquiries into the Department was looked at, as was the nature of the complaints received. Briefly, the main changes were:
- Buying a 'call centre' telephone system with a message that the call was in a queue rather than the phone call being missed.
- Moving an experienced member of the telephone calls response team to 'sit' on the e-mails daily and deal with straightforward enquiries there and then, and refer complaints / complex enquiries to the attention of individuals.
- Ensure that letter / e-mail enquiries are processed at once into the electronic 'work flow'.

1.9 YGC

1.9.1. Nature of the complaint

Complaint received by a customer about the fact that his drinking water was being polluted as the land further up the road from his home was not being drained. He claimed the Council should have supported him with the matter. The customer felt that YGC was at fault for the lack of communication about the problem, felt that they should have done more to help him with the situation. Part of the case also involved Public Protection. They went to test the water etc. in line with requirements. The customer had noted that he did not intend taking the matter regarding Public Protection forward, and therefore did not expect a response to his complaint from them.

1.9.2. Service's Response/Service Improvement

The Consultancy Service investigated the matter but was unfortunately unable to be of much assistance because of statutory responsibilities.

1.9.3. Lessons Learnt

Service's Comments

Having reviewed the response to Mr Z's situation and the advice offered after the incident, we realise why Mr Z feels frustrated with the situation. Unfortunately, because of our statutory responsibilities, it was not possible to deal with the situation any differently. In order to gain clarity on the responsibilities for this type of problem we intend to prepare a short booklet explaining to victims of flooding or pollution incidents our exact responsibilities and our ability to assist. Contact details for other bodies or departments (Natural Resources Wales or Public Protection for example) that could help in such situations as these would also be included. This booklet will be shared with victims, or anyone concerned about flood risk, and the hope is that it will be of practical assistance and will help manage expectations.

1.10. Planning Service

1.10.1. Nature of the Complaint

This was a complaint involving equality. A customer had noted his disappointment that the relevant option was not available on an on-line form, no Mr & Mr option available.

1.10.2. Service's Response/Service Improvement

The Service responded and thanked the customer for bringing the matter to its attention. An apology was offered and an acknowledgement that this was a shortcoming on the form. The option had since been added following discussions with the Equality Officer.

1.10.3 Lessons Learnt

Service's Comments

The Service realised the need to update such documentation with the relevant options. Also, an opportunity for the Equality Officer to extend this across the Council, perhaps in case other documentation needed to be updated.

1.11. Revenue Service

1.11.1. Nature of the Complaint

A customer unhappy that she was given a tax bill for a property following the death of a family member. She did not accept that the Service needed further evidence from her to confirm that the property was empty and that "Probate" had not yet gone through. Also, disappointed that she received copies of the bills with written notes on them but no letter to explain the situation.

1.11.2. Service's Response/Service Improvement

The Service contacted her to try to further explain the rationale behind needing the evidence from her. These were statutory requirements for them. The service explained that they needed a letter from her solicitor explaining the situation.

1.11.3. Lessons Learnt

Service's Comments

To avoid such a complaint in future, arrangements need to be put in place to prevent correspondence being sent to customers with notes scribbled on them. And, to ensure a letter is sent along with the bills, etc. clearly explaining why evidence is required in specific cases. It is vitally important to show empathy when needed, it is critical if dealing with a complaint in sensitive cases.

1.12. Revenue Service

1.12.1. Nature of the Complaint

Customer complained about a lack of response from the Service and that she had received the incorrect bill. Also, that an officer had answered her call and as she spoke Welsh the officer asked her whether she wanted to speak to someone in Welsh? Then, when transferred to another Welsh-speaking officer, she was told that she would have to follow the official complaints procedure if she wanted to make a complaint. When she asked him why he was unable to respond to her complaint, she was told that it was not his place to pass on complaints, that he was not permitted to do that.

1.12.2. Service's Response/Service Improvement

The matter was investigated and the officers in question were identified. The first officer was not confident enough to communicate in Welsh with the customer but is an enthusiastic learner who had transferred to the service from another service. An apology was issued about this shortcoming and also about the second officer's response. There is a procedure within the Service to deal with complaints as soon as possible, not to refer people to follow the complaints procedure.

In relation to the bill sent out, an explanation was given as to why this had happened - it was because the customer had stopped her Direct Debit etc. As soon as the customer provided the details and correct evidence, the matter was resolved.

1.12.3. Lessons Learnt

Service's Comments

Not a substantial complaint. None to note.

1.13. Housing Service

1.13.1. Nature of the Complaint

A customer had sent in a complaint about the lack of response from the service to his request for information about grants to renovate an empty property.

1.13.2 Service's Response/Service Improvement

The Service sent him a response and offered an apology for the lack of response previously. Explained the process about which he had enquired.

1.13.3. Lessons Learnt

Service's Comments

We believe that there are two lessons here for us to consider.

Need to ensure that guidelines are entirely clear and outline situations where individuals are not able to/do not qualify. Although we believe the information was included, the complainant had interpreted this differently.

Need to consider the way we communicate or confirm a situation. It would have helped to note that he did not qualify rather than not responding.

1.14. Parking Service

1.14.1. Nature of the Complaint

Customer complained about the situation of cars double parking near her home. This created problems for her as she tried to turn into the street where she lives. She noted that she had complained about this before but had not, unfortunately, received much response.

1.14.2. Service's Response/Service Improvement

An officer from the Parking Team arranged to visit the site to discuss the problem with the customer. Also to see whether anything could be done to improve the situation and make it safer for her and her neighbours.

1.14.3. Lessons Learnt

Service's Comments

The Service noted how important and valuable it was to go out to the site to see the customer rather than trying to interpret the situation over the phone or via e-mail. This gives the customer the genuine impression that you want to help them.

1.15. YGC

1.15.1. Nature of the Complaint

Customer had complained about poor communication by the Gwynedd Consultancy and Assembly officers about road works near her home. Felt that she was not being given enough information and that she would be confined to her house whilst work was going on.

1.15.2. Service's Response/Service Improvement

The Service had contacted the customer directly to ask about the basis for her concerns. They had already held meetings locally, had distributed letters from door to door, and communicated regularly with customers who would be affected by the situation. They telephoned, texted and called at their homes to discuss. The Service had already arranged work to create passing places on other roads from the customer's home over the works period. Had also negotiated with the relevant farmer to create a parking place for the customer in his field. The owners of three other properties affected seemed entirely happy with the situation.

1.15.3. Lessons Learnt

Service's Comments

Although YGC follows the statutory process in all cases like this one, we also carry out a 'Letter Drop' for nearby residents. Some respond asking for more information or to note concerns, this happened with some in this case. However, we must not take for granted that everything is going smoothly if a response from residents is not forthcoming. In future, we must endeavour to contact those who have not responded.

1.16. Transportation Service

1.16.1. Nature of the Complaint

Customer unhappy that she was not receiving regular updates from the Service about what was happening with painting yellow lines to restrict parking. The customer had already complained about this some months earlier.

1.16.2. Service's Response/Service Improvement

The Service apologised for the lack of communication with the customer about the situation, and had sent her an update and had promised to improve communication from now on.

1.16.3. Lessons Learnt

Service's Comments

The service has realised the importance of keeping regular and timely contact with customers in order to keep them in the picture.

*** The same person complained again in April 2019 about the same problem, which is lack of communication.

1.17. Corporate Support

1.17.1. Nature of the Complaint

Had received a complaint about a lack of response to a Freedom of Information request. The Customer contacted the Service on several occasions and had been forced to turn to the complaints procedure because of a lack of response from the Service.

1.17.2. Service's Response/Service Improvement

An apology was offered and an explanation to the customer as to why there had been a delay in responding. An explanation was given to the customer of the way the Freedom of Information system worked etc.

1.17.3. Lessons Learnt

Service's Comments

An internal meeting was held between the Freedom of Information Team and the SIO, and then with the Senior Manager and Head of Service. A lack of clarity regarding the complaints procedure was identified, and as a result the Service decided to remap their existing process to see where improvements could be made. The officers dealing with the requests had good and fair ideas on how to try to improve things.

1.18. Property Service

1.18.1. Nature of the Complaint

Customer got in touch to state his disappointment that he felt that the Property Service had misled him with regards to the purchase of a parcel of land the Council was selling.

The customer's complaint specifically referred to the lack of response from the Property Service and the fact that it refused to pay compensation for the financial loss following the purchase/enquiries.

1.18.2. Service's Response/Service Improvement

After receiving the formal complaint, the Senior Manager within the Service has considered the situation and has apologised to the customer about the matter. He has also arranged to pay compensation for a proportion of the financial loss.

1.18.3. Lessons Learnt

Service's Comments

What we have learnt is that we need to be explicitly clear when referring prospective buyers to the Planning Service. It was suggested to the buyer that he would need planning permission before we could sell the land in question. The prospective buyer went on directly to submit an application and paid an application fee of over £1000. Had we noted that he should have made enquiries or that he should have followed the similar "pre-app" process, he would have discovered that he would not have been given permission, without paying the fee. We have since amended our internal arrangements.

1.19. Waste and Recycling Service s

1.19.1 Nature of the Complaint

The customer had had to complain once more, the third or fourth time his recycling boxes had been left in disarray across his entrance following collection. Not only that but some of the content was regularly dropped and left on the floor near the boxes. The customer had now had enough of the situation and, unfortunately, had considered not recycling because of it. He was also complaining on Facebook about the standard of the Service received by the Council.

1.19.2. Service's Response/Service Improvement

The Recycling Officer noted that the customer had been in touch through the FFOS system also to complain and that he had contacted the customer to discuss the matter. The Officer noted that he had been monitoring the situation since the last complaint in December. He extended an apology to the customer again on behalf of the Service.

1.19.3. Lessons Learnt

Service's Comments

The Recycling Officer would talk to the Senior Team Leader and ask the workers to take care when emptying the cart and to ensure they return them to the collection point after collection.

SIO had asked the customer when writing the report to see whether things had improved, his response was that he still had a good week and a bad week, he added: "I will share that last Monday was very tidy!" (week of 15 April 2019).

SIO suggested that the customer keeps a record for the next month. It would then be easier to target the workers that create the problem to try to find a permanent resolution to the matter.

1.20. Waste and Recycling Service

1.20.1. Nature of the Complaint

Complaint had come in from a customer about the untidiness around the bins on the street where she lives. Equipment was broken and some residents did not seem to recycle at all. People were also putting things in other residents' bins, as they did not have their own containers. Items that should be recycled were being put in the refuse bins. She claimed that the situation had been going on for at least three years. Every time she contacted the Service she said she would get a negative attitude and they claimed that the mess was the residents' fault.

1.20.2. Service's Response/Service Improvement

The Service had gone to investigate the condition of the site and had seen that a problem existed. Had arranged to clear the site but had also arranged for recycling officers to visit the residents of the street on the next refuse collection day to discuss recycling and to remove refuse. Had distributed a supply of the necessary equipment to residents. It appeared as though some residents were leaving their bins out on the street at all times and this could partly account for the problem.

Unfortunately, the customer came back after contact with the SIO within about three weeks to complain that the odd property still had not received containers and were still not recycling.

An officer from the Street Cleaning Team responded by visiting the street immediately. Saw that there remained a problem. The Officer would endeavour to find out whose bins were out and to arrange a further conversation with them or if they were not at home to arrange to send written correspondence.

1.20.3. Lessons learnt

Service's Comments

The Service faces many obstacles to improve the situation. The Street Cleaning Team did not have s.46 powers to deal with the case; therefore, the only actions possible was to discuss with the customer or send a letter about the situation.

The Refuse and Recycling Team felt frustrated as they had gone to visit the site on several occasions to try to educate the residents. It was noted that the customer who had complained was one of the people who left their bins out all week. The likely reason being that there is no rear access for the bins other than through her house. The Team suggested arranging for the residents who do this to get Hessian sacks to keep at the rear of their houses rather than a bin. Hopefully, this would help the situation. The fact that the bins are out attract seagulls etc. and this then exacerbates the situation.

It is clear that the residents' cooperation is needed to try to improve the situation.

1.21. Education Service

1.21.1. Nature of the Complaint

A customer complained about a letter received from the Education Department about the school dinner payment arrangements. She felt that the tone of the letter was disrespectful and threatening. She personally did not want to pay on-line. This did not reflect the Council's vision and Ffordd Gwynedd, she said. She felt that there was a better way to communicate with parents.

1.21.2. Service's Response/Service Improvement

The Education Service response noted that the letter was to advise/remind parents that dinner money had to be paid regularly and drew attention to the Schoolgateway as a straightforward and convenient way of doing this.

The Schoolgateway system was explained to the customer, with assurance that no bank details would be recorded. It was also suggested to the customer that she could set up a Direct Bank Transfer on the system should she wish. The Schoolgateway instructions were sent to the customer for information.

The Service apologised for the tone of the letter, and reiterated its purpose was to convey information.

1.21.3. Lessons learnt

Service's Comments

Two complaints had been received since sending the letter to parents explaining the new expectations for paying for school dinners at the beginning of January. Both complaints noted that the wording of our letter could be improved in conveying the message. We were aware that describing the developments in the school dinner payment system succinctly would be difficult. Furthermore the transition to a cashless system would occur at a different rate for some parents and schools. It is likely that the letter was not perfectly worded.

Letters were issued about school dinner debts in the press, and the complainant drew attention to the fact that she had never been in arrears to the school. To be fair, no one had said that she had.

The flip side of that, however, was that a great many parents had been in touch (following the invitation in the letter) to use the on-line payment system and enquire about their child's right to a free school meal. This was a very positive outcome to the letter sent to parents, and in my opinion outweighed both complaints received.

Section 2

Successes Wall – Council at its Best Comments

Mrs G from Anglesey commented - Dave Buckley, Excellent Service, support and help provided by one of your staff members. He was so friendly, helpful and he took the time to ensure I would be safe on the road. What fantastic qualities to have in a staff member. Thank you so much for your time and help Dave very much appreciated. (Gwastraff)

Hoffai **Mrs R o Glynnog** Ddiolch yn fawr iawn i Meinir a Kayleigh am gymryd ei chwyn o ddifri ac am ddelio efo'r mater yn gwrtais a phroffesiynol iawn. (Cefnogaeth Gorfforaethol)

I forgot to put my green bin out today and the collectors took the trouble to look in the bin and emptied it. Excellent service. Made me feel a valued citizen. Compliments to collectors concerned. Dyna oedd sylw **Mr E o Lanfachreth**. (Gwastraff)

Nes i sylw am goeden mewn cyflwr peryg, a gafodd o'i ddelio hefo o fewn 24 awr. Mae hynna'n rhoi hyder i mi yn staff y Cyngor, a ddaru o stopio i mi i boeni bysa rhywun yn cael ei frifo meddai **Mr E o ardal Dolgellau** (Priffyrdd Dolgellau)

Hoffwn i ddiolch o galon i'r dynion sydd yn gweithio yn safle ailgylchu Pwllheli. Bob amser yn barod i helpu, clên a digon o amynedd. Tri pheth sydd yn brin iawn mewn llawer maes heddiw. Maent yn llawn haeddu medal aur. Diolch yn fawr iddynt. Dyna oedd sylw **Mrs J o Bwllheli**. (Ail Gylchu Pwllheli)

I had a bulky waste collection to remove, items left by the previous owners of the property. I could not have asked for a more courteous, helpful, efficient, understanding and friendly team. From the lady who handled my telephone enquiry to the men who picked up the collection. The people here understand the needs of residents. It's easy to complain when things go wrong, but I really feel that good service should be recognised. Thank you from **Mr J of Dyffryn Ardudwy**. (Cefnogaeth Gorfforaethol/Gwastraff)

Canmoliaeth ddiennw Mae pawb yma mor gymwynasgar a chyfeillgar. Dwi'n trafeilio 'chydig yn bellach i ddefnyddio'r ganolfan yma oherwydd y staff. Mae genod y llyfrgell yn mynd allan o'u ffordd i ffeindio llyfrau maent yn feddwl y gwnaf eu mwynhau. Maent hefyd yn awyddus cael adborth am y llyfrau, dwi'n hoffi hynny. Mae di neud mi ddarllen mwy. Mae pobl mor barod i gwyno, ond mae angen canmol hefyd lle mae cyfle i wneud hynny. (Llyfrgelloedd/Hamdden Glaslyn)

Comments from Mr P from Groeslon Galw Gwynedd staff should be congratulated on their total professionalism and sense of commitment to service when dealing with calls from members of the public. I would also personally like to thank Meinir, Service Improvement Officer, for showing total commitment to her work. These staff members are perfect examples of why anyone would follow a career in Public Service and their attitude and work ethic too, should be an example for all Council staff to follow. (Cefnogaeth Gorfforaethol)

Repairs to potholes in Pen y Bryn Road Bethesda and Short Street, Gerlan beautifully done. As a result of the repairs my false choppers no longer rattle like castanets in a Benidorm nightclub. Thank you very much said **Mr K from Bethesda** (Priffyrdd Arfon)

Gwasanaeth ardderchog gan y Cyngor. Derbyn y pass y diwrnod ar ôl cyflwyno'r cais i Siop Gwynedd Caernarfon. Staff Siop Gwynedd hefyd yn barod iawn i helpu. Wedi cael gwasanaeth ardderchog a cyflym eisoes yn ddiweddar gyda bathodyn glas hefyd. Da iawn pawb meddai **Mrs J o Bontnewydd**. (Cefnogaeth Gorfforaethol - Siop Gwynedd Caernarfon)

Just wanted to express my sincere thanks for an outstanding efficient response. To have the matter rectified within 24 hours was awesome! The crew who attended (Gerwyn, Ieu, Cellan) were brilliant. Thank you once again said **Mr K Dolgellau area** (Priffyrdd Dolgellau)

NAME OF COMMITTEE	Meeting of Gwynedd Council's Cabinet
DATE OF MEETING	23 July 2019
TITLE OF ITEM	Annual Report on dealing with complaints and information requests by the Children and Family Support Department for 2018/2019
PURPOSE	To give an overview of the complaints and information requests received during 2018/2019
AUTHOR	Marian Parry Hughes, Head of the Children and Family Support Department
CABINET MEMBER	Councillor Dilwyn Morgan

1. Introduction

- 1.1 In accordance with the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014 that came into effect on 1 August 2014, the Director of Social Services is required to produce an annual report on how complaints are handled and investigated within the Children and Family Support Department. The report is produced by the Customer Care Officer on behalf of the Director of Social Services
- 1.2 The purpose of this report is to provide information on the number of complaints received by the Children and Family Support Department during the year, the reasons for them and the solutions. The report also contains a summary of the lessons learnt and the actions taken on the complaints received. Details are also included about the number of information requests and freedom of information requests received during this period.

2. Context

- 2.1 The Customer Care Officer deals with complaints, information requests and freedom of information requests throughout the year for the Children and Family Support Department.
- 2.2 The Customer Care Officer for the Children and Family Support Department is managed by the Senior Safeguarding and Quality Manager within the Children and Family Support Department. Although the Officer is located within the Department, it is important to note that the Officer is independent to ensure that complaints are dealt with according to the Social Services Complaints Procedure (Wales) Regulations 2014. The Social Services Complaints Procedure specifically relates to individuals who receive a service from the Department or who have the right to represent a service user.

3. Access to the Complaints Procedure

- 3.1 Individuals contact the Customer Care Officer to express their dissatisfaction with the Department's service, and deciding to make a complaint is usually their last resort. The Officer concentrates on ensuring access to the Complaints Procedure so that complainants are aware of their right to be heard and have their complaint fully investigated.
- 3.2 Information about the Complaints Procedure receives considerable publicity and the information is available in a variety of formats e.g. leaflets, 'easy read' leaflets and on-line. All the information is available in English and Welsh so that the complainant can choose his/her preferred language. Alternative arrangements such as Braille or other languages are available upon request. In addition, advocacy or other support is available to the complainant in his/her chosen language in order to assist as the Complaints Procedure progresses. Information leaflets are continuously amended and updated

Complainants' chosen language when making an enquiry/complaint during 2018/2019			
	Welsh	English	Total Complaints
Stage 1	4	20	24
Stage 1		1	1
Ombudsman		2	2

4. Matters recorded as Enquires

- 4.1 The aim is to respond to every complaint with fairness, impartiality and respect so that the individual is confident that his/her complaint will be handled professionally and positively. Often, when the individual decides not to pursue the formal Complaints Procedure, the matter is dealt with as an enquiry or informal complaint. Another example of this would be a letter from a Member of Parliament or local Councillor who wishes to express dissatisfaction or wants a specific answer to a question.
- 4.2 By responding positively during these initial steps, some matters can be effectively resolved without the need for the formal Complaints Procedure as this is an opportunity to deal with any misunderstanding or to respond to enquiries. Without a doubt, this is the best result for everyone. One of the most prominent themes seen when dealing with enquiries and informal complaints is misunderstanding between individuals, such as lack of communication or clear communication.

TABLE 1. Enquires and Informal Complaints received 2018/2019	
	<i>Children and Family Support</i>
<i>Solicitors</i>	4
<i>Ombudsman</i>	
<i>Local Member</i>	1

<i>Members of Parliament or Assembly Members</i>	6
<i>Service Users</i>	1
<i>Relatives</i>	30
<i>Members of the Public</i>	3
<i>Foster Carers</i>	
<i>Other Agents e.g. advocacy service</i>	
<i>Other Counties</i>	
<i>Social Worker</i>	
<i>Information Commissioner</i>	
Total	45

5. Stage 1 - Social Services Statutory Complaints Procedure - Local Resolution

- 5.1 Every effort is made to resolve complaints so that the complainant and the Department are satisfied. Clearly, a resolution is the best result for everyone and this can be achieved by investing time and effort early on. However, if the complainant decides to lodge a formal complaint, the usual procedure is to have a discussion over the telephone or face-to-face with the complainant or representative in order to attempt to resolve the matter. Over the years, the Customer Care Officer has successfully established close working relationships with the teams, managers, senior managers and legal service as a means of discussing and resolving matters, and this is reflected in the small amount of complaints that reach Stage 2 of the Complaints Procedure.
- 5.2 It is fair to note that, since the implementation of the Social Services Complaints Procedure (Wales) Regulations 2014, there has been a clear trend over the past four years as, during this time, only two complaints have been escalated to Stage 2. This is due to the professionalism of the Team Managers and Senior Managers in dealing with complaints. They understand the importance of a local resolution and, when discussing directly with complainants, they are able to address issues as soon as possible. This ensures that the Department is able to continue working with the family for the benefit of the child/young person.
- 5.3 An analysis of the Stage 1 complaints dealt with in 2018/2019 can be found in **Appendix 1**.

6. Stage 2 - Social Services Statutory Complaints Procedure - Formal Investigation

- 6.1 By following the principle of focusing on a successful early and local resolution, complaints do not, usually, need to be escalated to Stage 2 - Formal Investigation of the Complaints Procedure to resolve disputes / problems / issues. Compared with other Local Authorities in North Wales, the Children and Family Support Department at Gwynedd Council is extremely successful in dealing with Stage 1 complaints, whilst a higher proportion of complaints in other Authorities are escalated to Stage 2.

- 6.2 Should a complainant wish to escalate their complaint to Stage 2, they would have to provide a full record of the complaint along with any desired outcomes; this would then form the basis of what we call a Stage 2 Investigation. The investigation is conducted by two people who are independent to the Council, known as the Independent Investigating Officer and Independent Person. Their role is to meet with the complainant, interview relevant staff and read the social care file. They subsequently create a report of their findings along with any recommendations for the Department. The Department then prepares a response to these recommendation for the complainant. It is at the Department's discretion whether the Stage 2 Report prepared by the Investigating Officer is shared with the complainant.
- 6.3 During 2018/2019, one application to escalate a complaint to Stage 2 of the Social Services Complaints Procedure was received. The investigation was completed during Quarters 2 and 3, and an analysis of this complaint can be found in **Appendix 2**.
- 6.4 An application was made by another complainant during Quarter 3 for their complaint to be escalated to Stage 2 from the onset, and not to be processed under Stage 1 to begin with. However, it has not yet been possible to begin the Stage 2 investigation as the complainant has not agreed with the scope of the complaint to be investigated by the appointed Independent Investigator. The Department's efforts continue to try to work with the complainant to confirm the scope of the complaint in order to ensure that the complainant's complaint receives a full and fair investigation under Stage 2 of the Complaints Procedure. It is envisaged that this complaint will be discussed in more detail in the 2019/2020 Annual Report if the Stage 2 investigation proceeds.

7. Complaint transferred to the Public Services Ombudsman

- 7.1 Every individual has the right to complain directly to the Public Services Ombudsman for Wales at any time during the complaints procedure if they are unhappy with the service provided by the Department.
- 7.2 Usually, if the complaint has not already been dealt with under Stage 1 of the Social Services Complaints Procedure, the complaint will be referred back to the Department in an attempt to resolve the complaint locally. If the individual is still dissatisfied after that, they have the right to escalate the complaint to Stage 2 of the Social Services Complaints Procedure or return to the Public Services Ombudsman for Wales or the Welsh Language Commissioner or the Equalities and Human Rights Commissioner, depending on the nature of the complaint, so that an enquiry can be held
- 7.3 Two new complaints were received from the Ombudsman against Gwynedd Council's Children and Family Support Department during 2018/2019.
- 7.4 A complaint was made by a complainant to the Ombudsman during Quarter 2 following an investigation under Stage 2 of the Social Services Statutory Complaints Procedure which ended during 2017/2018. The complainant was

dissatisfied with the Department's response to this independent investigation amongst other matters. This Ombudsman investigation concluded in June 2019, therefore a detailed analysis will be included in the 2019/2020 Annual Report.

- 7.5 Another complaint was made to the Ombudsman during Quarter 4 by a complainant who was dissatisfied with the Department's decision not to re-investigate a complaint that had previously been fully investigated under Stage 1 of the Social Services Statutory Complaints Procedure and concluded in 2017/2018. The Department was of the opinion that, in accordance with the Social Services Complaints Procedure (Wales) Regulations 2014, this complaint should not be re-opened as more than 12 months had passed since the original complaint had concluded. The Ombudsman was in agreement with the Department's decision, and no further investigation into the complaint was held by the Ombudsman. A detailed analysis can be seen in **Appendix 3**.
- 7.6 One Ombudsman investigation which originally began in 2016/2017 concluded during 2018/2019. The complainants contacted the Ombudsman as they were unhappy with the Department's response to their complaint which was investigated under Stage 1 along with the decision to refuse to escalate their concern to Stage 2 of the Social Services Complaints Procedure. A full explanation of the situation was provided to the Ombudsman along with documentation that was relevant to the complaint. The Ombudsman was in favour of the complainants' complaint and several recommendations were made to the Department. An analysis of this investigation can be found in **Appendix 3**.

TABLE 2 Social Services Statutory Complaints Procedure 2018/2019	
<i>Children and Family Support</i>	
<i>Stage 1</i>	24
<i>Stage 2</i>	1
<i>Ombudsman</i>	2
Total	27

8. Adherence to the Statutory Complaints Procedure Response Timetable

- 8.1 The Local Authority has a duty to provide information on how it investigates and deals with complaints within the timetable noted in the Guidance and Regulations.

TABLE 3 Social Services Statutory Complaints Procedure Response Performance 2018/2019						
Stage 1						
<i>Complaints received within 12 months of the incident</i>	<i>Complaints received 12 months after the incident</i>	<i>Acknowledged within 2 days</i>	<i>Discussion to resolve within 10 days</i>	<i>Decision announced within 5 days</i>	<i>Response time extended</i>	<i>Average number of days extended</i>
24	0	24	23	15	9	20

Stage 2				
<i>Total acknowledged within 5 days</i>	<i>Total of responses received within 25 working days</i>	<i>Total deferred under exceptional circumstances</i>		<i>Total completed within 6 months</i>
1	1	0		1

- 8.2 It is important to note that several complex complaints were made in 2018/2019 which had many different aspects to be resolved, as a result, there was a need to significantly extend the response time for three of these complaints. There was a need to extend the response time specifically for two complaints as one of them included 23 separate issues which needed to be addressed as part of the complaint, and the other included 12 issues which required multi-service input. There was a need to significantly extend the response time for another complaint as legal advice was sought before the response could be provided to the complainant, and it took nearly two months for the response to receive legal approval.

9. Learning Lessons and Identifying Trends - see Appendix 1

- 9.1 The Customer Care Officer prepares quarterly reports discussing the number of complaints received during the quarter along with the way they are dealt with. These reports are an opportunity to analyse and discuss every complaint received during the quarter and to learn in order to continuously improve the service the Department provides throughout the year. These quarterly reports are shared with the Head of the Children and Family Support Department.

Complaints Trends - Children and Family Support Department

- 9.2 The Children and Family Support Department works daily with a wide range of different families. Some families come to the Department's attention through a direct request for assistance, for example, if their child is disabled. Most families come to the Department's attention because of concerns for a child or young person's health and safety.
- 9.3 Unfortunately, because of the nature of social care work, tension or conflict with families is an unavoidable at times. Social Workers have to make very difficult decisions, and families are not always happy. The Department understands and accepts that families can be dissatisfied, which can then lead them to make a formal complaint against the Department.
- 9.4 It is fair to note that it is difficult to see whether there are definite trends or themes in the complaints received during 2018/2019, as each complaint tends to be unique to each case. In accordance with the Complaints Procedure, the Team Manager or Senior Manager will discuss the complaint with the complainant. By discussing the complaint, the Team Manager is able to respond to matters directly and most cases are resolved over the phone; it is clear that this way of dealing with complaints works. In the majority of cases, the complaint stems from a misunderstanding and miscommunication. Usually, once matters have been fully explained, the complainant will be satisfied.

- 9.5 It is also very important to note, on a number of occasions when a complainant initially contacts the Customer Care Officer, they are highly emotive - they could be angry or concerned about a decision or a misunderstanding. In most cases, the complainant will be satisfied once they have been given the opportunity to discuss their concern with the Customer Care Officer, first of all, and then with the relevant Team Manager, and are happy with the outcome of these discussions.

Unhappy with decisions made by the Department or the Court

- 9.6 Several complaints received over the last year related to family dissatisfaction with decisions made by the Department and also specifically by Judges during court proceedings involving their children. It is inevitable in difficult situations that the Department has to make decisions for the benefit of the children and young people we support, but unfortunately, their families do not always agree with these decisions. Several complaints have also been received following the Department's action on decisions made by Judges during court proceedings between the Department and the families. More often than not, in such cases, the relationship between the Department and the families is under considerable strain, and unfortunately the families decide to declare their dissatisfaction with the Court's decisions by making complaints against the Department. In addition, it is sometimes becomes apparent when investigating the complaints that the complainants have not received the best information or advice from their legal representatives, and therefore do not fully understand the decision made by the Judges during court proceedings.
- 9.7 In relation to this, there were several occasions during 2018/2019 where conflicting information was submitted by complainants as part of their complaints about decisions made by either the Department or the Court. In such cases, the evidence collected during the complaint investigation has clearly demonstrated that the Department has acted correctly in accordance with the decisions of the Court and protocol, and this is explained in full to complainants in the response provided. Such complaints also emphasise the importance of detailed records and a clear audit trail when working to support vulnerable children and young people and their families.
- 9.8 There were also examples of malicious complaints being made due to complainants' discontent about the necessary decisions made by the Department and by the Court. When such complaints are made, and particularly where these complaints are specifically aimed at individuals, it is important that a full and fair investigation is carried out and that the staff members who have been affected are also supported in order to continue working with the families for the benefit of the children and young people who are supported. Complaints such as these once again emphasise the importance of detailed records of the work which is undertaken and the reasons for making decisions.

Communication

- 9.9 During 2018/2019 there was again a tendency in complaints being made due to a lack of clear or consistent communication with families. It is clear that clear

and consistent communication is important; the way things are explained to families from the outset is critical in ensuring that they understand why the Department does what it does, what the Department is able to offer and why, in some cases, it is not possible to offer any service at all. It is also important to note that the expectations of families in receiving updates and responses to enquiries made by them to Social Workers is extremely high, and in many cases is unattainable. That is to say that families often expect an immediate response if they contact the Department, and can become annoyed if the relevant Social Worker is unable to respond to them within a few hours that day, even when the matters is not urgent.

Parent Expectation

- 9.10 This trend is seen annually in the complaints made against the Department. It can be difficult to respond to complaints by families that feel the Department should be doing more to support them, or who believe they should be receiving more services/contact/intervention, or who believe their children should be returned to their care. Parents' expectations of what the Department is able to offer is high, if they feel they have been failed in any way by the Department, they lodge a complaint.
- 9.11 When such complaints are made, full investigations will be carried out and in the majority of cases there will be clear evidence that the Department has acted appropriately and in accordance with a protocol.

10. Training and Staff Awareness

- 10.1 An important part of the Customer Care Officer's duty is to provide advice and training to the Department's officers about the Complaints Procedure so that staff members are fully aware of the procedure and are confident with their role.
- 10.2 The Customer Care Officer is always available to discuss any specific cases with the Department's officers and also to provide advice about the best way to deal with enquiries or complaints against the Department.
- 10.3 Specific training sessions on the Social Services Statutory Complaints Procedure have been arranged for the beginning of 2019/2020 to improve staff awareness of the Complaints Procedure and the Social Services Complaints Procedure (Wales) Regulations 2014.
- 10.4 Welsh Government is also currently in consultation to create a new complaints procedure which better corresponds to the principles of the Social Services and Well-being Act (Wales) 2014. Once the Government has approved the new guidance, further training will be arranged for all the Department's staff

11. Other Duties

- 11.1 The Children and Supporting Families Customer Care Officer also deals with information requests in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998 / Data Protection Act 2018. The General Data Protection Regulation (GDPR) and Data Protection Act 2018 were introduced on 25 May 2018, resulting in some changes to the procedures for dealing with information requests.
- 11.2 Access to information requests under the Data Protection Act 1998 / Data Protection Act 2018 are made by individuals, the Police, Solicitors, the Health Board and other Local Authorities. In accordance with the Act, there are specific timescales to adhere to, and the response timetable has become much more challenging since the introduction of the new Act in May 2018.
- 11.3 Determining what information is appropriate to be released is work that demands skill and can be emotionally challenging at times. The Officer who deals with information requests can spend long hours on some of the more complex requests the Department receives. This means that a great many hours are spent ensuring that the information requests are responded to within the specified time. During recent years, there has been an increase in the number of access to information received under the Data Protection Act 1998. Since the introduction of GDPR and the Data Protection Act 2018 during Quarter 1, although there has not been an increase in the number of requests received as anticipated, the size of the of access to information requests has increased considerably; i.e. the volume of information which needs to be processed for a number of different individual in order to respond to these requests has dramatically increased. Therefore, as a result, the amount of time spent responding to these requests has also dramatically increased. It is also fair to note that these access to information requests have also become more complex, particularly ensuring that the applicants have sufficient support available to them whilst reading the information they have received.
- 11.4 It is also the duty of the Customer Care Officer to co-ordinate responses to freedom of information requests under the Freedom of Information Act 2000. The number of requests received has remained fairly constant for 2018/2019 compared to 2017/2018. However, once again, it is important to note that the size of these requests has increased and consequently more time has to be spent preparing the responses. The work of collecting and collating the necessary information is time consuming and is in addition to the normal day-to-day work of the Department's Officers. Unfortunately, more often than not, it cannot be seen that responding to these freedom of information requests brings any additional benefit or value to the Department. In addition to this, approximately 80% of the freedom of information requests received during the year have been responded to by one specific Senior Manager within the Department, and have therefore added more to their substantial workload. Unfortunately, it is anticipated that these trends will continue for the coming year.

TABLE 5. Information requests during 2018/2019	
Requests under the Freedom of Information Act 2000	64
Requests under the Data Protection Act 1998 / Data Protection Act 2018	125

12. Expressions of Gratitude - see Appendix 4

- 12.1 It is also important to recognise and record the expressions of gratitude that we have received from our service users and their families. A further analysis of these expressions of gratitude has been included in Appendix 4.

TABLE 6. Expressions of Gratitude during 2018/2019	31

13. Action Plan for 2019/2020

- 13.1 During the upcoming year the Customer Care Officer will continue to respond to any enquires or complaints made against the Children and Family Support Department under the Complaints Procedure. When considering that there has been an increase in the number of complaints made against the Department in recent years, it is anticipated that this trend will continue. It must therefore be ensured that every enquiry or complaint received by the Department continues to be considered fully, and that the lessons to be learnt from every case also receive comprehensive attention in order to contribute and improve the service provided.
- 13.2 Work began during 2018/2019 i create a new information leaflet specifically for the Children and Family Support Department explaining the Complaints Procedure. This work will continue during the upcoming year, and consultation sessions and activities will also be held with young people in order to produce a comprehensive leaflet aimed at children and young people and their families. There is also an intention to create additional marketing material such as videos and posters to raise awareness of the Complaints Procedure.
- 13.3 Four training sessions have also been arranged for officers within the Children and Family Support Department for 2019/2020 in order to improve their awareness of the Social Services Statutory Complaints Procedure together with ensuring that all staff within the Department are aware of the arrangements that need to be followed if a child, young person or their family shares a complaint with them.
- 13.4 It is also hoped to develop a vexatious complainants' policy specifically for the Children and Family Support Department. The Department currently follows the corporate vexatious complainants' policy. However, due to the unique nature of the complaint which are made against the Department, and the high volume of challenging and hostile correspondence and face-to-face contact that must be

dealt with when processing complaints, it is felt that it would be appropriate to have a policy specifically for vexatious complainants who come into contact with the Children and Family Support Department in order to ensure the health and well-being of all staff involved in the complaints process. It is also fair to note that such a policy would be in keeping with other Local Authorities across North Wales who are more willing to use their vexatious complainants' policy when dealing with challenging complainants.

- 13.5 Further work will also be completed to try to encourage officers across the Department to contact the Customer Care Officer to share any to share any compliments or positive comments they receive. There is a feeling at the moment that officers do not find it appropriate to share some compliments received, but the Customer Care Officer is keen to change this.

APPENDIX 1 - EXAMPLES OF COMPLAINTS AND OBSERVATIONS DURING 2018/2019

Ref	Short Description	Stage	Team	Response	Lessons to be learnt	Complaint Upheld / Not Upheld
GC/4644-18	A Mother contacted eager to make a complaint against a Social Worker specifically in regards to contact arrangements, lack of communication and restrictions imposed on her that she believed to be unfair. The mother felt that she was being excluded by the Department because of her children as she felt that she wasn't receiving enough updates.	Stage 1	Arfon Children's Team 2	The Mother decided not to continue with the complaint before the Team Manager had an opportunity to discuss her complaint further. Therefore the complaint was closed.	No specific lessons to be learnt as the complaint was retracted before a full investigation was undertaken.	It is not possible to state whether this complaint was upheld or not as the Mother decided not to continue with the complaint for the time being.
GC/4646-18	A complaint was received by a Service User open to the 16 Plus Team which included 23 matters to do with his time spent in foster care. Many of the issues raised bridged several periods of time living with foster carers, as well as several different services within the Children's Department.	Stage 1	16 Plus Team	A thorough and comprehensive investigation was undertaken by the Team Manager and Senior Manager to all the matters raised in the complaint, and a separate response was given to every one of the 23 matters raised. The Service User was not eager to meet to discuss his complaint, therefore a response letter was sent to him.	No specific lessons to be learnt as a result of this complaint, however, the importance of detailed records and an evidence trail is emphasised.	This complaint was not upheld, and the evidence collected whilst investigating the complaint confirmed this. However, the Service User was offered the opportunity for his complaint to be investigated under Stage 2 of the Statutory Complaints Procedure; this offer was declined.
GC/4659-18	A Mother made a complaint against a Social Worker who had recently completed an initial assessment on her family's situation. The Mother was unhappy with the contents and outcome of the assessment. In	Stage 1	Meirionnydd Children's Team	The Team Manager tried to contact the Mother several times to discuss her complaint further according to the statutory complaints procedure. However, the Mother attended the scheduled Core Group meeting	No lessons to be learnt as the Social Worker had acted appropriately.	This complaint was not upheld as there was no basis for the complaint as the Social Worker had acted appropriately. The Mother was unhappy with the correct procedure followed

	addition to this, the Mother was unhappy that report had been sent to her home addressed to her and her daughter as the Mother did not want her daughter to be included in the process to avoid causing her additional stress. As a result, the Mother stated that she would not attend an arranged Core Group.			and following further discussions at that meeting the Mother stated that she was happy to continue working with the Worker and did not wish to continue with the complaint. Therefore, the complaint was closed.		by the Social Worker and therefore was entitled to complain.
GC/4692-18	A Mother sent an e-mail to the Derwen Service to make a complaint about the experience she had had with the Service to date. In particular, the Mother was eager to complain about the failure of a worker to contact her back, and that she had subsequently tried to follow-up further steps herself, which caused great confusion to her and her family. The Mother felt let down by Service because of this.	Stage 1	Derwen	The Service Manager tried to contact the Mother in order to confirm her complaint, and subsequently arrange a meeting to try and resolve the complaint. Unfortunately, the Service Manager did not receive a response to these proposals, so it was decided to close the complaint for the time being.	Communication is vital in the day-to-day management of cases, particularly in complex cases where the family is keen to receive specific responses about the service they receive from the Department.	It is difficult to come to a definite conclusion as to whether or not this complaint was upheld. The Mother was given an initial response to her concerns, but the proposals to further discuss the complaint were not accepted in order to reach a firm conclusion.
GC/04735-18	A Mother contacted to state her frustration with the support she had been receiving from the Department in previous months. The Mother also believed that she was being treated unfairly as there had not been any obvious developments in her children's cases in recent months even	Stage 1	Meirionnydd Children's Team	The Senior Operational Manager had a telephone discussion with the Mother in order to confirm her complaint. Following the discussion, the Senior Operational Manager decided that a further investigation was required. Following a further investigation, a	There is a need to ensure that the Department communicates clearly and in a timely manner, particularly in situations where a Worker is away	This complaint was upheld.

	though she had achieved what had been asked of her. The Mother was also annoyed with the Social Worker as she wanted additional support when attending contact sessions with her children.			full response was provided to the Mother together with an apology that matters relating to her children's case had slipped due to her Social Worker being ill. The case was allocated to a new Worker for the time being, and a plan was put in place for the new Worker to further discuss the issues raised following the complaint with the mother.	from work due to illness. There is also a need to ensure that decisions are clearly explained to the parent and that they understand those decisions.	
GC/04758-18	A Mother stated during a Case Conference that she was unhappy with her Social Worker for several different reasons. These reasons were later confirmed during a telephone conversation with the Customer Care Officer. Specifically, the Mother felt that the way the Social Worker treated her was unacceptable as he was pressurising her and also telling her one thing and making promises, but would then completely contradict this during conferences. The Mother felt that she would no longer be able to work with the Social Worker, and she was eager for her case to be allocated to a new worker.	Stage 1	Dwyfor Children's Team	The Senior Operational Manager had a telephone discussion with the Mother in order to confirm her complaint. Due to the nature of the complaint, the Senior Operational Manager was eager for the complaint to be escalated to Stage 2 of the Social Services Statutory Complaints Procedure. However, following discussing this with the Mother, she decided that she was not keen for her complaint to be investigated further under Stage 1 or Stage 2. Therefore, it was decided to close the complaint.	It was not possible to investigate this complaint fully as the Mother stated that she did not want to continue with the complaints process.	It was not possible to confirm whether or not this complaint was upheld or not as the Mother was not keen for the complaint to be investigated further.
GC/04967-18	A Grandfather made a complaint as he was of the opinion that personal information about his past had been shared by the	Stage 1	Derwen	The Team Manager conducted a thorough investigation into this complaint and discussed the complaint with the complainant,	No specific lessons to be learnt regarding the data protection	This complaint was not upheld as there was a need for the Social Worker to share the information about

	Social Worker without his permission.			received legal advice regarding the General Data Protection Regulation and then provided a response to the complainant explaining the reasons why it was correct for the Social Worker to share the information about him.	issues. However, there is a need to ensure that sensitive issues are fully communicated and that the individuals concerned understand the next steps.	the Grandfather due to child protection matters.
GC/05017-18	An individual who had been in care in the past made a complaint as he believed that he had not received a Leaving Care Grant. The complainant had previously contacted the Department in 2017 about this matter, however he felt that he had not received a sufficient response to his enquiry about the Leaving Care Grant.	Stage 1	16 Plus Team	The Team Manager contacted the complainant to discuss his complaint and to establish exactly what his complaint was about. Following an investigation, it was discovered that the complainant had received the Leaving Care Grant that was owed to him, but no explanation had been given to the complainant that the money given to him for the purchase of goods a few years previously had in fact been taken from the Leaving Care Grant. The Team Manager was able to reach an agreement with the complainant that he would receive a further payment as this had not been adequately explained to him in the past.	Need to better communicate decisions and processes to care leavers specifically regarding the funding they receive from the Department.	This complaint was not upheld as the individual had received the money due to him, however this was not adequately explained to him at the time.
GC/05058-18	A Grandfather of two children who are currently open to the Department made a complaint on behalf of his daughter (the children's mother) about several	Stage 1	Dwyfor Children's Team and Derwen	This was a complex complaint as 12 separate complaints needed to be investigated as part of the complaint which spanned more than one team and service within	There are no specific lessons for the Department to learn from this complaint. This	The issues raised in this complaint were unfounded and the evidence considered proved this. Therefore this complaint

	different matters to do with the support she as a mother had received from the Department in addition to the behaviour of a Social Worker unrelated to the children's case. The complaint was composed on 12 individual complaints.			<p>the Department. An investigation was conducted into the complaints and a thorough written response was prepared by a Senior Manager in response to 10 of the 12 complaints submitted. No further communication was received from the complainant following the response letter.</p> <p>One of the complaints was resolved verbally during a discussion between the Social Worker and the complainant.</p> <p>The specific complaint against a Social Worker was investigated by another Senior Manager and a full written response was given to this complaint.</p>	<p>complaint was complex and it appeared that several parties were dissatisfied following decisions made by the Court, there was also a lot of tension between the family and the Department at the time.</p> <p>In relation to the complaint against a Social Worker, there are no lessons to be learned as this complaint could be interpreted as malicious against that Worker.</p>	<p>was not upheld. Unfortunately this complex complaint took up a lot of Officers' time and resources to investigate, and in the end it was of no benefit to the family's relationship with the Department.</p> <p>There was also no basis for the complaint against the Social Worker. A full investigation was undertaken in order to establish the facts, and it became apparent that this was a malicious unfounded complaint.</p>
GC/05145-18	A Mother made a complaint about a Flying Start Worker, specifically about her behaviour outside of the work place. The Mother was of the opinion that the Worker had behaved inappropriately towards her when they saw each other in a shop.	Stage 1	Flying Start	An investigation was carried out by the relevant Manager and internal arrangements were put in place. A letter was sent in response to the complainant explaining that, and the complainant has accepted that we cannot share more information about what will happen next.	No specific lessons for the Department to learn about this complaint as it relates to an employee's behaviour outside the workplace.	It is difficult to come to a definite conclusion as to whether or not this complaint was upheld or not on the fact that this was the word of one person against another. However, the Mother was informed that internal procedures would be followed following her complaint.

GC/05167-18	A complaint was made by a Grandmother about a ruling made during a court case to remove her granddaughter from her care. The complainant was also dissatisfied with the support that had been given to her and her Family by the Department when her granddaughter was still in her care before she was placed in foster care.	Stage 1	Arfon Children's Team 2	<p>A full investigation was carried out by the relevant Team Manager into all matters raised by the complainant. A written response was sent to the complainant.</p> <p>The Grandmother contacted the Customer Care Officer to state that she was not satisfied with the response to the complaint. A further letter was sent to the complainant asking her to confirm why she was not happy with the response in order to investigate further. No further correspondence was received, so the complaint was closed.</p>	There are no specific lessons for the Department to learn from this complaint as sufficient support had been given to the family and sufficient information was also shared with the Grandmother's solicitor during the court case.	<p>This complaint was not upheld as there was no basis for this complaint against the decision of the Court to remove the granddaughter from the Grandmother's care, and there was sufficient evidence to support the decision.</p> <p>The complaint about the lack of support provided to the Grandmother when her granddaughter was in her care was also not upheld, and, once again, there was evidence that the Department had adequately supported the family.</p>
GC/05175-18	A Mother wished to make a complaint about a number of matters about her daughter's case. The complaint was specifically about how Workers from the Out of Hours Team had treated her family during periods of crisis.	Stage 1	Out of Hours Team	The Team Manager conducted a full investigation into the complaints made against the Out of Hours Team Workers. The investigation found that there were inconsistencies in the information presented by the Mother in her complaint compared to the records kept on her daughter's case file. As a result, the response sought to correct these inconsistencies together with reassure the mother that the Team sought to act in her daughter's	There were no specific lessons to be learnt from this complaint as it related to tensions between the family and the Department about the decisions made in this very complex case.	This complaint was not upheld as the information presented by the Mother in her complaint was inconsistent with the information recorded on her daughter's file. A full investigation was carried out and clear evidence showed that there was no basis for the complaints made against the Social Workers.

				best interests during times of crisis with the information available to them.		
GC/05252-18	A Father made a complaint against the Children's Referral Team as he believed that the team were not taking his concerns about his children seriously. The Father had contacted the team several times over a number of months to share his concerns about the care his children were receiving from their mother.	Stage 1	Children's Referral Team	<p>A meeting was arranged between the Senior Manager and the Father to discuss his complaint further. During this meeting the father re-discussed and emphasised his reasons for making a complaint and that he was concerned about the safety of his children. However, following this meeting, a full investigation was undertaken, and a letter was sent to the Father by the Senior Manager noting that the Department did not agree with his complaint and that there was no basis for the complaint as full assessments had been carried out when he shared his concerns and that the Department was of the opinion that the children were not at risk.</p> <p>The Senior Manager tried to reassure the Father that the Department had taken his concerns about its children seriously during the meeting and the response letter sent. He was also referred on to the Public Services Ombudsman for Wales if he was dissatisfied with the outcome of the complaint</p>	There were no specific lessons for the Department to learn from this complaint as the Children's Referral Team had followed a protocol appropriately.	This complaint was not upheld; this was explained fully to the complainant during the meeting and also in the response letter. The Service followed a protocol when the Father shared his concerns with the Children's Referral Team, and several assessments were carried out. There was no concern about the care the children received from their Mother.

				investigation.		
GC/05255-18	A Mum contacted the Senior Operational Manager stating that she was keen to make a complaint against her daughter's Social Worker as she felt she was not receiving enough updates or general information about her daughter's case.	Stage 1	Arfon Children's Team 2	The Mother contacted the Senior Operational Manager and the complaint was then passed to the Customer Care Officer to make further inquiries. Several attempts were made to contact the Mother to discuss the complaint further and a letter was sent asking her to contact the Customer Care Officer directly. No further correspondence or contact was received from the complainant and therefore the complaint was closed.	There were no lessons to learn as there was no further contact between the complainant and the Customer Care Officer in order to investigate the complaint further.	It was not possible to confirm whether this complaint was upheld or not, however, it is important to note that regular updates are given to the Mother about her daughter's case.
GC/05385-18	A Mother contacted a Team Manager to raise concerns about the behaviour of her new Social Worker at a meeting and then during a visit to her home. The Mother was of the opinion that the Worker had asked inappropriate questions during the visit and was also very critical of her.	Stage 1	Derwen	The Customer Care Officer met with the Mother to discuss her complaint, and she confirmed that she wanted her complaint to be investigated under Stage 1 of the Complaints Procedure. A comprehensive investigation was undertaken by the relevant Senior Manager, meetings were held with the Worker in question and the complaint was discussed further with the Mother over the telephone. A letter was written to the mother confirming the details of the investigation as discussed on the telephone. The mother was happy with the outcome of the investigation and the complaint was closed.	Specific lessons to be learned relating to the training of Social Workers specifically when transferring from one service to another within the Department.	Following a full investigation, it was agreed that the Mother's complaint about the Social Worker's behaviour was upheld. This was confirmed to the Mother and she was satisfied with the response to the complaint and also that the case had been transferred to another Worker.

GC/05445-18	A Father wished to make a complaint against his daughter's Social Worker. The Father was dissatisfied with a statement that the Worker had made to the court and was of the opinion that this statement was incorrect.	Stage 1	Arfon Children's Team 2	<p>The Team Manager offered to meet with the Father to discuss his concerns further as well as providing him with an update on his daughter's case. As this case was extremely complex, the Team Manager was of the opinion that it would not be possible or appropriate to respond to the father's concerns by letter only. However, the father refused to meet with the Team Manager.</p> <p>A number of letters were sent over a period of several months, and all the issues raised by the Father were responded to. The statement made by the Social Worker in court was not considered to be incorrect, as the Father believed, and this was expressed to him.</p> <p>There were also concerns about this complaint in particular if the father himself was making the complaint, or if he was sending the letters of complaint on behalf of someone else.</p>	There were no lessons to be learnt from this complaint as the Social Worker's statement to Court was correct.	This complaint was not upheld as the statement made by the Social Worker during the court case was correct.
GC/05596-18	A Mother contacted to make a complaint against a Social Worker. There were two parts to her complaint; the Worker's general conduct towards her especially when carrying out	Stage 1	Dwyfor Children's Team	A thorough investigation was undertaken by the Team Manager and discussions were had with the complainant, the Social Worker and the Health Visitor who had attended the Core Group meeting.	It is important to ensure that the Department communicates effectively with parents and	The first part of the complaint about the conversation between the Social Worker and the Mother during an unannounced visit was

	unannounced visits, and then the conduct of the Worker during a Core Group meeting where her Health Visitor was also present. The mother thought that the Worker had acted unprofessionally towards her.			The case was transferred to a new Social Worker. A letter was written to the complainant confirming the outcome of the investigation into the complaint.	ensure that they have a full understanding of our rationale for making decisions and that they are regularly updated. It is also important that Workers are aware of their influence in a professional role and the impact their involvement has on the families with whom they come into contact.	partially upheld. It was not possible to come to a definite conclusion as this was the word of one person against the other. The second part of the complaint about the Social Worker's behaviour during a Core Group meeting was upheld.
GC/05725-18	A Grandmother contacted the Customer Care Officer eager to make a complaint against her granddaughter's Social Worker and the Team Manager as she felt that she had been treated unfairly following a viability assessment, and she was keen to receive an apology. She also felt that they had made incorrect statements during the court case	Stage 1	Arfon Children's Team 1	A full investigation was carried out by the Senior Manager into the issues raised by the Grandmother. She was offered a further explanation by the Senior Manager as to why her viability assessment was not successful and that the Court had made a decision following this assessment. The Grandmother had also received appropriate advice and support from the Department and had also advised her to discuss further with her legal representative during the court	There are no specific lessons for the Department to learn from this complaint as the decisions about the care of her granddaughter were made by the Court following completion of a viability assessment.	This complaint was not upheld and there was no basis for the complaint as the decisions had been made by the Court, in addition to the fact that the Senior Manager found an inconsistency in the information presented by the Grandmother about the court case.

				<p>case.</p> <p>The Senior Manager also found that there was inconsistency in the information presented by the Grandmother as part of her complaint, specifically about the court case and about the statements made by the Team Manager and the Social Worker.</p>		
GC/05806-18	<p>A letter was received from Mother stating a complaint against the Department about the lack of support she had received after she raised concerns about her daughter's behaviour that caused her great concern when was in her care. The Mother also disagreed with the decision to remove her children from her care because of her ability as a parent, and the subsequent contact arrangements in place.</p>	Stage 1	Arfon Children's Team 2	<p>The relevant Senior Manager met with the Mother to discuss her complaint further. During this meeting the Senior Manager discussed the Mother's complaint along with other operational issues.</p> <p>Following a detailed investigation, the Senior Manager was of the opinion that the Mother had received adequate support from the Department and that decisions regarding the care of the children and contact arrangements had been made by a Judge during court proceedings following receipt of evidence from the Department.</p> <p>A number of the mother's concerns also related to the alleged behaviors of a specific Social Worker who no longer</p>	<p>No specific lessons for the Department to learn from this complaint as several aspects of the complaint related to the alleged behaviours of a Social Worker which were lower than that expected of a Social Worker.</p>	<p>It is difficult to ascertain whether this complaint was upheld or not. There was certainly no basis for the operational issues raised as appropriate support had been given to the Mother. In addition, decisions about the care of the children and the contact arrangements had been made by a Judge during the court proceedings. However, the complaints made against the alleged behaviour of the Social Worker are likely to have grounds, and are therefore upheld.</p>

				works for Gwynedd Council. It was explained to the Mother that the Department was investigating her concerns and that internal arrangements were now in place.		
GC/06035-18	A Mother wanted to make a complaint about the advice she was receiving from Social Workers, specifically about issues relating to contact with her children. The Mother had received contradicting advice from three Social Workers working on her children's cases, but she was not sure whose advice was correct.	Stage 1	Dwyfor Children's Team and Derwen	<p>During the investigation into the Mother's complaint, it became apparent that the court case relating to the care of her children was still ongoing. As a result, in accordance with the Social Services Complaints Procedure (Wales) Regulations 2014, it was not possible to investigate the complaint further. This was explained fully to Mother, and she was informed that she was entitled to resubmit her complaint within six months of the conclusion of the court case.</p> <p>The relevant Team Manager discussed her concerns about contacting her children separately.</p>	No lessons to be learnt as the complaint was not fully investigated as a result of the ongoing court case.	It was not possible to confirm whether this complaint was upheld or not as it was not possible to investigate the complaint further de to the ongoing court case.
GC/06085-18	A Father contacted eager to make a complaint about the terms of the Flying Start Childcare claim. The Father had been told that his son, who would be turning two during the Easter school holidays would be eligible to start free Flying Start Childcare sessions, and would receive individual support from a Speech and Language Therapist	Stage 1	Flying Start	A full investigation was undertaken and it was discovered that the term dates for the Flying Start Childcare claim were different to the school term dates; the Flying Start summer term had started several weeks before the school Easter holiday period. As a result, children who had celebrated their birthdays over the school holidays	There is a need to ensure that information about the dates of the Flying Start Childcare claim is shared accurately with families and that all officers of the Flying Start area Teams are	This complaint was partially upheld as incorrect information about the Flying Start term dates was shared with the Father. However, it is important to note that the Flying Start term dates are set by Welsh Government, and not Gwynedd Council, therefore the Service had in

	after the Easter school holidays. However, he had been informed later that he would not be eligible to attend the sessions until the new term, which was the Autumn term after the summer holidays.			would not be eligible to attend the free sessions until the next new term, namely the Autumn term. The relevant Manager contacted the Father to discuss his complaint further. Following their discussion, it was arranged that his son would attend two early intervention sessions a week for free during the current term before the summer holidays and also that the Flying Start Speech and Language Therapist would offer him a home session. The Father was happy with this solution.	aware of the correct dates.	fact followed the correct eligibility criteria when confirming that his son would not qualify for the free Flying Start Childcare sessions until the next school term, which was in fact the autumn term.
GC/06115-18	A Mum contacted the Customer Care Officer eager to make a complaint about a number of issues relating to her children's case, specifically matters relating to her Social Worker. The Mother was not happy with the way her children's cases were managed, and was keen to get answers about certain issues.	Stage 1	Dwyfor Children's Team	The relevant Senior Manager met with the Mother to discuss her complaint further, but during the meeting it became apparent that the court case relating to safeguarding her children was still ongoing. Consequently, in accordance with the Social Services Complaints Procedure (Wales) Regulations 2014, it was not possible to investigate the complaint further. This was fully explained to Mother, and it was explained that she could re-submit her complaint within six months of the conclusion of the court case.	No lessons to be learnt as the complaint was not fully investigated as a result of the ongoing court case.	It was not possible to confirm whether this complaint was upheld or not as it was not possible to investigate the complaint further de to the ongoing court case.
GC/06139-18	A Mother contacted the Team Manager keen to make a	Stage 1	Dwyfor Children's Team	A full investigation was undertaken by the relevant Team Manager,	No specific lessons for the Department to	It is difficult to come to a definitive conclusion as to

	complaint against a Social Worker's approach and behaviour during a visit to her home. The Mother felt that the Worker had behaved inappropriately and made disrespectful comments. The Mother wanted to have a new Social Worker.			and it became apparent that it was very difficult to come to a firm conclusion about this complaint as it was the word of one person against the other. It was decided that the case would be transferred to a new Social Worker. The Mother was written to about the outcome of the investigation and she was provided with a full apology. However, the Mother was not satisfied with the response given. Arrangements were made for the Senior Manager to look at this complaint and discuss further with the Mother. The Senior Manager tried to phone the mother several times, but unfortunately there was no response and therefore the complaint was closed.	learn from this complaint, but it is important that Social Workers are aware of their influence in a professional role and the impact their involvement has on the families they come into contact with.	whether this complaint was upheld or not as this was one person's word against the other. However, it is important to recognize the complainant's feelings and that they have a right to make a complaint if they have had a negative experience when dealing with the Department.
GC/06187-18	Parents contacted the Short Breaks Team Manager to say that they were unhappy that their son had been sent home from Hafan y Sêr over the weekend because he was ill. The parents were of the opinion that their son was not ill and should have stayed at Hafan y Sêr for the whole period of his stay.	Stage 1	Hafan y Sêr	A full investigation was carried out by the Hafan y Sêr Manager to the complaint, and the Manager telephoned the parents to discuss further. The parents were very unhappy with the explanation given that guidelines note that a child must be sent home if they are ill. It was agreed that their son would be able to come for an additional stay later in the month.	There is a need to ensure that discussions and negotiations take place with parents over the telephone before coming to any decision that a child is ill enough to be sent home.	On the whole, this complaint was not upheld as the members of staff had followed the correct protocol when a child is taken ill during their stay at Hafan y Sêr.

APPENDIX 2 - EXAMPLES OF STAGE 2 COMPLAINTS DURING 2018/2019

Ref	Short Description	Stage	Team	Response	Lessons to be learnt	Complaint Upheld / Not Upheld
GC/04875-18	<p>A Stage 1 complaint was made by a Grandmother in 2017 as she was very dissatisfied with the attitude of her granddaughter's Social Worker. She felt that the Social Worker's attitude was terrible, he was liar, played tricks and was a bully. Her granddaughter was afraid of him. Following the completion of the Stage 1 investigation, a new worker began working with the family.</p> <p>However, the Grandmother contacted the Customer Care Officer during Quarter 1 2018/2019 noting that she was dissatisfied with the Stage 1 response and that she was eager for the complaint to be re-investigated by an independent person to the Council.</p>	Stage 2	Dwyfor Children's Team	<p>An Independent Investigator and Independent Person were appointed to investigate the complaint. The investigation looked at six specific complaints relating to the operation and conduct of the Social Worker.</p> <p>The Investigator was of the opinion that it was not possible to reach a firm conclusion on whether four of the complaints were upheld or not, and that two of the other complaints were partially upheld. This was due to the fact that many of the complainant's complaints related to information shared with the Grandmother by a third party and that the Social Worker then stated that this information was not correct; it was word of one person against the other. As a result, it was not possible for the Investigator to come to a definitive conclusion as to what exactly had been said and done which provided the basis for the grandmother's complaints.</p> <p>The investigation was completed within the 25 working day timeframe as required by the Act.</p>	<p>In regards to the complaints which were upheld by the Investigator, it is important that decisions are clearly communicated, particularly in complex situations such as this where there were several contributing parties.</p> <p>There were no specific lessons for the Department to learn in terms of complaints where it was not possible to reach a firm conclusion.</p>	<p>Following the conclusion investigation, the Investigator decided that it was not possible to reach a conclusion on whether four of the complaints were upheld or not, and that two of the complaints had were partially upheld.</p> <p>When considering both complaints which were upheld, the Investigator was of the opinion that the Social Worker had not adequately explained issues to the family in relation to contact arrangements. This had caused considerable confusion and also resentment between the family and the Social Worker.</p>

				Following the completion of investigation and sending the response to the complainant, the Senior Manager for Safeguarding and Quality and the Customer Care Officer met with the complainant to explain the contents of the Stage 2 Investigation Report and discuss any concerns she had about its contents. A further response to these concerns was sent to the complainant.		
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APPENDIX 3 – EXAMPLES OF COMPLAINT TRANSFERRED TO THE PUBLIC SERVICES OMBUDSMAN DURING 2018/2019

Ref	Short Description	Response	Lessons to be learnt
GC/3257-15	<p>A complaint was originally received from parents during Quarter 1 of 2016/2017 following a long period of communication with the Department. This original complaint related to several issues including the provision of the service offered to their 15 year old son and the behaviour and attitude of the Social Workers who had been working with the family.</p> <p>The complainants requested that their complaint be escalated immediately to be investigated under Stage 2 of the Complaints Procedure. However, as the complaint had not yet been investigated under Stage 1 arrangements, the Department was of the opinion that it would not be appropriate to escalate the complaint for the time being. Following a further period of communication over e-mail, the complainants agreed for their complaint to be investigated under Stage 1 and confirmed their complaint and their desired outcomes. A full response was provided during Quarter 2 of 2016/2017, however, the complainants were still eager for the complaint to be escalated to Stage 2 of the Complaints Procedure. This further request was carefully considered, but as the complainants' desired outcomes for their nine complaints were mainly about internal disciplinary issues, the Department remained of the same view that it would not be</p>	<p>Following the Ombudsman's decision to reverse their first judgment not to investigate the complainants' complaint, the Ombudsman decided to investigate further. The Department provided a copy of the full complaints file and answered the Ombudsman's further questions. A response was received from the Ombudsman to the complainants' complaint against the Department during Quarter 1 of 2018/2019; over a year since its investigation began.</p> <p>The Ombudsman upheld the complainants' complaint against the Department stating that the Department had failed to properly assess the complainants' son's needs and therefore he was not receiving adequate services to support his additional needs. The Ombudsman was also of the opinion that the Department had implemented the Social Services Statutory Complaints Procedure incorrectly, and consequently the decision not to escalate the complainants' complaint to Stage 2 was unreasonable and incorrect.</p> <p>The Ombudsman made six recommendations to the Department, including providing the complainants with an apology and financial compensation and also to provide the complainants' son with a comprehensive assessment of his needs to ensure that</p>	<p>There are several lessons for the Department to learn from the Ombudsman's investigation, and they are noted below:</p> <p>1. Derwen's Access Criteria</p> <p>One aspect of the complainants' complaint related to the fact that their son was not eligible for support from the Derwen Service. The Service has recognised that there were gaps in the services available, particularly for individuals with Autism. The Derwen Management Team has now merged with the Anglesey Management Team, and this new Management Team has recently reviewed the access policy. In addition to this, the Neuroscience Service is now leading on the provision of services and signposting children and young people with autism to services and support available beyond Derwen Services. The North Wales Autism Service is now also in existence and operates across North Wales.</p> <p>Certainly, there is a lesson to be learnt in terms of promoting the use of new services available to those with autism, and especially to children and young people who do not meet the eligibility criteria for services from Derwen, to</p>

	<p>appropriate to escalate the complaint to Stage 2.</p> <p>It is also fair to note that there was a substantial amount of correspondence between the complainants and the Department discussing these matters at the time. A number of Officers, Managers, Senior Managers and the Head of the Children and Family Support Department endeavoured tirelessly to try to resolve the complainants' original complaint. However, due to the fact that all the contact between the complainants and the Department to discuss their concerns took place over e-mail, and the complainants' reluctance to accept the Department's invitations to a meeting to discuss their complaint, the situation became complicated for all involved.</p> <p>During Quarter 3 of 2016/2017 the complainants contacted the Ombudsman to make a complaint about the Department's decision not to escalate their complaint to Stage 2 as they considered that their complaint had not been correctly processed. The Ombudsman contacted the Department and requested all relevant evidence that would assist them in their investigation. A response was received shortly after this from the Ombudsman stating that they would not investigate the complaint further as they were of the opinion that the Department had correctly implemented the Social Services Statutory Complaints Procedure in relation to</p>	<p>adequate measures were put in place to meet any needs identified by the assessment.</p>	<p>ensure that they are receiving support from services beyond Gwynedd Council. There is also a need to raise awareness of these services across the Department, not only within the Derwen Service.</p> <p>2. Autism Training</p> <p>It is not a requirement for Social Workers to have any expertise in autism. Neither are they required to undertake autism training. Autism training is currently available to Derwen Service staff, but it is not open to the rest of the Department's officers. There was a strong view in the Ombudsman's final report that there was a need to raise awareness amongst all of the Department's remaining officers, and therefore another lesson would be to ensure that autism training is available to all within the Children and Supporting Families Department.</p> <p>3. Conduct discussions with complainants when processing complaints under the Social Services Statutory Complaints Procedure</p> <p>There were several hindrances during this complaint process when trying to discuss the complaint with the complainants, particularly as all discussions about the complaint took place over e-mail. In cases of complaints that have the potential of becoming</p>
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	<p>not escalating the complaint to Stage 2 and that a comprehensive response had been provided to complainants in accordance with Stage 1 arrangements</p> <p>However, during Quarter 4 of 2016/2017, the Department received further correspondence from the Ombudsman requesting that the complainant's complaint be escalated to Stage 2 of the Complaints Procedure. The Department's position had not changed, and the Ombudsman therefore decided to revoke their original decision and conduct a further investigation into the complainants' complaint against the Department.</p>		<p>complicated, it is beneficial to the Department and to the complainants that a meeting be held to discuss matters face-to-face. This can also contribute to building effective relationships between all those involved in the complaint in order to move forward to work together for the benefit of the children and young people of Gwynedd.</p> <p>4. The Voice of the Child / Young Person</p> <p>When the Department receives a complaint from parents on behalf of their children, it is important that, if appropriate, the child or young person concerned has the opportunity to contribute fully to the complaints process and that their views are fully considered. It is also important to ensure that the child or young person has the option of receiving support from an advocate to support them through the process.</p> <p>5. Complaints Training</p> <p>In their final complaint report, the Ombudsman recommended that all staff within the Children and Family Support Department received training on the Social Services Statutory Complaints Procedure. No training has been provided to the Department's officers since the introduction of the Regulations in 2014, and there have been no</p>
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			<p>changes to the Complaints Procedure since then. However, training sessions will be held to ensure that all of the Department's officers are aware of their duties if they identify an individual who wishes to complain.</p>
<p>GC/06099-18</p>	<p>A complainant contacted the Department in February 2019 with a request to re-investigate a complaint which was originally made in late 2016 about events dating back to 2014. A very detailed Stage 1 investigation had been undertaken and concluded in August 2017, and as no further correspondence had been received from the complainant at the time, the Department was of the opinion that the complaint had been closed. However, in February 2019 an e-mail was sent from the complainant stating that he was dissatisfied with the outcome of the investigation and the response he had received to his complaint in August 2017. The complainant requested for his complaint to be re-investigated or escalated to Stage 2.</p> <p>The Department carefully considered the complainant's request, but it was determined in accordance with the Social Services Complaints Procedure (Wales) Regulations 2014 that the complaint would not be re-investigated or escalated to Stage 2 of the Complaints Procedure as too much time had passed since the conclusion of the original complaint investigation. The Regulations clearly state that a complaint must be made</p>	<p>The Ombudsman contacted the Department to state that they had received a complaint and that they were considering whether to conduct a full investigation. A request was made for a copy of the entire complaints file dating back to 2016 and any other evidence which may be of use to the Ombudsman's initial investigation. The Department shared all relevant documents and correspondence with the Ombudsman.</p> <p>Following completing their initial investigation and having considered the documentation provided by the Department, the Ombudsman determined that they would not conduct a further investigation of the complainant's complaint as the Ombudsman was of the opinion that the Department had acted in accordance with the Social Services Complaints Procedure (Wales) Regulations 2014.</p>	<p>There were no lessons to be learnt from this complaint. The complainant had received a clear instruction at the end of the original complaint investigation about how to contact the Department if he was dissatisfied with the outcome of the original complaint investigation. The Ombudsman also agreed with the Department's position not to re-investigate the complainant's complaint, and as a result no further investigation was undertaken.</p>

	<p>no later than 12 months after the date on which the matter which is the subject of the complaint came to the notice of the complainant, which was in 2016 in this case. Therefore it would not have been reasonable for the Department to conduct a further fair and detailed investigation into the issues dating back to 2014 during 2018/2019.</p> <p>In addition, no correspondence was received from the complainant between the end of the complaint investigation in August 2017 and February 2019. The Department was therefore of the opinion that the complainant had been given sufficient opportunity to contact the Department before February 2019 expressing his dissatisfaction with the outcome of the original investigation into his complaint.</p> <p>After receiving a full response from the Department, the complainant contacted the Ombudsman asking them to investigate his complaint against the Department and also against the Department's decision not to re-investigate his complaint.</p>		
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APPENDIX 4 - EXAMPLES OF APPRECIATION DURING 2018/2019			
Ref	Short Description	Category	Unit / Team
GC/4580-18	Chris Evans, Social Worker received a card from a young person he had been working with for a period. The card thanked him for his work and support.	Gratitude	Dwyfor Children's Team
GC/4680-18	<p>"I am writing to you to say what a fantastic job Julie Bragan [Social Worker] has been doing and continues to do with a child in our care XXXXX.</p> <p>"Julie has formed a fantastic bond with XXXXX which far exceeds her job description, creating a trust and level of relaxed relationship XXXXX has not felt with any Social Worker in the past.</p> <p>"Julie has been exemplary in her support with us in her professionalism and tireless efforts to achieve the best possible outcome in any situation that arises with XXXXX.</p> <p>"We cannot express strongly enough the respect and gratitude we have for Julie and hope she will continue as XXXXX Social Worker as long as he needs her. We have been XXXXX Foster Carers for over five years and Julies support and problem solving has made caring for XXXXX much easier."</p>	Gratitude	Derwen
GC/005KH-18	<p>"I am just writing to let you know that XXXXX, XXXXX, and the children have moved into their new home yesterday-which is a big weight off everybody's shoulders.</p> <p>"The boys have already made friends there, and it was lovely to see them outside playing in the sun all day. They are looking forward to their new school too.</p> <p>"I can't than you enough for helping them get away from here, and giving them that helping hand."</p>	Gratitude	Arfon Children's Team 2
GC/04756-18	Georgina Carty, Social Worker received an afternoon cream tea delivered to the office from a child she had been working with and her Foster Parents.	Gratitude	Meirionnydd Children's Team

GC/04779-18	<p>Email from Sian Wilson, Family Court Advisor Cafcass Cymru:</p> <p>“...I would wish to bring to their attention the good practice of one of their Social Workers, Lyann Owen-Leeds. Throughout the case, Lyann has ensured that I as children’s guardian have been updated as to any significant changes and developments as the case has progressed and she has contacted me to share the outcomes of meetings I have been unable to attend.</p> <p>“The PAM’s assessment Lyann undertook, was comprehensive, balanced and in my opinion, fair. Within the assessment she has highlighted and praised the mother for the many positive changes she has demonstrated in terms of her lifestyle and parenting, but balanced this against areas that remain addressing and which require ongoing support and services from a variety of agencies alongside children’s services. It is my professional opinion that the assessment was analytical and evidenced the need for ongoing support, services and monitoring...</p> <p>“Could you please ensure that my comments are shared with the appropriate managers in Gwynedd Children’s Services to highlight the good practice of Lyann. People, including Children’s Guardian are quick to criticise, or raise concerning practice and it would be nice to know that Lyann is given the credit she deserves.”</p>	Gratitude	Meirionnydd Children’s Team
GC/04988-18	Nia Wyn Jones, Social Worker received a card and gift from a family she had been working with for a period thanking her for her work and support.	Gratitude	Dwyfor Children's Team
GC/05117-18	“...From that moment the Children's Disability Team Derwen were fantastic in offering support in all they areas that we had problems, from sleep to diet to PACT. We had a Family Support Officer and anyone from the team who was involved with his care made themselves available and all we ever had to do was pick up the phone to any of them. After the diagnosis we were offered a social worker through Derwen, Music therapy and a pack explaining Autism and providing details of support groups and contact numbers. Our Social Worker has been great. She regularly visits us and makes referrals for whatever we need. Any professional involved with Derwen always calls us back pretty quickly... No complaints from me really. Can't thank them enough for what they have done.”	Gratitude	Derwen

GC/05216-18	<p>“My son XXXXX is under Derwen we had such a lovely time at Glan Llyn the other weekend thanks to your funding. It was nice to meet up and talk with other parents too. As a way of saying thank you my boys would like to do a sponsored walk to raise some money for Derwen.”</p>	Gratitude	Derwen
GC/05245-18	<p>“It’s helped loads. I use all the information and tips every day. It’s really helpful. My family supporter is the best. Wenna [Aindow, Family Support Officer], thank you so much to her for any help. Best worker ever.”</p> <p>Feedback from a parent who had reviewed one-to-one support.</p>	Gratitude	Flying Start
GC/05246-18	<p>“My child has improved in terms of speech and behaviour and has settled very well in school. Thanks to Wenna [Aindow, Family Support Officer] for all her advice and help we would have been lost without her!”</p> <p>Feedback from a parent who had received one-to-one support.</p>	Gratitude	Flying Start
GC/05247-18	<p>“Gives parents the confidence they need to know they are good enough parents and that there is help out there.”</p> <p>Feedback from a parent who had received one-to-one support.</p>	Gratitude	Flying Start
GC/05248-18	<p>“It has helped me as a parent finally feel like I am in control. I now have a good relationship with my child and I’m able to have fun with my child. I now know I am a good enough parent”</p> <p>Feedback from a parent who had received one-to-one support.</p>	Gratitude	Flying Start
GC/05249-18	<p>“Family life is much easier after my husband and I completed the course. XXXXX listens more. I find it easier to deal with XXXXX. XXXXX is much happier. The tools I learnt ensure that I don’t lose my patients. There’s no shouting, throwing, or hitting anymore and no dummy. Lowri [Lloyd Williams, Family Support Officer] has been fantastic and supporting and without any judgement.”</p>	Gratitude	Flying Start

	Feedback from a parent who had received one-to-one support.		
GC/05515-18	Georgina Carty, Social Worker received a card and a box of chocolates from a child she had been working with to thank her for her work with his family.	Gratitude	Meirionnydd Children's Team
GC/05527-18	A letter from Jo-Anne Daniels, Director - Communities and Tackling Poverty: "As one of the original seven local authorities working with us to develop and deliver the offer [30 hours Childcare Offer] I wanted to take the opportunity at this point to write to thank you personally for the efforts you have made to successfully deliver the childcare offer across Gwynedd and Anglesey over the past year. I would like to pay particular thanks to Rachel Jones [Gwynedd and Anglesey Strategic Childcare Officer] and team. I do not underestimate the challenges of delivering this complex programme at pace. Local authority colleagues have shown a high level of commitment to the delivery of the offer and, in addition, have been open to supporting other local authorities with their implementation."	Gratitude	Flying Start
GC/05530-18	"We completed at XXXXX today with a Care Order. Judge complimented me [Heidi Rylance, Team Manager] on my assessments and care planning in court. He then asked me to stay behind after and again gave praise for what he considered a difficult case given I had to take over as Social Worker."	Gratitude	Dwyfor Children's Team
GC/05662-18	Georgina Carty, Social Worker received a Christmas present from a Foster Carer to thank her for her support during the year.	Gratitude	Meirionnydd Children's Team
GC/05846-18	Hayley Campbell, Social Worker was twice complemented by a Judge during a court case for preparing a child-centred thorough report.	Gratitude	Arfon Children's Team 2
GC/05866-18	A letter received by Dilwyn Williams, Chief Executive praising Sara Williams, Adoption Social Worker for her work: "We have received exceptional care and support from Ms Sara Gwilym Williams, Adoption Social Worker. Sara has played a key role in our journey to adopting a child, and Sara's support has been invaluable to us as a family during this period... "Sara has a warm and friendly personality and she is a professional and respectful worker. Sara's support has been of great help to us, and we have been carefully	Gratitude	Adoption

	<p>guided through the complex processes of assessment, pairing, introductions and legal by a sensitive and very skilled person.</p> <p>“Sara is intelligent and empathetic and advised and supported us to make difficult decisions. She is completely reliable and punctual, she didn’t miss one appointment with us throughout the four years of support...</p> <p>“Sara was always there to support us, and gave us confidence to continue along the journey when, at times, doubts and uncertainties arose. We are extremely grateful to Sara for her support, and we will forever be thankful to her for her for her invaluable contribution to us as a couple and to our little girl.</p> <p>“The Council is very fortunate to have Sara as a member of staff, and others who are going through the adoption process are very fortunate to have her support.”</p>		
<p>GC/05877-18</p>	<p>Sara Pozzi, Social Worker and Nia Evans, Social Worker were praised by the Court during a court case for their reports and care plans. The parties were also in agreement that their assessments were of an extremely high standard, and that their care plan was very thorough. The fathers also complimented their hard work to ensure the children’s wellbeing whilst in their care.</p>	<p>Gratitude</p>	<p>Arfon Children’s Team 1</p>
<p>GC/06119-18</p>	<p>“Great, touch wood he loves coming here [to Hafan y Sêr] and has fun. We’re not at all worried, he knows you all well and is being well cared for. [The Service] helps me to keep going.”</p> <p>Feedback from a parent who’s child has been staying at Hafan y Sêr for a period of respite.</p>	<p>Gratitude</p>	<p>Hafan y Sêr</p>
<p>GC/06120-18</p>	<p>“[Hafan y Sêr] Gives me a break, and more time with others, and I know she’s happy at the same time.”</p> <p>Feedback from a parent who’s child has been staying at Hafan y Sêr for a period of respite.</p>	<p>Gratitude</p>	<p>Hafan y Sêr</p>

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GC/06121-18	<p>“XXXXX is delighted, and excites when she hears the name Hafan y Sêr. It’s somewhere different; chill. XXXXX can go out to different places, she has a holiday and I can plan ahead. I can do things with the others, they really appreciate Hafan y Sêr.”</p> <p>Feedback from a parent who’s child has been staying at Hafan y Sêr for a period of respite.</p>	Gratitude	Hafan y Sêr
GC/06122-18	<p>“XXXXX seems to be happy, and feedback would say he's enjoying. He can do different things that XXXX wouldn't enjoy. A big help. I can plan short breaks.”</p> <p>Feedback from a parent who’s child has been staying at Hafan y Sêr for a period of respite.</p>	Gratitude	Hafan y Sêr
GC/06123-18	<p>“XXXXX is happy – he doesn’t look at me when he’s leaving. We couldn’t do without it [Hafan y Sêr] – we can have time with XXXXX. We hadn’t realised how much we as parents needed a break – I can completely relax with confidence in the care that he’s receiving.”</p> <p>Feedback from a parent who’s child has been staying at Hafan y Sêr for a period of respite.</p>	Gratitude	Hafan y Sêr
GC/06125-18	<p>“XXXXX is happy, there a difference! XXXXX looks forwards and goes to get his case. There been a big difference in him. I’m confident I can go further now; we’ve been to Liverpool and I’m 100% happy as he’s happy; there were many things we couldn’t do before, shopping, go out for food... it’s hard work and I’m refreshed when he returns.”</p> <p>Feedback from a parent who’s child has been staying at Hafan y Sêr for a period of respite.</p>	Gratitude	Hafan y Sêr
GC/06126-18	<p>“Yes, XXXXX is happy, he loves it. XXXXX has been settling very well and speaks more now... I have no idea how I would cope without it [Hafan y Sêr] by now – it’s a shame that it wasn’t available sooner.”</p>	Gratitude	Hafan y Sêr

	Feedback from a parent who's child has been staying at Hafan y Sêr for a period of respite.		
GC/06127-18	<p>"XXXXX is massively happy 100%, it's his 2nd home. The service is invaluable, worth its weight in gold. I would be lost without the service."</p> <p>Feedback from a parent who's child has been staying at Hafan y Sêr for a period of respite.</p>	Gratitude	Hafan y Sêr
GC/06128-18	<p>"As it's only the second time XXXX has been to Hafan y Sêr, it's new for him but he is happy. When he's there it's the getting used to sleeping over. But we are very happy with the care he has. And staff have been fantastic putting us as parents at ease with the situation and phoning us letting us know how he's doing and the diary is a brilliant idea to let us know what he's been up to in Hafan y Sêr. Thank you to all the staff."</p> <p>Feedback from a parent who's child has been staying at Hafan y Sêr for a period of respite.</p>	Gratitude	Hafan y Sêr
GC/06129-18	<p>"XXXXX and I are very thankful and very happy with everything and all the staff are so kind and thoughtful. I'm happy for my daughter to be in your care. Thank you very much."</p> <p>Feedback from a parent who's child has been staying at Hafan y Sêr for a period of respite.</p>	Gratitude	Hafan y Sêr
GC/06130-18	<p>"My child was very happy when I picked him up and is asking every day to go again. He cannot wait for his next visit. Very very happy with how things went for him. He loves the staff so we as parents feel much happier and cannot wait til his next visit."</p> <p>Feedback from a parent who's child has been staying at Hafan y Sêr for a period of respite.</p>	Gratitude	Hafan y Sêr

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TITLE	Annual Report on dealing with complaints by the Adults, Health and Well-being Department for 2018-2019
PURPOSE	To give an overview of the Complaints, Enquiries and Expressions of Gratitude received during 2018-19
AUTHOR	Geraint Wyn Jones Customer Care Officer (Adults) Safeguarding and Quality Assurance Unit (Adults)
CABINET MEMBER	Councillor Dafydd Meurig
DATE	01 July 2019

1. Introduction

- 1.1 In accordance with the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014 that came into effect on 1 August 2014, the Director of Social Services is required to produce an annual report on the way complaints are handled and investigated within the service. The report is produced by the Customer Care Officer on behalf of the Director of Social Services.
- 1.2 The purpose of this report is to provide information on the number of complaints received during the year and reasons for them, and include details of their resolutions by the Adult, Health and Well-being Department. It also includes a summary of the lessons learnt and the action taken in relation to the complaints received.

2. Context

- 2.1 The Adults Customer Care Officer, as a member of the Safeguarding and Quality Assurance Unit, deals with complaints throughout the year in line with the statutory Social Services Complaints Procedure guidelines.

3. Access to the Complaints Procedure

- 3.1 When a person contacts the Customer Care Officer, it relates to a dissatisfaction with the Department's service, and deciding to make a complaint is usually their last resort. The Officer concentrates on ensuring access to the Complaints Procedure so that people are aware of their right to be heard.
- 3.2 To this end, information about the Complaints Procedure receives considerable publicity and is available in a variety of formats e.g. leaflets, on-line and 'easy read' versions. All the information is available in Welsh and English so that the complainant can choose his/her preferred language. Alternative arrangements such as Braille or other languages are available. Advocacy or other support is available to the complainant in their chosen language in order to assist the progress of the Complaints Procedure. The Information Officer continuously amends and updates the information leaflets.

4. Matters recorded as Enquires

- 4.1 The aim is to respond to every complaint with fairness, impartiality and respect so that the individual is confident that his/her complaint will be handled professionally and positively, rather than negatively. Often, when the individual decides not to follow the Complaints Procedure, the matter is dealt with as an enquiry or informal complaint. Another example of this would be a letter from a Member of Parliament or local Councillor who wishes to express dissatisfaction or wants a specific answer to a question.
- 4.2 By responding positively during these initial steps, some matters can be effectively resolved without the need for the Complaints Procedure as this is an opportunity to address any misunderstandings or to respond to enquires. Without a doubt, this is the best outcome for everyone.

See Table 1 at the end of this report for an analysis of the outcome of every enquiry and the unit/service that is responsible for responding to that particular enquiry and Table 2 for more detailed examples of these enquiries.

5. Stage 1 - Social Services Statutory Complaints Procedure - Local Resolution

- 5.1 Every effort is made to resolve the complaint so that the complainant and the Service are satisfied. Obviously, a local resolution is the best resolution for everyone and this can be achieved by investing time and effort early. However, if the complainant decides to make a formal complaint, the usual procedure is to have contact over the phone, by using e-mails, or face to face with the complainant or representative in order to try to resolve the matter. Over the years, the Customer Care Officers have successfully established close working relationships with the teams, managers and legal service as a means of discussing and resolving matters, and this is reflected in the small amount of complaints that reach Stage 2 of the Complaints Procedure. See Appendix 2 for some examples of the complaints responded to at Stage 1 of the Complaints Procedure.

Tables 3 and 4 at the end of the report show a comparison of the number of complaints that followed the Complaints Procedure in 2017/18 and in 2018/2019.

6. Stage 2 - Social Services Statutory Complaints Procedure - Formal Investigation

- 6.1 By following the principle of focusing on a successful early and local resolution, and of dealing with matters quickly and effectively, the need to reach Stage 2, which is a formal investigation by an independent investigator, is unusual in Gwynedd. It is understood that Gwynedd leads all other north Wales counties in this regard. It is a clear sign of the commitment of the Customer Service Officer, through the relevant staff's ready collaboration in every individual case, to resolve every complaint in an effective and timely way.

During 2018/2019, four requests were received to escalate complaints from Stage 1 to Stage 2 of the Social Services Complaints procedure. Three of the investigations have ended and comprehensive responses were provided to the individual complainants. As far as we are aware, the complainants have not, so far, referred these cases to the Ombudsman.

7. Complaints transferred to the Public Services Ombudsman

- 7.1 If the complaint is not resolved at the end of an investigation under Stage 2 of the Complaints Procedure, the complainant has the right to refer the case to the Public Services Ombudsman for Wales, or the Welsh Language Commissioner, or the Equality and Human Rights Commissioner, depending on the nature of the complaint.
- 7.2 The Ombudsman did not investigate any Stage 2 complaints in 2018/19. The Ombudsman requested information from a service user's file despite his having investigated a complaint by a former service user's family. We are still awaiting the outcome of the investigation and for confirmation of his ruling on the role of the Department in the issue in question and what the Department will have to respond to.

8. Adherence to the Statutory Complaints Procedure Response Timetable

- 8.1 The Local Authority has a duty to provide information on the way it investigates and deals with complaints within the timetable noted in the Guidelines and Regulations. The Service managed to respond to 87% of Stage 1 complaints within this timetable during 2018/19. See Table 5 at the end of this report for further details.
- 8.2 The reasons for the late responses were related to work pressures on the relevant staff who responded to the complaint, and the absence of the Customer Service Officer due to annual leave. The timetable for providing a written response confirming the outcome of the discussion is five working days, which is very tight. Nonetheless, the majority of complainants do receive a response within the timetable or have agreed to extend the timetable.

9. Gwynedd Council's Complaints Procedure

- 9.1 Some matters that are beyond the remits of the Social Services Complaints Procedure are dealt with under Gwynedd's Corporate Complaints Policy. The Department's other responsibilities is also a reason for these complaints, e.g. Housing matters. Not all complaints are brought to the attention of the Customer Care Unit, as perhaps some will have been referred directly to the service.
- 9.2 The following are examples of general complaints: - a member of the public complaining about the Housing Service's ruling that they were not eligible for social housing; spelling mistakes in an official document; a private home owner asking for advice about central heating and fixing a boiler.
- 9.3 No complaints were received this year that were dealt with under Gwynedd's Corporate Complaints Policy.

10. Learning Lessons and Identifying Trends

10.1 Learning Lessons

A quarterly report on dealing with complaints is presented to the Management Team of the Adults, Health and Well-being Department. This is an opportunity to analyse every complaint and to discuss and learn in order to improve the service provided to Service Users.

- 10.2 The Management Team includes the lessons learnt in its amended work plans and any training needs are identified. The current lessons to be learnt log is administrated by the Customer Care Officer. The log is regularly distributed amongst the Senior Managers in order to inform them of the lessons that have been identified. The log will be updated with any information about actions taken in connection with the lessons to be learnt. Hopefully, this will be a more effective way of identifying lessons and ensuring that improvements are implemented.

See the copy of the Lessons Log on pages 8 to 11 of this report for further information about the lessons identified during the year.

10.3 Complaints and Enquiries Trends - Adults, Health and Well-being Department

- 10.3a As part of the complaints data analysis for quarterly reports, the Customer Care Officer identifies trends in the nature of the complaints and enquiries received. This is useful in identifying whether similar problems frequently arise in specific fields that lead to several complaints about that problem.
- 10.3b A theme that arose in 2016/17 and 2017-18 was the complaints stemming from the difficulties experienced in providing a sufficient level of domiciliary care hours, especially in rural areas of Gwynedd. 10 complaints were received and these were addressed under Stage 1 of the Complaints Procedure in 2017-18.
- 10.3c The number of complaints and enquiries around this theme fell to five during 2018-19, which suggests that the problem is improving gradually. Members of Parliament sent three complaints and two enquiries on this subject during the year. No complaints or enquiries were recorded during quarter 4 of 2018-19 (January to March 2019) - the first time this has happened in any quarter since 2015-16.
- 10.3d During quarter 3 this year, changes were made to the taxi service for transporting service users back and forth to day care settings in the Caernarfon and Bangor area. This included changes to the way this service is commissioned and changes were seen in the taxi company that provides the service. The possibility that minor problems would arise during this time of change was anticipated and families of two service users got in touch (through the Caernarfon Adults Team) to report problems. In one case, the taxi was

late and in the other case it had not turned up. No further problems have been reported to the Customer Care Officer, since these two problems were brought up.

10.3e During quarter 3 of this year, a period of consultation began with the Telecare service users. Since this included changes such as an increase in the number of people who pay for the service and a price rise in the service for others, it was decided to monitor the number of complaints and enquiries about this subject that could be brought to the attention of the Customer Care Officer. Only one comment was received by a service user who disagreed with the aim of the consultation process and there were no official complaints about this subject.

10.3f During the final quarter of 2018/19, four enquiries were received about the future of the Encil y Coed and Blaenau Ffestiniog day centres - two from members of the public who were relatives of services users, one from a Local Member and one from a Member of Parliament. Every enquiry was given a full response explaining the situation and the plans for the future of both centres. No further enquiries/complaints about this subject have so far been submitted.

11. Training and Staff Awareness of the Complaints Procedure

11.1 Providing training to staff about the Complaints Procedure is an important aspect of Customer Care, so that staff members are fully aware of the procedure and are confident of their role within it. In order to ensure that every staff member receives training, it is intended that the provision will move from the traditional workshop session to an e-Learning module. This should facilitate things and reduce the costs related to conducting traditional sessions.

11.2 Welsh Government is currently in consultation to create a new complaints procedure which better corresponds to the principles of the Social Services and Well-being (Wales) Act 2014. The North Wales Customer Care Officers' group, to which the Gwynedd Customer Care Officer belongs, has contributed to the engagement process by preparing a series of suggested changes to the procedure.

11.3 As a new complaints procedure is in the pipeline for the next 12 to 18 months, there are no plans to provide full training for staff on the complaints procedure in the near future as it is likely that training will have to be held again on any new procedure that comes into force. Once the Government has approved the new guidance, we will then provide training for staff on the new rules. In the meantime, the Customer Care Officer is available at all times to provide answers to any questions from staff about any aspects of the Complaints Procedure.

12. Other Duties

12.1 The Customer Care Officer (Adults) is a member of the Disabled Parking Spaces Panel which is responsible for coordinating the process of assessing applications from the public for special disabled parking spaces outside their

property. A Panel meeting is held every three months. The Officer is responsible for ensuring that application forms are up-to-date and correct, and is responsible for receiving enquires over the phone, by letter and e-mail. The Officer assists the Panel's Administrative Assistant to communicate application results by letter after every Panel meeting.

13. Expressions of Gratitude

13.1 As well as responding to concerns, complains and other comments from service users, their families, and members of the public, it is also crucial that we acknowledge and record the expressions of gratitude we receive from our service users, families, members of the public and from staff from other agencies.

The number of expressions of gratitude have increased this year as the Customer Care Officer has carried out work, with the aid of team leaders and managers across the Department, to promote staff awareness in general about the need to record any 'expressions of gratitude' they receive for their hard work.

See analysis of the number of expressions of gratitude in Table 6 and examples of expressions of gratitude in Table 7 at the end of the report.

14. 2019/20 Work Programme

14.1 Continue to respond to concerns, enquiries and complaints by adhering to the Welsh Government Social Services Complaints Procedure, ensuring that the lessons to be learnt from every case are addressed by the Departmental Management Team regularly and timely. Continue to monitor actions that take place to develop the service.

14.2 The Customer Service Officer will chair the North Wales Customer Care Officers Group (NWCOG) for the coming year. Meetings are held every three months.

15. Statistics on the use of Welsh and English when responding to complaints and enquiries

15.1 The Customer Care Officer responds to enquiries and complaints in the chosen language of the enquirer or complainant.

See the relevant figures on the use of both languages in Table 8 at the end of this report.

16. A summary of the actions to respond to the main trends, and lessons learnt from complaints received in 2017/18.

16.1 The actions that respond to the lessons and trends identified when dealing with complaints and enquiries are already in force, and improvements to the service have already become evident.

16.2 Addressing problems associated with providing domiciliary care

The main trend identified during the year (and during 2016/17 and 2017/18) was problems arising because of our inability, in some cases, to ensure a sufficient supply of home care hours/calls for Gwynedd residents, especially in some rural areas.

16.3 In order to respond to this main trend, a project between Gwynedd Council and Betsi Cadwaladr Health Board to commission joint care packages started in 2017. The intention is to establish a system where providers become part of the wider health and care team, and receive contracts to operate in specific areas rather than buying a per hour service from them.

16.4 An experimental phase began in the Bethesda area in July 2017, and a consultation session with service users, families and Local Members was held in November 2017. The session was very valuable in gaining a greater understanding of service users' expectations and the way we can address needs in a way that improves the quality of life of those using it. The Project Team will continue to experiment and draw up a detailed work programme to deliver the joint-commissioning model from 2019/20 onwards.

16.5 See copy of the Lessons to be Learnt Log 2017/18, on pages 7 to 10 of this report, for further information about further actions completed in relation to some of the other lessons learnt in 2017/18.

LESSONS LOG STEMMING FROM COMPLAINTS AND ENQUIRIES - ADULTS, HEALTH AND WELL-BEING DEPARTMENT - 2018/19

Reference and date received	Brief description of the complaint	Lesson identified	Relevant Manager/Staff	Responsible Senior Manager	Target Date for Action	Date of Discussion for the Adults Management Team	Comments of the Management Team	Outcome of the action
GC/4639-18 26/04/2018	The relative of a service user wants to complain about the financial procedures for paying for residential care through direct debit. The forms have been completed but no payments have been arranged for two months. Misunderstanding between departments.	The staff of the Income and Welfare Department and Finance staff to work together more closely to ensure information is passed on effectively in order to establish timely direct debit payments.	Staff of the Income and Welfare Unit and Finance staff	Rhion Glyn (Senior Business Manager)	31/08/2018	12/09/2018		Discussions have taken place with finance staff in order to raise awareness that information and forms must be passed on for processing as soon as possible upon receipt.

LESSONS LOG STEMMING FROM COMPLAINTS AND ENQUIRIES - ADULTS, HEALTH AND WELL-BEING DEPARTMENT - 2018/19

Reference and date received	Brief description of the complaint	Lesson identified	Relevant Manager/Staff	Responsible Senior Manager	Target Date for Action	Date of Discussion for the Adults Management Team	Comments of the Management Team	Outcome of the action
GC/4648-18 03/05/2018	Relative raised concerns about several aspect relating to her son's care at a Council-run residential home. The reference mainly related to the 'rhubarb crumble' he had mistakenly been given.	Staff need to be reminded of the protocol when there is a dysphagia plan in place. Consider further training for staff at every home on dysphagia.	Council Residential Home Staff and Managers (Learning Disabilities)	Learning Disabilities Senior Management	31/08/2018	12/09/2018		The staff at the home received training from a Dysphagia nurse from BCUHB in June 2018. Another session was arranged for October 2018 to reinforce the training

LESSONS LOG STEMMING FROM COMPLAINTS AND ENQUIRIES - ADULTS, HEALTH AND WELL-BEING DEPARTMENT - 2018/19

Reference and date received	Brief description of the complaint	Lesson identified	Relevant Manager/Staff	Responsible Senior Manager	Target Date for Action	Date of Discussion for the Adults Management Team	Comments of the Management Team	Outcome of the action
GC/4715-18 08/06/2018	Mrs J's son received an invoice dated 4 May for domiciliary care dating back to January. Mrs J has been in Plas Ogwen since March. Not happy that the invoice had gone out so late and asked for an explanation.	An external home care company was always late sending confirmation to the Council of the hours they had provided. This created a situation where invoices were incorrect and/or late being sent out to service users.	Staff of the Income and Welfare Unit and Finance staff	Senior Business Manager	31/08/2018	12/09/2018		The Department has committed to emphasise to external providers that providing information about the hours provided by them is very important in order to ensure invoices are sent to users in good time.
GC/05026-18 28/08/2018	A service user's relative was worried that medication records at a Council care home were being signed by staff without full awareness of whether the medication had been distributed or not	Staff to ensure that medication forms are signed in the right places on the recording form.	Council Residential Home Staff and Managers (Learning Disabilities)	Learning Disabilities Senior Management	31/10/2018	07/12/2018		This subject was observed as an area for improvement after CIW inspected the home on 21/08/18. The CIW report was published in October 2018. Following the inspection, staff awareness

LESSONS LOG STEMMING FROM COMPLAINTS AND ENQUIRIES - ADULTS, HEALTH AND WELL-BEING DEPARTMENT - 2018/19

Reference and date received	Brief description of the complaint	Lesson identified	Relevant Manager/Staff	Responsible Senior Manager	Target Date for Action	Date of Discussion for the Adults Management Team	Comments of the Management Team	Outcome of the action
								sessions were held to emphasise the importance of completing these forms correctly. The manager also committed to ensuring that recording forms were regularly monitored to ensure they were being completed accurately. This practice to be rolled out across the Council's homes.
GC/05057-18 03/09/2018	A service user's relative had made an official complaint about staff not adhering closely enough to a dysphagia plan. Desire to establish a training and monitoring plan for this at a high level	Ensure care staff at residential homes are given full training in dysphagia and are trained in first aid. Staff to be aware that individuals have dysphagia plans in place at all	Council Residential Home Staff and Managers (Learning Disabilities)	Learning Disabilities Senior Management	31/10/2018	07/12/2018	Training already arranged after similar concerns were raised earlier in 2018. More sessions to come in October 2018	The staff at the home received training from a Dysphagia Nurse from BCUHB in June 2018. Another session was arranged for October 2018 to reinforce the training

LESSONS LOG STEMMING FROM COMPLAINTS AND ENQUIRIES - ADULTS, HEALTH AND WELL-BEING DEPARTMENT - 2018/19

Reference and date received	Brief description of the complaint	Lesson identified	Relevant Manager/Staff	Responsible Senior Manager	Target Date for Action	Date of Discussion for the Adults Management Team	Comments of the Management Team	Outcome of the action
		times and treat this as a priority.						
GC/05985-18 20/02/2019	The relative of a service user complained that the Department had charged for three weeks of contributions toward the costs of respite care, although the service user had only been cared for for 13 nights. Claimed that this had not been clearly explained and that the person was unaware that the financial week began on Mondays.	The service user's relative claimed that the charging policy for Council respite care had not been correctly explained. Need to ensure that every user receives a copy of the charging form and signs that he/she has read it and understands the content before receiving respite care	Senior Business Manager, Income and Well-being Unit Staff and Finance staff	Rhion Glyn (Senior Business Manager)	31/05/2019			Adults Team Leaders to ensure a sufficient supply of forms explaining the charging procedure for Social Workers' services in order to distribute them to users and their families.

TABLE 1: Informal Enquires and Complaints received 2018-2019							
	<i>Adults</i>	<i>Internal Provision</i>	<i>Business</i>	<i>Housing</i>	<i>External Provider</i>	<i>Cross-service</i>	Total
<i>Solicitors</i>	4						4
<i>Ombudsman</i>							
<i>Local members</i>	5		1				6
<i>Members of Parliament or Assembly Members</i>	15		1		1		17
<i>Users</i>	6						6
<i>Relative and/or Carer</i>	8	7	3		1		19
<i>The Public</i>	4			1			5
<i>Advocate</i>	1						1
<i>Other Agent</i>							
<i>Issues with Disabled Parking Spaces</i>						1	1
<i>Other Counties</i>							
<i>Social Worker</i>							
<i>Older People Commissioner</i>							
<i>Welsh Language Commissioner</i>							
<i>Gwynedd Council Staff (other department)</i>	1						1
<i>CIW</i>							
<i>Health Board Staff</i>	1						1
TOTAL	45	7	5	1	2	1	60

TABLE 2: Examples of Complaints and Enquiries 2018/2019 - ADULTS

Ref.	Brief Description	Category	Stage	Uned / Team	Outcomes
GC/4638-18	Shortage of domiciliary care in Meirionnydd. Local Councillor complaining that there are not enough domiciliary carers available for local people who are discharged from hospital and need home care.	Complaint	Stage 1	Adults Service (Adults)	The service has responded and has apologised for the delay and has explained that every effort is made to find a domiciliary care provider.
GC/4715-18	The relative of a service user received an invoice for care costs in May for care received in January. Seeks an explanation why the invoice was sent late.	Complaint	Stage 1	Income and Welfare Unit (Business)	Full apology made for the delay in sending the invoice and a pledge made to send invoices more promptly in future.
GC/5057-18	Letter received from a relative of a service user worried that residential care staff were not adhering to the dysphagia plan that is in place. Asking for closer monitoring and training for staff.	Complaint	Stage 1	Residential and Day Care (Internal)	A review of the care plan was held and assurance that staff would be further trained and educated about dysphagia. Training has since been provided.
GC/05365-18	Service user unhappy with the quality of the support given by the Mental Health Team.	Complaint	Stage 1	Mental Health Service	Full response provided along with a full apology. Complaint escalated to Stage 2 in February 2019. Awaiting the outcome of the independent investigation.
GC/4298-18	Request by a Local Member on behalf of a service user for an Occupational Therapy assessment in order to ensure the kitchen was safe for her to use.	Enquiry		Adults Service (Caernarfon)	Service request forwarded to the Adults Team to be implemented promptly
GC/05040-18	Member of the Health Board staff enquiring about benefits and assessment services for a Gwynedd patient.	Enquiry		Adults Service (Bangor)	Advice provided to contact Age Cymru in order to assess benefits. Offer also made to refer the individual to the Adults Team to see whether further assistance was required by the Department on health and care matters.
GC/04686-18	A service user's relative concerned about the smell of gas at a Council-run residential home. Concerned about the home's ability to deal with a similar emergency	Enquiry		Residential and Day Care (Internal Provision)	Buildings and Health and Safety Team conducted a full investigation. No gas had escaped the building. It was ensured that staff at the home were aware of 'evacuation' arrangements if a similar incident were to happen in future.
GC/05985-18	A service user's relative disagreed with the policy of charging weekly for respite care rather than per day.	Complaint	Stage 1	Income and Welfare Unit (Business)	Full explanation provided in a letter. The total payable was reduced as a full explanation of the policy had not been provided. It is intended to

	Claimed that this had not been explained to him in advance.				remind staff to ensure that information sheets about the charging policy are circulated before periods of respite care.
GC/05776-18	Letter from a the family of a service user at Blaenau Ffestiniog Day Centre worried about the future of the service as changes to the provision were pending.	Enquiry		Internal Provider (Adults)	The Department confirmed via letter that there were no plans to close the Centre. An explanation was given about the intention to work jointly with third sector partners to maintain the service in future.

TABLE 3: Social Services Statutory Complaints Procedure 2017-2018

	Adults	Internal Provision	Business	Housing	External Provider	Cross-service	Total
Stage 1	26	5	3		3		37
Stage 2	2						2
Ombudsman							
Total	28	5	3		3		39

TABLE 4: Social Services Statutory Complaints Procedure 2018-2019

	Adults	Internal Provision	Business	Housing	External Provider	Cross-service	Total
Stage 1	8	4	2		1		15
Stage 2	4						4
Ombudsman	1						1
Total	13	4	2		1		20

TABLE 5: ADHERENCE TO THE STAGE I COMPLAINTS PROCEDURE TIMETABLE - ADULTS

Complaints received 12 months after the incident	Acknowledged within 2 days	Discussion to resolve within 10 days	Decision announced within 5 days after the discussion	Response time extended	Average number of days extended
0	13	13	13	2	10

TABLE 6: NUMBER OF EXPRESSIONS OF GRATITUDE DURING 2018/2019 - ADULTS

Adults	Internal Provider (Home care and residential)	Business	Housing	External Provider	Cross-service	Total
22	73	1	0	0	0	96

**TABLE 7: EXPRESSIONS OF GRATITUDE AND APPRECIATION (ADULTS)
2018/2019 EXAMPLES**

GC/05195-18	<p>[Thanks for the care from staff at Plas Gwilyn care home] "You were her extended family, and our debt to you as her blood relatives is great. As I had requested, you let me know when the end was approaching for *** so that I could be with her during her final moments, and the care home staff were at hand, which made the process far easier to deal with.</p> <p>In an age where finding fault with everyone and everything is almost part of everyday life for us, I take this opportunity to share this brief word of thanks to every one of you for the cleaning, the cooking, the washing, the dressing and undressing, the fun and friendship, so that you understand that your hard work is very greatly appreciated. I referred to you above as a team, and although it is an appropriate word, I feel that you are more than that. You may not realise this in the midst of the hubbub and busyness of life, but you are one family in Plas Gwilym. This means a great deal more. May you continue with this special work, as we are very fortunate to have you."</p>	Thank you	Residential and Day Care (Internal Provision)
GC/05295-18	<p>"I spoke to Mr E's son on the phone this morning and he wanted to thank everyone concerned in ensuring his father's safety yesterday, when his mother was admitted unexpectedly to hospital. He was very grateful for the timely and professional intervention. I agreed to pass on his gratitude to all concerned."</p>	Thank you	Adults Service (Adults)
GC/05406-18	<p>Mr B praised all the carers for their work, especially as Mrs B was very ill and was now given care in her bed. He saw all the carers as friends and some would go the extra mile and do little things like wash the dishes, tie his shoe laces when they saw him struggle - "It's the little things like this that helps, even though they're not here to care for me. I feel that my wife</p>	Thank you	Domiciliary Care (Adults, Internal Provision)

	could not stay at home without them”		
GC/05410-18	“Even though I only received the enablement care for two weeks it was just enough to see me through, I know I could have had the care free for up to 6 weeks, there was no need, someone else could do with the help like I did”	Thank you	Domiciliary Care (Adults, Internal Provision)
GC/4272-17	“I would also like to take this opportunity to thank all of your team, for pulling everything together, to enable my father to be able to return to his own home. We as a family are very happy and very relieved that this is now going to happen! I would especially like to thank my father’s Social Worker Nia Owen, for being so understanding, and sympathetic towards my parents and so understanding of my father’s needs and desires. Thank you once again.”	Thank you	Domiciliary Care (Adults, Internal Provision)
GC/4388-17	“Just a few words of thanks for all your support, advice and understanding of our situation here in Tywyn. I would have been completely lost without your input. In a time of cuts in public services I find it amazing that you have always been available and have been so professional with everything you have done. Many thanks”	Thank you	Residential and Day Care (Internal Provision, Adults)
GC/4480-17	“*** extended a thank you to the whole team for supporting her over the years, especially Dr B and KLR (Social Worker) who has worked with her most recently. *** reported that she has learnt many skills and that she has now "got more in the toolbox" to deal with things. She reported doing yoga and mindfulness regularly and these are the methods that work for her. *** reported that she has been well now for some time and hopes she will not need a service in the near future but is confident that she can access help if she needs as the team have been there for her over the last few years.	Thank you	Mental Health Service (Adults)

	She is grateful to the CMHT and CAEDS for supporting her and sends best wishes.”		
GC/4545-17	<p>““The Head of the Service, Aled Davies, has made me aware of the recognition received about members of the Team going the extra mile to support users during the recent severe weather.</p> <p>As you will be aware, more so than I, that some of the users are entirely dependent on you to enable them to stay at home according to their wishes. It gave me the greatest pleasure to hear about your efforts and I would like to take this opportunity to thank every one of you for your efforts and to assure you that it is appreciated.” [Councillor W G Roberts]</p>	Thank you	Domiciliary Care (Adults, Internal Provision)

TABLE 8: Complainants' chosen language when making an enquiry/complaint during 2017/18 (ADULTS)

	Welsh	English	Total
<i>Informal Enquiries and Complaints</i>	33	30	63
<i>Stage 1</i>	10	10	20
<i>Stage 2</i>	0	2	2
<i>Ombudsman</i>	0	1	1

Our ref: NB/LJ/MA



lucy.john@ombudsman-wales.org.uk

matthew.aplin@ombudsman-wales.org.uk

1 September 2017

Sent by email: Mr Dilwyn Owen Williams, DilwynOwenWilliams@gwynedd.gov.uk

Dear Mr Williams

Annual Letter 2016/17

Following the recent publication of my Annual Report I am delighted to provide you with the Annual Letter (2016/17) for **Gwynedd Council**.

Overall my office's caseload has increased by 13% this year, with public body complaints seeing a 3% increase.

Once again there has been a further rise in the percentage of health complaints, from 36% to 38%. Housing (13%), social services (9%) and planning and building control (8%) remain other significant areas of complaint.

The number of code of conducts complaints decreased by 14% from 2015/16 and I am particularly pleased about this as historically my office experiences a surge in complaints in the year leading up to local elections.

It is concerning that of the 18 local authorities that agreed with my office to implement recommendations, only 10 of them complied 100% within the target time set. My office will be looking closely at compliance levels over the coming year.

During 2016/17, I produced six public interest reports and one 'special report'. All but one of the investigations were health related and, worryingly, three of the cases were against the same hospital – Ysbyty Glan Clwyd run by Betsi Cadwaladr University Health Board. The special report, issued against Hywel Dda University Health Board for failing to implement my recommendations following an early resolution, was the first of its kind against a health board but underlines the need to comply with commitments made through early resolution in the same way as I would expect for recommendations arising from upheld complaints.

The remaining public interest report related to a local authority's role in overseeing the savings of looked after children.

Earlier this year I issued a thematic report entitled [Ending Groundhog Day: Lessons from Poor Complaints Handling](#). This highlighted cases from across devolved public services in Wales where investigations by public bodies have been inadequate and failed the service user. The report emphasised the need for effective governance across the Welsh public sector, robust staff training and improved methods of data collection. If you have not considered the report I would encourage you to do so.

I continue to place importance on the improvement function of my office. Last year I assigned Improvement Officers to several bodies and this will continue in 2017/18. In engaging with these bodies we hope to see ongoing improvements in complaints handling, learning and putting things right, along with the governance arrangements necessary for continuous improvement.

I am hopeful that the National Assembly will shortly be introducing new Ombudsman legislation that will help drive up standards. It is important that Wales continues to adopt best practice in complaint handling and public service improvement and does not get left behind.

In reference to your local authority, the number of complaints received by my office increased this year from 25 in 2015/16 to 32. The number taken to investigation dropped to one from three in 2015/16. Planning and Building Control was the most complained about area (9). Only 15% of cases required PSOW intervention.

You will find below a factsheet giving a breakdown of complaints data relating to your Local Authority. This year we have included a new set of statistics regarding Ombudsman interventions. These include all cases upheld by my office as well as early resolutions and voluntary settlements.

This correspondence has been copied to the Leader of the Council for consideration by the cabinet. I will also be sending a copy to your contact officer within your organisation and would again reiterate the importance of this role. Finally, a copy of all annual letters will be published on my website.

Yours sincerely



Nick Bennett

Public Services Ombudsman for Wales

CC: Cllr Dyfrig Siencyn, Leader

Meinir Williams, Contact Officer

Factsheet

A. Complaints Received and Investigated with Local Authority average adjusted by population

Local Authority	Complaints Received	Average	Complaints Investigated	Average
Blaenau Gwent County Borough Council	12	19	2	1
Bridgend County Borough Council	44	39	2	2
Caerphilly County Borough Council	54	50	2	2
Cardiff Council	143	99	3	4
Carmarthenshire County Council	44	51	2	2
Ceredigion County Council	32	21	2	1
City and County of Swansea	52	67	3	3
Conwy County Borough Council	28	32	1	1
Denbighshire County Council	24	26	0	1
Flintshire County Council	39	43	4	2
Gwynedd Council	32	34	1	1
Isle of Anglesey County Council	24	19	0	1
Merthyr Tydfil County Borough Council	10	16	1	1
Monmouthshire County Council	18	26	1	1
Neath Port Talbot County Borough Council	38	39	0	2
Newport City Council	26	41	1	2
Pembrokeshire County Council	29	34	1	1
Powys County Council	54	37	4	1
Rhondda Cynon Taf County Borough Council	47	66	0	3
Torfaen County Borough Council	23	25	1	1
Vale of Glamorgan Council	41	35	1	1
Wrexham County Borough Council	46	38	1	1

B. Complaints Received by Subject with Local Authority average

Gwynedd Council	Complaints Received	Local Authority Average
Finance and Taxation - Finance and Taxation	2	2
Adult Social Services	3	4
Children's Social Services	2	4
Complaints Handling	1	3
Education	2	3
Housing	4	5
Planning and Building Control	9	7
Roads and Transport	4	3
Various Other	5	3

C. Comparison of complaint outcomes with average outcomes for Local Authorities, adjusted for population distribution

	Out of Jurisdiction	Premature	'Other' cases closed after initial consideration	Discontinued	Early Resolution/ Voluntary Settlement	S16 Report - Upheld in whole or in part	Other Report Upheld - in whole or in part	Other Report - Not Upheld	Withdrawn	Total Cases Closed
Gwynedd	4	9	15	0	3	0	2	0	0	33
Gwynedd (adjusted)	7	10	13	0	4	0	1	0	0	35

D. Number of cases with PSOW intervention

Local Authority	Number of complaints with PSOW intervention	Total number of closed complaints	% of complaints with PSOW intervention
Blaenau Gwent County Borough Council	3	12	25
Bridgend County Borough Council	5	42	12
Caerphilly County Borough Council	4	55	7
Cardiff Council	19	133	14
Carmarthenshire County Council	6	47	13
Ceredigion County Council	8	39	21
City and County of Swansea	4	54	7
Conwy County Borough Council	4	33	12
Denbighshire County Council	0	27	0
Flintshire County Council	13	41	32
Gwynedd Council	5	33	15
Isle of Anglesey County Council	3	27	11
Merthyr Tydfil County Borough Council	3	10	30
Monmouthshire County Council	3	22	14
Neath Port Talbot County Borough Council	3	38	8
Newport City Council	7	30	23
Pembrokeshire County Council	4	33	12
Powys County Council	9	53	17
Rhondda Cynon Taf County Borough Council	6	48	13
Torfaen County Borough Council	2	22	9
Vale of Glamorgan Council	9	39	23
Wrexham County Borough Council	13	47	28

E. Code of Conduct Complaints Closed

Local Authority	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total Cases Closed
Gwynedd	3	0	0	0	0	0	0	3

Appendix

Explanatory Notes

Section A compares the number of complaints against the Local Authority which were received and investigated by my office during 2016/17, with the Local Authority average (adjusted for population distribution) during the same period.

Section B provides a breakdown of the number of complaints about the Local Authority which were received by my office during 2016/17 with the Local Authority average for the same period. The figures are broken down into subject categories.

Section C compares the complaint outcomes for the Local Authority during 2016/17, with the average outcome (adjusted for population distribution) during the same period. Public Interest reports issued under section 16 of the Public Services Ombudsman (Wales) Act 2005 are recorded as 'Section 16'.

Section D provides the numbers and percentages of cases received by the PSOW in which an intervention has occurred. This includes all upheld complaints, early resolutions and voluntary settlements.

Section E provides a breakdown of all Code of Conduct complaint outcomes against Councillors during 2016/17.

Feedback

We welcome your feedback on the enclosed information, including suggestions for any information to be enclosed in future annual summaries. Any feedback or queries should be sent to lucy.john@ombudsman-wales.org.uk or matthew.aplin@ombudsman-wales.org.uk

Our Ref: NB/CW/MA



Catrin.wallace@ombudsman-wales.org.uk

Matthew.aplin@ombudsman-wales.org.uk

15 October 2018

Councillor Dyfrig L. Siencyn

Sent by email: cynghorydd.dyfrigsiencyn@gwynedd.llyw.cymru

Annual Letter 2017/18

Following the recent publication of my Annual Report, I am delighted to provide you with the Annual Letter (2017/18) for **Gwynedd Council**.

Despite a challenging complaints context, I am delighted to be able to report positive progress in the activities of the office over the past year.

Four public interest reports have been published in the past year, but none related to local authorities.

A new Public Services Ombudsman Bill has been introduced to the National Assembly and is currently at the second stage in the legislative process. This means that Members have agreed the general principles and a Financial Resolution was agreed on 17 July 2018. This new legislation will help drive up public service standards as it is important that Wales continues to adopt best practices in complaints handling and public service improvement. If the Bill progresses I will be engaging with public bodies in Wales in preparation for the introduction of the new powers within the Bill.

Overview of complaints

Overall the number of complaints and enquiries received by my office has increased by 5% this year, this is attributed to an 8% rise in enquiries.

This year my office saw a 4% decrease in public body complaints. Despite complaints against NHS bodies increasing by 7%, we have seen a 10% reduction in complaints against councils.

After Health, which comprises 41% of all complaints, housing (11%), social services (9%) and planning and building control (8%) remain significant areas of complaint.

The number of Code of Conduct complaints increased by 14% in the past year, this is attributed to a 33% increase in Code of Conduct complaints involving Community Councils. Many of these complaints have arisen following changes in the membership of councils.

42% of Code of Conduct complaints received were with regards to the promotion of equality and respect, 19% were with regards to disclosure and registration of interests and 16% were with regards to integrity.

We are pleased to report that the number of complaints received by the Ombudsman concerning Gwynedd have decreased in the past year from 32 to 29. However, we would like to draw your attention to complaints regarding Planning and Building Control as these still receive the highest number of complaints at 8.

You will find below a factsheet giving a breakdown of complaints data relating to your Local Authority. This year we have included a new set of statistics regarding Ombudsman interventions. These include all cases upheld by my office as well as early resolutions and voluntary settlements.

Please would you present my annual letter to the Cabinet to assist Members in their review of the Council's performance.

This correspondence has been copied to the Chief Executive of the Council and to your Contact Officer within your organisation. I would again reiterate the importance of this role. Finally, a copy of all annual letters will be published on my website.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nick Bennett', with a stylized flourish at the end.

Nick Bennett

Public Services Ombudsman for Wales

CC: Dilwyn Williams, Chief Executive
Sion Huws, Contact Officer

Factsheet

A. Complaints Received and Investigated with Local Authority average adjusted by population

Local Authority	Complaints Received	Average	Complaints Investigated	Average
Blaenau Gwent County Borough Council	10	17	0	0
Bridgend County Borough Council	40	36	1	1
Caerphilly County Borough Council	40	45	1	1
Cardiff Council	109	90	5	3
Carmarthenshire County Council	25	46	3	1
Ceredigion County Council	35	18	5	1
City and County of Swansea	62	61	1	2
Conwy County Borough Council	36	29	3	1
Denbighshire County Council	20	24	3	1
Flintshire County Council	50	39	6	1
Gwynedd Council	29	31	2	1
Isle of Anglesey County Council	29	17	2	0
Merthyr Tydfil County Borough Council	13	15	2	0
Monmouthshire County Council	16	23	0	1
Neath Port Talbot County Borough Council	35	35	2	1
Newport City Council	37	37	2	1
Pembrokeshire County Council	34	31	0	1
Powys County Council	39	33	3	1
Rhondda Cynon Taf County Borough Council	36	60	0	2
Torfaen County Borough Council	15	23	0	1
Vale of Glamorgan Council	30	32	4	1
Wrexham County Borough Council	41	34	3	1

B. Complaints Received by Subject

Gwynedd Council	Complaints Received
Adult Social Services	3
Children s Social Services	3
Complaints Handling	2
Education	1
Environment and Environmental Health	2
Finance and Taxation	3
Health	1
Planning and Building Control	8
Roads and Transport	2
Various Other	4

C. Comparison of complaint outcomes with average outcomes for Local Authorities, adjusted for population distribution

County/County Borough Councils	Out of Jurisdiction	Premature	Other cases closed after initial consideration	Early Resolution/Voluntary settlement	Discontinued	Other Report - Not upheld	Other Report Upheld - in whole or in part	Public Interest Report	Total Cases closed
Gwynedd	7	4	13	1	0	1	0	0	26
Gwynedd (adjusted)	5	9	11	4	0	0	1	0	30

D. Number of cases with PSOW intervention

	No. of complaints with PSOW intervention	Total number of closed complaints	% of complaints with PSOW interventions
Local Authority			
Blaenau Gwent County Borough Council	3	11	27
Bridgend County Borough Council	5	39	13
Caerphilly County Borough Council	3	39	8
Cardiff Council	37	123	30
Carmarthenshire County Council	1	24	4
Ceredigion County Council	4	35	11
City and County of Swansea	11	62	18
Conwy County Borough Council	4	32	13
Denbighshire County Council	1	15	7
Flintshire County Council	11	47	23
Gwynedd Council	1	26	4
Isle of Anglesey County Council	2	26	8
Merthyr Tydfil County Borough Council	3	13	23
Monmouthshire County Council	1	14	7
Neath Port Talbot County Borough Council	4	31	13
Newport City Council	8	34	24
Pembrokeshire County Council	3	32	9
Powys County Council	6	38	16
Rhondda Cynon Taf County Borough Council	6	36	17
Torfaen County Borough Council	1	16	6
Vale of Glamorgan Council	3	32	9
Wrexham County Borough Council	8	41	20

E. Code of Conduct Complaints Closed

County/County Borough Councils	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total
Gwynedd	6		1					7

F. Town / Community council Code of Conduct Complaints

Town/Community Council	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total
Barmouth TC	1							1
Llanbedrog CC	3			2				5
Porthmadog TC	1							1
Tywyn TC	1		2					3

Appendix

Explanatory Notes

Section A compares the number of complaints against the Local Authority which were received and investigated by my office during 2017/18, with the Local Authority average (adjusted for population distribution) during the same period.

Section B provides a breakdown of the number of complaints about the Local Authority which were received by my office during 2017/18. The figures are broken down into subject categories.

Section C compares the complaint outcomes for the Local Authority during 2017/18, with the average outcome (adjusted for population distribution) during the same period.

Section D provides the numbers and percentages of cases received by the PSOW in which an intervention has occurred. This includes all upheld complaints, early resolutions and voluntary settlements.

Section E provides a breakdown of all Code of Conduct complaint outcomes against Councillors during 2017/18.

Section F provides a breakdown of all Code of Conduct complaint outcomes against town or community councils.

Feedback

We welcome your feedback on the enclosed information, including suggestions for any information to be enclosed in future annual summaries. Any feedback or queries should be sent to catrin.wallace@ombudsman-wales.org.uk or matthew.aplin@ombudsman-wales.org.uk

GWYNEDD COUNCIL CABINET



Report to the Cabinet

Meeting Date: 23rd July, 2019
Cabinet Member: Councillor Nia Jeffreys
Contact Officer: Geraint Owen
Contact Number: 01286 679335
Item Title: Ffordd Gwynedd Plan 2019-22

1 DECISION SOUGHT

Approval of the Plan and work programme for the 2019-22 period.

2 REASON WHY DECISION IS NEEDED

The Cabinet is asked to approve, and consequently adopt the Plan, in order to set further direction in terms of how the Council will go about providing its Services in future.

3 INTRODUCTION

- 3.1 “Ffordd Gwynedd” is the name given to the “way of working” that Cyngor Gwynedd has adopted in order to put the people of Gwynedd at the heart of everything we do. The change of culture, behaviours and thinking is central to this way of working, whilst the aim of realising this ambition across all Council activity is a substantial challenge and one which requires a comprehensive programme of support.
- 3.2 The original “Ffordd Gwynedd Plan” was adopted in October 2015, and much of that which was identified as objectives in that Plan have been realised and acted upon.
- 3.3 It is now time to review and update the Plan and to look towards the next required steps in order to fully embed the culture and the “way of working”, in everything that we do.
- 3.4 The proposed Plan for the next three years is submitted. The Plan summarises that which has been realised up to now but focuses on the work programme that needs to be implemented in order to move forward to support all Council staff and Services in achieving and realising the aim.

4 REASON AND JUSTIFICATION BEHIND THE DECISION

- 4.1 Dependent on Cabinet approval, officers will develop and implement individual elements of the work programme over the term of the Plan.

5 ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

5.1 Opinion of the Statutory Officers

- i. The Monitoring Officer**

No observations to add in relation to propriety

- ii. Head of Finance**

Nothing to add from a financial propriety perspective.

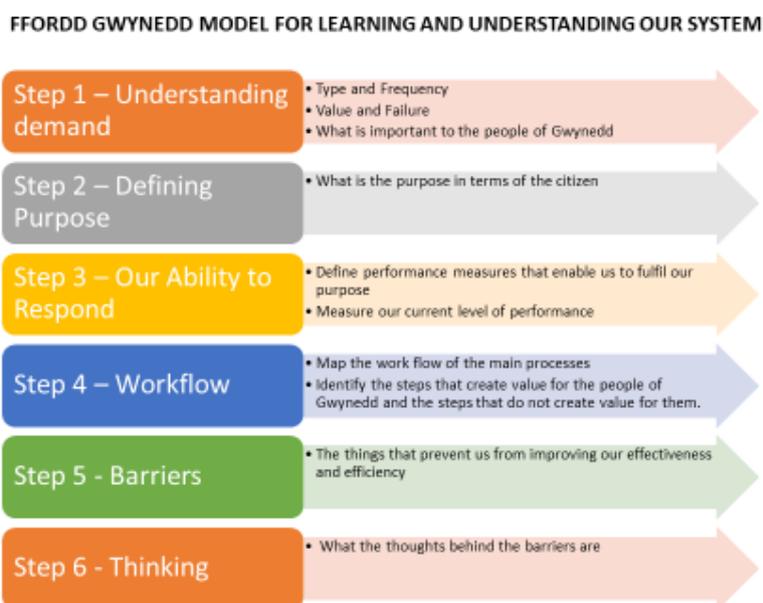
INTRODUCTION

Ffordd Gwynedd is the name given to the “way of working” that we in Gwynedd Council have adopted in order to place the people of Gwynedd at the heart of everything we do.

It is neither a process nor a theory, but rather a collection of working arrangements, behaviours and culture which, together, allow us to be confident that we always consider the service from the perspective of the user. As a body that exists to serve the people of Gwynedd, it makes sense that we aim towards having a culture and working arrangements that ensure that those people are at the heart of everything we do.

Developing the culture that places the people of Gwynedd at the heart of everything we do means that we need to remove the obstacles that prevent our employees from delivering and ensure that this leads to a continuous challenge in terms of the way that we work. The decisions that follow are evidence-based as opposed to assumptions.

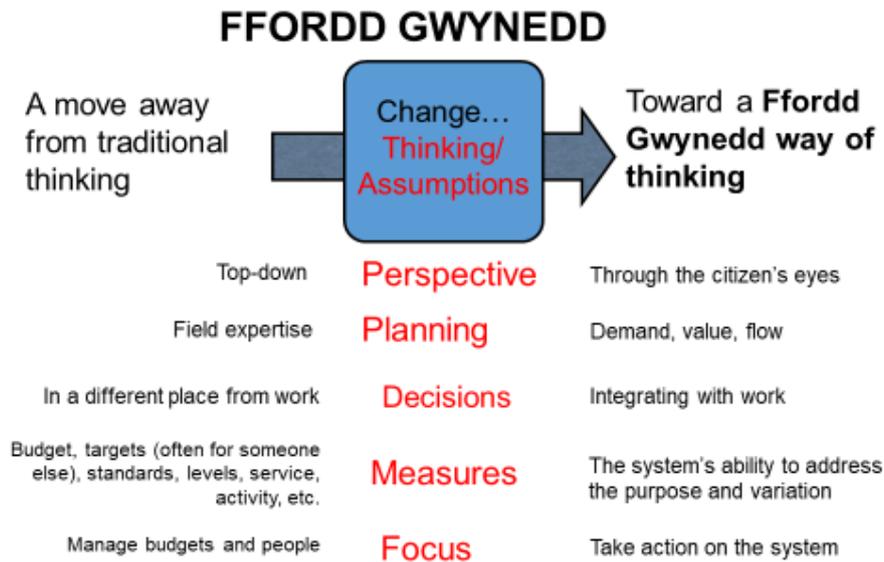
In the Ffordd Gwynedd culture, teams question and challenge historic arrangements and processes that are taken for granted. Time is invested recording the work-flow and what really happens. They identify empty steps that do not now add value whilst noting barriers that prevent effective operation. Collectively this will assist us to improve the service but in order to maintain the “way of working”, the mind-set must be changed above all else.



“Doing the right things before making the things better” is the mantra. Unless we change the mind-set before changing a process, we will certainly fail and the changes will not be sustained in the long-term.

THE CURRENT SITUATION

Every service manager within the Council has now received practical training over a six-day period on system review techniques and the behaviours associated with the 'Ffordd Gwynedd way of working'..



Providing managers with this information and these skills is key to enable us to deliver for the people of Gwynedd but it is essential that the expectations now filter down further to every member of staff across the Council.

There is evidence that this already happens in some services; however, much further work needs to be done in order to realise that ambition.

Every service will have now had time to understand the demands on them and consider their actual purpose and adopted measures that show how successful they are in realising that purpose, i.e. measuring the impact the service has directly or indirectly on the people of Gwynedd.

Here are the details of the priorities that will drive the work programme for the next period in order to further embed Ffordd Gwynedd;

1. Implementing Ffordd Gwynedd

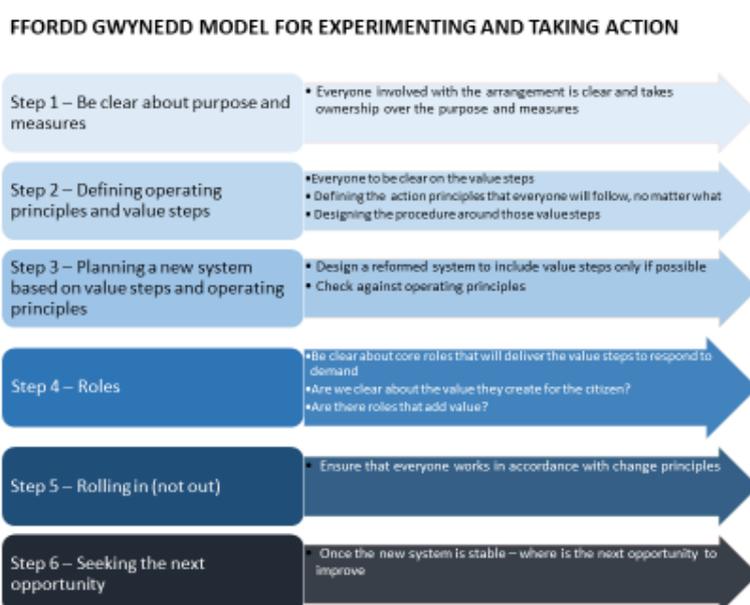
The first step of immersing all Council managers in the basic principles of Ffordd Gwynedd, in order to ensure an understanding of the concepts, has been achieved to a great extent. This part of the Plan will continue for new managers and future prospective managers however, the focus from now on will be on the second stream, namely to implement a programme that will empower service teams to reflect on their current working arrangements.

The support for driving this stream includes;

- Practical support to hold complex and/or intensive reviews
- The facilitation of one-day workshops to assist the manager to present to his/her team
- Short workshops on specific elements of holding a service review for individual teams.
- Open training that provides an overview of the principles of Ffordd Gwynedd for staff in general.

With the aim of enabling managers and staff to;

- Look at the service provided through the eyes of the citizen every time.
- Agree together how best to go about things in order to provide what is important to our people
- Challenge working methods that do not help to deliver for our people.
- Be willing to experiment (with clear success indicators) in order to improve services.
- Take advantage of the opportunities provided to suggest how services can be improved.
- Ensure a continuous dialogue between managers and staff to see how managers can help staff to do their work better and take advantage of staff knowledge to improve services
- Ensure that ownership of the Unit's performance is in everyone's hands (not just the managers).
- Ensure that performance information is used to improve the service.
- Share feedback and comments across service boundaries in an open, honest and respectful way.



2. Leadership Development

The ongoing development of the leadership of the Council will be one of our main priorities. Setting direction, motivating others and creating the appropriate environment is key in order to reinforce the principles of Ffordd Gwynedd. The political and operational leaders of the Council are unanimous regarding the need to establish a culture of leading people rather than managing people only.

To this end, we will re-establish the Managers Network and will continue to hold developmental sessions for Elected Members. These sessions will focus on co-operation and behavioural development whilst also providing individual coaching sessions for senior political and operational managers for the purpose of personal development.

3. Performance System

A performance system that focuses on measuring what matters to the people of Gwynedd has been introduced that is already being implemented. By now, all units within the Council measure to what extent they are able to fulfil that which is important to the County's inhabitants. Robust performance challenging arrangements are in place with Cabinet Members, directors and scrutiny members participating in the challenge process.

We will develop this further by integrating risk management arrangements with the performance system. A new-look Risk Register has been established to facilitate this arrangement.

4. Supporting Change

Ensuring an understanding of how different individuals respond to change, how to cope with the change, and the various responses to that is important in any work environment. We will build on the current support in this respect by holding;

- Managing Change/Coping with Change Workshops
- Sessions on emotional intelligence.
- Team Building workshops, including "The Five Behaviours" assessment"
- Development Centres
- Creativity and Innovation Workshops
- Mental Well-Being Support

5. Information Technology

The Information Technology support will reinforce services' ability to introduce alternative ways of operating that will consequently lead to a better and more convenient provision for the people of Gwynedd. The capacity available to offer this support will be strengthened within the Information Technology Service in order to reflect the increasing requirements deriving from the service reviews for technological solutions to refine existing arrangements.

6. Workforce Planning and Talent Development

The Council's success, to a great extent, is dependent on staff behaviours and skills. During a time of continuous change and the introduction of a different "way of working" to the traditional, it is important to consider what is needed to respond to the needs for service within the restrictions placed upon us.

To this end, we will focus our efforts on;

- i. Identifying key posts in terms of the risk to service continuity
- ii. The demand on our services in the future
- iii. The nature of our existing workforce in terms of turnover, age, skills and experiences.
- iv. Identifying gaps and planning by focusing on the training and development needs of existing staff, as well as establishing apprenticeships, work experience opportunities and traineeships in those key fields in the future.

7. Continuous Appraisal

The traditional way of holding annual appraisal meetings with staff is not effective and therefore we are eager to extend the arrangements already being implemented within some services, which emphasise the need for a manager and member of the team to hold a continuous discussion on attainment, performance and personal development.

Every individual working for the Council will receive amended job-descriptions that will confirm the expectations of them in context of their behaviours and the Ffordd Gwynedd way of working. The continuous appraisal discussion will focus on that which is expected of all individuals.

We will offer support to introduce the continuous discussion and this regular feedback in every service across the Council, in order to ensure that appraisal takes place in a timely and effective way.

Acting in this way is integral to the behaviour expected of all Council staff.

8. Conditions of Service

When a changing mind-set is underway and that this subsequently leads to a change in the way we work, it is inevitable that we need to review our local working conditions to ensure that the existing ones do not contradict the culture being established.

Therefore, we will continue to review the current work conditions and introduce new ones as needed over the coming period. As one example, we will need to consider whether or not the current criteria for evaluating jobs supports the principles of this way of working and consequently attend to the possibilities for introducing and implementing a reviewed scheme if a review is deemed necessary.

Doing so will provide the foundation that is needed to profess the behaviours expected of all Council Employees.

9. Customer Contact

Identifying the needs of the people of Gwynedd is integral to the “way of working”. Major steps have been taken over the past years to resolve the complaints received informally and formally, with the emphasis placed on learning lessons and improving services based on the evidence gathered.

This effort will intensify as more and more systems and services are reviewed and the support provided in order to engage with the people of Gwynedd will be available through the Communication and Engagement Service

MEASURE OF SUCCESS

The aim is for every service within the Council to define clearly what needs they meet and to establish and review the measures that show how well the purpose is being achieved. The true success of this Scheme in reality will be to obtain assurance, by means of the feedback received, that all of this work leads to improving services for the people of Gwynedd.

Furthermore, and crucially, we will also measure the change in terms of staff behaviour and the work culture required in order for the “way of working” to be embedded in all Council activities. We will fulfil this by a combination of enquiring and observing whilst assessing whether staff are taking ownership of the change and the responsibility associated with all jobs

This work programme will assist the Council to meet the aim of achieving that.

RESOURCES

The following resources will be provided to support the change in culture that is afoot.

- i) A Senior Advisor and Advisor within the Council’s Business Support Service are employed specifically to support managers and staff to adopt and implement the Ffordd Gwynedd principles. To date, they have focused on holding intensive reviews with the individual services; however, in the future, they will invest their efforts increasingly on advising, holding developmental sessions with managers and staff and on assisting, rather than leading, service reviews.
- ii) The Organisational Learning and Development Service continues to provide training for new managers and prospective managers, as well as planning (and at times, facilitating) workshops with individual teams to strengthen the awareness of what is meant by Ffordd Gwynedd in practical terms. A broader training programme is being led by the needs identified for driving and embedding the “way of working” and the culture being professed.
- iii) The Research and Information Service will provide guidance and advice on gathering evidence and analysing information. Acting on the basis of evidence, rather than on the basis of what appears to be logical, is one of the cornerstones of the “way of working” and this is an important function to ensure that managers and their teams use the information and data available to its full potential
- iv) The Digital Transformation Team within the Information Technology Service, with the support of the Development and the Infrastructure Team, will be key in order to realise a large number of the improvements identified by individual Services, as a result of holding reviews of their work systems. The Council has invested additional resources in these fields recently in order to provide the support we anticipate will be needed.
- v) The Communication and Engagement Service will advise and provide guidance on engagement methods whilst supporting efforts to enquire, observe and assess whether the culture is embedding within the Council.

GWYNEDD COUNCIL CABINET



Report to a meeting of Gwynedd Council Cabinet

Date of meeting:	23 July 2019
Cabinet Member:	Councillor Nia Jeffreys
Contact Officer:	Geraint Owen
Contact Telephone Number:	01286 679 335
Title of Item:	Sustainable Procurement Policy and the Campaign to Ban the Use of Single-Use Plastic

1. THE DECISION SOUGHT

- 1.1. Cabinet approval to incorporate the Well-being of Future Generations Act to our Sustainable Procurement Policy.
- 1.2. To approve a campaign to seek to ban the purchase and use of single-use plastic.

2. THE REASON FOR THE NEED FOR A DECISION

Sustainable Procurement Policy and Guidance

- 2.1. We have incorporated the seven well-being goals into the sustainable procurement policy and guidance and have highlighted their relevance to the purchasing decisions that need to be considered. The use of plastic is one of these considerations. Our check-lists encourage our buyers to consider the social, economic and environmental impact when procuring.
- 2.2. The Well-being Act is already in force. Incorporating these expectations with the Sustainable Procurement Policy will assist the Council's buyers to adhere to the legislation and will enable them to report on our progress as an organisation.
- 2.3. The supply chain is important in enabling us to meet the challenge, it is important that our vision is clear and that this forms a part of the contracting arrangements.

Ban on single-use plastic

- 2.4. Following a notice of motion at a Full Council meeting on 8 March 2018, an investigation was held into the Council's use of single-use plastic.

- 2.5. One of the findings of the investigation was that plastic was integral to some goods and that it was difficult not to use plastic in some cases. Nevertheless, there were opportunities to reduce the use of plastic and ban the use of single-use plastic.
- 2.6. For example, when reviewing our food contract, there was a clear opportunity to reduce the use of single-use plastic. Some of the solutions included reusing delivery boxes, not packaging fruit and some vegetables in plastic bags and changing the arrangements for sharing out milk to children in schools. The Schools have trialled decanting milk into cups rather than buying small individual bottles.
- 2.7. Further changes as a result of the decision could have an impact on Council services, on the work environment of our workforce, our supply chain and on Gwynedd communities and residents in different ways, e.g. reduction in the choice of produce we provide/sell. Therefore, services will need to consider the impact of this change on the way they provide services.

3. PRESENTATION AND RELEVANT CONSIDERATIONS

A decision is requested to:

- 3.1. adopt the amendments to the Sustainable Procurement Policy and Guidelines in order to encourage our services to consider environmental, social and economic matters when purchasing goods and services in accordance with the expectations of the Well-being Act.
- 3.2. support the establishment of a cross-departmental Task Group to identify, coordinate and implement further resolutions to reduce the use made of single-use plastic. This will include identifying ways of measuring the impact of the Council's efforts in the field and to report back to the Cabinet on the outcomes of the work.
- 3.3. authorise a review of our corporate contracts and frameworks in order to include conditions or a requirement for a reduction in plastic use for our suppliers and for the broader supply chain.

4. NEXT STEPS AND TIMETABLE

- 4.1 On the basis that the Sustainable Procurement Policy will be adopted, additional requirements will be disseminated and implemented across all Council services immediately.
- 4.2 The Task Group to commence its work in September 2019, with a requirement to submit a list of recommendations before the end of the current financial year.

- 4.3 Procurement Manager to lead the officers of the category teams on the review of the standard content of our contracts in the future, with this work to commence at once.

5. ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

5.1. Views of the Statutory Officers:

i. Monitoring Officer:

I support the amendments to the Policy in particular because they address legislation which has a direct relevance to its objectives.

ii. Head of Finance Department:

Whilst there could be marginal financial implications from implementing the Sustainable Procurement Policy and by prohibiting the use of single use plastic across all the Council's Services, I believe that the Council's Departments can manage the expectations within their existing resources.

Appendices

1. Sustainable Procurement Policy and Guidance

Sustainable Procurement Policy and Guidance

Procurement Unit
Corporate Support Department

www.gwynedd.llyw.cymru



Sustainable Procurement Policy – Document history

Sustainable Procurement Policy	Version 1	April 2011	
Sustainable Procurement Policy	Version 1.1	September 2015	Review and update of community benefits element of guidance
Sustainable Procurement Policy	Version 1.2	December 2018	Review and update of elements of the guidance

EXECUTIVE SUMMARY

Sustainable procurement is about embedding the principles of sustainable development into spending and investment decisions. Gwynedd Council acknowledges that its procurement activity can have significant social, economic and environmental impact and this policy aims to provide a structured approach for integrating sustainability objectives as part of the procurement process.

This latest review of the policy has enabled the Council to reflect recent changes in legislation and Welsh Government Policy, such as the new General Data Protection Regulations and the Code of Practice for ethical employment in supply chains, as well as identifying links to elements of the Wellbeing of Future Generations (Wales) Act 2015.

The Appendices, in the form of checklists at the end of the policy, include:

- Sustainability Checklist for Goods
- Sustainability Checklist for Works/Services
- Keeping the benefits local Checklist

They remain useful tools to prompt buyers of the need to consider the potential social, economic and environmental impact our procurement decisions can have and what actions can be taken to make the best possible use of the Council's expenditure, in the interests of the county.

We will assess the effect and impact of the sustainable considerations made as part of procuring goods and services.

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POLICY STATEMENT

1.0 *Introduction*

Gwynedd Council is committed to promoting sustainable development through the integration of sustainability principles into every aspect of its work. The Council's aim is to "seek the best for the people of Gwynedd today and tomorrow". The Council's Corporate Procurement Strategy sets out the Council's key procurement principles and actions in supporting this aim. It identifies the role and contribution of procurement in the delivery of the Council's overall objectives, and in managing its annual expenditure of approximately £150m on goods, works and services.

The Council adopted a Sustainable Procurement Policy in 2006 in order to embed a sustainable procurement approach across all the areas of spend, an approach which is all about supporting the delivery of better frontline services whilst achieving the best balance between financial factors and maximising social, economic and environmental factors. Council staff must do so in a responsible and sustainable manner and in accordance with the law. The document should be read in conjunction with the Council's EU Guidelines, Procurement Strategy and Constitution.

This policy outlines the aims, objectives and considerations necessary to embed such an approach. Since the previous review of the policy in 2015, further steps have been taken to strengthen the Council's approach and to learn lessons, from improved practice both nationally and locally and from the development of service tools and techniques and legal developments.

1.1 *Aim*

To undertake procurement activities in a responsible and sustainable manner and maximise opportunities to make the best possible use of the Council's expenditure in terms of improving economic, environmental and social performance within the County.

1.2 *Sustainable Procurement Policy Objectives*

Our objectives under this policy are to:

1. Minimize our environmental impact through better selection and improved usage of goods, works and services.
2. Ensure that procurement activities are undertaken in such a way that all suppliers, including small and medium enterprises are encouraged to bid for council contracts;
3. Create an environment that provides opportunities to maximize the benefits arising from the inclusion and application of social criteria within procurement activities.
4. Ensure value for money assessments are based, where appropriate, on whole life costing and not just initial purchase price.

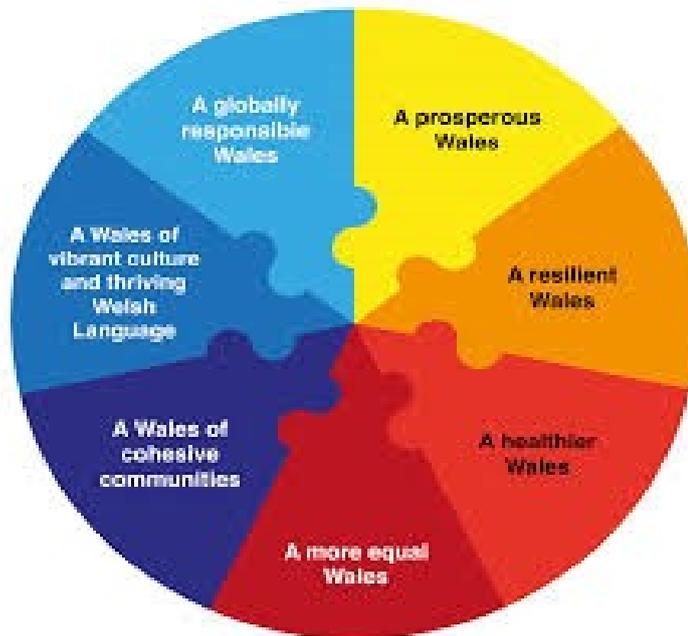
1.3 *Well-being of Future Generations (Wales) Act 2015*

Elements of the Policy can also help to address objectives within the Well-being of Future Generations (Wales) Act and the Council's own well-being objectives. These are identified by colour to reflect the relevant objectives, overleaf.

Sustainable development is defined as 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs'.¹

¹ <https://www.are.admin.ch/are/en/home/sustainable-development/international-cooperation/2030agenda/un--milestones-in-sustainable-development/1987--brundtland-report.html>

The Act puts in place 7 Well-being goals as illustrated below and the Council's 2018-2023 Improvement Plan outlines what steps it will take to address each of these goals ².
(Click on each objective within footnote 3 below for individual definitions ³)



As part of the Plan, the Council identify its own Well-being objectives which aim to ensure that Gwynedd residents can :-

- Enjoy happy, healthy and safe lives
- Live in quality homes within their communities
- Earn a sufficient salary to be able to support themselves and their families
- Receive education of the highest quality which will enable them to do what they want to do
- Live with dignity and independently for as long as possible
- Live in a natural Welsh society
- Take advantage of the beauty of the County's natural environment

As well as the objectives, the Act identifies '**The five ways of working**', those being :-

Long-term

The importance of balancing short-term needs with the needs to safeguard the ability to also meet the long term needs

Integration

Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies

² <https://www.gwynedd.llyw.cymru/en/Council/Strategies-and-policies/Corporate-plans-and-strategies/Gwynedd-Council-Plan-2018-23.aspx>

³ <https://futuregenerations.wales/the-art-of-the-possible/>

Involvement

The importance of involving people with an interest in achieving well-being goals, and ensuring that those people reflect the diversity of the area which the body serves

Collaboration

Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives

Prevention

How acting to prevent problems occurring or getting worse may help public bodies meet their objectives

2.0 Policy background

2.1 “What is sustainable procurement”?

Sustainable procurement is defined as *“the process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generation benefits to the organisation, but also to society and the economy, whilst minimising damage to the environment”*⁴

To support this aim, the Council have produced simple Sustainability Checklists for goods, services and works in order for staff to consider further what implications projects may have in terms of social, economic and environmental factors prior to going out to the market, so that suitable clauses can be built into specifications to address such factors (Appendix 1A&B).

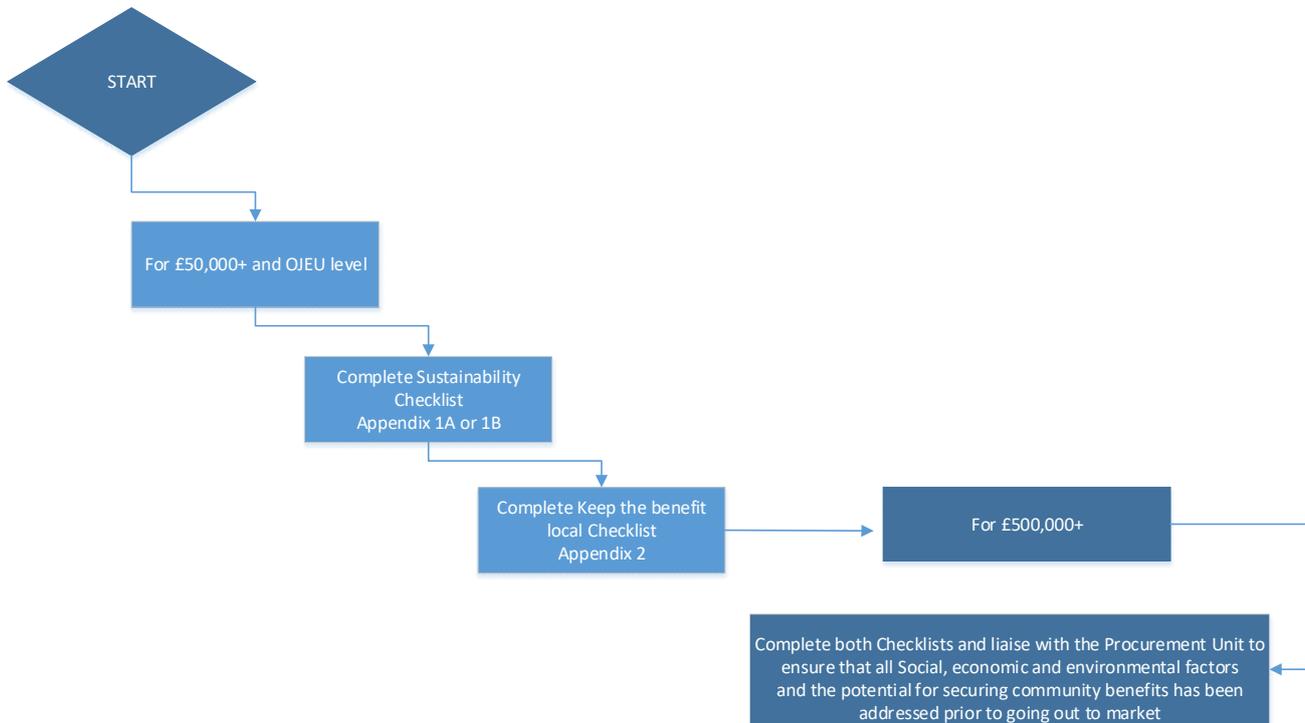
In addition to this, a further Checklist has been produced to encourage those involved in procurement / buying to consider whether more can be done when packaging our procurement to make it easier for suppliers to tender for work. The aim of this checklist is to attempt to reduce the restrictions for the local market where possible (Appendix 2).

The checklists and sustainability considerations raised within this policy reflect a number of the objectives identified within the Wales Procurement Policy Statement, including ethical procurement, community benefits and collaboration.⁵

⁴ <https://www.cips.org/Documents/Resources/Knowledge%20Summary/Sustainable%20Procurement.pdf>

⁵ <https://gov.wales/docs/prp/toolkit/june15walesprocurementpolicystatement2015v1.pdf>

Flowchart to demonstrate use of the tools



2.2 Sustainability considerations

In relation to procurement, the main thrust regarding sustainability relates to the addition / inclusion of Economic, Social and Environmental considerations in the procurement process. A brief outline of each area is shown below and further into the policy, additional sustainable elements are explored.

▪ **Economic**

In line with Clause 21.1 of the Contract Procedure Rules, all contracts will be awarded on the basis of the most economically advantageous tender (MEAT) which takes into account the quality aspect of submissions as well as price, the only exception to this being where the contract's predetermined criteria was lowest price only.

▪ **Environmental**

Staff involved in procurement should endeavour to purchase goods / services that have the least damaging effect to the environment, consider whole life costs of purchases, recycling opportunities / alternatives and waste reduction opportunities. The Council should also work with its supply market to educate them in terms of their own environmental responsibilities, by asking in tender documentation what steps they are taking to address environmental factors.

▪ **Social**

The way in which procurement opportunities are packaged can have an effect on the community of Gwynedd and where areas exist to support the local economy, every effort should be made to do so although procurement regulations do not allow us to show favouritism to local suppliers / local materials above any others. Sub-contracting, training and apprenticeship opportunities can also be considered here where they relate to the subject matter of the contract.

Welsh Government guidance on use of social clauses is available as well as what has been possible to achieve on previous contracts tendered by the Council⁶. Contact the Procurement Unit for advice.

▪ **Ethical employment in Supply Chains**

Welsh Government have introduced a Code of Practice for Ethical employment in supply chains. The Code requires the co-operation of public sector bodies to meet the 12 commitments set out in the Code and seeks to address the following employment issues :-

- ❖ Modern slavery and human rights abuses
- ❖ Blacklisting
- ❖ False self-employment
- ❖ Unfair use of umbrella schemes and zero hours contracts
- ❖ Paying the Living Wage

The Council has produced an Action Plan which identifies which commitments it currently meets and what steps it can take to action the remaining commitments. Those involved in procurement and recruitment are required to take notice of the Plan to achieve the commitments.⁷

However, in terms of including any of the above considerations within the procurement context, advice should be sought by the Procurement Unit to ensure that opportunities are not missed and to avoid risk to the Council in financial or reputational terms of getting things wrong.

⁶ <http://gov.wales/topics/improvingervices/better/vfm/publications/community-benefits-2014/?lang=en>

⁷

[https://timau/safle/caffael/Prosiectau/CAFFAEL%20CYNALADWY/ETHICAL%20EMPLOYMENT%20IN%20SUPPLY%20CHAINS/Dogfennaeth%20Gwynedd/Code%20of%20Practice%20Action%20Plan%20\(Internal\).pdf](https://timau/safle/caffael/Prosiectau/CAFFAEL%20CYNALADWY/ETHICAL%20EMPLOYMENT%20IN%20SUPPLY%20CHAINS/Dogfennaeth%20Gwynedd/Code%20of%20Practice%20Action%20Plan%20(Internal).pdf)

GUIDELINES

3.0 Sustainable Procurement Process & Guidelines

Strategic overview

Public sector procurement must be carried out in accordance with the Council's own Contract Procedure Rules and EU rules with the aim of ensuring fair and open competition for all and the achievement of value for money.

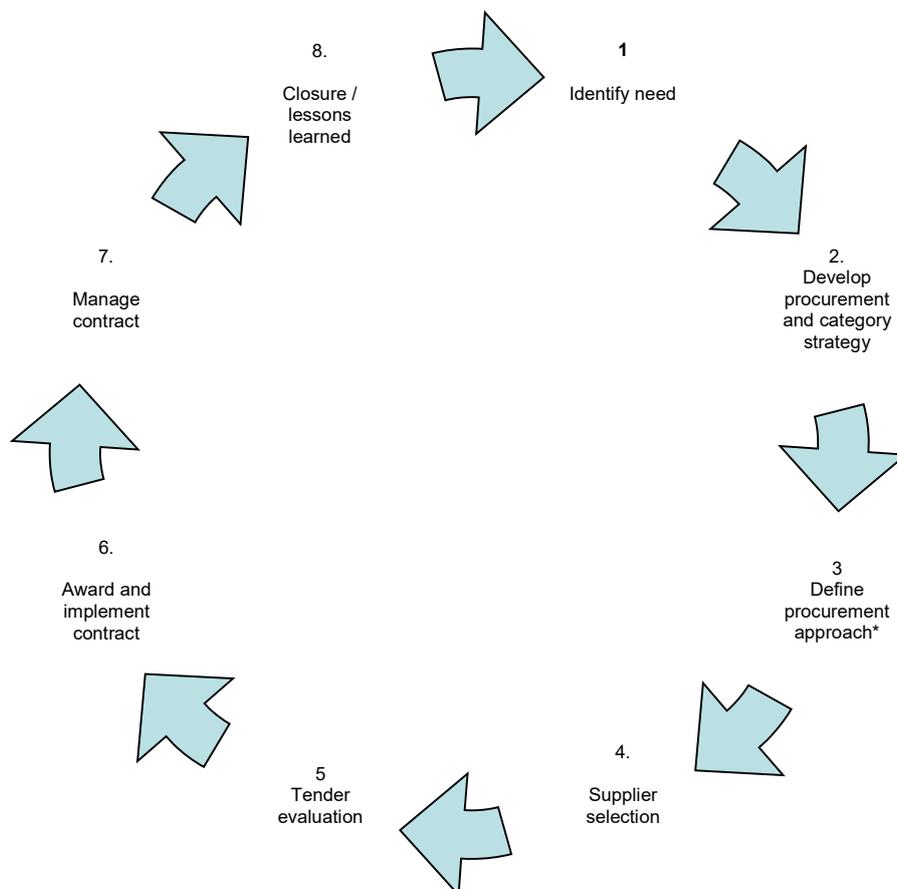
If procurement is to maximise its contribution to the Council's objectives and priorities, it is essential that key steps in the procurement cycle allow consideration of sustainability. It is important that the acquiring of goods, works and services is done so on the basis of 'most economically advantageous' criteria which takes into account quality and/or fitness for purpose to meet customers' requirements and not only price.

Procurement within Gwynedd should follow the eight stages identified in the Procurement cycle below. However, the extent to which each stage is followed will be related to the likely social, economic and environmental implications of the particular procurement project.

The 3 main priorities in terms of sustainability are :-

- Identifying the real business need
- Defining the procurement approach (including specification of requirements)
- Tender evaluation

The Procurement cycle



N.B. Further details on what is involved at the different stages of this cycle can be found at Section 4 of this document, along with Appendices 1A and B and Appendix 2

- Identify real business need

Is there a definite need for the product or service by the Council?

At this stage, sustainable alternatives to procurement could be considered such as cutting down on waste and repairing or recycling existing goods. Do products/services of a similar nature already exist within the Council that would satisfy the needs? Are the products/services being procured elsewhere and is there scope to collaborate? Can the service be undertaken in-house?

- Defining the procurement approach

At this stage, assessment of market complexity in terms of numbers, capacity, capability, location and interest levels of suppliers will help define suitable sustainable procurement strategy options. These are assessed in terms of their ability to satisfy the defined business needs which leads on to the production of a strategy by the Lead Officer which will require approval of the relevant stakeholders. Areas covered by the strategy would include :-

- **Strategic fit** – How well does the proposed way of meeting the requirement support the Authority's current objectives and priorities? Does the scope need to change?
- **Options** – Has a wide range been explored, including innovation and/or collaboration with others *? How do they compare in terms of benefits, costs and risk?
- **Achievability** – Can this project be achieved with the Authority's current capability and capacity
- **Value for money** – Can this be obtained from proposed sources of supply such as current suppliers? Does the project need to be made attractive to a wider market?
- **Affordability** - Is the budget available to deliver what is required? If not, can the scope be reduced or delivery extended over a longer period of time or funding sought from other sources?
- **Packaging of contracts** – Where applicable, is there scope to divide the project into lots to increase opportunities for SMEs to bid for the work, i.e. splitting into geographical lots, different categories of work etc.?

The next step in the process involves translating the business need into measurable performance criteria and it is at this stage that officers have the greatest scope to include sustainability criteria within their requirements. However care should be taken to ensure that any such criteria do not distort competition and if you are in any doubt, contact the Procurement Unit who, with support of Legal Services, can provide you with appropriate advice.

Step 1 Drawing up a specification

The specification must clearly address the business need together with all sustainability considerations being they economic, environmental or social and care must be taken to ensure that all requirements are factored in prior to going out to competition as any change to the requirement at a later stage in the process could necessitate a re-tender. Equality and language requirements should also be clearly outlined at this stage, where applicable to the project (see 4.3 and 4.5 below) and time allowed in the planning process to arrange translation of all tender documentation

Step 2 Setting evaluation criteria

The criteria to be considered when evaluating tenders have to be listed in the advertisement placed on Sell2wales and must be related to the subject matter of the contract. Examples for consideration expressly permitted by the Public Procurement Directive are quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, aftersales service, delivery timescales etc. It is also important that additional criteria are not listed at a later date as doing so would skew the evaluation process and be a breach of European Union regulations and public procurement policy.

The advertisement to be placed on Sell2wales should also include a statement in terms of the price / quality ratio (e.g. 60% price / 40% quality) and the relative importance of each of the quality assessment criteria so that suppliers can recognise where best to place their emphasis when responding to opportunities.

- Tender evaluation

Where tenderers are to be shortlisted via a pre-qualification process, those who have been found guilty, for instance, of breaches of social or environmental legislation or associated matters of professional misconduct can be excluded from the tender process. In addition, where specific requirements or outcomes relating to sustainability have been included at pre-qualification stage, tenderers can be assessed in terms of their ability to meet those requirements at this stage. However, submissions / bids can only be evaluated against pre-determined criteria to which suppliers will have received prior notification.

Award of contracts should be made on the basis of most economically advantageous tender which includes the need to take account of quality considerations as well as price as detailed below :-

- **Price**

The aim of public authorities is to ensure that they deliver value for money in the goods, services and works that they procure and price/quality ratios will differ dependent on the type of procurement being undertaken. The priority therefore should not be securing the lowest price but consideration of the whole life cost which addresses maintenance, operation, disposal i.e. cost over time. Identifying a suitable price / quality split is likely to differ from procurement to procurement and if unsure, contact the Procurement Unit for advice as arriving at a suitable percentage split is an important consideration in the whole process.

- **Quality**

Continuing with the need to consider the most economically advantageous tender (MEAT), when selecting quality criteria for inclusion in a tender, it is imperative that any choices made can be quantified. Examples of possible criteria include :-

- Performance
- Conformance
- Reliability
- Durability
- Environmental characteristics
- Running costs
- Disposal costs
- Cost-effectiveness
- After-sales service
- Technical assistance
- Response times
- Delivery deadlines
- Whole life costs
- Guarantees
- Reliability
- Competence
- Potential for innovation
- Ability to manage risk

4.0 Further considerations within the procurement cycle

The Council have also recognised the need to consider sustainability in a broader context and will make every effort to address the following areas within its procurement processes :-

4.1 Risk (Stage 2 and 3 of cycle)

Consideration should be given to potential risks of procurement projects failing and necessary safety measures built in to tender documentation. These could include checks on the suppliers' capacity to fulfil the work, arrangements in terms of non-performance and termination clauses. It is advisable that when any contract is put in place following the procurement process, regular review meetings take place with the supplier to ensure that they are continuing to meet our needs and where problems exist, these can be rectified quickly without the need to consider termination of the contract. A clause within the contract documentation outlining consequences of non-performance is therefore advisable so as to ensure that both parties are aware of their responsibilities.

Furthermore, staff must familiarise themselves with new General Data Protection Regulations that came into force in 2018, when preparing tender / contract documentation so as to avoid risk to the Council.⁸

4.2 Use of frameworks (Stage 3 of cycle)

Some generic goods and services may be available to purchase via existing framework agreements, put in place by organisations established specifically to identify collaboration opportunities nationally, such as Crown Commercial Services, Yorkshire Purchasing Organisation etc.. This would avoid the need to undertake a full tender exercise. Liaise with Procurement Unit for details.

4.3 Equality & diversity (Stage 4 of cycle and Well-being objective, Page 4)

It is important that the Council ensure that prior to entering into a contract with suppliers, they are satisfied that no discrimination in terms of race, disability or gender, sexual orientation, religion/belief or age, has taken place within the supplier organisations. Bidders can be excluded from participating in the tender process at the selection stage on certain grounds e.g. convicted of an offence concerning professional misconduct. Such bidders would be asked to demonstrate what rectifying steps it has taken in response to a conviction or finding with a judgement made by the Council on whether the seriousness warrants exclusion. Where equality issues are in any way relevant to the work being undertaken (e.g. contact with customers / clients), clear reference should be made to the requirements in the tender/contract documentation.

4.4 Ethical employment in supply chains (Well-being objective, Page 4)

Procurement staff should consider the contents of the Welsh Government's Code of Practice for ethical employment in supply chains and ensure that appropriate questions are asked within the pre-qualification stage of tenders, where the nature of the project suggests there may be sufficient risk in terms of potential unfair employment practices. All staff involved in procurement are required to undertake the training in relation to the Code which will assist in identifying what risk exists in individual projects.

4.5 Welsh Language (Well-being objective, Page 4)

In line with Council policy, we have a responsibility when advertising contract notices on Sell2wales to do so in both English and Welsh for opportunities below the OJEU threshold level (£181,302). All tender documentation should also be available in English and Welsh. Where language is in any way relevant to the work to be undertaken (e.g. contact with customers / clients, production of literature, signage etc.), clear reference should be made to the language requirement(s) in the tender/contract documentation. Further guidance can be found at the following link :

<https://www.gwynedd.llyw.cymru/en/Council/Strategies-and-policies/Language-and-equality/Welsh-Language-Standards-and-Policy.aspx>

4.6 Supplier engagement (Stage 3 and 4 of cycle)

Gwynedd Council have recognised the need to improve its engagement with suppliers in terms of procurement. A positive step in addressing this issue is the introduction of a link on the Council's

⁸ <https://timau/safle/rg/AmdanomNi/SitePages/Hafan.aspx>

website specifically covering Procurement and the tendering process. A copy of this policy will also be available within that link in the future so that suppliers are aware of Gwynedd's stance in terms of the sustainability agenda.

Where appropriate, we will also endeavour to hold more external events with suppliers, whether they be Meet the Buyer events or events related to specific imminent contract opportunities. Business Wales are available to support the Council with any such events when required in order to maximise potential to reach the local as well as national market and the Council's Procurement Consultant for Business support can provide advice in the first instance.

4.7 Community Benefits (Stage 2 and 3 of cycle and Well-being objective, Page 4)

The Welsh Assembly Government have produced guidance for the public sector in terms of this subject which is designed to ensure that procurers take into account potential social and community benefit issues within their processes, in order to ensure not only that procurement provides value for money but provides added value in terms of the local community at the same time (see 2.2 above for the relevant link to the guidance as well as examples of what has been achieved on projects within Gwynedd). For advice and support on this topic, contact the Procurement Unit.

4.8 Reserving contracts

Under the Public Contract Regulations 2015, Regulation 20 'reserved contracts' gives contracting authorities the option to reserve contracts for sheltered workshops or economic operators whose main aim is the social and professional integration of disabled or disadvantaged persons. By broadening the definition to include 'disadvantaged' people the new regulations go further than the previous provisions in the 2006 regulations which stipulated supported businesses were those supporting only the employment of people who are disabled. There is a separate 'reserved' contracting provision under Regulation 77 which deals with 'reserved contracts for a limited range of services' and is restricted to organisations meeting particular organisational requirements and has separate and specific contractual limitations.⁹

4.9 Sub-contracting (Stage 2, 3 and 7 of cycle)

Further potential opportunities for the local market exist where, within the procurement process, if a single large contractor secures a high value project, we can encourage within the tender process, that they consider providing sub-contracting opportunities. A facility exists within the Sell2wales website which allows main contractors to advertise for interested parties. Efforts should be made to work with main contractors in terms of securing such opportunities locally where possible. This will also support the Council's aim of 'Keeping the benefit local'. Where possible, we will also endeavour to support the local market to improve their internal procedures and policies to become more competitive in the market. Contact the Procurement Unit for further details.

4.10 'Green' / Ethical procurement (Stage 2 and 3 of cycle and Well-being objective, Page 4)

The spectrum of 'green' / ethical procurement is broad. However, fundamentally it relates to being aware of potential environmental implications that decisions made within the procurement cycle can have and what we can do as an organisation to address this agenda. Examples of this include purchasing food which bears a 'Fair trade' logo, sourcing energy efficient products, asking suppliers what efforts they make to reduce plastic packaging and reduce their carbon emissions. Use of industry standards such as ISO14001 and BREEAM as part of the procurement process will also demonstrate that suppliers are environmentally aware.

4.11 Corporate Social Responsibility (Stage 3+4 of cycle and Well-being objective Page 4)

In terms of the suppliers themselves, the Council should also ensure that we do not contract knowingly with any suppliers involved in any form of exploitation e.g. suppliers who fail to pay their employees the minimum wage, who treat their staff unfairly or whose practices exploit natural

⁹

<http://prp.gov.wales/planners/general/strategy/procstrat/sustainabledevelopment/publicprocurementinwales/equalityanddiversityprocurementcycle/reg20rescont/?lang=en>

resources. The Council also has a responsibility to ensure that all suppliers are treated equally throughout the procurement process and that no favouritism is showed to one above another.

4.12 Contract management / supplier development (Stage 2, 3 and 7 of the cycle)

It is important to remember that the purchaser's job does not stop at award of contract. A responsibility also exists to monitor the performance of the contract not only for the benefit of the Council in ensuring that our needs are being met and that we are achieving value for money but also for the supplier, in ensuring that no barriers exist to hinder their performance and that where issues arise, the Council can work with the supplier to address them and improve the situation as soon as possible. This is particularly true when requesting community benefits as part of specific projects where close contract monitoring and engaging with the supplier is vital to achieve the targets set.

5.0 Sustainable considerations relevant to type of project – Works, Supplies & Services

Areas of procurement fall under three headings, those being Works, Supplies and Services, and different considerations and opportunities in terms of sustainability apply to each heading. To act as a reference point, the type and at what point these considerations are required are set out overleaf :-

	WORKS	SUPPLIES	SERVICES
CONTRACT NOTICE	<ul style="list-style-type: none"> Award criteria should be included as part of the contract notice for OJEU level spend and is good practice for sub-OJEU level Where social / community benefits* are to be included within the project, these must be referred to in the contract notice for the opportunity 		
SPECIFICATION	Payment terms** Waste reduction / disposal CSR (Corporate Social Responsibility) Environmental standards (e.g. ISO14001, Green Dragon) BREEAM standards Sub-contracting opportunities Lotting strategy Community benefits* Transport	Payment terms** Waste reduction / disposal CSR (Corporate Social Responsibility) Transport (linked to carbon footprint) Recycled / sustainable product alternatives 'Green' / ethical procurement Reduction of packaging Lotting strategy Community benefits*	Payment terms** Sub contracting opportunities CSR (Corporate social responsibility) Conforming to Council's language needs Travelling costs / expenses Presence in Council area (careful here – seek advice!) Lotting strategy Community benefits*
PQQ	Environmental policies Experiencing of incorporating community benefits Accreditations or equivalent Criminal convictions Environmental offences Ethical employment practices***	Evidence of policies related to product or manufacture Criminal convictions Ethical employment practices***	Environmental policies Accreditations or equivalent Criminal convictions Management systems (to be consistent with Council policy) Equality Policy Ethical employment practices***
124 / CONTRACT	Performance requirements Ethical employment practices*** Payment terms**	Performance requirements Ethical employment practices*** Payment terms**	Performance requirements Approach from an environmental perspective Ethical employment practices*** Payment terms**
<p>* Social clauses relate to considering opportunities to recruit long-term inactive persons, offering training opportunities (e.g. NVQs, apprenticeships), providing sub-contracting opportunities, investing time in community based projects etc. It is important that the Council's expectations are clear and that these are outlined within the tender documentation. This will help suppliers focus their response accordingly.</p>			
<p>**Payment terms – where sub-contracting opportunities exist within the project, encourage best practice with main contractor to pay its sub-contractors within 30 days.</p>			
<p>***Liaise with the Corporate Procurement Unit for examples of questions / contract conditions in relation to Ethical employment</p>			

N.B. If unsure as to what should be included, please contact the Procurement Unit for advice.

Summary

In summary, whilst complying with relevant legislation in procuring goods, services and works, and in meeting its obligations to consider the sustainability agenda, if relevant and appropriate, Council staff must :-

- Seek innovative solutions which encourage and enable the maximum contribution to the Authority's corporate objectives and priorities
- Ensure that all appropriate staff are encouraged to undertake sustainable procurement training to support them to make informed decisions in relation to sustainability issues during the whole procurement process. This will include all staff involved in procurement and recruitment completing training on the Welsh Government's Code of Practice on Ethical employment in supply chains.
- Where scope exists, introduce geographical / category lots for high value contracts to ensure that SMEs are not excluded from bidding for the work
- Ensure that Pre-qualification documentation address sustainability factors where appropriate and are scored where deemed to be essential to the contract
- Ensure that contract opportunities (£50,000+) are advertised on Sell2wales (www.Sell2wales.co.uk) to open up competition and enable all suppliers to have an equal opportunity to tender (whether local or national)
- If tendering for a high value Works contract where insufficient capacity exists locally to fulfil the whole contract, include a request for the contractor to advertise sub-contracting opportunities
- Ensure that tender documentation reflect sustainability factors where appropriate and are considered prior to the award of contracts
- Place a weighting on environmental characteristics in the evaluation process where it is deemed essential to the performance of the contract
- Ensure that consideration is given to whole life cost of products purchased where applicable (e.g. maintenance / running costs and disposal)
- Explore environmentally friendly alternatives and evaluate where appropriate
- Explore re-use of existing products and recycling opportunities
- Ensure that consideration is given to prospective suppliers' environmental credentials and capabilities as part of the selection process where appropriate
- Include criteria to cut down on waste and reduce amount of packaging
- Award on the basis of most economically advantageous tender unless it has been pre-determined that quality is not a deciding factor
- Work with suppliers to reduce the environmental impact of goods and services provided and encourage them to recognise their own responsibilities to address the sustainability agenda
- Ensure that consideration is given to prospective suppliers' record in terms of fair work practices for their staff
- Promote the existence of this policy both with internal staff and external suppliers

6.0 *Assessing results*

The Procurement Unit will be seeking evidence that sustainability considerations have been made as part of procuring projects under the control of the Council's Services.

Supporting information:-

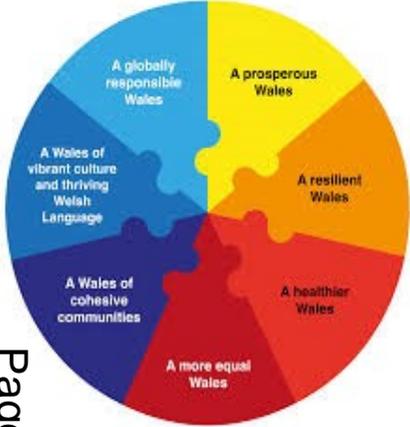
Appendix 1A Sustainability Checklists for Goods

Appendix 1B Sustainability Checklists for Works/Services

Appendix 2 Keeping the benefits local Checklist

Appendix 1A : Sustainability Checklist for Goods

Please complete and send to Procurement Unit or complete within the workflow on E-tenderwales. Where the response is 'No', please explain your reason why in the right column

<p>The Wellbeing of Future Generations (Wales) Act Objectives and 5 ways of working</p>  <p>Long-term The importance of balancing short-term needs with the needs to safeguard the ability to also meet the long term needs</p> <p>Integration Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies</p>	<p>PRIORITY</p>	1	Is there a contract / framework that exists which can fulfil my needs?	Check with Procurement Unit* – Yes? No further action necessary	No? - Proceed	
		2	Has the whole life cost of the product been considered (e.g. running costs, maintenance, disposal at end of life)?	Yes? - Proceed	No? – Revisit budget	
		3	Has a clear specification been produced which will enable suppliers to tender?	Yes? - Proceed	No? – take care! Amendments at a later date could necessitate a re-tender	
	<p>ADVERTISING</p>	4	Have you completed the PQQ template on Sell2wales?	Yes? - Proceed	No? – This is a useful tool which will help to identify suitable questions to use as your pre-qualification	
		5	Have you ensured that your tender documentation is available bilingually?	Yes? - Proceed	No? – Council policy requires that documentation is available bilingually, the only exception being for OJEU adverts or highly technical documents	
		6	If this opportunity equates to the Council's tender value (£50,000), do you intend to advertise it on Sell2wales?	Yes? - Proceed	No? – All opportunities exceeding £50,000 should be advertised on Sell2wales	
		7	Are you using E-tenderwales to run your tender process?	Yes? - Proceed	No? – Best practice is to move away from paper based tendering.	
	<p>ENVIRONMENT</p>	8	Does the specification attempt to reduce environmental impact issues? (e.g. stipulate that suppliers should minimise / dispose of packaging responsibly, avoid single use plastic, use of easily recyclable materials, whether they have an environmental policy/accreditation, what efforts they make as an organisation in terms of addressing sustainability e.g. disposal of waste, reduction of carbon emissions, conserving energy use, use of sustainably sourced materials etc)	Yes? - Proceed	No? – Be conscious of the opportunity that exists here and make the most of it	
	<p>MANAGING RISK</p>	9	Have necessary precautions been taken within the tender documentation to ensure that suppliers have not been found guilty of any form of discrimination?	Yes? - Proceed	No? – see the ESPD template within Sell2wales for suitable questions	

<p>Involvement The importance of involving people with an interest in achieving well-being goals, and ensuring that those people reflect the diversity of the area which the body serves</p> <p>Collaboration Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives</p> <p>Prevention How acting to prevent problems occurring or getting worse may help public bodies meet their objectives</p>		10	Has the element of risk been addressed (e.g. have regular review meetings, contract monitoring and targets been included that the supplier will be required to adhere to. Is it necessary for suppliers to hold certain accreditations to fulfil the project)?	Yes? - Proceed	No? – It is vital that such elements are included to avoid risk to the Council	
	SCORING	11	Has an evaluation matrix been produced to enable suppliers to identify against which criteria their submission will be scored?	Yes? - Proceed	No? – It is important that this is included within the tender documents and advertisement on Sell2wales	
	LOCAL MARKET	12	Does scope exist to attract interest from small local businesses to this project? If it is a large project, is it possible to split the contract into smaller lots / categories? Has this been considered?	Yes? - Proceed	No? – Where scope exists, this supports the Welsh Assembly Government's Opening Doors Charter and Council's Keeping the benefit local project	
		13	Dependent on the project value, has consideration been given to holding a Supplier event to highlight the opportunity with the aim of increasing competition and including the local supply market?	Yes? - Proceed	No? – Contact *PU for advice and who can put you in touch with Business Wales	
AWARDING THE WORK	14	To try to ensure value for money, we endeavour to award contracts on the basis of price and quality. Has this been identified in the tender documentation?	Yes? - Proceed	No? – Price AND quality should be considered		

(* PU Procurement Unit Ext. 32787*)

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Appendix 1B: Sustainability checklist for Works/Services

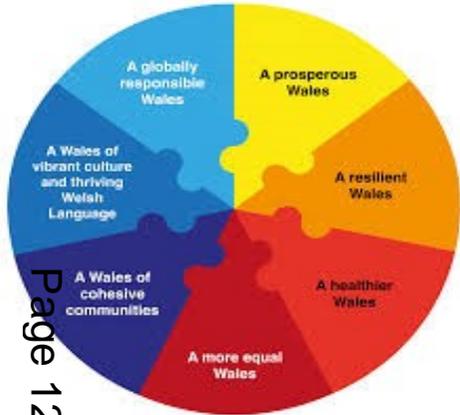
Please complete and send to Procurement Unit or complete within the workflow on E-tenderwales. Where the response is 'No' please explain your reason why in the column indicated :

PROJECT :

SERVICE / UNIT :



The Wellbeing of Future Generations (Wales) Act Objectives and 5 ways of working



Page 126
Long-term

The importance of balancing short-term needs with the needs to safeguard the ability to also meet the long term needs

Integration

Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies

PRIORITY	1	Do resources and expertise exist internally to provide what is required?	Within organisation – Yes No further action	Sourced externally? Proceed	
	2	Has sufficient engagement taken place to ensure that user requirements will be met?	Yes? - Proceed	No? – Identify interested parties	
	3	Has a clear specification been produced which will enable providers / contractors to tender?	Yes? - Proceed	No? – Take care! Amendments at a later date could necessitate a re-tender	
ACCREDITATIONS	4	Do contractors/providers require any specific accreditations to be able to tender for this work and if so, have these been identified clearly in the specification?	Yes? - Proceed	No? – If accreditations are required, these must be identified beforehand in the tender	
ADVERTISING	5	Have you completed the PQQ template on Sell2wales?	Yes? - Proceed	No? – This is a useful tool which will help to identify suitable questions to use as your pre-qualification	
	6	Have you ensured that your tender documentation is available bilingually?	Yes? - Proceed	No? – Council policy requires that documentation is available bilingually, the only exception being for OJEU adverts or highly technical documents	
	7	If this opportunity equates to the Council's tender value (£50,000+), do you intend to advertise it on Sell2wales?	Yes? - Proceed	No? – All opportunities exceeding £50,000 should be advertised on Sell2wales	
	8	Are you using E-tenderwales to run your tender process?	Yes? - Proceed	No? – Best practice is to move away from paper based tendering.	

<p>Involvement</p> <p>The importance of involving people with an interest in achieving well-being goals, and ensuring that those people reflect the diversity of the area which the body serves</p> <p>Collaboration</p> <p>Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives</p> <p>Prevention</p> <p>How acting to prevent problems occurring or getting worse may help public bodies meet their objectives</p>	ENVIRONMENT	9	Where delivery of the service has potential environmental impacts (e.g. waste management, recyclable options, minimising water usage, minimising disposal impact, travel management, use of sustainably sourced materials etc.), has this been addressed in the specification?	Yes? - Proceed	No? – Be conscious how our suppliers can impact on environment	
	RISK	10	Have essential precautions been taken within the tender documentation to ensure that contractors/providers have not been found guilty of any form of discrimination?	Yes? - Proceed	No? – see ESPD template in Sell2wales for suitable questions	
		11	Where applicable, have potential equality and diversity issues been addressed in the specification (e.g. race, gender, language, disability)?	Yes? - Proceed	No? – Be careful to ensure that the service / works will fulfil user needs	
		12	Has the element of risk been addressed (e.g. regular review meetings, contract monitoring and targets included that the provider/contractor will be required to adhere to)?	Yes? - Proceed	No? – It is vital that such elements are included to avoid risk to the Council	
	SCORING	13	Has an evaluation matrix been produced to enable contractors/providers to identify against which criteria their submission will be scored?	Yes? - Proceed	No? – This should be included within the tender documents and detailed on Sell2wales advert	
	LOCAL MARKET	14	Does scope exist to attract interest from small local businesses to the project? If it is a large project, is it possible to split the contract into smaller lots / categories? Has this been considered?	Yes? - Proceed	No? – Where scope exists, this supports the Welsh Assembly Government's Opening Doors Charter and the Councils Keeping the benefit local project	
		15	Dependent on the project value, has consideration been given to holding a supplier event to highlight the opportunity with the aim of increasing competition and including the local supply market	Yes? - Proceed	No? – Contact *PU for advice	
	COMMUNITY BENEFITS	16	For projects exceeding £500,000, if scope exists to request that suppliers give consideration to offering work experience/training opportunities, apprenticeships etc., as part of their tender submission, has this been addressed?	Yes? - Proceed	No? – This is a missed opportunity to help support the local community. Contact *PU	
		17	For projects exceeding £500,000, has consideration been given to explore other types of community benefits (e.g. educational, vocational activities, community engagement etc.)?	Yes? – Proceed	No? – Contact *PU for examples of benefits achieved on previous projects	
	AWARDING WORK	18	To try to ensure value for money, we endeavour to award contracts on a price and quality basis. Has this been noted in the tender documentation?	Yes? - Proceed	No? – Price AND quality should be considered	

(*PU : Procurement Unit Ext. 32787)

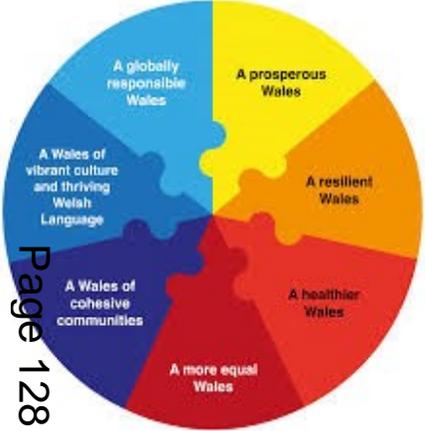
Appendix 2: Keeping the Benefits Local Checklist

Please complete and send to Procurement Unit or complete within the workflow on E-tenderwales. Where your response is 'No', please explain your reason why in the column indicated

PROJECT:

SERVICE / UNIT:

The following measure will reduce the restrictions for the local market to compete for tendering and sub-contracting opportunities linked with the Council's projects and services. This document has been designed for use alongside the guidance on [Reducing Restrictions to Tendering](#).

<p>The Wellbeing of Future Generations (Wales) Act Objectives and 5 ways of working</p>  <p>Page 128</p> <p>Long-term The importance of balancing short-term needs with the needs to safeguard the ability to also meet the long term needs</p> <p>Integration Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies</p>	<p>Documentation and requirements of the tender/contract</p>	1	Has consideration been given to ensure that the service requirements, accreditations or thresholds included/requested in the tender do not unnecessarily restrict the local markets ability to compete for the contract?	Yes? Continue	No? A meeting should be held with relevant officers and, when appropriate, with the local market to discuss the requirements of the brief.	
		2	Are the criteria balanced in terms of price and quality? A heavy emphasis on price is likely to favour large businesses.	Yes? Continue	No? Consider what aspect of the tenderers ability to deliver the service can be assessed and what weighting this should hold when evaluating the tender applications.	
		3	Has consideration been given to asking tenderers to demonstrate how they would deliver the service or project rather than requiring them to provide three or more examples of similar projects or service that they have delivered so that new businesses are not restricted from competing?	Yes? Continue	No: - Consider if it would be possible for the providers to demonstrate their ability to deliver the contract through associated experiences, or does the risks associated with the contract require direct experiences to be evidenced.	
		4	Is the project of a sufficiently size to consider sharing or packaging the contract into categories of work or specific geographic areas, and has this been considered? This would enable small and medium-sized businesses to compete. Have you considered the need to restrict the number of packages one provider can win in order to prevent one provider from dominating the local market?	Yes? Continue	No? Consider if local businesses are able to compete for the work as currently packaged? If not could the contract be divided, and if so how could this be done and what would be the effect of restricting the number of packages one provider can win i.e. could this increase the cost of the service.	
		5	(i) Have you used the PQQ tool to create a Pre Qualification Questionnaire? This would regulate and facilitate the procedure for providers. (ii) Have you checked the questions created through the PQQ tool to ensure that they are suitable and necessary?	(i) Yes? Continue (ii) Yes? Continue	No? A PQQ package is available through the Sell2Wales system, contact *PU for assistance.	
		6	Do the tendering questions describe what the tenderers are expected to provide in their responses? Doing this effectively will reduce the likelihood of quality businesses losing out on work due to lack of understanding of the tendering processes and requirements.	Yes? Continue	No? Guidelines and assistance on preparing descriptive questions are available through *PU. See ' Reducing Restrictions to Tendering ' guidelines.	
		7	Has a summary of the opportunity been prepared at the beginning of the tendering documentation, which includes details on the value and length of the contract and a short summary of the requirements including any accreditations?	Yes? Continue	No? Preparing this summary will enable prospective tenderers to easily and quickly assess the requirements of the contract and if required access assistance to compete for the work.	

<p>Involvement The importance of involving people with an interest in achieving well-being goals, and ensuring that those people reflect the diversity of the area which the body serves</p>	<p>Joint applications and subcontracting</p>	8	Would the opportunity be suitable for encouraging joint applications, and are there plans in place to provide support? Encouraging and providing support can lead to small businesses and enterprises sharing specialisation and capacity in order to compete.	<p>Yes? Continue</p>	<p>No? If suitable for joint bids, assistance is available for businesses and enterprises through the Wales Cooperative Centre, as well as information and guidelines on the Council's Procurement Website. Contact *PU to discuss this further.</p>	
		9	Have you considered included sub contracting clauses in the agreement that would require the main contractor to:- (i) hold a "meet the buyer" event to encourage local businesses to compete for sub-contracting opportunities (ii) report on the percentage of sub-contracting expenditure on the project with businesses from Gwynedd, North Wales and Wales. (iii) Commit to adopt Fair Payment Practices such as the Construction Supply Chain Payment Charter .	<p>(i) Yes? Continue</p> <p>(ii) Yes? Continue</p> <p>(iii) Yes? Continue</p>	<p>No? Gwynedd's economy consists of mainly of Micro SME's and therefore the local benefit from the Council's contracts are often delivered through subcontracting opportunities that need to be promoted and measured. Contact *PU for advice and support to including and monitoring these clauses.</p>	
<p>Collaboration Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives</p>	<p>Preparing the market and providing support</p>	10	Do you have plans in place to engage with the local market to raise awareness of tendering and sub contracting opportunities? This engagement should include an opportunity for the market to provide comments on any restriction for them to compete as well as what assistance would be beneficial. This engagement can through written and telephone correspondents with current and potential providers, meet the buyer events, utilising social media and S2W etc.	<p>Yes? Continue</p>	<p>No? Contact the Business Liaison Coordinator of the *PU (extension 32213) for assistance and resources to engage with the market.</p>	
		11	Have you shared information about the opportunity with the *CPU so it can be too included on the tendering list which is live on the Council's website? The aim this list is to allow potential tenders identify and prepare for upcoming opportunities.	<p>Yes? Continue</p>	<p>No? Contact the *PU or forward information to HuwGriffiths@gwynedd.llyw.cymru as soon as possible when planning to release a tender for a new or existing contract.</p>	
		12	Do you have any plans to provide support on tendering processes and requirements i.e. look to collaborate with Business Wales to hold workshops on how to complete a quality tender application, hold a meet the buyers event etc.	<p>Yes? Continue</p>	<p>No? Contact the Business Liaison Coordinator or the *PU (extension 32213) for assistance and advice.</p>	
<p>Prevention How acting to prevent problems occurring or getting worse may help public bodies meet their objectives</p>	<p>Time to compete and grow</p>	13	Have you planned to advertise the tender for a sufficient period of time to give businesses the opportunity to prepare a good quality tender application? 30 days is suggested as a reasonable timescale.	<p>Yes? Continue</p>	<p>No? You will likely need to alter your work programme / timetable in this event.</p>	
		14	Have you planned to allow a period of six weeks or longer between awarding the contract and the time the service will need to begin? Small businesses will often need this time to prepare and possibly grow to deliver the contract requirements.	<p>Yes. Continue</p>	<p>No? When practicable, it will be necessary include this time period as part of the work programme for the contract.</p>	

	Preparing Feedback	15	Have you put sufficient time aside to prepare detailed written feedback to tenderers? (See online guidelines on reducing restriction to tendering for a summary of what should be included in standard feedback).	Yes? Continue	No? Providing detailed feedback is a fundamental part of any procurement process. A lack of feedback will mean that businesses repeat mistakes and will be discouraged from competing for future opportunities.	
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Notes / Observations: *(Here you can write notes on the steps taken to encourage and enable the local market to compete, along with details on specific restrictions):-*

*Contact PU Business Liaison Co-ordinator Ext. 32213

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REPORT TO THE CABINET

Date of Meeting:	23 July 2019
Cabinet Member:	Cllr Dafydd Meurig & Cllr Dilwyn Morgan
Author:	Morwena Edwards, Corporate Director
Contact Telephone Number:	Ext 32468
Title of Item:	Care Inspectorate Wales Annual Letter

1. Background

1.1 In accordance with the Care Inspectorate Wales Code of Practice for review of local authority social services, they are required to write and publish an annual letter on local authorities that:

- provides feedback on the performance review and appraisal work they completed during the year;
- reports on the progress that the local authority has made in implementing recommendations from children and adults' practice inspections and/or reviews;
- outlines their forward work programme.

2 Why the need for a decision

2.1 It is appropriate for the Cabinet to consider the content of the letter in order to have confidence in the performance and direction of our to social services in Gwynedd.

3. The decision sought

3.1 Members are asked to consider and accept this report.

4. The background and relevant considerations

4.1 The letter summarises Gwynedd Council's performance in fulfilling its statutory roles in the field of Social Services. You will be aware that the Children and Supporting Families Department was the subject of a full inspection in June 2018. The findings of this inspection informs the letter, as do the performance evaluation activities of the

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cabinet@gwynedd.llyw.cymru



local authority learning disabilities team, the older people community social work service, and developments at a local authority care home.

4.2 It is worth noting that the Letter is very positive, and we as responsible members, along with the statutory director for social services, welcome this letter.

4.2 Welfare

4.3 The letter notes that the Children and Supporting Families Department has robust arrangements to safeguard children. Nevertheless, the letter notes that the reviews procedure for looked-after children needs to be strengthened. I can confirm that a comprehensive work programme is in place to ensure this. One of the challenges that faces the County and the nation is the adequacy of the placements for looked-after children. The letter confirms this and you will be aware of the Department's performance reports that this matter is being addressed at a local and regional level.

4.4 It is noted that the Adults, Health and Well-being Department is working on a service transformation programme and, as part of this programme, are experimenting with new ways of working to overcome challenges such as that of recruiting care workers and stabilising the home domiciliary care market. As the letter notes, although the Department faces many challenges, there is a clear programme in place.

4.5 The letter notes that they will visit the Safeguarding Adults field during the year. We welcome this.

4.6 People

4.7 Within Social Services in Gwynedd, one of our strengths is our stable, skilled and experienced workforce. The letter clearly notes that our workforce values the ability to work through the medium of Welsh, and that members speak positively of the experience of working in Gwynedd and of the ethos of 'Putting the people of Gwynedd at the centre of everything we do.'

4.8 The Inspectorate notes our success in providing respite care for children and young people with disabilities at our new facility, Hafan y Sêr.

4.8 Prevention

4.9 You will be aware that more preventative working and earlier intervention drives the work programmes of both Departments. Our Improvement Plans within the Council Plan reflects this. The letter confirms that we are heading in the right direction with our transformation arrangements in the Adults, Health and Well-being Department, and will lead to services that will help our communities.

4.10 It is noted that the Children Department has some work to do to further develop Prevention Services, and I can confirm that a comprehensive work programme is in place. This is a priority field for us, and our Supporting Families programme is attempting to move this agenda forward.

4.11 Partnerships

- 4.12 The success of our transformation programmes rely upon strong partnerships across the sector, with health and the third sector. This letter confirms that we have strong collaborative partnerships, and this will help us as we redesign services. Of course, this will lead to better outcomes for the individuals of Gwynedd.
- 4.13 Additionally, the Inspectorate is of the view that the Council has strong leadership and governance arrangements, and notes that the Corporate Parenting Plan is an example of good practice that is ambitious in its aim to develop the best outcomes for our looked-after children.
- 4.14 CIW Performance Review Plan for 2019-20
- 4.15 The thematic programme of inspection for the Adults Services for 2019/20 will focus on prevention and promoting independence for older people, and the thematic inspection for the Children's Services will focus on prevention, partnerships and the experiences of disabled children. If Gwynedd is selected for this programme, we will be issued a four-week notice for the inspection date.
- 4.16 It also notes that the engagement activities will be in-keeping with the thematic reviews. A meeting will be arranged during the summer in order to discuss our self-evaluation. A national thematic report will be announced.
- 4.17 The Inspectorate will trial a joint inspection in partnership with the HIW, Estyn, Her Majesty's Inspectorate of Constabularies, and Her Majesty's Inspectorate of Probation.
- 4.18 The thematic review of Community Mental Health teams will continue.

5. Matters to be Noted

- 5.1 The letter will be shared with the Wales Audit Office, Estyn and HIW.

6. Any Consultations Undertaken Prior to Recommending the Decision.

6.1. Views of the Statutory Officers:

i. Monitoring Officer:

I agree with the principle that reports of this type from regulators are subject to consideration by the Cabinet

ii. Head of Finance Department:

I have received confirmation by the author that the decision sought will not generate new financial commitments.

6.2. Views of the Local Member:

- 6.2.1 Not a local matter.

6.3. Results of Any Consultation:

6.3.1 None to note.

Appendices:

Appendix 1

Dear Director

CIW Local Authority Performance Review

We published our code of practice for review of local authority social services in April 2019 which outlined our intention to write and publish an annual letter for local authorities which will:

- provide feedback on inspection and performance evaluation activity completed by us during the year;
- report on progress the local authority has made in implementing recommendations from inspections and/or child and adult practice reviews;
- outline our forward work programme.

This letter summarises our review of Gwynedd Council's performance in carrying out its statutory social services functions. It follows the four principles of the Social Services and Wellbeing (Wales) Act 2014 (SSWBA) and our increasingly collaborative and strengths based approach to supporting improvement. The letter is intended to assist the local authority and its partners to continually improve.

The content is informed by our inspection of children services in June 2018 and performance evaluation activity during the course of the year. This has included visits to local authority learning disability team, older people community social work service and developments within a LA care home.

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Care Inspectorate Wales (CIW)
Carmarthen Office
Welsh Government
Government Buildings
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Carmarthen
SA31 3BT
www.careinspectorate.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

We discussed these matters and our proposed performance evaluation activity for 2019/20 with you at the annual Performance Review meeting on 8 April 2019.

Summary of strengths and areas for improvement in line with principles of SSWBA

- Well-being

The local authority has a good understanding of its own strengths and areas of challenge in social services for both children and adults. The children services inspection in May 2018 showed Gwynedd Council had strong arrangements to keep children safe.

The inspection found reviews for looked after children were held in line with requirements; however work was needed to strengthen reviewing arrangements for children and young people in strengthening recording of outcomes and improved opportunities for children to see their reviewing officer. We found some children and young people did not view their review or pathway process positively and the capacity of independent reviewing officers' was a challenge in light of the increasing number of children being looked after by the local authority. We were encouraged to receive the local authority's action plan following inspection and hear of work having been undertaken to strengthen reviewing arrangements. This will be an area we will follow up through our focused activity and engagement with care experienced children.

We identified fostering arrangements were in need of strengthening to ensure adherence to regulations, with a priority being the recruitment of foster carers to improve placement choice. An area of ongoing challenge for the local authority is the sufficiency of placements for children in need of care and support. This has resulted in occasions where children have been placed in unregulated settings which can impact on their safety and well-being, and an area which requires increased focus to ensure positive outcomes.

One of the challenges for adult services is the long wait people are experiencing for domiciliary care support to begin which can lead to delays in people being discharged from hospital. This is caused in part by the fragility of the domiciliary care market, particularly in rural areas exacerbated by challenges in recruiting care workers. Gwynedd Council have a plan for transforming services and have started this process in developing local initiatives to test new ways of working with the aim of achieving better outcomes for people and overcoming these current challenges. The local authority needs to ensure it is able to manage the current demand, safeguard people and balance risks effectively when developing its transformation service plan.

Gwynedd Council are continuing to address the need for improvements in safeguarding adults and are working with their regional partners to improve outcomes for adults identified at risk. This will be an area we will continue to monitor.

- People

Gwynedd Council has a stable, skilled and experienced workforce, with most people having worked for the local authority for many years. There was evidence of Gwynedd Council growing their own' skilled workforce having links with a university and providing good opportunities for ongoing training and development. Staff told us they felt supported by managers and were able to raise concerns as they arose. Staff members we spoke with

during inspection and performance evaluation activity were positive about their experience of working for the local authority and valued being able to practice in Welsh. The local authority supports the workforce well in using the Welsh language and is able to provide an active offer to people.

Staff working for Gwynedd Council told us are happy in their work despite the challenges of increasing demand. There was good operational working relationships between teams, departments and external agencies. We found Gwynedd Council's vision and ethos of 'Ffordd Gwynedd' and 'putting the people of Gwynedd at the centre of everything they do' was recognised and understood by the workforce and reflected the ethos of the SSWBA.

One of Gwynedd Council's achievements is the opening of a respite facility for disabled children, Hafan y Ser. The local authority directly provide have a number of care homes and domiciliary care services and have worked to ensure the services meet the requirements of the Regulation and Inspection of Social Care Act 2016 (2016 Act). However, recruitment of care workers has been an ongoing challenge for the local authority.

Gwynedd Council face significant challenges in light of increasing numbers of deprivation of liberty safeguards and the difficulty in responding within the required timescales. Our monitoring of the deprivation of liberty safeguards has identified the local authority, in common with many others in Wales, is unable to assure itself people's human rights are not being breached by being deprived of their liberty unlawfully. We will continue to monitor this.

- Prevention

With prevention firmly on the agenda in adult services, work is underway to transform services in developing alternative models of service delivery for older people. Adult services have implemented five information, advice and assistance (IAA) points across the county to improve access to support for people in their local communities. We will review this as part of focused activity during 2019/20. Our inspection of children services identified work was needed to further develop the IAA service to enable workers to provide a comprehensive information service to the public.

We saw evidence of elected member oversight in implementation of the supporting families' strategy. The local authority recognise the need to further develop preventative services; this should be an area of priority action. We recognise the size and rurality of Gwynedd adds to the complexity of delivering accessible services to people.

Throughout 2018 our programme of work focused on care experienced children and young people. Qualitative evidence was gathered from six local authority children and fostering inspections, 22 self-evaluations completed by local authorities, challenge meetings held with those local authorities who were not subject to an inspection and engagement activity with care experienced children, care leavers and foster carers. The report will be published on our website, with key findings made in respect of profile, sufficiency, practice, partnerships, stability, governance and corporate parenting. Many of the areas we have identified for improvement are being considered by Welsh Government's Ministerial Advisory Group on improving outcomes for care experienced children and young people and we also hope local authorities will consider their own contribution to addressing these findings.

- Partnerships

We have found strong leadership and governance in Gwynedd Council. The corporate parenting board is ambitious to develop best outcomes for care experienced children with good support from across the council. We found corporate members demonstrate commitment to delivering good quality children's and adult services and we saw appropriate scrutiny given when officers reported on improvements made within the learning disability services.

We saw a good example of partnership working when we attended an event where school pupils were invited to the café in the leisure center, where adults with learning disabilities had prepared an activity for the pupils. This reflects the local authority's' ambition to strengthen partnerships between school children and people accessing its learning disability service.

There are good operational relationships between staff from the local health board and adult services who are developing innovative projects to transform services to enable people to access support closer to home. We also saw effective partnership working between children services and education and health services in securing good outcomes for children in need of care and support.

CIW Performance Review Plan for 2019-20

Our scheduled thematic adult services inspection programme for 2019/20 will be focusing on prevention and promoting independence for older people, and for children services thematic inspection the focus will be on prevention, partnerships and experiences of disabled children. If your local authority is selected for inclusion in this programme, you will receive four weeks' notice of the scheduled date of the inspection.

We will undertake engagement activities aligned to the thematic inspections and meet with people who receive care and support services. We will be convening a meeting with the local authority and its key partners in the summer to follow up areas identified in the self-evaluation submitted in January 2019 focusing on prevention and promoting independence for older people self-evaluation. A thematic national report will be published upon the completion of inspections and engagement activities.

In late 2019, we will pilot a joint inspection of child protection arrangements. The joint inspection will be led by CIW and in partnership with HIW, Estyn, HMI Constabulary (HMICFRS) and HMI Probation.

With the drive towards collaboration and integration in public services, CIW works closely with other inspectorates to share intelligence and jointly plan inspections. We will work closely with Social Care Wales to support improvement in social care services.

CIW will continue in 2019/20 to work with HIW in jointly inspecting community mental health teams. We will be following up recommendations made within HIW and CIW joint thematic review of Community Mental Health Teams as part of bi-annual head of service meetings with local authorities.

Our focused activity with the local authority will look at IAA and adult safeguarding, and the quality of reviews of care and support plans for children. This may be subject to change in the light of emerging issues.

You will note this letter has been copied to colleagues in WAO, Estyn and HIW. We work closely with partner inspectorates to consider the wider corporate perspective in which social services operate, as well as local context for social services performance.

We will publish the final version of this letter on our website.

Yours sincerely



Sharon Eastlake
Interim Head of Local Authority Inspection Team
Care Inspectorate Wales

Cc.
WAO
HIW
Estyn

Agenda Item 9

GWYNEDD COUNCIL CABINET



Report to a meeting of Gwynedd Council Cabinet

Date of meeting:	23 July 2019
Cabinet Member:	Councillor Dafydd Meurig
Contact Officers:	Home Care Transformation Team (Adults, Health and Wellbeing Department)
Contact Telephone Number:	01286 679577
Title of Item:	New Domiciliary Care Model for Gwynedd

1 THE DECISION SOUGHT

- Agree to establish a new model for providing and commissioning domiciliary care based on sub areas, and jointly-commission with the Health Board
- Approve implementation on the grounds of the favoured option, namely support a mixed market by tendering in a way that is likely to lead to achieving our aims (securing better outcomes for people, improving staff terms and conditions, creating a more sustainable market).

2 THE REASON FOR THE NEED FOR A DECISION

There are several reasons for proposing the changes outlined in this report:

- There is a need to move away from a domiciliary care model that is driven by tasks and specific times, and focus on outcomes for people in Gwynedd
- By creating a domiciliary care model based on cooperation at a community level to respond to what is important to people, we would align with the Welsh Government's strategy - A Healthier Wales
- We need to re-shape a market that is unsustainable in its current form
- The Cabinet needs to be assured that the favoured option is affordable and that there are arrangements in place to manage the financial and legal risks that exist.

3 INTRODUCTION

This report presents the case for changing our existing domiciliary care model. It highlights how a new model can be secured that will be more suitable and sustainable, in an affordable way.

4 THE REASONING AND JUSTIFICATION FOR RECOMMENDING THE DECISION

The limitations of the current domiciliary care model.

4.1 In developing integrated teams across health and care, to support people within their communities, one of the main barriers found was the nature of the domiciliary care model. Traditionally, care has been bought in hours and people have a care plan that lists tasks to be undertaken at specific times of the day. Change is needed in order that staff who give domiciliary care can work flexibly with individuals to offer the care they need when it is required, to address what is important to people.

4.2 For some years, there has been a shortage of domiciliary care staff across the County and although we and external companies have undertaken many campaigns, it has been impossible to recruit sufficient staff to meet the need. The fact that the Council and the Health Board commission separately and compete against each other for a service from providers has exacerbated the situation for residents, as it is not possible to prioritise the resource that exists to correspond to the largest needs.

Learning about the current model

4.3 In order to learn about our domiciliary care model we went about this by studying it in detail. By coming to understand how the internal domiciliary care provider, and external providers, work from day to day it was found that:

- a great deal of bureaucracy exists, and a high percentage of that is unnecessary (e.g. duplication of information about individuals on several forms)
- the method of organising staff according to blocks of time to undertake specific tasks a) is an impersonal and inflexible way of providing care, b) is very costly to maintain
- staff terms and conditions of external providers are unfavourable, and nearly without exception are lower than the living wage level
- the procurement method per care package, by whichever provider available at the time, led to a dispersed and piecemeal model where it is not easy for individual providers to foster a close working relationship with other community teams (and in turn this affects the ability to place the person central to their work).

Testing and developing a new model

4.4 Over the last two years we have been experimenting to develop a new model, with providers from the different sectors (internal, private and third sector). This work has been undertaken in various geographical locations across the County - Dyffryn Ogwen, Tywyn, Nefyn, Caernarfon and Porthmadog. By now, there are numerous examples of different providers who know how things work in these areas, and adapt their working arrangements to correspond to what they have learnt.

4.5 These are the main findings from this work:

- By including providers more and more in the process of coming to understand what is important to people and how they can be assisted to address this, it is possible to ensure that the care package responds better to needs
- People's needs are not the same every day, and what is important to them can vary according to their circumstances. It therefore stands to

reason that allowing staff to work more flexibly with individuals will give a better quality of life

- There are advantages to care for people in a way that enables them to participate in their own care at all stages of their lives, rather than moving people between 'enablement' and 'support' care categories.
- There is a great deal of paperwork that can easily be removed without any negative impact on people and without breaking any law or regulations
- By tailoring care to each individual, it is possible to bring the average time spent supporting each person down, and this will release capacity to support more people in the community
- By focusing on the person and being able to respond easily to circumstances, time after time it is seen that it is possible to save having to call on other sections of the wider health and care system.
- By bringing the care provider to be part of the community resources team in a sub-area, this will enrich the information about what is happening in the community, and in turn will increase opportunities to support people in their communities without having to use domiciliary care.

Conclusion of this work

4.6 We conclude that the presence of a domiciliary care provider is required alongside other care and health workers (social workers, community nurses, therapists, third sector representatives, GPs etc) Also, it is felt that there is a benefit to joint-commissioning with the Health Board as the aim is to create an integrated model, where the different commissioning and funding arrangements do not impact an individual's ability to receive support.

4.7 In addition, in order to be able to recruit sufficient domiciliary care staff in a specific geographical sub-area and give stability in terms of the capacity available and the relationship with individuals within the community (people who require care and staff), it is sensible to offer an agreement to a provider on a block basis (rather than to purchase per hour). Our evaluations of the new home care model gives assurance that it is possible to continue to provide a service that meets statutory requirements whilst achieving better outcomes for the people of Gwynedd.

Realising the new model

4.8 One option to realise the new model would be to internalise the whole service. On the basis of current unit cost (without including central costs and pension credit cost), and without making any management savings, this option would cost £2.3m per annum. This is not currently considered to be an affordable option.

4.9 The favoured option is to have an internal : external market split that will be approximately 50:50 at any time. There are advantages to having an internal market (more control, no need to follow a procurement process when anxious to realise changes, having the management infrastructure to be able to take over an external provider's service if they are in difficulties). There are also advantages to have part of the market to be external (a range of skills and perspective, able to apply for funding sources the Council has no access to, some local companies have strong local and very advantageous networks).

4.10 In order to bring about this new model, and have a close link between the provider and the community team, the market will need reshaping so that there is one provider to each sub-area. The intention is to go out to tender to have a service in half of the operational sub-areas across the County.

4.11 This work has given us the evidence that the new domiciliary care model will enable the Adults, Health and Well-being department to achieve savings that have been accepted by the Full Council.

4.12 It is proposed to operate a transition scheme between the old and the new model that will happen gradually, over a period of around a year and a half. It is felt that this is essential to 1) significantly reduce the need for people to move from one provider to another, 2) reduce the impact on staff.

4.13 Many stakeholders, including elected members and trade unions, have expressed support to the new domiciliary care model, but also their desire to safeguard against a negative impact on the Council's staff circumstances. By gradually implementing the changes, the impact on staff will be less, and seeing the new model in place and knowing exactly what their employment options are in the local area will give them more certainty.

4.14 Approximately 15% of the Council's domiciliary care staff live and work in sub-areas where it is intended to go out to tender. It is proposed to give priority to supporting these staff through the change.

Financial considerations for the favoured option

4.15 The favoured option, as noted above, is to maintain a mixed market with one provider per sub area. To do this we will need a tendering process. At present a framework agreement established across North Wales is used to procure services. However, the legal guidance is that a new procurement exercise would be more appropriate to address and realise the objectives of the new model.

4.16 The aim in tendering is to respond to what has been highlighted during the work of learning about the current model and testing to develop a new model. That is, reduce the bureaucratic requirements on providers, and find ways of improving staff terms and conditions to stabilise the market.

4.17 The financial modelling work has been done and this gives evidence and confidence that it is possible for the favoured option to be affordable within the current budget whilst addressing the above objectives. This is based on:

- Not changing the level of the current domiciliary care spend which is currently £10.4m by the Council and £0.66m by the Health Board
- Making internal savings on the cost of running the internal provider service of £275k per annum
- Making realistic unit cost assumptions, that compare with the details of current provision fee details, and are based on discussions with local providers regarding staffing structures / required management to support the new model
- To harmonise the expenditure level on staff between the internal and external sectors (except for pension costs), enabling every domiciliary care worker in Gwynedd to be paid at least 50p per hour above the living wage level.

4.18 Based on the above, the financial modelling gave a cost figure of £754k higher than the current spend. It would be necessary to buy 6.3% less hours for this option to be cost-neutral. The financial gap of £754k can be reduced to £477k by costing on the basis of a fee that reflects spend on staff which is £1 / hour less than the Council's internal spend, and the residual financial gap of £477k could be eliminated by buying 4% less hours than in 2018/19. On the basis of our findings from the pilot areas, this is realistic due to the ability of the new home care model to reduce the level of formal care hours needed. It is felt that this combination of a small reduction in procured hours and a slightly lower increase in the hourly rate is a solution that would be affordable whilst responding appropriately to the need for care. It would also be a positive step forward towards achieving more consistent terms and conditions between the internal and external home care sectors. .

4.19 Naturally, it will not be possible to know the exact costs until the tender process has been completed, but it is felt that the financial risk is acceptable to go ahead with this option.

4.20 The above figures do not include additional costs that may arise as a result of transfer of staff who have TUPE protection. It is recognised that there may be costs associated with staff transfers but we cannot fully estimate it because this situation and the associated implications are matters that will become evident in the detail when developing the new procurement and contracting framework. Evidently, the Council and any providers will have to address any responsibilities associated with TUPE rules. However, the initial work has not identified matters in relation to staff transfer costs that would affect the recommendation to continue with the project. This work will develop as further legal and human resources advice is received.

Legal considerations for the favoured option

4.21 The favoured option is one whereby we hope to influence the external market to ensure that a higher % of their fees go to pay for staff terms and conditions, and a lower % on management and bureaucracy.

4.22 We have received initial legal advice, that gives an assurance that this is legally possible. Further legal discussions will be required before determining the best procurement method to realise the objectives, as there are certain aspects that need to be confirmed as we progress.

4.23 In looking at a model that features ways of looking at the sustainability of contractor staff employment conditions there is a need to keep an eye on the matters that will influence how they will weigh up their situation and the risks facing them when deciding upon their tenders. This includes matters such as possible equal pay implications that will need to be kept under consideration and will be the subject of advice as the project is developed.

4.24 There are elements of the model that will need to be kept under review in terms of employment law as the procurement process is developed and any commercial impact on potential tendering organisations is considered. It is also important to ensure that contracts can be established that are robust enough in terms of appropriate conditions and measures to achieve our objectives.

4.25 This work will occur in partnership with Betsi Cadwaladr University Health Board. If we reach an agreement with the Health Board to jointly-commission, a

contractual arrangement will be established to operate the collaborative arrangements. These arrangements will need to achieve the objective of ensuring there is easy access for people to services, without them having to face delays due to bureaucracy relating to the Council and the Health Board agreeing sources of funding and authorising expenditure. In addition, the arrangement will need to be one that is robust in terms of both organisations' financial propriety.

5 NEXT STEPS AND TIMETABLE

5.1 If we receive the Cabinet's approval to proceed, these are the next steps and timetable:

- Decision by the Health Board to jointly-commission : end of August 2019
- Open a tendering process: October 2019
- New agreements: April 2020
- Period of transition and establishing the new model : up to October 2021 (and beyond for some complex cases).

5.2 The Domiciliary Care Project Board will keep an eagle eye on the legal and procurement advice it receives over the next few months. It will also continue with detailed consultations with providers within the market. And, if at any time the information the Project Board has highlights significant risks (financial or otherwise), it will reconsider the direction and will report back to the Leadership Team and / or the Cabinet as appropriate.

6 ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

6.1 A programme of extensive communication and consultation is being implemented. These are the main consultations:

- Regular meetings with Trade Unions (Unison, GMB and Unite) and the unions have conducted a consultation with their staff. The conclusions of the consultation were that they supported the direction but were anxious to protect the position of Council staff and the welfare of the County's residents.
- Detailed Case Studies have been undertaken in the areas where the new model has been developed, as a means of finding the views of residents and to know that it is possible to ensure favourable outcomes to people.
- Monthly workshops and regular one to one meetings with providers, where we have had assurance that there is support to our proposals and that future cost forecasts are realistic
- Information sharing and discussion workshops where all Council elected members were invited.

6.2 An Equality Impact Assessment has been prepared. No other matters have arisen that suggest that the decision recommended should not proceed. See attached.

Chief Finance Officer Comments

I note, in part 4.17 of the report, the author's confidence from all the experimentation and modelling work that it will be possible for the favoured option to be affordable. Note the key equation in part 4.18, noting that the new model would need to succeed to buy 6.3% less hours of home care to make the favoured option cost-neutral. Part 4.18 elaborates that there is a financial risk, and unavoidable uncertainty about the post-tender cost levels, but that the author feels that this risk is acceptable, and of course we must venture in order to succeed.

Monitoring Officer Comments

There has been legal input into the legal elements of the report. There are a number of anticipated outcomes related to the recommendations to establish a different approach to provision and commissioning of home care in Gwynedd. It is noted in the report that there are considerations and elements which are relevant to the success of the model which are based on matters which will crystalize as the procurement and contracting model develops. It is appropriate therefore that the development of the model is based on the continuous assessment and balancing of risks in order to provide assurance in relation to the realisation of the outcomes.

Equality Impact

See the leaflet *How to Make an Equality Impact Assessment* for help to complete this form. You are also welcome to contact Delyth Williams, Policy and Equality Officer on ext. 32708 or DelythGadlysWilliams@gwynedd.llyw.cymru, for further assistance.

The Council is required (under the Equality Act 2010) to consider the impact any changes in any policy or procedures (or the creation of a new policy or procedure) will have on people with protected equality characteristics. The Council also has additional general duties to ensure fairness and to foster good relationships. Therefore, a timely Equality Impact Assessment should be made before any decision is taken on any relevant change (i.e. that affects people with protected equality characteristics).

1 Details

1.1. What is the name of the policy / service in question?

Remodelling the Home Care Service in Gwynedd

1.2 What is the purpose of the policy / service that is being created or amended? What changes are being considered?

The Council and the Local Health Board want to assist and support the people of Gwynedd to live as independently as possible in their own homes.

Because it is difficult to meet the demand for care, and the bureaucratic system we work within, we have been working to change and develop the way that domiciliary care is provided in Gwynedd, with the aim of: *'Helping people live their life as they wish to live it'*.

We intend to do this by encouraging all the persons and institutions who are involved with supporting people - health care workers, social care workers, home care workers, families, communities and the individuals themselves - to work together more effectively at a more local level.

The Welsh Government recognises these problems, and the Social Services and Well-being Act (2014) encourages us to work with and assist people to live life how they wish, and remain independent for as long as possible.

Here in Gwynedd we propose a twofold solution to the challenge of improving services for older people:

- **Establishing local Community Resources Teams (CRTs)** - The teams will be based in five areas of Gwynedd to ensure that health and care services are much closer to the community. Workers in the social care and health sector will be able to collaborate closer for the benefit of the people of the area.

Home care providers will also be part of these teams, sharing information and contacts, and making sure they help people to live their lives the way they wish.

- **Providing Home Care at a more local level** - In the future we will commission more local home care providers. One company will provide a service per patch - there are approximately 16 patches in the county (3 to 4 to each CRT area). The internal provider service will offer a service in some patches, and external companies will provide a service in others. 50% of the care hours across the county will be offered by the Council and 50% by other companies. In order to ensure consistency and quality across the area each company will work within specific guidelines, terms and conditions. They will focus on what is important for each person, and will work flexibly in order to achieve this.

The change of model will involve a procurement process that is mainly based on quality rather than price, and will ensure that there are clear and specific requirements on every company in terms of quality and working terms.

A decision will be made regarding which patches will be served by the internal provider service, and then discussions will take place with other companies, private and third sector, to discuss their aspirations, and the terms for awarding contracts.

Every member of staff in the Council's internal provision will be able to continue to work for the Council, but their work area may change over time.

This may mean that some individuals who receive a service at present may need to change either provider or carers. This would not happen overnight, but over a sustained period of time, ensuring that the welfare of those persons who receive care is at the heart of the change.

The new system will stabilise the home care provision across the county, and consequently lead to a reduction in staff changes for individuals receiving care..

1.3 Who is responsible for this assessment?

Meilys Smith
Senior Transformation Manager
Adults, Health and Well-being Department

1.4 When did you commence the assessment? Which version is this?

First version.
July 8th, 2019

2) Action

2.1 Who are the partners it will be necessary to work with to undertake this assessment?

Home Care Remodelling Project board - which includes representatives from:
Betsi Cadwaladr University Health Board
The Council's Internal Provider Unit
Social Workers Team
Community Nurses Team
Business Department, Council's Adults, Health and Well-being Department

Betsi Cadwaladr University Health Board

2.2. What steps have you taken to engage with people with protected characteristics?

Two years ago when initial consideration was given to this project, the Council's Remodelling Home Care Team decided to get to grips with and understand the domiciliary care system in Gwynedd.

By working jointly with a third sector company providing home care in the Bethesda area, we went about identifying the real impact of the current home care system on service users.

By using the Vanguard method (Ffordd Gwynedd), detailed research was undertaken on the demand they dealt with as a care provider, and the system that they work within to provide care for individuals.

By spending time looking at individual cases, discussing with individual service users and staff members, it became evident that the agreed care package often did not address what really mattered to that individual. They often addressed the physical symptoms, but avoided dealing with the actual welfare problems that faced individuals.

As the care packages are provided on the basis of 'time and task' i.e. specific tasks and specific times, they tend to be inflexible and too specific. It is not possible to tailor the package for the specific needs of each individual, this is frustrating for home care staff, but also means that we tend to create more dependency rather than promote independence.

Based on this research a small pilot scheme was commenced to trial a new way of working where the company would:

- Provide a dependable service designed around the person. A flexible service that could offer what people needed, providing more when more support was needed, and less when the need reduced. It would be a preventative service that considered the person's wider welfare needs, not just personal care. People would understand and feel they had more control over their service.
- Ensure that staff focus on developing a relationship with the individual, by listening to and understanding their personal situations, and then support them to do what matters to them. Staff would have the right to make decisions for the benefit of the individual. If staff couldn't help, they would bring in appropriate expertise, or seek suitable community resources to address the needs.

2.3 What was the outcome of the engagement?

The results of this pilot scheme were highly favourable, with positive outcomes and benefits to the health and welfare of the persons who were part of the pilot, as well as staff

These are some of the comments received from persons who were part of the pilot in Bethesda:

Question: Did our staff undertake what was important to you/your relation?

"Yes. They were very willing and listened to what I wanted. They allowed me to set my own targets and try to achieve them, and only took over when I could not cope myself."

"Their flexibility and sensitivity was second to none at all times. The little, considerate things made the most difference."

"(They) made a big difference: set targets for me to achieve and to challenge myself. Pushing the boundaries of this disability that has taken away so much of my independence and the ability to do simple tasks."

"(I liked the) flexibility. The girls out of uniform. Their maturity. Their sincere concern."

"The freedom to be able to say what I needed, and not to be restricted by time, and usual home care rules."

"This service should be available to all. We are so grateful that it was there when we needed it"

Based on the success of the scheme, pilot schemes were commissioned in four other areas in Gwynedd - Tywyn, Porthmadog, Caernarfon and Nefyn.

In these areas the care provider, be that Council internal providers, or an external company, work closely as part of the area's Community Resources Team, namely Social Care Workers, community nurses, occupational therapists, doctors etc.

As in the original pilot, the aim is to trial a new way of working that is flexible, preventative and focuses on the physical and mental welfare of the individual - concentrating on getting to know the persons, and address what matters to them in an integrated way ('co-production' – at it's best).

This means that we engage in the most effective way with service users by trying to understand and learn about the best way of developing the service in the future.

During this year we have conducted talks with staff of the Council's internal provider unit to present and discuss the new way of working, and these are continuing.

We are also in regular contact with the most obvious project stakeholders through different forums.

We will share information with persons who currently receive care once the proposals have been confirmed by the Council's Cabinet on the 23rd of July. Then a newsletter will be distributed to every individual who receives a service, to share information about the new way of working, and the new arrangements that will be implemented over time. We will give them an opportunity to offer observations and will share dates for information sessions that will be organised in locations across the county. These will be an opportunity for individuals, families, staff or the public in general to come and find out more about the changes and to discuss them on the basis of local areas. Home carers themselves, as well as social workers and health workers will be able to discuss with individuals, and to identify the most vulnerable people who will require the most support.

2.4 On the basis of what other evidence do you operate?

According to the Gwynedd Well-being Assessment 2017, the number of people over the age of 80 has increased by 96.2% in 30 years. It also states that this increase in the older age group is expected to continue with people living longer and moving into the area. In 20 years, it is expected that there will be an additional 60% of over 80s living in Gwynedd.

These are some of assessment's conclusions:

"We need to understand better how this change will affect the well-being of our communities and of the individuals living within them. *The implications could be far reaching, and both positive as well as negative. For example, we know that older people are at a higher risk of loneliness, and as people live longer they will also need more care and support at home and in the community – this will need to be planned for. However, many older people may continue working and playing an important role in the community.*"

"Another factor which has been identified as having an impact on well-being is loneliness and isolation – with Gwynedd amongst one of the areas of highest risk in Wales. *Whilst we recognised the healthy community spirit that exists in the area it is important that all residents feel a part of those communities, and that we work together to reduce the risk of loneliness. There are established networks and volunteer groups that are central to this and we must enable them to continue to thrive.*"

The North Wales Population Assessment has looked at the care and support needs of residents across north Wales. The assessment underlines several matters that appear as themes at a regional level. They include an increase in cases of mental illness, especially young people; the need for better access to preventative services; tackling loneliness; more support to living at home; support for people with dementia; importance of providing a service in the individual's choice of language; and the need for more leisure and social activities for people with disabilities.

Recently a piece of work was undertaken by the data unit of the Adults, Health and Well-being Department that indicated a forecast of an increase in Domiciliary Care hours in the 65+ age range from 533,086 a year in 2015/16 to 645,301 a year in 2026/27. This is based on the growth forecast in population over the next 20 years.

The need to respond to this challenge is obvious, and the project to Remodel Domiciliary Care gets to grips with the nature of the demand, and the domiciliary care system that exists, as well as the numbers who receive and are likely to need care in the future.

The project's aim is to understand the demand for care, and to redesign a system that will respond to the demand more effectively by focusing on the person to ensure they can live their lives the way they wish to live.

2.5 Are there any gaps in the evidence that needs to be collected?

There is robust evidence that the system we currently work within needs to change to ensure that we place the individual central to the services that we can offer.

We have trialled a new way of working in different areas of Gwynedd, and are convinced that sufficient evidence has been gathered to warrant extending the scheme throughout the county.

We will of course continue to regularly collect data and information, and are open to learn lessons along the way.

3) Identifying the Impact

3.1 The Council must give due attention to the impact any changes will have on people with the following equality characteristics. What impact will the new policy/service or the changes in the policy or service have on people with equality characteristics? You are welcome to add other characteristics if you wish.

Characteristics	What type of impact? *	In what way? What is the evidence?
Race (including ethnicity)	Positive	<p>The new system will consider what is important to each person, and consider their race, ethnicity and any associated characteristics, in order that they can live their life in the way they wish. Members of the Community Resources Team, and particularly the carers, will identify language or cultural opportunities that are relevant to the individual within their community, and will identify any gaps in community or professional provision.</p> <p>The challenge currently exists to ensure that carers across the provider companies realise the importance of being considerate of the race of every person who receives a service. In moving towards the new model, the training provided will focus on ensuring that staff understand the need to tailor the service to ensure we do what matters to each individual who receives that service.</p>
The Welsh language	Positive	<p>As 65% of Gwynedd residents can speak Welsh (according to 2011 Census) our aim by moving towards a new system will be to harmonise quality across companies that provide home care, inserting a clause in the agreement to ensure that users who wish to use the Welsh language receive a service in Welsh.</p> <p>However, it is a challenge to recruit carers in general in this field, and recruiting Welsh speaking carers is a particular challenge in some areas. We consider that a recruitment campaign will be required across Gwynedd, offering suitable training to try and ensure that we can satisfy language needs across the county.</p>
Disability	Positive	<p>The new system will consider what is important to each person, and any physical impairment or mental health, and how to ensure the best support for them to be able to live their lives in the way they wish.</p> <p>By working as one team within the Community Resources Teams (CRTs) in each area the carers will work closely with the most suitable professions within the team - Occupational Therapists, therapists, psychiatric nurses to ensure that the equipment, advice and the most suitable</p>

		<p>support is provided in a timely and consistent manner. We will also work with third sector organisations who offer suitable services.</p> <p>However, barriers currently exist, such as the system of ordering suitable equipment, especially with specialist equipment, the workload of occupational therapists, and the pressure on the county's mental health team.</p>
Gender	Positive	<p>The new system will consider what is important to each person, being considerate of the person's aspirations. For example, some men will be much more comfortable with another man assisting them to wash and dress, but only by talking and getting to know each person will such matters become clear. The aim is to ensure the best support for them to be able to live their lives as they wish, and by moving forward to the new model we will try to be as considerate as possible of this, and will try to recruit a variety of staff to address this matter.</p>
Age	Positive	<p>Although the majority of service users will be older persons, the new system will not discriminate on the grounds of age, and the service is also available for adults with physical disabilities who need support to live independently in their homes. Consideration will be given to each individual based on needs, bearing in mind that the needs of a young person with a physical disability might be quite different to the aspirations and needs of an older person. It is only by talking and getting to know each person that such things will become clear.</p>
Sexual orientation	Positive	<p>The new system will respect the way each individual lives, and will consider how to ensure the best support for them to be able to live their lives in the way they wish.</p> <p>Any training offered as part of the new system will need to reflect this, to ensure that all staff understand how important it is to respect the sexual orientation of any person who receives the service.</p>
Religion or belief (or non-belief)	Positive	<p>By getting to know the matters that are important to each individual who need the service the Community Resources Team will be able to identify opportunities within the community to satisfy those needs. For example, if a person was a keen chapel-goer, and due to illness could not attend, the Team and particularly the home carers, could make enquiries with links in the community to find support to satisfy this need.</p> <p>The aim is to get to know the individuals, and by so doing being able to find suitable community networks, and be considerate of a way of life that may be in keeping with religious beliefs.</p>
Gender reassignment	Positive	<p>It is likely that not many gender reassignment persons will reach the domiciliary care service in Gwynedd, however, it is important that all staff understand how to respond if an</p>

		individual was to reach the service. The training to be provided across the provider companies will reflect this.
Pregnancy and maternity	Not much/positive	It is unlikely that the service will deal with a pregnant person as it is older people who usually receive the service. However, a situation may arise if a young person has a physical impairment and is pregnant, and in such cases staff would be encouraged to support the individual's choice e.g. to breast feed, and they will be encouraged to work closely with the local health visitor.
Marriage and civil partnership	Positive	Whatever type of partnership the person who receives care is part of, carers will be encouraged to be considerate of any needs that may arise because of this. Again, getting to know the person is important and to respect needs, aspirations and every person's particular way of living, including the partner.

* Delete as required

3.2 The Council has a duty under the Equalities Act 2010 to contribute positively to a fairer society through advancing equality and good relations in its activities in the fields of age, gender, sexual orientation, religion, race, transgender, disability and pregnancy and maternity. The Council must give due attention to the way any change affects these duties.

General Duties of the Equality Act	Does it have an impact?	In what way? What is the evidence?
Abolishing illegal discrimination, harassment and victimisation	Yes	Due to the nature of the current system the service offered is limited, based on a menu of specific tasks to be achieved within a specific time. It could be said that this may lead to discrimination due to the inflexibility of the current system as it does not treat everyone according to their need. The new system's aim is to identify what is important to each individual and to ensure that we tailor the service according to need to ensure that individuals can live their lives as they wish, and work towards being as independent as possible.
Promoting equal opportunities	Yes	Certainly the new system will promote equal opportunities by giving an opportunity to tailor the service to be what is important to each individual, rather than present a menu of tasks and expect individuals to be satisfied with whatever choice is available.

Encouraging good relationships	Yes	Often, due to physical or mental ill health, older people will lose confidence and will withdraw from their community, losing social networks they used to be part of. The essence of this new model is to ensure that we get to understand what is important to individuals and find ways for them to continue or to return to be part of the community. This can raise the individual's spirit and confidence, reduce their requirements in the end, and assist them to be as independent as possible.
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* Delete as required

4) Analysing the results

4.1 Is the policy therefore likely to have a significant, positive impact on any of the equality characteristics or the General Duty? What is the reason for this?

The plan will have a significant impact on the lives of those people who receive home care in Gwynedd, usually vulnerable adults (but not always) over 65 years old.

Through the remodelling they will be able to receive support that will be tailored for them as individuals, focusing on their strengths, their family and community, to ensure that they can live life as they wish.

The aim is to promote independence, by raising confidence and focusing on what is important to the individual. Professionals in the local area will work together to assist the individual to achieve their wishes, drawing on family and community networks, and identifying any gaps in order to do this.

4.2 Is the policy therefore likely to have a significant, negative impact on any of the equality characteristics or the General Duty? What is the reason for this?

In the short term, there may be some negative impact through remodelling. It is proposed to move to a system where one home care provider operates per patch in the county.

At present, there are around 5 or 6 companies that provide in any given patch.

In the new model there would be 18 patches throughout the county, with the Council's internal provider service offering a service in half of these areas. We will contract the other half to external companies.

This may mean a change of provider or carers to some individuals within the patch. There will be no change until at least April 2020, and the change would be very gradual as we work through a transition period over time.

The aim over time is to ensure consistency in terms of care, terms and training, with more assurance and less staff changes.

4.3 What should be done?

Choose one of the following:

Continue with the policy / service since it is robust	✓
Amend the policy to remove any barriers	
Suspend and delete the policy as the detrimental impacts are too great	
Continue with the policy as any detrimental impact can be justified	

4.4 If you continue with the plan, what steps will you take to reduce or mitigate any negative impacts?

We will ensure that support will be provided to those individuals who may be affected during the transition period, through the social workers and health workers in each area.

Each case will be considered individually, and any changes will be introduced gradually, over time, giving an opportunity to shadow and discuss, and try to retain current carers as much as possible. For the most vulnerable cases every effort will be made to ensure stability in the care provided.

Those individuals who receive care through the Council's internal provision will remain within the service as long as possible to reduce the impact on service users.

4.5 If you are not taking any further action to delete or reduce the negative impacts, explain why here.

Not relevant - see 4.4 above.

5) Monitoring

5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?

New measures are currently being developed to monitor the impact and efficiency of the service. The individual's experience will be central to these measures, and although some measures are required to satisfy national requirements, we will ensure that delivering what is important to each individual will be at the heart of the local measures.

As all home care companies will be part of the Community Resources Team locally, providing a very local overview and accountability for the home care work.

GWYNEDD COUNCIL CABINET



Report to a meeting of Gwynedd Council Cabinet

Date of meeting: 23 July 2019
Cabinet Member: Councillor Gareth Wyn Griffith
Contact Officer: Gareth Jones, Senior Planning and Public Protection Service Manager
Contact Telephone Number: 34092
Title of Item: Holiday homes and planning

1. THE DECISION SOUGHT

1.1 That the Cabinet:

- i. Agrees that the Environment Department, on behalf of the Council, procures and commissions research work on holiday homes for Gwynedd but with a national context, with the support of the Royal Town Planning Institute (Wales) and other relevant organizations, to include consideration of the matters referred to in part 3 of this report.
- ii. Agrees that a budget of up to £80,000 from the Council's Transformation Fund, in consultation with the Head of Finance, is provided for this work.

2. THE REASON FOR THE NEED FOR A DECISION

2.1 Following a meeting in March 2019 between Cabinet Members and Senior Officers in relation to holiday homes, it was agreed that the matter needed to be revisited from two aspects, namely:

- i. matters surrounding the need for the owners of Holiday Homes to pay Council Tax so that we can charge a premium (the Chief Executive reported on this at the Rural Forum on 10 April 2019)
- ii. the way that we can restrict the number of houses that can be used for holiday purposes by looking at measures that are operational in other places, and how planning legislation could be changed for their implementation in Wales.

2.2 With regard to part 2.1 i), the work of trying to keep Holiday Homes within the Council Tax regime rather than the Business Rates regime is progressing. We have presented a report to the Rural Forum, which is a sub-group of the Local Government Association and includes 9 rural authorities, which have all agreed unanimously with the Council and have urged the Local Government Association to follow this matter up with the Government.

- 2.3 The Executive Board of the Association has also unanimously decided that there is a need to change the existing situation and is currently following this matter up with the Minister. We will wait to see the result of this.
- 2.4 This report attempts to address point 2.1 ii) above and part 3 of this report sets out the context and rationale behind the need for further research into this area of work.

3. INTRODUCTION AND RELEVANT CONSIDERATIONS

Background

- 3.1 There have been concerns for some time regarding the number of holiday homes in some areas in Gwynedd, with concern that the number is expanding to more areas. More recently, the tourism industry has evolved, with the arrival of the AirBnB business which is a global business. From the viewpoint of Gwynedd (and other locations), the number of holiday homes have substantially increased over the previous years, in areas where the highest number of holiday homes in Wales already exist. The high level conclusions of the Council's recent work, which reviewed the number of holiday accommodation, is definitive evidence of the increase (see Appendix 1). It is believed that the main concerns in terms of second homes / holiday homes / holiday accommodation include:
- i. The local supply of houses available to meet the need, as the use means a loss of local housing stock
 - ii. In light of the above, the impact on the local community, the Welsh language and the services in the community
 - iii. The potential impact on house prices
 - iv. The impact on the amenities of local residents
 - v. Safety standards for the properties
- 3.2 Currently, planning permission is not required to use a house as a second home / holiday let. Similarly, a licence is not required for the use with regard to ensuring that the property meets acceptable standards, etc. Therefore, the current situation is that there are no statutory regulations in place to manage the use, or any further increase in the numbers.

Is there control under any other relevant legislation?

- 3.3 Powers under Health and Safety legislation are relevant where there are reports of accidents in a holiday home / holiday accommodation. The Council is responsible for inspecting / enforcing in accommodation used for 20 weeks or longer per year, and the HSE is responsible for accommodation used for less than 20 weeks per year. It is noted that these are powers that are used reactively.
- 3.4 There are also powers under the trading standards legislation, involving the safety of products such as furniture / equipment, and reactive and proactive inspections are held for new businesses to this end.

What exactly do we mean by the term "holiday homes"?

- 3.5 For the purpose of this report, the term "holiday homes" means open market housing being used as holiday lets. This includes second home lets, and houses that are let as self-catering holiday lets, such as AirBnB. The use could be defined as a temporary residential use, rather than the use of an open market house as a main home.
- 3.6 Planning permission is not required to use an open market house as a holiday home as the current planning regulations (namely the Use Classes Order) do not differentiate between houses used occasionally by families on holiday, and houses used by families as the main home. It is noted that a recent appeal case in Cambridge has challenged this.
- 3.7 It is noted that developments for purpose built holiday accommodation, for example the conversion of former agricultural buildings, require planning permission. Therefore, such developments can be controlled through the current planning regulations and the relevant planning policies. Therefore, for the purpose of this report, the term "holiday homes" does not include purpose built holiday accommodation developments.

What national research work has been conducted?

- 3.8 Concerns about holiday homes and their impacts have been the subject of discussion for some time, where these concerns have historically focused on some specific areas, such as coastal areas and the National Parks in England and Wales.
- 3.9 There are probably many examples of research that has been carried out over the years. However, in terms of Wales, specific reference must be made to the Second and Holiday Homes and the Land Use Planning System Research Report, published by the Welsh Assembly Government in 2002. The conclusions of the research included 22 recommendations which included the two recommendations below:

Recommendation 6: Meeting and Managing Second and Holiday Home Demand.

We recommend that local authorities should encourage the development of new-build second and holiday homes in less sensitive areas. They might also consider allowing the conversion of derelict homes, unsuited to local needs, for this same purpose.

It is noted that the explanation for the above mentions - "It is not possible or desirable to prevent the entire demand for second homes and holiday homes as there is a tourism interest, and also as the demand derives from the individual's choice". Human rights matters were also mentioned, if there is an attempt to prevent all demand for second homes and holiday homes.

Recommendation 21: No Change to the Use Classes Order is Recommended

To require planning permission for change of use from a first home to a second home would result in fundamental problems in terms of definition and so of enforcement. For these reasons, we do not consider this to be a practical option.

In the explanation for the above, it is noted that it was (at the time) difficult to differentiate between primary use and secondary use. It would also be difficult to define the use, and would therefore be difficult to implement legally.

See the full research report in this link:

<https://gweddill.gov.wales/desh/research/planning/secondandholidayhomes/seconddomese.pdf?lang=en>

- 3.10 In 2008, a piece of research was published, the “Taylor Review: Living Working Countryside” on behalf of the Central Government, which looked at the challenges relevant to rural communities in England, which included a consideration of matters relating to holiday homes. The conclusions of the report included 48 recommendations that included the below recommendation with regard to holiday homes:

“Recommendation 21: The Government should consider the options of trialling planning rules limiting change of used of full time homes to part time occupation (as second homes or holiday lets), in one or more of the National Parks”

I do not believe that the above recommendation has been implemented.

Are there any examples of measures for managing the use?

London

- 3.11 The regulations in London since the 1970s have been different to the rest of England in relation to the management of the use of open market housing as holiday homes. The regulations in London used to prevent the use of residential properties in the 32 boroughs of London as temporary holiday lets. This was done through regulations that required planning permission to change the use, and the main purpose of this was to protect the housing stock in London.
- 3.12 As a result of the development of arrangements for sharing accommodation in light of businesses such as AirBnB, and changes to the ways people wished to use their homes, there was a call to slacken the regulations for short term holiday lets. Consequently, changes were introduced through the Deregulation Act 2015 (which reformed the previous legislation) that slackened the rules. This allowed short term holiday lets for a maximum of 90 nights in a calendar year, without the need for planning permission. It is therefore noted that home owners in London, who wish to have holiday lets for longer than 90 nights per year, need to obtain planning permission.
- 3.13 Since legislation came into force to slacken the rules, over a short period of time, there has been an enormous increase in the number of properties being let as short term holiday lets in London, with over 70,000 properties (including houses with rooms being let, and entire houses being let) listed as short term holiday lets. This has been the subject of a discussion at the House of Commons recently, with concerns regarding the impact on the housing stock and on communities etc., as well as the difficulties in enforcing the limit of 90 nights in a calendar year.

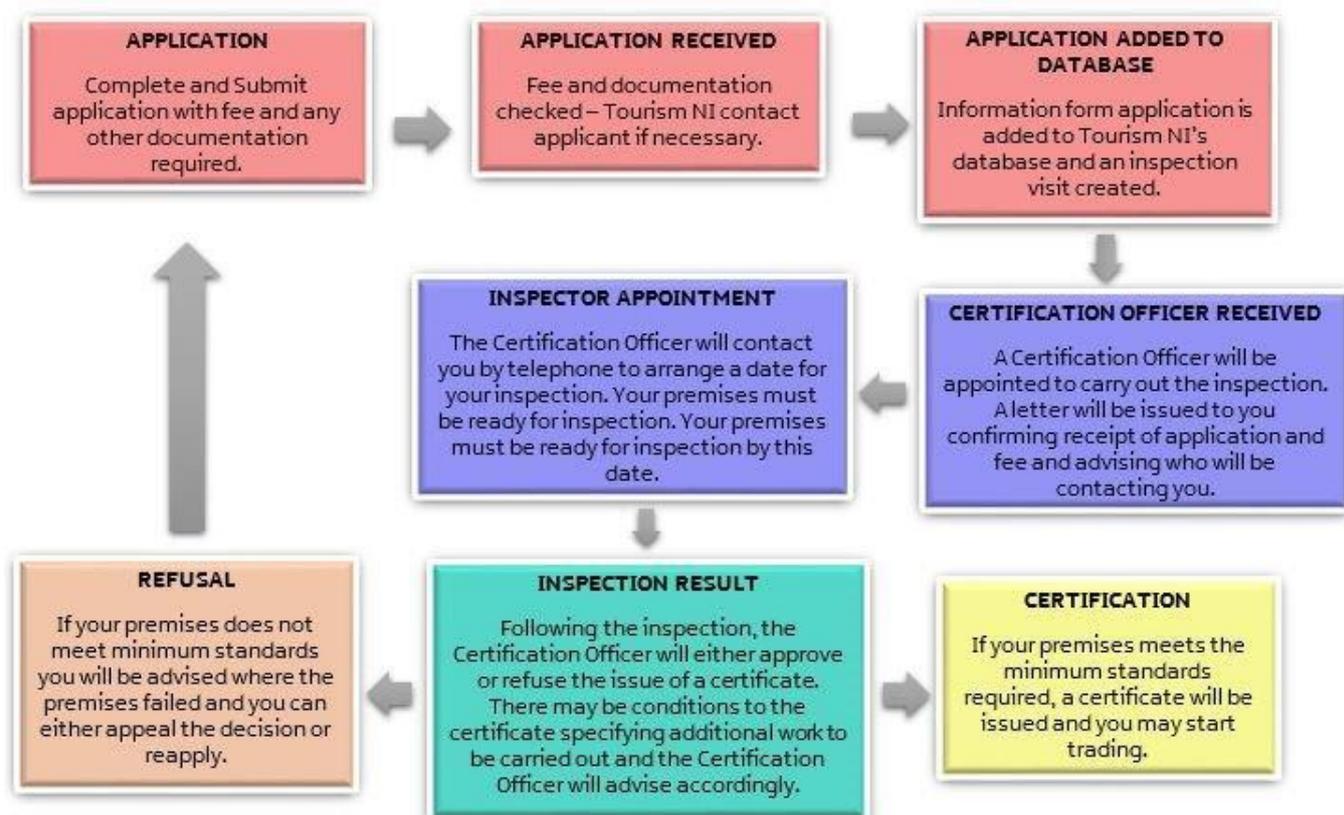
3.14 It currently appears that the Central Government (England) is not eager to introduce any change in legislation, as this could prevent households from letting their properties for short periods of time. Rather, they favour a non-statutory approach that supports good practice with regard to standards, etc.

Northern Ireland

3.15 Northern Ireland is currently the only country in the United Kingdom that regulates short term holiday accommodation providers. Regulations ("Tourism (Northern Ireland) Order 1992") mean that providers of all various categories of holiday accommodation must receive a certification from Tourism NI in order to be able to operate.

3.16 The procedure identifies eight various categories of holiday accommodation, including self-catering accommodation - which means letting a house for holiday purposes. There is a statutory requirement to make a formal request to Tourism NI (at the cost of £40 to £350) before a house can be used as a holiday let, and the process includes an inspection of the property to ensure that it complies with the requirements of the certification.

3.17 It appears that Tourism NI is a body equivalent to Visit Wales, but that operates and enforces the requirements of the Tourism Act with holiday property inspections looking at the standards of the properties and the methods of managing the holiday properties. It appears that the process does not consider whether there is an excess of holiday accommodation in a relevant area as part of the process of dealing with a certification application. The process is outlined below:



Scotland

- 3.18 Currently, the Planning (Scotland) Bill is in the process of going through Parliament in Scotland, which includes a proposal to reform the legislation so that the use of a house for short term holiday let requires planning permission where the Planning Authority designates an area as a short term holiday let management area. Currently, there is no definition of "short term holiday let".

Regulations in locations outside the United Kingdom

- 3.18 The huge growth in the custom of letting houses or rooms in houses as short term holiday lets, mainly triggered by the introduction of AirBnB, has become a global problem for cities beyond the United Kingdom. The common factor is the negative impact on communities that is caused by excess. Consequently, many countries have introduced new legislation to attempt to manage the situation.
- 3.19 The regulations introduced in **Barcelona** are considered the most effective regulations to manage short term holiday lets, and specifically the AirBnB business. In order to let a property as a short term holiday let, a tourist licence must be obtained. The licence is required for properties being let as short term holiday lets for tourists for consecutive periods of less than 31 days. There are various requirements to apply for a licence, which include:
- i. That the property meets appropriate standards / living conditions and that it is furnished
 - ii. It may only be used for tourism purposes, and the number of people staying in the property must be noted
 - iii. There must be contact numbers for the owner and the local emergency services
 - iv. An official complaint form must be in place
 - v. The property must be maintained appropriately
 - vi. Permission must be granted by the regional government, that determines the application for a licence before the property may be used as a short term holiday let
- 3.20 If permission for a licence is granted, the owner must register the property on-line with all relevant information. Through this, information about all licensed properties is on the city's register, which facilitates enforcement arrangements. The efforts and the resources put towards the enforcement of the legislation to disqualify / penalise owners who operate without a licence are highlighted. Also, the city refuses applications where there is already an excess, and has prohibited short term holiday lets in some areas of the city.
- 3.21 As well as managing the use, it is also noted that Barcelona has introduced the need to pay tax on the income generated from these businesses.
- 3.22 **Paris** is one of the most popular locations for AirBnB, and under legislation in France, formal permission was required for holiday lets of longer than 120 days in a year. Since March 2016, the law has changed which means that those who let properties must register this with the Council, and anyone who lets for longer than 120 days of the year must register the property as a commercial property, which is costly. Enforcement powers were also introduced as part of this.

- 3.23 Licensing arrangements have been operational in **Berlin** since 2016 in order to manage the use of AirBnB and, more recently, they have prevented any further increase due to the impact of the affordable housing stock in the city. Enforcement powers and substantial fines were introduced as part of the regulations.
- 3.24 In 2019, **Amsterdam** will be introducing regulations to restrict the period of time that properties may be let for holiday use, from 60 days down to 30 days per year.

What could be considered to manage the situation in Gwynedd / Wales?

- 3.25 It is believed that the statutory regulations that are in operation (or in the pipeline in Scotland) at the locations referred to above, not only highlight the scale of the problem, but also highlight the need to introduce changes in legislation to control the situation. It is not believed that a firm resolution to this could be gained through a voluntary plan, or through encouraging good practice as currently favoured by the Central Government in England.
- 3.26 Given the vast number of AirBnB accommodation in London and the difficulties surrounding the enforcement of a 90 night limit under the planning legislation and as there are no statutory requirements for registering, it appears that there is no current effective control in place. The resolutions in cities outside the UK appear to be based on:
- The statutory need for a licence / permission for letting (which is defined based on the number of days in a year the short term holiday accommodation is used)
 - Registration arrangements at area / national levels for the use
 - Restrict / prohibit short term holiday uses in some areas
 - Robust enforcement arrangements with major fines for breaching the rules
 - Resources for proactively enforcing the regulations
 - The need to pay taxes on income generated from the use
- 3.27 When considering a change in legislation, thought needs to be given to what exactly we are attempting to achieve. With regard to Wales, it is likely that two main matters need consideration:
- i. The impact of an excess of housing in the area being used as short term holiday accommodation on communities.
 - ii. The standards of the properties / houses being let as short term holiday lets in relation to matters relation to housing legislation.
- 3.28 Given both factors above, it is likely that the question needs to be asked as to whether both matters above can be addressed through changes to legislation in one or more fields of work. On the surface, it appears that matter 3.27 i, relating to an excess, would be a relevant matter to the planning field, and matter 3.27 ii, relating to the required standards, would be more relevant to the housing field.

- 3.29 It is believed that what is operational with HMOs could be considered, as an option that could be possible for gaining appropriate control over the use of houses for holiday purposes.
- 3.30 Due to the concerns that were commonplace for cities / towns with universities or colleges in Wales, regarding the number of HMOs, a piece of research work was commissioned by Welsh Government in 2015, which looked into every aspect of this. One of the recommendations in light of the research work included a definition of HMO, and creating a planning use class for HMOs. This is now part of planning legislation which gives firmer control of HMOs with regard to numbers.
- 3.31 This, of course, runs alongside the statutory arrangements that are in place for HMO licensing in accordance with the requirements of relevant housing legislation. The objective of licensing is to ensure that the landlords are fit and proper persons, and that the accommodation meets the required standards. As part of the statutory requirements, the Council must keep a register of all licensed properties.
- 3.32 Given what is operational in the field of HMOs with regard to planning and licensing, this could be an option for the management of the use of houses as short term holiday lets. This would involve the need to:
- i. Change planning legislation in order to create a new class use for holiday lets / holiday homes, and a definition of the meaning of holiday lets / holiday homes would be required (in addition to what is not included within the definition). It is possible to look at how other countries have defined this, and consider the outcome of the Planning (Scotland) Bill. This would involve introducing the need for planning permission to use the main home as a short term holiday let.
 - ii. Change relevant housing legislation in order to introduce statutory arrangements for holiday let licensing, which could include the need to keep a register of all licensed holiday lets. This would also require a definition of the meaning of holiday lets / holiday homes, which should be the same as the definition for planning purposes.
- 3.33 It is likely that it should be considered whether it is possible to introduce a change in legislation which could introduce a single procedure to meet the planning and licensing matters, so that the procedure is a complete process.

Matters to be considered

- 3.34 Relevant evidence would be required in order to justify a change in legislation and more detailed research work that looks at the local and national context could contribute towards this. In addition to the other matters that are referred to in this report, it is believed that research work needs to give consideration to matters such as:
- What is the current scale of the problem in Gwynedd / Wales and how has the situation changed over the past 10 years in relation to the number of houses that are used as short term holiday accommodation and their location?

- What is the real impact of this on communities and areas and the tourism industry?
- What is the economic benefit deriving from this, and does this outweigh any negative impacts on the communities or not?
- Given the above, is there a strong justification to introduce a change in legislation to manage the situation?
- How would a holiday home / short term holiday let be defined, and how practical would it be to implement and enforce the legislation?
- What would a change in legislation mean with regard to houses that are already used as temporary holiday accommodation?
- What impact could a change in legislation have on communities and the economy?
- Which resources would be required to implement any change in legislation? It is noted that the examples in cities such as Barcelona seem to be effective, due to the efforts and the resources that are put towards enforcing the legislation.

3.35 It is noted that the Royal Town Planning Institute (Wales) have agreed in principle to support the Council with further research work in this area and to provide a national context to this work. It is considered that this will be a substantial piece of work which will require input from a team of multi-disciplinary experts.

4. NEXT STEPS AND TIMETABLE

Prepare a brief in order to commission research work (August / September 2019)

Implement the relevant procurement requirement (the brief with set out a more detailed timetable)

5. ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

Consultation with relevant Departments in the Council

Consultation with other Councils / Authorities in Wales

Consultation with the Royal Town Planning Institute (Wales)

OPINION OF THE STATUTORY OFFICERS

Chief Finance Officer:

We know of course that there are local concerns about holiday homes / holiday lets and their impacts on communities in Gwynedd. Therefore, it is understandable why the Cabinet would wish to commission a substantial piece of research work on this matter, with the input of a multi-disciplinary team of experts. I understand that the work needed will become clearer with the preparation of relevant documents and the need for companies to invest time in proposing details such as price, programme and expertise for the work. Therefore, if there is a desire to commence this work early, I am willing to manage the arrangements for

the release of the appropriate sum, up to £80,000 for this purpose, from the Council's Transformation Fund, in consultation with the Environment Department and the relevant Cabinet Member.

There will be a number of deserving applications that will be competing for the scarce resource of the Transformation Fund, and it will be a matter for Members of the Cabinet to prioritise what makes a difference, when allocating resources from the fund. I can confirm that there are sufficient resources to fund this research work, and that additional money is available from the fund for projects (emanating from the Council's Plan etc) that will be reported to following Cabinet meetings for agreement.

Monitoring Officer:

Opportunities are highlighted to consider the role of current legislation and possibilities for developing new legislation, an aspect which this Service can assist with.

Appendices

Appendix 1: Summary of main findings of Gwynedd bed stock survey

Gwynedd Accommodation Survey 2011 / 2019

2011									
Type	Arfon		Dwyfor		Meirionnydd		Unknown Location		Total
	No	%	No	%	No	%	No	%	No
Serviced	100	3.6	102	3.6	195	6.9	3	0.1	400
Self-catering	202	7.2	602	21.4	529	18.8	630	22.4	2023
Caravan and Camping	40	1.4	142	5.1	120	4.3	38	1.4	340
Other	18	0.6	9	0.3	17	0.6	0	0.0	44
Total	360	12.8	855	30.5	861	30.7	731	26.0	2807

2019									
Type	Arfon		Dwyfor		Meirionnydd		Unknown Location		Total
	No	%	No	%	No	%	No	%	No
Serviced	108	3.3	82	2.5	181	5.6	0	0.0	371
Self-catering	400	12.4	1028	31.8	1018	31.5	0	0.0	2446
Caravan and Camping	54	1.7	182	5.6	152	4.7	0	0.0	388
Other	13	0.4	5	0.2	9	0.3	0	0.0	27
Total	360	11.1	855	26.5	861	26.6			3232
AirBnB									1603
Total									4835

2011 - 2019 Comparison

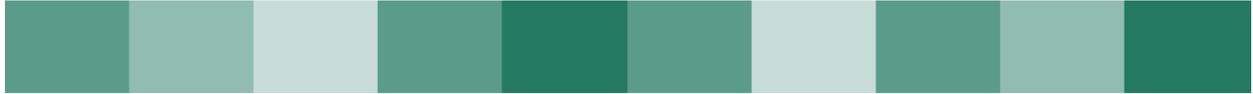
Type	Arfon			Dwyfor			Meirionnydd			Unknown Location			Gwynedd		
	2011	2019	%	2011	2019	%	2011	2019	%	2011	2019	%	2011	2019	%
Serviced	100	108	8%	102	82	20%-	195	181	7%-	3	0	N/A	400	371	7%-
Self-catering	202	400	98%	602	1028	71%	529	1018	92%	630	0	N/A	2023	2446	21%
Caravan and Camping	40	54	35%	142	182	28%	120	152	27%	38	0	N/A	340	388	14%
Other	18	13	28%-	9	5	44%-	17	9	47%-	0	0	N/A	44	27	39%-
AirBnB													0	1603	N/A
Total													2807	4835	72%

Self-catering - 2019 Agency	
Agency	Number
AirBnB	1603
Aberdyfi Cottages	13
Best of Wales	3
Booking.com	1
Cottage Choice	1

David Thomas	1
Dioni	93
Dyfi Cottages	35
Holiday Cottages	24
Hoseasons	313
Lastminute.com	24
Lounge Holidays	100
Menai Cottages	143
North Wales Cottages	51
Quality Cottages	66
STS	130
Sykes	569
Wales Cottage Holidays	306
Wales Holidays	23
Wilson Holidays	1
Other / Independent	682

Agenda Item 11

GWYNEDD COUNCIL CABINET



Report to the Cabinet

Date of Meeting:	23 July 2019
Cabinet Member:	Councillor Ioan Thomas, Cabinet Member for Finance
Contact Officer:	Dilwyn Williams, Chief Executive
Item Title:	Coping with the Financial Situation in 2020-21

Decision Sought

Subject to the condition noted in paragraph 15, in order to be in a position to cope with the financial situation in 2020-21, that the Cabinet adopts Option 3, and requests each department to find their share of the £2m needed to address the minimum resource deficit we are likely to face due to inflation, and to ask the Scrutiny Committees to scrutinise these proposals in the Autumn.

Whilst reporting, departments should also report on how they intend to cope with any lack of funding needed to address any deficits in their savings plans.

Background

1. We must consider how we are going to cope with the financial situation in 2020/21, as it will take some time to prepare.
2. Cabinet members will recall last year, that even though we dealt with the financial problem in a relatively short period of time, the preparatory work started in May. Therefore the sooner we start thinking about it, the better.
3. This of course is in the context of that which has been happening in the last 12 years where grants received from Welsh Government and the Council Tax increase has been insufficient to pay the cost of inflation, which has led to a situation whereby we have had to make substantial savings.
4. The illustration in Appendix 1 reflects the situation over the last 12 years.

What will the 2020/21 financial situation be?

5. This is the question that makes planning so difficult.

6. In his report on this year's financial strategy, the Head of Finance included a funnel of expectations (copy attached at Appendix 2), where the central line indicated that after an assumed Council Tax increase of 3.5% we could be faced with an additional funding gap of £3.4m in 2020/21.
7. Despite the fact that the Head of Finance does not know what the pay agreement will be, nor the level of grant for 2020/21 (which greatly restricts his ability to be able to give any certainty to the situation), he and his staff have considered two possible scenarios – an optimistic scenario which could be realised and a second taking a more pessimistic slant.
8. We know of course that the arrangements for finding savings in 2019/20 also identified savings for 2020/21 and 2021/22.
9. Taking these into consideration, one scenario on the basis of the “optimistic” assumption for 2020/21 is that we will receive a 2% grant increase to meet any wage increase awarded. Combining this with an increase of 3.5% in Council Tax will lead to a savings gap of about £1.7m.
10. We can easily illustrate a scenario whereby we do not receive a grant increase at all, and the wage increase being slightly higher. On this basis (i.e. the pessimistic slant) the financial gap could be as much as £7.3m.
11. On the basis that we should therefore plan for anything between £1.7m and £7.3m, it appears to me that there are three options on how to deal with the probable financial situation in 2020/21, namely:-

- **Option 1** – Start on the process of finding comprehensive savings in order to address the worst situation of £7.3m;

[Advantage = start now in the hope that some additional funds will be available towards mid 2020/21. Disadvantage = Causing possible needless alarm; No break from the “cut” agenda with services tiring. Old systems coming to the end of their “useful life”]

- **Option 2** – Accept now that we must meet the £1.7m gap in the optimistic scenario by increasing the Council Tax by 5% again, which would to all intents and purposes meet the residual gap, and by using balances to meet with any gap above the optimistic situation so as to give us time to find a permanent solution.

[Advantage = Address the “hopeful” situation; A way of coping with a possible pessimistic situation. Break for services. Disadvantage = Plenty of balances to

sustain a pessimistic situation is going to be challenging; A 5% increase is going to unpopular/unacceptable.

- **Option 3** – Plan to meet the gap of £1.7m in the optimistic scenario by sharing this sum between all departments (and schools), and noting that it is an inflation contribution, and by using balances and/or a higher Council Tax increase to meet the gap above the optimistic situation so as to give us time to find a permanent solution;

[Advantage = Address the “hopeful” situation; A way of coping with the pessimistic situation. Not having to consider an increase of 5% unless we deal with the pessimistic grant settlement. Disadvantage = No full respite for the departments.]

12. Accepting that the gap is going to be higher than the optimistic situation, it would be unreasonable not to take any steps towards closing that gap, but assuming a higher deficit could lead to needless concerns.
13. The situation is obviously far from satisfactory, but considering the fact that we have already found savings of £65m over the last 12 years, and the more difficult decisions ahead of us, it is better to pause rather than over react especially as we have the ability to do so.
14. **I recommend** that we round the £1.7m up to £2m and that the Cabinet adopts Option 3, and that we ask each department to find their share of the £2m needed to address the minimum resource deficit we face due to inflation, and ask the Scrutiny Committees to scrutinise these proposals in the autumn.
15. As the Cabinet wants to take a strategic approach to income budgets, no plans should include an increase in fees and charges.
16. Whilst doing this, it is also **recommended** that we ask departments to report the same time to the relevant Scrutiny Committee on how they intend to cope with any deficit that needs to be addressed in their savings plans.

Statutory Officers’ Observations

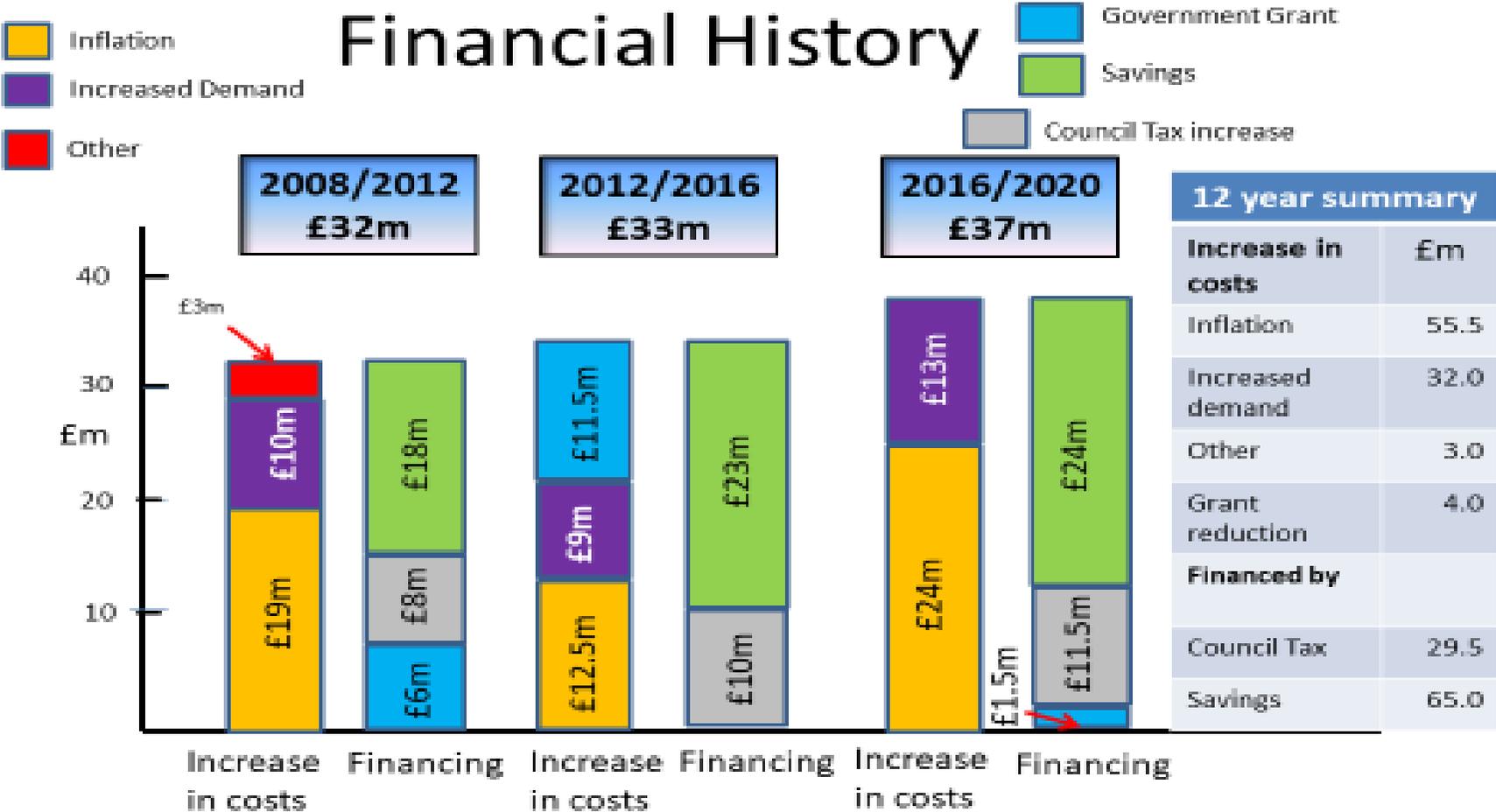
Monitoring Officer

The report highlights the challenges involved in planning the budget for 2020/21. In the circumstances the recommendation and rationale for setting the direction is appropriate.

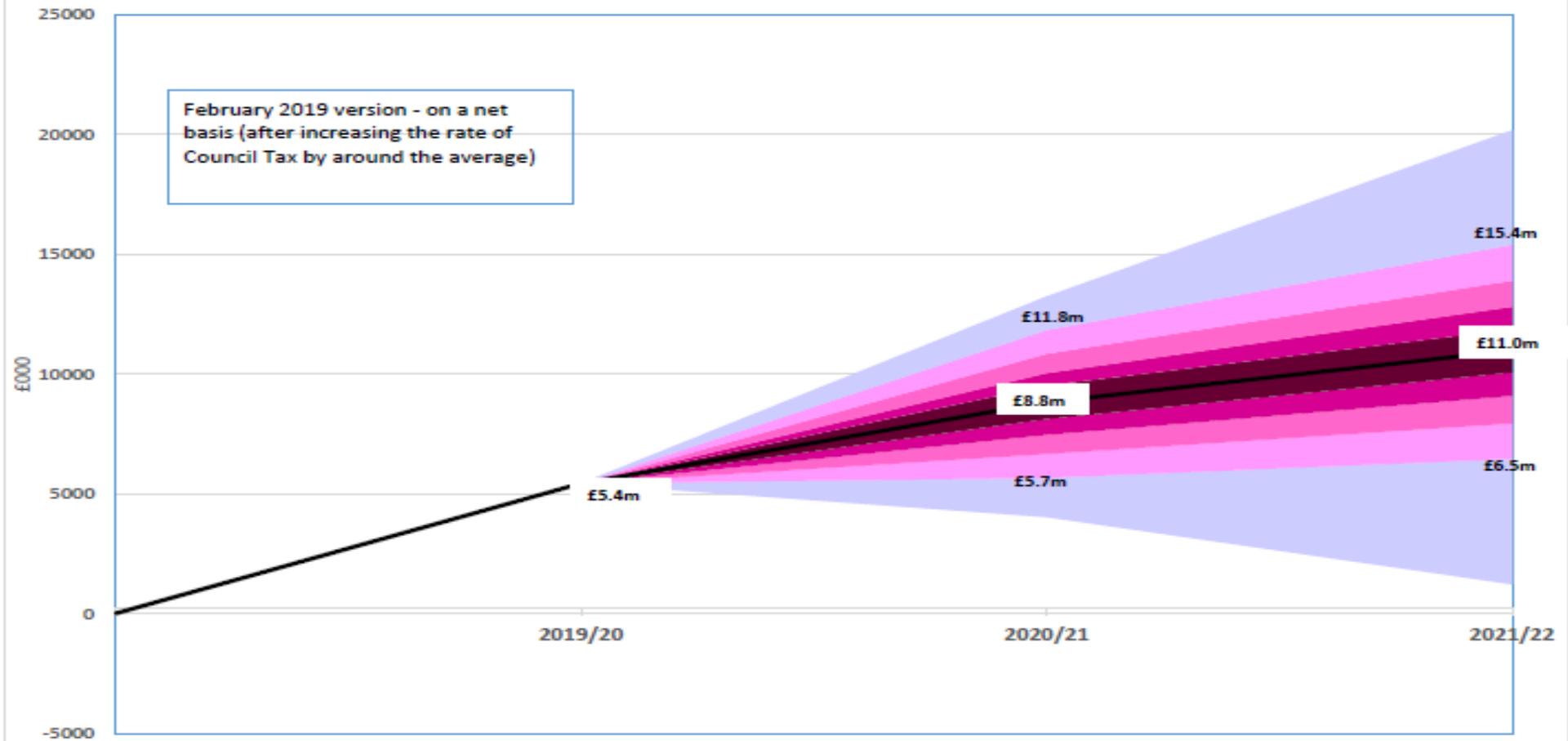
Head of Finance

I have co-operated with the author in preparation of this report. I confirm that there’s a reasonable basis for the estimates and support the decision sought.

Financial History



Gwynedd Council possible funding gap to 2021/22



Agenda Item 12

CABINET CYNGOR GWYNEDD

Report to a meeting of Gwynedd Council Cabinet

Date:	23 July 2019
Title of Item:	Performance Report of the Cabinet Member for Corporate Support and Legal
Purpose:	To accept and note the information in the report.
Cabinet Member:	Councillor Nia Jeffreys
Contact Officer:	Dilwyn Williams, Chief Executive

1. INTRODUCTION

- 1.1 The purpose of this report is to update my fellow members on what has been happening in the fields within my remit as Cabinet Member for the Corporate Support and Legal Department. This includes outlining progress against the pledges within the Gwynedd Council Plan 2018-2023, where we have reached in relation to the performance measures, and the latest in terms of savings and cuts.
- 1.2 I would like to remind you that all matters have already been the subject of discussions and have been scrutinised at the management team meetings of the Corporate Support Department and the Legal Service, which also included a representation from the Scrutiny Committee.
- 1.3 The main matters I wish to highlight are
- **Apprenticeships Scheme**, where several new apprentices have already been appointed
 - **Implementing Ffordd Gwynedd**, where the new Strategy has been created and work is already underway to look at the wording that notes the expectations for each of the five functions which, in turn, will be shared with every employee in the Council.
 - **Keeping the Benefit Local**, where our expenditure with companies local to Gwynedd remains quite consistent with last year, but the percentage of expenditure has fallen
 - **Online Self Service**, where, for the first time, 5 of our services receive more application online than via the phone
 - **DBS declarations**, where the online application system is not available through the medium of Welsh

- **The Registry Service**, for receiving a very positive response from the Compliance Officer to their annual report, and I congratulate the Service on its performance and achievements.

1.4 I am generally happy with the progress of the lead projects within the Strategic Plan and the performance measures for which I am responsible.

2 THE DECISION SOUGHT

2.1 To accept and note the information in the report.

3 COUNCIL PLAN PROJECTS

3.1 Keeping the Benefit Local

The Unit continues to advise and encourage local businesses to apply for contracts with the Council; however, in some fields, e.g. major capital contracts, the skills or expertise are not always available within Gwynedd. Since April, necessary substantial expenditure was made on refuse collection lorries and building Ysgol y Garnedd with companies whose headquarters are in Wrexham. This has meant that 49% of the capital and revenue expenditure was local expenditure between 1 April and 30 June, but although this is a reduction in comparison to the 55% of expenditure in the same period last year, the expenditure itself is quite consistent - £16,750,218 this year compared to £16,844,683 April to June 2018/19.

The percentage of revenue only expenditure has also fallen - 51% between April and June this year compared to 55% over the same period last year. Although the percentage has fallen, the expenditure itself is higher - £14,809,284 this year compared to £13,952,278 last year. This drop in percentage is in relation to the A55 maintenance work.

It is therefore of concern to me that it is likely that the percentage of our local expenditure will be lower this year because of these major projects.

I have emphasised that as much as possible should be done to encourage these major companies to sub-contract work to local companies.

3.2 Apprenticeships Scheme

We have planned to appoint 20 apprentices in 2019/20, and six of these have already been appointed, with the first starting work with the Council on 1 July, and placements have been set up for a further 11. It is great news that three of the six are women, and two of these women have been appointed to engineering roles in the Consultancy Department.

This project also brings a wider benefit to develop the use of the Welsh language. We have drawn up guidelines for colleges and any other establishment that explain the language requirements that we have as a Council, and we assist those who apply for apprenticeship roles.

3.3 Women in Leadership

A Project Group has been established in order to move this work forward. Preparatory work has been done to review the questionnaires sent to women in the Council two years ago, and to arrange a workshop for the 55 female Managers/Assistant Heads/Heads of Departments/Directors in the Council. A workshop is also being planned for men within the Council who are often responsible for recruitment.

3.4 The Welsh Language in Public Services

Unfortunately, I do not believe that the work on this project is progressing as quickly as it should. This may be because we are focusing on the organisations rather than what we are attempting to achieve, namely changing the habits of citizens to use the Welsh language. It is considered that one way of doing this is for other public organisations in Gwynedd to encourage individuals who are able to speak Welsh to use it when accessing services. I intend to ask officers to attempt to change the emphasis of the project, which is delivered through the Public Services Board.

3.5 Gwynedd Businesses to use the Welsh Language

The direct contact with the county's businesses is undertaken by officers within the Economy and Community Department, and they promote the use of the Welsh language amongst the private sector. Hunaniaith officers, through their community work, also encourage businesses to increase their use. Another element of the recent work is collaborating with the other counties of west Wales, through the Arfor project, in order to create a digital platform to reconcile and co-ordinate all resources and support available to businesses to support them to use more of the Welsh language.

3.6 Promote the use of the Welsh language within the Council's services

There are two elements to this work, namely assessing and updating the language requirements of various jobs in the Council, and offering practical support for staff to learn or improve their Welsh in order to reach the required levels of fluency.

The first element is completed, and the second element is progressing very satisfactorily. There are many effective learning methods at work - 'Welsh language tip of the month' and on-line language improvement training, face-to-face training, or the Cyfeillion Cymraeg (Welsh Friends) scheme. This scheme has assisted a Byw'n Iach staff member to boost her confidence so that she now speaks Welsh with her clients who, in turn, have acknowledged her effort to switch languages in the workplace.

3.7 Empowering Units to Implement Ffordd Gwynedd

As an amended version of the Ffordd Gwynedd Strategy has also been submitted for the Cabinet's attention at this meeting, you will see that it includes our proposal for developing this important work for the future.

Since the beginning of April, we now keep a central register of all requests from various managers for support to undertake Ffordd Gwynedd reviews. We will attempt to measure the level of support they require, and will therefore revisit the role of the Ffordd Gwynedd Consultants, and possibly move away from holding intensive reviews only. More practical sessions of sharing experiences of implementing Ffordd Gwynedd are being held between various service teams, and I am certain that this, along with sharing information through the Managers Network, will be useful when expanding the work in future.

Since the six-day training programme for managers commenced in summer 2017, every service manager has now attended. Officers now continue to hold the course for new managers and prospective future managers.

Work is already underway to look at the wording that notes the expectations for each of the five functions which, in turn, will be shared with every employee in the Council.

3.8 **Developing Leadership**

Since April, work has continued to hold meetings of the Managers Network, where training on developing 'leadership' skills rather than 'management' skills and sharing experiences have assisted us to expand the principles of Ffordd Gwynedd.

Schemes are also already in the pipeline to offer further training on leadership skills for Cabinet members in the autumn.

4 **PERFORMANCE**

- 4.1 In addition to the work described above on projects relating to the Council Plan, the remaining projects of the Corporate Support Department and Legal Service are described below. Furthermore, a full report on the performance measures associated with my portfolio can be found in **Appendix 1**.
- 4.2 The **Self-service** development on the Council website is essential to enable the residents of Gwynedd to gain access to information 24 hours a day, 7 days a week, and offer a more cost effective method of contacting the Council for a service.
- 4.3 The number of self-service accounts continues to increase, with the creation of 42,716 accounts by the end of May 2019, which is 10,305 more accounts than the same period last year. The fact that the numbers who log in to their accounts every month are also rising compared to previous years is just as important, namely approximately 10,000 a month.

- 4.4 A significant development since April, and indeed for the first time since the beginning of the self-service development, is that five services now receive more requests submitted through the self-service than over the phone. These services comprise of: ordering a garden waste collection, ordering waste or recycling apparatus, problems with traffic lights, problems with public toilets and problems with road markings/signs. Since the beginning of March this year, it has also been possible to apply and pay for a Gwynedd Parking Ticket via the self-service, and it is very encouraging that 44.2% of all applications are already on-line.
- 4.5 Due to reasons beyond our control, there was a delay in introducing the ability to check the balance and pay Council tax through self-service. This project did not become live by the end of April 2019, in accordance with the original plan, due to problems with elements of the system that is provided by an external company. Nevertheless, I am confident that the problems are being resolved and that the provision will be available during the current year.
- 4.6 The priority for the near future is for the 16+ Travel Ticket service to become active by the beginning of August. This will enable our young people to order and pay for a travel ticket, replace missing tickets, change details on a ticket and submit an enquiry or complaint. There is another exciting development, namely that it will also be possible to accept a 'travel e-ticket' through the 'apGwynedd'.
- 4.7 The Council's Communication and Engagement Service is responsible for the **Council's website**. Between April and May 2019, 334,992 individuals used the Council's website. Of the 290 individuals who used the feedback device to express their views on the content, only 62 noted a score of less than 5 out of 5, which is 0.85% of the total visitors. A total of 35 complaints were received about the website's content, but it was possible to close 86% of these within three days, which is an improvement compared to 75% over the previous three months.
- 4.8 Another part of the **Communication and Engagement Service's** work is sharing information about the Council's work in the press, and responding to requests by the press for information and comments. We announced 29 press statements in April and May, with 145 positive news items or articles deriving from them. 96 enquiries were received from the press in the same period, with only two 'negative' reports about the Council's work deriving from them. 12 requests for information were received from the British and international press with regards to the effect of climate change on the community of Fairbourne, and it was possible to provide a positive response to this unexpected coverage.
- 4.9 The purpose of the new **Research and Information Service** is to 'Help all members of staff to manage information on paper or electronically, and adhere to information acts. Develop the ability of the Council and its partners to use information and evidence in order to make the best decisions for the people of Gwynedd.'

- 4.10 There were four 'information breaches' (where information about an individual has been stolen/lost/sent to the wrong address) in April and May. This number is a cause for concern, and therefore work is underway to look at our policies for the workforce, and consider how we as an organisation will respond to these cases in future. The Chief Executive considers that, in terms of Ffordd Gwynedd's 'implementation framework', cases such as these are outside the framework, and this needs to be reflected in our response. Nevertheless, none of these incidents were serious enough to have to report to the Information Commissioner's Office.
- 4.11 Considerable work has been done over the past years to transfer the Council's electronic files to a new system called 'iGwynedd'. All of the migration work to the new system will be complete by the end of July, and we will then focus on providing support and training to any staff member who needs it.
- 4.12 Many research projects are underway, such as the population projections based on 10 local areas within Gwynedd, an update to the information base about accommodation to provide visitors with better information for Gwynedd, and the economic impact of this. Other exciting news is that the Unit has won the tender to undertake an analysis for the North Wales Local Services Board of the evidence available on equality and human rights in North Wales, at a local authority level where possible. The results of this research will ultimately be available to us as a Council.
- 4.13 One of the responsibilities of the Council's **Support Service** is to administrate the process of ensuring that any of the Council's employees or members in need of a DBS has received one, and that it is correct and up-to-date. I am confident that there are no employees who work without the correct DBS, but it is a shame that we must use paper processes that are burdensome in terms of time and resources, with both being so scarce. As the DBS on-line system is not available in Welsh or bilingually, we are not willing to use it. We are in contact with the Welsh Language Commissioner to attempt to move the work forward in terms of developing a Welsh language model for the DBS on-line applications.
- 4.14 The **Galw Gwynedd and Siopau Gwynedd** Services provide prompt and accurate assistance for customers to access Council services by providing answers, guidance and service. The time taken to answer phone calls in **Galw Gwynedd** during April and May was 42 seconds, which is slightly higher than the time of 40 seconds between January and March. The work I have just described within the Self-service project has freed up time at Galw Gwynedd and Siopau Gwynedd ensure a swifter response to telephone and face-to-face enquiries. Consequently, work is ongoing to develop a web-chat provision, and I will present information about this provision in my next report.
- 4.15 In enquiring into customer satisfaction with the service provided by **Siopau Gwynedd**, 9% of the total gave a score of less than 10. This figure was much higher for those who scored less than 10 for the service provided through Galw Gwynedd, namely 65.22%. The dissatisfaction with this service is

increasing because, mainly, customers do not receive an update about their enquiry. I will be addressing this matter over the next period.

- 4.16 I wish to congratulate our **Registration Service** for receiving a very positive response from the Compliance Officer to their annual report, and I congratulate the Service on its performance and achievements. It managed to maintain the target of 98% for birth registrations in April, but the percentage of deaths that were registered within five days fell from 90% to 87%, mainly due to the Easter weekend (the five days includes weekends and bank holidays). Therefore, I have no cause to be concerned about the performance of the Service.
- 4.17 Since my last report, the **Health, Safety and Well-being Service** has been working with the Chief Executive to assess health and safety controls within each of the Council's services, and to put a work plan in place to respond to any gaps. One of these matters is assessing how confident we can be in the individual managers. I have requested that the service develops a measure that will enable us to measure this confidence over time.
- 4.18 This year, the service is addressing the development of suitable support for the welfare and mental health of staff. A very effective workshop was held for managers in order to educate them on how to identify signs of mental health problems in themselves and their staff. I am pleased to state that steps are already in place to consult with staff on proposing options to improve their support in the workplace, e.g. 'quiet' areas. I am confident that we have full support by us as members and by senior officers within the Council to change culture in the workplace, so that we create an environment where any employee feels confident enough to share concerns.
- 4.19 The former separate **Democracy and Language** services have merged since 1 April 2019, and I consider these current structural changes to be necessary. I have shared my concerns with the Service Manager that the current performance measures don't reflect the true performance of the service, and have asked the Manager, as part of the re-structuring process, to reconsider and review the current performance measures.
- 4.20 Having challenged the performance of the **Legal Service** they continue to report that there is a high level of satisfaction with the service, and every questionnaire returned gives the service a score of 10. The Elections Unit is attempting to establish ways of increasing the numbers who register to vote, and has recently undertaken a pilot whilst canvassing. I will report on the outcome of the experiment in my next report.
- 4.21 A plan is also in the pipeline to ascertain how engagement can be achieved with school pupils with regards to the electoral process to ensure that they use their vote. It is intended to develop a pack in order to visit schools to do this.

- 4.22 Of course, only the main performance matters are noted above. Whilst I have held detailed discussions on various other matters within the various units, I am satisfied that the performance of those other units are within the range of expected performance. These units are the Council's Business Support, Democracy and Language, Human Resources and Implementing Ffordd Gwynedd.

5 FINANCIAL POSITION / SAVINGS

- 5.1 All the savings schemes for 2019/20 have already been realised, with the exception of one scheme, namely *Merging the Learning and Development Unit and the Workforce Development Unit* valued at £30,000, and this is also on track to be completed on time.
- 5.2 Within the Legal Unit, the historical saving in the coroner's budget is still causing difficulties for us, mainly as the service is not stable enough to be able to achieve, but it is hoped that this can be achieved in the coming months.

6 NEXT STEPS AND TIMETABLE

- 6.1 None to note.

7 ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

7.1 Views of the Statutory Officers:

i. Monitoring Officer:

No observations regarding propriety.

ii. Head of Finance Department:

The report portrays a fair picture of the Corporate Support Department and the Legal Service's position regarding delivering on the savings plans, with all the 2019/20 savings plans already being delivered, or on track to be delivered on time. The risk attached to the remaining savings plan from 2018/19 for Legal Services has been noted in section 5.2 of the report. Finance officers will assist the responsible Cabinet Member to monitor the plans, and we will be in a position to report further on progress following the next financial review.

7.2 Views of the Local Member:

- 7.2.1 Not a local matter.

7.3 Results of Any Consultation:

- 7.3.1 None to note.

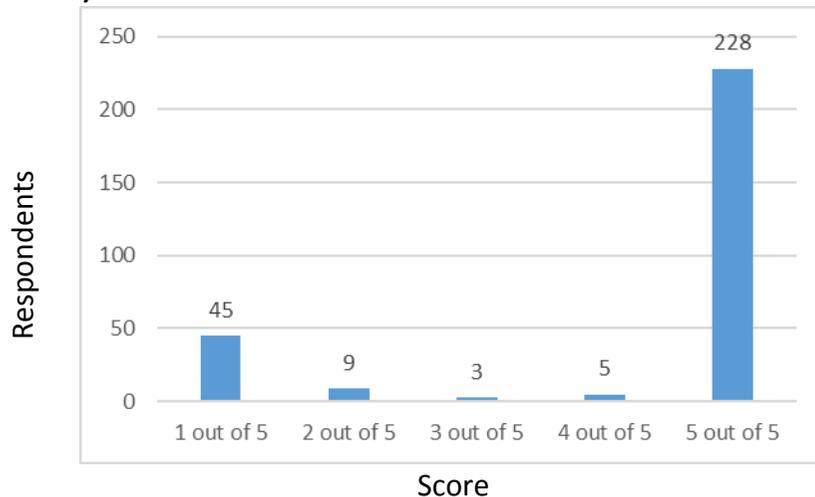
Appendices

Appendix 1 - Performance Measures

Corporate Support Department and Legal Services Performance Measures: April and May 2019

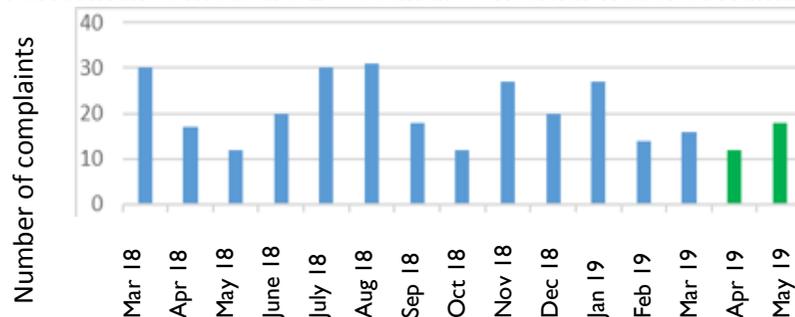
Communication and Engagement Service

Performance Measure 1 – Council’s external website: Number of users reporting that they were unsatisfied with the website (Ebrill a Mai 2019)



- **334,992** individuals used the Council’s website between April and May 2019.
- Only **290 (%)** used the respond tool to comment on the content.
- **228 (79%)** of those who commented were completely satisfied with the website.
- Only **62 (21%)** gave a satisfaction score of less than 5 out of 5, and of these **35** submitted a complaint or a suggestion of how to improve the content.

Performance Measure 2 – Council’s external website: Number of complaints or comments received about the website



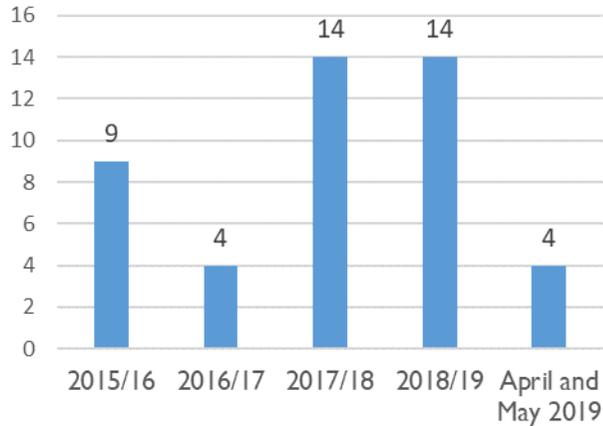
- **34** out of the **35** complaints received in April and May have been addressed.
- **30 (86%)** of the comments or complaints were addressed or solved within 3 working days.

Performance Measure 3 – Communication and Engagement Plans – Score out of 10 received at the end of a specific plan in response to the question “To what extent has the support you have received from the Unit assisted you to engage effectively with the people of Gwynedd?”.

- A score of 10 out of 10 was awarded to the 4 Plans supported during April and May 2019.
- Feedback forms continue to support the fact that Council Departments believe that the Communication and Engagement Service provide additional value to their plans, and that the support is welcomed.

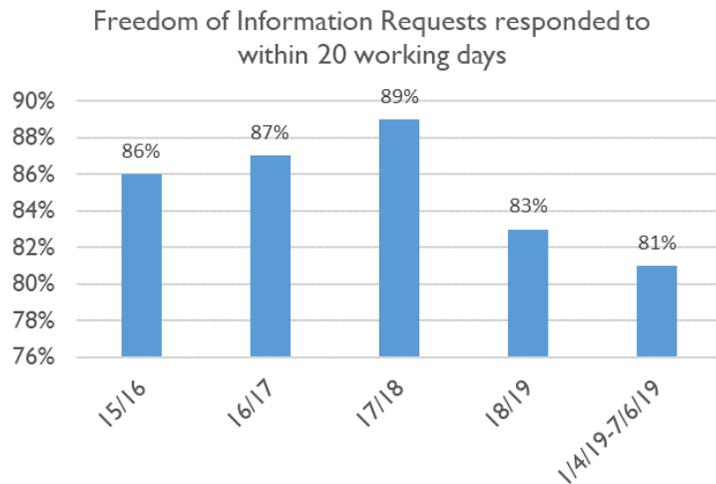
Research and Information Service

Performance Measure 1 – The number of information incidents where information about an individual has been stolen/lost/sent to the wrong address.



There were 4 incidents during this period, and this amount of incidents in 4 months is a cause for concern. A plan is being formed at the moment to ensure that staff act according to our policies.

Performance Measure 2 – Freedom of Information Act – percentage of requests responded to within 20 working days



There has been a small deterioration in performance in April and May compared with previous years in their entirety. There was a problem with the documenting system in 2 Departments, and the figure may be worse because of this. We are currently working to solve this problem.

Performance Measure 3 –Data Protection – percentage of data protection requests answered within one calendar month (requests from individuals to view information held about themselves)

Between 1 April and 7 June 2019

Performance - **79%** (19 requests received)

19 requests were received in the first 10 weeks of the current financial year, compared with 59 over 12 months in 2018/19. Considering this comparable increase, an increase in performance should be praised.

Between 1 April 2018 and 31 March 2019

Performance - **75%** (59 requests received)

Performance Measure 4 –iGwynedd (electronic content management system) questionnaire asking for staff’s opinion of the system

Does the system do what you want it to do? –

First questionnaire after transferring from the old system to iGwynedd -

Yes – 53%

Second questionnaire after receiving further training -

Yes – 100%

A campaign will be held over the summer to ‘walk offices’ and talk with iGwynedd users to gather their opinion about the system, answer any questions, solve problems and offer further training.

Galw Gwynedd, Siop Gwynedd and Registry Service

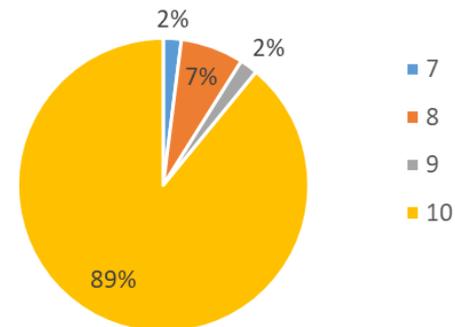
Performance Measure 1 - Galw Gwynedd and Siopau Gwynedd Service - Galw Gwynedd customer satisfaction

Score (out of 10) given in a satisfaction questionnaire of Galw Gwynedd customers

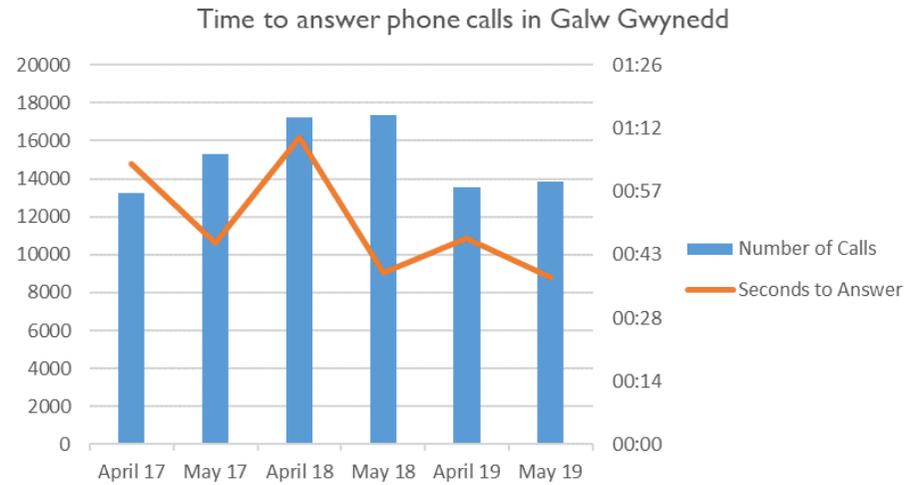


Performance Measure 2 - Galw Gwynedd and Siopau Gwynedd Service – Siopau Gwynedd customer satisfaction

Score (out of 10) given in a satisfaction questionnaire of Siopau Gwynedd customers



Performance Measure 3 - Galw Gwynedd and Siopau Gwynedd Service - Providing a prompt Service in Galw Gwynedd



Learning and Organisational Development Service

Performance Measure 1 - The number of formal complaints received under the Council's Corporate System

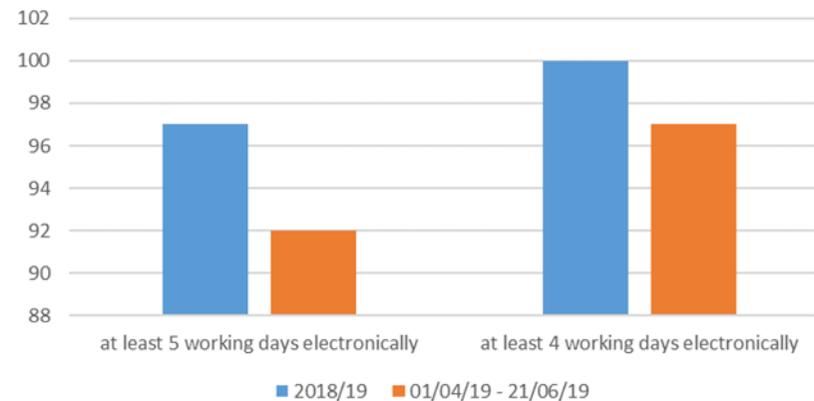
7 formal complaints were received in the period 1 April – 31 May.

5 complaints were received from the Ombudsman - 3 were returned “no investigation”, 1 “no investigation – premature” and 1 still open by the Ombudsman

Democracy and Translation Service

Performance Measure 1 – Percentage of programmes for meetings which have been published electronically within the timescale

Percentage of programmes published electronically within the timescale (at least 5 working days)



Performance Measure 2a – Users' opinion on the quality of written translation work

All 9 responses to the questionnaire scored the service 5/5.

“Thank you for a prompt service, without delay. Appreciated!”
 “Efficient and consistent service, as usual”.

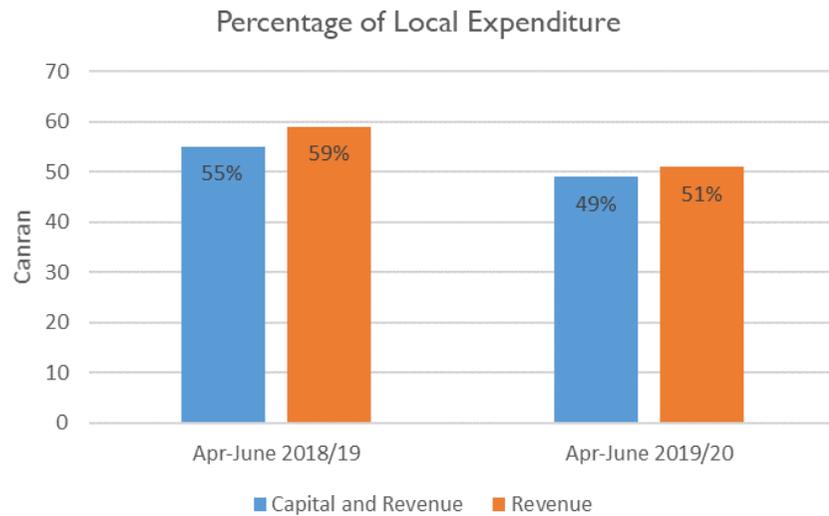
Human Resources Advisory Service

Performance Measure 1 – Number of days of sickness absence per head on average

Performance Measure 2 – Number of employment appeals submitted to the Employment Appeals Committee, and the number of Committee decisions that go against the employer's decision

Procurement Service

Performance Measure 1 – Local Expenditure



Performance Measure 2b – Users' opinion on the simultaneous translation work

4 responses were received to the response cards, each oen giving a score of 5/5.

“That was perfect.”
 “Excellent translation – long and complex meeting.”

2018/19	2018/19
1.46	1.24

1 appeal was heard during the period, with the Committee upholding the employer’s original decision.

Report to a meeting of Gwynedd Council Cabinet

Date:	23 July 2019
Title of Item:	Performance Report of the Cabinet Member for Children and Supporting Families
Purpose:	To accept and note the information in the report
Cabinet Member:	Councillor Dilwyn Morgan
Contact Officer:	Morwena Edwards, Corporate Director

1. INTRODUCTION

- 1.1 The purpose of this report is to update my fellow members on developments in the fields within my remit as Cabinet Member for Children and Supporting Families. This includes outlining the latest developments of pledges within the 2018-2023 Gwynedd Council Plan; the progress of performance measures; and the latest on the savings and cuts schemes.
- 1.2 I would like to remind you that all matters have already been the subject of discussions and have been scrutinised at the management team meetings of the Children and Supporting Families Department, which also included a representation from the Scrutiny Committee.
- 1.3 I am generally satisfied with the progress of the projects within the Council Plan and the performance measures for which I am responsible. Nevertheless, it has become apparent that endeavouring to deliver the savings schemes scheduled for the Department would be challenging. The main reason for this, regrettably, is the increasing demand placed upon us to bring more children into the Council's care.

2 THE DECISION SOUGHT

- 2.1 To accept and note the information in the report.

3 GWYNEDD COUNCIL PLAN PROJECTS 2018-2023

3.1 Supporting People's Well-being

Until the end of March this year, the Council supported our most vulnerable residents by focusing on the attempt to mitigate the impact of poverty by offering support on issues such as benefits and bringing individuals back into employment. Since the beginning of April, our focus has changed, and the aim of the 'Supporting People's Well-being' is to cast the net wider and offer

support to a range of additional fields such as difficulties with raising a family, living healthy and active lives, loneliness, and substance and alcohol misuse. We have already begun the year's work of agreeing on the direction, scope and work programme for 'Supporting People's Well-being'. This is to ensure we make the best use of available resources to address need without delay, to jointly plan services and appropriate interventions, and consider the efficiency of our current provision arrangements. The comprehensive work programme for the year is already yielding results, such as the commencement of tracking and simplifying the grant application systems, to make it easier and faster for families to receive the necessary support. A series of training sessions for Council workers and the Police, collectively, are also in place for the autumn.

3.2 **Supporting Families Strategy**

Work has taken place to identify the demand for support for families across the Council's departments, and to map out the provisions that are already available to support families across Gwynedd, and the way people gain access to these services. This work will improve our understanding of the current situation and will guide the way we plan our response to the needs, jointly with our partners. An exciting development over recent months was the launch of the Gwynedd Family Hub that will provide information on-line for families about the support available to them. Preparatory work has been undertaken to appoint Community Connectors for Families, who will expand on the work of the Gwynedd Family Hub by offering practical support locally. Work is also under way to plan the support that families need in the medium term; a draft work programme has been developed, and financial applications are being prepared to support this important work.

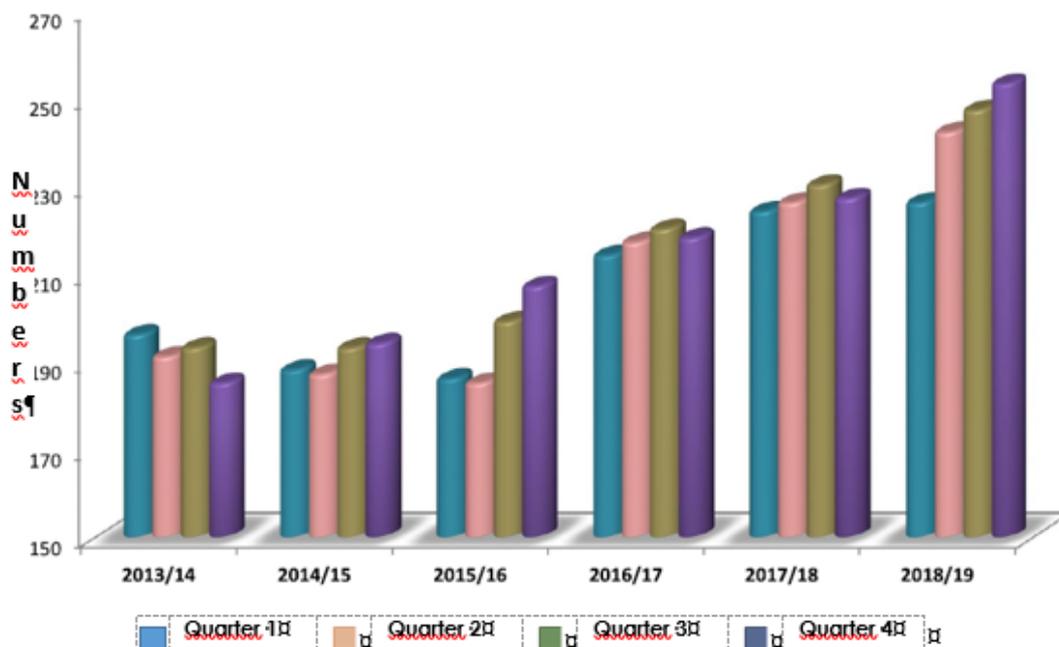
4. **PERFORMANCE AND MEASURES**

- 4.1 In terms of the Department's Performance, the measures continue to suggest a strong performance in practice and safeguarding.
- 4.2 I am pleased to report that the '**Effective Child Protection**' project funded through a Healthier Wales transformation grant is progressing satisfactorily. Staff have been appointed to lead on the work, and the work programme for the year ahead is clear. By the time I issue my next performance report, I will be able to report on the initial developments and outcomes of this work.
- 4.3 Both measures for the Safeguarding field (SCC21 and SCC14), looking at the figures for the end of 2018/19, have slipped somewhat. The SCC14 measure has slipped substantially (**SCC14 - Percentage initial child protection conferences that should have been held during the year and**

which were held within 15 working days of the strategic discussion 59%). The average for the year was 77%, and 14 individual cases were not discussed within the timetable. I accept that there are reasons for several of these, e.g. one case dealt with early pregnancy, and there were delays because of the Court timetable. However, we also lack capacity, which causes delays, such as the Chair's lack of time. Despite the slippage, I have no concerns that unnecessary delays are taking place, and the service keeps a close eye on the reasons for the delays, and on the number of days beyond the expected timetable, in order to identify any problems as soon as possible.

4.4 Another major challenge of which the Service is aware is the increasing demand on our staff's time because of the increasing number of children entering the Council's care. At the end of March 2019, 253 children were looked after by the Council, an increase of 11% since the end of March 2018. Looking at the **SCC021** measure, **Percentage of looked after children reviews held within the statutory timetable during the year**, it is clear that the lack of staffing capacity can lead to delays in holding reviews. This percentage was at 90% between April and June, and although it compares well with previous years, the Department still seeks to improve the situation.

Children in care at the end of a quarter

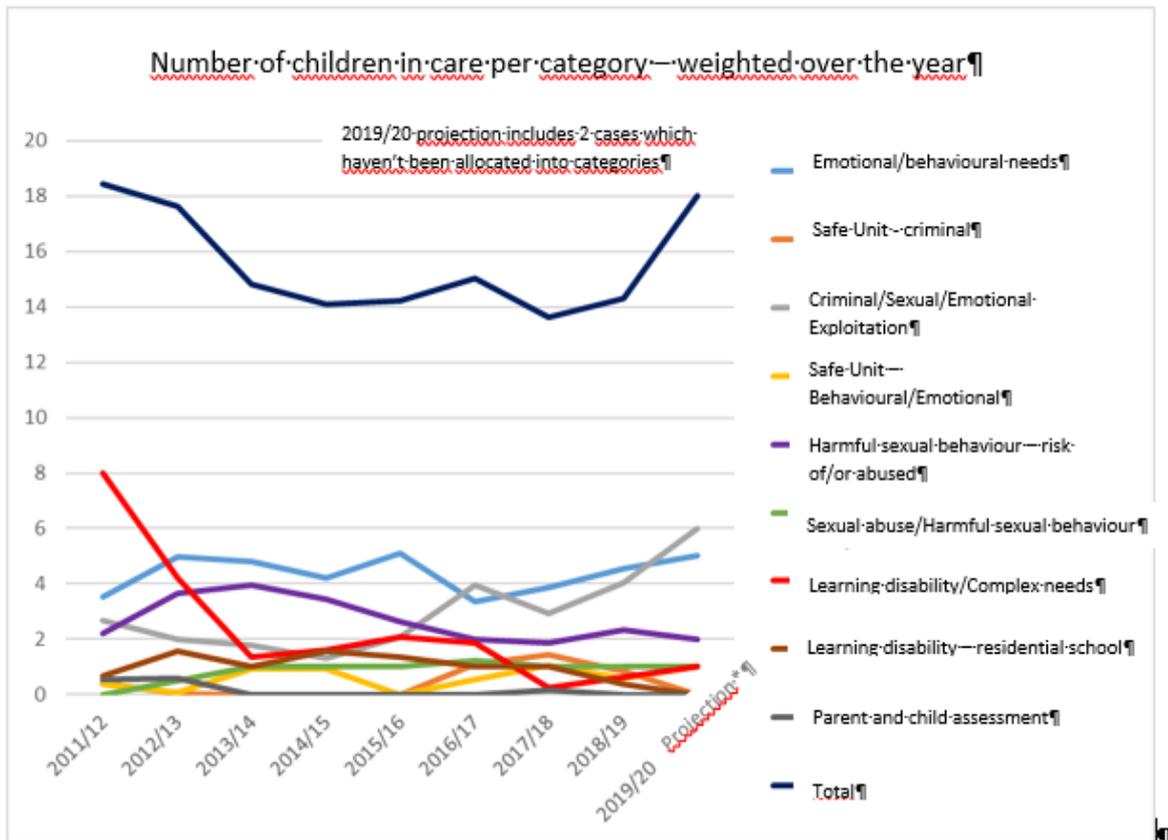


4.5 At the end of March 2019, 65% of looked after children lived in **foster placements**, and 35% of the total were family or friends foster carers. We are concerned about the current lack of general foster placements to fully meet the demand using our own resources. I will discuss this matter with the Department over the coming months.

- 4.6 The number of children wishing to receive professional advocacy services remains low. Although the children eligible for this service are given information about it, only a small number take up the offer. Anecdotal evidence suggests that the children do not want to bring new adults they do not know into their lives at a difficult time for them. They are more likely to ask for support when there is a very specific matter to discuss. I, therefore, do not believe that we should have any concerns about this matter.
- 4.7 The **SCC24** measure, **Percentage of children receiving care during the year and who receive a Personal Education Plan within 20 school days of receiving care or starting at a new school during the year ending 31 March**, has received considerable attention from the Department jointly with the Education Department. Data for the 2018/19 year, at 31%, is of course disappointing. We, therefore, have begun responding in order to resolve any problems. The responsibilities to create a personal education plan ultimately lies with the school. Therefore, plans are beginning to fall into place with the aim of improving the situation.
- 4.8 The Complaints and Customer Care service came under considerable pressure once more between April and June. We received 38 information requests under the Data Protection Act, and only one response took longer than the target of 20 working days. Under the Freedom of Information Act, 15 requests were received, of which three received a response later than the target. Many of these requests are complex and information has to be gathered from archives in other counties. With a staff member returning to full time work in September, I am confident, by the time of my next performance report, that I will be able to report that we are meeting our statutory requirements in these fields.
- 4.9 Three young people experienced homelessness in 2018/19. The **PMC35** measure, **Percentage of care leavers who have experienced homelessness during the year, was at 3.0%**. Since then, all have found accommodation, and I am satisfied that the Service is not facing a long-term problem. Nevertheless, one obstacle, which the Housing Service is aware of, is the lack of suitable and affordable one-bedroom accommodation on the open market or to let. Some of our young people are unable to gain access to accommodation arranged by the Council as these remain full, often because the young people who are already there are unable to find suitable accommodation to move into.

5 FINANCIAL POSITION / SAVINGS

5.1 As you are aware, because of previous reports, the 'End to End' review has been the subject of a joint review between the Children and Supporting Families Department, Finance Department and the Research and Information Manager. This is an eight year, £2.4 million (in total) savings scheme, but we have reviewed the projections for the original savings model and the financial savings from the plan appear to have been too ambitious in light of recent developments in the child care field. The profile of the population of looked-after children has changed, the average cost of residential placements has increased, as have the complexity of cases. The Council faces high financial costs when funding residential placements for children outside the County as their needs are complex and profound, and it is not possible to find placements to meet the need locally in every case.



5.2 As the above graph shows, the number of children in certain types of placements, such as for learning disabilities, has fallen; others, however, such as sexual exploitation / emotional needs / behavioural issues, have increased. The average number of children in out of county placements increased again to 16 in April and May, compared to 14.3 in 2018/19. It is, therefore, unlikely that we will be able to deliver the savings proposed under this plan in 2018/19, or during the current financial year. We will now look at the financial cost and the cost in officer time to propose different solutions - e.g. placing children with their parents, or in out of county placements - in order to offer realistic savings for the future.

5.3 However, the most recent predictions confirm that, currently, we have either delivered a number of the other savings schemes for this financial year, or are on track to complete on time.

6 NEXT STEPS AND TIMETABLE

6.1 None to note.

7 ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

7.1 Views of the Statutory Officers:

i. Monitoring Officer:

No observations regarding propriety.

ii. Head of Finance Department:

The report portrays a fair picture of the Housing Service's progress regarding implementing its savings scheme, with a portion of the savings scheme already realised or on track to be delivered. Nevertheless, I note (in section 5.3 of this report) that there is a substantial risk to delivering the remaining savings required of the End to End Review, for the reasons already noted.

I have already met with the Children and Supporting Families Cabinet Member, the Finance Cabinet Member, the Chief Executive, Head of the Children and Supporting Families Department and other responsible officer, and as a result a 'Children's Finance Taskforce' has been commissioned which will cost associated activities.

Finance officers will also assist the responsible Cabinet Member to monitor the progress against all the schemes, and we will be in a position to report further on such alternative schemes following the next financial review.

7.2 Views of the Local Member:

7.2.1 Not a local matter.

7.3 Results of Any Consultation:

7.3.1 None to note.

Appendices

Appendix 1 - Performance Measures

Performance Measures of the Children and Supporting Families Department

REFERENCE	PERFORMANCE MEASURE	PERFORMANCE 1/4/19 – 30/6/19
SCC021	Percentage reviews of looked-after children held within the statutory timetable during the year	90%
PMC34a	Percentage of those leaving care who are in education, training or employment – 12 months after leaving care I	100%
PMC34b	Percentage of those leaving care who are in education, training or employment – 24 months after leaving care I	100%
PMC33	Percentage of looked-after children on 31 March who have been in 3 or more placements during the year	0%
SCC014	Percentage of preliminary child protection conferences which should have been held during the year which were held within 15 working days of the strategy discussion	89%
SCC034	Percentage of child protection reviews held within the statutory timetable during the year	72%

REPORT TO A MEETING OF GWYNEDD COUNCIL CABINET

Date of Meeting:	23 July 2019
Cabinet Member:	Councillor Cemlyn Rees Williams, Cabinet Member for Education
Contact Officer:	Dilwyn Williams, Chief Executive
Contact Telephone Number:	01286 679685
Title of Item:	Education Department Performance Report

1. INTRODUCTION

- 1.1. The purpose of this report is to update you on what has been achieved in the field for which I, as Cabinet Member for Education, have responsibility. This will include outlining the latest on the pledges in the Council Plan, reporting on the Department's day-to-day work, and the latest in terms of the Department's savings and cuts schemes.
- 1.2. I wish to remind you that all the matters have already been discussed and scrutinised at Performance Challenging meetings, which also included representatives from the Scrutiny Committee.
- 1.3. We are now implementing the 2018-23 Council Plan, and I herein report on progress since April to the end of June 2019.

2. THE DECISION SOUGHT

- 2.1. To accept and note the information in the report.

3. REASONS FOR RECOMMENDING THE DECISION

- 3.1. In order to ensure effective performance management.

4. COUNCIL PLAN PROJECTS

4.1. Strengthening Leadership

- 4.1.1 This project will encourage and promote the professional development of the current leaders of our schools, and ensure that they follow an appropriate programme of professional teaching.
- 4.1.2 The Council has agreed on a procedure with GwE to put relevant training arrangements in place to support the career development of future leaders, and to promote the professional development of the existing leaders in our schools, that system is now in place.

4.1.3 The first scheme of this project will address the challenges around attracting and recruiting leaders and middle managers at Meirionnydd Secondary Schools where the greatest challenges lie ahead.

4.2. 21 Century Schools Programme

The 21 Century Schools Programme plans and realises innovative projects to adapt or build new schools for Gwynedd's children and young people to be educated in the best possible learning environment.

4.2.1 The aim of the **Bangor Catchment Area** project is to review the primary education provision in Bangor, looking to put a new plan into action that will improve the future provision.

4.2.2 Following a decision to build a new school for Ysgol y Garnedd and to close Ysgol Coedmawr and Ysgol Glanadda, the construction work of the new school has commenced and is going well.

4.2.3 Following a decision to extend Ysgol y Faenol, the planning right has been approved, and the tender has been released. We aim to commence work on the site on 1 August 2019.

4.2.4. **Ysgol Godre'r Berwyn** will be a 3-19 Learning Campus, that will also provide services for the local community. The construction work, valued at £10.27million, has ended, with only minor work yet to be completed. The new Headteacher has commenced in post since the beginning of the year, and every post within the staffing structure has been filled. The school will open its doors on 2 September 2019.

4.2.5 As the new Governing Body seeks to set a budget for the school a number of budgetary issues have emerged that will require consideration by the Cabinet in due course. I will report on that in a separate report once we have come to the bottom of the matter.

4.2.6 Initial work has commenced to look at constructing a new school in Cricieth, including research work into the number of pupils in the catchment area, identifying and assessing a list of potential sites, and initial meetings with the Governing Bodies of Ysgol Treferythyr and Ysgol Llanystumdwy.

4.2.7 Research work continues on the **post-16 education provision**, which includes desktop research work by a team from the Education Department, and two reports have come to hand from consultants. I anticipate that a report will be submitted to Cabinet in December 2019.

4.3 Transforming the provision for Additional Learning Needs and Inclusion

4.3.1 The purpose of this project is to transform the additional learning needs and inclusion service, in order to ensure that children and young people who need it have access to the most suitable support to enable them to fulfil their potential.

4.3.2 The focus now is on adapting the service to cope with the change in ALN legislation, with 10 work streams deriving from the Act. We collaborate regionally, and discuss consistency whilst ensuring this in the context of our priorities in Gwynedd.

4.3.3 One aspect that needs to be addressed is the fundamental question, whether we can invest more and earlier in children's lives. I am eager to see the Early Years intervention and the 16-25 Provision being discussed by the Supporting People Board in due course.

4.4 Secondary Sector Language Strategy

4.4.1 The purpose of this project is to ensure a robust follow-up to and build upon the Language Charter for primary schools by extending the support to the Secondary Sector Language Strategy.

4.4.2 The language web is in the process of being undertaken once again at schools in order to measure the trends against the baseline established back in September 2018.

4.4.3 Following the decision of the Cabinet on 2 April 2019, work is moving forward at the Language Centres. It was resolved to implement the pilot scheme of a teacher and assistant at the Maesincla Language Centre, where every Language Centre had submitted a draft plan for providing their own after-care during the Summer Term, from September 2019 onwards.

4.5 The Education Department's day-to-day work

4.5.1 The purpose of the **Catering and Cleaning Service** is to provide nutritious and healthy food for the pupils of Gwynedd Schools and to keep educational establishments clean and safe to assist pupils to reach their potential. Whilst the information we have shows that the service is performing well, sickness levels are high in the service, and further work is being done to understand the reasons for the sickness and to try and resolve the situation.

4.5.2 The purpose of the **Additional Learning Needs Service** is to ensure a consistent and deserving quality support for children and young people. The service is working with schools to improve the system and develop processes for checking quality; and, as a result, we have already seen substantial progress at some schools. I continue to ask the service to consider relevant measures for the field.

4.5.3 The **Behaviour Support Service** collaborates with Gwynedd and Anglesey schools to seek a positive change in the behaviour of young people who experience behavioural, emotional and social development difficulties, with the aim of improving behaviour and reducing the risk of exclusion from school. The service includes four elements, namely early intervention, Llechen Lân, Pecyn 25 and Home Schooling.

4.5.4 It is a pleasure to report that the number of pupils referred for central support have reduced only 22 pupils compared to 38 in 2017/18.

4.5.5 Work is underway to consider an alternative model of providing Pecyn 25 (the scheme that supports those facing exclusion). The aim is to ensure a provision that offers a better range of experiences and qualifications for the learners.

4.5.6 The **TRAC project** is a scheme funded by European funding, which aims to reduce the risk of children leaving Year 11 and being out of education, training and employment. The project offers tailored provision for the individual. So far, the project in Gwynedd has offered support to 657 of the most vulnerable pupils. The project will still be operational until July 2022, and there is an intention to undertake

an evaluation of the project, which will be an opportunity to gather information about the impact of the project locally, along with pre-planning for the period when the current funding for TRAC ends.

5. MEASURING PERFORMANCE

- 5.1. I will report on the performance measures for 2019 later in the year, when the data is available.

6. FINANCIAL/SAVINGS SITUATION

6.1 2016/17 Schemes

- 6.1.1 The saving of £28,681 in 2016/17 for *Ffordd Gwynedd – Salaries and Contracts Unit* has been achieved by the Department, but the self-service element has not been implemented due to the lack of resource from the Finance Department (ICT)

6.2 2017/18 and 2018/19 Schemes

- 6.2.1 In relation to the *Schools' Additional Savings Scheme*, the saving of £298,990 is to be realised by Secondary Schools in 2019/20, with the savings of £198,000 in 2020/21, and £65,000 in 2021/22 on track to be achieved on time.

- 6.2.2 The scheme to *Reduce the time and / or raise a fee for childcare element within the Free Breakfast scheme in primary schools* has not been realised, with the latest situation suggesting a deficit of £103,000, and the Department is considering some schemes in order to fund the deficit.

- 6.2.1 In relation to the *Increase the price of primary schools meals from £2.30 to £2.50* scheme, the latest prospects suggest that there is a deficit of approximately £50,000, as the numbers who order dinner have reduced since the price hike in September 2017; therefore, the scheme is not making expected savings.

6.3 2019/20 Schemes

- 6.3.1 Two new efficiency savings schemes for 2019/20 have been realised.

- 6.3.2 We anticipate some risks to achieving the savings in full for the *Increase the fee for the pre school care club* scheme. These savings are not being realised on the anticipated level, with the latest prospects suggesting a deficit of approximately £10,000 on the income. The Department will research other schemes to achieve this saving beyond the pre school care club.

7. ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

7.1. Views of the Statutory Officers:

i. Monitoring Officer:

No observations to add in relation to propriety.

ii. Head of Finance Department:

I note in part 4 of the report that there are significant developments with financial implications in the field of Education, including the 21st Century Schools Programme capital investment mentioned in section 4.2 of the report.

The report presents a fair picture of the situation of the Education Department in terms of realising the savings plans, with a number of savings schemes already being realised or on track to deliver on a timely basis. However, I note (in section 6.2.2 of the report) that the Department does not wish to realise the saving from the protection fee (relevant to the free breakfast scheme), and that an alternative plan will be required to close the gap.

Similarly, an alternative plan will be required to realise the remaining savings target of raising the price of school meals (see section 6.3.2 of the report).

Finance officers will assist the responsible Cabinet Member to monitor progress against all the plans, and we will be in a position to report further on the progress and alternative schemes following the next financial review.

7.2. Views of the Local Member:

7.2.1 Not a local matter.

7.3. Results of Any Consultation:

7.3.1 None to note.

Appendices:

None.

Background Documents:

None.

Report to a meeting of Gwynedd Council Cabinet

Date:	23 July 2019
Title of Item:	Performance Report of the Cabinet Member for Housing
Purpose:	To accept and note the information in the report
Cabinet Member:	Councillor Craig ab Iago
Contact Officer:	Morwena Edwards, Corporate Director

1. INTRODUCTION

- 1.1 The purpose of this report is to update my fellow members on developments in the fields within my remit as Cabinet Member for Housing. This includes outlining the latest developments of pledges within the 2018-2023 Gwynedd Council Plan; the progress of performance measures; and the latest on the savings and cuts schemes.
- 1.2 This is the first performance report for me as a Cabinet Member for the Housing Service only, without reporting on the culture and leisure fields. I am very eager to tie in the work of the Housing Service with work that is taking place in other departments such as Adults and Children, in order to coordinate Council support for our most vulnerable residents in the best possible way.
- 1.3 I would like to remind you that all matters have already been the subject of discussions and have been scrutinised at the management team meetings of the Adults, Health and Well-being Department, which also included representation from the Scrutiny Committee.
- 1.4 I am generally happy with the progress of the projects within the Council Plan and the performance measures for which I am responsible.

2 THE DECISION SOUGHT

- 2.1 To accept and note the information in the report.

3 GWYNEDD COUNCIL PLAN PROJECTS 2018-2023

- 3.1 **A Housing Strategy for the People of Gwynedd 2019-2014**

The Housing Needs Assessment in Gwynedd has been completed and it forms a strong foundation upon which to develop our new Strategy. This Strategy is being discussed by us as a Cabinet and will go before the Full Council meeting on 18 July. I am confident that the Strategy will respond to the needs identified in the assessment, and I am very pleased that the Cabinet has already earmarked funds to support the implementation of the plan.

4 PERFORMANCE

- 4.1 Although the new Strategy will endeavour to reduce the number of people who become homeless, we also know, of course, that demand for emergency and permanent accommodation will remain. Since 2015/16 when the Housing Act (Wales) 2014 came into force, there has been a gradual increase in the number of individuals presenting themselves to the Council as homeless. This peaked at 768 in 2018/19.
- 4.2 Our Homelessness Unit recognises that the **TAI002** measure, **Time taken to achieve what matters**, shows a year-on-year increase since 2015/16 in the number of work days taken to deliver the needs of the client. Nevertheless, I am pleased to report that the number of days individuals spend in temporary accommodation has fallen over a two year period, from an average of 104.44 days to 89.57 days. One of the greatest barriers that people in temporary accommodation face when attempting to move to permanent accommodation is the lack of one-bedroom accommodation. Affordable accommodation, especially for under 35s, remains a general obstacle to reducing the likelihood of becoming homeless in the first place.
- 4.3 A great deal of challenges and obstacles remain, and these prevent the Service from resolving problems facing our homeless residents, or those at risk of becoming homeless. Other than the lack of one-bedroom properties, these vary from the increased use of bed and breakfast accommodation, individuals being excluded from the housing register because of historical behaviour, or the failure to prove the ability to maintain a tenancy. Rather than punishing people, I have asked that the Service look at how we can help people, and how we can work with other agencies to support these individuals where required.
- 4.4 These problems led me to request that the Homelessness Unit reconsider all the obstacles and provide details and a timetable about which obstacles can be resolved, and which cannot. I will provide more information about this in my next performance report.
- 4.5 Similarly, I have asked that the Unit reconsider the information it gathers for the performance measures, and assess whether the current measures are allowing us to improve our service for the residents of Gwynedd. I will report on this development in my next performance report.
- 4.6 Therefore, we must acknowledge the increasing demand and pressure on the service; likewise, that many of those applying for accommodation have complex and profound needs. Nevertheless, there is a great deal of

successful proactive work that we should celebrate, such as the exciting new project that has been underway since March, jointly with the third sector agencies Cais and Grŵp Cynefin. This is an eight-bedroom accommodation in Bangor offering support for prison leavers with profound needs. By collaborating with our partners, we can succeed in offering the provision our residents need. I therefore look forward to seeing this plan succeed.

- 4.7 Before I submit my next performance report, the General House Letting Policy that the Cabinet recently adopted will have come into force. I intend to ensure that we are able to measure the effects of this new Policy from the outset. In my next report, therefore, I hope to communicate the way the Policy affects the demand for accommodation and our homeless population. Partners will also have a key role in this respect, by providing the right sized accommodation in the right places.
- 4.8 As you are aware, bringing empty houses back into use is one solution to the shortage of suitable homes. Our **Empty Homes Team** continues this year in its endeavours to increase the numbers. Between April and the end of June, five empty houses were brought back into use because of the Council's intervention. During 2018/19 61 empty houses were brought back into use and the target for this year is 90. I would expect most of them, however, to be ready by the end of the year, but I will keep an eye on this target.
- 4.9 One of the Department's major successes is the implementation of the **First Time Buyers Grants** scheme. 300 individuals and families were housed by the end of 2018/19. Our success in securing £1.45 in Welsh Government funds over three years from 2018-23, under the Empty Properties Targeted Regeneration Investment Programme, has meant that we have been able to continue with this important work, and the full amount has already been earmarked. Welsh Government is of the view that we are proactive in planning for the use of these funds, which gives us an opportunity to apply for more funding this year to further expand the scheme.
- 4.10 A very exciting new project is afoot, and it is likely that you will have seen the rightful praise it received in the press: it is the provision of four one-bedroom pods at the Segontium site in Caernarfon. The aim of this scheme is to address the demand for single unit accommodation for people with complex needs. Welsh Government funding was secured to construct them and they will, hopefully, be ready by the end of March 2020.
- 4.11 I am also pleased to announce further increase in the Welsh Government grant funding for **Social Housing Grants**, which brings the total available to £4m. We already have plans in place for the grant and, through collaborating with our partners in different housing associations, we will be able to begin the construction of new developments in 2019/20 in Bangor, Tywyn and Aberdyfi.
- 4.12 In pursuance of Welsh Government's carbon-free targets, we will ensure that these new homes have an EPC (Energy Performance Certificate) A rating.

Although the Government announced a 'climate emergency' in April 2019, and expressed its wishes that Local Governments become 'carbon neutral' by 2030, I challenge its decision that states that a new gas pipeline is needed to supply 300 houses in Tanygrisiau. I believe we need to consider all the options in terms of their environmental impact, cost, and sustainability when planning for the future.

- 4.13 It is clear that homelessness issues often go hand in hand with broader health or social issues; therefore, in looking at our future work, I shall consider the ways we can collaborate with partners in the field of health and social care. As a Council, we have five local teams working across the county to provide comprehensive health and welfare care. And, I have asked the Service to hold discussions with these teams, and others such as GPs or hospital staff, on how we can best present information about housing options to those residents who need it.
- 4.14 Furthermore, a full report on the performance measures related to my portfolio can be found in **Appendix 1**.

5 FINANCIAL POSITION / SAVINGS

- 5.1 Looking back at the final figures for 2018/19, there was an overspend in the funding of temporary accommodation for homeless people. The average across the year increased from 27 to 30, and it is clear, therefore, that we must shoulder these additional costs. Until we begin implementing the new housing strategy, it is difficult for us to manage the demand.
- 5.2 Since our costs are increasing, we intend to attract more income during 2019/20. We will use the housing strategy to apply for grants to support several elements of the vital work of the implementation plan.
- 5.3 It became clear that the Service's savings scheme, 'Reviewing the current structures and locations of the Housing Service', needed to be reassessed. £41,000 of savings have already been made, and we are progressing well with £50,000, but £39,000 remains, which poses a substantial risk to full or partial delivery. By the time of my next performance report, I will have details on the way the Service intends to re-profile the plan or offer an alternative implementation plan.

6 NEXT STEPS AND TIMETABLE

- 6.1 None to note.

7 ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

7.1 Views of the Statutory Officers:

i. Monitoring Officer:

No observations regarding propriety.

ii. Head of Finance Department:

The report portrays a fair picture of the Housing Service's progress regarding implementing its savings scheme, with a portion of the savings scheme already realised or on track to be delivered. Nevertheless, I note (in section 5.3 of this report) that there is a substantial risk to full or partial delivery, and an alternative plan needs to be put in place in order to close the gap.

Finance Officers will assist the responsible Cabinet Member to monitor the performance against this plan, and we will report on this performance and alternative plans in the next financial review.

7.2 Views of the Local Member:

7.2.1 Not a local matter.

7.3 Results of Any Consultation:

7.3.1 None to note.

Appendices

Appendix 1 - Performance Measures

APPENDIX I

Housing Service Performance Measures

MESUR		PERFORMANCE 1/4/19 – 17/6/19
PSR/002 The number of calendar days taken on average to issue a Disabled Facilities Grant	Enable a disabled citizen to live independently and safely in his or her's own home.	201
TAI014 The number of calendar days taken on average to issue a Disabled 'Enablement' Grant	Enable a disabled citizen to live independently and safely in his or her's own home.	71
TAI012 The number of people supported by the removal of hazards from rented housing.	Enable the people of Gwynedd to live in safe and heated housing.	58
PSR/004 The percentage of private sector dwellings that had been empty for more than six months on 1 April which were reoccupied during the year as a result of direct action by the local authority.	Bringing empty homes back into use in order to create safe and affordable housing for the people of Gwynedd.	0.37%