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TUESDAY, 17 JANUARY 2017

TO: ALL MEMBERS OF THE EXECUTIVE BOARD

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **EXECUTIVE BOARD** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN AT 10.00 AM, ON MONDAY, 23RD JANUARY, 2017** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

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EXECUTIVE BOARD MEMBERSHIP 10 MEMBERS

Councillor	Portfolio
Councillor Emlyn Dole	Leader (Plaid Cymru) Corporate Leadership and Strategy; Chair of Executive Board; Represents Council at WLGA; Political Advocate for Council; Appoints Executive Board Members; Determines EBM Portfolios; Liaises with Chief Executive
Councillor David Jenkins	Deputy Leader - Resources (Plaid Cymru) Finance & Budget; ICT; Property / Asset Management; Procurement; Housing Benefits; Revenues; Armed Forces Champion; and Chairs Executive Board in Leader's absence
Councillor Pam Palmer	Deputy Leader - Communities (Independent) Council Business Manager; Community Champion; Customer Focus & Policy, Police Liaison; Community Safety; Social Justice / Crime & Disorder Community Planning; Anti-Poverty Champion; Sustainability; Bio-diversity; Youth Ambassador; Rural Affairs and Chairs Executive Board in Leader's absence
Councillor Hazel Evans	Technical Services (Plaid Cymru) Refuse; Street Cleansing; Transport Services; Grounds Maintenance; Building Services; Catering Services; Caretaking; Building Cleaning; Transport Services; Emergency Planning; Flooding
Councillor Linda Evans	Housing (Plaid Cymru) Housing – Public; Housing – Private; Equalities; Older People
Councillor Meryl Gravell	Regeneration & Leisure (Independent) Economic Development; West Wales European Centre; Community Development; Sports; Leisure Centres; Museums; Libraries; Country Park
Councillor Gareth Jones	Education and Children (Plaid Cymru) Schools; Children Services; Special Education Needs; Safeguarding; Respite Homes; Regional Integrated School Improvement Service; Adult Community Learning; Youth Services; Lead Member for Children and Young People; Eisteddfod Ambassador
Councillor Jim Jones	Environmental & Public Protection (Independent) Environmental Enforcement; Litter; Unlicensed Waste; Dog Fouling; Parking Services; Trading Standards; Environmental Health.
Councillor Mair Stephens	Human Resources, Efficiencies & Collaboration (Independent) Human Resources; Training; Simpson Compact; Priority Based Budgeting (PPB); Corporate Efficiencies; Welsh Language Champion; Town and Community Councils Ambassador.
Councillor Jane Tremlett	Social Care & Health (Independent) Adult Social Services; Residential Care; Home Care; Learning Disabilities; Mental Health; NHS Liaison/Collaboration/ Integration; Carers' Champion; Disability Ambassador; Dementia Care Champion; 50+ Champion.

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF PERSONAL INTEREST
3. TO SIGN AS A CORRECT RECORD, THE MINUTES OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE 22ND DECEMBER 2016 5 - 26
4. QUESTIONS ON NOTICE BY MEMBERS
5. PUBLIC QUESTIONS ON NOTICE
6. SWANSEA BAY CITY DEAL 27 - 52
7. WELSH IN EDUCATION STRATEGIC PLAN (WESP) 2017-20 53 - 86
8. MODEL CAPABILITY POLICY FOR TEACHERS AND HEAD TEACHERS 87 - 140
9. MODEL TEACHERS PAY POLICY 2016-17 141 - 184
10. REVISED STRESS MANAGEMENT POLICY, SMOKING POLICY AND ALCOHOL & SUBSTANCE MISUSE POLICY 185 - 226
11. COUNCIL'S REVENUE BUDGET MONITORING REPORT 227 - 250
12. CAPITAL PROGRAMME 2016-17 UPDATE 251 - 260
13. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972.
14. EXCLUSION OF THE PUBLIC

THE REPORTS RELATING TO THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 14 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007. IF, FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST, THE BOARD RESOLVES PURSUANT TO THE ACT TO CONSIDER THESE ITEMS IN PRIVATE, THE PUBLIC WILL BE EXCLUDED FROM THE MEETING DURING SUCH CONSIDERATION.

15. 5 YEAR CAPITAL RECEIPTS STRATEGY (2015-20) - ANNUAL PROGRESS REPORT	261 - 278
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EXECUTIVE BOARD

THURSDAY, 22ND DECEMBER, 2016

PRESENT: Councillor E. Dole [Chair]

Councillors:

H.A.L. Evans, L.D. Evans, D.M. Jenkins, G.O. Jones, T.J. Jones, P.A. Palmer, L.M. Stephens and J. Tremlett

Present as Observers:

Councillors D.J.R. Bartlett, C.A. Campbell, D.M. Cundy, T. Devichand, J.S. Edmunds, W.G. Hopkins, I.J. Jackson, G. Thomas and J.E. Williams.

The following officers were in attendance:

Mr M. James	-	Chief Executive
Mr C. Moore	-	Director of Corporate Services
Mr J. Morgan	-	Director of Community Services
Ms R. Mullen	-	Director of Environment
Mr G. Morgans	-	Acting Director of Education & Children
Mr P. Thomas	-	Assistant Chief Executive
Ms W. Walters	-	Assistant Chief Executive
Ms L. Rees Jones	-	Head of Administration & Law
Mr J. Fearn	-	Head of Property
Mr S. Davies	-	School Modernisation Manager
Mrs D. Williams	-	Assistant Media & Marketing Manager
Miss S. Griffiths	-	Graduate Trainee Project Officer (MEP)
Mrs M. Evans Thomas	-	Principal Democratic Services Officer

Chamber, County Hall, Carmarthen : 10.00 a.m. - 12.00 p.m.

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor M. Gravell.

2. DECLARATIONS OF PERSONAL INTEREST.

Councillor	Minute Number	Nature of Interest
H.A.L. Evans	10 – Prevention, Early Intervention and Promoting Independent Living	Her mother receives care services.

3. MINUTES - 21ST NOVEMBER, 2016

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Executive Board held on the 21st November, 2016 be signed as a correct record.

4. QUESTIONS ON NOTICE BY MEMBERS

The Chair advised that no questions on notice had been submitted by members. However, he had received notification from Councillors D.M. Cundy and J.S.

Edmunds that they would like to ask questions in relation to agenda item 6 and these would be addressed under the appropriate item later in the meeting

5. PUBLIC QUESTIONS ON NOTICE

5.1. QUESTION BY MR ROBERT WILLOCK TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

“In our first meeting with you last year, you stated that 30% Welsh lessons were too much for the English Children. As an educationalist how have you come to the conclusion that fully immersing children in their weaker language will be more beneficial to the child than learning Welsh second language?”

Response by Councillor Gareth Jones, Executive Board Member for Education & Children:-

“The final decision will be based on educational merits and the best interests of learners.”

Mr Willock asked the following supplementary question:-

“I would like to point out to you that the Unesco Save the Children report Language and Education - The Missing Link 2016 states the exact opposite of the full immersion process. The home language, which in Llangennech 70% of the homes are English speaking, is known as the mother tongue. And if the most important language is usurped by a second language it is detrimental to the child's long term education. We are here today to give our children the best education. If you have not read this report could you please suspend this Board until you have opened your minds and can have a balanced view.”

Councillor Jones responded as follows:-

“Yes, it has been brought to my attention during the last few weeks. International evidence cited by the Welsh Government confirms that the most effective way of developing bilingual children is to immerse them in the less common language whilst also developing their skills in the most common language. The Welsh Government also promotes that for children who are from non-Welsh speaking families that immersion in Welsh in school is particularly important in embedding the language.”

5.2. QUESTION BY MS NIKKI LLOYD TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

The Chair advised that Ms Lloyd was unable to attend today's meeting and had requested that he ask the question on her behalf.

“A pilot was carried out by the School to look into Welsh immersion in the reception classes. We have requested the results from this pilot from the School and the County Council under the Freedom of Information Act 2000. However, we are still waiting for these results. At the time of the pilot only parents who attended the meeting at the School were made aware about it and no follow up letters were issued. The evidence found from this pilot should have been collated and

presented with the proposal. The only time we were told about the pilot was when we were provided with the information through an FOI and it has never been made public. The evidence and results have not been presented with the proposal and it is unknown whether there is an actual demand for Change. According to the School Organisation Code the demand for additional provision of any type in an area should be assessed and evidenced. When looking at the current position within the Llangennech Schools there are currently 121 children from outside of catchment coming into Llangennech School and at the same time 111 Children leave the village to seek education (20 of these pupils have left in recent months as a result of this proposal and uncertainty). These factors have clearly been overlooked. Why has there not been an adequate assessment for demand carried out?"

Response by Councillor Gareth Jones, Executive Board Member for Education & Children:-

"The consultation document and the consultation process have been conducted in compliance with the statutory School Organisation Code. Part 4 of the School Standards and Organisation (Wales) Act 2013 requires Local Authorities to prepare a Welsh in Education Strategic Plan setting out how they will carry out their education functions with a view to improving the planning of the provision of education through the medium of Welsh and improving the standards of Welsh medium education and the teaching of Welsh. Section 86 of the Act provides that the Welsh Ministers may require a Local Authority, in accordance with regulations, to carry out an assessment of the demand among parents in its area for Welsh medium education for their children. The Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013 set out how a Local Authority should go about conducting a Welsh medium education assessment, should this be required by the Welsh Ministers. To date, the Welsh Ministers have not required Carmarthenshire County Council to undertake a Welsh medium education assessment. As we have a high percentage of learners accessing Welsh medium education we are not required by law to measure the demand. Carmarthenshire's Welsh in Education Strategic Plan has been formally approved by the Welsh Ministers. The progressive increase in the number of pupils attending the Welsh stream and the decrease in the number of pupils attending the English stream in the Llangennech schools over recent years clearly shows that there is an increasing demand for Welsh medium education within the area.

5.3. QUESTION BY MRS MICHAELA BEDDOWS TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

The Chair advised that Mrs Beddows was unable to attend today's meeting and had requested that he ask the question on her behalf.

"In a previous Scrutiny Committee meeting Mr Sully stated that his intention is to change all Dual Stream Schools to Welsh Medium and all English Medium to Dual Stream and so on... This will eventually eradicate all English medium schools in Carmarthenshire. Can you confirm if this is also the Authorities long term Education plan?"

Councillor Gareth Jones, Executive Board Member for Education & Children responded as follows:-

“Carmarthenshire County Council has a statutory responsibility under Part 4 of the School Standards and Organisation (Wales) Act 2013 to prepare a Welsh in Education Strategic Plan (WESP) for its area with the explicit aim of improving planning of the provision of education through the medium of Welsh, for improving the standards of that education and of the teaching of Welsh. Carmarthenshire’s last two WESPs have been accepted by Welsh Government Ministers and Carmarthenshire County Council. WESP requires all primary schools in Carmarthenshire, including English medium schools, to move along the language continuum, progressively expanding the proportion of education that is delivered through the medium of Welsh, with a view to ensuring that in time all children leaving primary school are fully bilingual with access to at least two languages.

5.4. QUESTION BY MR STEVE HATTO TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

“According to the latest Pisa report, Wales is still lagging behind the rest of the UK in Maths, Science and English. This could be a direct result of children not being educated in their native tongue. Children who are not quite so bright academically would not reach their full potential if they don't fully understand the lesson being taught and parents not being able to support them at home. Does CCC feel that by pushing the Welsh language so aggressively is worth the sacrifice of the standard of our education?”

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

“There is a national priority in Wales, shared by Carmarthenshire County Council, to increase the number of people in our communities who are able to speak Welsh and use it in their everyday lives. Schools are regarded to be a critically important component in developing children so that they are fully bilingual by the time they leave primary school. We do not accept that education through the medium of Welsh results in lower standards and outcomes. Pisa tests test a range of skills and aptitudes and is administered in the language the child is studying in. There are no Carmarthenshire County Council level results unfortunately or individual level results and therefore it is impossible to ascertain how Carmarthenshire pupils performed in these tests.”

Mr Hatto asked the following supplementary question:-

“Research has proven that children taught in Welsh who come from Welsh speaking homes are more likely to meet their potential. Children from English speaking homes are not meeting their full potential when they are taught all in Welsh. Professor Angelina Kioko in a study from Africa states that using the child’s home language is more beneficial to their education than using a second language. After working for 20 years in colleges in Swansea and Llanelli, every year we asked the students who came from Welsh comprehensive schools if they wanted to be taught in Welsh, they were never ever taken up. Does the Council agree that the case as stated by Professor Kioko is true?”

Councillor Jones responded as follows:-

“I am not familiar with that research myself but I will look it up by the next meeting and have a better answer for you then.”

5.5. QUESTION BY MRS JULIA REES TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

“As a parent of a child with additional learning requirements I obviously feel very strongly about what is going on here today. My son was placed by Carmarthenshire County Council into a short term assessment centre, one of only 3 within Carmarthenshire. He was placed there to assess his requirements before release to mainstream education like many other children each year. All 3 of these assessment centres educate via English medium and there is no Welsh medium equivalent in Carmarthenshire. As stated previously it has been communicated to us that the aim of the council is to discontinue all English medium education by 2022 and that Llangennech School is simply part of this long term plan. How can the council discontinue English medium Education within the County when there are numerous children placed by the County specialists each year into these English medium Assessment centres but no English medium schools to be released to after assessment?”

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

“Carmarthenshire County Council provides for learners with additional learning needs in both Welsh and English languages. The questioner correctly identifies that there are three Observation and Assessment Centres within the county. However, whilst two of these centres educate through the medium of English, the centre located at Ysgol Bro Banw educates bilingually. We also have a Welsh medium unit at Ysgol Nantgaredig. The Welsh in Education policy requires all primary schools in Carmarthenshire, including English medium schools, to move along the language continuum, progressively expanding the proportion of education that is delivered through the medium of Welsh, with a view to ensuring that in time all children leaving primary school are fully bilingual. Expectation for progress applies to all schools, however, the pace at which schools will be able to extend bilingualism and Welsh medium education will depend upon local circumstances. While the WESP requires all primary schools to move along the language continuum, it is not Carmarthenshire County Council’s aim to discontinue English medium education by 2022.”

Mrs Rees asked the following supplementary question:-

“You said that there is bilingual education in Bro Banw but when I spoke to them they said that it is not immersion Welsh and it is simply sort of a sandwich so there is no immersion at the school. I also spoke to Nantgaredig School and they said that because it is part of their main primary it only gives access to children within the locality and not wider areas. So children like my son who was placed inop a Wwelsh medium school but was taken out by the Council to be placed in an assessment centre which was only English, he has got no chance. What are you going to do about that sort of situation in the future?”

Councillor Jones responded as follows:-

“We have spoken previously about this. The answer will be provided within the letter we discussed at that previous meeting. The centre at Nantgaredig caters for a large area. It is not limited to which areas the children travel from.”

5.6. QUESTION BY MR DEAN BOLGIANI TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

“Recent information obtained under the Freedom of Information Act 2000 advised us that Bryn and Bynea Schools have already refused admission requests at the schools despite in previous meetings we were told the Schools were not oversubscribed. The next nearest English Medium School is Hendy which does not have a safe route to school. You have informed us throughout this consultation that it is not the Authorities intention for any child to leave Llangennech School but it is obvious that you have already driven some away and the welcome mat has been pulled up by the chair of Governors openly stated that English Speaking children are detrimental to the Welsh speaking children’s Education. If English Medium is removed from Llangennech the freedom of choice for parents is also being removed. Could you please answer this question this time as to where you are going to cater for pupils who seek English Medium Education as it will no longer be available at Llangennech for those who seek it?”

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

“The County Council is not proposing alternatives to Llangennech School for local children. We maintain that all the needs of the learners can be met at Llangennech School. It is the Local Authority’s desire that all current pupils remain at the school and that in the future local children attend their village school, receiving education principally through the medium of Welsh with English being taught as a subject in Key Stage 2 and used as a medium of instruction in some other lessons in the later years of the school. It is Carmarthenshire County Council’s aim that all children become fully bilingual by the time they leave primary school with access to further opportunities and choices when they leave the school. The County Council is obliged to facilitate parental preference only where this is consistent with the effective delivery of education and the efficient use of resources. No parent has a right to demand a place at any particular school for their child or children. School places are allocated on the basis of the Council’s published Admissions Policy which favours children attending their local or designated school. Children are admitted to a school other than their designated school upon application by parents when places are available and subject to the over-subscription criteria set out in the published Admissions Policy. As the Admissions Authority for all schools within Carmarthenshire, the Council is impartial and legally cannot advise parents on the choice of schools for their children. The Admissions for Parents booklet provides parents with all the information required to help choose the school of their choice e.g. language choice, faith schools etc. I-Local is also available to help identify the schools from the applicant’s home address and postcode. The number of places available in schools is very fluid and can change daily. There are a number of schools where demand for places exceeds the number of places available.”

Mr Bolgiani asked the following supplementary question:-

“During this long on-going process Mr Sully has spoken about catchment areas. Even during the last scrutiny meeting Sully raised concerns that I had delivered an objection questionnaire at the Bryn which he stated was out of area. Following a Freedom of Information it appears 456 of the pro submission questionnaires had no street names or any post codes and only 32 were actually from Llangennech. If so, could you please confirm that the pro change submission forms have been withdrawn as they are out of catchment area being LL16 Denbighshire, LL58 Anglesey, CF35 Bridgend, CG71 Pontypool, CF36 Porthcawl, SA32 and SA31 Carmarthen, SA17 Kidwelly/Ferryside, SA4 Swansea and SA18 Ammanford/Glanamman.”

Councillor Jones responded as follows:-

“All the letters received have to be considered because it is a personal viewpoint from these people.”

5.7. QUESTION BY MRS KAREN HUGHES TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

“The KeepDualStreamCommittee are members of the Llangennech community who have voluntarily given up their time and money to ensure that the majority within Llangennech have a voice. To date, any questions have been met with responses such as ‘We must do it because it’s the WESP’ or ‘Carmarthenshire Council know what’s best for your child’s education’ or that ‘there is no demand for Dual Stream’. These are simply speculative, misleading non-factual statements and prove that real issues are not being addressed. Concerns regarding children with disabilities learning abilities, to the emergence of social divisions, increased traffic through Llangennech as children are unnecessarily being shipped in and out to pursue educational language choices, detrimental effects on the environment and promotion of healthy lifestyle are all failing to be even acknowledged. Plus we must not forget the negative impact on the Welsh language itself which most parents had embraced as Llangennech has always been supportive of its culture, heritage and language. We are astounded that none of these factors have been built into the Community Assessment despite there being a legal necessity to provide ‘due regard’. It appears it is just a tick box exercise and nobody appears to be taking it seriously or providing workable solutions but instead is using the WESP as a defence mechanism. It is ironic that the purpose of the Community Assessment is to inform the WESP and highlight risks in order to ensure that what is implemented is fit for purpose. Out of all the issues raised by the Community, none have been recorded in your risk assessments. This begs the question what is the purpose of doing this consultation when the majority opinion and concerns are being overlooked. Can you explain the logic for ignoring an informed and democratic decision making process and how can you see this as a positive?”

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

“The consultation document has been prepared and the consultation process and the statutory objection period have been conducted in compliance with the statutory School Organisation Code. We have to follow that process. Carmarthenshire County Council has agreed to determine proposals in relation to

school reorganisation. Prior to the beginning of the consultation period on 25th January, 2016 the consultation document was considered by the Education Scrutiny Committee and the Executive Board and permission to consult was granted. Following the end of the consultation period on 18th March, 2016 a consultation report was prepared containing all the submissions received including all supportive comments and objections in response to the consultation period. This report also contains Estyn's and the School's response to the proposal. The consultation report was presented to the Education Scrutiny Committee and the Executive Board and the contents of the report were considered. In July 2016 the Executive Board granted permission to publish the proposal via Statutory Notice. The Statutory Notice was published on 5th September, 2016. Following this an objection report has been prepared containing all objections and supportive comments received in response to the Statutory Notice and the Local Authority's responses to these submissions. The report was presented to the Education Scrutiny Committee on 21st November, 2016 and will ultimately be presented to the County Council for their determination. At each stage of the process, each report has been carefully considered by members before a decision to proceed has been made. Throughout the process, the department has accommodated requests and has shared correspondence with interested parties, demonstrating openness and transparency."

Mrs Hughes asked the following supplementary question:-

"I think we can agree that the objective of the consultation and the Community Impact Assessment is to ensure that the consultees can shape and influence the proposal. The expectation being that those impacted the most have the biggest voice. From a Freedom of Information request supplied by yourselves it is clear that from within Llangennech village a whopping 700+ object to these proposals whilst there are only 32 in support. This is a hugely unsupported and problematic proposal and for this consultation to be effective it needs to take account of these views. Please can you evidence how you have revised your proposals according to the responses to ensure that the 95% of objectors from the village aren't ignored. Failure to do so shows closed minds and by de facto a failed consultation process."

Councillor Jones responded as follows:-

"As I mentioned previously we have to consider all the consultations sent in, which I know you are not happy with that situation but there is nothing I can do about that unfortunately, it is part of the process. Certainly this will be added to the evidence that has been produced and it is important that you have had a chance to air your views again this morning."

5.8. QUESTION BY MR NIGEL HUGHES TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

"The elimination of dual stream in Llangennech will have a massive effect on discouraging non Welsh speaking professional people moving into the area. If they have young children who have had their education in English in their early years, then they are unlikely to move into the area. This will have an adverse effect on house prices and investments from outside the county. Carmarthenshire County Council's long term strategy appears to be seeking to create a county of

isolation and seclusion. Please explain how you are planning to attract new businesses and talent to the County when you will only teach children in one of the two recognised languages of Wales and not provide families with any choices? This appears to be another oversight by the local councillors that wrote the WESP which does not appear to have considered the longer term impacts.”

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

“There are already many Welsh medium schools within Carmarthenshire successfully educating pupils from English/other backgrounds, with pupils succeeding. The evidence for the Llangennech schools confirm that children in the Welsh language stream from non-Welsh speaking homes achieve consistently good outcomes in all subjects, including the English language. The education at Llangennech School will be bilingual with English being taught as a subject in Key Stage 2 and used as a medium of instruction in some other lessons in the later years of the schools along with the Welsh language. It is Carmarthenshire County Council’s aim that pupils will be fully bilingual in both Welsh and English languages when they leave for secondary school. Carmarthenshire County Council regard the Welsh language as an advantage and a key skill for employment in Carmarthenshire and Wales as bilingualism will increasingly over time become an employment skill. For example, all public organisations in Wales are subject to new statutory Welsh language standards and progressively over time will need to recruit increasing numbers of Welsh speakers to deliver services. Possessing Welsh language skills will increasingly over time give individuals a competitive advantage when seeking employment.”

Mr Hughes asked the following supplementary question:-

“As I said, Wales has two recognised languages, Welsh and English. I think that you are underestimating the importance of having a good education in English. In this modern economic world English is a recognised business language of over 2 billion speakers and is vital to the economic and educational future of the children of Wales. How do you see its removal as a benefit when other countries are seeking to use it more and more?”

Councillor Jones responded as follows:-

“We are not seeking to remove English as a subject at Ysgol Llangennech or within the county. It is very, very important as a key employment skill, you also need your English. With being bilingual it will add to the advantage that these children have already.”

5.9. QUESTION BY MR PHILLIP WILLOCK TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

“We are about to discover whether you, like the open minded Mr Campbell believe in Welsh education by compulsion. You have asked for the public’s opinion via the statutory consultation and we are now very interested as to whether you are going to listen to it. Given that the majority of Llangennech’s responses are objections to the change are you going to assume an authoritarian approach on this consultation?”

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

“I cannot speak for other members’ views regarding the proposal, however, whilst considering all of the submissions received, the decision on whether or not to proceed with the proposal must, by virtue of the law, be made on the grounds of the best interests of learners. It is, therefore, the educational merits that must be the determining factor in decision making, rather than the number of responses received in favour or against the proposal.”

Mr Willock asked the following supplementary question:-

“Early years children are disadvantaged if they are not taught in the main language of the household. Research by Dr. Angelina Kioko, along with Helen Pinnock’s Unesco report and the Pisa test results show this. In the Pisa results, Finnish children start school age 7 and are taught in the language of the household. Finland, who finished fifth in the Pisa results, were only a handful of marks behind the first place Singapore. Finland, like Wales, has an indigenous language of Suomi. By embracing the household language for the need of the children and not making political, ulterior motives with education, Finland are forging ahead of Wales. Have the Executive Board considered any other reports rather than Professor Donaldson and if so, who were the authors and did they pick the reports that suited their motives?”

Councillor Jones responded as follows:-

“We are bound by Welsh Government legislation as well as other reports. I know that officers make sure that they are up to date with all the current issues concerning bilingualism.”

5.10. QUESTION BY MRS SALLYANN THOMAS TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

The Chair advised that Ms Thomas was unable to attend today’s meeting and had requested that he ask the question on her behalf.

“A recent wide ranging consultation was conducted by the Welsh Government to find out the views from myriad sources for its long term vision for the Welsh language. The aim of WAG is to create a million bilingual speakers of Welsh and English by 2050 however, the results from this consultation are still being reviewed. Undoubtedly the findings will have a major impact on how we deliver our education system in Primary Schools. What reasons do you have for not waiting for the recommendations of this independent panel Wales consultation due early in 2017 before any change is decided to any of our schools in Carmarthenshire?”

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

“Prior to the publication of the “Consultation on a Welsh Government Draft Strategy: A Million Welsh Speakers by 2050”, the Welsh Government already had

and continue to have legislation and requirements of Local Authorities in respect to Welsh medium education. In 2010 the Welsh Government published its national policy "Welsh Medium Education Strategy 2010" for developing Welsh medium education across the nation. The national strategy sets out the Welsh Government's views on the importance of Welsh medium education to outcomes for learners and to the ambition to develop bilingual citizens. The Welsh Government also published the "Welsh Language Strategy 2012-2017 – A Living Language: A Language for Living". This national policy considers the conditions that are needed to promote a greater use of the Welsh language by children and young people in all aspects of their lives and proposes a set of high level actions to secure their goal. Carmarthenshire County Council as well as other Local Authorities in Wales must continue to adhere to these legislations and requirements regardless of the consultation to create a million Welsh speakers. Part 4 of the School Standards and Organisation (Wales) Act 2013 requires Local Authorities to prepare a Welsh in Education Strategic Plan setting out how they will carry out their education functions with a view to improving the planning of the provision of education through the medium of Welsh and improving the standards of Welsh medium education and the teaching of Welsh. This places duties on Carmarthenshire County Council to enhance and expand Welsh medium education. We also have a responsibility to respond to Carmarthenshire County Council's report that was developed following the 2011 Census which showed that the percentage of the number of Welsh speakers in Carmarthenshire had decreased and for the first time in history, fell under half. In addition, the process for any proposal must be conducted in compliance with the statutory School Organisation Code. The School Organisation Code states that "under section 53 of the 2013 Act, determination by the proposer must be made within 16 weeks (112 days) of the end of the objection period. Where the proposer fails to determine the proposal within the period of 16 weeks it is taken to have withdrawn the proposal and it is required to republish the proposals if it wishes to proceed."

5.11. QUESTION BY MS VICKI FREEMAN TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

"Many Doctors and nurses in the NHS are from a different ethnic background. A lot of nurses are Filipino and Indian, and a vast majority of Doctors are from the middle and Far East. English is already their second language. Carmarthenshire has many vacancies in both professions. There has been discussion as to why so few people apply for these jobs. Many answered that as their children already speak two languages, they feel it would be too difficult to move to this area when the Welsh language is being forced onto non Welsh speaking immigrants. This was especially a concern when children were already 8 or 9 years of age and never been exposed to the Welsh language. Is CCC aware that by heading on the path to eradicating English medium education, it is going to affect the whole infrastructure of the county and prevent professional immigration into our local NHS and other businesses?"

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

"The Education Department provides support to all of its pupils throughout the county including to latecomers who may come from different backgrounds/ non-Welsh homes. All schools within the county are dedicated and committed to

educating and supporting all pupils to the best of their ability and we have many success stories of learners from different backgrounds becoming very proficient Welsh speakers. I am also sure that any person, regardless of backgrounds, wishing to move to Carmarthenshire, or indeed any part of Wales, will consider all of the factors questionable, including the two national languages of the country before making their decision. When making their decision, each person will have considered the standard and the language of instruction of the education that their children may receive at their local school. It must also be remembered that Carmarthenshire County Council as well as other Local Authorities in Wales, must follow legislation and requirements provided by the Welsh Government. Policies published by Welsh Government will have been scrutinised before being approved.”

Ms Freeman asked the following supplementary question:-

“How do you intend to cater for children with disabilities? I have a child with disabilities who is struggling with English alone. If she is forced to now change into Welsh, she is not going to manage her education. It hasn't been captured in your disability assessment.”

Councillor Jones responded as follows:-

“We have a policy that we try to cater for all possible additional learning needs within the county. I wasn't sure if you were referring to the NHS or the Education Authority there but we will have as much support as possible for you and your family.”

5.12. QUESTION BY MS ORLA WILLIAMS TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

The Chair advised that Ms Williams was unable to attend today's meeting and chose to ask her question on her behalf.

“CCC is segregating and marginalising the current and future bilingually and English stream learners in Llangennech school by not providing a suitable pathway for those learners. In Welsh government legislation, English and Welsh have equal status. But not if you live in East Carmarthenshire. The move to Welsh only in Llangennech, where there is a high percentage of out of catchment middle class parents on their way to J48 of the M4, and insisting on Welsh only is a flawed plan by the County Council. What provision is being put in place to raise performance in Hendy Primary, Strade Comprehensive to justify this exclusionary practice and to provide an equivalent high standard of education in Llangennech for parents who wish and require their children to be educated bilingually as Bryn School does not have the same bilingual ethos, performance, outcomes or leadership to allow children to that Llangennech currently offers and why parents choose the bilingual stream. Maintaining the bilingual stream in Llangennech will help reach the government target of 1 million Welsh speakers by 2050. By excluding families from bilingual education will not encourage or embrace those families willing to take the first steps into fluency. This proposed policy will exclude; discourage some families from speaking Welsh and create division and an unequal, divisive education provision in East Llanelli. Surely it is better to welcome people in as proven by studies in Catalan, Finland and Lithuania where

truly bilingual education is proven by success in performance, PISA and international performance. Would looking for inclusive solutions not better serve the current intake and future generations of our community and provide a better legacy for this Council?"

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

"As stated previously, it is Carmarthenshire County Council's aim to create bilingual individuals with the skills to be able to read, write and speak fluently in both Welsh and English languages. As a result of this proposal, pupils will leave Llangennech School with two first languages and proficiency in both Welsh and English. This proposal seeks to provide this opportunity to all of the pupils at the Llangennech schools. Carmarthenshire County Council have a policy of parental choice in regard to school admissions but priority is given to catchment area pupils. The County Council is obliged to facilitate parental preference only where this is consistent with the effective delivery of education and the efficient use of resources. No parent has a right to demand a place at any particular school for their child or children. School places are allocated on the basis of the Council's published admissions policy, which favours children attending their local or "designated" school. Children are admitted to a school other than their designated school upon application by parents when places are available and subject to the over-subscription criteria set out in the published Admissions Policy."

5.13. QUESTION BY MR DARREN SEAWARD TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

"Councillor Gwyn Hopkins has stated many times that those opposing the changes are a vociferous minority and has peddled this fairy-tale in the press. Given that there are over 750 objections, probably the largest appeal in the history of Llangennech, it is unfortunate that after being a County Councillor for over 20 years that Mr Hopkins does not understand the needs and wishes of his electorate better. It also begs the question, what other poor judgements have been made during this consultation. We believe it would be fairer to all, including the new candidate that this decision be postponed until after May 2017 elections when a new candidate is appointed and confidence can possibly be restored and that the village has a representative voice. Do you agree this should be delayed?"

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

"It is not my place to comment about Councillor Hopkins' views, however, I'm aware that he is the local member for Llangennech and he will have local information regarding the area. The process for any proposal must be conducted in compliance with the statutory School Organisation Code and that is the process."

5.14. QUESTION BY MRS JACQUELINE SEWARD TO COUNCILLOR GARETH JONES, EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN:-

“It really saddens us to see how much our once close knit community has been divided by this proposal. We seem to have overlooked what is important here which is infact we have an extremely successful dual stream school that caters for all. Llangennech School has an excellent reputation and is sought after by many who are even willing to travel from outside of area to be educated at Llangennech. Many of the children in the Welsh Stream would not have tried it if the school was a Welsh only School and this is what we must recognise. The Welsh Government wants one million speakers by 2050. The Welsh language should be desired not forced and by taking parents choices away we will only end up diluting the welsh language not increasing it. Llangennech is already contributing to increasing the number of Welsh speakers and will continue to do so as a dual stream. Other Schools need to follow our example. Let’s look at the impact this proposal has had on Llangennech community who have embraced the Welsh language for years. It does make us wonder how would other Schools especially all English Medium School would react if faced with the same proposal as per the wishes of Mr Sully to make every school in Carmarthenshire Welsh medium. This will create resent and end up damaging the Welsh Language which is certainly not what we want. We want our children to continue learning Welsh as they are able to do now in the dual steam but at their own pace and parents choice. From our last exercise we have hard proof of 750 people against the proposal. There were 698 support comments submitted but following an FOI request we have been made aware that a large majority who commented were not even from the village or even county. We have asked again under an FOI for a further breakdown of streets so a true analysis can be made. But unfortunately as usual this is not readily available. For a number of years before this proposal, figures and people have been manipulated to present a false picture of the demand in the village. The people of Llangennech have spoken and it’s about time they were finally listened to. Can you honestly make such an important decision about our children’s future and education when so many questions are still unanswered?”

Councillor Gareth Jones, Executive Board Member for Education & Children, responded as follows:-

“We have confidence that Llangennech schools’ reputation and standards will not change as a result of this proposal. The proposal seeks to improve even further the opportunity for children attending the schools to secure continually improving outcomes. As stated previously, children at Key Stage 2 will receive a bilingual education, with English being taught as a core subject and used as a medium for instruction in some other lessons in the later years of the school. It must also be remembered that current pupils at the school will not be affected by this proposal. We are aware that objections and supportive comments were received from outside the area of Llangennech, however, each person has a right to voice their personal opinion. The decision on whether or not to proceed with the proposal must, by virtue of the law, be made on the grounds of the best interests of learners. It is, therefore, the educational merits that must be the determining factor in decision making, rather than the number of responses received in favour or against the proposal.”

Mrs Seward asked the following supplementary question:-

“None of the questions have really been answered here today and as usual the same pre-printed answers are passed on to each Chair or Councillor on the day to read. They don’t address the questions at all. Llangnenech has just over 1600

houses. We had 757 objections and that proves that 4.5% only supported the change and 95% were against the change. Even though everyone is entitled to an opinion, we were told at the beginning that we were a minority and that the village didn't want it but obviously now we have proved that we are not a minority. 95% of the village do not want this change. Surely it should be the parents' choice what they want their children to be educated in and not the Council's beliefs to make that decision. We know you may have made up your mind already before coming here today but we do urge you to look at the facts and now listen to the people. Are you going to now listen to the 95% of the village and respect their wishes?"

Councillor Jones responded as follows:-

"Certainly, we are listening to you this morning. It is all part of the process and I am listening very, very carefully to what you are saying."

The Chair thanked the questioners for their attendance at the meeting.

6. ADJOURNMENT

At 11.00 a.m. the meeting was adjourned for a short break.

7. RECONVENED MEETING

The meeting reconvened at 11.15 a.m.

8. MODERNISING EDUCATION PROGRAMME - PROPOSAL TO DISCONTINUE LLANGENNECH INFANT SCHOOL AND LLANGENNECH JUNIOR SCHOOL AND ESTABLISH LLANGENNECH COMMUNITY PRIMARY SCHOOL

The Board considered a detailed report on the proposal to discontinue Llangennech Infant School and Llangennech Junior School and establish Llangennech Community Primary School.

Following the retirement of the headteacher of Llangennech Infant School at the end of the summer term 2013 a soft federation was established with the headteacher of Llangennech Junior School. On 24th September, 2014 the Governing Bodies of both school resolved to pursue a formal federation as from April, 2015.

The Local Authority currently offered full time learning provision for 4-11 year old through the medium of Welsh and English at the federated Llangennech Infants and Junior Schools. As part of the new 3-11 primary school which would include nursery provision, it was proposed to change the current linguistic categories of Llangennech Infant School (Dual Stream (DS)) and Llangennech Junior School (Dual Stream (DS)) to a new Welsh Medium (WM) language category school which would increase the provision of Welsh medium education in Carmarthenshire and would ensure that bilingualism was increased in the Llangennech area. It would ensure linguistic continuity from the nursery sector along the key stages to the secondary sector so that every pupil would become fluent and confident in Welsh and English, as detailed in the Welsh in Education Strategic Plan (WESP) 2014-17.

As a result of a small extension to the consultation period, the pre-election period and the high number of responses received during the consultation period, the dates for the proposal had changed. This was in order to ensure that sufficient time was allowed for people to express their views and that the school holiday period did not impede on the process. It was therefore proposed:-

- (i) to discontinue Llangennech Infant School on 31st August, 2017;
- (ii) to discontinue Llangennech Junior School on 31st August, 2017;
- (iii) as from 1st September, 2017, to establish a new 3-11 Welsh Medium (WM) language category Community Primary School with nursery provision (hereinafter called the “New School”) on the existing sites and buildings of the current Llangennech Infants and Junior Schools. The current capacity of both schools would remain unchanged but would be reviewed and adjusted accordingly should the demand arise in the future.

In accordance with the Executive Board’s instructions at the meeting held on 4th January, 2016 (minute no. 15 refers) a formal consultation exercise was undertaken between 25th January and 18th March, 2016, the results of which were appended to the report.

At the meeting held on 26th July, 2016 (minute no. 9 refers) the Executive Board approved the publication of a Statutory Notice to implement the proposal. The Statutory Notice was published on 5th September, 2016 and provided objectors with 28 days in which to forward their objections in writing to the Council. The Statutory Notice period was due to end on the 2nd October, 2016, however, following a request from an interested party, the Director of Education & Children’s Services agreed to extend the statutory objection period by one week, until 9th October, 2016.

A total of 1,418 submissions were received to the Statutory Notice and an Objection Report which summarised the objections and the supportive comments receive together with the Local Authority’s responses to these submissions was appended to the report.

Should the County Council agree to implement the proposal, Llangennech Infant and Llangennech Junior Schools would be discontinued on the 31st August, 2017 and a new 3-11 Welsh Medium Community Primary School would be established on 1st September, 2017.

Officers were satisfied that there were no other related proposals, the statutory proposal had been consulted upon and published in accordance with the School Organisation Code and contained all the relevant information and, having considered the consultation document and consultation report, the objections and any responses to the notice supporting the proposal in the objection report, recommended that the Executive Board recommend to Council the implementation of the proposal as laid out in the Statutory Notice.

In accordance with CPR 11.1 Councillor D.M. Cundy referred to the recommendations of the Welsh Language Census Working Group which were passed by County Council in April 2014. He pointed out that the public consultation was not undertaken and the responses not brought back to Council for ratification. He therefore queried whether the proposal should be held until due process had been followed. The Executive Board Member for Education &

Children clarified that the recommendations of the Working Group were included in the WESP 2014-17 which was one of the drivers behind the proposal. The Chief Executive further clarified that the process was not flawed as the proposal was not dependent upon the Working Group's recommendation in relation to consultation.

In accordance with CPR 11.1 Councillor J.S. Edmunds asked why, in view of the fact that Llangennech School is one of the best schools in the county and a successful model of community cohesion, the Council is looking to divide the community and destroy the cohesion that Llangennech has enjoyed. The Executive Board Member for Education & Children clarified that the Authority is not trying to divide the community but is following Welsh Government policies and other national drivers such as the aspiration to increase the number of Welsh speakers. Councillor Edmunds asked whether the Board was concerned over the message this decision was sending to the rest of Wales. The Executive Board Member for Education & Children stated that the Council was sending out a very positive message as the consultation process and community involvement undertaken has set an excellent example for the rest of Wales.

RESOLVED TO RECOMMEND TO COUNCIL

8.1 that the submission received to the Statutory Notice and the Authority's responses thereto, as detailed in the Objection Report, be noted;

8.2 that, being satisfied that there are no other related proposals; that the statutory proposal has been consulted upon and published in accordance with the School Organisation Code and contains all the relevant information and, having considered the consultation document and consultation report, the objections and any responses to the notice supporting the proposal in the objection report, the proposal as laid out in the Statutory Notice be implemented.

9. PUBLIC SERVICE BOARD SCRUTINY

The Executive Board was advised that Public Service Boards have replaced the former Local Service Boards and are specifically required to:-

- (a) Undertake a wellbeing assessment for the area;
- (b) Set local wellbeing objectives as part of a wellbeing plan;
- (c) Take all reasonable steps to meet those objectives.

The Wellbeing of Future Generations (Wales) Act 2015 requires a designated overview and scrutiny committee of a Local Authority to have a key role in assuring democratic accountability of the Public Service Board via its prescribed role as outlined in the Act. The designated scrutiny committee would be specifically expected to:-

- Formally receive the Wellbeing Assessment and Wellbeing Plan from the Public Service Board;
- Act as a statutory consultee for the Wellbeing Assessment and Wellbeing Plan;

- Review the Wellbeing Plan if directed to by the Welsh Minister (who has the power of referral but not approval).

Chapter 6 of the Welsh Government Shared Purpose: Shared Future: Statutory Guidance 3 states that:-

“174. In order to assure democratic accountability there is a requirement for a designated local government scrutiny committee of the relevant local authority to scrutinise the work of the Public Service Board. It will be for each local authority to determine its own scrutiny arrangements for the Public Service Board of which it is a member. For example, existing legislative powers can be used to put in place joint arrangements, such as ‘co-opting’ persons who are not members of the authority to sit on the committee, and where appropriate to appoint joint committees across more than one local authority area.

175. While it will continue to be entirely legitimate for a subject scrutiny committee (such as a children and young people’s scrutiny committee) to scrutinise the public services board’s work in relation to a specific issue, it is important that one committee takes an overview of the overall effectiveness of the board. This is the reason one committee must be designated to undertake this work.”

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that the Policy & Resources Scrutiny Committee be designated as the Authority’s Scrutiny Committee for the purposes of scrutinising the work of the Carmarthenshire Public Service Board and that this function be reflected in Article 6 of the Council’s Constitution.

10. PREVENTION, EARLY INTERVENTION AND PROMOTING INDEPENDENT LIVING

[NOTE: Councillor H.A.L. Evans, having earlier declared an interest in this item, left the meeting prior to the consideration and determination thereof.]

The Board was advised that the Social Services and Wellbeing (Wales) Act placed a statutory responsibility on Local Authorities to promote preventative services for the local population. Consultation conducted by Integrated Services with older people showed that maintaining independence and staying connected with their community was a key priority.

The strategy outlined ways in which preventative services would be embedded across the whole provision to promote independence and ensure that early intervention strategies were used to keep people as well and self-sufficient as possible. The strategy was an essential component in delivering cost savings, but these would be achieved within the context of promoting independence and providing the right support at an early stage so that crisis is avoided.

It was noted that, whilst cost savings would be delivered through initiatives such as right sizing packages of care and improved information, advice and assistance provision, extra funding had been secured through the Intermediate Care Fund to ensure that services outlined in this strategy were robust and able to deliver not only efficiencies in the long term but improve community services as a whole and promote the ethos of independence and personal responsibility for wellbeing.

UNANIMOUSLY RESOLVED that the Prevention and Early Intervention Strategy for Carmarthenshire's Integrated Services be approved.

11. SCHOOL STAFF ABSENCE SCHEME

The Board was advised that most schools currently sourced their own insurance policies through a range of providers to cover the replacement costs of teaching, learning support and other staff absent from school. The cover provided by these insurance policies vary greatly, as do the costs and the benefits. 105 schools were currently covered by insurance policies with premiums costing in excess of £1m for primary and secondary schools. Income received from claims in recent years was approximately £850k.

In order to ensure value for money, officers had undertaken a review of the external insurance provision, in consultation with schools within the county and research indicated that a Schools Staff Absence Scheme provides financial and operational benefits to schools and the Local Authority where similar schemes have been introduced.

The scheme has been designed to operate on the principles of partnership and the purpose of raising funds from its membership which can then be used to provide common shared benefits to all members of the scheme. Current insurance premiums and absence patterns within Carmarthenshire schools have been considered in developing the scheme and officers were satisfied that a well administered and structured Schools Staff Absence Scheme could operate successfully in the county, subject to sufficient membership by schools. Based on current levels, a surplus net of expenditure and administration costs would be achieved for the benefit of the members of the scheme instead of them paying insurance premiums to external providers at a net loss when compared to the reimbursements received.

In the event of the level of claims from scheme members exceeding the available funds, the deficit would be carried forward and offset against future year gains. It was therefore in both the schools' and the Authority's interest to manage attendance positively and proactively, in line with policies, to benefit from reduced premiums in future years. Based on the data available and a commitment from all interested parties to adhere to guidance and policies, the risk of a deficit was deemed to be low.

The Schools Staff Absence Scheme would operate initially for a period of two years commencing on 1st April, 2017 until 31st March, 2019 and would operate as a non-profit making partnership fund for the benefit of participating members. It would be reviewed annually to ensure ongoing financial viability into subsequent financial years.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that the establishment of a Schools Staff Absence Scheme be endorsed.

12. COUNCIL TAX BASE 2017-18

The Board was reminded that the Council was required to determine, on an annual basis, its Council Tax Base and the Council Tax Base of each community within its area, for the purpose of calculating the level of Council Tax for the forthcoming financial year and, under the provisions of Section 84 of the Local Government Act 2003 and the Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2004, the annual calculation had been delegated to the Executive Board.

The calculation of the Tax Base for the County Council for 2017-18 was detailed in Table 1a and summarised in Table 1b, which were appended to the report. The calculation for individual Town and Community Council areas for 2017-18 was summarised in Table 2 and detailed in Appendix A, which were also appended to the report.

UNANIMOUSLY RESOLVED

12.1. that the Council Tax Base calculations for the financial year 2017-18, as detailed within Appendix A of the report, be approved;

12.2. that a Council Tax Base of 71,598.56, as detailed within tables 1a and 1b of the report, be confirmed in respect of the County Council area;

12.3. that the relevant tax bases for the individual community and town council areas, as detailed in table 2 of the report, be confirmed.

13. CORPORATE ASSET MANAGEMENT PLAN 2016-2019

The Council undertakes a comprehensive review of its Corporate Asset Management Plan (AMP) every three years, setting out its priorities in property terms to meet the aims highlighted in the Corporate and Integrated Community Strategies.

In addition, the AMP captures the property implications of issues experienced by services, brought about by changes in local and national agendas. These service property requirements are referred to in the Service Asset Management Plans (SAMPs) evidenced by assessments of the relevant portfolio's suitability to meet such changes.

The AMP reviews the high-level performance of the corporate portfolio and highlights key challenges and priorities moving forward over the next 3-year cycle.

One of the outcomes of the recent Corporate Assessment was the requirement to strengthen links between SAMPs and the AMP, in addition to reviewing information on backlog maintenance to better inform decision making. These items, along with the challenges detailed below, had been highlighted as the key priorities for property related matters over the next 3 years:-

- Investment in strategic sites to promote economic growth;
- Sustaining community assets;
- Ensuring suitability of the retained estate;
- Exploring alternative ways of holding assets for service delivery;
- Greater collaboration with partners on property related matters;

- Generating capital receipts;
- Reducing revenue costs.

UNANIMOUSLY RESOLVED that the revised Corporate Asset Management Plan 2016-2019 be approved.

14. CARMARTHENSHIRE COUNTY COUNCIL'S GUIDANCE AND SERVICE LEVEL AGREEMENT ON CHARGEABLE PRE-APPLICATION AND POST CONSENT ADVICE IN RELATION TO DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PLANNING (WALES) ACT 2015) AND NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS (PLANNING ACT 2008)

The Board considered a report seeking approval for the Local Planning Authority to introduce charges for pre-application advice given to developers preparing Developments of National Significance (DNS) applications for submission to the Planning Inspectorate and to update existing guidance/fees relating to Nationally Significant Infrastructure Projects (NSIPs).

DNSs and NSIPs are major infrastructure developments such as proposals for power plants, large renewable energy projects, new airports and airport extensions, major road projects etc.

The Local Government Act 2003 gave Local Planning Authorities powers to recover the costs of pre-application advice in recognition of the time officers have to spend assessing and researching information in order to provide answers to prospective developers or agents. The use of a charging regime for pre-application advice was supported at a national level and was established practice with the majority of Local Planning Authorities.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL

- 14.1 that the Council's duties and general procedures when providing the advice service to developers of NSIP and DNS projects be agreed;**
- 14.2 that the amendments to the existing guidance relating to NSIPs and the inclusion of provisions to deal with DNSs be agreed;**
- 14.3 that the details relating to charges, invoicing and payment procedures be agreed;**
- 14.4 that the details relating to developer confidentiality be agreed.**

CHAIR

DATE

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EXECUTIVE BOARD 23RD JANUARY 2017

Swansea Bay City Deal

Purpose:

The purpose of this report is to:

- Provide Members with an update on negotiations between UK Government and the Swansea Bay City Region in respect of the City Deal investment package
- To seek Members' approval to delegate to the Leader of the Council or the Chief Executive, authority to sign a City Deal agreement (Heads of Term) on the basis described in this report.

Recommendations / key decisions required:

- To delegate authority to the Leader of the Council or Chief Executive, to sign a City Deal agreement (Heads of Terms) on the basis described in this report.

It is recommended that Members support the above decision.

Reasons:

To provide delegated authority to sign the City Deal agreement (heads of terms) on the basis described in this report. In this regard, it should be noted that the other three local authorities (Pembrokeshire County Council, Neath Port Talbot County Borough Council and the City and County of Swansea) are taking similar reports to their Cabinets and Councils at this time.

Relevant scrutiny committee to be consulted: N/A

Exec Board Decision Required YES

Council Decision Required YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr. M Gravell (EBM for Regeneration & Leisure)

Directorate

Chief Executives

Report Author:

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EXECUTIVE SUMMARY
Executive Board
23rd January 2017

Swansea Bay City Deal

1. BRIEF SUMMARY OF PURPOSE OF REPORT

The purpose of this report is to:

- Provide Members with an update on negotiations between UK Government and the Swansea Bay City Region in respect of the City Deal investment package
- To seek Members' approval to delegate to the Leader of the Council or the Chief Executive, authority to sign a City Deal agreement (Heads of Terms) on the basis described in this report.

Background

City Deals were first launched in 2011 and are led by UK Government. They present cities or city regions with an opportunity to take control of proposals that influence the growth of their economies. The Deals are bespoke arrangements designed to devolve ownership and responsibility for regeneration to the City region level.

In February 2016, the Swansea Bay City Deal proposal was put forward by the Swansea Bay City Region Board which was subsequently supported by the Chancellor of the Exchequer, who announced in his March 2016 budget that he was opening discussions with the region. In the Autumn 2016 Statement, the Chancellor recommitted the UK Government's support for a City Deal for the Swansea Bay City Region.

Swansea Bay City Deal

The Swansea Bay City Deal focuses on the benefits of digital infrastructure, the energy sector, smart manufacturing and innovation in life science for both urban and rural areas across the region. Since the original submission of the City Deal proposal to the UK Government in February last year, an intensive period of work has led to the submission of a detailed bid covering 11 specific projects in October of last year.

The Swansea Bay City Deal involves a total investment of some £1.3 billion over a period of 15 years. This consists of £241m of central government funding to be split between the two governments. Some £360m of other public sector funding and £673m of private sector contributions will make up the total investment package.

This investment will deliver up to 9,465 new jobs for the region, contributing to an uplift in GVA of £1.8bn which in turn will avoid a further two decades of jobless growth.

Following the submission of the bid, there has been a series of discussions with both governments as well as engagement events with Assembly Members and others across the region.

Prior to Christmas, a "Challenge Session" was held with Welsh Government Ministers which produced their agreement in principle to what is proposed. Welsh Government has provided

assurance that funding has been set aside for this Deal

That process will be repeated very shortly in Whitehall with the Secretary of State for Wales and other UK Ministers and their advisors. The team that will present to Ministers will be led by Mark James and Cllr Rob Stewart. The Leaders and Chief executives of all 4 authorities will also attend. It is hoped that Whitehall will be in a position to sign the Deal by the end of February. It is anticipated that once the heads of terms are agreed, each project will need to produce further detail on the delivery and finances.

Governance arrangements

The Swansea Bay City Deal is a partnership between 8 organisations and the private sector, including the 4 local authorities of Carmarthenshire, Pembrokeshire, Neath Port Talbot and Swansea; Abertawe Bro Morgannwg University Health Board; Swansea University; Hywel Dda University Health Board and the University of Wales Trinity St David's.

Utilising the existing statutory framework, the local authorities will establish a joint committee which will have ultimate responsibility for the City Deal investment package.

The Funding Package

The structure of the deal in terms of financing will be based on a 15 year programme. The four local authorities will be asked to borrow the required sum (each Local Authority will fund its relevant projects) and the funding will be drawn down as projects develop over a period of 5 years. The capital borrowing (in respect of the Government funded element) will be re-paid as Government funds are received over the 15 year period. The exact level of borrowing and the structure and terms of the borrowing is yet to be confirmed however will be calculated based on the amount required per relevant local authority (please refer to Annex C) and will be agreed based on the principles of the Prudential Code. The cost of any external borrowing will be the responsibility of the relevant authority. There will be an opportunity for the additional Business rate income to be utilised to support part of the revenue implications of these projects, Welsh Government has indicated that it is supportive of this approach.

Additionally, we are currently looking at alternative proposals for investment of which equity options are being explored to support the projects. Again, Welsh Government has indicated that they are supportive of this approach Further details will be brought before Members once further detail is available.

Conclusion

To conclude, the City Deal provides a once in a generation opportunity to increase prosperity and opportunity within the region. The region's GVA has fallen from 90% of the UK average to 77% over the last three decades with low productivity, high economic inactivity and poor health just some of the key challenges facing the region. Without the City Deal proposals, closing the gap will be extremely challenging.

2. OTHER OPTIONS AVAILABLE AND THEIR PROS AND CONS

The City Deal is a unique opportunity for Carmarthenshire and the wider region. There are

currently no alternative options of this scale, particularly with the current situation around Brexit and EU funds.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **M James**

Chief Executive

Policy, Crime & Disorder and Equalities YES	Legal YES	Finance YES	ICT YES	Risk Management Issues YES	Staffing Implications YES	Physical Assets NONE
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1. Policy, Crime & Disorder and Equalities

The Swansea Bay City Deal is a good example of working in partnership with other Councils, government and the business community. It shows how collaboration and joined up thinking can achieve more.

Our vision in Carmarthenshire is for a Carmarthenshire that enables people to live healthy and fulfilled lives by working together to build strong, bilingual and sustainable communities. This will contribute to our Integrated Community Strategy Outcomes of:-

- People in Carmarthenshire are Healthier
- Carmarthenshire has a stronger and more prosperous economy.

This also supports our Corporate Strategy. Providing secure well paid jobs and training opportunities for local people is central to everything we are trying to achieve. In the past too many young people have been forced to leave Carmarthenshire to get jobs. Working across all sectors- public, voluntary and private-we want to increase prosperity for everyone in the county. The focus point of our Corporate Strategy for the economy was to ensure long-term economic and social benefits for Carmarthenshire through the Swansea Bay City Region, creating jobs and growth and developing training opportunities.

The Well-being of Future Generations (Wales) Act 2015.

The City Deal is a good example of the 5 ways of working promoted by the Act and will make a significant contribution to the 7 well being goals.

The City Deal is a 15 year programme which provides an opportunity to address persistent challenges such as climate change, poverty, inequality, jobs and skills in a transformational and preventative way.

It is also an opportunity for the 4 authorities to demonstrate how they are using the five ways of working to maximise their contribution to the well-being goals required under the Act, through a major public investment programme.

2. Legal

Utilising the existing statutory framework, the local authorities will establish a joint committee which will have ultimate responsibility for the City Deal investment package (please refer to Annex B for proposed structure). The Authority has instructed Geldards Law firm to provide advice to the Authority and associated partners on the constitution of a joint committee. This work has commenced and will ultimately result in a joint committee agreement for the governance of the Swansea Bay City Deal. Until which point, the Joint Committee will be established in shadow form.

3. Finance

The structure of the deal in terms of financing will be based on a 15 year programme. The four local authorities will be asked to borrow the required sum (each Local Authority will fund its relevant projects) and the funding will be drawn down as projects develop over a period of 5 years. The capital borrowing (in respect of the Government funded element) will be re-paid as Government funds are received over the 15 year period. The exact level of borrowing and the structure and terms of the borrowing is yet to be confirmed however will be calculated based on the amount required per relevant local authority (please refer to Annex C) and will be agreed based on the principles of the Prudential Code. The cost of any external borrowing will be the responsibility of the relevant authority. There will be an opportunity for the additional Business rate income to be utilised to support part of the revenue implications of these projects, Welsh Government has indicated that it is supportive of this approach.

When further details of the investment are known, a full business case appraisal of the individual projects will be completed which will include the detailed funding proposals. This will be subject to a further report.

Additionally, we are currently looking at alternative proposals for investment of which equity options are being explored to support the projects. Again, Welsh Government has indicated that they are supportive of this approach Further details will be brought before Members once further detail is available.

4. ICT

Future IT requirements will be realised once governance structures are established.

5. Risk Management Issues

Each project will carry its associated risks which will be mitigated throughout the application and delivery process. A detailed risk analysis will be undertaken for all projects.

6. Physical Assets

At this stage none. This will be made clearer once projects are at a further developed stage.

7. Staffing Implications

Project specific teams will be appointed to deliver. Carmarthenshire County Council is currently leading on the secretariat role for the City Deal.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: M James

Chief Executive

1. Scrutiny Committee

A report on the City Deal went through the political process in February 2016.

2. Local Member(s)

Members seminar on the City Deal was held on the 27th July 2016.

3. Community / Town Council

4. Relevant Partners

5. Staff Side Representatives and other Organisations

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
The Internet Coast	N/A	Swansea Bay City Region website www.swanseabaycityregion.com

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**Executive Board
23rd January 2017**

Swansea Bay City Deal

Designation.	Directorate	Telephone No.
Mark James, Chief Executive	Chief Executives	01267 224110
Author & Designation	Directorate	Telephone No
Mark James, Chief Executive	Chief Executives	01267 224110

1. BRIEF SUMMARY OF PURPOSE OF REPORT.

The purpose of this report is to:

- Provide Members with an update on negotiations between UK Government and the Swansea Bay City Region in respect of the City Deal investment package
- To seek Members' approval to delegate to the Leader of the Council or the Chief Executive, authority to sign a City Deal agreement (Heads of Term) on the basis described in this report.

ANY DECISIONS REQUIRED, IF ANY

- To delegate authority to the Leader of the Council or Chief Executive, to sign a City Deal agreement (Heads of Terms) on the basis described in this report.

2. RECOMMENDATION(S)

It is recommended that Members support the above decisions.

3. REASON(S)

To provide delegated authority to sign the City Deal agreement (heads of term) on the basis described in this report. In this regard, it should be noted that the other three local authorities (Pembrokeshire County Council, Neath Port Talbot County Borough Council and the City and County of Swansea) are taking similar reports to their Cabinets and Councils at this time.

4. BACKGROUND AND EXPLANATION OF ISSUES

Background

City Deals were first launched in 2011 and are led by UK Government. They present cities or city regions with an opportunity to take control of proposals that influence the growth of their economies. The Deals are bespoke arrangements designed to devolve ownership and responsibility for regeneration to the City region level.

The first 'wave' of City Deals were signed in July 2012 by eight core cities (Birmingham, Bristol, Leeds, Liverpool, Manchester, Newcastle, Nottingham and Sheffield), each having negotiated the devolution of certain powers with Central Government. This involves, for example, control over local transport, strategic planning, business support and skills provision. By July 2014, 20 further City Deals had been negotiated with a range of smaller English cities and city-regions. Scotland had their first Deal for Glasgow and Clyde Valley signed in August 2014.

In February 2016, the Swansea Bay City Deal proposal was put forward by the Swansea Bay City Region Board which was subsequently supported by the Chancellor of the Exchequer, who announced in his March 2016 budget that he was opening discussions with the region. In the Autumn 2016 Statement, the Chancellor recommitted the UK Government's support for a City Deal for the Swansea Bay City Region.

The Swansea Bay City Deal - Update on current position

The Swansea Bay City Deal focuses on the benefits of digital infrastructure, the energy sector, smart manufacturing and innovation in life science for both urban and rural areas across the region. Since the original submission of the City Deal proposal to the UK Government in February last year, an intensive period of work has led to the submission of a detailed bid covering 11 specific projects in October of last year. The projects are summarised later in this report at Annex A.

Following the submission of the bid, there has been a series of discussions with both governments as well as engagement events with Assembly Members and others across the region. Mark James, as lead Chief Executive for the City Deal and Cllr Rob Stewart as lead Leader (Leader of Swansea City Council), also led a delegation of prominent private sector businesses including Fujitsu, Siemens Healthcare and Wavehub to meet with the Secretary of State for Wales in early December to demonstrate the strong commitment and confidence that the private sector have in both the City Deal proposal and the future of the region. A further meeting was held on the 17th January between the Secretary of State, Sir Terry Matthews and BT Wales.

Prior to Christmas, a "Challenge Session" was held with Welsh Government Ministers which produced their agreement in principle to what is proposed. Welsh Government has provided assurance that funding has been set aside for this Deal

That process will be repeated very shortly in Whitehall with the Secretary of State for Wales and other UK Ministers and their advisors. The team that will present to Ministers will be led by Mark



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James and Cllr Rob Stewart. The Leaders and Chief executives of all 4 authorities will also attend. It is hoped that Whitehall will be in a position to sign the Deal by the end of February.

It is anticipated that once the heads of terms are agreed, each project will need to produce further detail on the delivery and finances.

The City Deal for Swansea Bay

The Swansea Bay City Deal sets out a transformational approach to how the region will deliver the scale and nature of investment needed to support the area's plans for growth. The Deal stems from the recommendations of the Swansea Bay City Region Economic Regeneration Strategy 2013-2030, which was endorsed by Carmarthenshire County Council's Executive Board on 2nd December 2013. In turn, Carmarthenshire County Councils Economic Transformational Strategy 2015-2030 aligns with its aspirations.

The Swansea Bay City Deal involves a total investment of some £1.3 billion over a period of 15 years. This consists of £241m of central government funding to be split between the two governments. Some £360m of other public sector funding and £673m of private sector contributions will make up the total investment package.

This investment will deliver up to 9,465 new jobs for the region, contributing to an uplift in Gross Value Added (GVA) of £1.8bn which in turn will avoid a further two decades of jobless growth. The City Deal for the Swansea Bay City Region provides a once in a generation opportunity to further consolidate the region's role in technological innovation and to become lead innovators in developing and commercialising solutions to some of the most pressing challenges in the fields of life sciences, energy, smart manufacturing and digital networks in both urban and rural areas.

Key elements of the Swansea Bay City Deal

The City Deal proposal for the region consists of a package of 11 projects which are focused on 4 key strands, namely:

- Internet of economic acceleration
- Internet of energy
- Internet of Life Science and Wellbeing
- Internet of Smart manufacturing

A summary of the overall package is included in Annex A.

Whilst the County will benefit from all of the City Deal proposals, the following projects are being specifically lead by Carmarthenshire:

Life Science & Wellbeing Village

Total investment: £199.5m

City Deal funding: £40m



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Match funding: £32m Carmarthenshire County Council; £127.5m private sector funds

Jobs created: 1853 direct jobs

Increase in GVA: £467m over 15 years

The Llanelli Life Science and Wellbeing Village aims to deliver transformational social and economic benefits through delivering the full scope of the Life Science and Wellbeing Village definition, namely the integration of business development, education, wellness initiatives, research and development and healthcare initiatives. The project will consist of the following aspects:

- The Institute of Life Science in Llanelli will cater for latent Technology Readiness Level R&D with corresponding business start-up and incubation capability, whilst also offering larger commercially available office, laboratory and clinic space for growing indigenous companies and attracting companies new to the region.
- The Wellness Hub will house leisure and sports provision, Well-Being promotion and community and Third sector groups, as well as being a central venue for local community activities in Llanelli. The Wellness Hub will have links to other areas of the village including the Life Science and Well being Centre for example for social prescribing and expansion of exercise referral schemes.
- The Assisted Living Village will deliver supportive care out of hospital for patients who are fit for hospital discharge and provide high quality flats and houses for those that need longer term supportive care. These properties will be highly innovative, featuring assistive living technologies to promote independent living and quality of life.
- The Life Science and Wellbeing Centre will be a multidisciplinary environment where services can be accessed to facilitate improvement in the wellness of the population and outcomes for those already within the health system. In conjunction with this, a network of training opportunities will be developed aimed at making a significant contribution to meeting the skills shortage in the area through integrated working with the on-site health and wellbeing provision between the private, public and third sectors.

Skills and Talent initiative

Total investment: £30m

City Deal funding: £10m

Match funding: £16m public funds, £4m private sector funds

The City Deal will be underpinned by the Skills and Talent initiative, being led by the SW Wales Regional & Skills Partnership, which will be a key component in ensuring that local people and businesses have the appropriate skills to benefit from each of the City Deal projects.

The delivery of the City Deal is highly dependent upon the attraction, creation and importantly the retention of skilled and talented people within the region. The Skills and Talent initiative will provide a regional approach to delivering skills focusing on specific sector skills required in order to meet the demand of the City Deal themes of 'Digital, Life science and Wellbeing, Energy and



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Smart Manufacturing. The project will provide the skills solutions for each of the four themes of the City Deal including:

- Advanced skills: Leading innovation across the Four Internet themes of the Internet Coast proposal. The advanced skills offer will support the new and emerging technologies contained within the constituent proposal bids.
- Under/Postgraduate Expansion: providing increased productivity through greater graduate skills application across the Four themes
- Further/Higher Education: delivering skills for new roles within the theme sectors, through Foundation Degree, programmes, Apprenticeships and Higher Apprenticeships. Delivering innovation will include new blended learning approaches.
- Continuing Professional Development: ensuring the region's skills across the themes remains at the forefront of professional practice.
- Apprenticeships: support the integration of apprenticeship opportunities throughout the Skills and Talented Future Generations project.
- Skills facilities development: creation of sector-specific facilities to support the development of new emerging skills/roles and the creation of a step-change in capacity across the region.
- Schools engagement to influence curriculum development and delivery to ensure the adequate supply of young people with the right skill set.
- Careers engagement to enthuse young people and influence career decisions.

Creative Digital Cluster – Yr Egin

Total investment: £24.3m

City Deal funding: £5m

Match funding from other sources: £19.3m (University of Wales Trinity St David's)

Jobs created: 203 new jobs created

GVA increase: £91m over 15 years.

Yr Egin will create a digital and creative industry cluster within Carmarthen, joined by S4C as the key anchor tenant and approximately 28 other digital and creative media SMEs as tenants. The centre will create a clustering effect which will create major and positive change in the creative and digital economy of Wales. This development will also contain business accelerator facilities, incubation, as well as shared spaces for interaction between each of the tenants, driving entrepreneurial development.



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Governance arrangements

The Swansea Bay City Deal is a partnership between 8 organisations and the private sector, including the 4 local authorities of Carmarthenshire, Pembrokeshire, Neath Port Talbot and Swansea; Abertawe Bro Morgannwg University Health Board; Swansea University; Hywel Dda University Health Board and the University of Wales Trinity St David's.

Utilising the existing statutory framework, the local authorities will establish a joint committee which will have ultimate responsibility for the City Deal investment package (please refer to Annex B for proposed structure).

The establishment of the Joint Committee is linked to the Welsh Government's local government reform agenda in the context of a push towards a greater regional working on economic development, transport and strategic planning. The proposed Joint Committee therefore represents a good vehicle for both the City Deal and wider local government collaboration.

On behalf of the wider partners, the Authority has instructed Geldards Law firm to provide advice to the Authority and associated partners on the constitution of a joint committee. This work has commenced and will ultimately result in a joint committee agreement for the governance of the Swansea Bay City Deal. Until which point, the Joint Committee will be established in shadow form.

Beneath the Joint Committee, individual themes will have their own governance boards to reflect the skills and experience required to oversee delivery. The private sector will play a prominent role at all levels of governance.

A delivery team will be appointed, reporting directly to the Joint Committee, and will be responsible for:

- Supporting and enabling the joint committee to function effectively
- Monitor delivery and impact at a project and theme level
- Ensure financial probity
- Develop a strategic communications plan and support individual projects in communicating to stakeholders and local citizens.

The Welsh Government has been asked to make funding available to support the delivery team. This will need to be matched in cash by the four local authorities, the Universities, the Local Health Boards and potentially other partners. Initially, it is proposed to fund any Council contribution (circa £25,000 per annum based on current City Region Board agreement) from within existing resources.

The Funding Package

As noted above, the City Deal will invest £1.3bn into the Swansea Bay City Region. The Deal will consist of £241m of central government funding to be split between the two governments. Some £360m of other public sector funding and £673m of private sector contributions will make



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up the total investment package. Welsh Government has provided assurance that funding has been set aside.

Funding proposals

The structure of the deal in terms of financing will be based on a 15 year programme. The four local authorities will be asked to borrow the required sum (each Local Authority will fund its relevant projects) and the funding will be drawn down as projects develop over a period of 5 years. The capital borrowing (in respect of the Government funded element) will be re-paid as Government funds are received over the 15 year period. The exact level of borrowing and the structure and terms of the borrowing is yet to be confirmed however it will be calculated based on the amount required per relevant local authority (please refer to Annex C) and will be agreed based on the principles of the Prudential Code. The cost of any external borrowing will be the responsibility of the relevant authority. There will be an opportunity for the additional Business rate income to be utilised to support part of the revenue implications of these projects, Welsh Government has indicated that it is supportive of this approach.

Additionally, we are currently looking at alternative proposals for investment of which equity options are being explored to support the projects. Again, Welsh Government has indicated that they are supportive of this approach Further details will be brought before Members once further detail is available.

Each of the individual projects will be subject to individual business case which will detail the financing arrangements.

Conclusion

To conclude, the City Deal provides a once in a generation opportunity to increase prosperity and opportunity within the region. The City Deal proposals will harness digital hyper connectivity, life science, smart manufacturing and renewable energy technologies to create 9465 jobs and £1.8bn additional GVA.

The region's GVA has fallen from 90% of the UK average to 77% over the last three decades with low productivity, high economic inactivity and poor health just some of the key challenges facing the region. Without the City Deal proposals, closing the gap will be extremely challenging.

5. OTHER OPTIONS AVAILABLE, AND THEIR PROS AND CONS

The City Deal is a unique opportunity for Carmarthenshire and the wider region. There are currently no alternative options of this scale, particularly with the current situation around Brexit and EU funds.

6. IMPLICATIONS:

1. POLICY AND CRIME & DISORDER

The Swansea Bay City Deal is a good example of working in partnership with other Councils, government and the business community. It shows how collaboration and joined up thinking can achieve more.

Our vision in Carmarthenshire is for a Carmarthenshire that enables people to live healthy and fulfilled lives by working together to build strong, bilingual and sustainable communities. This will contribute to our Integrated Community Strategy Outcomes of:-

- People in Carmarthenshire are Healthier
- Carmarthenshire has a stronger and more prosperous economy.

This also supports our Corporate Strategy. Providing secure well paid jobs and training opportunities for local people is central to everything we are trying to achieve. In the past too many young people have been forced to leave Carmarthenshire to get jobs. Working across all sectors- public, voluntary and private-we want to increase prosperity for everyone in the county. The focus point of our Corporate Strategy for the economy was to ensure long-term economic and social benefits for Carmarthenshire through the Swansea Bay City Region, creating jobs and growth and developing training opportunities.

The Well-being of Future Generations (Wales) Act 2015.

The City Deal is a good example of the 5 ways of working promoted by the Act and will make a significant contribution to the 7 well being goals.

The City Deal is a 15 year programme which provides an opportunity to address persistent challenges such as climate change, poverty, inequality, jobs and skills in a transformational and preventative way.

It is also an opportunity for the 4 authorities to demonstrate how they are using the five ways of working to maximise their contribution to the well-being goals required under the Act, through a major public investment programme.

2. LEGAL

Utilising the existing statutory framework, the local authorities will establish a joint committee which will have ultimate responsibility for the City Deal investment package (please refer to Annex B for proposed structure). The Authority has instructed Geldards Law firm to provide advice to the Authority and associated partners on the constitution of a joint committee. This work has commenced and will ultimately result in a joint committee agreement for the governance of the Swansea Bay City Deal. Until which point, the Joint Committee will be established in shadow form.

3. FINANCE

The structure of the deal in terms of financing will be based on a 15 year programme. The four local authorities will be asked to borrow the required sum (each Local Authority will fund its relevant projects) and the funding will be drawn down as projects develop over a period of 5 years. The capital borrowing (in respect of the Government funded element) will be re-paid as Government funds are received over the 15 year period. The exact level of borrowing and the structure and terms of the borrowing is yet to be confirmed however will be calculated based on the amount required per relevant local authority (please refer to Annex C) and will be agreed based on the principles of the Prudential Code. The cost of any external borrowing will be the responsibility of the relevant authority. There will be an opportunity for the additional Business rate income to be utilised to support part of the revenue implications of these projects, Welsh Government has indicated that it is supportive of this approach.

When further details of the investment are known, a full business case appraisal of the individual projects will be completed which will include the detailed funding proposals. This will be subject to a further report.

4. ICT

Future IT requirements will be realised once governance structures are established.

5. RISK ASSESSMENT

Each project will carry its associated risks which will be mitigated throughout the application and delivery process. A detailed risk analysis will be undertaken for all projects.

6. STAFFING

Project specific teams will be appointed to deliver. Carmarthenshire County Council is currently leading on the secretariat role for the City Deal.

7. PHYSICAL ASSETS

At this stage none. This will be made clearer once projects are at a further developed stage.

FEEDBACK FROM CONSULTATIONS UNDERTAKEN

1. SCRUTINY COMMITTEE & DATE

A report on the City Deal went through the political process in February 2016. In addition, a Members seminar on the City Deal was held on the 27th July 2016.

2. LOCAL MEMBER (S) TO BE NAMED AND COMMENTS INCLUDED, IF ANY



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3. COMMUNITY TOWN COUNCIL(S)

4. RELEVANT PARTNERS

5. STAFF SIDE REPRESENTATIVES

7. OTHER ORGANISATIONS

8. LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THE REPORT

Title of Document	File Ref No.	Where available for public inspection
The Internet Coast	N/A	Swansea Bay City Region website www.swanseabaycityregion.com

ANNEX A

INTERNET OF ECONOMIC ACCELERATION

The Vision for the region is to establish a coherent connected region, placing it at the forefront of digital innovation and maintaining critical infrastructure fit for purpose for the 21st Century digital age. Specifically this strand will deliver the following investments:

Digital Infrastructure

Lead / Partners / Joint Partners:

Joint Partners: Neath Port Talbot CBC, CC Swansea, Pembrokeshire CC, Carmarthenshire CC, Swansea University, University of Wales Trinity St David (UWTSD), ABMUHB & Hywel Dda

Funding:

Investment requested from City Deal - £25m

Match funding from other sources - £30m

Total Project Value - £55m

A regional state of the art digital infrastructure will be implemented to support each of the City Deal strategic themes and projects. The project will:

- Create digital infrastructure including gigabit fibre and next generation wireless networks that will enable innovation and entrepreneurship within the region
- Expansion of the provision of 4G and Wi-fi capabilities to benefit both urban and rural areas of the region
- Development of digital infrastructure for key sectors including energy, manufacturing and life sciences

Swansea City & Waterfront Digital District

Lead / Partners / Joint Partners:

Lead: CC Swansea

Partners: Swansea University and University of Wales Trinity Saint David (UWTSD)

Funding:

Investment requested from City Deal - £50 m

Match funding from other sources - £118.2m

Total Project Value - £168.2 m

The Swansea City and Waterfront Digital District will capitalise on the next generation connectivity available within the region, developing a vibrant and prosperous City Centre that facilitates the growth of high value ICT and digitally enabled sectors, and act as a key driver for the regional economy. The project will include: incubation space and co-working areas for start-ups and small businesses, alongside global enterprise; a new City Centre Business District and a Digital Square and Arena.



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Creative Digital Cluster – Yr Egin

Lead / Partners / Joint Partners:

Lead: University of Wales Trinity Saint David

Partners: Carmarthenshire County Council, S4C

Funding:

Investment requested from City Deal - £5m

Match funding from other sources - £19.3m

Total Project Value - £24.3m

Yr Egin will create a digital and creative industry cluster within Carmarthen, joined by S4C as the key anchor tenant and approximately 28 other digital and creative media SMEs as tenants. The centre will create a clustering effect which will create major and positive change in the creative and digital economy of Wales. This development will also contain business accelerator facilities, incubation, as well as shared spaces for interaction between each of the tenants, driving entrepreneurial development.

Centre of Excellence in Next Generation Services (CENGs)

Lead / Partners / Joint Partners:

Lead: Neath Port Talbot CBC, CC Swansea, Carmarthenshire CC & Pembrokeshire CC, Swansea University, University of Wales Trinity Saint David, ABMUHB, Hywel Dda Health Board

Partners: TATA & Swansea University (SPECIFIC project)

Funding:

Investment requested from City Deal - £23m

Match funding from other sources - £32.5m

Total Project Value - £55.5m

The CENGs project will provide a data analytics capability to turn world class data into commercial systems and solutions. The Centre will bridge the gap between research and innovation and the ability to launch, develop and grow commercial opportunities Focusing on the themes of life science and energy, the core objective is to transition 'ideas' into private sector jobs creation and wealth generation.

Skills and Talent initiative

The City Deal will be underpinned by the Skills and Talent initiative, being led by the SW Wales Regional & Skills Partnership, which will be a key component in ensuring that local people and businesses have the appropriate skills to benefit from each of the City Deal themes.

The delivery of the City Deal is highly dependent upon the attraction, creation and importantly the retention of skilled and talented people within the region. The Skills and Talent initiative will provide a regional approach to delivering skills focusing on specific sector skills required in order to meet the demand of the City Deal themes of 'Digital, Health and Wellbeing, Energy and Smart Manufacturing.



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INTERNET OF ENERGY

The vision is to establish the region as globally significant in the area of energy production and storage whilst addressing the challenges of fuel poverty and energy security for current and future generations.

Specifically this strand will deliver the following investments:

Homes as Power Stations

Lead / Partners / Joint Partners:

Lead: Neath Port Talbot CBC, CC Swansea, Carmarthenshire CC, Pembrokeshire CC.

Partners: Swansea University

Funding:

Investment from City Deal - £15m

Match funding from other sources - £502.1m

Total Project Value - £517.1m

The project will create a new industry based around innovative and sustainable energy generation, combined with storage and efficiency. New technologies developed will be applied within the region, allowing homes and buildings to generate, store, and release their own energy. The project will also address fuel poverty, which remains a persistent challenge for many communities across the region. Also a focus on broadband Internet connections and smart metering, and the potential for links to a local authority led ESCO (Energy Supply Company).

Pembroke Dock Marine

Lead / Partners / Joint Partners:

Lead: Milford Haven Port Authority

Partners: Marine Energy Pembrokeshire (META), Offshore Renewable Energy –Catapult (MEECE) and Wave Hub Ltd (SPDZ)

Funding:

Investment Requested from City Deal – £28m

Match funding from other sources – £48.3m

Total Project Value - £76.3m

The project will involve the development of a marine energy test area utilising the deep port of Milford Haven, an energy engineering centre of excellence, and a wave energy demonstration zone. By creating a cluster of resources, knowledge, and capabilities, Pembroke Marine will accelerate technology development, enhancing the sector's success and ensuring continued investment and development in other test sites on a regional, Welsh and UK scale.

INTERNET OF LIFE SCIENCE & WELLBEING

The vision is to place the region at the forefront of life science innovation and to be recognised as a destination of choice for global investment and enterprise in the field of life sciences and well being.

Life Science & Wellbeing Village

Lead / Partners / Joint Partners:

Lead: Carmarthenshire County Council

Partners: ARCH Partners/Private sector investment consortium (additional partners including Coleg Sir Gar)

Funding:

Investment requested from City Deal - £40 m

Match funding from other sources - £159.5 m

Total Project Value - £199.5 m

The Llanelli Life Science and Wellbeing Village aims to deliver transformational social and economic benefits through delivering the full scope of the Life Science and Wellbeing Village definition, namely the integration of business development, education, wellness initiatives, research and development and healthcare initiatives. The project will consist of the following aspects:

- The Institute of Life Science in Llanelli will cater for latent Technology Readiness Level R&D with corresponding business start-up and incubation capability, whilst also offering larger commercially available office, laboratory and clinic space for growing indigenous companies and attracting companies new to the region.
- The Wellness Hub will house leisure and sports provision, Well-Being promotion and community and Third sector groups, as well as being a central venue for local community activities in Llanelli. The Wellness Hub will have links to other areas of the village including the Life Science and Well being Centre for example for social prescribing and expansion of exercise referral schemes.
- The Assisted Living Village will deliver supportive care out of hospital for patients who are fit for hospital discharge and provide high quality flats and houses for those that need longer term supportive care. These properties will be highly innovative, featuring assistive living technologies to promote independent living and quality of life.
- The Life Science and Wellbeing Centre will be a multidisciplinary environment where services can be accessed to facilitate improvement in the wellness of the population and outcomes for those already within the health system. In conjunction with this, a network of training opportunities will be developed aimed at making a significant contribution to meeting the skills shortage in the area through integrated working with the on-site health and wellbeing provision between the private, public and third sectors.



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Life science & Wellbeing campus network

Lead / Partners / Joint Partners:

Lead: CC Swansea

Partners: ARCH partnership (ABMUHB, Swansea University, Hywel Dda UHB, Private Sector)
Partners/Private sector investment consortium

Funding:

Investment requested from City Deal - £15 m

Match funding from other sources - £30 m

Total Project Value - £45 m

The 'Life Science and Wellbeing Campus network' will build upon the successful Institute of Life Science initiative, providing a world-class integrated research & business incubator/park secondary/tertiary clinical, research and trials environment, and skills development centres. Life science innovation hubs and satellite sites will be created across the region, in hospital and primary care settings. This will strengthen the region's capacity to commercialise research, attract additional inward investment, and further increase the export of high value services and goods, such as medical devices.

INTERNET OF SMART MANUFACTURING

The vision is to place the region at the forefront of smart manufacturing, supporting SMEs to harness the opportunities associated with the digital manufacturing revolution.

Specifically this strand will deliver the following investments:

Factory of the Future

Lead / Partners / Joint Partners:

Lead: Swansea University/Industry Consortium

Partners: Wider Supply/Value Chain Industry Partners

Funding:

Investment requested from City Deal - £10m

Match funding from other sources - £13.5m

Total Project Value - £23.5m

The Factory of the Future initiative will support SMEs to invest in leading edge technologies and harness the opportunities associated with the digital manufacturing revolution. The project will have:

Two physical hubs: one for fundamental research for the initiation, development and demonstration of technology solutions outside the daily constraints of industry, and one for applied research translating fundamental work into applications in the factory.

Four physical spokes: these will be themed regional technology demonstration and application spokes. The hubs and spokes will be equipped with state of the art equipment. The hubs and spokes will be operated by experts supported by world class academic and industrial researchers.

Steel Science

Lead / Partners / Joint Partners:

Lead: Neath Port Talbot CBC and Swansea University

Partners: Industry Partners

Funding:

Investment requested from City Deal - £20 m

Match funding from other sources - £60 m

Total project value - £80 m

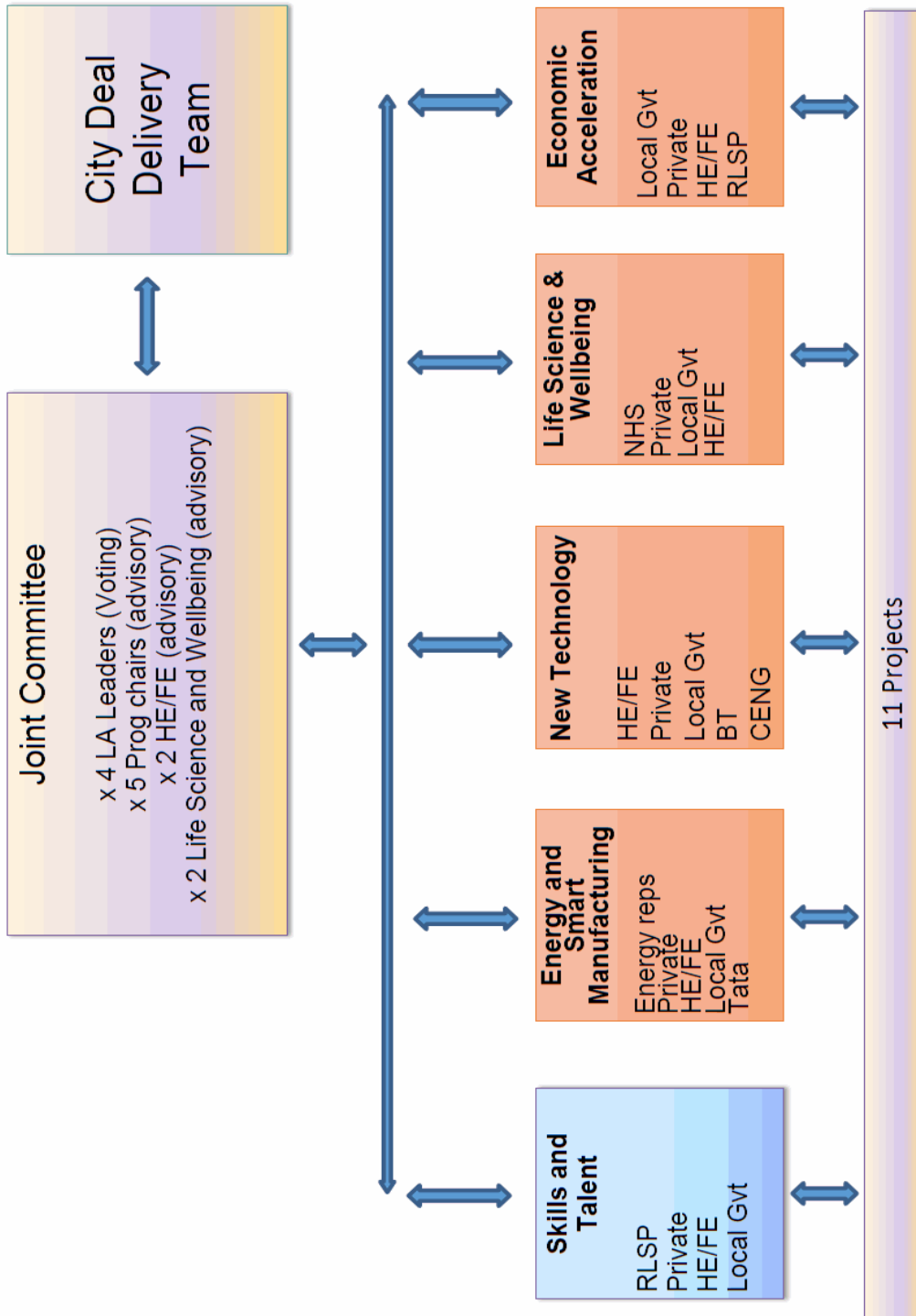
The Centre will address the current and future challenges of sustaining primary steel-making capacity in the region and the UK, building upon the region's centres of excellence and industrial capabilities. In doing so, it will place the region at the cutting edge of low carbon production and the utilisation of locally generated waste products such as chemical and raw materials feedstock. Steel technologists will be co-located with academic and research staff from Swansea and key UK partner universities supporting knowledge flow. This is a model that could be exported to all developed economies ensuring a vibrant, sustainable and profitable steel sector with regional and national product specialisms.



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ANNEX B



ANNEX C

PROJECT NAME	Private (£ m)	Public (£ m)	City Deal (£ m)	Total Project Costs (£ m)	IMPACT						
					GVA 5 years	GVA 10 years	GVA 15 years	Gross Jobs 5 year	Gross Jobs 10 year	Gross Jobs 15 year	
Internet of Economic Acceleration											
05 Digital Infrastructure	30.0	0.0	25.0	55.0							
15 Skills & Talent Initiative	4.0	16.0	10.0	30.0							
06 Swansea City & Waterfront Digital District	61.4	56.8	50.0	168.2	64 m	190 m	318 m	265	1176	1323	
08 Centre of Excellence of Next Gen Digital Services (CENGS) & Technology Centre	27.0	5.5	23.0	55.5	31 m	104 m	154 m	100	500	500	
07 Creative Digital Cluster - Yr Egin	3.0	16.3	5.0	24.3	18 m	51 m	91 m	41	203	203	
Internet of Life Science & Wellbeing											
09 Life Science & Wellbeing Campuses	10.0	20.0	15.0	45.0	31 m	61 m	153 m	224	710	1120	
10 Life Science & Wellbeing Village	127.5	32.0	40.0	199.5	93 m	286 m	467 m	371	1853	1853	
Internet of Energy											
11 Homes as Power Stations	362.9	119.2	15.0	517.1	50 m	96 m	251 m	361	1168	1804	
12 Pembroke Dock Marine	24.2	24.1	28.0	76.3	25 m	67 m	126 m	119	553	595	
Smart Manufacturing											
13 Factory of the Future	3.0	10.5	10.0	23.5	28 m	36 m	140 m	280	719	1402	
14 Steel Science Centre	0.0	60.0	20.0	80.0	19 m	43 m	95 m	133	350	665	
TOTALS	673	360	241	1274	359 m	934 m	1795 m	1893	7232	9465	

EXECUTIVE BOARD JANUARY 23RD 2017

Welsh in Education Strategic Plan (WESP) 2017-2020

Purpose:

- To consider responses to the draft WESP following statutory consultation
- To receive the amended WESP in light of consultation

Recommendations / key decisions required:

1. To receive a report on the statutory consultation exercise.
2. To consider the County Council's response to the consultation.
3. To receive and endorse the final version of the Welsh in Education Strategic Plan and submit to the Welsh Government.

Reasons:

The Wales School Standards and Organisation Act (2013) places a statutory duty on local authorities to prepare and submit a Welsh in Education Strategic Plan. The Act enables the Government to approve the plan submitted, to approve the Plan with modifications, or reject the Plan and prepare another plan.

Developing the plan requires local authorities to consult with statutory consultees. The statutory consultation process closed on 19.12.16, informing minor amendments to the WESP. The finalised version requires Executive Board approval prior to submission to Welsh Government.

Relevant scrutiny committee to be consulted: YES

Education and Children Scrutiny Committee- 22.12.16

Scrutiny Committee recommendations/comments: Draft WESP and update regarding consultation unanimously received

EXECUTIVE BOARD: 23.01.17- to agree final Welsh in Education Strategic Plan

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER: - *Cllr. Gareth Jones*

Directorate-

Education and Children's Services

Designations:

Interim Director of Education and Children's Services

Tel Nos- 01267 246450

E Mail Addresses:

<p>Gareth Morgans</p> <p>Name of Head of Service:</p> <p>Aeron Rees</p> <p>Report Author:</p> <p>Gareth Morgans, Catrin Griffiths and Aeron Rees</p>	<p>Head of Learner Programmes</p> <p>Interim Director Head of Learner Programmes Challenge Adviser</p>	<p>EDGMorgans@sirgar.gov.uk</p> <p>JARees@sirgar.gov.uk 01267 246532</p> <p>CSGriffiths@sirgar.gov.uk 01267 246641</p>
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EXECUTIVE SUMMARY

EXECUTIVE BOARD

23RD JANUARY 2017

Carmarthenshire's Welsh in Education Strategic Plan 2017-20

The Wales School Standards and Organisation Act (2013) places a statutory duty on local authorities to prepare and submit a Welsh in Education Strategic Plan (WESP). WESPs detail how local authority's aim to achieve the Welsh Government's outcomes and targets outlined in the Welsh Medium Education Strategy (WMES) which sets out the Welsh Government's vision for an education and training system that responds in a planned way to the growing demand for Welsh-medium education.

WESPs also have to reflect the context of the Welsh Government's wider strategy for the Welsh language. The Welsh Government's vision is to see '**A million Welsh speakers by 2050**'. According to the most recent Census in 2011 there were 562,000 Welsh speakers in Wales. On that basis, the aim of the strategy will be to almost double the number of Welsh speakers by the middle of the century.

The Welsh Government recognises that the education system is the main vehicle for ensuring that children are able to develop their Welsh skills, and for creating new speakers. The WESPs will provide the means for the Welsh Government to monitor the way in which local authorities respond and contribute to the implementation of these objectives.

- The Plan should provide the strategic direction for the planning and delivery of Welsh-medium and Welsh-language education in the authority as well as a vision statement.
- The Plan **should be approved by the Executive Board** and signed by the person with the statutory responsibility for education within the authority.
- The Plan needs to be underpinned and informed by Welsh Government's current Welsh-medium Education Strategy (April 2010) and policy statement for 2015-16 (March 2016).
- The Plan needs to reflect the following Welsh Government policies/strategies-
 - Welsh Language Strategy
 - Rewriting the Future
 - Successful Futures
 - Future Generations
 - Aligning with Welsh Government's 21st Century Schools Programme
 - Welsh-medium Education Assessment and Childcare sufficiency assessment

The Plan will need to deliver on the following-

- **more seven-year-old children being taught through the medium of Welsh as a percentage of the Year 2 cohort;**
- **more learners continuing to improve their language skills on transfer from primary school to secondary school;**

- more 14-16 year old learners studying for qualifications through the medium of Welsh;
- more learners aged 16-19 studying Welsh and subjects through the medium of Welsh; and
- more learners with higher skills in Welsh.

There is a requirement to address standards of attainment in Welsh and Welsh Second Language, Welsh-medium provision for learners with additional learning needs (ALN) and workforce planning and continuing professional development (CPD).

Consultation on the Draft WESP was required for a period of at least 8 weeks (11.10.16 to 19.12.16). A range of stakeholders were invited to respond, including the following statutory consultees-

- neighbouring local authorities
- the headteacher of each school maintained by it
- the governing body of each school maintained by it
- each institution within the further education sector in its area
- other prescribed persons.

“Other prescribed persons” are listed in Regulation 9:

- the Welsh Language Commissioner
- the Early Years Development and Childcare Partnership
- school councils
- Her Majesty’s Chief Inspector of Education and Training in Wales
- such organisations providing services to children and young people as the local authority considers appropriate
- such other persons or bodies as appear to the local authority to be appropriate.

An oral presentation on the consultation and a copy of the draft WESP was provided to Scrutiny Committee on 22.12.16. **Subsequently, the appended consultation response document has been prepared for Executive Board's perusal.**

In addition, minor amendments have been made to the draft WESP the finalised version of which is also appended for Executive Board's consideration.

Once agreed, the Plan should be published on the local authority’s websites by 1st June 2017 with copies made available in offices and in any other place the local authority considers appropriate.

OTHER OPTIONS AVAILABLE AND THEIR PROS AND CONS

Producing and publishing a WESP is required by Welsh Government, to be completed according to detailed guidelines and criteria. Welsh Government are empowered to approve the plan submitted, to approve the Plan with modifications, or reject the Plan and ask us to prepare another plan.

DETAILED REPORTS ATTACHED?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: E.D. Gareth Morgans, Interim Director of Education and Children's Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
YES	YES	YES	NONE	YES	NONE	NONE

1. Policy and Crime & Disorder

Developments are consistent with the Local Authority's and Welsh Government's strategies and plans. It complies with Welsh Government statutory requirements.

The County Council is currently developing its policy with respect to the Wellbeing of Future Generations Act (2015). Attaining one of the goals, 'A Wales of thriving culture and vibrant Welsh Language' will require significant input from the education sector, as research shows that 4/5 people currently learn Welsh at school.

Welsh Government is underpinning this ideal with its proposals to reach a '**million Welsh speakers by 2050**'. Education is singled by Welsh Government as the prime medium for realising this vision.

The 2011 Census saw a 6.4% decrease in Welsh speakers in Carmarthenshire. The recommendations emanating from the subsequent 'Welsh in Carmarthenshire' report, monitored by the Members' Consultative Panel on the Welsh Language, are currently being incorporated in an updated development plan to 2018, authored by corporate policy colleagues. There are well over 20 recommendations for the Department of Education and Children to administer with implementing the WESP being integral to this overarching strategy.

An Equalities Impact Assessment (EIA) is being drafted to ensure that there is no discrimination, with respect to various groups with protected characteristics. Completion of the EIA is expected imminently.

2. Legal

Appropriate consultation has been undertaken and views from consultees considered.

3. Finance

As noted in the 'Welsh in Carmarthenshire' report's recommendations, sufficient support and resources are required in order to develop and lead on the strategy to promote and extend Welsh medium education.

5. Risk Management Issues

Not delivering an aspirational Welsh in Education Strategic Plan could see problems being perpetuated and the County Council failing to meet Welsh Government requirements in respect of the development of Welsh medium education. This could also lead to defaulting on other important policy areas, as described in section 1 above

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: EDG Morgans, Interim Director of Education and Children's Services

1. Scrutiny Committee

Education and Children's Services Scrutiny Committee were consulted informally from the 11-10-16 and formally on 22-12-16. The Draft WESP and oral feedback/presentation were unanimously received.

2. Local Member(s)

All Elected Members have had an opportunity to respond to the draft Welsh in Education Strategic Plan. In addition they have the opportunity to respond as members of a Governing Body.

3. Community / Town Council

Not one of the statutory consultees.

4. Relevant Partners

A range of partners have been consulted - list in the report.

5. Staff Side Representatives and other Organisations

School staff unions have had an opportunity to respond during the formal consultation stage.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Welsh in Education Strategic Plans 2017-2020- Welsh Government Guidance		Education Office, St David's Park
Well Being of Future Generations Act (2015)		http://gov.wales/docs/dsijg/publications/150623-guide-to-the-fg-act-en.pdf http://gov.wales/docs/dsijg/publications/150623-guide-to-the-fg-act-cy.pdf



CARMARTHENSHIRE'S

Welsh in Education Strategic Plan 2017-2020



Diogelu Plant a Gwella Safonau Addysg i Bawb
Safeguarding Children and Improving Education
Standards for All

FINAL DRAFT January 2017

Postscript: A number of constructive comments have been received during the consultation process. Whilst these do not materially alter the narrative outlined in this strategic plan, suggestions will be further considered in the operational delivery plan which will stem from this document.

1. Our vision is: A bilingual Carmarthenshire.

To achieve this we will: Ensure significant growth in Welsh-medium education and training to increase the number of people of all ages to become fluent in both Welsh and English and have the ability to use their languages confidently with their families, in their communities and in the workplace.

2. Principles

- Welsh medium education is available to all learners, within reasonable travelling distance from their homes.
- Learners who have followed the Welsh 1st language programme in the primary phase will be expected to continue with this programme when transferring to the secondary phase.
- Work with other services to promote and increase bilingualism.
- Celebrate progress and commitment to developing the Welsh language
- All learners to become proficient in '*two and more*' languages.
- Learners with additional learning needs receive equal linguistic opportunity.

3. Objectives

- Ensure that every pupil is completely bilingual (and multilingual) when leaving school so that they have the skills to operate as bilingual citizens in their communities, the workplace and beyond/worldwide.
- Promote the cognitive, economic, social, educational, health and community benefits of bilingualism.
- Promote the development of the learners' bilingual skills at every opportunity within formal and informal settings in order that Welsh is used naturally for communicating.
- Promote opportunities for parents and the wider family to develop their Welsh language skills so they can support their children's language development.
- Provide services that will ensure high quality learning opportunities for all Carmarthenshire's children, young people and adults, and thereby enabling them to achieve their full potential as a lifetime learners in the context of the unique bilingual nature of the County.
- Ensure that the Welsh language is taught as a 1st language and/or a 2nd language in all of our schools, in accordance with the 2002 Education Act, and proactively preparing for the teaching of Welsh as a single continuum by 2020.
- Ensure that all pupils are able to speak, read and write the Welsh language fluently by the end of Key Stage 2 in accordance with their expected stage of development;

- Ensure progression from pre-school Welsh medium provision to bilingual primary and secondary education.
- Ensure linguistic progression across curricular areas when transferring from Key Stage 2 to Key Stage 3, from Key Stage 3 to Key Stage 4 and promote linguistic progression from Key Stage 4 to lifelong learning.
- Develop a clear County statement in terms of expectations when considering pupils' competence and the need to ensure appropriate challenge for all pupils in order to fully achieve their educational potential;
- Work in partnership with all providers to improve the standard of Welsh within the learning environment.
- Develop and promote training programmes which will enable the school workforce to gain the competency and confidence to teach through the medium of Welsh.
- Ensure that latecomers are supported to make the best possible use of the teachers who support the development of the Welsh language in order that they can integrate naturally in their local school and community.

4. Link with Welsh Government Policies

Rewriting the Future- we are committed to the principle of raising aspiration and attainment in Carmarthenshire's schools by actively working to remove the barriers faced by learners from disadvantaged backgrounds. We will provide appropriate support to learners including effective and appropriate use of the Pupil Deprivation Grant in all settings.

Successful Futures- the role of the Welsh language in the new curriculum for Wales is stated clearly and frequently in the Successful Futures vision. We are committed, through designing a Carmarthenshire curriculum, to promoting the Welsh language as a subject, as a medium of instruction, as a competence and as the language for informal communication in our schools.

Well-being of Future Generations (Wales) Act 2015- we commit to creating a Carmarthenshire which is a society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.

Welsh Government's Draft Strategy- a million Welsh speakers by 2050- we commit to achieving a significant increase in the number of children and young people who access Welsh-medium education and have skills in Welsh, for only by enabling more people to learn Welsh will it be possible to realise a million Welsh speakers across Wales. We will focus on the early years because the earlier a child has contact with the language, the more opportunity the child has to become fluent.

21st Century Schools and Education Programme- Carmarthenshire's investment programme will consider the Welsh in Education Strategic Plan and work to develop learning environments that will enable the successful implementation of strategies for improvement and better educational outcomes.

5. Local authorities have a statutory duty under Section 10 of the Learner Travel Measure (Wales) 2008 to promote access to education and training through the medium of Welsh.

The local authority meets the requirements of Section 10 of the Learner Travel Measure (Wales) 2008. Primary Welsh medium education is available almost in every community in Carmarthenshire. There are some areas e.g. Laugharne/Tremoilet/Llanmiloe, where access to Welsh medium education a challenge. The County Council has a plan to respond to this issue. In the secondary sector Welsh medium education is available to all pupils. Each school community is part of a designated Welsh medium school's catchment

6. Role and Remit of the Language Forum

- To help develop the Welsh in Education Strategic Plan and to identify and develop performance measures in order that the objectives and targets are measured/achieved.
- To monitor and ensure implementation of the Welsh in Education Strategic Plan's objectives and targets.
- Ensure cross-reference to other relevant strategies and plans e.g. Integrated Community Strategy.
- Advise on undertaking a *Survey of Need* to advise on developing Welsh medium education
- Consider attainment data and receive reports on specific aspects of the Plan
- Consider and comment on the monitoring reports provided to the Welsh Government
- To provide feedback to the Scrutiny Committee, the Welsh Language Members' Advisory Panel and other committees as required
- Receive evidence from relevant parties/partners and consider ways in which the Council and the wider community can address the reduction in Welsh speakers challenge
- To provide support and challenge on implementing the WESP.
- To share effective practice.

7. Objectives and action plan

Outcome 1: More seven-year-old children being taught through the medium of Welsh

The current position relating to the number of seven year olds taught through the medium of Welsh and our targets for the next three years are as follows-

Current position	2017/2018	2018/2019	2019/2020
58.2%	59%	60%	61%

To achieve this outcome we will-

- Work with pre-school and child care providers to increase the number of learners who choose Welsh medium education, by promoting the benefits of bilingualism.
- Achieve a consensus to increase the number of Welsh medium places and supporting schools to move along the language continuum.
- Promote the Language Charters and other initiatives in order to develop the use of Welsh outside formal learning
- Ensure high standards of attainment in Welsh in all schools.

Supporting Statement:

In Carmarthenshire pre-school education is provided by schools and non-maintained settings. We will work with partners on increasing Welsh-medium provision targeting areas where there is currently no provision available. We will provide support and guidance via our Early Years team and share materials in relation to the value of bilingualism with parents in order that they have a better understanding and be able to make informed decisions about statutory education.

We will provide support and guidance to schools via our AGGaD team in how to respond to parental enquiries. We will share materials with parents/carers/guardians in relation to the value of bilingualism in order that they have a better understanding and are able to make informed decisions at all transitional stages.

We will ensure that parents, through our *Information to Parents* booklet know which schools offer Foundation Phase and Key Stages 2-5 Welsh medium provision. The information about the linguistic nature of each school, in accordance with the Welsh Government's 'Defining Schools according to Welsh medium provision', 2008, is also available on the County Council's website.

<http://www.carmarthenshire.gov.wales/home/residents/education-schools/find-a-school/#.WAoGfMuV-1s>

The current definition of our primary schools is as follows-

Type of school	Number	%	Number of pupils
Welsh Medium	58	58.6	6784
Transitional	2	2	292
Dual Stream	11	11.1	2885
English Medium with significant Welsh	3	3	698
English Medium	25	25.3	4626

In order to increase the number of Welsh medium places available we will reconfigure the current provision by-

- Developing more child care/pre-school provision through the medium of Welsh.
- Supporting our current dual stream and transitional schools to become Welsh medium schools.
- Invest in establishing new Welsh medium/dual stream schools utilising 21st Century Schools and Section 106 funding where appropriate.
- Supporting English medium schools to develop Welsh Foundation Phase provision.
- Extending the age range of specific schools and creating a space for providing Welsh medium early years provision.
- We will continually monitor with partners the demand in our urban areas and promote and expand provision as required.
- The spare capacity in Carmarthenshire Schools is monitored on a regular basis and plans are put in place to address any issues. In January 2016, 33% of Primary and 42% of Secondary Schools had less than 10% spare capacity.
- We will consider housing and economic developments and impact on school places and expand provision as required.

We will work with partners e.g. Welsh Government, ERW, Mentrau Iaith, University College Trinity St. David's to finalise our promotional material on the benefits of bilingualism. We will ensure that our publications are based on the most recent and relevant scientific research. We will use local case studies and examples of the positive impact of bilingualism to share with stakeholders. We will actively promote the value of being bilingual in Carmarthenshire in order to achieve our vision.

We will support schools and work with partners to develop opportunities for using Welsh outside the classroom. The 'Codi Caerau' and 'Cymraeg Campus' Welsh Language Charters will be promoted and we will celebrate and share good practice. We will continue to encourage a range of Welsh medium extra-curricular activities which provide opportunities for learners to socialise through the medium of Welsh e.g. Mentrau Iaith, Yr Urdd, YFC

Currently we support latecomers by providing bespoke in-school packages of intervention. We will investigate the practicalities and associated costs of implementing the Gwynedd/Ceredigion immersion model however, in the current economic climate there will be a need for political agreement and financial input.

Our School Improvement Team will support and challenge schools to ensure that Welsh language outcomes are improved and sustained. We will undertake a study of outcomes and attainment of our learners in Welsh with a focus on pedagogy, moderation of assessments and resources. This will lead to identifying effective practice and developing an action plan for improvement. This may include a programme of school federations which will lead to strengthened leadership and improved outcomes.

Responsibility

- Primary School headteachers and their Governing Bodies
- Head of School Effectiveness and Challenge Adviser team and AGGaD
- School Modernisation Manager
- Mudiad Meithrin

Outcome 2: More learners continuing to improve their language skills on transfer from primary to secondary school.

Our current position and targets for the next three years relating to the number of Year 9 learners who are assessed in Welsh (First Language) are as follows -

Current Position	2017/2018	2018/2019	2019/2020
42.2%	43%	44%	45%

To achieve this outcome we will-

- Promote the benefits of bilingualism
- Ensure linguistic progression from early years sector to KS2 and to the secondary sector.
- Increase the provision of bilingual education in the secondary sector.
- Adopt a clear progression protocol to increase the number of pupils who continue to study through the medium of Welsh at each key stage and ensure that this is communicated clearly to all stakeholders.

Supporting Statement:

The current definition of our secondary schools is as follows-

Type of school	Number	%	Number of pupils
Welsh Medium	1	8.3	877
Bilingual- 2A	2	16.6	1920
Bilingual- 2B	2	16.6	2757
English Medium with significant Welsh (EW)	3	25	2779
English Medium (EM)	4	33.3	2848

In order to increase the number of bilingual places available we will reconfigure the current provision by-

- Increasing the number of subjects available through the medium of Welsh in our 2B, EW and EM schools.
- Ensuring that our EW and EM schools provide Welsh as a 1st language.
- Measuring the demand for bilingual education in our urban areas with a focus on secondary education before the end of the plan.

We will ensure that all pupils are able to speak, read and write the language fluently by the end of Key Stage 2 to their expected levels. We will develop a protocol which outlines our expectations that learners who have followed the Welsh 1st language programme in the primary school will continue with this programme when transferring to the secondary phase. It will also articulate our expectation that all learners who have attended bilingual primary schools will study at least 3-5 curricular areas through the medium of Welsh at Key Stage 3 in order to embed and further develop their linguistic competency.

Of the Year 6 pupils in 2013 who were assessed in Welsh (808 pupils/56.5% of all the county's pupils), 751 pupils/92.9% of them were assessed in Welsh (as a subject) at the end of KS3 in 2016. There is clearly a reduction in the numbers between Key Stages which will be addressed by the above.

Responsibility

- Primary and Secondary headteachers and their Governing Bodies
- Head of School Effectiveness and Challenge Advisor with responsibility for the Welsh language and AGGAD

- Mudiad Meithrin

Outcome 3: More students aged 14-16 studying for qualifications through the medium of Welsh.

Outcome 4: More students aged 14-19 in study subjects through the medium of Welsh, in schools, colleges and work-based learning

Our current position and targets relating to the percentage of learners entered for GCSE Welsh (first language) who are studying for 2 or more further Level 1 or Level 2 qualifications through the medium of Welsh are as follows-

Current Position	2017/2018	2018/2019	2019/2020
<i>tbc</i>	90%	91%	92%

Our current position and targets relating to the percentage of learners entered for GCSE Welsh (first language) who are studying for 5 or more Level 1 or Level 2 qualifications through the medium of Welsh are as follows-

Current Position	2017/2018	2018/2019	2019/2020
<i>tbc</i>	68%	69%	70%

To achieve these outcomes we will-

- Increase the number of subjects offered and taught through the medium of Welsh.
- Increase the volume of learners studying subjects through the medium of Welsh.
- Improve the delivery and quality of teaching through the medium of Welsh with an emphasis on training of staff at all levels of proficiency and by using a range of methods
- Ensure progress in standards against recognized indicators.

Supporting Statement:

We intend to move every primary and secondary school along the language continuum (except those schools which already implement the model in its entirety). This entails a comparatively shorter timescale for those schools who are already on the journey; for others, it will be a longer term aim. We will develop a list of schools with the appropriate expectations noted with this strategy and ensure that progress sought is both reasonable and achievable.

For the medium/longer term (5 years+) we will move schools along then continuum. In the short term (by 2020) we will set targets and support 2A, 2B, 2C, EW and EM secondary schools to increase the numbers learning through the medium of Welsh. These figures to be appropriately challenging, but reasonable and achievable, with appropriate assistance.

It will also be important to work with employers and secure labour market information in order to target vocational areas and emphasise the importance of school ethos and the hidden curriculum whilst promoting Welsh identity and culture and teaching through the medium of Welsh.

In addition, we aspire to implement recommendations of the 11-19 curriculum review for Carmarthenshire: *'The curriculum identified in the 11-19 Review will be developed in Welsh, English and bilingually where appropriate. This will include the prioritisation of course options to ensure a range and linguistic continuum of Welsh-medium opportunities for learners in line with the Learning and Skills (Wales) Measure 2009. For Welsh-medium provision, the role of the Partneriaeth Addysg Gymraeg (PAG) cluster network that includes Welsh Medium schools, Coleg Sir Gar and key local employers, will be essential in ensuring that effective progression into Welsh-medium course options in Key Stages 4 and 5 will be available. Stronger links into local higher education provision in the medium of Welsh will also be developed to enable further linguistic*

progression for young people'.

We will also develop strategic and policy partnerships with stakeholders on every level, including the Professional Adviser for Welsh in Education (Welsh Government). Additionally, we will lobby Welsh Government for resources and developments in overarching provision which would complement activity on a County Level, This may entail changes to legislation/regulations. More locally we wish to lead on Welsh within the Curriculum in co-operation with the ERW region, promoting the findings of a strategic document at this level and work proactively to implement recommendations 21-30 of the Donaldson Review, 'Successful Futures' within the county's schools as highlighted in the internal report, 'Paving the Way'.

Responsibility

- Secondary School headteachers and their Governing Bodies
- Head of Learner Programmes
- Head of School Effectiveness and Challenge Adviser team
- Challenge Advisor with responsibility for the Welsh language and AGGAD.

Outcome 5: More students who have higher language skills in Welsh

Our current position and targets relating to the current total A level Welsh first language entries as a % of GCSE Welsh first language entries two years earlier.

Current Position	2017/2018	2018/2019	2019/2020
3.7%	4%	4.3%	4.6%

Our current position and targets relating to the current total A level Welsh second language entries as a % of GCSE Welsh second language entries two years earlier.

Current Position	2017/2018	2018/2019	2019/2020
1.3%	1.5%	1.8%	2%

To achieve this outcome we will-

- Create a Professional Learning Community across the LA/ERW to discuss successes and challenges and how to address them.
- Continue to work with employers and higher education to promote bilingualism as a key skill for further education and the world of work.
- Further develop opportunities to use Welsh in informal activities (e.g. volunteering, Duke of Edinburgh, Youth Clubs).
- Promote improved skills for the lifelong use of the Welsh language (research into and develop a Professional Welsh module for post-16 students e.g. through Welsh Bac).

Supporting Statement:

We intend discussing ways of recruiting more young people to A Level/AS Level Welsh especially boys. We also wish to consider working cooperatively in order to develop a higher course in Professional Welsh. This course to be offered:

- as an A/AS level course in its own right
- via free-standing modular elements that students can aim for, irrespective of whether they are studying Welsh to A Level e.g. Post 16 certificate/accreditation in Welsh for Scientists. This can entail investigating further possibilities within the Welsh Bac by encouraging

students which are not on academic Welsh routes to hone their skills e.g. towards proficiency regarding our skills framework

Towards the medium term and beyond, we aim to offer positive input whilst developing Welsh as one continuum, including options in the medium term to dual register pupils at GCSE level in the relevant schools. Additionally, we wish to: develop and promote the contribution older students in 11-18 schools can make as role models and mentors e.g. via initiatives such as PCAI; extend the proficiency of the Youth Service, especially based in schools in order to promote informal use of Welsh and develop promotional material which shows the value placed on bilingualism by employers.

We will support schools and work with partners to develop opportunities for using Welsh outside the classroom. We will continue to support a range of Welsh medium extra-curricular activities which provide opportunities for learners to socialise through the medium of Welsh.

Responsibility

- Welsh Language/Literacy Co-ordinators within schools
- Headteachers and Governing Bodies
- Head of Learner Programmes, Head of School Effectiveness and team
- Members of the Welsh Language Forum
- Challenge Advisor with responsibility for the Welsh language and AGGAD

Outcome 6: Welsh medium provision for learners with additional learning needs (ALN)

To achieve this outcome we will-

- Continue to ensure that all Additional Learning Needs specialist support services are available bilingually.
- Develop a bilingual system to respond to the ALN reform agenda.
- Work with our Special Schools/Units and Behavioural Support Team to further develop bilingual provision.
- Further develop the skills of our Additional Learning Needs Coordinators to support learners.

Supporting Statement:

The Local Authority is committed to providing a bilingual service to Carmarthenshire's learners. Our vision is as follows- *'We will work with our partners to ensure that every child and young person has the opportunity to fulfil their potential in a bilingual environment which respects and values all cultures and traditions.'*

As a high proportion of our schools are bilingual we are able to meet requests for mainstream education provision in a timely fashion. All support services and statutory processes are available bilingually and we provide training and support to ALNCos in order that they can meet each learner's needs.

All interventions are available bilingually and we commit to ensuring that all resources developed within Carmarthenshire are available in both Welsh and English.

We will continue to monitor requests for specialist support and work with school leaders, ALNCos

and inclusion officers to identify areas to develop and incorporate these developments in our school modernisation scheme.

We will reflect the new way of working and supporting learners with ALN (Child-centred, Individual Development Plan, and Voice of the Child) ensuring that the approach is available bilingually.

We recognise that bilingual provision in our Special Schools and Units is limited. We will work with these settings in developing bilingual provision to ensure that learners with complex additional needs can access bilingual provision and support in their chosen language.

Responsibility

- Inclusion Managers
- Authority Advisory staff
- Partners e.g. Health Board Officers
- Headteachers and ALNCoS

Outcome 7: Workforce planning and continuing professional development.

To achieve this outcome we will-

- Use language skills questionnaires to identify the Welsh skill levels of all staff.
- To develop the skills and confidence of the current school workforce we will work with partners (ERW, National Centre for Learning Welsh) to deliver training programmes with a specific focus on teaching through the medium of Welsh.
- Work with partners on the future recruitment, development and training of the schools workforce in order to be able to deliver this Plan and the Welsh Government's 'A million Welsh speakers by 2050' aspiration.
- Support and provide advice to Governors and school leaders on staff appointments and development.

Supporting Statement:

All providers will biannually undertake a school workforce Welsh Language Skills questionnaire. Analysis of the data will identify current provision and areas for further development which will be reflected in the school's self-evaluation and school development documentation. Schools will be required to use their resources to provide opportunities for staff to access developmental opportunities.

Currently there are no issues in recruiting Welsh speaking education staff to work in our Welsh medium schools. However, challenges in recruiting Welsh speaking school leaders are becoming more obvious and we plan to instigate and formalise school federations to assist with the situation. We will provide guidance and training and support this new leadership role by facilitating school to school support.

Further analysis by the Local Authority of the workforce data will inform us of gaps in provision and future training needs/content of training programmes. As the Plan includes references to enhancing bilingual provision we will work with partners e.g. Consortia/Welsh Government on ensuring that we have a suitably skilled school workforce. This will include implementing the new Professional Standards for Teachers, increasing the number of teachers who can teach Welsh as a subject and work effectively in bilingual settings, take advantage of alternative routes into teaching, access national workforce planning systems and the Wales-wide approach to small and rural schools.

We will offer staff training to improve reading, writing and speaking in Welsh, and to refine the Welsh skills of those who already have a command of the language. We will use the County Council's Language Skills Framework, as a basis for this work. In addition, we intend developing the skills and confidence of teachers to teach through the medium of Welsh and also upskill support staff to lend assistance to pupils through the medium of Welsh.

Furthermore, we will upskill staff to ensure that appropriate pedagogy is adopted, in order to ensure that standards will be maintained and raised whilst teaching through the medium of Welsh. This can be supported by Leaders of Learning and Professional Learning Communities in order to ensure practical support for practitioners teaching increasingly through the medium of Welsh, especially with respect to classroom resources. This can then lead into working with publishers of educational materials (e.g. CAA, Peniarth, outside agencies) to develop teaching resources, apps etc. and work with WG in order to secure financial resource to develop this aspect.

The Local Authority will provide support and challenge to Governors and school leaders on appointing suitably qualified staff in order that they can address the requirements of this Plan and continue to improve educational standards. We will work with Consortia colleagues on school workforce training and leadership development.

Responsibility

- Headteachers and Governing Bodies
- Human Resources officers
- Challenge Advisor
- Challenge Advisor with responsibility for the Welsh language and AGGAD

Signed:

Date:

(This needs to be signed by the Chief Education Officer within a local authority)

Outcome 1: More seven-year-old children being taught through the medium of Welsh				
Expanding Provision	Current	2017-18	2018-19	2019-20
What is the percentage of seven-year-old children currently taught through the medium of Welsh?	58.2	59%	60%	61%

Outcome 2: More learners continuing to improve their language skills on transfer from primary school to secondary school				
	Current	2017-18	2018-19	2019-20
What is the current percentage of learners in Year 9 who are assessed in Welsh (First Language)?	42.2	43%	44%	45%
How does this figure compare with percentage of learners in Year 6 who were assessed in Welsh (First Language) three years earlier?	50.4 (-8.2)			

Effective transfer and linguistic continuity						
What are the rates of progression between:						
Non-maintained Welsh-medium childcare settings for children under 3 and maintained Welsh-medium/bilingual schools delivering the Foundation Phase?						<i>tbc</i>
Non-maintained Welsh-medium childcare settings for children under 3 and funded non-maintained Welsh-medium settings delivering the Foundation Phase?						<i>tbc</i>
Funded non-maintained Welsh-medium settings and maintained Welsh-medium/bilingual schools?						<i>tbc</i>
Non-maintained Welsh-medium childcare settings for children under 3 and funded non-maintained Welsh-medium settings delivering the Foundation Phase and subsequently maintained Welsh-medium/bilingual schools?						<i>tbc</i>
Foundation Phase and Key Stage 2?						93.1
Key Stages 2 and 3?						92.9
Key Stage 3 and 4?						98.6
<i>If your authority has bilingual secondary schools (categories 2A, 2B, 2C and 2CH), please provide data for each school showing how many pupils are in the Welsh-medium stream and how many are in the English-medium stream, by Key Stage.</i>						
School Name	Welsh Stream			English Stream		
DYFFRYN AMAN (2B)	KS3- 369	KS4- 277	KS5- 4	KS3- 365	KS4- 264	KS5- 271
BRO DINEFWR (2B)	KS3- 353	KS4- 258	KS5- 5	KS3- 162	KS4- 162	KS5- 185
STRADE (2A)	KS3- 540	KS4- 335	KS5- 181	KS3- 0	KS4- 0	KS5- 0
MAES Y GWENDRAETH (2A)	KS3- 451	KS4- 235	KS5- 157	KS3- 0	KS4- 0	KS5- 0

Outcome 3: More learners aged 14-16 studying for qualifications through the medium of Welsh				
Outcome 4: More learners aged 16-19 studying subjects through the medium of Welsh in schools, colleges and work-based learning				
Increasing the percentage of learners aged 14 -16 studying for qualifications through the medium of Welsh	Current	2017-18	2018-19	2019-20
What is the current percentage of Year 11 learners who are entered for GCSE Welsh First Language who are studying for 5 or more further Level 1 or Level 2 qualifications through the medium of Welsh?	<i>tbc</i>	90%	91%	92%
What is the current percentage of Year 11 learners who are entered for GCSE Welsh First Language who are studying for 2 or more further Level 1 or Level 2 qualifications through the medium of Welsh?	<i>tbc</i>	68%	69%	70%

Increasing the percentage of learners aged 16-19 who study subjects through the medium of Welsh in schools				
What is the percentage of learners aged 16-19 who study 2 or more subjects				
a) through the medium of Welsh?				38.5
b) bilingually (e.g. elements of qualifications/modules)?				7.5
Outcome 5: More learners with higher skills in Welsh				
Improving provision and standards in Welsh First Language	Current	2017-18	2018-19	2019-20
What is the percentage of learners at the end of the Foundation Phase who reach at least Foundation Phase Outcome 5 in Language, Literacy and Communication Skills in Welsh-medium/bilingual schools?	90.4%	91%	91.5%	92%
What is the percentage of learners at the end of Key Stage 2 who reach at least Level 4 in teacher assessment in Welsh?	88.3%	89%	89.5%	90%
What is the percentage of learners at the end of Key Stage 3 who reach at least Level 5 in teacher assessment in Welsh?	88.5%	89%	89.5%	90%
What is the percentage of learners at the end of Key Stage 4 who achieve grades A*-C in GCSE Welsh first language?	72.8%	73.5%	74%	75%
Improving provision and standards of Welsh Second Language	Current	2017-18	2018-19	2019-20
What is the percentage of learners at the end of Key Stage 2 who reach at least Level 4 in the teacher assessment of Welsh Second Language?	66.5%	67%	68%	69%
What is the percentage of learners at the end of Key Stage 3 who reach at least Level 5 in the teacher assessment of Welsh Second Language?	78.4%	80%	82%	83%
What is the percentage of learners at the end of Key Stage 4 who achieve grades A*-C in GCSE Welsh Second Language Full Course?	82.1%	83%	84%	85%
What is the percentage of learners at the end of Key Stage 4 who achieve grades A*-C in GCSE Welsh Second Language Short Course?	74.9%	76%	77%	78%
<i>What percentage of the cohort is entered for</i>				
(i) GCSE Welsh Second Language Full Course;	63.9			60%
(ii) GCSE Welsh Second Language Short Course	None			None
(iii) not entered for either?	5.2			4.2%
More learners with higher-level Welsh language skills				
What are the current total A Level Welsh first language entries as a percentage of GCSE Welsh first language entries two years earlier?				3.7
What are the current total A Level Welsh second language entries as a percentage of the full and short course GCSE Welsh second language entries two years earlier?				1.3

Appendix 2- Defining schools according to Welsh medium provision

Primary Schools

Welsh Medium [WM]	Welsh medium primary school- all Pupils in the Foundation Phase experience the areas of learning through the medium of Welsh. Welsh is the main teaching medium at KS2 with at least 70% of the teaching through the medium of Welsh. English is introduced formally as a subject at Key Stage 2 and is taught through the medium of English, and English may occasionally be used for some aspects of some subjects.
Dual stream [DS]	Dual Stream Primary school- Two types of provision exist side-by-side in these schools. Parents/pupils opt either for the mainly Welsh-medium or mainly English-medium provision which is usually delivered as in categories WM and EM respectively.
Transitional [TR]	Transitional primary school: Welsh medium with significant use of English- Pupils in the Foundation Phase experience the areas of learning mainly through the medium of Welsh. Both languages are used in teaching at Key Stage 2 but with greater emphasis on Welsh so that Welsh is used as the medium of instruction for over half and up to 70% of the curriculum. (Schools would usually only be in this category on a temporary basis)
English (with significant Welsh) [EW]	Predominantly English medium primary school but with significant use of Welsh- Pupils in the Foundation Phase experience the areas of learning in both languages but with greater emphasis on English. In Key Stage 2, both Welsh and English is used in teaching but there is greater emphasis on English. Welsh is used as the medium of teaching or learning for between 20% and 50% of the primary curriculum overall.
English medium [EM]	Predominantly English medium primary school- All pupils in the Foundation Phase experience the areas of learning mainly through the medium of English. English is the main teaching medium at KS2. Welsh is taught as a second language in KS2, and some aspects of some subjects may be taught in Welsh. Less than 20% of the teaching is through the medium of Welsh.

Secondary Schools

1	Welsh medium secondary school- All subjects (including RE and PSE) apart from English are taught through the medium of Welsh to all pupils, although some schools may introduce English terminology in one or two subjects.
2A	Bilingual Secondary School- At least 80% of subjects apart from English and Welsh are taught only through the medium of Welsh to all pupils. One or two subjects are taught to some pupils in English or in both languages.
2B	Bilingual Secondary School- At least 80% of subjects (excluding Welsh and English) are taught through the medium of Welsh but are also taught through the medium of English.
2C	Bilingual Secondary School- 50-79% of subjects (excluding Welsh and English) are taught through the medium of Welsh but are also taught through the medium of English
EW	Predominantly English medium secondary school with significant use of Welsh- Both languages are used in teaching with 20-49% of subjects taught through the medium of Welsh. All subjects would normally also be taught through the medium of English.
EM	English Medium secondary school- Pupils are mainly taught through the medium of English. Welsh is taught as a second language up to KS4. One or two subjects (which would include Welsh first language) may be taught as an option through the medium of Welsh or using both languages.

Appendix 3- ACRONYMS

AGGaD	Team of Teachers who support the development of the Welsh language in schools
ALN	Additional Learning Needs
CAA	Welsh Publisher
ERW	ERW is an alliance of six local authorities (Carmarthenshire, Ceredigion, Neath Port-Talbot, Pembrokeshire, Powys and Swansea) who work together to agree a regional strategy and business plan to deliver school improvement services.
Foundation Phase	The statutory phase for all 3 to 7 year olds in Wales
GCSE	General Certificate of Secondary Education
Key Stage 2	The second phase of compulsory primary education (ages 7-11).
Key Stage 3	The third phase of compulsory primary education (ages 11-14).
Key Stage 4	The fourth phase of compulsory primary education (ages 14-16).
Key Stage 5	The fifth phase of compulsory primary education (ages 16-18).
LA	Local Authority
PAG	Carmarthenshire's Welsh Education Partnership
PCAI	Project to support language practices
Peniarth	Welsh Publisher
WESP	Welsh in Education Strategic Plan
YFC	Federation of Young Farmers' Clubs
Yr Urdd	Welsh Youth organisation

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CONSULTATION REPORT

Carmarthenshire's Welsh in Education Strategic Plan 2017-2020

Acknowledgements

We value all the constructive comments received in response to our draft Welsh in Education Strategic Plan. We have endeavoured to ensure that this is a short and succinct strategic document highlighting our main priorities. However, to enable us to implement this Plan effectively we acknowledge that we will need to develop a detailed Action Plan and incorporate it into our business planning process. Many of the supportive comments and suggestions will be considered and incorporated into the operational plan.

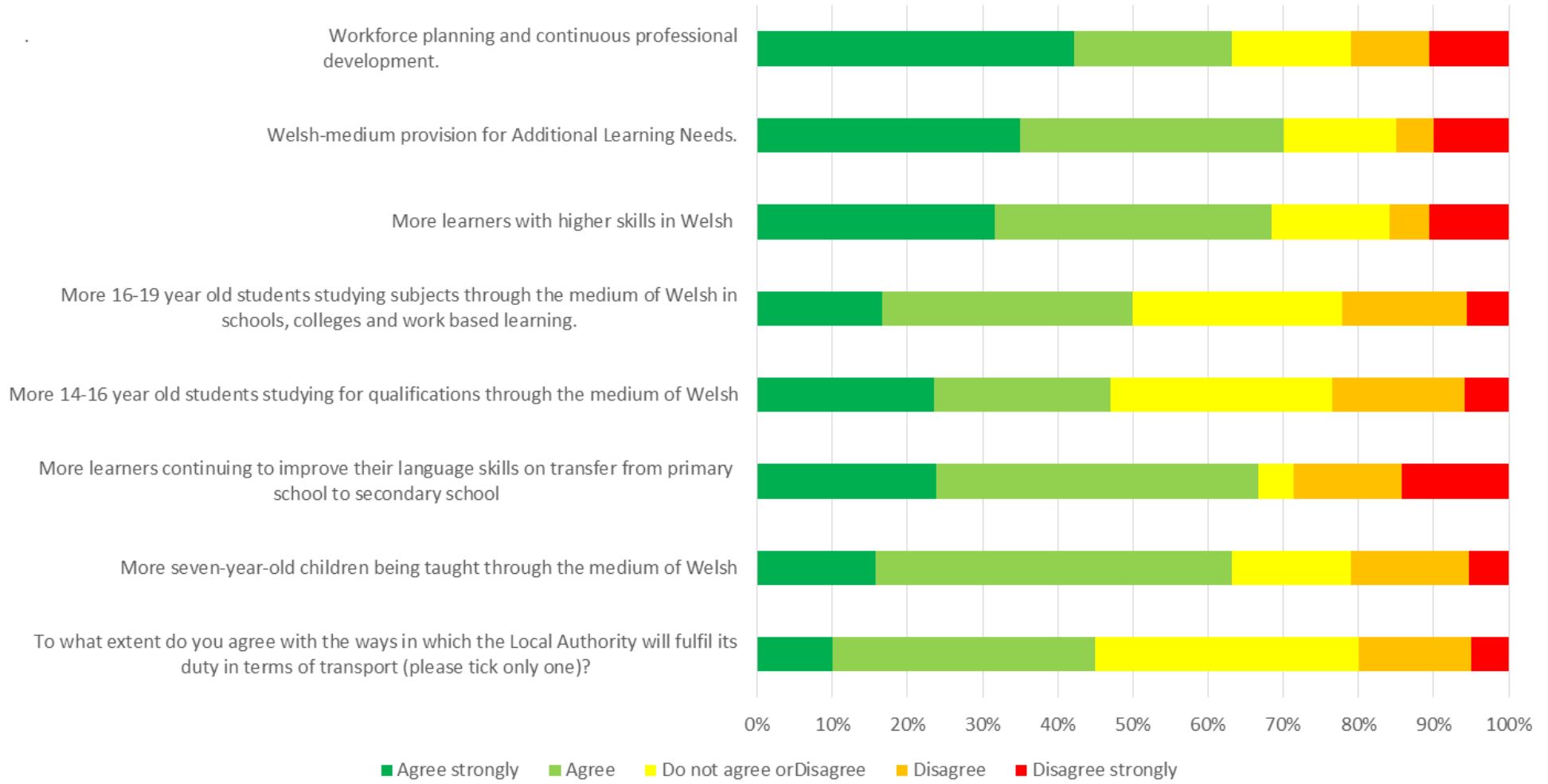
Appendix A

List of Respondents to the Consultation Document

Rhif ymateb / Response Number	Your position / Category of Respondent (e.g. parent, governor)
1	Parent
2	Parent
3	Governor & Parent
4	Parent
5	Heb Ymateb / No Response
6	Governor
7	Governor - Ysgol Dyffryn Aman
8	Aelod o'r gymuned a chyfarwyddwr Canolfan Cymraeg y Lle, Llanelli /Member of community and director of 'Y Lle', Llanelli
9	Resident
10	Resident.
11	Parent
12	Local Campaigner
13	Heb Ymateb / No Response
14	Community Member
15	Councillor
16	Parent
17	Heb Ymateb / No Response
18	Rhiant / Parent
19	Governor
20	Carmarthenshire resident
21	Board of Governors
22	Board of Governors
23	LA Governor
24	Interest Group (Cymdeithas yr Iaith Gymraeg / Welsh Language Society)
25	Interest Group (Rhieni Dros Addysg Gymraeg / Parents for Welsh Medium Education)
26	Interest Group (CAER– Cymdeithas Addysg Ewrop y Rhanbarthau)
27	Governor (received after close of consultation period)

APPENDIX B: Statistical Summary

Ymatebion i gwestiynau ar y prif amcanion datblygu, a thrafnidiaeth / Responses to questions on the main development objectives, and transport



Appendix C

Observations/Themes and LA response

Observation/Theme	Local Authority Response
Page 82 The lack of parental choice is unacceptable	<p style="text-align: center;">In opposition</p> <p>There is a duty on All Welsh County Councils to develop and publish a Welsh in Education Strategic Plan (WESP) in order to comply with The School Standards and Organisation Act (2013) which became law on 4th March 2013. WESPs detail how local authorities aim to achieve the Welsh Government's outcome and targets outlined in the Welsh Medium Education Strategy (WMES).</p> <p>We do not agree with the response in respect to choice. We believe that we are compliant with the law and that the respondent has applied too broad an interpretation of "parental choice", as the law does not give parents, the absolute right to have their children educated through whatever linguistic medium they choose.</p> <p>The Local Authority also has a responsibility to provide all pupils with the best education possible and believes that ensuring our learners become as proficient as possible in at least two languages is best for all our pupils' future prospects. The aim of Carmarthenshire's Welsh in Education Strategic Plan 2017-2020 is to ensure that every pupil can speak, read and write fluently in Welsh and English by the end of statutory school leaving age; In order to achieve this requires initiation during early years education, development during Key Stage 2 and further enhancement at secondary school. Athrawon Bro support is available to latecomers.</p>
	2 Borders on discrimination / is racist / increases segregation
3 Forces young people to learn Welsh	<p>Welsh is a statutory subject to age 16 in Welsh schools i.e. it is illegal not to teach Welsh. This is set to continue with the onset of the new curriculum for Wales. Welsh Government are embarking on a plan to reach a million Welsh speakers by 2050. Amongst 6 factors, education is cited as the prime means of realising this goal, given that 4/5 people learn to speak Welsh at school.</p> <p>The Local Authority will expect its schools and teachers to make learning Welsh and learning through the medium of Welsh as motivational, interesting, fun and relevant as possible.</p>
4 Welsh is irrelevant / confined to one	<p>Following the well-documented success of Welsh medium schools in creating fluent and confident bilingual citizens, there is concrete evidence that bilingualism promotes the ability to acquire additional languages,</p>

	country only/is a bar to higher education	which is a potential benefit which can be applied worldwide. The key to success will be a good level of fluency and confidence in both languages, borne from setting high standards, rather than accepting sub-optimal teaching and mediocre fluency in one or both languages. Being able to speak Welsh and being taught through the medium of Welsh has not proven to be a bar to higher education; there are countless examples of fluently bilingual young people from Carmarthenshire and other parts of Wales thriving at University, including at more sought after institutions such as The Sutton Trust Group.
5	Transport – wrong to subsidise travel from out of catchment to Welsh schools but not to English schools	The County Council has a School Transport Policy which complies with all relevant legislation. The policy can be accessed as follows: http://www.carmarthenshire.gov.wales/media/1602051/SchoolTransportPolicy.pdf . There is no provision for, or reference to, subsidising out of catchment travel to attend a school of any given language category.
6	Lack of consultation	All consultation requirements have been complied with. There was an 8 week consultation period, which opened on 11.10.16 and closed on 19.12.16.
7	Impact on English Medium schools in respect to funding, intake etc.	The WESP requires all schools to move along the language continuum and develop Welsh medium provision. We have some English medium secondary schools who have responded to this challenge and are providing some subjects through the medium of Welsh at Key Stage 3. This has attracted learners and protected their roll and funding. English medium schools in the consultation have provided supportive commentary, reaffirming their wish to develop Welsh medium provision.
8	Spend money instead on quality of education	Significant investment is already focussed on School Improvement services via our consortium and Challenge Adviser team. Attaining fluency in both languages requires particular regard for setting high standards in teaching and learning.
9	Naïve to think ALN pupils will be catered for / lack of capacity in Welsh medium ALN expertise	ALN provision is a major objective within the scheme and aims to ensure that all areas of ALN support services are available equitably in both languages. There is more to do, as set out in the plan.
10	Policy needs to be fairer to non-Welsh speaking parents	Comments are noted. A support package for parents will be developed with practical advice and guidance for parents in non-Welsh speaking families. Being a non-Welsh speaking parent is not a barrier to Welsh medium education for children and advice on issues such as homework, Welsh for the Family etc. will be made available.

In support

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	Benefits of learning at least two languages and learners leaving	Respondents' support is noted and we welcome the observations. There are many advantages to being bilingual as confirmed by national and international research. Bilingualism has positive effects on children's' linguistic and educational development as well as having social advantages. Some new studies also suggest
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Page 84	<p>school with fluency and confidence in Welsh – need more stress on marketing the advantages, especially for the workplace</p>	<p>that bilingualism may offer some protection against the decline of cognitive abilities in old age, both in normal and pathological ageing. The link with the workplace is noted and will be pursued as part of implementing recommendations emanating from the County Council's 11-19 curriculum review</p>
2	<p>The plan is properly geared towards realising the vision / will increase Welsh medium education and meet the growing demand</p>	<p>Respondents' supportive comments are noted and we welcome the observations.</p>
3	<p>Policy is welcomed / Support the plan but the goals are not ambitious enough / targets need strengthening</p>	<p>We note comments made by respondents. We will revise our targets after the first year of the plan, in order to ensure that they are suitably ambitious, commensurate with evolving provision and achievable.</p>
4	<p>Schools stating that they wish to enhance provision</p>	<p>The comments are welcomed and we will work in partnership with the schools in question to develop the aims of the policy.</p>
5	<p>The MEP programme should reflect the growing demand for Welsh medium education</p>	<p>Carmarthenshire County Council's Modernising Education Provision programme is addressing this issue and increasing the number of Welsh medium education places across the county.</p>
6	<p>Would like to see a plan for every primary and secondary school to move along the Welsh language continuum.</p>	<p>The LA agrees with this comment and this aim is referenced in the draft consultation document</p> <p>ACTION- LA to draft a primary and secondary language continuum plan for discussion with all head teachers and school Governing Bodies.</p>
7	<p>Staff capacity to realise the scheme in</p>	<p>Welsh as a 1st or 2nd language is a statutory element of the National Curriculum. All schools are required to provide a certain level of Welsh therefore Governing Bodies have a duty to employ staff who have the skills/</p>

	terms of competence and confidence needs to be developed	are able to deliver the Welsh requirements of the curriculum. The new national curriculum for Wales as outlined in the Successful Futures review (2015) recommends that Welsh remain compulsory to age 16. Furthermore, there are 9 other recommendations, designed to develop Welsh and teaching through the medium of Welsh in the curriculum. The new curriculum for Wales will be available in 2018 and statutory from 2021 onwards. This presents a challenge in respect of ensuring that we have more than sufficient workforce capacity to realise this agenda. It is thus proposed nationally that significant investment is made in professional development and staff training so that school staff can deliver the new curriculum and also teach, support and promote Welsh and Welsh medium education within that curriculum. We will work with Welsh Government, our consortium and other partners such as Welsh for Adults to build this capacity.
8	Non-Welsh speaking parents should not feel left out in being able to send their children to Welsh medium education	The plan aims to be inclusive and support will be available as described previously. There are already a great number of children in Welsh medium education from non-Welsh speaking families; indeed, it is the norm across large areas of south Wales. We aspire that all families can embrace the potential benefits accruing from the aims of this plan.
9	Simplify the process of changing category of dual stream schools to Welsh medium schools	This matter is being discussed with Welsh Government.
10	Greater help required for English medium and dual stream schools to develop Welsh provision by upskilling staff	This will be addressed in a support package for schools, school staff, parents and governors. English medium schools have been proactive in responding to this consultation, with the majority declaring a wish to develop their Welsh medium provision.
11	Expand Welsh medium places in urban areas, particularly Llanelli	Comment noted and is referenced in the MEP plan.
General comments		
Page 85	Bilingual education needs to be encouraged rather than Welsh medium education	The aim of Welsh medium education is to attain competent fluency in two or more languages. Developing Welsh medium education is a vehicle to attain at least functional and, preferably, adept bilingualism. Not developing Welsh medium education will fail to realise the stated aim of ensuring that all learners in Carmarthenshire leave statutory and post statutory education fluently and confidently bilingual. That is why every school has a role to play in moving along the language continuum.

EXECUTIVE BOARD

23RD JANUARY 2017

Model Capability Procedure for Teachers and Headteachers

Recommendations / Key Decisions Required:

To endorse the adoption of the Model Capability Procedure for Teachers and Headteachers

Reasons:

The need for a Capability Procedure for Teachers and Headteachers was recognised as a priority by ERW and as such this procedure has been developed regionally, across the 6 Local Authorities that make up the ERW region, in consultation with trade unions.

Relevant scrutiny committee to be consulted - N/A

Executive Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER: Cllr. Mair Stephens; Cllr. Gareth Jones

Directorate: Chief Executive's / People Management & Performance; Education & Children's Services

Name of Head of Service:

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Gareth Morgans

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**EXECUTIVE SUMMARY
EXECUTIVE BOARD
23RD JANUARY 2017**

Model Capability Procedure for Teachers and Headteachers

1. Background

The Authority is committed to providing a first-class education for children and young people. In order to ensure this, school leaders and governing bodies must recognise the importance of addressing performance issues in a fair, transparent and efficient manner.

Effective performance management procedures demonstrate a school's commitment to develop all employees to ensure job satisfaction, high levels of expertise and progression of employees in their profession. It will also help employees to meet the needs of pupils and raise standards. Effective performance management requires line managers to pay continuous attention to monitoring progress during the year, intervening early and providing support if there are concerns about the performance of an employee. It sets a framework for staff, school leaders and governors to agree and review priorities and objectives in the context of professional development and the School's improvement plans.

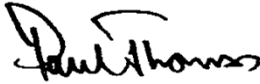
The purpose of this Procedure is to help schools secure improvement - this is a joint effort between the employee, the Headteacher or line manager and the Governing Body. Early identification of underperformance and appropriate intervention and support through effective performance management will help to avoid the need for formal capability procedures at a later date.

This Procedure applies to all teachers and Headteachers, except for Newly Qualified Teachers (NQTs) who are subject to separate procedures.

Detailed report attached: Yes

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:


 Signed: _____
ASSISTANT CHIEF EXECUTIVE (PEOPLE MANAGEMENT & PERFORMANCE)

Policy, Crime & Disorder & Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NO	NO	NO	YES	NO

1. Policy, Crime & Disorder

The recommendations support the Council’s Strategic Aim ‘Building a Better Council’ and ‘Making Better Use of Resources’.

2. Legal

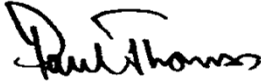
The Model Capability Procedure for Teachers and Headteachers is in line with Welsh Government’s ‘Capability of school teaching staff: Guidance for schools’ (guidance document no: 111/2013) and ‘Capability of Headteachers - Guidance for schools’ (guidance document no: 153/2014).

6. Staffing Implications

The HR Team will provide advice and guidance to schools on the application of the Model Capability Procedure for Teachers and Headteachers.

CONSULTATIONS

I confirm that the appropriate consultations have taken place and the outcomes are as detailed below:

Signed: 
ASSISTANT CHIEF EXECUTIVE (PEOPLE MANAGEMENT & PERFORMANCE)

1. Scrutiny Committee

None

2. Local Member(s)

None

3. Community / Town Council

None

4. Relevant Partners

None

5. Staff Side Representatives and other Organisations

Education & Children's Services Employee Relations Forum - 8th November 2016

**Section 100D Local Government Act, 1972 - Access to information
List of Background Papers used in the preparation of this report:**

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection



Ein Rhanbarth ar Waith
Education through Regional Working

Model Capability Procedure for Teachers and Headteachers

Cynghrair o 6 awdurdod lleol yw ERW a reolir gan gyd-bwyllgor cyfansoddiadol cyfreithiol.
Y nod yw gweithredu strategaeth a chynllun busnes rhanbarthol cytunedig a chefnogi gwelliant ysgolion.

ERW is an alliance of 6 local authorities governed by a legally constituted joint committee.
Its aim is to implement the agreed regional strategy and business plan to support school improvement.



DOCUMENT CONTROL	
Policy name	Capability Procedure for Teachers and Headteachers
Department	Human Resources
Reviewing Officers	ERW HR Group on behalf of the 6 constituent local authorities
REVISION HISTORY	
Version 1	November 2016
CONSULTATION PROCESS	
<p>The following Trade Unions have been consulted in respect of this Procedure:</p> <ul style="list-style-type: none"> • ASCL • ATL / AMiE • NAHT • NASUWT • NUT • UCAC 	

The Governing Body of _____ School
formally adopted this Procedure on _____

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SECTION A: GENERAL PRINCIPLES

1. INTRODUCTION

- 1.1 This Local Authority is committed to providing a first-class education for children and young people. In order to ensure this, school leaders and governing bodies must recognise the importance of addressing performance issues in a fair, transparent and efficient manner. The Governing Body of this School is therefore committed to ensuring that all staff possess the appropriate skills, knowledge, competence and aptitude to undertake their roles effectively.
- 1.2 Effective performance management procedures demonstrate a school's commitment to develop all employees to ensure job satisfaction, high levels of expertise and progression of employees in their profession. It will also help employees to meet the needs of pupils and raise standards. Effective performance management requires line managers to pay continuous attention to monitoring progress during the year, intervening early and providing support if there are concerns about the performance of an employee. It sets a framework for staff, school leaders and governors to agree and review priorities and objectives in the context of professional development and the School's improvement plans¹.
- 1.3 The purpose of this Procedure is to help schools secure improvement – this is a joint effort between the employee, the Headteacher or line manager and the Governing Body. Early identification of underperformance and appropriate intervention and support through effective performance management will help to avoid the need for formal capability procedures at a later date. In many cases, improvement may be achieved through existing review processes - often with a minimum of support and attention. In those instances, where serious concerns are identified in terms of unsatisfactory performance, a more formal approach may be required.
- 1.4 The commencement of capability procedures should not come as a surprise to the employee, as there should have been regular and effective communication with his/her line manager during the performance management process.
- 1.5 This Procedure applies to all teachers and Headteachers, except for Newly Qualified Teachers (NQTs) who are subject to separate procedures.

¹ Under the School Teacher Appraisal (Wales) Regulations 2011 there is a statutory requirement to undertake Performance Management procedures for teaching staff. Performance Management procedures are separate and distinct from Capability Procedures

- 1.6 If concerns are raised about an employee's performance, it is important to establish the facts and to apply the appropriate procedures. A clear understanding needs to be established as to whether the issue is a lack of capability due to lack of competence, a lack of capability due to ill health or a matter of professional conduct.
- 1.7 Where unsatisfactory performance is as a result of an employee's lack of skill or aptitude, this Procedure will apply.
- 1.8 Where it emerges that the issue causing concern relates to any inadequacy in health or any other physical or mental quality which results in unsatisfactory performance, the School's Sickness Absence Policy will apply and consideration should be given to any reasonable adjustments that might be required.
- 1.9 Where it emerges that the issue causing concern is one of misconduct because the employee has failed to do something as a result of his or her own negligence or by refusal to act, then the issue is not one of lack of capability and it is to be dealt with in line with the School's Disciplinary Policy.
- 1.10 This Procedure should be read in conjunction with the Welsh Government's 'Capability of school teaching staff: Guidance for schools' (guidance document no: 111/2013) and 'Capability of Headteachers - Guidance for schools' (guidance document no: 153/2014).

2. PURPOSE

- 2.1 The purpose of this Procedure is to enable:
 - all employees to ensure that they achieve, sustain and improve on the levels of skill, knowledge and aptitude required of them, in order to improve standards and achieve better outcomes for pupils;
 - all employees to access an appropriate programme of monitoring, support, guidance and training, to achieve and sustain a satisfactory level of performance; and
 - employees to be made aware of circumstances where there is evidence that a satisfactory level of performance is not being maintained and of the process to be followed in such circumstances.
- 2.2 Sections B and C of this Procedure represent a set of stages that will provide teachers and Headteachers, respectively, with opportunities to hear how or why their performance is considered unsatisfactory and to offer any explanation that they wish to put forward.

- 2.3 This Procedure is written with the presumption that the Headteacher will have the lead decision-making role when dealing with performance issues involving teachers and that line managers or other senior leaders may be designated with the responsibility of gathering and collating written evidence regarding the concerns.
- 2.4 Where the term “designated manager” is used in this Procedure, it means the Headteacher, senior leader, line manager or (where the Headteacher’s performance is concerned) the Chair of Governors managing the process.

3. PRINCIPLES

- 3.1 The main principles behind this Procedure are that:
- all employees should be treated with respect, consistency and fairness;
 - all matters of managing unsatisfactory performance and related investigations will be treated in confidence by all parties involved throughout all stages of the process;
 - where reference is made in this Procedure to “the required / satisfactory standard of performance”, this means the requirements of the employee’s job description and person specification and the relevant Professional Standards;
 - all meetings at the various stages of this procedure should be arranged as soon as possible within the time limits specified. If the time limits cannot be met for any justifiable reason, they can be extended by agreement on both sides;
 - employees subject to these procedures should be given between 5 and 10 working days’ notice, in writing, of the time and place of any meeting set up to hear the capability matter or any appeal that may follow. At least 10 working days’ notice will be given in the case of a Stage 4 capability hearing or Stage 5 capability appeal hearing;
 - employees will be advised of the performance concerns raised against them in advance of any interview, performance review or capability hearing and will be given the opportunity to state their case and present relevant evidence before any decision is made;
 - employees will have the right to appeal against any decision to issue a warning or against their dismissal as part of this procedure;

- employees have the right to be accompanied by a work colleague or their trade union representative at all stages of this procedure. Please note this does not include a right to representation at review meetings held with the designated manager for the purposes of monitoring and reviewing performance outside of this Procedure;
 - Where an employee's trade union representative cannot attend a formal meeting which may lead to a formal warning, an alternative date, normally within 5 working days, should be offered by the representative. Should the representative subsequently be unable to attend the rearranged date, the meeting may be held in their absence and/or written representations will be accepted;
 - all stages of this procedure should be fully recorded, with the designated manager or Governing Body Committees keeping a record of all interviews and reviews with employees giving the date, time and explanation (if any) provided at all stages of the procedure. A copy of such records should be given to the employee; and
 - Where the process proceeds to the hearing and appeal hearing stages, the disciplinary and dismissal procedures apply.²
- 3.2 If, at any stage during the procedure, the employee consistently achieves the required standard of performance and there is evidence to suggest that this improvement is sustainable, these procedures will conclude. At this point, the normal performance management process will recommence. The designated manager will inform the employee of this both verbally and in writing. The employee must also be encouraged to sustain and improve their performance in the future. If, however, following conclusion of the Capability Procedure, the employee fails to sustain the required standard of performance within 60 working days of that conclusion, the procedure will recommence at the point where it was concluded previously.
- 3.3 Where it is necessary to recommence this Procedure on more than two occasions, the Headteacher (or Chair of Governors, in the case of the Headteacher) may consider that there is sufficient, cumulative evidence indicating serious performance issues that require the procedures to start at Stage 3 immediately.
- 3.4 The roles and responsibilities of all parties involved in this procedure can be found at Appendix 3 (for teachers) and Appendix 4 (for Headteachers) of this Procedure, as per the Welsh Government guidance documents.

² A formal meeting should be instigated with the Staff Disciplinary and Dismissal Committee of the Governing Body, following the Welsh Government's 'Disciplinary and dismissal procedures for school staff: Revised guidance for governing bodies' (2013)

- 3.5 Compliance with the requirements of equalities legislation should be maintained. The designated manager may need to seek further assistance to ensure reasonable adjustments are considered where an employee has a disability that falls under the Equality Act 2010.

4. EXCEPTIONAL CIRCUMSTANCES

- 4.1 In the exceptional case where the Headteacher (or Chair of Governors, in the case of the Headteacher) has overwhelming evidence that the continued employment of the employee will jeopardise the School, pupils' education or put the pupils or staff at risk of harm, it may be appropriate to move directly to issue a final written warning, or to refer the matter to the Staff Disciplinary and Dismissal Committee, in accordance with this procedure.
- 4.2 For this to occur, the employee's performance should fall so far short of what is required that improvement to the required standard of performance may be deemed impossible, or the employee's underperformance has a seriously detrimental effect in the School.
- 4.3 The Headteacher, in consultation with the Chair of Governors (or Chair of Governors, in the case of the Headteacher's capability), may also consider suspending the employee where it is considered necessary for the protection of pupils, staff or property, or where the employee's continued presence is likely to have a seriously detrimental effect in the School. This is only likely to occur in exceptional circumstances and where all alternative options have been explored. It is therefore strongly recommended that HR advice is sought in such instances.

5. EMPLOYEE ABSENCE DURING THE PROCEDURE

- 5.1 It is possible that an employee will become absent through ill health either before or during the Capability Procedure. While it may be reasonable to wait for the employee's recovery, the Headteacher (or Chair of Governors, in the case of the Headteacher) should immediately seek HR advice relating to a referral to the Local Authority's Occupational Health team or an appropriately qualified health professional. The Occupational Health team or appropriately qualified health professional should then be able to give advice on:
- whether the sickness absence is related to the employee's performance issues; and
 - whether the employee is able to continue to participate in the Capability Procedure.

5.2 Whilst it is difficult to continue to assess the performance of an absent employee, if at any stage of the procedure the body of evidence is strong enough to proceed and the employee is afforded the opportunity to offer an explanation or have it presented on their behalf, the Headteacher (or Chair of Governors, in the case of the Headteacher) may decide to:

- conclude the proceedings on the basis that the employee has achieved the required standard of performance and that it is sustainable; or
- continue the Capability Procedure to the next stage on the basis that the evidence shows that the employee has not consistently achieved the required standard of performance. This decision should be made in consultation with the Occupational Health team or appropriately qualified health professional who should be able to advise on whether the employee is well enough to present themselves or take part in the next stage of the process. If the employee is not well enough, the Headteacher (or Chair of Governors, in the case of the Headteacher) may decide to suspend the process until they are.

5.3 Where the evidence is strong enough to proceed to Stage 4 of the procedure and the employee is absent from work through ill health, every effort should be made to ensure that the employee can attend the hearing to present themselves. However, if the employee is unable to attend, this should not unduly delay the hearing taking place and written representations or representatives attending in the employee's absence will be allowed instead.

5.4 Throughout this procedure, if it is the advice of the Occupational Health team or appropriately qualified health professional that there is no likelihood of the employee returning to work in the foreseeable future, then the Headteacher (or Chair of Governors, in the case of the Headteacher) should consider dealing with the employee's sickness absence through the School's Sickness Absence Procedure. The requirement to notify the Education Workforce Council under the appropriate regulations dealing with professional incompetence will be unaffected by this decision.

6. GRIEVANCES

6.1 Where an employee feels that they have been treated unfairly in the application of the Capability Procedure, this would normally be dealt with through the appeal process outlined in this Procedure.

- 6.2 If an employee feels that they have been treated unfairly or have been discriminated against, they may bring a grievance³ at any stage. The grievance should normally be heard separately and contemporaneously so that the capability procedures are able to continue uninterrupted. A final decision regarding the continuation of the capability procedures will be made on a case-by-case basis, in light of available evidence. .
- 6.3 Where, however, the grievance is against the designated manager (or, in the case of the Headteacher, the designated person leading on the performance issue), the individual to whom the grievance is submitted should seek HR advice and consider whether to allocate an alternative person to the role before continuing with the capability process. If the grievance is against the Chair of Governors, then advice should be sought from the Local Authority (or the diocesan authority) before continuing with the capability process.
- 6.4 Subject to the above, initiation of the Capability Procedure does not in any way affect an employee's right to raise a grievance under the School's Grievance Policy.

7. REPORTING PROFESSIONAL INCOMPETENCE TO THE EDUCATION WORKFORCE COUNCIL

- 7.1 Employers have a legal responsibility to report cases of professional incompetence related to registered teachers directly to the Education Workforce Council where the employer:
- has ceased to use the services of a registered teacher on the ground of his/her professional incompetence; or
 - may have ceased to use the services of a registered teacher on that ground had s/he not ceased to provide those services (e.g. through resigning his/her post).
- 7.2 Where a registered teacher resigns at the informal stage of this Procedure, his/her case would not normally be referred to the Education Workforce Council, other than in the exceptional circumstances referred to in paragraph 4 of this Procedure (e.g. where the matter would have been referred directly to the Staff Disciplinary and Dismissal Committee, had the employee not have resigned).

³ Grievances are concerns, problems or complaints raised by an employee (or somebody acting on their behalf, e.g. their Trade Union representative) which relate to their working conditions or relationships at work. Issues that may cause grievances include work relations, bullying and harassment or discrimination.

SECTION B: PROCEDURE FOR TEACHERS

8. STAGE 1: INFORMAL SUPPORT

- 8.1 Where there are concerns regarding a teacher's performance, the teacher should be advised by their line manager that continued failure to improve performance could result in a need to address their performance issues via this procedure. For this reason, the line manager will update the Headteacher regarding the matter, who will then instigate an initial investigation of the issue and appoint a designated manager to undertake the task.
- 8.2 The designated manager must meet with the teacher to ensure that there is complete clarity on where the performance issue lies (including consideration of the issues set out at paragraphs 1.6 to 1.9) and, through discussion, devise a plan to support the teacher to improve their performance to the standard required. The development of a support plan does not signify the start of a formal process.
- 8.3 The Headteacher will also meet with the teacher (in the presence of a trade union representative, if the teacher so wishes) and provide evidence of the concerns regarding his/her performance, having a discussion with the teacher so that a mutual understanding of the performance issue(s) is established.
- 8.4 The teacher should be provided with between 5 and 10 working days' notice of this meeting. At the same time, the teacher will be provided with a copy of this Procedure and with details of the performance concerns.
- 8.5 As a result of that meeting, the Headteacher may determine one of the following actions:
- that no further action is required as the Headteacher is satisfied with the teacher's response; or
 - that a support plan and review period should be established to address the performance concerns.
- 8.6 If a support plan is required, the period for improvement should be no more than 30 working days and the Headteacher should set the review period meeting and establish SMART⁴ targets for performance improvement.
- 8.7 The Headteacher will discuss and, wherever possible, agree the content of the support plan with the teacher. In cases where it is not possible to

⁴ SMART targets should be specific, measurable, achievable, relevant and time-bound.

reach agreement, the Headteacher will determine the content of the support plan.

8.8 The Headteacher will:

- specify the support for the teacher in achieving the targets. The range of support may include training, coaching, mentoring, counselling, monitoring, working in a professional learning community, learning and development opportunities (as distinct from training) , supervision, occupational health, etc;
- require the designated manager to monitor performance and progress following this first meeting;
- ensure that the monitoring process includes a range of supportive interventions;
- always ensure that the identified support is provided in a timely manner, is specific and time limited, and will help the teacher achieve an improvement in their performance;
- ensure that, throughout the monitoring process, the teacher is given the opportunity of commenting upon the proposed plan of support; and
- ensure that the monitoring process is conducted in a sympathetic and non-threatening way, with the objective of improving the teacher's work performance. However, it must be made clear that Stage 2 of the procedure will be triggered if there is no improvement within the review period.

8.9 The designated manager will write to the teacher, confirming the outcome of this meeting, within 5 working days.

8.10 During the review period, the designated manager will be responsible for gathering and collating any further written evidence. Progress will be reported to the Headteacher during the review period and presented to the Headteacher at the end of the period.

8.11 If at any time in this procedure it is determined that a teacher has not engaged positively and constructively with the process of improvement, then the matter may be considered to be an issue of professional misconduct and may be considered under the School's Disciplinary Policy.

9. STAGE 1: REVIEW PERIOD MEETING

- 9.1 Shortly before the Stage 1 review meeting takes place, the designated manager should prepare for it by undertaking an assessment of the teacher's performance during the agreed timescale for improvement.
- 9.2 The teacher should be notified of the date and arrangements for the meeting in writing between 5 and 10 working days prior to the meeting and should be informed of the right to be accompanied by a trade union representative or work colleague. At the same time, the teacher should be provided with copies of any written evidence to be relied upon by the Headteacher or designated manager at the meeting.
- 9.3 Should the teacher wish to submit any documentation, it should be provided to the Headteacher at least 2 working days in advance of the meeting.
- 9.4 At the meeting, the designated manager will present their report regarding the review period and the teacher will have the opportunity to provide a response to the report.
- 9.5 The Headteacher will then consider all the evidence presented, before determining one of the following outcomes:

- the teacher's performance has improved to a satisfactory level and no further action is necessary. This will be confirmed in writing and the teacher should be reminded of the requirement to sustain the satisfactory standard of performance and of the consequences if this is not achieved; or

the teacher has made insufficient progress and is still not achieving the required standard of performance, and so will be issued with a Stage 1 oral warning.

- 9.6 If it is determined to issue the teacher with an oral warning, this will also be provided in a written format that will state:

- the performance issue(s) that were discussed and the standard of performance that is required;
- the ways in which the School will help the teacher to attain a satisfactory level of performance, i.e. details of any training and support to be provided;
- the timescale for improvement (not to exceed 6 weeks) and the date on which the teacher's performance will be reviewed;
- the consequences if the teacher does not reach the required standard, including that formal disciplinary action and dismissal are a potential option;

- that the current performance management cycle for the teacher will be suspended now that a formal oral warning has been issued;
- that the oral warning will remain on their record for 65 working days;
- the right to appeal (which should not stop the on-going capability procedure, as the two processes can run concurrently); and
- a note that the teacher has acknowledged the warning orally or in writing, and of any observations that the teacher wished to make at that time.

10. STAGE 2

10.1 At the end of the agreed review period for Stage 1, the designated manager should gather evidence and undertake an assessment of the teacher's performance against the identified targets during the timescale for improvement.

10.2 A review meeting will take place as per the process for Stage 1 (see 9.1 to 9.3).

10.3 The Headteacher will then consider all the evidence presented before determining one of the following outcomes:

- the teacher has made sufficient progress and is now achieving a satisfactory level of performance that is sustainable, in which case no further action will be taken. This will be confirmed in writing and the teacher will be reminded of the expectation of sustaining the satisfactory level of performance and the consequence of failure to sustain this standard;
- the teacher has achieved partial improvement and the review period should be extended. Any such extension should not exceed the original period set for improvement, must be based upon clear expectations of the improvements to be delivered, must be confirmed in writing and should not be repeated on more than one occasion; or
- The teacher's performance is not satisfactory and they should be issued with a Stage 2 written warning.

10.4 If it is determined to issue the teacher with a written warning, this will state:

- the performance issue(s) that were discussed and the standard of performance that is required;
- the timescale for improvement (not to exceed 6 weeks) and the date on which the teacher's performance will be reviewed;
- the ways in which the School will help the teacher to attain a satisfactory level of performance, i.e. details of any training and support to be provided;
- that the warning will remain on their record for 130 working days;
- the consequences of failure to meet the required standard and the potential to move to Stage 3 of the procedure;
- the right to appeal (which should not stop the on-going capability procedure, as the two processes can run concurrently); and
- a note that the teacher has acknowledged the warning orally or in writing, and of any observations that the teacher wished to make at that time.

11. STAGE 3

- 11.1 At the end of the agreed review period for Stage 2, the designated manager should gather evidence and undertake an assessment of the teacher's performance against the identified targets during the timescale for improvement.
- 11.2 A review meeting will take place as per the process for Stages 1 and 2 (see 9.1 to 9.3).
- 11.3 The Headteacher will then consider all the evidence presented before determining one of the following outcomes:
- the teacher has made sufficient progress and is now achieving a satisfactory level of performance that is sustainable, in which case no further action will be taken. This will be confirmed in writing and the teacher will be reminded of the expectation of sustaining the satisfactory level of performance and the consequence of failure to sustain this standard;
 - the teacher has achieved partial improvement and the review period should be extended. Any such extension should not exceed the original period set for improvement, must be based upon clear expectations of the improvements to be delivered, must be confirmed in writing and should not be repeated on more than one occasion; or

- The teacher's performance is not satisfactory and they should be issued with a Stage 3 final written warning.

11.4 If it is determined to issue the teacher with a final written warning, this will state:

- the performance issue(s) that were discussed and the standard of performance that is required;
- the timescale for improvement (not to exceed 6 weeks) and the date on which the teacher's performance will be reviewed;
- the ways in which the School will help the teacher to attain a satisfactory level of performance, i.e. details of any training and support to be provided;
- that the warning will remain on their record for one academic year;
- the consequences of failure to meet the required standard and the potential to move to Stage 4 of the procedure;
- the right to appeal (which should not stop the on-going capability procedure, as the two processes can run concurrently); and
- a note that the teacher has acknowledged the warning orally or in writing, and of any observations that the teacher wished to make at that time.

12. APPEALS AGAINST FORMAL WARNINGS

12.1 The teacher will have the right to appeal against any decision to issue an oral, written or final written warning as part of this procedure.

12.2 In order to do this, the teacher must write to the Clerk to the Governing Body within 5 working days of the date of the formal warning, stating their grounds for appeals.

12.3 Upon receipt of the teacher's appeal, the Clerk to Governing Body will arrange for the appeal to be heard by the Teacher Capability Appeals Committee of the Governing Body.

12.4 An appeal should be heard promptly, and within 20 working days of the teacher's appeal being lodged, as the process of managing the capability process will not necessarily cease, pending the outcome of a hearing. The teacher will be expected to continue to work towards the

improvements identified with the designated manager, while arrangements are made for the appeal hearing to be held. The appeal should be heard separately so that the capability procedures are able to continue uninterrupted.

12.5 The teacher will be provided with between 5 and 10 working days' notice of the appeal hearing.

12.6 The format of the appeal hearing will be as follows:

- Introductions and confirmation of the reason for the appeal hearing;
- Presentation of the case by the teacher or their representative, including cross examination by the Committee and the designated manager;
- The Headteacher's reply and cross-examination by the Committee and teacher;
- Final questions and clarification from the Committee;
- Summing up from the teacher;
- Summing up from the Headteacher;
- Adjournment for the Committee to make a decision, taking into consideration the submissions and evidence presented during the course of the appeal hearing and in the supporting documentation; and
- Reconvene to inform the teacher of the panel's decision, unless agreed that the panel's decision will be conveyed in writing to the teacher.

12.7 The Teacher Capability Appeals Committee will have three options open to it:

- confirm the Headteacher's original decision;
- uphold the teacher's appeal and overturn the Headteacher's original decision; or
- agree a further assessment period, in the current stage, of no more than six weeks to allow the teacher to achieve the required standard of performance. Where this occurs, the Committee must reconvene at the end of the further assessment period to review the progress of the teacher and if the required standard of performance is still not met confirm the original decision.

- 12.8 The Teacher Capability Appeals Committee must confirm its decision in writing to the teacher, within 5 working days of the appeal hearing, also informing the teacher that there will be no further right of appeal at this stage of the procedure.
- 12.9 All appeals against formal warnings should be heard before capability matters are referred to the Staff Disciplinary and Dismissal Committee under Stage 4 of this Procedure.

13. STAGE 4: CAPABILITY HEARING

- 13.1 Where the procedures detailed at Stages 1, 2 and 3 have been followed (save for in the exceptional circumstances outlined in paragraph 4) and have resulted in a final written warning being issued, but the teacher has not achieved the satisfactory level of performance within the agreed timescale for improvement, it will be appropriate to inform the teacher that the matter will be referred to a hearing before the Staff Disciplinary and Dismissal Committee (SD&DC) of the Governing Body.
- 13.2 The hearing process should be conducted in line with the Welsh Government's 'Disciplinary and dismissal procedures for school staff: Revised guidance for governing bodies' (circular 002/2013). The SD&DC should therefore ensure that they refer to that guidance at this stage.
- 13.3 In all maintained schools, the Local Authority's Chief Education Officer or their representative are entitled to attend such a hearing for the purpose of giving advice on all proceedings relating to any decision to dismiss a member of staff. The CEO or their representative must be notified of the meeting at the same time as the teacher and the person presenting the case against the teacher.
- 13.4 In voluntary aided and voluntary controlled schools, the diocesan officer or their representative has the same advisory rights as those given to the Chief Education Officer. In foundation schools, the Governing Body may agree with the diocesan authority to award those same advisory rights to the diocesan officer or their representative. The diocesan director should also be notified of the hearing.
- 13.5 At this stage, there may be circumstances where the Headteacher, in consultation with the Chair of Governors, may consider suspending a teacher from duty on full pay where they consider that it is necessary for the protection of pupils, staff or property, or where the teacher's continued presence is likely to have a seriously detrimental effect in the School. This is only likely to occur in exceptional circumstances and

where all alternative options have been explored. It is therefore strongly recommended that HR advice is sought in such instances.

- 13.6 The hearing will be held as soon as it can be arranged by the Clerk to the SD&DC, even if the teacher has subsequently resigned⁵. This may also be the case if the teacher is absent from work due to ill health.
- 13.7 The teacher will be informed in writing, with at least 10 working days' notice, of:
- the date, time and place for the hearing;
 - the purpose of the hearing and the range of possible outcomes, including that a potential outcome of the hearing is dismissal;
 - the right of the teacher to be accompanied by a trade union representative or a work colleague;
 - the membership of the SD&DC;
 - the name of the person presenting the case against the teacher;
 - the full details of the performance concerns, the evidence to be presented and the names of any witnesses to be called, etc.;
 - the name of the adviser to the SD&DC; and
 - the date by which all relevant documentation should be received by the Clerk prior to the hearing.
- 13.8 The Clerk will arrange for the documentation from both parties to be distributed to the teacher and their representative, including up-to-date procedures at the same time as informing them in writing of the hearing.
- 13.9 Should the teacher wish to submit documentation to support their case, this should be provided to the Clerk at least 5 working days in advance of the hearing.
- 13.10 At the same time as informing the teacher in writing of the hearing and providing them with all relevant documentation, the Clerk will provide the SD&DC with:
- written details of the arrangements for hearing the capability matter;

⁵ In cases where the teacher has already resigned, he/she must still be notified that a hearing is to be held and be invited to attend, in the same way as a current employee. He/she must also subsequently be informed of the hearing's outcome.

- formal written notice of the capability matter and any supporting documentation such as written reports prepared by the designated manager and/or Headteacher at each stage of the Capability Procedure; and
 - written confirmation of the teacher's response to the capability matter with any supporting documentation.
- 13.11 All evidence that will be used at the capability hearing is provided in confidence and this must remain so throughout the proceedings. At no time prior to the capability hearing will members of the SD&DC discuss the capability matter.
- 13.12 No new material should be introduced at the capability hearing, above and beyond that previously issued to the SD&DC.
- 13.13 The format to be followed at the capability hearing is outlined at Appendix 5.
- 13.14 The SD&DC will consider all of the evidence presented, before determining one of the following outcomes:
- the teacher's performance is satisfactory and no further action will be taken. The teacher should be reminded of the requirement to sustain a satisfactory standard of performance and the consequences if this is not achieved;
 - the teacher's performance is unsatisfactory and the teacher should be dismissed on the grounds of capability; or
 - the teacher has made some progress towards improving their performance but has not yet achieved the required satisfactory standard. A further assessment period of no more than six weeks will be agreed, in order to allow the teacher to achieve the required standard of performance. Where this occurs, the SD&DC must reconvene at the end of the further assessment period to review the progress of the teacher and if the required standard of performance is still not met, recommend dismissal with the right to appeal.
- 13.15 The SD&DC will confirm its decision in writing to the teacher, within 5 working days of reaching its decision. Where appropriate, this letter will inform the teacher of their right to appeal against the decision of the SD&DC.
- 13.16 In maintained schools, where the SD&DC takes the decision to dismiss the teacher, the SD&DC must copy the hearing outcome letter to the Chief Education Officer once the period allowed for the teacher to appeal has expired **and** they have not appealed. The reason for this is that the Local Authority is the employer of staff in maintained schools.

The Local Authority is therefore required to dismiss the teacher and should do so within 14 school days of notification of the decision by the SD&DC.

- 13.17 In voluntary aided and foundation schools, the teacher is employed by the Governing Body. The SD&DC should therefore include notification of dismissal and any appropriate period of notice in the hearing outcome letter that it sends to the teacher.

14. STAGE 5: CAPABILITY APPEAL HEARING

- 14.1 Where the teacher appeals against the dismissal decision of the SD&DC, the appeal will be heard by the Staff Disciplinary and Dismissal Appeals Committee (SD&DAC).

- 14.2 The appeal hearing process should be conducted in line with the Welsh Government's 'Disciplinary and dismissal procedures for school staff: Revised guidance for governing bodies' (circular 002/2013). The SD&DAC should therefore ensure that they refer to that guidance at this stage.

- 14.3 The appeal hearing will focus upon the issues set out in the teacher's letter of appeal, therefore the appeal hearing may not always take the form of a complete re-hearing. However, under certain circumstances, i.e. where new evidence comes to light or the first hearing process was flawed or biased, it may be appropriate to re-hear part, if not all, of the case. Two possible formats for the capability appeal hearing are therefore outlined at Appendix 6.

- 14.4 Where a teacher has been dismissed and given the right of appeal, they must notify the Clerk to the Governing Body in writing that they intend to appeal, stating their grounds for appeal, within 10 working days of receiving written confirmation of the decision.

- 14.5 The teacher's grounds for appeal could include:

- that there has been a procedural flaw in the first hearing;
- that the findings are inconsistent with the evidence produced;
- that the teacher feels that the sanctions are inappropriate;
- that the capability procedure and/or the first hearing was in some way unfair or biased; and
- that new evidence has come to light that was not considered at the original hearing.

- 14.6 On receipt of the teacher's written notice of appeal, the Clerk to the Governing Body will arrange for the SD&DAC to hear the capability appeal within 20 working days of the teacher's appeal being lodged.
- 14.7 The Clerk will inform the teacher in writing, with at least 10 working days' notice, of:
- the date, time and place for the appeal hearing;
 - the purpose of the appeal hearing and the range of possible outcomes;
 - the right of the teacher to be accompanied by a trade union representative or a work colleague;
 - the membership of the SD&DAC;
 - the full details of the evidence to be presented and the names of any witnesses to be called, etc.;
 - the name of the adviser to the SD&DAC; and
 - the date by which all relevant documentation should be received by the Clerk prior to the appeal hearing.
- 14.8 The Clerk will arrange for the documentation to be relied upon at the appeal hearing (including any such documentation from the first hearing) to be distributed to the teacher and their representative, including up-to-date procedures at the same time as informing them in writing of the appeal hearing.
- 14.9 Should the teacher wish to submit documentation to support their case, this should be provided to the Clerk at least 5 working days in advance of the appeal hearing.
- 14.10 At the same time as informing the teacher in writing of the appeal hearing and providing them with all relevant documentation, the Clerk will provide the SD&DAC with:
- written details of the arrangements for the appeal hearing;
 - copies of any supporting documentation to be relied upon at the appeal hearing, including copies of any documentation that was considered at the first hearing; and
 - copies of any documentation submitted by the teacher, in support of their appeal.

- 14.11 All evidence that will be used at the capability appeal hearing is provided in confidence and this must remain so throughout the proceedings. At no time prior to the capability hearing will members of the SD&DAC discuss the capability matter.
- 14.12 No new material should be introduced at the capability appeal hearing, above and beyond that previously issued to the SD&DAC.
- 14.13 The SD&DAC will have four options open to it:
- confirm the decision of the SD&DC to dismiss the teacher;
 - uphold the teacher's appeal and overturn the SD&DC's decision to dismiss;
 - agree a further assessment period of no more than six weeks to allow the teacher to achieve the required standard of performance. Where this occurs, the SD&DAC must reconvene at the end of the further assessment period to review the progress of the teacher and if the required standard of performance is still not met confirm the dismissal; or
 - recommend that the teacher be redeployed should suitable alternative employment be available.
- 14.14 The SD&DAC will confirm its decision in writing to the teacher, within 5 working days of reaching its decision. Where appropriate, this letter will inform the teacher that the decision of the SD&DAC is final and there is no further right of appeal.
- 14.15 In maintained schools, where the SD&DAC upholds the SD&DC's decision to dismiss the teacher, the SD&DAC must copy the appeal hearing outcome letter to the Chief Education Officer. The reason for this is that the Local Authority is the employer of staff in maintained schools. The Local Authority is therefore required to dismiss the teacher and should do so within 14 school days of notification of the decision by the SD&DAC.
- 14.16 In voluntary aided and foundation schools, the teacher is employed by the Governing Body. The SD&DC should therefore include notification of dismissal and any appropriate period of notice in the appeal hearing outcome letter that it sends to the teacher.

SECTION C: PROCEDURE FOR HEADTEACHERS

15. STAGE 1: INFORMAL SUPPORT

- 15.1 Where concerns in relation to the Headteacher's performance arise, the Chair of Governors should arrange a meeting with the Headteacher to raise the concerns, identify any reasons for the underperformance (including consideration of the issues set out in paragraphs 1.6 to 1.9) and identify support that can be put in place to help the Headteacher to address the concerns. The Chair of Governors would normally be accompanied at this meeting by a Local Authority representative.
- 15.2 In advance of the meeting, the Chair of Governors should secure from the Regional Consortium, via the Local Authority, the support of an individual with appropriate education expertise and no previous direct involvement in the work of the School ("Consortium Adviser"). That person will be responsible for clarifying the concerns and gathering relevant, contextualised evidence in advance of that meeting.
- 15.3 The Headteacher should be provided with details of the performance concerns and a copy of this Procedure, between 5 and 10 working days in advance of the meeting.
- 15.4 At the meeting, the Chair of Governors should present the evidence relating to the performance concerns to the Headteacher, so that a mutual understanding of the issues and causes can be established. The Chair of Governors should listen to the Headteacher's response in order to discuss, consider and, if possible, agree steps to be taken to address the identified concerns. At this point, the performance concerns and the support to be provided should be clearly established.
- 15.5 As a result of the meeting, the Chair of Governors may determine one of the following actions:
- that no further action is required as the Chair of Governors is satisfied with the Headteacher's response; or
 - that a support plan and review period should be established to address the performance concerns.
- 15.6 If a support plan is required, the period for improvement should normally be 20 - 40 working days and the Chair of Governors should set the review period meeting and establish clear targets for performance improvement. These must be reasonable, informed by the Consortium Adviser, discussed with the Headteacher and confirmed in writing.

- 15.7 The Chair of Governors will discuss and, wherever possible, agree the content of the support plan with the Headteacher. In cases where it is not possible to reach agreement, the Chair of Governors will determine the content of the support plan.
- 15.8 There may be exceptional instances where the identified underperformance of the Headteacher is considered to be so serious that the formal procedure should commence immediately (i.e. Stage 2). Advice must be obtained from the Local Authority and, where applicable, the diocesan authority before such decisions are considered.
- 15.9 Throughout the review period, by working closely with the Consortium Adviser, the Chair of Governors will:
- specify the support for the Headteacher in achieving the targets. The range of support may include training, coaching, mentoring, counselling, monitoring, working in a professional learning community, learning and development opportunities (as distinct from training), supervision, occupational health, etc.;
 - require the Consortium Adviser to coordinate the implementation of the support plan, be responsible for gathering and collating evidence relating to the Headteacher's performance, and their progress against the performance targets;
 - ensure that the monitoring process includes a range of supportive interventions;
 - always ensure that the identified support is provided in a timely manner, is specific and time limited, and will help the Headteacher achieve an improvement in their performance;
 - ensure that, throughout the monitoring process, the Headteacher is given the opportunity of commenting upon the proposed plan of support; and
 - ensure that the monitoring process is conducted in a sympathetic and non-threatening way, with the objective of improving the Headteacher's work performance. However, it must be made clear that Stage 2 of the procedure will be triggered if there is no improvement within the review period.
- 15.10 Progress will be reported to the Chair of Governors during the review period and presented to the Chair of Governors at the end of the period, by the Consortium Adviser.
- 15.11 At the end of the review period, an interview with the Headteacher should be conducted by the Chair of Governors (in the presence of a

trade union representative or work colleague, if the Headteacher so wishes). The Consortium Adviser will present their report and the Chair of Governors may find it helpful to be accompanied at the meeting by a Local Authority representative.

- 15.12 Where the Chair of Governors determines that the Headteacher has achieved partial improvement, they may determine to extend the period of the informal stage. Any such extension should not exceed the original period set for improvement, must be based upon clear expectations of the improvements to be delivered, must be confirmed in writing and should not be repeated on more than one occasion.
- 15.13 Where the Chair of Governors determines that the evidence demonstrates that the Headteacher's performance has improved to a satisfactory level, they will determine that no further action is necessary and that the procedure will cease. This will be confirmed in writing, with the Headteacher reminded of the requirement to sustain the satisfactory standard of performance and the consequences of failing to sustain this standard.
- 15.14 Where the Chair of Governors determines that actions taken during the informal stages have failed to achieve the required improvement in the Headteacher's performance, they will inform the Headteacher that a review meeting will be arranged, to be heard by a governor panel ("Capability Panel"), who will consider whether to trigger the formal stage of the procedure.

16. STAGE 1: REVIEW PERIOD MEETING

- 16.1 The Capability Panel will comprise 3 non-staff members of the Governing Body, A Local Authority representative (or diocesan representative, where applicable) should attend in an advisory capacity, with the consent of the chair of the Panel.
- 16.2 The Headteacher should be notified of the date and arrangements for the meeting, including their right to be accompanied by a trade union representative or work colleague, in writing between 5 and 10 working days in advance of the meeting. All documentation for the panel, including the report of the Consortium Adviser will be provided at this point.
- 16.3 The Consortium Adviser's report should identify the nature of the Headteacher's underperformance, detail the actions taken at the informal stage and the impact, or otherwise, of those interventions.
- 16.4 Should the Headteacher wish to submit any documentation, it should be provided to the chair of the Panel at least 2 working days in advance of the meeting.

16.5 At the meeting, the Consortium Adviser will present their report and the Headteacher and/or their representative will then have an opportunity to respond to the report and the performance concerns raised.

16.6 The Capability Panel will then consider all the evidence presented, before determining one of the following outcomes:

- the Headteacher's performance is satisfactory and no further action will be taken. This should be confirmed in writing and the Headteacher should be reminded of the requirement to sustain a satisfactory standard of performance and of the consequences if this is not achieved;
- the Headteacher's performance is unsatisfactory and the Headteacher should be issued with a formal written warning and advised of expected improvements within a specified timescale; or
- The Headteacher has made some progress towards improving their performance but has not yet achieved the required satisfactory standard and the review period should be extended by a period no greater than the original period set. This option would not normally be considered where an extension of review period has already been provided under the informal stage.

16.7 If it is determined to issue the Headteacher with a formal warning, this will be a written warning which will state:

- the performance issue(s) that were discussed and the standard of performance that is required;
- the ways in which the School will help the Headteacher to attain a satisfactory level of performance, i.e. details of any training and support to be provided;
- the timescale for improvement (not to exceed 6 weeks) and the date on which the Headteacher's performance will be reviewed;
- the consequences if the Headteacher does not reach the required standard, including that a final written warning may be issued;
- that the current performance management cycle for the Headteacher will be suspended now that a formal written warning has been issued;
- that the written warning will remain on their record for one year;

- the right to appeal (which should not stop the on-going capability procedure, as the two processes can run concurrently); and
- whilst no response is required, a note should be made of any response made by the Headteacher.

16.8 Where the evidence presented suggests that the Headteacher has not engaged positively and constructively with the procedure, the matter may be considered to be an issue of professional misconduct and will be dealt with under the School's Disciplinary Policy. Before considering this action, the Chair of Governors should seek advice from the Local Authority, diocesan authority (where applicable) or HR.

17. STAGE 2

17.1 At the end of the agreed review period for Stage 1, the Consortium Adviser should gather evidence and undertake an assessment of the Headteacher's performance against the identified targets, during the timescale allocated for improvement. The Consortium Adviser's report will then be presented to the Capability Panel.

17.2 A review meeting will take place as per the process for Stage 1 (see 16.1 to 16.5).

17.3 The Capability Panel will then consider all the evidence presented before determining one of the following outcomes:

- the Headteacher's performance is satisfactory and no further action will be taken. This will be confirmed in writing and the Headteacher should be reminded of the requirement to sustain a satisfactory standard of performance and of the consequences if this is not achieved;
- the Headteacher's performance is unsatisfactory and they should be issued with a final written warning, and advised of expected improvements within a specified timescale; or
- the Headteacher has made some progress towards improving their performance but has not yet achieved the required satisfactory standard and the review period should be extended. The period of extension should not exceed the length of the original review period. An extension would not normally be agreed in circumstances where an extension was agreed at the formal warning stage.

17.4 If it is determined to issue the Headteacher with a final written warning, this will state:

- the performance issue(s) that were discussed and the standard of performance that is required;
- the ways in which the School will help the Headteacher to attain a satisfactory level of performance, i.e. details of any training and support to be provided;
- the timescale for improvement (not to exceed 6 weeks) and the date on which the Headteacher's performance will be reviewed;
- the consequences if the Headteacher does not reach the required standard, i.e. that the matter may be referred to the Staff Disciplinary and Dismissal Committee of the Governing Body and that the outcome could be dismissal;
- that the final written warning will remain on their record for one year;
- the right to appeal (which should not stop the on-going capability procedure, as the two processes can run concurrently); and
- whilst no response is required, a note should be made of any response made by the Headteacher.

18. STAGE 3

- 18.1 At the end of the agreed review period for Stage 2, the Consortium Adviser will gather evidence and undertake an assessment of the Headteacher's performance against targets during the timescale allocated for improvement. The Consortium Adviser's report will then be presented to the Capability Panel. It is recommended that the Capability Panel secures the services of a Local Authority or diocesan adviser (where applicable) at this stage, to provide support and advice.
- 18.2 If the Capability Panel judge that sufficient progress has been made and that the Headteacher is now achieving the required standard of performance in a way that is sustainable, then they will reflect this by acknowledging the improvement made by the Headteacher and by formally concluding the Capability Procedure. This will be confirmed in writing and the Headteacher will be reminded of the expectation of sustaining a satisfactory level of performance and of the consequence of failure to sustain this standard.
- 18.3 If, however, the Capability Panel judge that insufficient progress has been made and there remains concern that the Headteacher is still not achieving the required satisfactory standard of performance, the Capability Panel will refer the issue to the Staff Disciplinary and

Dismissal Committee of the Governing Body. The Capability Panel should seek the advice of the Local Authority, diocesan authority (where applicable) or HR if the process moves to Stage 4.

19. APPEALS AGAINST FORMAL WARNINGS

- 19.1 In order to appeal against a decision to issue a written or final written warning, the Headteacher must write to the Clerk to the Governing Body within 5 working days of the date of the formal warning, stating their grounds for appeals.
- 19.2 Upon receipt of the Headteacher's appeal, the Clerk to Governing Body will arrange for the appeal to be heard by the Headteacher Capability Appeals Committee of the Governing Body.
- 19.3 An appeal should be heard promptly, and within 20 working days of the Headteacher's appeal being lodged, as the process of managing the capability process will not necessarily cease, pending the outcome of a hearing. The Headteacher will be expected to continue to work towards the improvements identified with the Chair of Governors, Consortium Adviser and Capability Panel, while arrangements are made for the appeal hearing to be held. The appeal should be heard separately so that the capability procedures are able to continue uninterrupted.
- 19.4 The format of the appeal hearing will be as follows:
- Introductions and confirmation of the reason for the appeal hearing;
 - Presentation of the case by the Headteacher or their representative, including cross examination by the Committee and the Chair of the Capability Panel;
 - The Chair of the Capability Panel's reply and cross-examination by the Committee and Headteacher;
 - Final questions and clarification from the Committee;
 - Summing up from the Headteacher;
 - Summing up from the Chair of the Capability Panel;
 - Adjournment for the Committee to make a decision, taking into consideration the submissions and evidence presented during the course of the appeal hearing and in the supporting documentation; and

- Reconvene to inform the Headteacher of the panel's decision, unless agreed that the panel's decision will be conveyed in writing to the Headteacher.
- 19.5 The Headteacher Capability Appeals Committee will have three options open to it:
- confirm the Capability Panel's original decision;
 - uphold the Headteacher's appeal and overturn the Capability Panel's original decision; or
 - agree a further assessment period of no more than six weeks to allow the Headteacher to achieve the required standard of performance. Where this occurs, the Committee must reconvene at the end of the further assessment period to review the progress of the Headteacher and if the required standard of performance is still not met confirm the original decision.
- 19.6 The Headteacher Capability Appeals Committee must confirm its decision in writing to the Headteacher within 5 working days of the appeal hearing, also informing the Headteacher that there will be no further right of appeal at this stage of the procedure.
- 19.7 All appeals against formal warnings should be heard before capability matters are referred to the Staff Disciplinary and Dismissal Committee under Stage 4 of this Procedure.

20. STAGE 4: CAPABILITY HEARING

- 20.1 Where the procedures detailed at Stages 1, 2 and 3 have been followed (save for in the exceptional circumstances outlined in paragraph 4) and have resulted in a final written warning being issued, but the Headteacher has not achieved the satisfactory level of performance within the agreed timescale for improvement, it will be appropriate to inform the Headteacher that the matter will be referred to a hearing before the Staff Disciplinary and Dismissal Committee (SD&DC) of the Governing Body.
- 20.2 The hearing process should be conducted in line with the Welsh Government's 'Disciplinary and dismissal procedures for school staff: Revised guidance for governing bodies' (circular 002/2013). The SD&DC should therefore ensure that they refer to that guidance at this stage.
- 20.3 In all maintained schools, the Local Authority's Chief Education Officer or their representative are entitled to attend such a hearing for the purpose of giving advice on all proceedings relating to any decision to

dismiss a member of staff. The CEO or their representative must be notified of the hearing at the same time as the Headteacher and the person presenting the case against the Headteacher.

- 20.4 In voluntary aided and voluntary controlled schools, the diocesan officer or their representative has the same advisory rights as those given to the Chief Education Officer. In foundation schools, the Governing Body may agree with the diocesan authority to award those same advisory rights to the diocesan officer or their representative. The diocesan director should also be notified of the hearing.
- 20.5 At this stage, there may be circumstances where the Chair of Governors may consider suspending a Headteacher from duty on full pay where they consider that it is necessary for the protection of pupils, staff or property, or where the Headteacher's continued presence is likely to have a seriously detrimental effect in the School. This is only likely to occur in exceptional circumstances and where all alternative options have been explored. It is therefore strongly recommended that HR advice is sought in such instances.
- 20.6 The hearing will be held as soon as it can be arranged by the Clerk to the SD&DC, even if the Headteacher has subsequently resigned⁶. This may also be the case if the Headteacher is absent from work due to ill health.
- 20.7 The Headteacher will be informed in writing, with at least 10 working days' notice, of:
- the date, time and place for the hearing;
 - the purpose of the hearing and the range of possible outcomes, including that a potential outcome of the hearing is dismissal;
 - the right of the Headteacher to be accompanied by a trade union representative or a work colleague;
 - the membership of the SD&DC;
 - the name of the person presenting the case against the Headteacher;
 - the full details of the performance concerns, the evidence to be presented and the names of any witnesses to be called, etc.;
 - the name of the adviser to the SD&DC; and

⁶ In cases where the Headteacher has already resigned, he/she must still be notified that a hearing is to be held and be invited to attend, in the same way as a current employee. He/she must also subsequently be informed of the hearing's outcome.

- the date by which all relevant documentation should be received by the Clerk prior to the hearing.
- 20.8 The Clerk will arrange for the documentation from both parties to be distributed to the Headteacher and their representative, including the Consortium Adviser's reports and a copy of this Procedure at the same time as informing them in writing of the hearing.
- 20.9 Should the Headteacher wish to submit documentation to support their case, this should be provided to the Clerk at least 5 working days in advance of the hearing.
- 20.10 At the same time as informing the Headteacher in writing of the hearing and providing them with all relevant documentation, the Clerk will provide the SD&DC with:
- written details of the arrangements for hearing the capability matter;
 - formal written notice of the capability matter and any supporting documentation such as written reports prepared by the Consortium Adviser at each stage of the Capability Procedure; and
 - written confirmation of the Headteacher's response to the capability matter with any supporting documentation.
- 20.11 All evidence that will be used at the capability hearing is provided in confidence and this must remain so throughout the proceedings. At no time prior to the capability hearing will members of the SD&DC discuss the capability matter.
- 20.12 No new material should be introduced at the capability hearing, above and beyond that previously issued to the SD&DC.
- 20.13 The format to be followed at the capability hearing is outlined at Appendix 5.
- 20.14 The SD&DC will consider all of the evidence presented, before determining one of the following outcomes:
- the Headteacher's performance is satisfactory and no further action will be taken. The Headteacher should be reminded of the requirement to sustain a satisfactory standard of performance and the consequences if this is not achieved;
 - the Headteacher's performance is unsatisfactory and the Headteacher should be dismissed on the grounds of capability; or

- the Headteacher has made some progress towards improving their performance but has not yet achieved the required satisfactory standard. A further assessment period of no more than six weeks will be agreed, in order to allow the Headteacher to achieve the required standard of performance. Where this occurs, the SD&DC must reconvene at the end of the further assessment period to review the progress of the Headteacher and if the required standard of performance is still not met, recommend dismissal with the right to appeal.

20.15 The SD&DC will confirm its decision in writing to the Headteacher, within 5 working days of reaching its decision. Where appropriate, the letter will inform the Headteacher of their right to appeal against the decision of the SD&DC.

20.16 In maintained schools, where the SD&DC takes the decision to dismiss the Headteacher, the SD&DC must copy the hearing outcome letter to the Chief Education Officer once the period allowed for the Headteacher to appeal has expired **and** they have not appealed. The reason for this is that the Local Authority is the employer of staff in maintained schools. The Local Authority is therefore required to dismiss the Headteacher and should do so within 14 school days of notification of the decision by the SD&DC.

20.17 In voluntary aided and foundation schools, the Headteacher is employed by the Governing Body. The SD&DC should therefore include notification of dismissal and any appropriate period of notice in the hearing outcome letter that it sends to the Headteacher.

21. STAGE 5: CAPABILITY APPEAL HEARING

21.1 Where the Headteacher appeals against the dismissal decision of the SD&DC, the appeal will be heard by the Staff Disciplinary and Dismissal Appeals Committee (SD&DAC).

21.2 The appeal hearing process should be conducted in line with the Welsh Government's 'Disciplinary and dismissal procedures for school staff: Revised guidance for governing bodies' (circular 002/2013). The SD&DAC should therefore ensure that they refer to that guidance at this stage.

21.3 In all maintained schools, the Local Authority's Chief Education Officer or their representative are entitled to attend such an appeal hearing for the purpose of giving advice on all proceedings relating to any decision to dismiss a member of staff. The CEO or their representative must be notified of the hearing at the same time as the Headteacher.

- 21.4 In voluntary aided and voluntary controlled schools, the diocesan officer or their representative has the same advisory rights as those given to the Chief Education Officer. In foundation schools, the Governing Body may agree with the diocesan authority to award those same advisory rights to the diocesan officer or their representative. The diocesan director should also be notified of the appeal hearing.
- 21.5 The appeal hearing will focus upon the issues set out in the Headteacher's letter of appeal, therefore the appeal hearing may not always take the form of a complete re-hearing. However, under certain circumstances, i.e. where new evidence comes to light or the first hearing process was flawed or biased, it may be appropriate to re-hear part, if not all, of the case. Two possible formats for the capability appeal hearing are therefore outlined at Appendix 6.
- 21.6 Where a Headteacher has been dismissed and given the right of appeal, they must notify the Clerk to the Governing Body in writing that they intend to appeal, stating their grounds for appeal, within 10 working days of receiving written confirmation of the decision.
- 21.7 The Headteacher's grounds for appeal could include:
- that there has been a procedural flaw in the first hearing;
 - that the findings are inconsistent with the evidence produced;
 - that the Headteacher feels that the sanctions are inappropriate;
 - that the capability procedure and/or the first hearing was in some way unfair or biased; and
 - that new evidence has come to light that was not considered at the original hearing.
- 21.8 On receipt of the Headteacher's written notice of appeal, the Clerk to the Governing Body will arrange for the SD&DAC to hear the capability appeal as soon as possible and within 20 working days of the Headteacher's appeal being lodged.
- 21.9 The Clerk will inform the Headteacher in writing, with at least 10 working days' notice, of:
- the date, time and place for the appeal hearing;
 - the purpose of the appeal hearing and the range of possible outcomes;

- the right of the Headteacher to be accompanied by a trade union representative or a work colleague;
- the membership of the SD&DAC;
- the full details of the evidence to be presented and the names of any witnesses to be called, etc.;
- the name of the adviser to the SD&DAC; and
- the date by which all relevant documentation should be received by the Clerk prior to the appeal hearing.

21.10 The Clerk will arrange for the documentation to be relied upon at the appeal hearing (including any such documentation from the first hearing) to be distributed to the Headteacher and their representative, including up-to-date procedures at the same time as informing them in writing of the appeal hearing.

21.11 Should the Headteacher wish to submit documentation to support their case, this should be provided to the Clerk at least 5 working days in advance of the appeal hearing.

21.12 At the same time as informing the Headteacher in writing of the appeal hearing and providing them with all relevant documentation, the Clerk will provide the SD&DAC with:

- written details of the arrangements for the appeal hearing;
- copies of any supporting documentation to be relied upon at the appeal hearing, including copies of any documentation that was considered at the first hearing; and
- copies of any documentation submitted by the Headteacher, in support of their appeal.

21.13 All evidence that will be used at the capability appeal hearing is provided in confidence and this must remain so throughout the proceedings. At no time prior to the capability hearing will members of the SD&DAC discuss the capability matter.

21.14 No new material should be introduced at the capability appeal hearing, above and beyond that previously issued to the SD&DAC.

21.15 The SD&DAC will have four options open to it:

- confirm the decision of the SD&DC to dismiss the Headteacher;

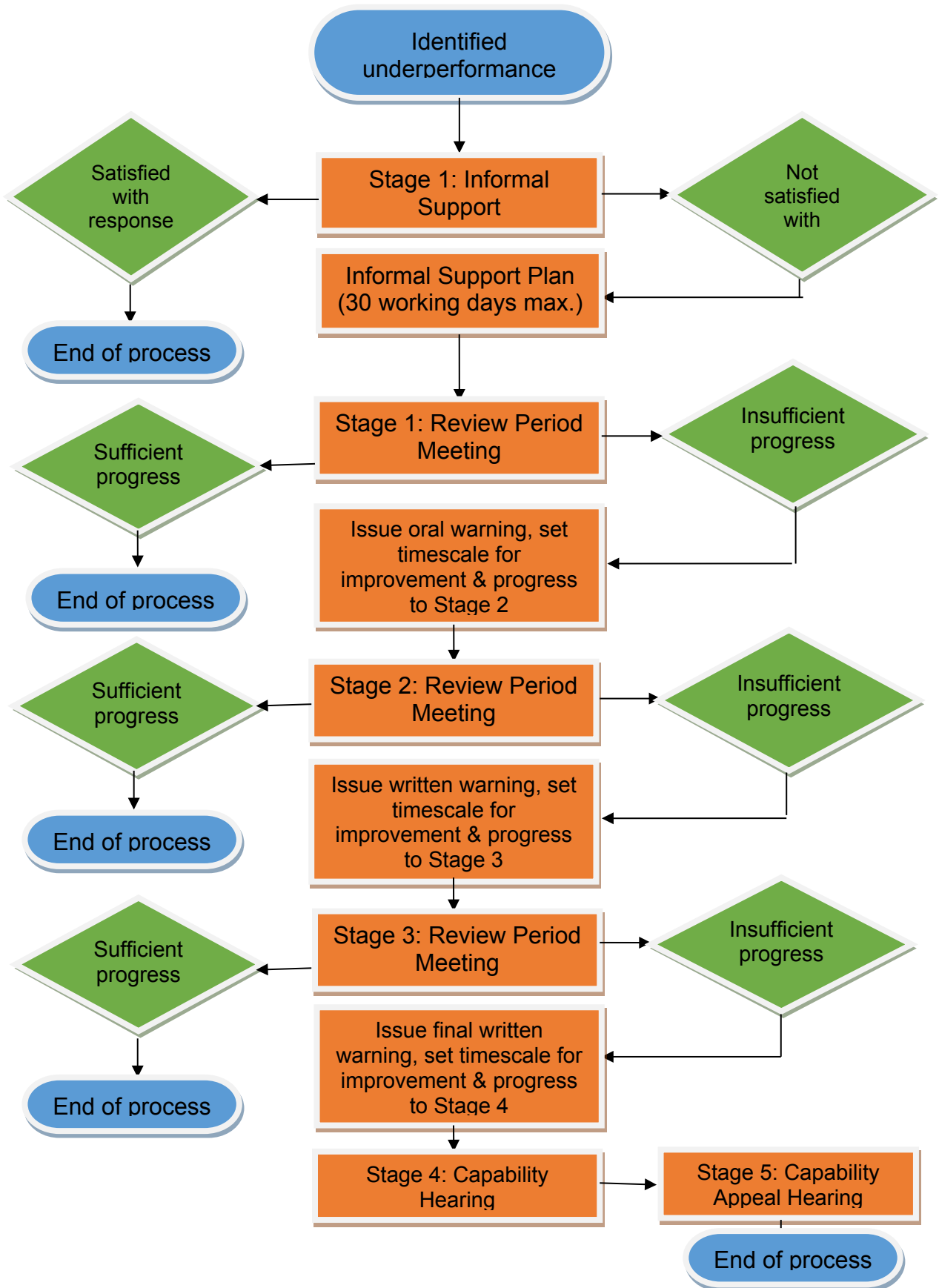
- uphold the Headteacher's appeal and overturn the SD&DC's decision to dismiss;
- agree a further assessment period of no more than six weeks to allow the Headteacher to achieve the required standard of performance. Where this occurs, the SD&DAC must reconvene at the end of the further assessment period to review the progress of the Headteacher and if the required standard of performance is still not met confirm the dismissal; or
- recommend that the Headteacher be redeployed should suitable alternative employment be available.

21.16 The SD&DAC will confirm its decision in writing to the Headteacher, within 5 working days of its decision being reached. Where appropriate, this letter will inform the Headteacher that the decision of the SD&DAC is final and there is no further right of appeal.

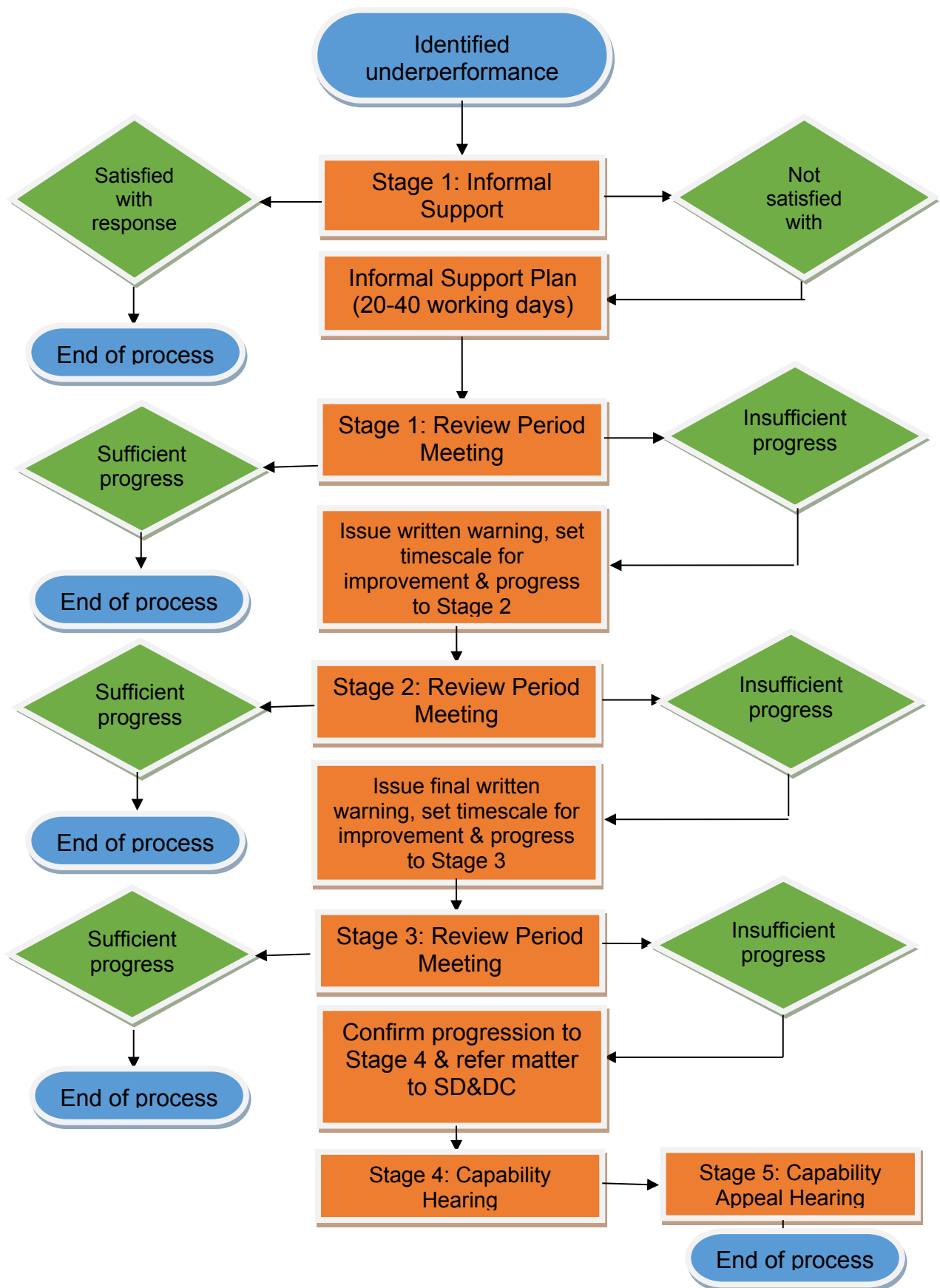
21.17 In maintained schools, where the SD&DAC upholds the SD&DC's decision to dismiss the Headteacher, the SD&DAC must copy the appeal hearing outcome letter to the Chief Education Officer. The reason for this is that the Local Authority is the employer of staff in maintained schools. The Local Authority is therefore required to dismiss the Headteacher and should do so within 14 school days of notification of the decision by the SD&DAC.

21.18 In voluntary aided and foundation schools, the Headteacher is employed by the Governing Body. The SD&DC should therefore include notification of dismissal and any appropriate period of notice in the appeal hearing outcome letter that it sends to the Headteacher.

APPENDIX 1: FLOWCHART OUTLINING PROCEDURE FOR TEACHERS



APPENDIX 2: FLOWCHART OUTLINING PROCEDURE FOR HEADTEACHERS



APPENDIX 3: ROLES AND RESPONSIBILITIES (TEACHER CAPABILITY)

The roles and responsibilities of the main participants are outlined below with the expectation that all parties work together to improve the unsatisfactory performance of the teacher.

Teaching staff

- To be fully aware of the requirements of the Practising Teacher Standards.
- To cooperate with their line manager to agree performance objectives.
- To cooperate with their line manager to achieve a satisfactory level of overall performance.
- To take responsibility for their training and development and be proactive in seeking arrangements where needs have been identified.
- To draw to the attention of their line manager any external factors that may be impacting adversely on their performance.
- To make every effort to attend any meetings or hearings under this Capability Procedure.
- To engage with the Local Authority's Occupational Health team or an appropriately qualified health professional, where applicable.

Role of the representative

- To accompany the teacher at all stages of the capability procedure, should the teacher wish. The teacher should be advised that they have the right to be represented by a work colleague or trade union representative.
- To support the teacher in presenting their evidence and seek clarification on any issues raised during the meeting.
- To confer with the teacher, if necessary, during any meeting.

Role of the line manager

- To be fully aware of the requirements of the Practising Teacher Standards.

- To ensure that members of staff have received a full induction into the School.
- To be fully familiar with the relevant policies relating to performance management and any other relevant underperformance policies.
- To monitor the performance of their staff, making clear the standard of performance the School expects.
- To take action and a considered approach in all cases when there are concerns about a teacher's performance.
- To ensure standards of fairness, objectivity and consistency of treatment of teachers in all cases.
- To provide evidence and advise the Headteacher (or those delegated by the Headteacher to administer the capability process) at all times during the process.
- To seek further guidance from the Headteacher (or those delegated by the Headteacher to administer the capability process) where appropriate on any matter related to this policy and procedures.

Role of the Headteacher

- To support and advise teachers on effective performance management procedures.
- To support and advise line managers who express concerns about the unsatisfactory performance of a teacher.
- To initiate the formal investigation of the issue and take appropriate action at any stage in the management of unsatisfactory performance.
- To appoint, where appropriate, a designated member of the teaching staff to investigate the issues and/or provide appropriate support.
- To ensure that an appropriate programme of support and guidance is put in place for the teacher whose performance is deemed to be unsatisfactory.
- To ensure that formal oral/written warnings are only issued by the Headteacher.
- To seek the advice and support of the Local Authority (or the diocesan authority or provider of HR support).
- To ensure that the Governing Body's policies are enacted and the Governing Body is involved in the capability process at the appropriate stages.

Role of the Governing Body

- To ensure that the policies relating to the management of the performance and unsatisfactory performance of teachers are implemented and are working effectively alongside other relevant policies.
- To ensure that all relevant policies are available to teachers and are reviewed on a regular basis.
- To ensure that the appropriate committees of the Governing Body are established and that Governors are aware of their responsibilities and receive appropriate training to support them in their roles.
- To seek the advice and support of the Local Authority (or the diocesan authority or provider of HR support) if the capability process is to move to Stage 4 (Capability Hearing).

Role of the appropriate authority (i.e. the Local Authority or diocesan authority)

- To provide advice and support to the Headteacher and Governing Body through the Local Authority, the diocesan authority or provider of HR support, dependant on the status of the School.
- Where the Local Authority is the employer, the Chief Education Officer or their representative is entitled to attend all formal meetings of the Governing Body and its committees for the purpose of giving advice.
- In a voluntary aided or voluntary controlled School, the diocesan officer or their representative has the same advisory rights as those given to the Chief Education Officer.
- In foundation schools, the Governing Body may agree to award those same rights to the provider of HR support.

APPENDIX 4: ROLES AND RESPONSIBILITIES (HEADTEACHER CAPABILITY)

The roles and responsibilities of the main participants are outlined below. The clear expectation is that all parties work together to seek to improve the performance of the Headteacher.

Role of the Headteacher

- To be fully aware of the requirements of the Practising Teacher Standards and the Leadership Standards.
- To cooperate with the Chair of Governors to agree performance objectives.
- To cooperate with the Chair of Governors to achieve a satisfactory level of overall performance.
- To take responsibility for their training and development and be proactive in seeking to improve their performance where needs have been identified.
- To draw the attention of the Chair of Governors to any external factors that may be impacting adversely on their performance.
- To make every reasonable effort to attend any meetings or hearings under this Capability Procedure.
- To engage with the Local Authority's Occupational Health team or an appropriately qualified health professional, where applicable.

Role of the representative

- To accompany the Headteacher at all stages of the Capability Procedure, where the Headteacher so wishes.
- To support the Headteacher in presenting their evidence and seek clarification on any issues raised during the meeting.
- To confer with the Headteacher, if necessary, during any meeting.
- To ensure they are familiar with the content of the Capability Procedure.
- To make themselves available to meet the timescales defined within the Procedure.

Role of the Governing Body

- To be fully aware of the requirements of the Practising Teacher Standards and the Leadership Standards.
- To be fully familiar with the relevant policies relating to performance management.
- To ensure that the policies relating to the management of the performance and unsatisfactory performance of the Headteacher are implemented and are working effectively alongside other relevant policies.
- To ensure that all relevant policies are available to the Headteacher and are reviewed on a regular basis.
- To ensure that the appropriate committees of the Governing Body are established, that Governors are aware of their responsibilities and receive appropriate training to support them in their roles.

Role of the Chair of Governors

- To ensure the Governing Body adopts appropriate procedures to manage Headteacher capability.
- To establish and maintain effective arrangements and good communications with the Headteacher in relation to performance and school priorities.
- To obtain Local Authority HR advice in the event of any concerns about Headteacher underperformance.
- To initiate the informal stage (Stage 1) of this Procedure.
- To appoint, where appropriate, a designated member of the Local Authority / Consortium to investigate the issues and/or provide appropriate support during the informal stage.
- To reach a view, at the end of the informal stage as to whether the identified concerns have been addressed or to convene the Capability Panel to determine whether formal capability procedures should be invoked
- To consult the Local Authority as necessary to secure sufficient governor capacity to support delivery of this Capability Procedure.

Role of the Capability Panel

- To take action and a considered approach in all cases when there are concerns about a Headteacher's performance.
- To ensure standards of fairness, objectivity and consistency of treatment of the Headteacher in all cases.
- To determine whether the formal stages of the Capability Procedure should be invoked.
- To initiate the formal investigation of the issues and take appropriate action at any stage in the management of unsatisfactory performance appoint, where appropriate, designated members of the Local Authority or Consortium staff to investigate the issues and provide appropriate support.
- To ensure an appropriate programme of support is put into place for a Headteacher whose performance is deemed to be unsatisfactory.
- To seek the advice and support of the Local Authority (or the diocesan authority or provider of HR support) at every stage of the Procedure.

Role of the appropriate authority (i.e. the Local Authority or diocesan authority)

- To work with the Consortium to provide advice and support to the Chair of Governors and Governing Body.
- To ensure accessible, high quality HR advice is available to the Chair and Governing Body.
- To exercise, as appropriate the right to attend all formal meetings of the Governing Body and its Committees, for the purpose of giving advice.
- To exercise, as appropriate, powers of intervention in order to ensure the appropriate procedures are adopted and followed.
- To deliver or commission appropriate training to equip the Chair of Governors and Governing Body to fulfil effectively their obligations under this Procedure.
- To liaise with the Governing Body to ensure that there is sufficient governor capacity for implementation of the various stages of the capability and appeals processes.

Role of the Consortium

- To appoint a suitably experienced officer to support the Governing Body, acting on behalf of, and accountable to, the relevant Local Authority.
- To secure and allocate an experienced Challenge Adviser to work with the School to help raise standards.
- To agree, broker and ensure appropriate support for the Headteacher.
- To ensure effective communication with, and involvement of, the Local Authority, to enable that Authority to fulfil effectively its statutory functions.

APPENDIX 5: CAPABILITY HEARING FORMAT

The order of proceedings for a capability hearing involving a teacher or Headteacher is as follows⁷:

- The Chair introduces the members of the SD&DC and the Clerk;
- The presenting officer sets out the case, presents any written or other evidence and calls and questions witnesses;
- The employee and/or their representative asks questions of the presenting officer and/or witnesses. Members of the SD&DC question the presenting officer and/or any parties called to give evidence against the employee;
- The employee and/or their representative presents their case, including any relevant written or other evidence, and calls witnesses;
- The presenting officer and/or members of the SD&DC question the employee and any witnesses called on behalf of the employee;
- Witnesses leave the room after they have given evidence and been questioned by both parties, but should remain on hand in case of further questioning by the SD&DC;
- The presenting officer and the employee and/or their representative each sums up their case. If these persons do not wish to hear the advice from the advisors to the SD&DC, they should leave the hearing at this point;
- All parties hear any advice which the Chief Education Officer and, if applicable, diocesan director or their representatives, may wish to offer to the SD&DC. These advisers, together with the presenting officer and the employee and/or their representative, then leave the hearing;
- The SD&DC continues in private, without advisers, other than the Clerk, to make its decision; and
- The SD&DC can adjourn the hearing at any time for all parties to consider any new evidence or for private discussion. In addition, all parties should be able to request an adjournment at any point.

⁷ The SD&DC and Clerk to the SD&DC must refer to the Welsh Government's 'Disciplinary and dismissal procedures for school staff: Revised guidance for governing bodies' (Circular 002/2013) to ensure that the correct process is followed at this stage (e.g. that the panel's deliberations are correctly recorded, etc).

APPENDIX 6: CAPABILITY APPEAL HEARING FORMAT

The order of proceedings for a capability appeal hearing involving a teacher or Headteacher will take one of the following forms, depending upon whether it is a re-hearing or a review⁸.

Format for a re-hearing

- The Chair introduces the members of the SD&DAC and the Clerk;
- The employee and/or their representative presents their case, including any relevant written or other evidence, and calls witnesses;
- The presenting officer and/or members of the SD&DAC question the employee and any witnesses called on behalf of the employee;
- The presenting officer sets out the case, presents any written or other evidence and calls and questions witnesses;
- The employee and/or their representative asks questions of the presenting officer and/or witnesses. Members of the SD&DAC question the presenting officer and/or any parties called to give evidence against the employee;
- Witnesses leave the room after they have given evidence and been questioned by both parties, but should remain on hand in case of further questioning by the SD&DAC;
- The presenting officer and the employee and/or their representative each sums up their case. If these persons do not wish to hear the advice from the advisors to the SD&DAC, they should leave the appeal hearing at this point;
- All parties hear any advice which the Chief Education Officer and, if applicable, diocesan director or their representatives, may wish to offer to the SD&DAC. These advisers, together with the employee and/or their representative, then leave the appeal hearing;
- The SD&DAC continues in private, without advisers, other than the Clerk, to make its decision; and

⁸ The SD&DAC and Clerk to the SD&DAC must refer to the Welsh Government's 'Disciplinary and dismissal procedures for school staff: Revised guidance for governing bodies' (Circular 002/2013) to ensure that the correct process is followed at this stage (e.g. that the panel's deliberations are correctly recorded, etc).

- The SD&DAC can adjourn the appeal hearing at any time for all parties to consider any new evidence or for private discussion. In addition, all parties should be able to request an adjournment at any point.

Format for a review

- The Chair introduces the members of the SD&DAC and the Clerk;
- The employee and/or their representative presents their case, including any relevant written or other evidence;
- The members of the SD&DAC question the employee;
- The members of the SD&DAC may call the presenting officer from the first hearing to attend as a witness, if it is deemed necessary in order for the SD&DAC to reach a decision regarding the employee's appeal. If that occurs, the employee will have the right to ask questions of the presenting officer after the SD&DAC have asked their questions. The presenting officer would then leave the room after they have given evidence and been questioned;
- The employee and/or their representative sums up their case. If they do not wish to hear the advice from the advisors to the SD&DAC, they should leave the appeal hearing at this point;
- All parties hear any advice which the Chief Education Officer and, if applicable, diocesan director or their representatives, may wish to offer to the SD&DAC. These advisers, together with the employee and/or their representative, then leave the appeal hearing;
- The SD&DAC continues in private, without advisers, other than the Clerk, to make its decision; and
- The SD&DAC can adjourn the appeal hearing at any time for all parties to consider any new evidence or for private discussion. In addition, all parties should be able to request an adjournment at any point.

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EXECUTIVE BOARD MEETING

23RD JANUARY 2017

Model Teachers' Pay Policy 2016/2017

Recommendations / Key Decisions Required:

To endorse the Model Teachers' Pay Policy 2016/17 prior to presentation to Schools for adoption by their Governing Bodies.

Reasons:

The Model Teachers Pay Policy has been updated to reflect legislative changes introduced by the School teachers Pay and Conditions Document 2016.

Relevant scrutiny committee to be consulted -	N/A
Executive Board Decision Required	YES
Council Decision Required	NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER: Cllr. Mair Stephens; Cllr. Gareth Jones

Directorate: Chief Executive's / People Management & Performance; Education & Children's Services

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**EXECUTIVE SUMMARY
EXECUTIVE BOARD
23RD JANUARY 2017**

Model Teachers' Pay Policy 2016/2017

All schools are required to adopt a pay policy that sets out the basis on which it determines teachers' pay and the date by which it will determine the teachers' annual pay review and also establish procedures for addressing teachers' grievances in relation to their pay. The document called School Teachers Pay and Conditions (STP&CD) is updated each year which can lead to amendments in the model pay policy offered to schools.

This revised model Pay Policy has been updated to reflect legislative changes introduced in the STP&CD on 1 September 2016. The HR Group of the Education Regional Working (ERW) Consortium has updated the current Pay Policy to be offered to all schools across the region. The ERW Consortium consists of the following County Councils, Carmarthenshire, Ceredigion, Neath & Port Talbot, Pembrokeshire and Powys and City of Swansea.

Teaching associations have been fully consulted and has agreed the Pay Policy 2016/2017 on a regional basis.

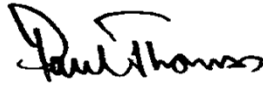
The ERW region developed a regional model Teachers' Pay Policy which it can distribute to schools for consideration and adoption by governing bodies. This policy encompasses the changes to teachers' pay arrangements as outlined in the STPCD 2016 and will assist in achieving a high level of consistency across the region.

Each Local Authority is going through their individual Council process for endorsement of the policy and ERW advice to all schools is not to do anything further about introducing a new pay policy until the final model pay policy is released by the Director of Education & Children's Services. This will be done as soon as possible but is likely to be the January 2017.

Detailed report attached: YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :



ASSISTANT CHIEF EXECUTIVE (PEOPLE MANAGEMENT & PERFORMANCE)

Policy, Crime & Disorder & Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	YES	YES	NO

1. Policy, Crime & Disorder

The document called School Teachers Pay and Conditions (STP&CD) is updated each year which can lead to amendments in the model pay policy offered to schools.

2. Legal

The Model Pay Policy has been updated to reflect legislative changes introduced by the School Teachers Pay and Conditions Document 2015.

3. Finance

No corporate financial implications as the schools have their own delegated budget.

5. Risk Management Issues

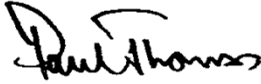
The schools are statutorily bound to have a pay policy in place.

6. Staffing Implications

The HR Team will provide advice and guidance to schools on the application of the Model Teachers' Pay Policy 2016/2017 as required.

CONSULTATIONS

I confirm that the appropriate consultations have taken place and the outcomes are as detailed below:

Signed: 
ASSISTANT CHIEF EXECUTIVE (PEOPLE MANAGEMENT & PERFORMANCE)

1. Scrutiny Committee

None

2. Local Member(s)

None

3. Community / Town Council

None

4. Relevant Partners

None

5. Staff Side Representatives and other Organisations

Education & Children's Services Employee Relations Forum - 8th November 2016

**Section 100D Local Government Act, 1972 - Access to information
List of Background Papers used in the preparation of this report:**

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection



Ein Rhanbarth ar Waith
Education through Regional Working

Model Teachers' Pay Policy

2016/2017

Cynghrair o 6 awdurdod lleol yw ERW a reolir gan gyd-bwyllgor cyfansoddiadol cyfreithiol.
Y nod yw gweithredu strategaeth a chynllun busnes rhanbarthol cytunedig a chefnogi gwelliant ysgolion.

ERW is an alliance of 6 local authorities governed by a legally constituted joint committee.
Its aim is to implement the agreed regional strategy and business plan to support school improvement.



DOCUMENT CONTROL

Policy name

Teachers' Pay Policy
2016/2017

Department

Human Resources

Reviewing Officers

ERW HR Group on behalf of
the 6 constituent local
authorities

CONSULTATION PROCESS

The following Trade Unions have been consulted in respect of this Policy:

- ASCL
- ATL / AMiE
- NAHT
- NASUWT
- NUT
- UCAC

The Governing Body of [REDACTED] School

formally adopted this Policy on [REDACTED]

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1. INTRODUCTION

1.1 This Pay Policy provides a framework for making decisions on teachers' pay. It has been developed to comply with the requirements of the School Teachers' Pay and Conditions Document (STPCD) and has been subject to consultation with all recognised teaching associations.

2. STATEMENT OF INTENT

2.1 The primary statutory duty of governing bodies in Wales, as set out in paragraph 21 (2) of the Education Act 2002 is to "...conduct the school with a view to promoting high standards of educational achievement at the school". This Policy is intended to support that statutory duty.

2.2 The procedures for determining pay in this School will be consistent with the principles of public life: objectivity, openness and accountability.

2.3 The Governing Body will act with integrity, confidentiality, objectivity and honesty in the best interests of the School in relation to the operation of this Policy.

2.4 The Governing Body will be open about pay decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons.

2.5 Any future revisions to this policy will comply with the STPCD and will be subject to consultation with relevant parties, including recognised trade unions.

3. EQUALITIES LEGISLATION

3.1 The School is committed to ensuring equality in everything that we do. The Equality Act 2010 has replaced and strengthened previous equality legislation. The Governing Body will comply with all relevant equalities legislation.

3.2 This Policy will be applied consistently to all employees irrespective of age, disability, race, gender (sex), gender reassignment, marriage / civil partnership, pregnancy / maternity, religion, belief and sexual orientation.

3.3 The Governing Body will promote equality in all aspects of school life, particularly in relation to all decisions on the advertising of posts, appointing, promoting and paying staff, training and staff development.

4. EQUALITIES AND PERFORMANCE-RELATED PAY

4.1 The Governing Body will ensure that pay processes are transparent and fair. All decisions made will be objectively justified and recorded. Reasonable adjustments will be made on a case by case basis to take account of individuals' circumstances such as long-term absence on the grounds of maternity or ill-health.

5. JOB DESCRIPTIONS

- 5.1 The Headteacher will ensure that each member of staff is provided with a job description in accordance with the School's staffing structure (**see Appendix 10**), as agreed by the Governing Body.
- 5.2 Job descriptions will identify key areas of responsibility and may be reviewed and changed from time to time in consultation and agreement with the individual/s concerned in order to make reasonable changes in the light of the changing needs of the School.

6. APPRAISAL

- 6.1 The Governing Body will comply with the School Teacher Appraisal (Wales) Regulations 2011 concerning the appraisal of headteachers and teachers through the application of the School's Performance Management Policy-

7. GOVERNING BODY'S OBLIGATIONS

7.1 The Governing Body will:

- fulfil its obligations as set out in the STPCD and the Conditions of Service for School Teachers in England and Wales (the "Burgundy Book");
- establish a Pay Committee and Pay Appeals Committee;
- determine all pay progression decisions, taking account of recommendations from the Headteacher;
- ensure that it makes funds available to support pay decisions, in accordance with this Pay Policy and the School's spending plan;
- ensure that teachers, via the Headteacher, are informed about pay decisions which affect them, and that records are kept of recommendations and decisions made; and
- monitor, on an annual basis, the outcomes of pay decisions, including the extent to which different groups of teachers may progress at different rates. The outcome of the review will be shared with school-level trade union representatives.

8. HEADTEACHER'S OBLIGATIONS

8.1 The Headteacher will:

- ensure that all appraisers (where not the Headteacher) provide accurate, relevant, complete and timely information about pay recommendations;
- moderate performance assessments and initial pay recommendations to ensure consistency and fairness;

- submit pay recommendations to the Pay Committee and ensure the Pay Committee has relevant information upon which to make pay decisions;
- inform teachers about the School's Pay Policy and to ensure its accessibility;
- notify payroll and/or HR staff within the Local Authority about pay decisions to be implemented; and
- ensure that a report on the operation of the Pay Policy is presented to the Governing Body and the relevant Trade Unions on an annual basis.

9. TEACHERS' OBLIGATIONS

9.1 Teachers will:

- familiarise themselves with the provisions of this Pay Policy, the STPCD, the relevant professional standards and all relevant school employment policies; and
- engage positively with the processes set out in this Policy.

10. DIFFERENTIALS

10.1 Within the framework of the STPCD, appropriate differentials will be created and maintained between posts within the School, recognising accountability and job weight, and the Governing Body's need to recruit and retain sufficient teachers of the required quality at all levels.

11. SAFEGUARDING

11.1 Where a pay determination leads, or may lead, to the start of a period of safeguarding, the Governing Body will comply with the relevant provisions of the STPCD and will give the required notification as soon as possible and within no later than one month after the determination.

12. CAPABILITY AND PAY PROGRESSION

12.1 Where a teacher's performance has been assessed as being unsatisfactory and the teacher is subject to the School's Capability Procedure, the School's performance management processes will be suspended in relation to the teacher concerned until the Capability Procedure has been concluded.

12.2 On conclusion of the Capability Procedure, the teacher will resume performance management processes in accordance with the School's Policy.

- 12.3 Pay progression will not be permissible in accordance with this Pay Policy while a teacher is subject to the School's Capability Procedure.
- 12.4 On conclusion of the Capability Procedure, before pay progression can be considered, the teacher will be required to demonstrate, for a reasonable period of time, the required level of performance needed for a successful appraisal review, based on the revised personal objectives established at the conclusion of the Capability Procedure.
- 12.5 Pay progression will not be applied retrospectively in any case of capability.

13. PAY DETERMINATION

- 13.1 The Governing Body has delegated its pay determination powers to the Pay Committee.

13.2 Annual determination of pay

- 13.2.1 All teaching staff salaries, including those of the leadership group, will be reviewed annually to take effect from 1st September. The Governing Body will conclude teachers' annual pay reviews, and assessments of applications to progress to the Upper Pay Range, by 31st October; the Headteacher's annual pay review will be concluded by 31st December.
- 13.2.2 Reviews may take place at other times of the year to reflect, for example, any changes in circumstances, changes in a job description that lead to a change in the basis for calculating an individual's pay and in cases where a teacher resumes performance management arrangements following capability processes.
- 13.2.3 The Governing Body will apply any future national pay awards as specified by the STPCD.

13.3 Notification of pay determination

- 13.3.1 A written statement will be given to each teacher setting out the pay and any other financial benefits to which they are entitled following a determination. Where applicable, this will include information about the basis on which it was made. This will be done by 31st October for teachers, 31st December for Headteachers, or by no later than one month following the determination.

13.4 Appeals procedure

- 13.4.1 The Governing Body has an appeals procedure in relation to pay. This is set out in **Appendix 8** of this Pay Policy.

14. HEADTEACHER PAY

- 14.1 The Governing Body will ensure that the process of determining the remuneration of the Headteacher is fair and transparent.
- 14.2 The Governing Body will assign a seven-point leadership pay range for the Headteacher based on the school group size and any permanent additional relevant factors as determined within the framework of the STPCD.
- 14.3 Additional factors to be taken into account will include all permanent responsibilities of the post, challenges specific to the role and all other relevant considerations, alongside any factors relating to recruitment and retention.
- 14.4 The Governing Body may re-determine the Headteacher's pay range if it becomes necessary to change the Headteacher group (including where the Headteacher becomes responsible and accountable for more than one school in a federation on a permanent basis). The Headteacher's pay range may also be reviewed at any time if it considers it necessary to reflect a significant change in the responsibilities of the post.
- 14.5 Payments in respect of temporary responsibilities for the Headteacher will not be included in the pay range but will be determined in accordance with the STPCD as explained in **Appendix 6**.
- 14.6 In this School, the Governing Body will apply discretionary reference pay points for leadership pay as indicated in **Appendix 1** and has agreed a seven step pay range of L xxx to L xxx (*details to be inserted here by the school*).

14.7 Pay on appointment

- 14.7.1 For new appointments, the Governing Body will determine the leadership pay range to be advertised and will agree the starting pay on appointment, taking account of the full role of the Headteacher and the provisions of the STPCD.
- 14.7.2 The Governing Body will adopt a three-stage process when setting the pay for new Headteacher appointments as set out in **Appendix 6**.
- 14.7.3 The Pay Committee will review the School's headteacher group and the head teacher's leadership pay range, as necessary, to ensure fair pay relativities within the School.
- 14.7.4 See **Appendix 6** of this Pay Policy for guidelines on leadership pay ranges and **Appendix 7** for the Annual Review Pay Statement.

15. DEPUTY / ASSISTANT HEAD TEACHER PAY

- 15.1 In this School, the Governing Body will use the discretionary reference pay points for leadership pay as indicated in **Appendix 1**.
- 15.2 The Governing Body will assign a five-point leadership pay range for Deputy / Assistant Headteacher posts based on the school group size and any

permanent additional relevant factors as determined within the framework of the STPCD.

15.3 The range for individual posts will be determined according to the duties and responsibilities of the post and may vary between posts.

15.4 In this School, the Deputy Headteacher five step pay range is L xx to L xxx (pay details to be inserted here by the school).

15.5 In this School, the Assistant Headteacher five step pay range is L xx to L xxx (pay details to be inserted here by the school).

15.6 Pay on appointment

15.6.1 When a new appointment needs to be made, the Governing Body will determine the leadership pay range for the post to be advertised and will agree the starting pay on appointment.

15.6.2 The pay range will be determined in accordance with the STPCD.

15.6.3 The Governing Body will adopt the three-stage process when setting the pay for new appointments to the wider leadership team as set out in **Appendix 6**.

16. PAY PROGRESSION FOR LEADERSHIP GROUP MEMBERS

16.1 The Governing Body must consider annually whether or not to increase the salary of members of the leadership group who have completed a year of employment since the previous pay determination and, if it determines to do so, to what salary within the relevant pay range determined in accordance with the STPCD and the School Teachers Appraisal (Wales) Regulations 2011.

16.2 Leadership Group members will be awarded pay progression following a successful appraisal review. The review will be deemed to be successful where the member of staff has evidenced a sustained high quality of performance and has met, or has made significant progress towards meeting, his/her performance management objectives.

16.3 Competence in relation to the relevant standards will be taken into account as part of the School's performance management process.

16.4 A sustained high quality of performance on the part of the member of staff should give him/her an expectation of progression to the top of the relevant pay range, having always taken account of the recommendation made on the member of staff's performance management appraisal statement.

16.5 Where a member of staff's performance management objectives have not been met, or significant progress has not been made towards meeting the objectives, pay progression will not be awarded unless the Governing Body is satisfied that there are relevant extenuating circumstances. Where such a

discretionary award of pay progression is made, this decision will be recorded accordingly.

- 16.6 In making its decision regarding pay progression, the Governing Body's Pay Committee will take account of the appraiser's recommendation regarding pay progression, as outlined on the member of staff's performance management appraisal statement.
- 16.7 The Pay Committee will record its decision regarding pay progression on the Annual Pay Review form contained at **Appendix 7**. A copy of this form will be provided to the member of staff.
- 16.8 Where pay progression is granted, the member of staff's salary will increase with effect from 1st September of the current academic year.
- 16.9 Where pay progression is not granted, the rationale for that decision will be recorded on the Annual Pay Review form. The member of staff has the right to appeal against any decision not to grant pay progression. The appeals procedure is set out in **Appendix 8**.

17. CLASSROOM TEACHER PAY

17.1 Pay on appointment

- 17.1.1 Advertisements for vacant posts in the School will be considered by the Headteacher [and the (*insert details of committee*) where appropriate]. All posts will be advertised either internally or externally, locally or nationally as appropriate.
- 17.1.2 The advertisement will include details of the pay range and any additional payments or allowances applicable to the post.
- 17.1.3 The Governing Body will determine the starting salary of a vacant classroom teacher post, in accordance with the Main Pay Range and Upper Pay Range, detailed at **Appendix 1**.
- 17.1.4 The Governing Body is committed to the principle of pay portability for teachers **who are currently paid in accordance with the provisions of the STPCD** and will apply this principle in practice when making new permanent and fixed-term appointments.
- 17.1.5 The Governing Body will not restrict the pay range advertised, or starting salary and pay progression prospects available for classroom teacher posts, other than the minimum of the Main Pay Range and the maximum of the Upper Pay Range.

17.2 Pay progression for existing Main Pay Range and Upper Pay Range teachers

- 17.2.1 The Governing Body must consider annually whether or not to increase the salary of teachers (excluding NQTs undertaking their induction year) who have completed a year of employment since the previous pay determination

and, if it determines to do so, to what salary within the relevant pay range determined in accordance with the STPCD and the School Teachers Appraisal (Wales) Regulations 2011.

17.2.2 A sustained high quality of performance on the part of the teacher should give him/her an expectation of progression to the top of the relevant pay range, having always taken account of the recommendation made on the teacher's performance management appraisal statement.

17.2.3 Teachers will be awarded pay progression following a successful appraisal review. The review will be deemed to be successful where the teacher has evidenced a sustained high quality of performance and has met, or has made significant progress towards meeting, his/her performance management objectives.

17.2.4 Where a teacher's performance management objectives have not been met, or significant progress has not been made towards meeting the objectives, pay progression will not be awarded unless the Governing Body is satisfied that there are relevant extenuating circumstances. Where such a discretionary award of pay progression is made, this decision will be recorded accordingly.

17.2.5 Competence in relation to the relevant standards will be taken into account as part of the School's performance management process.

17.2.6 In the case of teachers who are already on the Upper Pay Range, the Pay Committee will also take account of whether:

- the teacher has maintained the criteria for assessment to the Upper Pay Range (see **section 18.8** - "Assessment", and **Appendix 3**); and
- the teacher continues to be highly competent in all elements of the relevant standards.

17.2.7 In making its decision regarding pay progression, the Governing Body's Pay Committee will take account of the appraiser's recommendation regarding pay progression, as outlined on the teacher's performance management appraisal statement. The Pay Committee will be advised by the Headteacher in making all such decisions.

17.2.8 The Pay Committee will record its decision regarding pay progression on the Annual Teachers' Pay Review Statement contained at **Appendix 2**. A copy of this form will be provided to the teacher.

17.2.9 Where pay progression is granted, the teacher's salary will be increased with effect from 1st September of the current academic year.

17.2.10 Where pay progression is not granted, the rationale for that decision will be recorded on the Annual Teachers' Pay Review Statement. The teacher has the right to appeal against any decision not to grant pay progression. The appeals procedure is set out in **Appendix 8**.

18. APPLICATIONS TO BE PAID ON THE UPPER PAY RANGE

- 18.1 A qualified teacher may apply once each year to be paid on the Upper Pay Range in accordance with the STPCD and this School's Pay Policy.
- 18.2 It is each teacher's responsibility to decide whether to submit an application.
- 18.3 In order for the assessment to be robust and transparent, it will be an evidence based process.
- 18.4 Personal objectives for the forthcoming appraisal cycle will be set at a level which is sufficient to ensure that the criteria included in the STPCD for progression to the Upper Pay Range can be met, including that the teacher is highly competent in all elements of the relevant standards.
- 18.5 Teachers who have been absent from work for sickness, disability or maternity-related reasons, along with those who are not subject to the Appraisal Regulations 2011 (i.e. a teacher who is employed on a short term contract of less than one term), may cite written evidence from a suitable and relevant period before the date of application in support of their application.
- 18.6 If a teacher is simultaneously employed at one or more other schools, he / she may submit separate applications if they wish to apply to be paid on the UPR in those schools. This School will not be bound by a pay decision made by another school.

18.7 Process

- 18.7.1 The closing date for an application to be submitted by a teacher to his / her appraiser is *(school to insert date here - normally prior to the end of the Summer Term)*.
- 18.7.2 Exceptions may be made in some specific circumstances, e.g. those teachers who are on maternity leave or on sick leave as at the closing date for receipt of applications. In such circumstances, the teacher may request - at least 2 weeks before the specified closing date - an extension of no more than half a term for the submission of an application.
- 18.7.3 The process for applications is:

- Teacher to inform appraiser in writing, within the required timescale (see paragraphs 16.7 and 16.8 above) that he / she wishes to be considered for progression to the Upper Pay Range and that his / her personal objectives for the forthcoming appraisal period should reflect this request.

Following completion of the relevant appraisal period:

- The appraiser will complete an assessment pro-forma as shown in **Appendix 4**, setting out the appraiser's recommendation in relation to progression to the Upper Pay Range, following completion of the relevant appraisal period;

- The Headteacher will consider the appraiser's recommendation and will make a recommendation to the Pay Committee;
- The Pay Committee will make a decision about pay progression, following receipt of advice from the Headteacher;
- The teacher will receive written notification of the outcome of their application by 31st October in the relevant year;
- Where the application is unsuccessful, the written notification will set out details of the areas of the teacher's performance which are not considered to have satisfied the relevant criteria set out in this Policy (see "Assessment" below);
- If requested, oral feedback will be provided by the Headteacher. Oral feedback will normally be given within 10 working days of the date of notification of the outcome of the application. Feedback will be given in a positive manner and will include advice and support about areas for improvement in order for the teacher to meet the relevant criteria; and
- Successful applicants will move to step 1 of the Upper Pay Range with effect from 1st September of the academic year following their application being supported.

18.7.4 Unsuccessful applicants may appeal the decision as outlined in **Appendix 8**.

18.8 Assessment

18.8.1 An application will only be successful where the Governing Body is satisfied that all of the requirements of the STPCD have been met, including that:

- the teacher is highly competent in all elements of the relevant standards; and
- the teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

18.8.2 For the purposes of this Pay Policy, the Pay Committee will be satisfied that the teacher has met the Governing Body's expectations for progression to the Upper Pay Range where the Upper Pay Range criteria (see **Appendix 3**) have been satisfied as evidenced by a successful appraisal review.

18.8.3 Further information, including details about sources of evidence, is contained in the School's Performance Management Policy.

19. LEADING PRACTITIONER ROLE

19.1 The Governing Body may establish Leading Practitioner posts for teachers whose primary purpose is the modelling and leading improvement of teaching skills.

- 19.2 Where the Governing Body wishes to establish such posts it will determine the responsibilities and pay range for these posts. Consultation with relevant staff and trade unions will take place in relation to any such proposed changes to the staffing structure.
- 19.3 The Policy of the Governing Body will be to appoint any new Leading Practitioner teacher to a 5-point range, as deemed appropriate by the Governing Body.
- 19.4 The pay range for Leading Practitioners will be in accordance with the STPCD, which is currently a minimum of £38,984 per annum (i.e. Leadership Pay Point 1) and a maximum of £59,264 per annum (i.e. Leadership Pay Point 18).
- 19.5 In this School, the Governing Body will use the discretionary reference pay points detailed at **Appendix 1**.
- 19.6 Pay progression for Leading Practitioners will be determined as per the process set out at 17.2.1 to 17.2.10 above.

20. UNQUALIFIED TEACHERS

- 20.1 A teacher on the unqualified pay range will be paid an annual salary between £16,461 and £26,034 per annum. In this School, the Governing Body will use the discretionary reference pay points detailed at **Appendix 1**.
- 20.3 Under the Education (Specified and Registration) (Wales) Regulations 2010 there are specific circumstances when those other than qualified teachers who are registered with the Education Workforce Council may carry out 'specified work'.
- 20.4 The School will comply with these legal requirements and will only employ unqualified teachers as specified in these Regulations.
- 20.5 The Governing Body may pay an additional allowance to an unqualified teacher who meets the criteria as defined in the STPCD.
- 20.6 In order to progress up the pay range, unqualified teachers will need to show that they have met or made significant progress towards meeting their performance management objectives, along with demonstrating the required improvement in their teaching skills.
- 20.7 In making its decision regarding pay progression, the Governing Body's Pay Committee will take account of the appraiser's recommendation regarding pay progression, as outlined on the teacher's performance management appraisal statement. The Pay Committee will be advised by the Headteacher in making all such decisions.
- 20.8 The Pay Committee will record its decision regarding pay progression on the Annual Teachers' Pay Review Statement contained at **Appendix 2**. A copy of this form will be provided to the unqualified teacher.

- 20.9 Where pay progression is granted, the unqualified teacher's salary will be increased with effect from 1st September of the current academic year.
- 20.10 Where pay progression is not granted, the rationale for that decision will be recorded on the Annual Teachers' Pay Review Statement. The teacher has the right to appeal against any decision not to grant pay progression. The appeals procedure is set out in **Appendix 8**.
- 20.11 An unqualified teacher who obtains qualified teacher status will be paid on the pay ranges for qualified teachers, in accordance with this Pay Policy.

21. DISCRETIONARY ALLOWANCES AND PAYMENTS

21.1 Teaching and Learning Responsibility Payments (TLRs)

- 21.1.1 The Governing Body will award TLR 1 and TLR 2 payments to post holders as indicated in the School's staffing structure (see **Appendix 10**).
- 21.1.2 These payments will be awarded to teachers who undertake clearly defined and sustained additional responsibility in the context of the School's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning and for which the teacher is made accountable.
- 21.1.3 All job descriptions will be regularly reviewed and will make clear the responsibility or package of responsibilities for which a TLR is awarded.
- 21.1.4 The criteria for awarding a TLR 1 and TLR 2 payment will be in accordance with the STPCD.
- 21.1.5 The minimum and maximum range for a TLR 1 is £7,622 to £12,898 per annum.
- 21.1.6 The minimum and maximum range for a TLR 2 is £2,640 to £6,450 per annum.
- 21.1.7 In this School the value of TLRs currently in use is as follows:
- TLR 1 - (details of each TLR 1 to be inserted here by school)**
TLR 2 - (details of each TLR 2 to be inserted here by school)
- 21.1.8 The Governing Body may award a fixed-term TLR 3 payment to a teacher of between £523 and £2,603 per annum for a clearly time-limited school improvement project, or one-off externally driven responsibilities.
- 21.1.9 The duration of the fixed term, and the amount of annual payment will be established at the outset and will be paid on a monthly basis.
- 21.1.10 Where the Governing Body wishes to make TLR 3 payments, the proposed responsibilities, level of payment and the duration of payment will be set out clearly following consultation with relevant staff and union representatives.
- 21.1.11 A teacher in receipt of either a TLR1 or 2 may also hold a concurrent TLR3.

21.1.12 No safeguarding will apply in relation to an award of a TLR3.

21.1.13 A TLR1 or 2 payment awarded to a part time teacher will be on a pro rata basis but where a TLR3 payment is awarded to a part time teacher, the pro rata principle will **not** apply.

21.2 Special Educational Needs (SEN) Allowances

21.2.1 The Governing Body will award SEN allowances in accordance with the criteria and provisions set out in the STPCD.

21.2.2 An SEN Allowance of no less than £2,085 per annum, and no more than £4,116 per annum, will be payable to a classroom teacher in accordance with STPCD.

21.2.3 In this School, the SEN values are: (*details of each SEN Allowance / value to be inserted here by school*)

21.2.4 In deciding the SEN value, the Governing Body will take into account the structure of the School's SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post, and the relative demands of the post.

21.3 Acting Allowances

21.3.1 Acting allowances are payable to teachers who are assigned and carry out the duties of Headteacher, Deputy Headteacher or Assistant Headteacher in accordance with the STPCD.

21.3.2 The Governing Body will, within a four-week period of the commencement of acting duties, determine whether or not the acting post holder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance may be agreed in advance and paid from the first day of absence.

21.3.3 Any teacher who carries out the duties of Headteacher, Deputy Head, or Assistant Head, for a period of four weeks or more, will be paid at an appropriate point of the Head's pay range, Deputy Head pay range or Assistant Head pay range, as determined by the Pay Committee. Payment will be backdated to the commencement of the duties but will normally be paid a month in arrears.

21.3.4 Acting allowances may also apply to teachers covering absent colleagues in receipt of a TLR and/or SEN allowance.

21.4 Additional Payments

21.4.1 With exception of those on the leadership range the Governing Body may make additional payments to a teacher, in respect of:

- continuing professional development undertaken outside the school day;
- activities relating to the provision of initial teacher training as part of the ordinary conduct of the School;

- participation in out-of-school hours learning activity agreed between the teacher and the Headteacher; and
- additional responsibilities and activities due to, or in respect of, the provisions of services by the teacher relating to the raising of educational standards to one or more additional schools.

21.5 Recruitment or Retention Incentive Benefits

- 21.5.1 The Governing Body can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive. In deciding any such awards, the Governing Body will have regard to the STPCD and specialist HR advice.
- 21.5.2 Headteachers, Deputy Headteachers and Assistant Headteachers may not be awarded such a payment other than as reimbursement of reasonably incurred housing or relocation costs.
- 21.5.3 All other recruitment and retention considerations in relation to a Headteacher, Deputy Headteacher or Assistant Headteacher post will be taken into account when determining the pay range.
- 21.5.4 The reason for the award of any additional payment, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn will be made clear at the outset, in writing.
- 21.5.5 The Governing Body will conduct an annual review of all such awards.

22. PART-TIME TEACHERS

- 22.1 Teachers employed on an ongoing basis at the school but who work less than a full working week will be deemed to be part-time.
- 22.2 Part-time teachers will be provided with a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the School's timetabled teaching week for a full-time teacher in an equivalent post. This does not affect the TLR3 payment which is not pro rata for part time staff. See **Appendix 9** for further information.

23. TEACHERS EMPLOYED ON A SHORT NOTICE BASIS (I.E. SUPPLY)

- 23.1 Teachers employed on a supply basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro rata.

2016/17 PAY RANGES

Main Pay Range:

Point	Value
MPR 1	£22,467
MPR 2	£24,243
MPR 3	£26,192
MPR 4	£28,207
MPR 5	£30,430
MPR 6	£33,160

Upper Pay Range:

Point	Value
UPR 1	£35,571
UPR 2	£36,889
UPR 3	£38,250

Leading Practitioners Pay Range:

Point	Value
LP 1	£38,984
LP 2	£39,960
LP 3	£40,958
LP 4	£41,978

LP 5	£43,023
LP 6	£44,102
LP 7	£45,290
LP 8	£46,335
LP 9	£47,492
LP 10	£48,711
LP 11	£49,976
LP 12	£51,127
LP 13	£52,405
LP 14	£53,712
LP 15	£55,049
LP 16	£56,511
LP 17	£57,810
LP 18	£59,264

Unqualified Teachers Pay Range:

Point	Value
UNQ 1	£16,461
UNQ 2	£18,376
UNQ 3	£20,289
UNQ 4	£22,204
UNQ 5	£24,120
UNQ 6	£26,034

Leadership Pay Range:

Point	Value
L 1	£38,984
L 2	£39,960
L 3	£40,958
L 4	£41,978
L 5	£43,023
L 6	£44,102
L 7	£45,290
L 8	£46,335
L 9	£47,492
L 10	£48,711
L 11	£49,976
L 12	£51,127
L 13	£52,405
L 14	£53,712
L 15	£55,049
L 16	£56,511
L 17	£57,810
L 18	£59,264
L 19	£60,733
L 20	£62,240
L 21	£63,779
L 22	£65,363
L 23	£66,982
L 24	£68,643
L 25	£70,349
L 26	£72,089
L 27	£73,876
L 28	£75,708
L 29	£77,583

L 30	£79,514
L 31	£81,478
L 32	£83,503
L 33	£85,579
L 34	£87,694
L 35	£89,874
L 36	£92,099
L 37	£94,389
L 38	£96,724
L 39	£99,081
L 40	£101,554
L 41	£104,091
L 42	£106,699
L 43	£108,283

ANNUAL TEACHERS' PAY REVIEW STATEMENT

Name	_____	Staff Number	_____
School	_____	Effective Date	_____

SALARY DETAILS

SALARY AND POINT - MAIN PAY RANGE (S1 - S6)	£	point
SALARY AND POINT - UPPER PAY RANGE (S1 - S3)	£	point
SALARY AND POINT - UNQUALIFIED RANGE (S1 – S6)	£	point
SALARY ON LEADING PRACTITIONER RANGE	£	

**Details e.g. temp
(with applicable
dates), reason for
allowance**

ALLOWANCES

TEACHING LEARNING RESPONSIBILITY PAYMENTS (see Pay Policy Advice)	TLR1/TLR2/TLR3	
	TLR_____	£
RECRUITMENT OR RETENTION (see Pay Policy Advice)	VALUE	£
SPECIAL EDUCATIONAL NEEDS ALLOWANCE (see Pay Policy Advice)		Value
		£

OTHER ALLOWANCES (See Pay Policy advice)	Please specify
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SAFEGUARDING	£
---------------------	---

TOTAL SALARY	£
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Pay Committee meeting on

Signature of Head teacher/Chair of CommitteeDate

UPPER PAY RANGE PROGRESSION CRITERIA

(1) Professional attributes

- 1.1 Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

(2) Professional knowledge and understanding

- 2.1 Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.
- 2.2 Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.
- 2.3 Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.
- 2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.
- 2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

(3) Professional skills

- 3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.
- 3.2 Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.
- 3.3 Promote collaboration and work effectively as a team member.
- 3.4 Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback

Assessment of Teacher's Application to Progress to Upper Pay Range

For Completion by the Teacher's Appraiser

Teacher's Name:	
Post:	

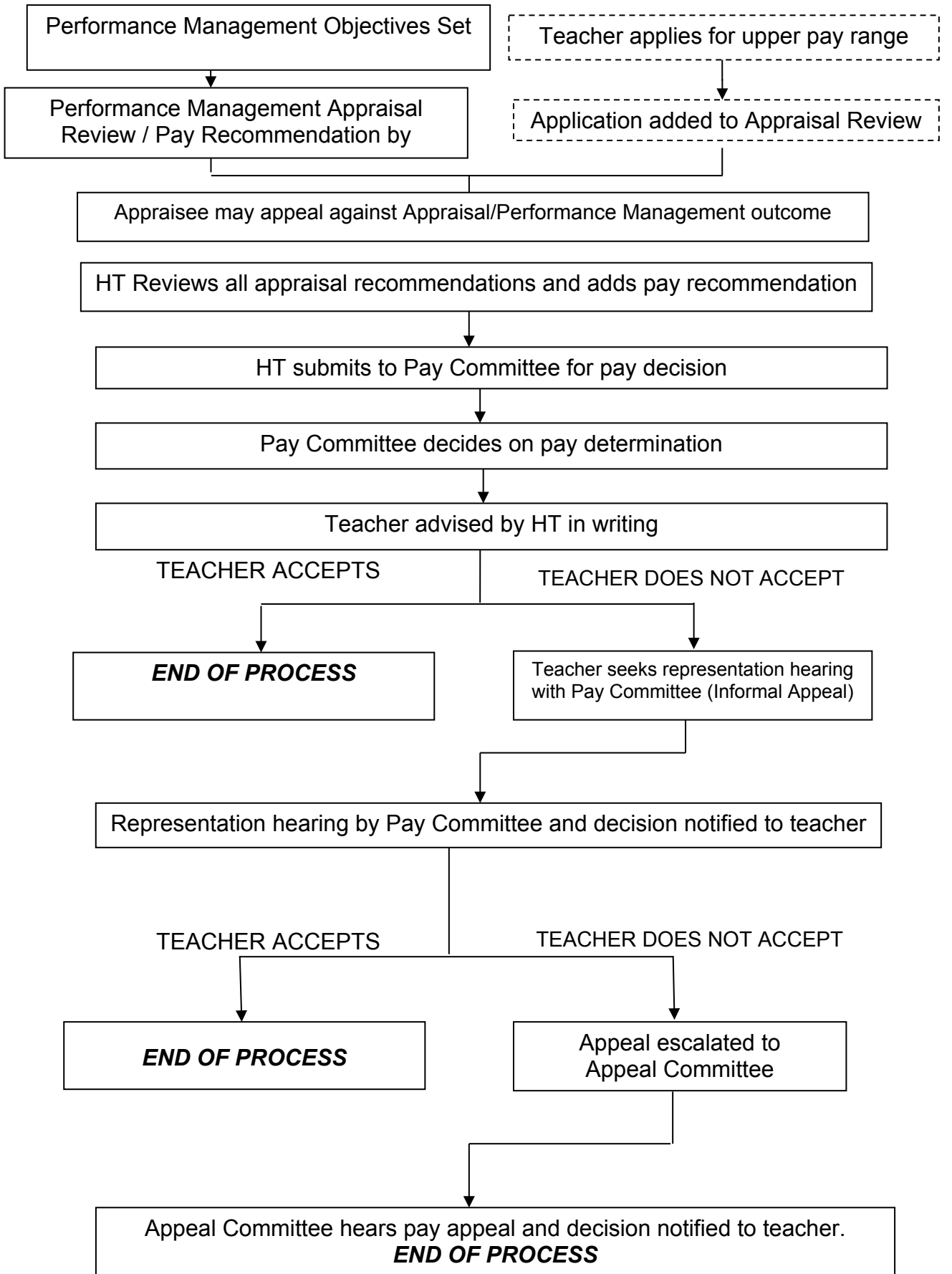
Evidence from most recent appraisal Please state which appraisal statement is attached:	
* Criteria Met (* please delete as appropriate)	*Criteria Not Met
If criteria have not been met in full, please record details below (and continue overleaf, as necessary) about the areas of the teacher's performance which do not satisfy the criteria:	

Signed: (Appraiser)

Date:
(To be submitted to the head teacher)

<u>School Use Only</u>
Application Form received on
Assessment made on
by

Flowchart of Pay Review Process (not including Headteacher)



LEADERSHIP GROUP SALARIES, GUIDANCE

1) Headteacher and Leadership Team (*ALL SCHOOLS*)

Whilst there is no longer a national pay scale published for leadership posts within the STPCD, the national employers along with the recognised trade unions have published indicative pay rates based on a 43 step leadership salary scale on which a Headteacher, Deputy Headteacher and Assistant Headteacher could be paid as determined by the Governing Body. These are set out below.

2) School Groups (*ALL SCHOOLS*)

There are eight school groups determined from the unit score of the school. The STPCD specifies a maximum and minimum pay value for each group and the indicative pay rates published jointly by the employers and trade unions attach values to individual pay points within those ranges

The Governing Body has established a 7 point pay range for the Headteacher and a 5 point pay range for all other leadership posts.

3A) Unit Score of School (*FOR ALL SCHOOLS EXCLUDING SPECIAL SCHOOLS*)

The unit score is calculated to determine the group of the School, using the formula in the STPCD. **In this Authority*, the LA will recalculate the unit score annually and the results will be applied from 1st January each year.** If a school has reasonable grounds to expect a change in pupil numbers, they should request a recalculation by the Authority at that time.

*** Delete if not appropriate**

Information on how the unit score is calculated:

This is determined by pupil numbers as shown on the most recent STATS 1 (annual school census) return to the Welsh Government.

For each pupil at the foundation stage/ KS1/KS2	7 units
For each pupil in the school at KS3	9 units
For each pupil in the school at KS4	11 units
For each pupil in the school at KS5	13 units

Each pupil with a **statement of special educational needs** shall, if she/he is in a special class consisting wholly or mainly of such pupils, count three units more than she/he would otherwise count. If she/he is not in such a special class count three such units only where the relevant body so determine.

Each pupil who attends for no more than half a day on each day for which she/he attends the school shall count half as many units as she/he would otherwise count.

Total unit score	School group
Up to 1,000	1
1,001 to 2,200	2
2,201 to 3,500	3
3,501 to 5,000	4
5,001 to 7,500	5
7,501 to 11,000	6
11,001 to 17,000	7
17,001 and over	8

3B) Modified Unit Score of School (*SPECIAL SCHOOLS ONLY*)

The modified unit score is calculated to determine the group of the school, using the formula in the STPCD. **In this Authority* the LA will recalculate the unit score annually and the results will be applied from 1st January each year.** If a school has reasonable grounds to expect a change in pupil numbers, they should request a recalculation by the Authority at that time.

*** Delete if not appropriate**

A special school must be assigned to a headteacher group in accordance with the following table by reference to its modified total unit score calculated in accordance with sub-sections (i) and (ii) below:

Modified total unit score	School group
Up to 2,200	2
2,201 to 3,500	3
3,501 to 5,000	4
5,001 to 7,500	5
7,501 to 11,000	6

11,001 to 17,000	7
17,001 and over	8

(i) Information on how the staff-pupil ratio is calculated

The proportion of staff to pupils at the school must be calculated and expressed as a percentage (“the staff-pupil ratio”) in accordance with the following formula:

$$\frac{A}{B} \times 100$$

where A is the number of teachers and support staff weighted as provided at (a) below, and B is the number of pupils at the school weighted as provided at (b) below:

- a) The weighting for a teacher is two units for each full-time equivalent teacher, and the weighting for each support staff member is one unit for each full-time equivalent individual; and
- b) The weighting for a full-time pupil is one unit and the weighting for a part-time pupil is half a unit.

The staff-pupil ratio modifier must be calculated in accordance with the following table by reference to the staff-pupil ratio determined in accordance with the above:

Staff-pupil ratio	Staff-pupil ratio modifier
1 – 20%	1
21 – 35%	2
36 – 50%	3
51 – 65%	4
66 – 80%	5
81% or more	6

NB: “Support staff member” means a member of the school staff who is not:

- a teacher;
- a person employed in connection with the provision of meals;
- a person employed in connection with the security or maintenance of the school premises; or
- a person employed in a residential school to supervise and care for pupils out of school hours.

(ii) Information on how the modified total unit score is calculated:

This is determined by pupil numbers as shown on the most recent STATS 1 (annual school census) return to the Welsh Government.

The relevant body must determine the school’s total unit score in accordance with the number of pupils on the school register calculated as follows:

Key Stage (KS)	Units per pupil
For each pupil in the Foundation Stage, KS1 and KS2	10
For each pupil in KS3	12
For each pupil in KS4	14
For each pupil in KS5	16

The relevant body must determine the school’s modified total unit score by multiplying the school’s total unit score determined under this section (i.e. as per the above table) by the staff-pupil ratio modifier calculated under section 3.

NB: Where the headteacher is appointed as headteacher of more than one school on a permanent basis, the relevant body of the headteacher’s original school or, under the Collaboration Regulations (5), the collaborating body must calculate the headteacher group by combining the unit score of all the schools for which the headteacher is responsible to arrive at a total unit score, which then determines the headteacher group.

4) New Leadership Appointments / Changes to existing Leadership pay structures – Three Stage Process (ALL SCHOOLS)

The Governing Body should follow the three stage process when setting the pay for **new appointments or revising existing pay structures in respect of headship or the wider leadership team.**

Stage 1 – Defining the role and determining the Headteacher group

Stage 2 – Setting the indicative pay range

Stage 3 – Deciding the starting salary and individual pay range

All decisions and the reasons for them should be well documented at every stage. All pay decisions must be made on objective criteria so that there is no discriminatory effect of any group of teachers with a particular protected characteristic under the Equality Act 2010.

It is suggested that schools seek advice when calculating and recording leadership pay structure decisions

Stage 1 - Defining the Role and Determining the Headteacher Group

The Governing Body should, at this stage, define the job and identify the broad pay range as a provisional guide to determining appropriate level of pay. The Governing Body will need to define and set out the specific role, responsibilities and accountabilities of the post as well as the skills and relevant competences required.

For Headteacher posts, the Governing Body will assign the School to a Headteacher group (as defined in 3 above) which will determine the appropriate broad pay range as outlined below:

Group size	Range of steps	Salary range (STPCD 2016)
1	L6 – L 18	£44,102 – £58,677
2	L 8 – L 21	£46,335 – £63,147
3	L 11 – L 24	£49,976 – £67,963
4	L 14 – L 27	£53,712 – £73,144
5	L 18 – L 31	£59,264 – £80,671
6	L 21 – L 35	£63,779 – £88,984
7	L 24 – L39	£68,643 – £98,100
8	L 28 – L 43	£75,708 – £108,283

For other leadership group posts, the Governing Body should consider how the role fits within the wider leadership structure of the School. The pay range for a Deputy Headteacher or Assistant Headteacher should only overlap the Headteacher's pay range **in exceptional circumstances**.

Stage 2 - Setting the Indicative Pay Range

At this stage, the Governing Body will need to consider the complexity and challenge of the role in the particular context of the School and make a judgement on pay in light of this.

For Headteacher posts, it is expected that normally the Governing Body will conclude that the total unit score fully captures the complexity of the Headteacher role and that the relevant broad pay range accommodates appropriate levels of reward. The Governing Body will need to consider whether the indicative pay range should start at the minimum of the Headteacher group or whether they wish it to start at a higher level because of the level of challenge of the post.

There may be circumstances, however, in which there are additional factors that suggest the indicative pay range should be higher than would be provided by the basic calculation in Stage 1.

The following represent some examples of additional factors to be considered (this list is not exhaustive):

- The context and challenge arising from pupils' needs e.g. if there is a high level of deprivation in the community (Free School Meal entitlement and/or English as an Additional Language) or there are high numbers of looked after children or children with Additional Learning Needs and this affects the challenge in relation to improving outcomes;
- A high degree of complexity and challenge e.g. accountability for multiple schools or managing across several dispersed sites, which goes significantly beyond that expected of any headteacher of similar-sized school(s) and is not already reflected in the total unit score used at stage 1;
- Additional accountability not reflected in stage 1, e.g. leading a teaching school alliance; and
- Factors that may impede the school's ability to attract appropriately qualified and experienced leadership candidates e.g. location, language medium, subject area / specialism and/or level of support from the wider leadership team.

The Governing Body may set the indicative pay range with a **maximum of up to 25% above the top of the relevant Headteacher group range**.

Above that limit, external independent advice must be sought and, should the advice suggest a range which exceeds this limit is appropriate, a business case must be made and agreed by the full Governing Body.

The Governing Body should ensure that no **double counting** takes place e.g. of things taken account of in stage 1, such as responsibility for an additional

school already reflected in the total unit score; or from using overlapping indicators, such as FSM and the pupil premium.

The Governing Body **SHOULD NOT** increase base pay nor pay an additional allowance for regular local collaboration which is part of the role of all headteachers.

For other leadership roles the process is broadly the same. The Governing Body will wish to consider how the other leadership roles should be set in accordance with the level set for the Headteacher and to ensure that there is sufficient scope for progression. Consideration should also be given to any teaching posts that carry additional allowances.

At the end of this stage, the Governing Body should decide where in the broad range to position the indicative pay range and set this out clearly when advertising the post. An overall judgement should be made on the position and breadth of range, allowing appropriate scope for performance-related progression over time, clearly linked to school improvement priorities and outcomes.

There should be a clear audit trail for all decisions made and the reasoning behind them.

It is also expected where possible that the School will undertake a process of benchmarking of salaries before setting the pay range for the Headteacher or other leadership posts.

For those factors which are not expected to persist, such as temporary responsibility for an additional school, these should be reflected through an allowance rather than consolidated into the indicative pay range.

Stage 3 – Deciding the starting salary and Individual Pay Range for new appointments.

The first two stages provide the means for determining the appropriate pay range. The third stage is essentially about deciding on the starting salary for the individual who is to be offered the post.

At this stage, the Governing Body will have a preferred candidate for the role and will wish to set the starting salary in the light of candidate-specific factors, such as the extent to which the candidate meets the specific requirements of the post.

It will be important to ensure there is scope for performance-related progression over time.

There must be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

5) Establishing a Pay Range above the School's Headteacher Group (ALL SCHOOLS)

The expectation is that in most cases the pay range will be within the limits of the Headteacher group. However, in some cases e.g. where there may be significant difficulty in making an appointment or there is a need to incentivise a head teacher to take on responsibility for a very large school or to lead multiple large schools, it may be appropriate to consider extending the individual pay range.

The Governing Body can, in such cases, decide that the maximum of the pay range may be above the maximum of the Headteacher group, **up to an additional 25%**.

If it is considered that there are exceptional circumstances that warrant an extension beyond that limit, a business case would be required. The Governing Body would need to seek external independent advice from an appropriate person or body who can consider whether it is justifiable to exceed the limit in a particular case.

There must be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

6) Pay Progression for all leadership posts (*ALL SCHOOLS*)

It is the responsibility of the Governing Body to ensure that performance-based progression awards reflect individual performance.

Schools should review and update their pay policies on an annual basis to ensure that they remain fit for purpose. Governing bodies will need to satisfy themselves that objective-setting is fair, reasonable and meaningful, but rigorous, and that the school's pay policy provides a clear link between levels of achievement and progression.

Governing bodies have the freedom to award progression increases as they judge appropriate in their particular circumstances. Although no progression award should be made if it is not justified.

Normally the Governing Body will award one increment for sustained high quality performance against the set criteria, or may award two or more increments where performance has been exceptional and exceeded all the expectations.

Temporary Payments for Headteachers

In addition, the Governing Body may consider an additional payment to the Headteacher in respect of clearly temporary additional duties and responsibilities or duties that are in addition to the post for which their salary has been determined e.g. where they are providing services to other schools. Including where the Headteacher is appointed as a temporary Headteacher of one or more additional schools not included as a permanent factor in the calculation of the pay range.

7) Salary Protection (ALL SCHOOLS)

If the School is assigned to a lower group, or the Governing Body chooses to reduce the leadership pay range, the member of staff will be entitled to receive a safeguarded sum for a period of up to three years, subject to the STPCD.

Appendix 7

**Headteacher / Deputy Headteacher / Assistant Headteacher
Annual Review Form - September 201_**

Full Name:

Staff number:

School:

***Headteacher**

School Group:

Headteacher pay range:

***Deputy/Assistant Headteacher:**

Pay range:

Salary and point at August 20

£

Point

Rationale used for pay decision:

Revised salary and point at
September 20

£

Point

Certified by Chair of

Governors/Pay Committee:

Certified by Head
teacher:

Date:

***Please delete as appropriate**

Appendix 8

PAY APPEALS PROCEDURE

The Governing Body is committed to ensuring that appeals against pay decisions are dealt with quickly, fairly and are consistent with equalities and other relevant legislation, as well as the STPCD.

Teachers, including Headteachers, may appeal any determination in relation to their pay or any other decision taken by the Governing Body (or a Committee or individual acting with delegated authority) that affects their pay.

Reasons for appeal may include the following, which is not an exhaustive list. That the person or Committee making the decision:

- a) incorrectly applied any provision of the STPCD;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence
- e) was biased; or
- f) or otherwise unlawfully discriminated against the teacher.

For both the representation hearing and the appeal hearing, the teacher is entitled to be accompanied by a work colleague or trade union representative.

Stage 1 – Informal Discussion

A teacher who is dissatisfied with a pay recommendation has the opportunity to discuss the recommendation with his/her appraiser or the Headteacher before the recommendation is actioned and confirmation of the pay decision is made by the School.

If, having had an informal discussion with the person making the pay recommendation, the teacher believes that an incorrect recommendation has been made, he/she may make representation to the Pay Committee of the Governing Body (see Stage 1 below).

Stage 2 - Representation Hearing

1. The teacher receives written notification of the pay determination and, where applicable, details of the basis on which the decision was made. The Pay Committee will ensure the teacher is aware of the process for making representation and appealing against the decision, if appropriate.

2. If the teacher wishes to make representation, he/she should do so by writing to the Clerk to Governors within 10 school days of receiving the decision.
3. The Clerk to Governors will arrange for a representation hearing to take place as soon as possible, which will be chaired by the Pay Committee. The Headteacher may be required to attend the hearing to clarify the grounds for the pay recommendation.
4. The teacher will be provided with between 5 and 10 school days' notice of the representation hearing. The teacher may attend the hearing in order to present evidence, call witnesses and ask questions of the Pay Committee.
5. The Pay Committee will decide if the original pay determination is to be amended and will write to the teacher about the outcome within 5 school days of the decision being reached.
6. Where the teacher continues to be dissatisfied, he/she may appeal this decision within 10 school days of receiving the Committee's outcome letter by proceeding to Stage 3 of the process.

Stage 3 - Appeal Hearing

1. The teacher should clearly set out in writing the grounds for appealing the pay decision and send it to the Clerk to Governors within 10 school days of receipt of the written outcome of the Stage 2 decision (see above).
2. The Clerk to Governors will arrange for an appeal hearing to take place as soon as possible, but normally within 20 school days of the receipt of the written appeal notification.
3. The teacher should be provided with between 5 and 10 school days' notice of the hearing.
4. The appeal should be heard by the Pay Appeals Committee comprising of a minimum of three eligible governors who were not involved in the original decision, or where the original Pay Committee comprised of more than three members, a number at least equal to that of the Pay Committee.
5. The Pay Appeals Committee's decision is final and, as set out in Section 3, paragraph 7 of the STPCD 2016, there is no recourse to the School's Grievance Procedure.
6. Those required to attend the appeal hearing include:
 - Chair and other Appeal Committee members
 - The teacher and his/her representative or work colleague (if the teacher is accompanied)
 - Witnesses for the employee side (if appropriate)
 - a member of the original Pay Committee who will clarify the reasons for the original decision

- Witnesses for the management side (if appropriate)
- Clerk to the hearing
- HR Adviser to give advice to the Appeal Committee (subject to the provisions of any Service Level Agreement)

A model procedure for formal appeal meetings

Chair introduces everyone and their role in the proceedings.

- The teacher will present his/her case including any evidence to be considered and any witnesses they have called;
- Pay Appeals Committee members may ask questions of the teacher, as may the Pay Committee representative;
- Pay Committee representative will state their case including the evidence on which the decision was based and call any witnesses to support the case, if appropriate;
- Pay Appeals Committee members may ask questions of the Pay Committee representative, as may the teacher; and
- Both parties may make a closing statement if they wish (teacher first, followed by Pay Committee representative). No new evidence can be introduced at this stage;
- Both parties leave the hearing;
- The Pay Appeals Committee may request advice from the HR Adviser (if applicable). Once this has been given, the HR Adviser will leave the hearing but may be recalled for further advice (if applicable);
- The Pay Appeals Committee will consider all the evidence and reach a final decision;
- The Pay Appeals Committee will call the parties back to inform the teacher of the decision (if awaiting the decision) or instruct the Clerk to write to the teacher on their behalf with their decision and the reasons for it; and
- The Clerk will notify the Local Authority of change of pay, if appropriate.

Appendix 9

Part Time Teachers' Pay and Time Calculations

- A **School's Timetabled Teaching Week** must be established and a part time teacher must be paid a proportion of the STTW.
- Each school must establish a STTW week for each teacher, this refers to school sessions hours that are timetabled for teaching, including PPA but excluding break times, registration and assemblies.
- Part time teachers will then be paid on actual teaching time excluding registration assemblies and breaks.

For example, if the school day, excluding registration and assembly, runs from 9.00am to 12.15pm and again from 1.15pm to 3.30pm with one 15minute break in the morning session and one 15-minute break in the afternoon session, the STTW for a full time teacher would be calculated as 25 hours. If a part time teacher were employed for mornings only working 9.00am to 12.15pm every day, their percentage of the timetabled teaching week would be calculated as 15 hours. This is shown below

	Morning Session (less breaks, registration + assembly)	+	Afternoon Session (less breaks, registration + assembly)	x	No of days in timetable	=	STTW	% of STTW
Full-time	3 hours	+	2 hours	x	5 days	=	25 hours	100%
Part-time	3 hours			x	5 days	=	15 hours	60%

- **PPA and Management time** must be included when calculating class contact time
- **Directed time** - a head teacher may allocate directed time to part time teacher (subject to conditions) as a proportion of a FTE 1265. Part time teachers can now be directed to cover breaks, assemblies and registration as part of their directed duties.

- Part time teachers cannot be required to be available for work (either for teaching or other duties) on days they do not normally work. However, they may attend by mutual agreement with the head teacher. Any resultant additional hours should be paid at the teachers' normal salary.
- Part time teachers may be required to carry out duties, other than teaching pupils, outside school sessions on the day on which the teacher is normally required to be available for work (whether the teacher is normally required to be available for work for the whole or part of that day). This can form part of directed time.

School Staffing Structure

(School to enter details below as applicable at the time of this Pay Policy being adopted by the Governing Body)

EXECUTIVE BOARD 23RD JANUARY 2017

REVISED STRESS MANAGEMENT POLICY, SMOKING POLICY AND ALCOHOL AND SUBSTANCE MISUSE POLICY

Recommendations / key decisions required:

The Stress Management Policy is one of the historical health and safety policies in place and has recently been reviewed. The name has been changed to incorporate Management of Mental Health in the Workplace and it has been slimmed down so the policy and guidance are integrated with 'how to step by step guides' for managers to deal with specific situations. Example case studies have also been included for management of stress and mental health issues within the workplace. The policy has been widely consulted on with all stakeholders.

The Smoking Policy is one of the historical health and safety policies in place and has recently been reviewed and slimmed down with the policy and guidance have been integrated to be more user-friendly. The policy has been widely consulted on with all stakeholders.

The Alcohol and Substance Misuse Policy is one of the historical health and safety policies in place and has recently been reviewed and slimmed down, so the policy and guidance are integrated to be more user friendly, and a 'how to step by step guides' for managers to deal with situations has been included. The policy has been widely consulted on with all stakeholders.

Reasons:

To gain Executive Board approval for the revision of the 3 policies above.

Relevant scrutiny committee to be consulted NO

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens (HR)

Directorate People Management and Performance	Designation	Tel No. 01267 246123
Name of Head of Service Paul R Thomas	Assistant Chief Executive (People Management and Performance)	E Mail Address: PRThomas@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY EXECUTIVE BOARD 23RD JANUARY 2017

REVISED STRESS MANAGEMENT POLICY, SMOKING POLICY AND ALCOHOL AND SUBSTANCE MISUSE POLICY

Introduction

The Stress Management policy is one of the historical health and safety policies in place, and was a very detailed document outlining the responsibilities of managers and the ways to manage stress. The policy was then reviewed in 2014 and divided into the main policy and guidance for ease of use. Further review of the policy following feedback has meant the policy has been renamed to incorporate Mental Health in the Workplace and the policy and guidance have been reintegrated and made more user friendly. Also following consultation with stake holders, further case studies have been added to deal with mental health issues.

Summary of the main changes

The policy has been renamed to 'Management of Mental Health in the Workplace' which covers both stress and mental health issues.

The new policy layout is as follows:

- Contents page with links to specific parts the policy and guidance
- Purpose
- Definitions
- Statement
- Scope of the policy
- Arrangements at schools
- Supporting documents
- Ensuring equality of treatment
- Guidance comprising of:
 - Types of Mental Illness the long term effects of stress
 - Managing Mental Ill Health and Stress
 - Individual Stress Assessment
 - Self help and support services
 - Case Studies

The Alcohol and Substance Misuse policy is one of the historical health and safety policies in place and outlined the responsibilities of all within the authority regarding misuse of drugs and alcohol and information for managers on how to deal with issues and procedures for intervention. The revised version of the policy is now integrated with the guidance for ease of use, with 'how to step by step guidance' on dealing with situations for managers.

Summary of the main changes

The policy has been revised and includes the :

- Contents page with links to specific parts the policy and guidance
- Definitions
- Carmarthenshire County Council's duty of care
- Exemptions
- Scope of the policy
- Arrangements at schools
- Supporting documentation
- Ensuring Equality of Treatment
- Guidance which comprises of:
 - How to Step by Step Guides
 - Guidance for managers – Disciplinary Action
 - Further Support

The Smoking policy is one of the historical health and safety policies in place to support the **The Smoke-free Premises etc. (Wales) Regulations 2007**. The revised version of the policy is now integrated with the guidance for ease of use.

Summary of the main changes

The new policy layout is as follows:

- Contents page with links to specific parts the policy and guidance
- Carmarthenshire County Council's responsibilities
- Exemptions
- Scope of the policy
- Arrangements at schools
- Supporting documents
- Ensuring equality of treatment
- Guidance comprising of:
 - Smoking rooms in Residential and Respite care
 - Visiting Residential Premises in the Community
 - Non-Residential Social Care Premises
 - FAQ
 - Further advice, guidance and support

DETAILED REPORT ATTACHED ?	NO
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul R Thomas Assistant Chief Executive (People Management and Performance)

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NO	YES	YES	NO

1. Policy, Crime & Disorder and Equalities

The guidance supports the strategic aim of Making Better Use of Resources

2. Legal

The Health and Safety at Work at 1974 and the Management of Health and Safety at Work Regulation 1999 and other relevant approved codes of practices and regulations.

3 Finance

The cost implications for any prosecution, including legal costs and fines and possible personal injury claim or claims for compensation. Also sickness absence, lost time and replacements costs.

4. ICT

None

5. Risk Management Issues

Insurance, management of any PI or other claims, identification and management of risk

6. Physical Assets

None

7. Staffing Implications

Competent health and safety advice in order to minimise risk and to ensure the authority complies with its duties.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Paul R Thomas Assistant Chief Executive (People Management and Performance)

1. Scrutiny Committee

N/A

2. Local Member(s)

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. Staff Side Representatives and other Organisations

Consultation with managers will commence once Executive Board have endorsed the draft policy (TUs have been consulted)

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

N/A

Title of Document	File Ref No.	Locations that the papers are available for public inspection

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Management of Mental Health in the Workplace Policy

This document should be used in conjunction with the
[Corporate Health and Safety Policy](#)

Managers have a responsibility to ensure that **ALL** employees have access
to this document.

Please hold the Ctrl button and click on the relevant heading in this contents table to take you to your required section of the document:

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Management of Mental Health in the Workplace Policy

Purpose

The purpose of the policy is to provide information on mental health and highlight the effects of stress and how to manage it in the workplace. The Council has a duty of care to ensure that no employee is knowingly subjected to an unreasonable level of work related stress, which could be detrimental to his or her health – physically and psychologically. It is therefore a key consideration for the Council, in terms of employee health and safety, sickness absence management, morale of employees and employee relations that stress in the workplace is managed effectively. This policy will assist Managers / Supervisors to recognise that stress can seriously impair employees' ability to contribute fully to the needs of the Council and will aid in the recognition and management of stress in the workplace.

Definitions

Mental Health – Mental health is a state of wellbeing in which the individual realises his or her own abilities, can cope with the normal stresses of life, can work productively and fruitfully and is able to make a contribution to his or her own community. 1 in 4 people can experience common mental health problems – harmful levels of stress, anxiety, depression. (*World Health Organisation*)

Stress - “the adverse reaction people have to excessive pressure or other types of demand placed on them” (Health & Safety Executive) This makes an important distinction between pressure, which can be a positive state if managed correctly, and stress which can be detrimental to health. These demands may arise from home or work, or both and can lead to both physical and psychological problems. Stress is now widely recognised as a major cause of employee ill health and sickness absence and is often linked to musculoskeletal disorders.

Statement

Carmarthenshire County Council is committed to taking all reasonably practicable steps to ensure the health, safety and wellbeing of anyone potentially adversely affected by our business as defined under the Health and Safety at Work Act 1974, section 2 and the Management of Health and Safety at Work Regulations 1999. This policy is related and supplementary to our general health and safety policy, and our commitment to promote good health amongst our employees.

The Council is committed to promoting a culture in which stress is not seen as a sign of weakness, and that employees can speak freely about stress and seek help. The council has signed the [Time to Change](#) organisational pledge which shows our commitment to the campaign to end the stigma and discrimination faced by people with mental health problems. All employees will be treated equally with regards to sickness absence management whether they are ill with a mental health or with a physical problem.

The Council aims to create an environment where the risk of workplace stress is minimised and preventative action is taken to reduce the likelihood of ill health. This will be achieved by:

- Confirming the Authority's commitment to management of mental health in the workplace
- Developing a consistent approach to managing workplace stress
- Increasing employees' awareness and understanding of mental health and stress
- Providing guidance and support for Managers/Supervisors and employees to identify the signs and symptoms of stress and mental ill health
- Providing support for managers to undertake risk assessments, implement control measures and reduce the likelihood of stress and the impact it has on physical and mental health

Title:	Stress Management		Author:	COHSU		Owner:	Carmarthenshire County Council	
Status:	Policy	Issue Date:	Sept 2016	Review Date:	Sept 2019	Version:	1	Page 2 of 13

- Promoting the general wellbeing of all employees
- Providing a supportive framework for employees who may be suffering from stress and mental ill health

Scope of the Policy

This policy will apply to all employees of Carmarthenshire County Council and members.

Responsibilities

All line managers have a responsibility under this this policy for managing mental health in the workplace and managers should be able to recognise mental health problems in themselves.

People Management will have responsibility for promoting and monitoring the effectiveness of this policy and guidance. The People Management Division will ensure that the proactive approach to management is encouraged through timely advice from the Occupational Health Service, Health and Safety Department, and Learning and Development Team, and the provision of timely and accurate data and professional HR advice.

Wider responsibility for the policy rests with Directors, Heads of Service and all senior managers. They are responsible for ensuring that this Policy and accompanying guidance is effectively communicated ensuring that all cases of stress related issues are managed sensitively and consistently. Senior managers will be responsible for commissioning additional support for managers as appropriate and practicable, and ensuring that managers have adequate training and supervision to carry out their duties.

Arrangements at Schools

Governing Bodies of all schools are encouraged to adopt this policy, with a recommendation that schools may wish to develop appropriate wording to include pupils or signpost to the appropriate policy or guidelines for pupils.

Supporting Documentation

Supporting information, guidance and documentation will be available to assist with the management and implementation of this policy.

Ensuring Equality of Treatment

This policy must be applied consistently to all employees irrespective of race, colour, ethnic or national origins (including citizenship), language, disability, religion, belief or non-belief, age, sex, gender reassignment, sexual orientation, parental or marital status, pregnancy or maternity.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact a member of the HR Team who will, if necessary, ensure the policy/procedure is reviewed accordingly.

If you require this information in an alternative format please contact People Management on (01267) 246184 or Ext. 6184.

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Guidance Note 1

Types of mental ill health

The most common diagnosable mental health conditions are briefly described below (*Mindful employer*)

Depression

Clinical depression is sometimes described as mild, moderate or severe. Symptoms include low mood and lack of energy. Motivation can be affected and people may experience thoughts of life not being worth living, which in extreme cases can lead to suicidal behaviour.

Anxiety

Anxiety becomes a problem when feelings of tension and fear prevent a person from carrying out everyday tasks. In extreme cases people may suffer panic attacks or phobias. Obsessive Compulsive Disorder (OCD) is a form of anxiety where people have recurrent, intrusive thoughts, which they may feel 'forced' to act on (e.g. fears of contamination leading to repetitive hand washing).

Psychosis

Psychosis is a term used when a person appears to lose touch with reality. Schizophrenia is the most common form but is *not* a 'split personality'. People may hear, see or believe things that aren't real to others (e.g. hearing voices, thinking that others are 'out to get them'). If the illness becomes chronic (long term) the person may withdraw from the outside world and neglect themselves.

Bi-Polar Disorder

Both these terms are used to describe this condition where a person may 'swing' between episodes of extreme low mood and depressive symptoms to being 'high' or elated. During a manic episode a person may have high energy levels, grand or unrealistic ideas and become reckless (e.g. taking risks, overspending). People may go through the mood cycles at different rates and times.

Personality Disorder

These are a range of long-term, inflexible attitudes and behaviours which make it difficult for people to maintain relationships and co-operate with others. People may find it difficult to control their emotions or behaviours or register their impact on others. There are up to ten different categories, including paranoid, antisocial and dependent.

Eating Disorders

These are extreme ways of controlling food intake and weight gain and can also be associated with other psychological problems, such as [depression](#), [anxiety](#), low self-esteem, [alcohol misuse](#), and [self-harm](#). People with anorexia nervosa severely restrict their calorie intake, while those with bulimia nervosa may binge eat. Both conditions may lead to people using other techniques to lose weight including vomiting, use of laxatives and excessive exercising.

Self-Harm and Suicide

People may hurt themselves deliberately in order to deal with problems and emotions. Methods might include self-neglect, cutting, burning or overdosing. Suicidal behaviour may occur when a person feels they have no other options. It may be a cry for help, a mistake or a deliberate act.

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Drug and Alcohol Misuse

Harmful use of drugs and/or alcohol may be caused by, or lead to mental health problems. People may become addicted to substances which become the main focus of their lives. Withdrawing from them can be traumatic or even dangerous without professional help.

Stress (vs pressure)

For some, the link between stress and mental ill health may be a new one. We all need and, to a degree, thrive on *pressure*: it gives us energy, helps with performance and inspires confidence. But excessive pressure can lead to *stress*. And when stress becomes harmful – perhaps due to too much (or too little) work, inadequate training to do the job, poor working relationships, family and personal pressures or other factors – this can lead to other mental health issues such as anxiety and depression.

Stress may become a problem when a person feels they don't have the resources to cope with the demands placed on them. Symptoms may be emotional (e.g. irritability, tearfulness) and physical (aches and pains, high blood pressure etc.). The person may find it difficult to make decisions or perform tasks and may be unable to attend work.

Long Term Effects of Stress

If symptoms of stress are ignored over a long period of time, they can lead to serious deterioration of physical and psychological health. The sooner they are managed the sooner the effects will be minimised.

Individuals may suffer:

- Hypertension
- Coronary heart disease, heart attack, stroke
- Stomach pains, diarrhoea, peptic ulcers
- Diabetes
- Effects on functioning of major organs
- Lower resistance to infective agents/tumour growth
- Worsening of existing conditions such as asthma, dermatitis, rheumatoid arthritis
- Chronic fatigue
- Effects on reproductive system, fertility problems
- Increased risk of miscarriages
- Increased risk of low birth weight babies
- Musculoskeletal disorders
- Mental ill health

Guidance Note 2

Managing Mental Ill Health and Stress

MANAGING AN EMPLOYEE WITH MENTAL ILL HEALTH

- Have an open, honest and practical conversation with the person about how their mental health condition impacts their work and what adjustments can be made.
- Ask the individual what they need – they are often the best experts of managing their condition.
- Focus on what the person *can* do – not what they can't.
- Tailor adjustments to the specific needs and abilities of the individual – be creative.
- Be flexible – as some mental health conditions can be episodic. It may be more helpful to agree adjustments that can be implemented as and when required and revoked when not.
- Agree the adjustments which are appropriate for the organisation and the individual.
- Be realistic about what you can offer. If you are unsure, consult Human Resources or the Occupational Health Centre for guidance.
- Regularly review the adjustments to ensure they are working and are still appropriate.
- With the permission of the individual communicate the adjustments to other team members to alleviate perceptions of favourable treatment.
- Consider the wider organisational context in which the adjustments are being made and whether or not they can be offered to all staff.
- Always take advice (as above) where you're not sure what to do.

Practical examples of workplace adjustments

Being flexible and creative is important when considering solutions. Below are examples which could act as prompts for line managers and employees exploring these issues together.

Working hours or patterns

- Take a flexible approach to start/finish times and/or shift patterns
- Allow use of paid or unpaid leave for medical appointments
- Phase the return to work, e.g. offering temporary part-time hours
- Equal amount of break time, but in shorter, more frequent periods
- Allow someone to arrange their annual leave, with their consent so that is spaced regularly throughout the year
- Allow the possibility to work from home at times
- Temporary reallocation of some tasks

Physical environment

- Minimise noise – e.g. providing private office/room dividers/partitions, reducing pitch or volume of telephone ring tones
- Provide a quiet space for breaks away from the main workspace
- Offer a reserved parking space
- Allow for increased personal space
- Move workstation – to ensure for example that someone does not have their back to the door.

Support with workload

- Increase frequency of supervision
- Support someone to prioritise their work
- Allow the individual to focus on a specific piece of work
- Consider job sharing

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Support from others

- Provide a job coach
- Provide a buddy or mentor
- Provide mediation if there are difficulties between colleagues

POSSIBLE SOURCES OF STRESS IN THE WORKPLACE

There are many causes of pressure, some of which are very personal. Sometimes pressures at home can have a significant impact on the pressures in the workplace. However certain aspects of the workplace can be perceived as the cause of stress, although not all individuals find these stressful. The list below contains potential areas of internal and external stressors. This is not an exhaustive list:

- Nature of the job
- Work organisation / workload
- Work environment
- Degree of control over the job
- Contractual arrangements
- Support and training
- Culture
- Work relationships
- Organisational change
- Management
- Individual

IMPACT OF LIFESTYLE STRESS AND WORK

Many of the stresses people experience can often be due to lifestyle changes as well as work related pressures, for example:

- Financial or relationship problems
- Ill health
- Family changes such as birth, death, marriage or divorce
- A conflict with family demands e.g. childcare, teenage children, ageing parents
- Change in living conditions (such as moving house)
- Long distance commuting
- Not enough opportunity for social contact while at work, difficulty in coping with change
- Not confident in dealing with interpersonal problems

PREVENTION

The following points below form part of good people management:

- Communicate regularly with employees - face to face communication is usually better so that employees can be encouraged to give feedback
- Encourage employees to talk to you at an early stage if they feel they cannot cope or if they are not clear about priorities or the nature of the task to be undertaken
- Talk to employees regularly about what needs to be done – listen to their feedback about problems or pressures they are under and their difficulties in getting the work done and agree a course of action for tackling any problems

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- Consult with employees about any changes and discuss whether there are any new training needs; it is important these training needs are met, undertaken and reviewed
- If people feel “under loaded”, think about giving them more responsibility, but make sure they are adequately trained
- Try to give warning of urgent or important jobs, prioritise tasks, and cut out unnecessary work.
- Support employees during change
- Carry out regular development reviews where we would encourage using the Individual Stress Assessment
- Provide feedback on work performance, behavioural issues and impact on others
- Ensure shift work systems are agreed with employees and that the work is fairly shared out
- Avoid taking work home
- Ensure employees take sufficient breaks
- Encourage employees to take their annual leave entitlement and their meal breaks
- Encourage a positive ‘work-life balance’
- Promote the Occupational Health Centre and health promotion initiatives
- Provide as much support as possible (e.g. Flexible working and Work Life Balance initiatives)
- Consideration of different work life balance initiatives i.e. job sharing, reduced hours, home working etc.
- Create a culture where members of the team trust each other and can be themselves at work
- Managers need to be aware of their behaviour and its effect on others and be prepared to adapt

RECOGNITION AND SUPPORT

Reason 1 - Through observation you become aware that the employee may be showing signs and symptoms of stress; or

Reason 2 – The employee has stated they are suffering from stress or presented with a fit note stating ‘stress’ or a ‘stress related issues’. Some examples of wording you may find on a fit note that indicate stress are, Stress – work related or non-work related; Anxiety; Depression; ND or Nervous Debility; Fatigue; Bereavement

Support should be provided to help an employee maintain work or return to work from sickness absence.

- Speak to the employee in a confidential setting to assess the reasons for stress. This will aid in planning next steps.
- If issues are possibly work related encourage and assist the employee to complete the [Individual Stress Assessment](#) (see [Guidance Note 3](#)) and discuss the outcomes and agree an action plan to overcome and deal with any relevant issues
- If issues are non-work related encourage the employee to read and complete the self help guide and worksheet found in [Self Help Information](#)
- Offer the contact number for [Stress Control Training](#) if applicable
- Access the [NHS Direct](#) - 0845 46 47 link to search local support services in the employee’s area (click on ‘Health and Wellbeing tab)
- Offer the contact numbers for any [Crisis Team](#) if appropriate
- Try to accommodate adjustments within the workplace (e.g. temporarily change in working hours, change to role)
- Phased return to work (following sickness absence)
- Have regular one to one meetings

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- Ask if employee has been to their own GP if applicable
- Manager can contact Occupational Health and/or HR for advice if required

If further support is required a referral can be made to [Occupational Health](#). It may also be appropriate to refer to HR guidance relating to disability information and reasonable adjustments [\(insert link\)](#)

Further advice and guidance can be obtained from the HR team and our appropriate [HR Performance Management Policies/Procedures](#) (e.g. sickness absence, capability procedures etc.).

LEARNING & DEVELOPMENT

In addition to current L&D programmes for managers and staff, the Authority has developed programmes to support managers and employees in the management of stress and mental health.

These include:

- workshops for managers
- workshops for teams in areas where stress is prevalent
- on line modules to help staff understand and manage the causes of stress
- on line modules on mental health awareness and personal resilience [\(link here\)](#)

Please contact your Learning & Development Advisor on 01267 246180 for further information.

RECORD KEEPING

It is important that records be kept of all relevant actions. Records must be accurate, deal with the facts and points of evidence, rather than feelings or conjecture and maintain individual confidentiality. Unqualified opinions and judgements must be avoided. Records must include any incident reports, risk assessments, sickness records and preventative action undertaken.

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Guidance Note 3

Individual Stress Assessment

WHEN TO USE THE INDIVIDUAL STRESS ASSESSMENT

A stress risk assessment is an ongoing process and must be used appropriately and as often as is necessary in determining levels of stress, *i.e.*.....

- whenever a situation arises to warrant its use (reactively),
- following a sickness absence,
- when presenting signs of, or having perceived increase in stress level,
- proactively at supervision/appraisal sessions (this should be done at least on an annual basis),
- the manager should complete the individual stress assessment questionnaire with the employee if possible, as issues can be highlighted and actioned at that point.

Following completion of the Individual Stress Assessment:

- If no problems are identified, the process ends here. However the manager will continue to monitor using the supervision/appraisal/performance management procedures or as required.
- If problems are identified, the manager and employee continues with the assessment process.
- The manager may seek advice from Human Resources if required.
- The manager may need to refer the employee to the Occupational Health Centre.

Managers may identify or suspect that stress may be a problem in their team or individuals themselves or they may have the issues of stress brought to their attention by employees directly or via trade union representatives or other managers. Once the manager is 'on notice' regards stress related issues they have a legal duty to intervene and manage the situation positively.

LIMITATIONS

These questionnaires are only tools to assist managers. They are not guaranteed to identify all individuals with stress or all the causes of stress. They will help demonstrate if stress is a problem and help identify possible causes of stress. The individual stress risk assessment will help to identify the root causes and possible control measures.

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Guidance Note 4

Further Support and Self Help

SELF-HELP INFORMATION

- [livinglifetothefull](#) - a free self-help website which measures your levels of stress and mood, and provides suitable workbooks.
- [Moodgym](#) – Free self-help website
- Self-help books can be obtained from your local library

FURTHER SUPPORT CAN BE OBTAINED FROM

- Your GP
- Occupational Health - 01267 246060
- Stress management programme (request this service through your manager, HR or liaison officer or contact Occupational Health on the above number for further information about how this service may benefit you).
- [NHS Direct](#) - 0845 46 47 – Search local support services in your area (select Health & Wellbeing tab)
- [NHS Stress Control Training](#) - Free 6 week course
- Your Union Representative

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Guidance Note 5

Case Studies

All case studies are based on fictional characters.

CASE STUDY 1 – No Management Input

A scenario is that of John (a fictitious example) who has been noticeably quieter in the office over the last couple of weeks; normally John is quite outgoing in the office, he is often heard, chatting to his colleagues about work issues, he has a helpful curiosity about processes in the office and is always looking to improve his efficiency, he is a reliable member of the team.

His manager notices that John has been off over the last six weeks with odd days here and there with cold like symptoms, stomach upset and a migraine, this is unusual for John but his manager dismisses it as an anomaly and does not speak to John about it.

2 weeks later, out of the blue John contacts his manager to say that his GP has signed him off work with stress and he will be off work for 2 weeks. Just as John's fit note is due to expire the manager receives another fit note for another 2 weeks, the manager is too busy to contact John and he thinks that by ringing John I will 'stress him out more, he needs time to get over it'. After a month John attends a sickness absence review with his manager, he feels too unwell to go back to work, and the GP has issued a fit note for 1 month.

Outcome of no management input

6 months later, John is still off work and he is feeling that he can't return to his job, he feels isolated, he hasn't had any regular contact with work and he is considering handing in his notice.

NB: refer to Sickness Absence Policy regarding contact with an employee while off work ill and regarding positive outcomes when keeping in contact – see Case Study 2.

CASE STUDY 2 – Management Involvement

A scenario is that of John (a fictitious example) who has been noticeably quieter in the office over the last couple of weeks; normally John is quite outgoing in the office, he is often heard, chatting to his colleagues about work issues, he has a helpful curiosity about processes in the office and is always looking to improve his efficiency, he is a reliable member of the team.

His manager notices that John has been off over the last six weeks with odd days here and there with cold like symptoms, stomach upset and a migraine, and this is unusual for John. John's manager arranges to meet with John, for an informal meeting, and the following discussion takes place.

Manager *"John, I have noticed that you seem a bit quieter in the office lately and you have had a few short illnesses over the last few weeks, I just wanted to check that everything is ok for you at the moment or if I could be of any help in any way?"*

John *"Well; things aren't too good for me at the moment, my mother is unwell and I am having to visit her every night after work, and I am finding the increase in workload for the current project difficult to manage"*

Manager *"Ok John, I am sorry to hear your mum is unwell at the moment, I can imagine that must be putting some extra strain on you and your family. I would like to understand more how things are for you in work so I can see if there is anything further I can help you with. I will give you the individual stress risk*

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assessment to complete and then we can have a look to see if this flags up any areas where further support maybe required”

John completed the individual stress risk assessment and his manager reviewed this with him 2 days later. The manager was able to see that John was unsure about what was expected of him on this current project and appeared to be setting himself unrealistic goals. John and his manager had a discussion about the project and discussed some realistic goals that John felt he could achieve over the next fortnight, and they agreed to meet again in 2 weeks to review these goals. The manager also told John about occupational health information on the intranet which has links and information about managing stress, the manager recommended that John makes time to complete the resilience online module; **Manager** *“John; this has some really helpful tips on how we can look after ourselves when we have a lot going on in our lives, I would like you to make some time to look at this”*

Outcome following Manager Involvement

John remained in work and had more regular meetings with his manager, in time John’s mother’s health improved and John felt more in control of his work and the manager noticed John returned to his previous level of productivity.

CASE STUDY 3 – Sarah’s Story

Sarah is 40 years old and works as a social worker for a local authority, managing a case load of clients. She has suffered from anxiety and depression in the past. She recently told her manager that she is feeling very anxious and has been suffering from panic attacks. She has been finding it hard to concentrate on writing client reports when she is back in the busy, open-plan office and has difficulty prioritising her workload. Sarah has been to see her GP and is now receiving therapy from the practice’s counsellor.

There is no capacity within the team for Sarah’s caseload to be reduced but her manager suggests that they increase her monthly supervisions to weekly to discuss client cases and help Sarah to prioritise her workload. Sarah’s manager also reminds her that she can book a quiet room for a couple of days a week so that she can concentrate on report writing – an option available to all employees. As Sarah already has a flexitime agreement, her manager agrees for her to come into work later on the day of her therapy. Sarah and her manager agree to review these adjustments in a couple of weeks’ time to see if they are working.

CASE STUDY 4 – Jeremy’s Story

Jeremy is 35 years old and works as an IT Support Technician for the Local Authority. He has bipolar disorder and has been hospitalised in the past. He has been off work with depression for eight weeks and has kept in contact with his manager over this time. Knowing that Jeremy was considering a return to work his manager referred him to Occupational Health for advice on what support he may need to return to the workplace. Jeremy attends a back to work meeting with his manager to agree adjustments.

The Occupational Health Physician suggests that Jeremy returns to work on a phased return, gradually building up his hours to full time over 4 weeks. He also suggests that Jeremy introduces his work tasks slowly, concentrating on desk work in the first few weeks and gradually reintroducing customer query facing work which is more demanding. Although Jeremy is feeling a lot better his medication makes him drowsy in the mornings which means that he is unsafe to drive. As his home is not well served by public

transport his manager suggests that he applies to Access to Work to enquire about help with transport for work. They agree the adjustments in writing and a provisional date for Jeremy to return to work.

Case Study – Mr Jones’s Story

Mr Jones has been off work for 3 weeks with depression which he feels has been triggered by a conflict with a colleague in the workplace. Mr Jones feels hopeless about ever being able to return to work. He attended his first sickness absence review meeting with his union representative, also present was his manager and a representative from human resources (HR). Part way through the meeting Mr Jones discloses that he “just can’t see the point in going on with life”.

His manager asks the HR Advisor and the union representative to leave the room so he can speak privately to Mr Jones. His manager asks Mr Jones questions with regards how long he has been feeling like this, and if he has felt like this before. Mr Jones states he had similar feelings in the past but not to this extent. His manager asks him if there is anyone at home who could take him to his GP or to A&E for support and advice. His manager also asks Mr Jones if he would like a referral to Occupational Health (OH) for further support. Mr Jones agrees to the referral to OH and lets his manager phone his sister who says she can collect Mr Jones in 20 minutes. His manager continues to sit with Mr Jones letting him talk openly about how he feels until his sister arrives.

One Mr Jones’ has left with his sister his manager explains what has happened to the HR advisor and union representative, documents everything from the discussion with Mr Jones and completes a referral to OH. Later that day the manager contacts Mr Jones’ sister for an update on how he is and informs her he has completed the OH referral. His sister explains that Mr Jones was assessed in A&E and will receive support from the crisis intervention team for a minimum of 2 weeks and his medication will be increased.

At a follow up sickness absence meeting Mr Jones’ states his depression was starting to improve and his outlook on the future was more positive.

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SMOKE FREE (WORKPLACE AND PREMISES) POLICY

This document should be used in conjunction with the
[Corporate Health and Safety Policy](#)

Managers have a responsibility to ensure that **ALL** employees have access to this document.

Please hold the Ctrl button and click on the relevant heading in this contents table to take you to your required section of the document:

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Smoke Free (Workplace and Premises) Policy

Carmarthenshire County Council will:

- Encourage employees, members and service users to stop smoking, and provide practical help and support via our Occupational Health Centre and the Stop Smoking Wales Service.
- Prohibit smoking and use of E-cigarettes:
 - in all enclosed and substantially enclosed workplaces and premises owned or occupied by the County Council, including offices, schools, communal areas of sheltered housing schemes, rest rooms, canteens, theatres, libraries, community facilities, public toilets, museums, kiosks, markets, restaurants, cafes, members rooms, sports and leisure facilities, bus stations and shelters, day centres, and commercial premises leased or hired to third parties, etc.
 - in all enclosed and substantially enclosed premises used to provide the services or activities of the County Council, including those owned, operated by or shared with others, such as offices, day/lunch clubs, conference centres and training venues, etc.
 - in all vehicles used for work purposes or the provision of services including vans, buses, mobile libraries, and cars (including own cars during business time). Employees and others (e.g. volunteers, contractors) using vehicles in connection with the provision of services shall ensure the vehicles are smoke-free whilst they are used for these purposes.
 - within the grounds of premises owned or occupied by the County Council, including car parks associated with our administrative and commercial buildings, gardens, playgrounds, sports grounds and other external areas, etc.
- Not provide facilities for smokers, such as shelters or smoking rooms, either inside or outside, including doorways and immediate vicinities of any Council premises (except for the exemptions detailed below).
- All employees should not smoke during working time with the requirements of the smoking policy.
- E-cigarettes must not be charged in any Carmarthenshire County Council premises, including vehicles.
- Provide signage:
 - at all entrances to our premises, including at entrances to grounds, which informs everyone that they are smoke free and that smoking is prohibited. This signage shall comply with the requirements of the Smoke-free Premises etc. (Wales) Regulations 2007, and any associated guidance.
 - in all of our vehicles, including those leased or hired to others, which informs everyone that they are smoke free and smoking is prohibited. This signage shall comply with the requirements of the Smoke-free Premises etc. (Wales) Regulations 2007, and any associated guidance.
 - Prohibit the selling or promoting of tobacco products in premises owned or occupied by the County Council.
 - Cooperate with other employers, contractors or voluntary organisations to ensure compliance with this policy and any risks associated with second hand tobacco smoke are minimised.

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- Act as an exemplar employer and role model for other employers within Carmarthenshire in relation to non-smoking and the provision of smoke free workplaces.
- Periodically monitor, review and improve (when necessary) the delivery of this policy to ensure that it remains effective, and that we continue to comply with associated legal requirements and/or relevant management standards.

Exemptions:

1. Designated smoking rooms or external smoking areas will be permitted in adult residential care and respite homes, and designated external smoking areas will be permitted in social care establishments providing day care services to the elderly **or vulnerable**.
2. Within flats and domiciliary areas of Sheltered Housing and Council Housing Premises – **ALL** communal and external areas of these premises fall within the scope of the policy.

For the purposes of this Policy ‘E - Cigarettes’ (which contain nicotine) shall be regarded as cigarettes.

Scope of the Policy

This policy will apply to all establishments and all employees of Carmarthenshire County Council, volunteers acting on our behalf, contractors, visitors, agency workers and members of public who are accessing or using premises owned or occupied by Carmarthenshire County Council.

Arrangements at Schools

Governing Bodies of all schools are encouraged to adopt this policy, with a recommendation that schools may wish to develop appropriate wording to include pupils or signpost to the appropriate policy or guidelines for pupils. School management teams must ensure that our premises always remain smoke free, including outside normal school hours when the facilities may be hired to third parties.

Supporting Documentation

Supporting information, guidance and documentation will be available to assist with the management and implementation of this policy.

Ensuring Equality of Treatment

This policy must be applied consistently to all employees irrespective of race, colour, ethnic or national origins (including citizenship), language, disability, religion, belief or non-belief, age, sex, gender reassignment, sexual orientation, parental or marital status, pregnancy or maternity.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact a member of the HR Team who will, if necessary, ensure the policy/procedure is reviewed accordingly.

If you require this information in an alternative format please contact People Management on (01267) 246184 or Ext. 6184.

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GUIDANCE NOTE 1

Providing a Designated Smoking Room in Residential and Respite Care Premises

The Smoke-free Premises etc. (Wales) Regulations 2007 makes an exemption for **adult** residential care homes, and **allows smoking within designated rooms**, subject to conditions.

**Care home manager should be contacted to discuss local arrangements.*

If it is decided to designate a specific room in which residents can smoke, then:

- the room must be suitable for the purpose,
- the room must be clearly marked as a room in which smoking is permitted,
- the door to the room should be fire resistant and fitted with a self-closing device which ensures the door remains closed,
- the room must be provided with suitable and sufficient mechanical ventilation, which vents to the outside of the building (and not immediately beneath or next to a window). Technical advice upon ventilation systems and their functionality shall be available from Property Services, via [Property Helpdesk](#).
- a safe and suitable means of collecting and disposing of waste associated with smoking must be provided in the room, along with a procedure for the handling of this waste which manages the risk of fires occurring,
- the room should be provided with the minimum amount of furniture and the following must be ensured:
 - all fabrics and furnishings shall comply with the Furniture and Furnishings (Fire Safety) Regulations 1988, relevant standards and be appropriately marked.
 - the room must not contain any items that would increase the risk of fire e.g. potted plants (real or artificial).
- an effective means of observing and supervising residents in the room should be provided, such as vision panels in either the door or the adjoining walls. The glazing used in these vision panels should be fire resistant (e.g. Georgian wired glass).

Such rooms are intended for the use of residents only, not for staff or visitors. The exemption for designated smoking rooms was made in recognition that they are residential premises, and thereby the homes of smoking residents.

Staff should not normally be required to work in these designated smoking rooms. If they have to enter these rooms, their time of exposure to second-hand smoke must be kept to a minimum. Staff with pre-existing conditions exacerbated by second-hand smoke (e.g. asthma) or employees who are pregnant should not be asked to enter them at all.

Residents shall have access to and be provided with advice, guidance and support if they wish to stop smoking. This advice, guidance and support is available through the Stop Smoking Wales service (see further support guidance for more information).

External designated smoking areas may be provided in residential and respite care homes. These external smoking areas must:

- be discreetly positioned (i.e. not near doorways and entrances and windows),
- not be sited close to buildings into which in second-hand smoke could enter via windows, doors or similar,
- not be enclosed or substantially enclosed,
- be provided with a safe & effective means of collecting smoking related litter, including stubbing out bins,

These outside facilities may be used by residents and may also be used by employees where they are not provided with official breaks to leave the site to smoke or where leaving the site would seriously compromise the level of supervision or care provided to residents. This would most likely be an issue at evening or night time, where fewer staff are often employed within the care home.

The use of E-cigarettes is prohibited in all Carmarthenshire County Council premises and vehicles due to the fire hazard and associated risks with the charging of E-cigarettes. Where residents use an E-cigarette then arrangements should be made with family or friends for the re-charging of the device off site.

A risk assessment should be carried out for residents who wish to use cigarettes. This will determine whether smoking equipment (e.g. lighters) needs to be held by staff and requested by residents when they wish to smoke.

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GUIDANCE NOTE 2

Visiting Residential Premises in the Community

Many employees, contractors & volunteers (e.g. social workers, domiciliary care workers, housing officers or maintenance staff) will need to enter a person's home to provide a service, and may be exposed to second hand smoke if the person being visited or others at that address are smokers. Private homes are not covered by smoke free law, so there are no legal restrictions upon residents smoking in their own home.

In order to reduce the risk to employees, the following steps should be taken:

- Identify the homes visited by employees that are occupied by smokers.
- It is our duty to protect our employees and others delivering a service on our behalf, from second hand smoke. Once identified, the occupants will be advised, in writing, in line with the smoke free premises regulation 2007, for their cooperation in refraining from smoking an hour before staff arrival and for the duration of their visit.
- When services are being arranged via telephone, the occupants will be instructed verbally of the requirement to refrain from smoking in their home for an hour prior to the scheduled visit taking place and for the duration of the visit.
- Employees should inform their Manager/Supervisor of any concerns or problems with occupants smoking during the visit. Employees with pre-existing conditions exacerbated by second-hand smoke should inform their Manager/Supervisor immediately so that suitable arrangements can be made.

Where an occupant continues to smoke in the presence of our employees, the following steps should be taken:

- Occupants should be politely reminded of the requirements of our smoke free policy.
- If the occupant continues to smoke, employees may withdraw from the premises, informing their Manager/Supervisor of their actions and completing relevant paperwork e.g. 'Walkaway Form' / 'Concerns Log'.
- The Manager/Supervisor must verbally discuss and follow up in writing with the occupant the requirement to refrain from smoking during a visit.
- If the occupant refuses to comply then procedures associated with the withdrawal of our services may be adopted.

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Title:	Smoke Free (Workplace and Premises)		Author:	CHSU		Owner:	Dea Thomas	
Status:	Policy	Issue Date:	Sept 2016	Review Date:	Sept 2019	Version:	3	Page 6 of 9

GUIDANCE NOTE 3

Non-Residential Social Care Premises

Enclosed & substantially enclosed areas of day centres or similar social activities must be fully smoke free, and may **not** designate or use rooms for smoking within the premises.

It is recognised that it may not be appropriate or safe to ask some service users, particularly those that are elderly or vulnerable, to leave the site entirely, including the external grounds and car parks etc., if they wish to smoke. We will therefore allow, if needed, external designated smoking areas in social care establishments providing a service to these persons (e.g. day centres). These external smoking areas must:

- be discreetly positioned (i.e. not near doorways and entrances),
- not be sited close to buildings into which in second-hand smoke could enter via windows, doors or similar,
- not be enclosed or substantially enclosed,
- be provided with a safe & effective means of collecting smoking related litter, including stubbing out bins and emptying and cleaning of bins.

Carmarthenshire County Council does not provide facilities for smokers, including service users, such as external smoking shelters.

Service users must be informed of the requirements of our smoke free policy, and the local arrangements at each particular establishment.

The use of E-cigarettes is prohibited in all Carmarthenshire County Council premises and vehicles due to the fire hazard and associated risks with the charging of E-cigarettes. Where service users use an E-cigarette then arrangements should be made with family or friends for the re-charging of the device off site.

A risk assessment should be carried out for service users who wish to use cigarettes. This will determine whether smoking equipment (e.g. lighters) needs to be held by staff and requested by service users when they wish to smoke.

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[GUIDANCE NOTE 4](#)

Frequently Asked Questions

1. Am I entitled to smoking breaks?

Employees who wish to smoke may only do so in their own time. Council employees who wish to smoke can do so either in official breaks or when they clock out or via the flexitime scheme. Managers should ensure that this practice does not adversely affect service delivery, and that employees cooperate with them towards this objective.

2. Does the Smoke Free (Workplaces and Premises) Policy apply to homeworking?

The smoke free laws don't apply to domestic premises. However, where a room at an employee's home is used solely for work purposes the room will be required to be smoke free.

All employees must comply with their employer's policies & procedures whilst at work, including when they work at home.

3. Should I include information on the Smoke Free (Workplaces and Premises) Policy when recruiting staff?

Job advertisements, information provided to prospective applicants & induction sessions for new employees (e.g. corporate welcome, site specific induction and fire safety briefings) will include reference to the Smoke Free Policy. All advertisements shall state that "the County Council operates a smoke free policy".

All new employees will be reminded of the requirements of the smoke free policy, and be required to abide by it.

4. Do I need to display signage at my premises?

Signage must be displayed at all entrances to premises, at entrances to the grounds of premises and in all work vehicles.

5. Am I required to provide facilities for smokers?

Carmarthenshire County Council will not provide facilities for smokers other than in those premises exempt from the policy (see [Guidance Note 1](#) & [Guidance Note 3](#) for further information).

6. Who is responsible for enforcing the Smoke Free (Workplaces and Premises) Policy?

The success of this smoke-free policy depends upon the consideration and cooperation of all employees and managers, and anyone else affected by it.

Failure by an employee to comply with this policy will result in informal action by line managers, followed, if persistent abuse of the rules occurs, by the implementation of the Council's disciplinary policy & procedures.

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Title:	Smoke Free (Workplace and Premises)		Author:	CHSU		Owner:	Dea Thomas	
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GUIDANCE NOTE 5

Further Advice, Guidance & Support

You are four times more likely to quit with a support programme than going it alone.

Occupational Health & Safety

Occupational Health can advise on the health benefits of quitting and give advice on who to contact or speak to about quitting smoking (see below).

General Practitioner (GP)

Your GP will give advice on the support groups below and can also advise on whether prescribed medication to help you quit will be suitable for you.

Stop Smoking Wales

You will be given advice and support and find out what Nicotine Replacement Therapy would be best for you. They hold weekly sessions across Wales and you can find a session at a time and venue that is suitable for you. Sessions start a few weeks before you plan to quit and help you to prepare for your quit date. Sessions last for six weeks and you will be assessed how you are managing and will be given support throughout the programme.

Contact number: **0800 085 2219**

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ALCOHOL AND SUBSTANCE MISUSE POLICY

This document should be used in conjunction with the [Corporate Health and Safety Policy](#)

Managers have a responsibility to ensure that **ALL** employees have access to this document.

Title:	Alcohol and Substance Misuse	Author:	COHSU		Owner:	Paul Jones	
Status:	Policy	Issue Date:	Sept 2016	Review Date:	Sept 2019	Version:	1

Please hold the Ctrl button and click on the relevant heading in this contents table to take you to your required section of the document:

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Alcohol and Substance Misuse Policy

Definitions

Substance misuse is defined as the habitual or intermittent use of alcohol or any drug or other substance which causes detriment to an individual's health, social functioning or work performance. It can often impair safety of themselves or others and affect attendance, time keeping, efficiency or conduct. Misuse also includes the possession, use or supply of illegal drugs (controlled by the Misuses of Drugs Act, 1971).

Carmarthenshire County Council enforces a zero tolerance to alcohol consumption and substance misuse within the Authority.

Carmarthenshire County Council has a Duty of Care to its employees and will:

- Prohibit the consumption of alcohol by our employees, agency workers, contractors and volunteers during working hours including lunch times.
- Raise awareness amongst our employees of the dangers of alcohol and substance misuse and the potential adverse impact upon themselves, their relationships and the workplace when used inappropriately.
- Ensure all employees and managers are aware of the rules regarding the use of alcohol and substances at work, or working whilst adversely affected by alcohol or substances. This would include prescription medication and over the counter medication where effects of the medication can have an impact on driving and using machinery. Employees should inform their managers of any adverse effects of this type of medication as adjustments may need to be accommodated.
- Promote the early identification and treatment of alcohol and substance related problems and encourage employees adversely affected to seek advice, support and treatment for themselves, or if concerned for a family member or friend to seek advice and support for others.
- Monitor employees where the use of alcohol and substances contribute to poor attendance and work performance, in accordance with the appropriate HR Performance Management Policies.
- Provide adequate training, information and guidance to anyone implementing this policy, in particular line managers and supervisors, so that they may effectively identify employees with potential problems associated with alcohol and substances, and effectively deal with alcohol and substance misuse in the workplace.
- Establish clear guidelines for dealing with misconduct associated with the use and misuse of alcohol and substances, using our disciplinary procedures where appropriate, and reporting illegal activities to the police.
- Monitor employees where the use of alcohol and substances contribute to poor attendance and work performance, in accordance with the appropriate HR Performance Management Policies.
- Ensure all employees seeking help for alcohol or substance related problems are provided with confidential and sympathetic support, treatment and rehabilitation. Confidentiality will be maintained by all parties concerned.

Title:	Alcohol and Substance Misuse		Author:	COHSU		Owner:	Geth Thomas	
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- Discourage the unsafe use of substances and the unhealthy use of alcohol by employees, by promoting awareness of a healthy lifestyle.
- Provide guidance and information on sensible drinking in the form of leaflets, health promotion and campaigns on a regular basis.

Exemptions:

1. Alcohol consumption will be permitted for residents in adult residential care and respite homes.
2. Alcohol consumption will be permitted for residents within flats and domiciliary areas of Sheltered Housing and Council Housing Premises and service users in social care establishments providing day care services to the elderly or vulnerable.

There should be suitable and sufficient risk assessments (including the effect of alcohol use with medication) in place for any residents/service users who consume alcohol.

Scope of the Policy

This policy will apply to employees of Carmarthenshire County Council, volunteers acting on our behalf, contractors, visitors, agency workers and members of public who are accessing or using premises owned or occupied by Carmarthenshire County Council.

Arrangements at Schools

Governing Bodies of all schools are encouraged to adopt this policy to include school social events, with a recommendation that schools may wish to develop appropriate wording to include pupils or signpost to the appropriate policy or guidelines for pupils. School management teams must ensure that a suitable agreement is adopted outside normal school hours when the facilities may be hired to third parties.

Supporting Documentation

Supporting information, guidance and documentation will be available to assist with the management and implementation of this policy.

Ensuring Equality of Treatment

This policy must be applied consistently to all employees irrespective of race, colour, ethnic or national origins (including citizenship), language, disability, religion, belief or non-belief, age, sex, gender reassignment, sexual orientation, parental or marital status, pregnancy or maternity.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact a member of the HR Team who will, if necessary, ensure the policy/procedure is reviewed accordingly.

If you require this information in an alternative format please contact People Management & Performance on (01267) 246184 or Ext. 6184.

Councillors

Councillors have a personal responsibility to all staff and members of the public to uphold the values set out in this policy, promote good relations and challenge inappropriate behaviour where required. Councillors are responsible for ensuring that they support positively, the principle of equality and diversity,

in undertaking their public duties and follow the Code of Conduct for Councillors and associated policies and procedures.

Guidance Note 1

Procedure - Employee presents at work under the influence of Alcohol or Substance Misuse

1. Take employee to a private and confidential area to discuss concerns and to provide the employee with an opportunity to explain the background to the situation.
2. Inform employee that they cannot continue with their substantive duties on that day and that they will be suspended from duty, pending medical assessment and consultation with Human Resources.
3. Log relevant details of incident in employee's personnel file i.e. date, time, signs, symptoms, behaviour, outcome and action taken.
4. Ensure that the employee has access to an appropriate form of transport in order to travel home safely, and that arrangements will be made to ensure their own mode of transport will be transported home safely for them.
5. If the employee refuses to accept an alternative mode of transport and enters their vehicle, call the Police on 999 immediately.
6. Follow up in writing regarding the suspension and explain a formal meeting must be carried out in relation to the incident.
7. This meeting should help to identify whether the employee may have a dependency issue and requires further support via referral to the Occupational Health Centre or through external support agencies or whether disciplinary action should be taken.
8. Relevant actions are implemented following a medical assessment and the outcome of the investigation.
9. Monitor and review at regular intervals.

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Guidance Note 2

Supporting employees who are experiencing Alcohol or Substance Misuse problems

1. Take employee to a private and confidential area to discuss concerns and to provide the employee with an opportunity to explain the background to the situation.
2. Establish whether the employee will need time away from the workplace or is able to continue with their duties on that day.
3. Offer support where relevant via external support services (e.g. Dyfed Drug and Alcohol Service, DAN 24/7 - [Guidance Note 4](#)) and advise employee to seek advice from their GP. A referral to Occupational Health must be made with regards fitness to work and if there are any work performance issues. Confidentiality will be maintained by all parties concerned.
4. Log relevant details of incident in employee's personnel file i.e. date, time, signs, symptoms, behaviour, outcome and action taken.
5. Where treatment is accepted, time off for external treatment is to be arranged as per the requirements of the [Time off Policy](#).
6. If there are any further concerns contact Occupational Health and HR for further advice.

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Guidance Note 3

Guidance for Managers – Disciplinary Action in relation to Alcohol and Substance Misuse

- Employees should be made aware of the likely consequences if they do not accept the offer of support under the policy.
- Encourage employees to seek assistance and support if experiencing problems from alcohol and substance misuse.
- Immediate disciplinary action for misuse or abuse would not normally be taken against employees who accept help from their employer, unless other matters of discipline are involved.
- Where the use or misuse of alcohol and substances by an employee contributes to poor work performance or attendance, despite any support provided by the Occupational Health Centre or external agencies, the employee will be dealt with in accordance with our appropriate [HR Performance Management Policies/Procedures](#) with advice from HR Officers (e.g. sickness absence, capability procedures etc.).
- Provided work performance is not affected or improves to a satisfactory level employees will not be subject to disciplinary action.
- Employment may be terminated in cases of alcohol and substance misuse where the subsequent action taken leads to loss of qualification required to carry out the job e.g. professional registration, driving licence.
- The HR Performance Management Policies should be referred to in conjunction with this Policy. In all cases where the Authority's disciplinary/sickness or capability procedure is used in relation with alcohol/substance misuse, the person concerned will be offered appropriate help at each stage.

Example where Disciplinary Action applies

Disciplinary action may arise as a direct or indirect consequence of alcohol or substance use for employees who:

- Report for work under the influence of alcohol and substances, which impairs their ability to safely perform normal work duties.
- Possess, use and sell substances at work.
- Misuse prescribed medicines at work.

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- Have consumed alcohol whilst in a safety critical role (e.g. being in charge of a vehicle, operating hazardous machinery or mobile plant, handling or using, including disposal, of any substance hazardous to health, working in, on or near water, supervising children and vulnerable adults).
- Have been abusive to members of the public/service users as a consequence of alcohol use.
- Have deliberately flouted legitimate instructions not to consume alcohol or substances at work.
- Have issues of conduct arising from isolated incidences of alcoholic indulgence or substance use.

The above are some examples but this is not intended as an exhaustive list.

If an employee is believed to be buying and selling substances, or in possession of unlawful substances during working time, the police will be notified by the Head of Service or delegated Officer.

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Guidance Note 4

Further Support

OCCUPATIONAL HEALTH

The importance of employee confidentiality throughout the process of managing this policy cannot be over emphasized. Employees with a misuse or abuse problem should have no fears about seeking advice and help to affect a recovery. The manager should give them assistance willingly and in complete confidence. Both Occupational Health and managers can signpost an employee to the substance misuse services below for advice and guidance.

The confidential nature of any records or correspondence is subject to the statutory protection of the Data Protection Act 1998, the Access to Medical Reports Act 1988, the Access to Medical Records Act 1990 and the Access to Health Records Act 1990.

Click here to access the [Occupational Health e-referral](#)

EQUALITY ACT 2010

Addiction to, or dependency on, alcohol or any other substance is specifically excluded from the scope of the Act unless the addiction was originally the result of the administration of medically prescribed substances or other medical treatment. Nevertheless, employees with impairments that are the result of an addiction, for example, liver damage caused by alcohol, will still be covered by the Act.

Therefore, employees who have a recognised alcohol or other related disease may be considered to be disabled under the Act. If that is the case the Council's policy on disability will apply and managers should seek advice from their equal opportunities or Human Resources officer before proceeding with any reasonable adjustments.

OTHER SOURCES OF HELP:

Catalyst – Turning Point Cymru

Over 18's:

Call the Substance Misuse Team on: **01554 744377**

Under 18's:

Please call Choices on: **01554 755779** or text: **07896 248911**

They will be able to offer you confidential advice on the telephone and an appointment with a worker if you wish to discuss your problems and get you the help you need.

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There are lots of online resources which give advice and information about alcohol, including some self-help resources. Here are some useful places to look:

- [NHS Direct Alcohol Information](#)
- [Alcohol Concern Information](#)
- [Dan 247](#)

Advice for parents

Please call Choices on: **01554 755779** or text: **07896 248911**.

They will be able to offer you confidential advice on the telephone and an appointment with a worker if you wish to discuss your problems and get you the help you need. Or refer to online help links above.

OUT OF HOURS

DAN 24/7 – Wales Drug and Alcohol Helpline

The Wales Substance & Alcohol Helpline, also known as DAN 24/7 is available to people who live in **Wales**. Our helpline is open 24 hours a day, 365 days of the year.

Outside of office hours call the all Wales Drug & Alcohol Helpline free on: **0808 808 2234**

Dyfed Drug and Alcohol Service (DDAS)

Dyfed Drug and Alcohol Service provides a substance and alcohol advisory service across mid and west Wales, covering Carmarthenshire, Ceredigion and Pembrokeshire.

Contact Number: **03303 639997**

Alcoholics Anonymous

AA is concerned solely with the personal recovery and continued sobriety of individual alcoholics who turn to the Fellowship for help.

National Helpline no: **0845 769 7555**

Employees who do not reside in Carmarthenshire

Contact the Substance Misuse Team on **01554 744377** and you will be pointed in the right direction for support services in your area.

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EXECUTIVE BOARD 23RD JANUARY 2017

Council's Revenue Budget Monitoring Report

Recommendations / key decisions required:

That the Board receives the Budget Monitoring report and considers the budgetary position.

That Chief Officers and Heads of Service critically review their budgetary positions and implement appropriate actions to deliver their services within their allocated budgets.

Reasons:

To provide the Executive Board with an update on the latest budgetary position as at 31st October 2016, in respect of 2016/2017.

Relevant scrutiny committee to be consulted: NA

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr. David Jenkins

Directorate: Corporate Services

Designations:

Tel No. 01267 224886

Name of Head of Service:
Owen Bowen

Head of Financial Services

E Mail Addresses:
OBowen@carmarthenshire.gov.uk

Report Author:
Owen Bowen

EXECUTIVE SUMMARY
EXECUTIVE BOARD
23RD JANUARY 2017

Council's Revenue Budget Monitoring Report

The revenue budget monitoring reports for the period to 31st October 2016 are attached and indicate that:

COUNCIL FUND REVENUE ACCOUNT(Appendix A)

Overall, the monitoring report forecasts an end of year overspend of £1,357k on the Authority's net revenue budget with an overspend at departmental level of £2,833k.

Chief Executive's Department

The Chief Executive Department is anticipating an overspend at year end of £348k. In relation to the application of Standby, part year savings have already been identified and work is ongoing with the TIC teams in relation to delivering the full efficiencies identified.

The Regeneration, Policy and Property Division is anticipating an underspend of £31k at year end. There is an anticipated overspend on coroners of £49k and a £41k cost associated with implementing individual electoral registration. There are also overspends of £24k within the Regeneration Business Unit due to a prior efficiency associated with selling the premises at Nant Y Ci not taking place and Un Sir Gar of £54k due to a shortfall in income. The Policy division is expecting to overspend by £103k due to an unfunded post and an unachievable income target. There is also an unachieved efficiency within marketing and media whilst an ongoing service realignment is reviewed of £33k. These overspends are offset by £327k of staff vacancies in the division and a net underspend of £23k in the Property division due to increased rental income from commercial properties and industrial premises.

The Admin & Law division is expecting a £68k underspend despite a Local Duplicating Centre overspend of £31k due to the decrease in printing across the authority and the corresponding income generation potential being lost. This is largely offset by staff vacancies of £98k.

The People Management & Performance Division is underspent by £96k. This is due to £77k of vacant posts in year along with a saving on Business Support Supplies & Services costs of £31k.

Department for Education and Children

The Department for Education and Children is projecting a net overspend of £1,780k at year end.

The main adverse budget variations relate to: new school based EVR and redundancy costs £968k; increasing age profile (15-25 year olds) of LAC requiring more costly support for longer £257k; increase in Special Guardianship Orders to keep children with their families £166k, rurality impact on Fostering staff & client travel £91k; School Modernisation pressures relating to short term transport for pupils from closed schools £70k, property decommissioning and cost of sales £152k (which includes £135k NNDR); Respite Units not achieving contribution from LHB £139k; increase in legal fees relating to care proceedings £120k; increased Out of County residential care placements £103k and increased referrals during out of hours £50k.

These are partially offset by under-spends across the department in: staff vacancies, secondments and maximising use of grant funding -£201k and the reduction of an Out of County educational placement -£135k.

Corporate Services

The Corporate Services Department is anticipating an underspend at year end of £328k. Both the Financial Services and the Audit, Risk and Procurement Divisions are anticipating underspends due largely to vacant posts of £230k and £54k respectively .

ICT is anticipating an overspend of £70k due to long term sickness cover.

There is also an anticipated underspend of £47k on audit fees due to a reduction in the number of grants being audited, along with a £34k underspend on subscriptions, £22k on Rent Allowances and £11k on our bank charges.

Department for Communities

The Department for Communities is forecasting an overspend of £493k for the year.

The Older People / Physical Disabilities division is forecasting an overspend of £321k. Whilst spend has reduced it is not currently meeting targets set last year for efficiency savings for Residential Care and Day Services which are projecting overspends of £718k and £169k respectively. The overspend is offset by staff vacancies of £566k. It is early in the financial year to be clear about the year - end position and the financial impact of demand, reviews of packages of care and income levels.

The Learning Disability / Mental Health Division and Support Services has a projected overspend of £71k. This is due to increased Direct Payments packages of £120k, a reduction in grant receivable for Workchoice £140k, and the non-achievement of efficiency savings re Grants to Voluntary organisations £90k offset by the impact of the Accommodation and Efficiency strategy in reducing the costs of individual placements and staff vacancies £279k.

The Housing Services and Public Protection Division is forecasting coming in on budget.

The Leisure Services Division is forecasting an overspend of £100k mainly due to underachievement of income £52k and delay in implementing mobile library services £48k.

Environment

The department is anticipating an overspend of £540k at year end which will be met from its departmental reserves.

The Highways and Transport division is anticipating an £80k overspend for the year overall. Within the division there is a variance of £48k relating to a managed pool car efficiency exercise not being fully achieved. There is also a £44k overspend on Nant y Ci park and ride facility following a decision to withdraw funding. School Transport is expecting to be £51k overspent based on an assessment of demand. Streetworks is expecting to overspend by £20k due to a currently undelivered efficiency. This is offset by an underspend of £42k in Parking Services where income figures are currently predicted to exceed budgeted figures and £46k of vacant posts.

The Property Division is anticipating an overall overspend of £162k. An on-going review of Building Maintenance expenditure and income will hopefully reduce the forecasted overspend by the year-end.

The Waste and Environmental division is anticipating an overspend of £124k at year end. This is due to an £81k overspend on cleansing where a proposed efficiency has not been met due to sustained demand on the service. There is also a £70k overspend on green waste due to purchase of wheelie bins prior to start of the service in 2017. This is offset by a £27k underspend on ground maintenance as a result of ongoing efficiency drives in the section.

The Business Support & Performance division is overspent by £128k mainly due to the admin review not being implemented to date so the proposed efficiencies have yet to be realised along with temporary additional pay costs to support implementation of the business support review.

The Planning Division expects to be overspent by £46k. This relates to £210k variance on Development Management due to a drop in planning fee income. This is offset by £117k of vacant posts and also two posts being charged out to projects as a direct cost resulting in a £48k underspend.

Capital Charges

Reduced borrowing/interest savings, offset by Direct Revenue Financing provision.

HOUSING REVENUE ACCOUNT (Appendix B)

The HRA is forecasting an underspend of £129k.

Supervision and Management costs are forecasted to be underspent by -£23k primarily due to lower staffing costs -£73k through vacancies ,premises costs -£26k and staff travelling -£11k offset by increased spend on supplies and services £44k and reduction in rechargeable salaries £44k.

There is a forecasted underspend on Capital Financing costs -£214k due to a reduction in the MRP payment and interest payments.

Reduction in the provision required for debt write-offs , based on arrears levels and forecast movement in arrears to year end -£354k

Additional income from forecast HRA balances and other income -£27k

Rental income is forecasted to be -£207k higher due to lower level of Void loss. It is anticipated that there will also be an increase in Service charge income of -£80k.

Based on current activity data repairs and maintenance is predicted to be £275k over budget primarily on voids to ensure properties are available to rent as quickly as possible. There has also been an additional direct revenue contribution of £500k to fund the capital programme for major void works .

Lists of the main variances are attached to this report.

DETAILED REPORT ATTACHED?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Owen Bowen

Head of Financial Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	NONE

1. Finance

Council Fund

Overall, the Authority is forecasting an overspend of £1,357k.

HRA

The HRA is forecasting that it will be £129k under its approved budget.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Owen Bowen

Head of Financial Services

1. Scrutiny Committee – Not applicable

2. Local Member(s) – Not applicable

3. Community / Town Council – Not applicable

4. Relevant Partners – Not applicable

5. Staff Side Representatives and other Organisations – Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
2016/17 Budget		Corporate Services Department, County Hall, Carmarthen

REPORT OF THE DIRECTOR OF CORPORATE SERVICES
PRELIMINARY EXECUTIVE BOARD - 19th December 2016
COUNCIL'S BUDGET MONITORING REPORT 2016/17 as at 31st October 2016

Head of Service & Designation	Author & Designation	Telephone No	Directorate
O Bowen, Head of Financial Services	O Bowen, Head of Financial Services	01267 224886	Corporate Services

Table 1

Forecasted for year to 31 March 2017

Department	Working Budget				Forecasted				Oct 16 Forecasted Variance for Year £'000	Aug 16 Forecasted Variance for Year £'000
	Controllable Expenditure £'000	Controllable Income £'000	Net Non Controllable £'000	Total Net £'000	Controllable Expenditure £'000	Controllable Income £'000	Net Non Controllable £'000	Total Net £'000		
Chief Executive	17,988	-6,248	1,777	13,517	19,091	-7,002	1,777	13,865	348	514
Education & Children	177,292	-39,154	24,187	162,326	179,365	-39,446	24,187	164,106	1,780	1,550
Corporate Services	82,042	-51,509	-8,350	22,183	83,819	-53,613	-8,350	21,855	-328	-263
Communities	127,246	-47,825	11,572	90,994	128,449	-48,535	11,572	91,486	493	788
Environment	126,569	-87,390	8,321	47,500	124,365	-84,645	8,321	48,040	540	386
Departmental Expenditure	531,138	-232,125	37,507	336,519	535,088	-233,242	37,507	339,353	2,833	2,975
Capital Charges/Interest				-9,519				-10,619	-1,100	-750
Pension Reserve Adjustment				-5,085				-5,085	0	0
Levies and Contributions:										
Brecon Beacons National Park				138				138	0	0
Mid & West Wales Fire & Rescue Authority				9,172				9,172	0	0
Net Expenditure				331,225				332,959	1,733	2,225
Outcome Agreement Grant				0				0	0	0
Contribution from Balances				-65				-65	0	0
Transfer from Balances/Earmarked Reserves				-200				-200	0	0
Transfers to/from Departmental Reserves										
- Corporate Services				0				164	164	132
- Environment				0				-540	-540	-386
Net Budget				330,960				332,318	1,357	1,971

Chief Executive Department
Budget Monitoring as at 31st October 2016

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Division	Working Budget				Forecasted				Oct 16 Forecasted Variance for Year £'000	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Chief Executive	-473	0	-329	-802	69	0	-329	-260	542	542
People Management & Performance	3,677	-1,058	-2,251	368	3,764	-1,240	-2,251	273	-96	-114
Admin and Law	4,000	-591	1,565	4,974	3,893	-552	1,565	4,906	-68	-7
Customer Focus and Policy	4,132	-942	-2,266	924	4,116	-1,052	-2,266	798	-126	-45
Statutory Services	763	-2	152	913	829	-1	152	980	67	78
Property	1,103	-1,168	791	727	1,142	-1,235	791	698	-28	5
Regeneration	4,786	-2,487	4,115	6,414	5,278	-2,922	4,115	6,471	57	55
GRAND TOTAL	17,988	-6,248	1,777	13,517	19,091	-7,002	1,777	13,865	348	514

Chief Executive Department - Budget Monitoring as at 31st October 2016

Main Variances

Division	Working Budget		Forecasted		Oct 16 Forecasted Variance for Year £'000	Notes	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Chief Executive							
Corporate Savings Target	-809	0	-262	0	547	Part year savings have already been identified in relation to the application of Standby, and work is ongoing with the TIC teams in relation to delivering the full efficiencies identified.	547
People Management & Performance							
Business Support	199	-1	168	-1	-31	Savings on Supplies & Services	-33
Personnel Management	903	-199	880	-204	-28	Vacant Posts - realignment in progress	-34
Fitness For Work	607	-343	610	-395	-49	Vacant posts and savings on supplies and services	-59
Admin and Law							
Democratic	1,660	0	1,635	-0	-25	Vacant member positions during year	-0
Corporate Serv-Democratic	486	0	431	0	-55	Part year vacant posts	0
Corporate Serv-Administration	188	-0	170	0	-18	Maternity leave and reduced spend on supplies and services	-17
Local Duplicating Centre	16	-53	3	-9	31	Income generation potential curtailed following introduction of printer rationalisation programme and directive to reduce printing in general	31
Regeneration ,Policy and Property							
Customer Focus and Policy							
Communications	16	0	2	0	-14	Reduced spend on supplies and services	-14
Press	93	-7	209	-90	33	Efficiency yet to be realised. On going service realignment	25
Direct Communications	530	-268	397	-111	24	Lack of income generation on graphics as graphic designer post is currently vacant. Post not being filled as service currently being realigned/restructured.	-0
Corporate Serv-Translation	493	-15	325	-18	-171	Vacant posts	-2
Performance Management	558	-19	516	-22	-45	Vacant post	-64
Chief Executive-Policy	516	-63	579	-24	103	Income target not achievable and unfunded post	11
Customer Services Centres	528	-222	508	-222	-19	Part year vacancies	-0
Contact Centre	562	-59	517	-59	-45	Part year vacancies	-1
Statutory Services							
Registration Of Electors	152	-2	192	-1	41	Additional cost of individual electoral registration	20
Coroners	279	0	328	0	49	Additional storage costs and anticipated increase in Coroners salary	89
Electoral Services - Staff	262	0	238	0	-23	Vacant post	-34

Chief Executive Department - Budget Monitoring as at 31st October 2016

Main Variances

Division	Working Budget		Forecasted		Oct 16	Notes	Aug 16
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000	Forecasted Variance for Year £'000		Forecasted Variance for Year £'000
Property							
Industrial Premises - JV's	40	-125	87	-189	-17	Anticipated surplus income	35
Commercial Property - Chief Executives	38	-324	39	-358	-34	Additional rental income from a property recently aquired	0
Provision Markets	522	-597	542	-588	28	Shortfall in lettings income	-27
Regeneration							
Physical Regeneration	451	0	428	0	-23	Underspend mainly due to staff vacancies	-45
Regen Core & Policy Performance	0	0	10	0	10	Increased staffing costs	10
Regeneration Business Support Unit	384	-107	379	-78	24	Efficiency saving identified for 14/15 in relation to premises costs at Nant Y Ci, with the intention of selling the property. However, property still hasn't been sold so ongoing overspend shown as a result.	29
UN Sir Gar	167	-128	178	-86	54	Overspend mainly due to projected non-achievement of income target.	52
Business Services	308	0	289	0	-19	Planned reduction in expenditure to partly offset overspend within Un Sir Gar above.	-4
Other Variances					19		0
Grand Total					348		514

Department for Education & Children
Budget Monitoring as at 31st October 2016

Division	Working Budget				Forecasted				Oct 16 Forecasted Variance for Year £'000	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Director & Strategic Management	681	0	-149	532	726	-56	-149	521	-11	-6
Education Services Division	118,283	-1,949	19,650	135,984	119,465	-2,168	19,650	136,947	963	1,034
Strategic Development	9,172	-7,193	1,118	3,097	9,233	-7,307	1,118	3,045	-52	-58
School Improvement	15,583	-13,270	518	2,830	15,666	-13,368	518	2,815	-15	0
Learner Programmes	11,019	-10,128	617	1,508	10,744	-9,823	617	1,538	30	0
Children's Services	22,554	-6,613	2,433	18,373	23,530	-6,724	2,433	19,239	866	580
GRAND TOTAL	177,292	-39,154	24,187	162,326	179,365	-39,446	24,187	164,106	1,780	1,550

Department for Education & Children - Budget Monitoring as at 31st October 2016

Main Variances

Division	Working Budget		Forecasted		Oct 16 Forecasted Variance for Year £'000	Notes	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Director & Strategic Management							
Director & Management Team	681	0	726	-56	-11	Part year vacant post	-6
Education Services Division							
School Redundancy & EVR	1,612	0	2,580	0	968	Budget utilised on existing commitments. Current year school redundancies agreed in excess of £900k. A cross-departmental team is drawing together different strands of work with the aim of reducing costs.	845
School Modernisation	88	-5	314	-9	222	Short term transport for pupils from closed schools £70k, property decommissioning and cost of sales £152k (which includes £135k NNDR)	302
Early Years Non-Maintained Provision	473	0	462	0	-10	Reduction in demand for 10 hours free education for 3 year olds in non maintained settings.	0
Additional Education Needs	3,134	-1,536	2,984	-1,520	-135	Termination of Out of County placement & reduction in tri-partite funding -£212k. Additional statementing yr 6 transition £246k. Inclusion manager and ALN specialist teacher -£169k vacancies whilst structure is reviewed.	-59
Education Other Than At School (EOTAS)	1,985	-376	2,062	-471	-17	Staff vacancies at Rhydygors Day Centre -£136k offset by increase in cost of home tutors £104k including supply cover. Reduction in money recouped re excluded pupils £15k	5
Educational Psychology	926	-20	1,001	-152	-58	Vacant post -£38k, additional recharge income -£20k	-64
Strategic Development							
Information & Improvement	450	-35	487	-117	-45	Part-year vacant post, 2 employees not at the top of grade and maternity leave.	-47
School Improvement							
School Effectiveness Support Services	525	-267	506	-263	-15	Savings in supplies and services (Efficiency in 2017/18)	0
Learner Programmes							
Music Services for Schools	1,329	-1,316	1,347	-1,301	33	A number of schools late in agreeing SLA's and reducing their requirement	0
Children's Services							
Commissioning and Social Work	6,059	-19	6,156	-46	70	Secondment and part year vacancy savings -£50k, offset by Legal costs £120k. These have increased due to a high number of cases and one awaiting a high court hearing.	97

Department for Education & Children - Budget Monitoring as at 31st October 2016

Main Variances

Division	Working Budget		Forecasted		Oct 16 Forecasted Variance for Year £'000	Notes	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Corporate Parenting & Leaving Care	975	-246	1,271	-285	257	Increasing age profile of Looked After Children (LAC) resulting in more costly support for longer - impact of When I'm Ready & Social Care Well Being Act on 15 to 25 year olds. This is an ongoing growth area. In addition we are funding more young people in university and one young person at Wellbeck College costing £42k. Previous returns included an assumption that Supporting People income would be received. Further discussion is planned with Communities Dept who manage the grant.	47
Fostering Services & Support	3,593	0	3,866	-15	257	The taxi's budget faces ongoing pressure £67k due to the high number of placement moves, some away from school areas. The Fostering Support Team have increased transport costs due to carers being in rural areas, boarding out payments and residence orders £220k. Included in this figure are costs for an extension that will enable a child to stay in their own home £10k. This is offset by a part year vacancy in the Fostering Recruitment Team -£30k.	217
Adoption Services	497	-55	611	-134	35	Additional staff resource to reduce the number of placements needing to be purchased at greater cost, which reduces budget pressure in other areas. The service is currently negotiating an agreement with 3 other Local Authorities, which includes cost sharing.	33
Out of County Placements (CS)	722	-53	772	0	103	The service is having to make more use of independent fostering agencies, that are more expensive, due to a lack of in-house foster placements. There are two additional young people now being accommodated in external residential care due to their complex needs, as they cannot be cared for in foster care as they require 24 hour support.	0
Respite Units	919	-151	907	0	139	Planned additional contribution from the LHB is unlikely to be achieved in 2016-17 £150k netted off with salary savings -£11k	129
Garreglwyd residential Accommodation	530	-156	598	-199	25	Additional staffing costs to cover periods of sickness	55
Family Aide Services	220	0	187	-4	-37	Employees not on the top of their grade and part year vacancy	-34
Out of Hours Service	262	-64	311	-64	50	Referrals fluctuate depending on activity. Service currently under review by the TIC team	60
Children's Services Mgt & Support (incl Care First)	969	-76	1,000	-146	-40	Part year vacant posts -£31k, supplies and services -£9k.	0
Other Variances					-12		-30
Grand Total					1,780		1,550

Corporate Services Department
Budget Monitoring as at 31st October 2016

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Division	Working Budget				Forecasted				Oct 16 Forecasted Variance for Year £'000	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Financial Services	7,591	-3,390	-3,252	949	7,341	-3,370	-3,252	719	-230	-199
Audit Risk & Procurement	1,074	-28	-1,003	44	1,019	-27	-1,003	-10	-54	-35
ICT	4,516	-807	-3,716	-7	4,584	-805	-3,716	63	70	70
Performance & Development	184	0	-245	-60	186	-1	-245	-60	0	1
Other Services	68,677	-47,284	-136	21,257	70,690	-49,411	-136	21,143	-114	-99
GRAND TOTAL	82,042	-51,509	-8,350	22,183	83,819	-53,613	-8,350	21,855	-328	-263

Corporate Services Department - Budget Monitoring as at 31st October 2016

Main Variances

Division	Working Budget		Forecasted		Oct 16 Forecasted Variance for Year £'000	Notes	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Financial Services							
Chief Officer	331	-42	309	-42	-21	Reduction in supplies and services	-10
Accountancy	1,703	-295	1,659	-351	-101	Vacant posts	-98
Housing Benefits Admin	1,448	-781	1,367	-751	-51	Underspend as a result of posts being temporarily vacant due to continual and significant staff movement within Benefits Section	-51
Revenues	810	-140	795	-140	-16	Minor underspends on supplies and services within 4 different services areas in Revenue Services Unit	-16
Benefits Fraud	52	0	41	0	-12	Reduction in supplies and services	-8
Grants and Technical	275	-94	231	-64	-14	Part year vacant posts	0
Audit Risk & Procurement							
Audit	604	-20	547	-19	-55	Part year vacant post	-38
ICT							
Information Technology	3,443	-446	3,540	-473	70	Sickness cover for Head of IT	70
Other Services							
Audit Fees	364	-84	317	-84	-47	Reduction in grant audit fees	-47
Bank Charges	61	0	50	0	-11	Savings from bank tender in 2013/14	-11
Rent Allowances	47,077	-47,090	49,177	-49,212	-22	This relates to 3 benefit payment types where the overall expenditure is c£63m per annum. Minor fluctuations due to caseload changes, changes in scheme, etc., have significant cash implications but are difficult to predict.	-16
Miscellaneous Services	6,067	-110	6,038	-115	-34	Reduction in Subscriptions	-25
Other Variances					-14		-13
Grand Total					-328		-263

Department for Communities
Budget Monitoring as at 31st October 2016

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Division	Working Budget				Forecasted				Oct 16 Forecasted Variance for Year £'000	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Adult Services										
Older People	50,291	-17,689	3,092	35,694	51,532	-18,370	3,092	36,254	560	884
Physical Disabilities	5,989	-748	92	5,333	5,773	-771	92	5,094	-239	-339
Learning Disabilities	31,176	-8,483	1,349	24,043	31,111	-8,197	1,349	24,264	221	383
Mental Health	9,038	-3,322	130	5,847	8,952	-3,250	130	5,831	-15	-173
Support	4,948	-1,702	846	4,092	5,355	-2,244	846	3,957	-135	-67
Public Protection & CF Housing										
Public Protection	3,075	-604	673	3,144	3,049	-587	673	3,135	-9	-10
Council Fund Housing	8,890	-8,297	541	1,134	9,146	-8,543	541	1,144	9	10
Leisure & Recreation										
Leisure & Recreation	13,839	-6,981	4,849	11,707	13,531	-6,573	4,849	11,807	100	100
GRAND TOTAL	127,246	-47,825	11,572	90,994	128,449	-48,535	11,572	91,486	493	788

Department for Communities - Budget Monitoring as at 31st October 2016

Main Variances

Division	Working Budget		Forecasted		Oct 16 Forecasted Variance for Year £'000	Notes	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Adult Services							
Older People							
Older People - Commissioning	2,855	-10	2,875	-91	-61	Staff vacancies	-32
Older People - LA Homes	6,932	-3,852	6,886	-3,841	-34	Supplies & Services	-21
Older People - Private/ Vol Homes	17,537	-8,954	18,593	-9,246	764	Efficiency slippage and additional placements	695
Older People - Extra Care	719	0	870	0	151	Lower than anticipated saving from contract renegotiations	152
Older People - Direct Payments	614	0	687	0	73	Increase in packages	82
Older People - Grants	268	0	237	0	-31	Reduced grant payments	-31
Older People - Ssmss	1,063	-228	929	-275	-180	Staff vacancies, reduced spend on supplies & services and additional income	-69
Older People - Careline	1,060	-1,165	1,308	-1,518	-104	Additional staffing & other costs offset by additional income	-134
Older People - Enablement	2,405	-800	2,139	-725	-191	Staff vacancies	-338
Older People - Day Services	1,123	-76	1,285	-72	167	Efficiencies slippage £150k, staff vacancies and additional private day care provision	167
Physical Disabilities							
Phys Dis - Commissioning & OT Services	600	-79	519	-79	-81	Staff vacancies	-73
Phys Dis - Private/Vol Homes	561	-111	515	-111	-46	Reduction in packages	-42
Phys Dis - Group Homes/Supported Living	1,358	-116	1,309	-116	-50	Reduction in packages	-77
Phys Dis - Direct Payments	1,831	0	1,809	0	-22	Reduction in packages	-72
Learning Disabilities							
Learn Dis - Employment & Training	2,416	-903	2,374	-721	140	Reduction in grant for Workchoice programme.	125
Learn Dis - Private/Vol Homes	10,047	-3,157	10,006	-3,032	84	Increase in packages	-12
Learn Dis - Direct Payments	1,275	0	1,388	0	112	Inflationary fee uplift	170
Learn Dis - Group Homes/Supported Living	6,295	-1,068	6,327	-1,068	32	Increase in packages	27
Learn Dis - Adult Respite Care	932	-812	865	-812	-67	Staff vacancy	-28
Learn Dis - Day Services	3,067	-267	3,031	-261	-29	Reduction in packages of care	59
Learn Dis - Transition Service	502	0	451	0	-52	Staff vacancies	-34

Department for Communities - Budget Monitoring as at 31st October 2016
Main Variances

Division	Working Budget		Forecasted		Oct 16 Forecasted Variance for Year £'000	Notes	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Learn Dis - Community Support	2,150	-137	2,015	-137	-136	Reduction in packages	-29
Learn Dis - Grants	156	0	246	0	90	Efficiency slippage	92
Learn Dis - Adult Placement/Shared Lives	2,766	-2,139	2,837	-2,166	43	Increase in packages	0
Mental Health							
M Health - Commissioning	837	-69	798	-69	-39	Staff vacancies	5
M Health - Private/Vol Homes	6,268	-2,874	6,295	-2,892	9	Inflationary fee uplift partly offset by reduced placements	-116
M Health - Group Homes/Supported Living	474	-128	436	-128	-38	Reduction in placement costs	-35
M Health - Community Support	673	-98	658	0	83	Increase in packages	3
M Health - Substance Misuse Team	338	-142	323	-152	-25	Staff vacancy	-24
Support							
Departmental Support	1,986	-71	1,926	-94	-83	Reduced spend on supplies & services	-58
Performance, Analysis & Systems	198	0	170	0	-28	Staff vacancy & maternity leave	-25
Adult Safeguarding & Commissioning Team	1,256	-64	1,209	-64	-47	Staff vacancy	1
Other Variances - Adult Services					-10		360
Public Protection							
PP Management support	68	-7	65	-13	-9	General underspend in supplies and services to cover the underachievement of licence fee income in Public Health	-11
Air Pollution	95	-32	94	-19	12	Forecast underachievement of licence fee income	7
Dog Wardens	92	-11	103	-4	18	Income generated by recovery of stray dogs has decreased in light of the fact that many stray dogs have been returned directly to owner. There will be additional income generated through a pilot scheme	-3
Other Variances - Public Protection					-30	Small underspends across a number of service areas	-3
Council Fund Housing							

Department for Communities - Budget Monitoring as at 31st October 2016

Main Variances

Division	Working Budget		Forecasted		Oct 16 Forecasted Variance for Year £'000	Notes	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Homelessness	167	-63	133	-64	-35	Underspend in Homelessness prevention payments due to the payments currently covered under grant scheme - Transitional Funding. Underspend covering overspend elsewhere in Housing Options and Advice	-1
Temporary Accommodation	279	-185	276	-158	25	Underachievement of Housing Benefit income due to income support issues with 16-17 years olds	11
Penybryn Traveller Site	126	-119	139	-121	11	Overspend due to pressures around tenants affected by the Benefit cap and ability to pay plot fees	10
Other Variances - Council Fund Housing					9		-9
Leisure & Recreation							
Burry Port Harbour	130	-181	142	-130	62	Projected shortfall in income from mooring fees £39k and staff costs £23k	43
Carmarthen Leisure Centre	1,207	-1,131	1,200	-1,060	64	Projected income shortfall	43
Sport & Leisure East	209	-64	194	-65	-16	Part year vacancy	-16
Sport & Leisure General	643	-50	649	-95	-39	One off income projected during 16-17	-86
Pembrey Country Park	528	-581	581	-546	89	Projected income shortfall £36k, forecast overspend in Premises costs £53k	68
Community Libraries	215	-7	188	-10	-30	Minor underspends in Staff and premises costs across a number of the Community Libraries	-6
Mobile Library	120	0	168	0	48	Delay in delivery of new mobile library vehicles resulting in only part year effect of efficiencies being met	48
Museums General	180	0	132	0	-47	Part year vacancies	-45
Leisure Management	278	0	265	-0	-13	Numerous minor underspends	-11
Other Variance - Leisure & Recreation					-19		60
Grand Total					493		788

Environment Department
Budget Monitoring as at 31st October 2016

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Division	Working Budget				Forecasted				Oct 16 Forecasted Variance for Year £'000	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Business Support & Performance	849	0	-739	110	1,025	-48	-739	237	128	121
Waste & Environmental Services	23,948	-8,300	1,536	17,184	22,915	-7,143	1,536	17,308	124	53
Highways & Transportation	57,146	-38,999	8,706	26,853	57,399	-39,172	8,706	26,934	80	10
Property	40,498	-37,557	-1,738	1,203	39,078	-35,976	-1,738	1,364	162	172
Planning	4,128	-2,533	555	2,150	3,948	-2,307	555	2,197	46	31
GRAND TOTAL	126,569	-87,390	8,321	47,500	124,365	-84,645	8,321	48,040	540	386

Environment Department - Budget Monitoring as at 31st October 2016

Main Variances

Division	Working Budget		Forecasted		Oct 16 Forecasted Variance for Year £'000	Notes	Aug 16 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Business Support & Performance							
Departmental - Policy	596	0	750	-40	114	Severance efficiencies not fully delivered; short-term additional pay costs to support the implementation of the Business Support review.	105
Waste & Environmental Services							
Cleansing Service	1,886	-52	1,968	-53	81	Previously identified efficiencies (labour and plant) have not been met due to the sustained demands on the cleansing service.	91
Green Waste Collection	0	0	70	0	70	Purchase of Wheelie bins prior to start of service 3.4.17	0
Grounds Maintenance Service	4,820	-3,431	3,904	-2,543	-27	Grounds - Effect of ongoing efficiency savings within the grounds maintenance service	-33
Highways & Transportation							
Passenger Transport	3,960	-2,517	4,614	-3,123	48	Managed pool car efficiency not fully achieved	100
School Transport	9,885	-1,073	9,956	-1,093	51	Estimated overspend based on an assessment of demand. A number of routes have also been re tendered.	26
Car Parks	1,635	-3,156	1,466	-3,028	-42	More prudent estimate of car parks income.	-124
Nant y Ci Park & Ride	1	0	75	-30	44	Members decision to withdraw the service/funding in 15/16 - the modified service is currently being trialled with the Local Health Board to generate additional revenue to cover the shortfall.	44
Street Works and Highway Adoptions	390	-334	407	-332	20	Severance in 15/16 not delivered (14k) cost of hosted streetworks system (4k) Housing SLA budget frozen (2k)	13
Public Rights Of Way	235	-11	201	-11	-34	£34k underspend due to vacant posts 'Countryside Access Manager' Recruitment process now underway	-34
Property							
Building Maintenance Operational	25,105	-28,226	22,976	-25,913	184	On-going review of Building Maintenance expenditure and income will hopefully reduce the forecasted overspend by the year-end.	202
Industrial Premises	344	-1,260	325	-1,269	-29	Forecast based on current occupancy levels which are very high and could reduce during the year.	-32
County Farms	70	-308	47	-310	-25	Entitlements reduced and rent increases implemented	-25

Environment Department - Budget Monitoring as at 31st October 2016
Main Variances

Division	Working Budget		Forecasted		Oct 16	Notes	Aug 16
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000	Forecasted Variance for Year £'000		Forecasted Variance for Year £'000
Planning							
Building Control - Other	205	0	183	0	-21	Underspend as a result of staff vacancies.	-22
Minerals	254	-107	257	-158	-48	Underspend mainly due to charging out of staff to projects as a 'direct cost'.	-48
Policy-Development Planning	457	-21	367	-27	-95	Underspend mainly as a result of vacant posts.	-67
Development Management	1,475	-1,252	1,349	-915	210	Overspend due to projected non-achievement of planning fee income target.	187
Other Variances					40		3
Grand Total					540		386

Housing Revenue Account - Budget Monitoring as at 31st October 2016

	Working Budget £'000	Forecasted Actual £'000	Oct 2016 Forecasted Variance for Year £'000	Notes	Aug 2016 Forecasted Variance for Year £'000
Expenditure					
Repairs & Maintenance					
Responsive	1,634	1,688	54		72
Minor Works	2,450	2,640	190		281
Voids	2,171	2,379	208		0
Servicing	1,583	1,500	-83	Anticipated expenditure based on profiled spend to date	-83
Drains & Sewers	235	141	-94		-62
Grounds	715	715	-0		0
Unadopted Roads	100	100	0		0
Supervision & Management					
Employee	3,805	3,733	-73	Underspend due to vacant posts	-31
Premises	1,277	1,250	-26	Forecast underspend in electric/gas -£44k netted off by overspend in Water charges at sheltered schemes £14k and other £4k	43
Transport	66	55	-11	Savings on staff travelling expenses	-7
Supplies	889	933	44	Forecast underspends on printing -£8k, Admin, Operational & Office Equip -£10k, Stationery -£4k, Compensation -£20k, Services rendered by other Providers -£5k, Computer software -£16k and other -£1k Offset by an overspend in Legal and Professional fees £50k, Misc expenses £38k, Projects and Activities £11k and Subscriptions £9k.	-53
Recharges	1,156	1,200	44	Underachievement of rechargeable income from capitalised salaries - vacant post part year	20
Provision for Bad Debt	678	324	-354	Provision for bad debt adjustment includes an estimate for write offs based on current data available	-385
Capital Financing Cost	13,981	13,767	-214	Reduction in MRP payment £-86k and interest in existing and buy-out debt £-128k	-191
Central Support Charges	1,603	1,603	0		0
RF	406	906	500	Number of major voids continues to be high. Additional expenditure incurred to ensure efficient turnaround of empty properties. This will be partly funded by direct revenue financing of £500k.	0
Total Expenditure	32,750	32,934	184		-395

Housing Revenue Account - Budget Monitoring as at 31st October 2016

	Working Budget £'000	Forecasted Actual £'000	Oct 2016 Forecasted Variance for Year £'000	Notes	Aug 2016 Forecasted Variance for Year £'000
Income					
Rents	-36,061	-36,267	-207	Void loss prediction of 2.41% in current budget with a forecast loss of 2.05%	-155
Service Charges	-659	-739	-80	Forecast overachievement of service charge income	-79
Supporting People	-135	-135	0		0
Mortgage Interest	-3	-3	0		0
Interest on Cash Balances	-46	-49	-3	Increase in opening balance due to increased reserves in 2015/16 of £2M , offset by reduction in interest rate forecast.	-11
Other Income	-735	-759	-24	An additional £14k commission on water rates and £10k other income	-26
Total Income	-37,638	-37,952	-314		-272
Net Expenditure	-4,888	-5,017	-129		-667

HRA Reserve	£'000
Balance b/f 1/4/16	9,121
Budgeted movement in year	4,888
Variance for the year	129
Balance c/f 31/3/17	14,138

EXECUTIVE BOARD 23RD JANUARY 2017

CAPITAL PROGRAMME 2016-17 UPDATE

Purpose: To report the proposed virements and variances within the capital programme

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That the capital programme update report is received.

REASONS:

To provide Executive Board with an update of the latest budgetary position for the 2016/17 capital programme, as at the 31st October 2016.

Relevant scrutiny committees to be consulted

N/A

Exec Board Decision Required	YES
Council Decision Required	NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr David Jenkins

<p>Directorate: Corporate Services Name of Head of Service: Owen Bowen Report Author: Owen Bowen</p>	<p>Designation: Interim Head of Financial Services</p>	<p>Tel No. 01267 224886 E Mail Address: OBowen@carmarthenshire.gov.uk</p>
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EXECUTIVE SUMMARY
EXECUTIVE BOARD
23rd January 2017

This report provides members with an update on the Capital programme spend against budget for 2016/17 as at the 31st October 2016.

Member Approved Virement

Public Housing

Voids to Achieve the CHS – To support the increase expenditure within the Voids budget. Virement transfer of **£582k** from Housing Development Programme to Voids.

Voids to Achieve the CHS – An additional **£500k** budget that is funded from direct revenue financing to increase Voids budget to £1,382k.

Variances

Appendix A which is shown departmentally, shows a forecasted net spend of £53,414k compared with a working net budget of £69,095k giving a **£-15,681k** variance. The variance will be slipped into future years, as the funding will be required to ensure that the schemes are completed.

Appendix B details the main variances within each department.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **O. Bowen**

Head of Financial Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	YES

Finance

The capital programme shows an under spend of **£-15.681m**, which will be incorporated into the 2017/18 capital programme.

Physical Assets

The capital programme will have an impact on the physical assets of the Authority.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: O. Bowen

Head of Financial Services

1. Scrutiny Committee

Relevant Scrutiny Committees will be consulted.

2. Local Member(s) N/A

3. Community / Town Council N/A

4. Relevant Partners N/A

5. Staff Side Representatives and other Organisations N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection
2016-17 Capital Programme		Corporate Services Dept, County Hall, Carmarthen

Capital Programme 2016/17

Capital Budget Monitoring - Report for October 2016

	Working Budget			Forecasted			Variance for Year £'000
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000	
DEPARTMENT							
COMMUNITIES							
- Public Housing	16,566	-6,025	10,541	15,039	-6,025	9,014	-1,527
- Private Housing	3,229	-361	2,868	3,229	-361	2,868	0
- Social Care	2,565	0	2,565	756	0	756	-1,809
- Leisure	3,872	-1,050	2,822	558	-53	505	-2,317
ENVIRONMENT	27,375	-5,189	22,186	25,945	-5,063	20,882	-1,304
EDUCATION & CHILDREN	25,183	-9,976	15,207	20,127	-9,976	10,151	-5,056
CORPORATE SERVICES	1,882	-72	1,810	1,732	-72	1,660	-150
CHIEF EXECUTIVE							
- Regeneration	17,076	-5,980	11,096	8,849	-1,271	7,578	-3,518
TOTAL	97,748	-28,653	69,095	76,235	-22,821	53,414	-15,681

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Capital Programme 2016/17						
Capital Budget Monitoring - Report for October 2016 - Main Variances						
DEPARTMENT/SCHEMES	Working Budget			Forecasted		
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
COMMUNITIES						
- Public Housing	16,566	-6,025	10,541	15,039	-6,025	9,014
Fuel Switch - Gas Infrastructure	248	0	248	1	0	1
Voids To Achieve The CHS (VOI)	1,382	0	1,382	1,482	0	1,482
Rendering and External Works (EXP & EXI)	1,692	0	1,692	1,100	0	1,100
Internal Refurbishment (PKB)	2,733	0	2,733	3,433	0	3,433
Environmental Works Project (EWP)	350	0	350	250	0	250
Adaptions For The Disabled	946	0	946	1,326	0	1,326
Housing Development Programme (New builds & Stock Increase Programme)	6,498	0	6,498	4,745	0	4,745
Other Projects with Minor Variances	2,717	-6,025	-3,308	2,702	-6,025	-3,323
- Private Housing	3,229	-361	2,868	3,229	-361	2,868
- Social Care	2,565	0	2,565	756	0	756
Learning Disabilities Accomodation Developments	228	0	228	0	0	0
Carmarthen Area Extra Care	577	0	577	345	0	345
Ammanford / Llandybie Extra Care	260	0	260	161	0	161
Extra Care - Llanelli Area	1,500	0	1,500	250	0	250

Variance for Year £'000	Comment
-1,527	
-247	Delays with British Gas on installation of pipeline. It is anticipated that this will be completed during 2017/18
100	Number of major voids continues to be high. Additional expenditure incurred to ensure efficient turn around of empty properties. Partly funded through additional direct revenue contributions of £500k
-592	Budget being re-profiled to reflect current delivery
700	Opportunity taken to bring previously declined works up to CHS+, primarily when they become vacant
-100	Owing to the number of projects identified being fewer than in previous years
380	Increase in demand and additional large scale adaptations
-1,753	We are projected to meet our 2016/17 target of an additional 160 affordable homes by end of March 2017 by delivering a wide variety of solutions. As an example, the Stock Increase programme has been hugely successful with £3.9m being spent to purchase 37 homes. Significant preparatory work has been carried out on other solutions, particularly Council New Build, to ensure the underspend is utilised fully, along with planned investment, in 2017/18
-15	
0	
-1,809	
-228	Options are being considered for the location of future learning disability provision as part of a TIC review of the service
-232	Contingencies included in contract not fully utilised - final sum yet to be agreed - Savings identified
-99	Contingencies included in contract not fully utilised - final sum yet to be agreed - Savings identified
-1,250	Options/Appraisals being considered for potential scheme

Capital Programme 2016/17							Variance for Year £'000	Comment
Capital Budget Monitoring - Report for October 2016 - Main Variances								
DEPARTMENT/SCHEMES	Working Budget			Forecasted				
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
- Leisure	3,872	-1,050	2,822	558	-53	505	-2,317	
Countryside Recreation & Access	676	-300	376	156	-52	104	-272	Due to monies being retained to match fund
Carmarthen Museum - Abergwili	750	0	750	30	0	30	-720	£250k planned match funding for 2017/18 for Tywi Gateway. Remainder planned match funding for HLF bid.
Carmarthenshire Archives Relocation	250	0	250	50	0	50	-200	Design development 2016/17 with construction timetable to follow. Likely slippage to 2017/18
Carmarthen Park Velodrome	286	0	286	70	0	70	-216	Currently surface testing. Tenders Dec'16, works scheduled for Summer 2017. Fees and consultancy works only this year
Burry Port Harbour Dredging	400	0	400	85	0	85	-315	An options appraisal on potential dredge solutions is currently being is currently worked up by consultants and a report is due to be presented to Community Scrutiny in January 2017. Works to be completed in 2017/18, fees expected in relation to continued consultancy works
Closed Circuit Track	500	0	500	23	0	23	-477	Some initial fees for testing and consultancy works will be incurred this financial year. Final site selection for the facility will require political endorsement.
Pembrey Country Park - Strategic Infrastructure Development	1,000	-750	250	134	-1	133	-117	Works to the play area in 16/17. Remaining spend on new toilet and shower block is likely to be carried out in 17/18
Other Projects with Minor Variances	10	0	10	10	0	10	0	
ENVIRONMENT	27,375	-5,189	22,186	25,945	-5,063	20,882	-1,304	
Murray Street Car Park, Llanelli - Exp	149	0	149	75	0	75	-74	Expenditure profile being planned in accordance with whole of life care plan
Solar Panels Project	1,500	0	1,500	900	0	900	-600	Due to local Grid capacity constraints plus structural issues. A further phase of the project is to be explored to potentially incorporate solar panels with battery storage
Pantyglyn Retaining Wall, Llanybydder (Principal Road A485)	400	0	400	20	0	20	-380	Delay in progressing scheme due to need to undertake advanced clearing works prior to detailed surveys
Other OutBuildings Improvements - Farms	70	0	70	0	0	0	-70	Delay in design & procurement of works due to lack of available resource - buildings will be occupied over winter months.
East Gate -Contribution to Consultants' Fees	351	0	351	163	0	163	-188	Delay at procurement and design stage - works to be completed early 17/18
Other Projects with Minor Variances	24,905	-5,189	19,716	24,787	-5,063	19,724	8	

Capital Programme 2016/17

Capital Budget Monitoring - Report for October 2016 - Main Variances

DEPARTMENT/SCHEMES	Working Budget			Forecasted			Variance for Year £'000	Comment
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
EDUCATION & CHILDREN	25,183	-9,976	15,207	20,127	-9,976	10,151	-5,056	
Education DDA Act Works	131	0	131	350	0	350	219	Number of DDA requests higher than anticipated (Statutory function)
Ffwrnes - New Two Form Entry School	943	0	943	190	0	190	-753	Savings on project based on budget
Dinefwr Project - Dyffryn Aman	323	0	323	167	0	167	-156	Re-Profile of budget required
Dinefwr Project - Ysgol Bro Dinefwr	1,256	0	1,256	964	0	964	-292	Re-Profile of budget required
Ysgol Pen Rhos CP School - New Two Form Entry (Formerly Seaside)	3,333	0	3,333	2,750	0	2,750	-583	Welsh Government delay with approval of Business Case
Llangadog - Major Redevelopment	2,041	0	2,041	214	0	214	-1,827	Delay due to change in brief for the Cwm Tywi Area
Ysgol Trimsaran - New School Building	3,924	0	3,924	2,600	0	2,600	-1,324	Works on site delayed due to tender process with contractor
Ysgol Y Strade - Phase 1	202	0	202	372	0	372	170	Additional roof works
Llandeilo Primary - Band A	107	0	107	50	0	50	-57	Scheme delayed in programme - slippage, no impact on overall scheme cost
Ammanford Primary Band A	99	0	99	20	0	20	-79	Scheme delayed in programme - slippage, no impact on overall scheme cost
Parc Y Tywyn Band A	3,526	0	3,526	1,500	0	1,500	-2,026	Due to original projection of spend being optimistic - re-profile required
Llanelli Vocational Village	484	0	484	1,224	0	1,224	740	Additional works funded by school
Laugharne VCP Works	237	0	237	30	0	30	-207	Design works ongoing
Pontyberem CP - Refurbishment/Re-configuration	400	0	400	200	0	200	-200	Design costs in year lower than anticipated - no impact on overall scheme cost
Rhys Prichard Relocation	0	0	0	100	0	100	100	New scheme introduced into MEP Programme
St John Lloyd	405	0	405	1,400	0	1,400	995	Business Case completed and approved ahead of schedule, works progressing well
Ysgol Dewi Sant - Band A	223	0	223	313	0	313	90	Initial site selection and design works being carried out ahead of schedule
Other Projects with Minor Variances	7,549	-9,976	-2,427	7,683	-9,976	-2,293	134	

Capital Programme 2016/17								
Capital Budget Monitoring - Report for October 2016 - Main Variances								
DEPARTMENT/SCHEMES	Working Budget			Forecasted			Variance for Year £'000	Comment
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
CORPORATE SERVICES	1,882	-72	1,810	1,732	-72	1,660	-150	
IT Strategy Developments	1,805	0	1,805	1,655	0	1,655	-150	Various projects on hold pending review of collaboration opportunities
Other Projects with Minor Variances	77	-72	5	77	-72	5	0	
CHIEF EXECUTIVE								
- Regeneration	17,076	-5,980	11,096	8,849	-1,271	7,578	-3,518	
Rural Enterprise Fund	2,000	-1,000	1,000	500	-250	250	-750	Funds committed at stage 1, some projects will commence construction in 2016/17 majority in 17/18
Transformation Commercial Property Development Fund	3,330	-1,830	1,500	0	0	0	-1,500	Fully committed at stage 1 but project delivery will be in 2017-18
Ammanford Town Centre Regeneration	447	0	447	189	0	189	-258	Budget re-profiled to support the Ammanford masterplan including Property Development Grant
Cross Hands East Enabling Fund	850	0	850	0	0	0	-850	Subject to scheme approval and linked to anticipated WG funding package (Property Development Fund). We currently await further confirmation from WG
Margaret St - Retaining Wall & Road Widening	230	0	230	70	0	70	-160	Works on retaining wall in 16/17 is subject to legal agreement with proposed developer. Road widening works to be carried out in 17/18
Other Projects with Minor Variances	10,219	-3,150	7,069	8,090	-1,021	7,069	0	
TOTAL	97,748	-28,653	69,095	76,235	-22,821	53,414	-15,681	

Agenda Item 15

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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Agenda Item 16

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