

**Minutes of the Meeting of Corporate Resources Overview and Scrutiny  
Committee  
held remotely via video-conference on Wednesday, 27 October 2021**

**PRESENT;** Councillor Ivor Williams (Chair), Councillors John Adams-Lewis, Bryan Davies, Ceredig Davies, Gareth Davies, Ifan Davies, Keith Evans, Lyndon Lloyd MBE, Dai Mason, Dan Potter, Rowland Rees-Evans, Lynford Thomas and Wyn Thomas

**Also in attendance:** Councillor Dafydd Edwards, Rhodri Evans, Catherine Hughes, Catrin Miles and Alun Williams(Cabinet Members)

**Officers in attendance** Mr Geraint Edwards, Corporate Lead Officer – People and Organisation, Mrs Nia Roberts, Principle Human Resource Officer, Ms Marie-Neige Hadfield, Complaints and Freedom of Information Manager, Mr Alun Williams, Corporate Lead Officer – Policy, Performance and Public Protection Service. Mrs Dwynwen Jones, Scrutiny Officer and Mrs Dana Jones, Democratic Services and Standards Officer

(10:00am - 11:45am )

**1 Apologies**

Councillors Ellen ap Gwynn and Ray Quant (Cabinet Members) apologised for their inability to attend the meeting.

**2 Disclosures of personal interest (including whipping declarations)  
Members are reminded of their personal responsibility to declare any personal and prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. In addition, Members must declare any prohibited party whip which the Member has been given in relation to the meeting as per the Local Government (Wales) Measure 2011.**

None.

**3 Driving at Work - Council Fleet and Driving at Work - Use of Private Vehicles (Grey Fleet) policies**

The Corporate Lead Officer – People and Organisation reported that the development of these two new policies by People & Organisation Service had been in collaboration with Highways and Environmental. Both policies had been subject to consultation with the relevant Trade Unions and their amendments had been incorporated where appropriate.

The purpose of all staff policies and procedures was to clearly set out the behaviours, processes and procedures required of staff, how they can gain advice or support and, where applicable, the consequences of not adhering to the policy and/or procedure.

In relation to the Driving at Work- Council Fleet Policy it was reported that

A Fleet and Driver Risk Management review was undertaken by a consultant on behalf of Zurich, the Council's insurance company. Its main purpose was to review the Council's policies and arrangements against best practice standards and to provide recommendations that assist with ensuring compliance, protecting our workforce from harm, and reducing the risk of incidents.

A key recommendation of the Review was the introduction of a Driving at Work Policy with embedded Driver Agreement which provides "clear unambiguous expectation as to driving standards". The Driving at Work – Council Fleet Policy was one of a suite of initiatives aimed at standardising recording and compliance across the vehicle fleet and achieving driving standards which improve driver and passenger safety, the number of fleet related incidents and accidents. Other initiatives include the introduction of a driver training e-learning module and robust checking systems for vehicles and licences.

It was stated that the Driving at Work – Council Fleet Policy introduced the following:-

- Driver/Plant Operator Agreement to be signed on an annual basis;
- The requirement to inform their manager of any change in health or physical/sensory impairments and an annual health assessment
- With cause drug and alcohol screening
- Employee paying up to £250 contribution to insurance excess costs, following a disciplinary procedure, if the damage is caused as a result of their negligence or driving without due care and attention

In relation to the Driving at Work - Use of Private Vehicle (Grey Fleet) Policy, it was reported that the Policy sets out the expectations of those employees who use their private vehicle for Council business purposes. An e- learning module would also be developed to complement the policy.

The Driving at Work – Use of Private Vehicle (Grey Fleet) Policy introduced the following:-

- Private Vehicle user Declaration to be signed on an annual basis;
- The requirement to inform their manager of any change in circumstances which may affect the use of a private vehicle for work purposes
- With cause drug and alcohol screening
- Employee confirming that their vehicle is roadworthy, is MOT certificated (where appropriate) and correctly insured for business purposes.

Following discussion and questions from the floor, it was AGREED to DEFER the recommendation of approval of the policy to Cabinet; in order to consider the points raised by the Councillors at the meeting to include the following :-

- In relation to the stipulation that "Drivers must ensure that they, and all passengers, are wearing seatbelts as required by law and Council policy"- Members were of the opinion that this should not be the responsibility of the driver, it should be the responsibility of the individual to wear a seatbelt; and that the policy should be amended accordingly;

- That further consideration should be given to the stipulation that “Employees who are found to have caused damage to either an item of the Council Fleet, third party vehicle or property through negligence or driving without due care and attention may be liable, following a disciplinary hearing, for an amount of up to £250 as a contribution to insurance excess costs” . In members opinion the employee should not be liable to contribute the £250.00 but rather be provided training, a written warning and disciplinary action if employee was not suitable for the position in question. It was a matter for the Magistrates Court to determine if the employee was guilty of the offence and not the Council;
- That employees who carry clients as passengers especially during the night in their private cars be also included within the scope of the policy (point 3);
- Consideration be given to the fleet drivers being given advanced driving training by RoSPA, as this could reduce the insurance premium for the authority, it was agreed that this recommendation would be passed on the CLO –Highways and Environmental Service who had responsibility for the Council’s vehicle fleet;
- That following the amendments stated and subject to possible further Trade Union input, that the Policy would be represented to Committee for further consideration

#### **4 Human Resources Model Policies for Schools, Dignity at Work Policy and Procedure and Managing Sickness Absence at Work**

The Corporate Lead Officer – People and Organisation reported that these policies had been developed and updated by People & Organisation Service and if approved would be provided to all school governing bodies in Ceredigion with a recommendation of their consideration and adoption. Both model policies had been the subject of consultation with the local teaching and support staff trade unions through the Schools Trade Union Forum. They had also been discussed, amended and agreed by the relevant Trade Unions.

The purpose of all staff policies and procedures was to clearly set out the behaviours, processes and procedures required of staff, how they can gain advice or support and, where applicable, the consequences of not adhering to the policy and/or procedure. It was stated that the Dignity at Work Model Policy for Schools outlined the value of a productive and supportive working environment and the commitment to eliminating bullying and harassment. All employees had the right to be treated with dignity and respect at work and no form of victimisation, discrimination, intimidation or behaviour that amounts to bullying or harassment would be tolerated. In addition to those school based staff employed by the Governing Body the policy also covered volunteers, trainees and students on placements within the school. This policy provided a framework to help prevent bullying and harassment of school employees and explains the procedure that should be followed if such incidents occur.

The Managing Sickness Absence at Work Model Policy for Schools had been revised to ensure that the policy and procedure were compliant with changes in legislation, whilst also strengthening the process for managing sickness. The policy outlines the value of ensuring and encouraging regular

attendance at work of all its employees and to identify the causes of absence in order to assist its employees. It aims to create a healthy and supportive working environment conducive to high levels of attendance. The policy acknowledges that ill health or injury could affect any one at any time and undertakes to treat those who were unable to work due to ill health fairly, confidentially and sensitively. This policy sets out procedures to provide a fair and consistent framework for handling long term and short term employee sickness absence.

Following questions from the floor, it was AGREED

(i) to recommend approval of the Dignity at Work Model Policy and Procedure for Schools and to commend to Governing Bodies for adoption within schools in Ceredigion

(ii) to commend that the Managing Staff Sickness at Work Model Policy and Procedure for Schools to the Governing Bodies for adoption within schools in Ceredigion.

## **5 Annual Report of Compliments, Complaints and Freedom of Information Activity 2020/2021**

Consideration was given to the Annual Report of Compliments, Complaints and Freedom of Information Activity 2020/2021. The report provided information relating to the work of the Council's Complaints and FOI Service between 1st April 2020 and 31st March 2021. Specific details were provided on the number and type of compliments received, the different complaints stages, performance and outcomes relating to these and information on compliance with FOI and EIR legislation. There was also a section regarding the contact received by the Public Services Ombudsman for Wales (PSOW) during the reporting period. The Ombudsman's Annual Letter to the Council which provides further details in relation to the Ombudsman activity for Ceredigion, as well as for other Council's across Wales.

This was the second consecutive report where there had been no PSOW investigations commenced or formal reports issued in relation to complaints made against the Council.

Whilst improvements had been made in comparison to previous years, this report also highlighted the challenges faced by the Council due to the pandemic and officers having to adapt to new ways of working. In addition, during the period covered by this report there were significant pressures placed on the Complaints and FOI Service, which inevitably had an impact on our ability to meet prescribed and statutory timescales.

The current situation was as follows:-

Brief overview of the figures for 2020 - 2021:

- 814 Compliments were received
- 435 Enquiries were processed by the Complaints and FOI Service
- 103 Complaints were received (61 at Stage 1 and 42 at Stage 2)
- 32 'Contacts' from the PSOW
- 756 FOI and EIR requests
- Internal Reviews under FOI / EIR legislation

The highlights of the year were provided:-

- As referred to previously, this was the second consecutive reporting period in over a decade where there have been no investigations or reports issued by the PSOW.
- The Council received almost double the amount of compliments from service-users compared with 2019 – 2020. The majority of these having been received by Porth Ceredigion. It is believed, however, that the actual number of compliments was likely to be far higher and more work was therefore needed to ensure that these were passed to the Complaints and FOI Service to be recorded.
- The Council received far fewer FOI/EIR requests during this reporting term and a fewer number of Internal Review requests compared with last year. Requests for Internal Review were usually only submitted when the Council refused to provide information (by applying the appropriate exemptions or exceptions). This therefore supports the Council's commitment to openness and transparency in accordance with legislation.
- However, it is noted that the Council's performance surrounding the response times for FOI, in particular, dropped significantly during 2020-2021. The cause for this could be attributed to several factors including the lack of capacity on the part of services to be able to prioritise FOI above all the new tasks arising; being unable to obtain hard-copies of documents due to home-working; lack of capacity within the Complaints and FOI Service (which undertakes the majority of the administrative work surrounding FOI activity; i.e. recording, acknowledging and distributing new requests and issuing all responses and applying any exemptions/exceptions and/or redactions as required).

The areas to focus on were as follows:-

- Improving adherence with timescales prescribed in complaints and FOI/EIR policies
- Improving system for capturing compliments and data surrounding lessons learned
- Continuing with open, transparent and citizen-centred approach to resolving concerns

Following questions from the floor, it was AGREED

- (i) to note the content of the report in advance of its presentation at the Council meeting on 9th of December 2021; and
- (ii) to congratulate the Complaints and Freedom of Information Manager and her team for an excellent report

**Confirmed at the Meeting of the Corporate Resources Overview and Scrutiny Committee held on 13 January 2022**

**Chairman:** \_\_\_\_\_

**Date:** \_\_\_\_\_