

# Cyfarfod Bwrdd Gweithredol CLILC

Dydd Gwener 28 Mai 2021



**09.00      Rebecca Evans AS, Y Gweinidog Cyllid a Llywodraeth Leol**

**09:45      Rhag-gyfarfodydd Grwpiau Gwleidyddol CLILC**

**10:45      Arweinwyr y Grwpiau Gwleidyddol CLILC**

**11:00      Cyfarfod Bwrdd Gweithredol CLILC**

## RHAGLEN

- 1.      Croeso ac ymddiheuriadau am absenoldeb**
- 2.      Adolygu cofnodion *drafft*:**
  - **Cyngor CLILC 27 Mawrth 2021**
  - **Pwyllgor Archwilio CLILC 15 Ebrill 2021**
  - **Is-bwyllgor Rheoli CLILC 23 Ebrill 2021**
- 3.      Diweddariadau'r Arweinwyr a'r Llefarwyr (ar lafar)**
- 4.      Diweddariad ar Etholiadau'r Senedd (ar lafar)**
- 5.      Fformiwla Ariannol Llywodraeth Leol (cyflwyniad)**
- 6.      Pwysau a Chyllidebau Gwariant 2022-23**
- 7.      Cynllun Gweithredu Cydraddoldeb Hiliol Llywodraeth Cymru**
- 8.      Trafodaeth Cyfoeth Naturiol Cymru**
- 9.      Unrhyw Fater Arall**

**13:00      Cloi**

# WLGA Executive Board

Friday 28<sup>th</sup> May 2021



**09.00      Rebecca Evans MS, Minister for Finance and Local Government**

**09:45      WLGA Political Group meetings**

**10:45      WLGA Political Group Leaders**

**11:00      WLGA EXECUTIVE BOARD**

## AGENDA

- 1.      Welcome and apologies for absence**
- 2.      To review the *draft* minutes of:**
  - **WLGA Council 27<sup>th</sup> March 2021**
  - **WLGA Audit Committee 15<sup>th</sup> April 2021**
  - **WLGA Management Sub-Committee 23<sup>rd</sup> April 2021**
- 3.      Leader and Spokespersons' Updates (Oral)**
- 4.      Senedd Elections Update (Oral)**
- 5.      Local Government Finance Formula (presentation)**
- 6.      Expenditure Pressures and Budgets 2022-23**
- 7.      Welsh Government Race Equality Action Plan**
- 8.      Natural Resources Wales discussion**
- 9.      Any other business**

**13:00      Close**

**MINUTES OF WLGA MEETINGS****Purpose**

1. For Executive Board Council members to review the draft minutes of the WLGA meetings specified.

**Background**

2. The draft minutes of the meetings listed below, are appended in date order:

- 2.1 WLGA Council 27<sup>th</sup> March 2021
- 2.2 WLGA Audit Committee 15<sup>th</sup> April 2021
- 2.3 WLGA Management Sub-Committee 23<sup>rd</sup> April 2021

**Recommendations****3. Members are asked to:**

- 3.1 Note the draft minutes of the WLGA Council held 27<sup>th</sup> March 2021;
- 3.2 Note the draft minutes of the WLGA Audit Committee held; and
- 3.3 Note the draft minutes of the WLGA Management Sub-Committee held 23<sup>rd</sup> April 2021

**Author:**

Lee Pitt  
Democratic Services Officer  
**E-mail:** [lee.pitt@wlga.gov.uk](mailto:lee.pitt@wlga.gov.uk)

## 2.1 WLGA Council

### Draft Minutes 26<sup>th</sup> March 2021 via MS Teams



#### Present:

Cllr Nigel Daniels (Blaenau Gwent)  
Cllr Dai Davies (Blaenau Gwent)  
Cllr Huw David (Bridgend)  
Cllr Cheryl Green (Bridgend)  
Cllr Hywel Williams (Bridgend)  
Cllr Philippa Marsden (Caerphilly)  
Cllr Eluned Stenner (Caerphilly)  
Cllr Nigel George (Caerphilly)  
Cllr Huw Thomas (Cardiff)  
Cllr Susan Elsmore (Cardiff)  
Cllr Russell Goodway (Cardiff)  
Cllr Sarah Merry (Cardiff)  
Cllr Michael Michael (Cardiff)  
Cllr Lynda Thorne (Cardiff)  
Cllr Christopher Weaver (Cardiff)  
Cllr Mair Stephens (Carmarthenshire)  
Cllr Linda Evans (Carmarthenshire)  
Cllr David M Jenkins (Carmarthenshire)  
Cllr Ellen ap Gwynn (Ceredigion)  
Cllr Sam Rowlands (Conwy)  
Cllr Nigel Smith (Conwy)  
Cllr Hugh Evans OBE (Denbighshire)  
Cllr Julian Thompson-Hill (Denbighshire)  
Cllr Derek Butler (Flintshire)  
Cllr Michelle Perfect (Flintshire)  
Cllr Dyfrig Siencyn (Gwynedd)  
Cllr Dafydd Meurig (Gwynedd)  
Cllr Llinos Medi Huws (Isle of Anglesey)  
Cllr Ieuan Williams (Isle of Anglesey)  
Cllr Lisa Mytton (Merthyr Tydfil)  
Cllr Peter Fox OBE (Monmouthshire)  
Cllr Robert Greenland (Monmouthshire)  
Cllr Edward Latham (Neath Port Talbot)  
Cllr Leanne Jones (Neath Port Talbot)  
Cllr Carol Clement-Williams (Neath Port Talbot)  
Cllr Jane Mudd (Newport)  
Cllr Roger Jeavons (Newport)  
Cllr Mark Spencer (Newport)  
Cllr David Simpson (Pembrokeshire)  
Cllr Paul Miller (Pembrokeshire)

**Other Members in attendance:** Cllr Colin Mann (Caerphilly)

Cllr Rosemarie Harris (Powys)  
Cllr Aled Davies (Powys)  
Cllr Matthew Dorrance (Powys)  
Cllr Andrew Morgan (Rhondda Cynon Taf)  
Cllr Robert Bevan (Rhondda Cynon Taf)  
Cllr Rhys Lewis (Rhondda Cynon Taf)  
Cllr Christina Leyshon (Rhondda Cynon Taf)  
Cllr Maureen Webber (Rhondda Cynon Taf)  
Cllr Rob Stewart (Swansea)  
Cllr Andrea Lewis (Swansea)  
Cllr Mary Sherwood (Swansea)  
Cllr Mark Thomas (Swansea)  
Cllr Richard Clark (Torfaen)  
Cllr Neil Moore (Vale of Glamorgan)  
Cllr Lis Burnett (Vale of Glamorgan)  
Cllr Ben Gray (Vale of Glamorgan)  
Cllr Mark Pritchard (Wrexham)  
Cllr T Alan Edwards (Wrexham)

#### Apologies

Cllr Ian Roberts (Flintshire)  
Cllr Carolyn Thomas (Flintshire)  
Cllr Sean Morgan (Caerphilly)  
Cllr David A Bithell (Wrexham)  
Cllr Ray Quant MBE (Ceredigion)  
Cllr Anthony Hunt (Torfaen)  
Cllr Emlyn Dole (Carmarthenshire)  
Cllr Clive Lloyd (Swansea)  
Cllr Gareth Thomas (Gwynedd)

#### Associate Members

Cllr Peter Lewis MBE (North Wales Fire & Rescue)  
Cllr Gareth Ratcliffe (Brecon Beacons National Park Authority)  
Cllr Jan Curtice (Mid & West Wales Fire & Rescue)

## **WLGA Officers**

Dr Chris Llewelyn, Chief Executive  
Naomi Alleyne, Director of Social Services & Housing  
Dr Tim Peppin, Director of Regeneration & Sustainable Development  
Daniel Hurford, Head of Policy (Improvement & Governance)  
Sharon Davies, Head of Education  
Graham Jones, Associate HR Adviser  
Dilwyn Jones, Communications & Public Affairs Manager (Interim)  
Stewart Blythe, Policy Officer (Social Services & Health)  
Emily Griffiths, Senior Support Officer

## **Item 1. Welcome and apologies**

- 1 The Presiding Officer welcomed members to the meeting and apologies were noted as above.
- 2 The Presiding Officer reminded Members of the simultaneous translation service for non-Welsh speakers. He noted that the next meeting will be via Zoom with integrated interpretation.
- 3 The Presiding Officer formally welcomed Cllr Ted Latham as the new Leader of Neath Port Talbot Council and Cllr Leanne Jones as the Deputy Leader and also Cllr Lisa Mytton as the new Leader of Merthyr Tydfil County Borough Council.
- 4 The Presiding Officer noted that this is the final meeting of the WLGA Council before the Senedd Elections and mentioned that among Council members at least three Councillors are standing at the Senedd Elections, Cllr Peter Fox OBE, Cllr Sam Rowlands and Cllr Carolyn Thomas.

## **Item 2. Minutes of WLGA Meetings**

- 5 Special Meeting on Diversity in Democracy held on the 5<sup>th</sup> of March 2021.
- 6 WLGA Council 27<sup>th</sup> of November 2020.

### **7 Resolved that:**

**7.1 Members approved both sets of minutes.**

## **Item 3. WLGA Leader's Update**

- 8 Cllr Morgan noted the WLGA Council meeting comes a full year on from the first lockdown on the 23<sup>rd</sup> of March 2020. He said that the last 12 months has shown the strength of local government. Firstly, in terms of political leadership of local government but also in terms of chief officers and staff on the front line.

- 9 The Leader recalled that a year ago last week, he took part in a press conference with the Minister for Housing & Local Government, Julie James MS, around the fact local government may have had to consider reducing bin collections, amongst other services that may have had to stop. He also recalled attending a meeting with the First Minister on Shielding, something that local government had very little notice about.
- 10 The last 12 months have made Ministers and Welsh Government recognise the strength of local government. They understand that without the effort of local government staff over the last 12 months things could have been very different. He noted that there is a lot of expertise within local government that has helped influence policies and decisions made.
- 11 The Leader hopes that when Wales comes out of the pandemic, noting that Covid-19 will never go away, that new kind of understanding and relationship with the Welsh Government continues going forward, irrespective of the political mix in the Senedd.
- 12 As Councillors and portfolio holders Members have a role going forward in ensuring the voice and expertise of local government is clearly present in discussions.
- 13 The Leader noted that this is a time to reflect on the last 12 months and how local government has supported communities.

#### **Item 4. WLGA Consultation responses**

##### **4a) Social Care White Paper: Re-balancing Care and Support**

- 14 The Presiding Officer gave a short introduction as the WLGA Spokesperson for Health and Social Care and noted that the White Paper proposals had been discussed at a recent Leaders meeting to inform the WLGA consultation response. The White Paper proposes what could be significant reforms and the draft response highlights that there is too much focus placed on establishing or forming regional and national arrangements, rather than building on the strengths of the current system or addressing other significant challenges that impact on the sector.
- 15 The Director of Social Services & Housing introduced the report. The WLGA had some pre-discussions with the Deputy Minister, through Cabinet Members and Spokespeople, around what officials were considering to be included in a White Paper. While the WLGA has had some influence on the White Paper, the proposals there are from the Welsh Government.
- 16 There are three main proposals within the White Paper: Developing a national framework for commissioning care and support for children and adults aimed at rebalancing the market and improving quality; proposing to establish a National Office for Social Care, which would maintain an overview of the stability of the market but would also have responsibility for developing national framework; and establishing Regional Partnership Boards as corporal

legal entities in their own right, where they would have functions set out in the Social Service and Wellbeing Act but also the ability to employ staff, hold their own budgets and undertake significant commissioning.

- 17 The White Paper does set out some challenges that exist within the social care sector, many will recognise these challenges. The White Paper does not however address the two fundamental issues that are impacting on the sector at the moment, one around funding and the real need for long-term, sustainable funding settlement for social care over time and workforce and some of the core issues that affect social care staff in terms of, low wages, lack of structure for staff around career and opportunities and development in the sector.
- 18 The WLGA has discussed the proposals with Leaders, Cabinet Members and Spokespeople but also Association of Directors of Social Services, Social Care Wales and the Royal College of Nursing and are meeting with Care Inspectorate Wales.
- 19 The WLGA response notes that there is some benefit in developing national frameworks for commissioning but with flexibility, so councils are able to address some local issues. It highlights concerns around the role of a national office and its cost. Concerns are also highlighted about the proposals related RPBs and questions what governance model would be used.
- 20 Members will be aware that the response is due on 6<sup>th</sup> April and we are in the pre-election protocol period. WLGA assumes the outcome to the consultation will be presented to a new government to be taken forward. In discussions with the Spokespeople the WLGA hopes there can be early discussions with new Minister to highlight concerns within the response.
- 21 The Presiding Officer thanked Naomi and Stewart for their work in drafting the response, he also thanked Cllr Llinos Medi Huws and Cllr Susan Elsmore as Deputy Spokespeople and their input into discussions, including with the Deputy Minister.
- 22 Some Members noted that the work that local government have done over pandemic with different sectors has been fantastic, the Welsh Government should recognise that local delivery has worked very well. It is disappointing, given that local government is best placed to deliver some of these services locally, that Welsh Government seem to want to take the services further away from local government again.
- 23 Noted that it has been discussed in the Independent Group meeting and there are great concerns within Conwy County Borough Council and within the Independent Group.
- 24 It was noted that some Members do not want to see another CJC as a replacement for RPBs and it could add complexity of arrangements at the regional level with different regional groupings of CJCs. Social services in essence are a local service for local people, there do not need to be new regional structures.

25 Cllr Mary Sherwood declared an interest as member of the Board of Trustees of Wagada.

26 Cllr Sherwood raised the point about what the consultation response says about the funding to pay the living wage and the importance of including similar recognition for all external contractors, including those in the third sector.

27 She noted that improving the income of the social care workforce is important in improving economy and living standards in Wales.

28 Cllr Medi noted that this work has moved a lot since the early meetings, the WLGA have had influence to get to this point, although there is still concern about the proposals. Cllr Medi Huws referred to the wider question in terms of PHW and how they fit in to social services and other local authority in the future, it is important to highlight what has not been included in the White Paper as well as commenting on the proposals made. She encouraged individual responses from local authorities and to also convey the same messages as the WLGA response.

29 Cllr Medi thanked Members, as this is her first experience after receiving the Deputy Spokesperson role, for listening to a North Wales voice when discussing matters like this as there is a big diversity and difference in delivering services.

30 The Presiding Officer noted that there is need for a similar investment to 21<sup>st</sup> Century Schools in social care. Much of the accommodation and care homes are outdated and aged, they need huge investment to be brought up to good standards. He suggested this is an issue that local government could discuss with Welsh Government as part of the national recovery as this would also create jobs in terms of construction sector and create investment in all of our communities. If Members are content this can be strengthened in the response.

31 **Resolved that:**

**31.1 Members noted the contents of the report.**

**31.2 Members are content with the changes proposed to strengthen the WLGA response.**

#### **4b) Welsh Government Agriculture (Wales) Bill White Paper**

32 The Presiding Officer noted that this response has been considered at depth by the WLGA Rural Forum on the 18<sup>th</sup> of March.

33 Cllr Peter Fox, Cllr Goronwy Edwards, Cllr Hugh Evans, Cllr Aled Davies and Cllr Dyfrig Siencyn declared an interest and left the meeting for this item.

34 Dr Chris Llewelyn introduced the report. He noted that he was conscious that groups have discussed paper and Members wanted to make comments at the end of the introduction.

35 Dr Chris Llewelyn noted that as a consequence of the UK leaving the European Union it means that the provision of the Common Agricultural Policy that has been in place for over 40 years will come to an end. The Welsh Government is consulting on arrangements that will come into place once the Common Agricultural Policy has come to an end.

36 The UK Government is committed to providing similar levels of support and funding to agriculture up until the end of the current parliamentary term which is 2024. The White Paper is looking at arrangements from 2024 onwards. It is looking at what is referred to as Pillar One payments, which is why some members have declared interest. Consultation focuses on the issues of sustainable farming and the rewards for farmers going forward in terms of supporting the environment, land management and supporting the supply chain. 28 Dr Chris Llewelyn notes that the WLGA response emphasises wider context of the impact that the changes will have on rural economies and the wider communities. WLGA response recognises important role that agriculture plays in the rural economy in sustaining rural farms, rural communities and the Welsh language.

37 He notes that the report also stresses the importance of the idea of a level playing field. The importance of food security is emphasised in the response, and in the context of the current pandemic is something Members will want to support. There is a strong focus on the economic and environmental impact and cultural benefits that farming provides for communities.

38 There is also to be a consultation on what will replace Pillar Two funding which supports wider community development., The WLGA expects there will be a consultation later in the year on that dimension. The WLGA response argues a complementary rural development programme is needed to support rural economies and communities.

39 Members noted that this paper on the whole is a good paper as a response. The Rural Forum as a group agreed the report focuses on the main issues.

40 Members agree that there is a need to strengthen and underline the impact that the cuts to subsidies to farmers will have on the rural community and rural economy in general. The need in the current situation with Brexit, having difficulties getting imports and exports of food, highlights the importance to have emphasis on growing and producing as much food as we can, whether that be meat, fruit and vegetables. The area around this part of legislation needs to be strengthened, to ensure that Wales is far more self-sustaining and that the supply chains from farms to shops are strengthened and develop that element of business to rural economy and economy in general. The danger of losing Pillar two is important, the rural economy is far broader than agriculture. Unfortunately, the new NDF does hinder

development in the countryside rural areas, this point needs to be made. In all the response was accepted and approved by Rural Forum.

- 41 Some Members noted that there were previous discussions at group meetings on whether rural farm members would have to declare an interest and leave the meeting. They noted that it was disappointing that these Members had to leave as they are living the life and would have given good input to the debate.
- 42 The loss of council owned small holdings was discussed at one of the group meetings and the fact that some of the funding to larger farms and landowners was enabling them to snap up the feeder/smaller farms for the ongoing rural farming sustainability. There is a need to be mindful of that going forward.
- 43 The Presiding Officer and WLGA Chief Executive noted that the contribution of some of the Members that had to leave has been reflected in the draft consultation response given the in-depth discussion at the WLGA Rural Forum meeting. It is a rare situation for so many Members to have leave the meeting having given declarations of interest. The WLGA will consider perhaps in future a presentation in a different setting, for the benefit of the wider Council.

**44 Resolved that:**

- 44.1 Members noted that contents of the report.**
- 44.2 Members are content with the changes proposed to strengthen the WLGA response.**

#### **4c) UK Government Subsidy Control: Designing a new approach for the UK**

- 45 Cllr Rob Stewart, WLGA Spokesperson for Economic Development, Europe and Energy introduced the report.
- 45 He noted Members will be aware that we are at the tail end of the EU programmes and in that respect the State Aid regime that is in place will continue until programmes cease. The UK Government is consulting on plans to put in legislation for all of the UK that will apply after that period. The Consultation response needs to be submitted by the 31<sup>st</sup> of March.
- 45 The new regime will be of relevance to all LAs, in areas like the type of Business Support Grants that LAs have been giving out during Covid, Levelling-Up Fund, Community Regeneration Fund and the Shared Prosperity Fund.
- 46 The key proposals in the document comply with other international commitments not to distort competition. Aid will be allowed if there are clear social, economic or environmental advantages and a value for money case can be made. The proposal is to have the equivalent of current de minimis

levels for State Aid rules, permitting up to £340,000 of grant to be given over three years. All public bodies will be required to publish awards above £500,000 and the system is essentially likely to be overseen by a body like the UK Competitions and Market Authority.

- 47 In terms of the WLGA response, the new regime must be at least as beneficial as the present arrangements and should not disadvantage Wales. There must be flexibility to enable local ambitions and priorities to be pursued. Any new reporting arrangements should be light-touch, responsibility of keeping track of aid received should lay with the businesses supported and not LAs. The response is asking for training to be provided to LA officers to understand the new regime. The response welcomes the consistency with previous de minimis arrangements. There is also a call for continued use of notified schemes.
- 48 The EU Regime included an assisted area map, identifying specific local areas where higher levels of subsidy could be provided due to socio-economic needs. The response suggests there should be a replacement UK regional aid map, to ensure future interventions continue to reflect the need across UK. Any such map should be co-designed with relevant devolved government and LG to assist with Levelling-up across the UK.

**49 Resolved that:**

- 49.1 Members noted contents of the report.**
- 49.2 Members are in agreement with recommendations to response.**

**Item 5: WLGA Budget 2021-22 & Medium-Term Financial Plan**

- 50 Dr Chris Llewelyn introduced the report given the absence of Cllr Anthony Hunt and the Director of Resources.
- 51 It was noted that the Draft WLGA Budget was discussed at the WLGA Executive Board in January and was approved and today comes to Members for ratification.
- 52 Noted that assumption for next year that the subscriptions will increase by 2% and the figure continues from next financial year within the medium-term plan, it is in line with lowest settlement increase that LAs get.
- 53 Going forward assuming 2% pay award for next year and subsequent years within medium-term financial plan, discussions are ongoing as we do not know what position will be.
- 54 The WLGA carry one vacancy a year, which is built into next year's budget and the medium-term financial plan.
- 55 In terms of premises expenditure, the assumption is an inflationary increase for next year, as Members will be aware the WLGA accommodation will

change, the lease on current accommodation is up in September. In the medium-term there will be savings.

- 56 Noted that the rest of the report goes into more detail on internal recharges, IT contracts and other service level agreements that the association has.
- 57 Recommendation is that WLGA Council approves the paper and proposed increase in subscriptions.

**58 Resolved that:**

**58.1 Members note the content of the report.**

**58.2 Members approve the paper and proposed increase in subscriptions.**

**Item 6: WLGA Welsh Language Standards Report**

- 59 The Head of Education introduced 2018-19 report. The report outlines the Welsh Language standards the WLGA as an organisation must comply with. The Welsh Language Standards that are relevant to WLGA are identified in four categories: Service Delivery, Policy Formation, Operational and Record keeping Standards. The report is relevant from 1<sup>st</sup> April 2018 to the end of March 2019.
- 60 Sharon notes that the report is similar to the previous year's report. One thing to note, if you look at responses to the basic skills in the report there are fewer members who have responded to the audit. It is important to note that the WLGA have not lost staff who are fluent in Welsh. The pandemic has happened and as we move forward there will be a need to push the Welsh Language in the association to move forward to the previous level of skills and to see if we can move staff to be more fluent in the language.
- 61 Cllr ap Gwynn noted that she did not see this report until it appeared here which is disappointing, as she is the Spokesperson.
- 62 Some Members wanted to draw attention to the level of staff who are fluent in Welsh. Members would ask the WLGA to look in more detail at appointments made, the WLGA are advertising in both languages, but need effort to increase the numbers of staff who are able to speak Welsh as some counties administrate through the medium of Welsh more than others and the contact with WLGA staff is important.
- 63 Dr Chris Llewelyn noted that the WLGA will arrange a meeting with Members to discuss ideas how the WLGA can resolve these Welsh Language problems.

**64 Resolved that:**

**64.1 Members noted the contents of the report.**

**64.2 All Members are in agreement with report.**

**64.3 The WLGA to organise a meeting for Leaders to discuss how to progress issues.**

## **Item 7: WLGA Pay Policy Statement**

- 65 WLGA Senior Management Teams members left the meeting after declaring an interest.
- 66 Graham Jones, the WLGA's independent HR Adviser, introduced the report.
- 67 The statement proposes how the WLGA will take an approach to pay conditions for the next year in relation to all employees.
- 68 There are only three significant changes to the document. The WLGA has been accredited as a living wage employer, although the WLGA is a champion of social partnership, there were no formal agreements in place in relation to staff, there are now in place formal social partnership recognition and facilities agreements, Chief Digital Offer role hosted by the WLGA as a senior officer.
- 69 Cllr Philippa Marsden as WLGA Spokesperson on Workforce recommends supporting the document.

### **70 Resolved that:**

- 70.1 Members noted contents of report.**
- 70.2 All Members are in agreement to support the document.**

## **Item 8: Closing Comments**

- 71 The Presiding Officer noted that April 1<sup>st</sup> would mark the 25<sup>th</sup> Anniversary of the 22 unitary authorities in Wales coming into existence and of the WLGA. The full copy of the WLGA press release, issued 1<sup>st</sup> April, commemorating the event is below.
- 72 The Presiding Officer thanked the current Leader and past Leaders for their service and contribution on behalf of local government.
- 73 The Presiding Officer noted that given the past twelve months this is a time for recognition rather than celebration and acknowledge the contribution councils have made to communities, to the country, jobs created and saved, thousands of young people councils have educated and trained, the tens of thousands of the most vulnerable councils have cared for and housed and communities' councils have regenerated. The past year government and many in communities have turned to the councils and relied upon councils like never before.
- 74 The Presiding Officer noted that this is the last WLGA Council meeting before the Senedd elections. The next scheduled meeting of the WLGA Council would be the AGM on the 25<sup>th</sup> of June. He thanked all Members for their commitment and contributions during the past year and closed the meeting.

**For reference - WLGA press release:**

## **25 Mlwyddiant sefydlu'r 22 o awdurdodau lleol Cymru a Chymdeithas Llywodraeth Leol Cymru**

**Dydd Iau, 01 Ebrill 2021**

Yn cyfarch Cyngor CLILC ar 25ain Mawrth, dywedodd y Cyngorydd Huw David (Penybont ar Ogwr), Llywydd CLILC:

"Mae hi'n 25 mlynedd yr wythnos hon ers sefydlu ein 22 o awdurdodau unedol a CLILC."

"Fel arfer, fe fydden ni wedi dathlu'r achlysur gyda rhyw fath o ddathliad. Ond ni fyddai hynny wedi bod yn briodol gan ein bod ni wedi nodi carreg filltir fwy lleddf a phwysicach, wrth nodi blwyddyn ers y clo cyntaf.

"Mewn cyfnod pan fo'n cymunedau a thrigolion ledled y wlaf mewn gwewyr o achos y pandemig, dyma amser i gydnabod yn hytrach na dathlu.

Rydyn ni'n cydnabod y cyfraniad hollbwysig mae cynghorau wedi ei wneud i'n cymunedau a'n gwlad."

"Y cannoedd ar filoedd o swyddi y mae cynghorau wedi eu creu neu eu harbed."

"Y cenedlaethau a'r cannoedd ar filoedd o bobl ifanc sydd wedi cael eu haddysgu a'u hyfforddi."

"Y degau o filoedd o bobl fregus yn ein cymdeithas sydd wedi derbyn gofal neu wedi eu cartrefi gan ein cynghorau."

"Y cymunedau ar hyd a lled Cymru sydd wedi cael eu hadfywio."

"Y cannoedd o wasanaethau sydd wedi cael eu darparu gan gynghorau i bawb yn ein cymdeithas - pob un diwrnod, pob un blwyddyn am chwarter canrif."

"Hyd yn oed yn bwysicach, rydyn ni'n cydnabod ac yn rhoi diolch i'r ased mwyaf sydd gan llywodraeth leol: ei phobl. Cynghorwyr ac, yn arbennig, ein sawl miloedd o weithwyr cydwybodol, penigamp sydd eleni wedi mynd uwchlaw a thu hwnt i'r galw ac wedi bod ar reng flaen yr ymateb i'r argyfwng."

"Fe wnaeth ein cynghorau ail-flaenoriaethu ac ail-strwythuro gwasanaethau, ac adleoli miloedd o staff dros nos. Bu i'n cynghorau barhau i ymateb wrth i'r pandemig waethygwr trwy'r gaeaf."

"Yn fwy nag erioed, mae'r llywodraeth a chymunedau wedi troi atom ac wedi dibynnu arnom ni. Heb ein gweithlu ardderchog, ni fyddai dim o hyn wedi bod yn bosib. Mae'n cynghorau wedi eu lleoli yn unigryw wrth galon ein cymunedau. Nhw yw'r porth cyntaf am gymorth i'r rhai mwyaf bregus neu'r rhai sydd angen cefnogaeth neu sicrwydd. Wrth ymateb i'r argyfwng, mae nhw wedi mwy nag arddangos gallu cynghorau i ymateb waeth beth fo eu maint, ac wedi atgyfnerthu safbwyt CLILC ar bwysigrwydd sybsidiaredd a lleoliaeth, gydag aelodau etholedig a'r gweithlu wedi eu gwreiddio yn eu cymunedau lleol."

"Wrth adlewyrchu ar 25 mlynedd o lywodraeth leol yng Nghymru, rydyn ni'n cydnabod ymroddiad ac arweiniad yr aelodau etholedig sydd wedi cynrychioli, gwasanaethu a chefnogi eu cymunedau trwy Gymru gyfan, a rydyn ni'n ymfalchïo ac yn talu teyrnged i'n gweithlu am eu tosturi, ymroddiad, proffesiynolrwydd, a'u gwasanaeth cyhoeddus yn enwedig yn ystod y 12 mis diwethaf - y cyfnod mwyaf heriol y mae'n cymunedau a'n gwlad wedi ei wynebu mewn cenedlaethau."

# **25 Year Anniversary of the establishment of Wales' 22 local authorities and the Welsh Local Government Association**

**Thursday, 01 April 2021**

Addressing WLGA Council on 25th March, Councillor Huw David (Bridgend), WLGA Presiding Officer said:

"The 1st April 2021 marks the 25th anniversary of the establishment of our 22 unitary authorities and the WLGA."

"Ordinarily, we would have marked this occasion with some celebration. However, that would not be appropriate given we marked a sombre, more significant anniversary of the lockdown last week."

"At a time when communities and residents across our nation are still suffering due to the pandemic, now is a time for recognition rather than celebration."

"We recognise the vital contribution councils have made to our communities and to our country."

"The hundreds of thousands of jobs councils have created or saved."

"The generations and hundreds of thousands of young people councils have educated and trained."

"The tens of thousands of the most vulnerable in our communities whom councils have cared for or have housed."

"The communities the length and breadth of Wales councils have regenerated."

"The several hundred services councils have provided to all in our society, every single day for each of those 25 years."

"Even more importantly, we recognise and give thanks to local government's greatest asset: its people. Councillors and, in particular, our many thousands of brilliant, hardworking staff who this year have gone above and beyond the call of duty and have been on the front line of the COVID response."

"Our councils reprioritised, restructured services and redeployed thousands of staff overnight. Councils have continued to react and respond as the pandemic worsened through the winter."

"Like never before, the government and our communities have turned to us and relied on us. Without our incredible workforce, none of this would have been possible. Our councils are uniquely placed at the heart of our communities. They are the first port of call for the most vulnerable or those in need of support or assurance. In responding to the crisis, they have amply demonstrated councils' ability to respond irrespective of scale and reaffirmed the WLGA's stance on the importance of subsidiarity and localism, with elected members and the workforce rooted in local communities."

"As we reflect on the past 25 years of Welsh local government, we recognise the commitment and leadership of the elected members who have represented, served and supported their communities across Wales and we are proud of and pay tribute to our workforce, for their compassion, dedication, professionalism and public service particularly during the past 12 months, the most challenging period our communities and country has faced in generations."

## 2.2 WLGA Audit Committee

**Draft Minutes 15<sup>th</sup> April 2021**

**via MS Teams 10:00am – 11:30am**



**Chair:** Cllr Linda Evans (Carmarthenshire)

**Present:** Cllr Christopher Weaver (Cardiff)  
Cllr Carol Clement-Williams (Neath Port Talbot)

**WLGA Officers:** Dr Chris Llewelyn, Chief Executive  
Jon Rae, Director of Resources  
Daniel Hurford, Head of Policy  
Naomi Alleyne, Director of Social Services & Housing  
Lee Pitt, Democratic Services Officer  
Gaynor Williams, Finance Officer  
Martin Edwards, Finance Lead, Data Cymru  
Elizabeth Jones, Finance Assistant, Data Cymru  
Janet Davies, Administrative Support Officer (Minute Taker)

**Others Present:** Mr Harri Lloyd Davies, Bevan and Buckland LLP

**Apologies:** Cllr Rosemarie Harris (Powys)  
Cllr Julian Thompson-Hill (Denbighshire)  
Cllr Maureen Webber (Rhondda Cynon Taf)

### **Item 1    Welcome and Apologies for Absence**

1. The Chair, Councillor Linda Evans, welcomed everyone to the meeting of the WLGA Audit Committee and noted apologies as above.
2. Jon Rae suggested considering membership of the committee to ensure there is a quorum of members for each meeting. the suggestion is to review the constitution and possibly have other members on standby, the constitution allows people to step in and deputise providing they are from the same political party.

### **Item 2    Minutes of the Audit Committee Meeting 8<sup>th</sup> October 2020 and Matters Arising**

3. Members reviewed the draft minutes of the WLGA Audit Committee meeting held 8<sup>th</sup> October 2020.

**4. Resolved that:**

4.1 The minutes of the WLGA Audit Committee, held 8<sup>th</sup> October 2020, were approved.

**Item 3 WLGA External Audit Plan and Interim Audit Report**

5. Harri Lloyd Davies, Bevan Buckland LLP, introduced the item and explained its purpose is to update members on the external auditor's proposed audit plan for the audit of the Welsh Local Government Association for the year ending 31 March 2021.
6. He noted three potential areas of significant risk this year:
  - Revenue recognition (including inappropriate recognition of receipts received in an agency capacity)
  - Management override of controls – manipulation of accounts to make them look better than they are.
  - Insufficient recognition of dilapidation provision - in relation to the move from Local Government House
7. Additional areas of audit focus were also highlighted and will be monitored:
  - The impact of the Covid-19 pandemic and the resulting restrictions on Going Concern
  - Recognition and disclosure of the pension liability and associated movements during the year
  - Recognition & recoverability of grant debtors
8. Harri explained the process and said Chris, as the WLGA Chief Executive and Jon as its Financial Officer, will make sure information provided is accurate and then the Auditors will give assurance to the Audit Committee that it has been done effectively. It was reported that the Interim Audit has already taken place and findings are also set out in Annex 1. The Final Audit will commence 28 June. Any changes will be reflected in the next report.
9. The Chair asked about the impact of the pandemic and potential impacts on the association. Harri reported he was confident the work would be completed and there were no areas of concerns. A concern would be a reduction in funding to the Association, which currently does not appear likely.
10. **Action: Interim Audit report to be shared with the Audit Committee.**

**11. Resolved that:**

**11.1 Members discussed and agreed the Audit Plan and Interim Report.**

**Item 4 Accommodation Review Update – CONFIDENTIAL**

12. Following the presentation of the report by the Director of Resources containing exempt information as defined in Paragraph 20.6.3 of the [WLGA Constitution](#) which is based on Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act, 1972 (as amended), namely information relating to the financial affairs of any particular person (including the authority holding that information) it was:

**13. Resolved that**

**13.1 Members noted the update.**

**Item 5 Review of Internal Finance Controls**

14. Gaynor Williams introduced the report and explained work had been delayed due to the pandemic. Questionnaires have been issued to over 40 members of staff, not all have been returned yet, but the ones that have been analysed are very positive.

**15. Resolved that:**

**15.1 Members noted the progress on the Review of Internal Finance Controls.**

**15.2 An updated report be presented to the Audit Committee in October 2021.**

**Item 6 Review of the WLGA Strategic Risk Register**

16. Jon presented the updated WLGA Strategic Risk Register for consideration by members. He talked through each strategic risk and drew attention to the areas highlighted red in the annex. He noted all risks are considered by the Senior Management Team every quarter.

17. Jon reported that since the last meeting of the Committee, the impact of covid continues to shape the risk environment. However, a lot of effort has gone into the risk mitigations around engagement with Welsh Government, communications with elected members and WLGA staff, and our approach to business continuity. The

planning and arrangements in support of the moving of WLGA's office base is a risk which will be closely monitored and managed over the forthcoming period.

18. Daniel Hurford talked about effective governance and stated that this is a risk for all local authorities and organisations. He noted that in the new virtual world technology is vital. Currently Microsoft Teams does not allow for simultaneous translation in meetings which is of concern in the WLGA would wish to allow members to communicate in the language of their choice (in compliance with Welsh Language Standards). He also noted that the 'new normal' could impact on the association in relation to democratic arrangements, meeting structures, technology, meeting support and the constitution.

19. The Chair agreed how important it is for those attending meetings, to be able to speak in their language of choice.

20. Jon confirmed the meaning of I L O.

- I – IMPACT
- L – LIKELIHOOD
- O – OUTCOME SCORE

21. Chris noted that we have come a long way in the last 12 months in relation to remote working, but more needs to be done in the coming months. Until Teams support interpretation, the Association will use Teams and Zoom in parallel, to comply with Welsh Standards. It was confirmed that the Welsh Government and Welsh Language Commissioner have written on behalf of bodies in Wales to Microsoft and there has also been a petition. It was reported that the situation with Teams is an international issue.

22. Chris reported that the biggest and continued risk for the Association, is keeping the 22 councils in full membership and the effort and work that goes into that cannot be underestimated. Negotiating the settlement is also key as inevitably there are authorities who come bottom of the table and thus feel hard done by. He also noted the difficulty in balancing the need to review and identify risks and with it becoming too 'routine' and things can be missed.

23. Cllr Clement-Williams raised whether there is a process for staff to have risk put on the risk register and if they are and the request is refused, if there is a subsequent appeals process?

24. Chris and Jon confirmed that no reasonable request would be refused, and that staff are probably not aware they can do this, but regular all staff meetings are held every 3 weeks where staff are encouraged to raise any issue they have.

25. Cllr Clement-Williams suggested to make staff more aware of this, to maybe put 'risk' on agendas when having team meetings or maybe suggestion boxes. Jon noted the points raised and said they would be taken on board.

26. The Chair asked how the Business Continuity plan was being used and Jon confirmed that Graham Jones, the WLGA HR adviser, is using it to make assessments and has proved that it works as we are all working very well outside the office environment.

**27. Resolved that:**

**27.1 Members noted and commented on the contents of the Strategic Risk Register and requested a further update at the 7 October 2021 Audit Committee meeting.**

**Item 7 Audit Committee Work Programme**

28. Jon introduced the work programme and explained it had evolved since the committee's inception to include cyclical financial, risk and performance reporting but also to review specific areas focussing on key risk areas for the Association.

29. He noted that the proposals for the future work programme encompass the cyclical work but allows scope for specific, broader reviews are attached at Annex 1. The shaded items are 'out of sync' or delayed with their traditional cycle and need to be brought back in line by next April.

30. He reported that the forward work programme had been interrupted by the pandemic and explained the three highlighted areas in the Annex are out of kilter to what they should be, Jon confirmed the report would be presented at the October meeting.

**31. Resolved that:**

**31.1 Members agreed the proposed work programme.**

**Item 8 Approach to Annual Report (Oral Item)**

32. Jon noted that this year would be a short municipal year and the Audit Committee Annual report that will be taken to the WLGA AGM in June will mention that there have been no Treasury Management or Data Protection reports but they were considered at the Audit Committee meeting in October 2020.

**34. Action: Draft Audit Committee Annual Report to be circulated to Audit Committee members for approval in advance of its presentation to the Council AGM in June.**

35. The Chair thanked everyone for their attendance and contributions to the meeting and asked that members please have alternatives from their political group on standby should they be unavailable to attend a meeting of the committee.

36. Date of next meeting – 7<sup>th</sup> October 2021

## **2.3 WLGA Management Sub-Committee**

**Draft Minutes Friday 23<sup>rd</sup> April 2021**  
**10:00 to 11:30 via Zoom**



### **Present:**

Chair: WLGA Deputy Presiding Officer, Cllr J Mudd (Newport)

Cllr H David (Bridgend), WLGA Presiding Officer  
Cllr Andrew Morgan (Rhondda Cynon Taf)  
Cllr Philippa Marsden (Caerphilly)  
Cllr H Evans OBE (Denbighshire)  
Cllr Peter Fox OBE (Monmouthshire)  
Cllr E Dole (Carmarthenshire)  
Cllr R Quant MBE (Ceredigion)  
Cllr Huw Thomas (Cardiff)

### **Apologies for Absence:**

Cllr R Stewart (Swansea)  
Cllr D Siencyn (Gwynedd)  
Cllr Ian Roberts (Flintshire)  
Cllr S Rowlands (Conwy)

### **WLGA Officers in Attendance:**

Dr Chris Llewelyn, Chief Executive  
Andrew Stephens, Executive Director, Data Cymru  
Naomi Alleyne, Director of Social Services & Housing  
Jon Rae, Director of Resources  
Daniel Hurford, Head of Policy Improvement & Governance  
Richard Dooner,  
Lee Pitt, Democratic Services Officer

### **Item 1. Welcome and apologies for absence**

1. The Presiding Officer had difficulty joining the meeting and the Deputy Presiding Officer, Cllr Jane Mudd chaired the meeting.
2. Apologies for absence were accepted and recorded as above.
3. The Chief Executive reported that both Cllr Stewart and Cllr Roberts, although absent from the meeting, had approved the Accommodation paper recommendations.

**Item 2. WLGA's Future Accommodation Arrangements**  
**CONFIDENTIAL**

4. Following the presentation of the report by the Director of Resources containing exempt information as defined in Paragraph 20.6.3 of the [WLGA Constitution](#) which is based on Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act, 1972 (as amended), namely information relating to the financial affairs of any particular person (including the authority holding that information) it was:

5. **Resolved that**

- 5.1 Members noted the progress on arrangements for acquiring and moving to new accommodation space at One Canal Parade; and**
- 5.2 Members approved the draft Agreement for Lease.**

**Item 3. Draft WLGA HR Policies: **CONFIDENTIAL****

6. Following the presentation of the report by Graham Jones, the WLGA's Independent HR Adviser, containing exempt information as defined in Paragraph 20.6.4 of the [WLGA Constitution](#) which is based on Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act, 1972 (as amended), namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Association or its Member Authorities or a Minister of the Crown and employees of, or office holders under, the Association; it was:

7. **Resolved that**

- 7.1 Members approved the WLGA Early Retirement / Severance Scheme as set out.**
- 7.2 Members approves the WLGA Flexible Retirement Policy and Procedure as set out.**
- 7.3 Members approved the WLGA LGPS Employer's Discretionary Decisions Policy Statement as set out.**

## **Item 4. WLGA Consultation Response to Social Partnership and Public Procurement (Wales) Bill**

8. Cllr Marsden introduced the report seeking approval for the proposed WLGA response to the consultation on the Social Partnership & Public Procurement (Wales) Bill. The bill seeks to strengthen and promote consistency in the Welsh system of social partnership, to deliver fair work outcomes, and to ensure socially responsible public procurement.
9. Cllr Marsden noted the WLGA response to the questions laid out are fair and that the proposed Bill was positive but could go further in terms of procurement. She asked that a cover letter and summary accompany the response, in addition, to the answering the questions asked would be more appropriate.
10. Jon confirmed that would happen and that comments were still be received from professional colleagues and networks in local authorities would be incorporated. He noted there was board support but some issue, for example 'what is fair work?' He noted that Bill looks like enabling legislation and more detail will come after in regulations and guidance.
11. Chris reported that about a year ago the Executive Board took the decision to support social partnership and that this is a flagship piece of legislation for the Welsh Government. Throughout the pandemic the Leader has joined the Shadow Social Partnership Council on behalf of the WLGA and Cllr Marsden has chaired the Schools Social Partnership Forum which has played a pivotal role between local authorities and teaching unions in managing the return to school after the various lockdowns. He noted that social partnership delivers better services and outcomes for service users who are able to input more effectively and those delivering services should be partners in decision being made. The WLGA has been a member of the WLGA Workforce Partnership Council for many years. The Bill takes the approach a step further. Leaders agreed last year in principle to support the Bill, but the detail will be important.
12. Cllr Marsden noted that the last year has demonstrated that all partners need to be around the table and the Bill will allow local authorities to exert their influence further.
13. Graham noted that the WLGA has been a long-standing advocate of social partnership and welcome it as a start of a long journey.
14. Richard Dooner, Programme Manager WLGA, noted that at first glance a lot of what is proposed is already with local authorities' policies but acknowledge the detail was yet to be seen. He also mentioned the inter relation between

policies such as the Future Generations Act and Social Services & Wellbeing ACT and queries remain.

15. Chris confirmed that a cover letter would routinely accompany all WLGA consultations but will highlight the success of the last twelve months reflecting the long track record of local government and the WLGA working in social partnership. The Leader being member Shadow Social Partnership Council on behalf of the WLGA and Cllr Marsden's role chairing the Schools Social Partnership Forum and the important contribution they have made to the Covid response. Along with the work of local government generally during this time – including the provision of face coverings in schools and the wider procurement work with NHS Shared Services.
16. Resolved that:

**16.1 Members noted the report and agreed to submit a cover letter**

**11:30** The Deputy Presiding officer closed the meeting.

## **EXPENDITURE PRESSURES AND BUDGETS 2022-23**

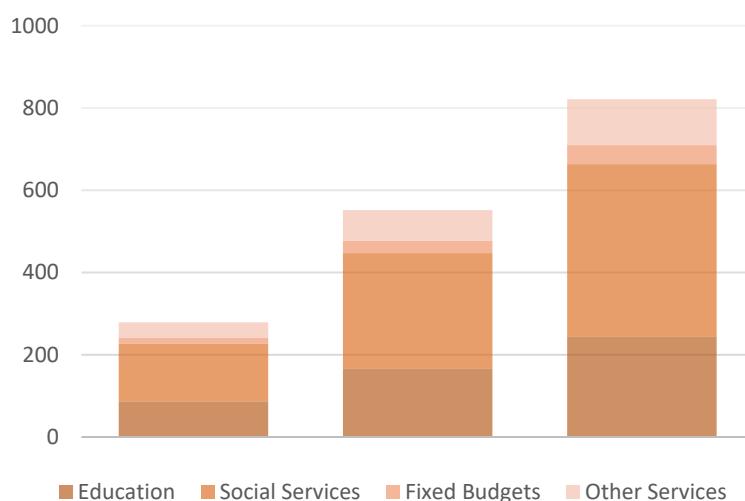
### **Purpose**

1. This paper prepares the ground for further work to feed into finance discussions going into the next budget round. It summarises the early assessment of local government spending pressures recently published by Wales Fiscal Analysis and the next steps needed to fully understand expenditure pressures to 2024-25 and align these with authorities' own medium-term financial plans.

### **Background**

2. With the focus on COVID and the Hardship Fund in the first half of the last financial year, the timetable in the run up to the WG Budget and LGF Settlement last year ran later than usual. Some of the key dates are appended to this paper in the Annex. A full assessment of local government pressures was not presented to the Finance Subgroup until the meeting in early November.
3. The paper to the November Finance Subgroup, detailed the pressures from our own modelling calculated over a 3-year period from 2021-22 to 2023-24. The underlying pressures for 2021-22 totalled £279m and similar patterns were evident over the next two years; rising by £272m in 2022-23 and then by £270m in 2023-24. This aligned closely with local authorities' own medium term financial plans. The cumulative pressure rises to £822m by 2023-24 as set out in figure 1 below.

**Figure 1: Local Government Spending Pressures to 2022-23, £m**



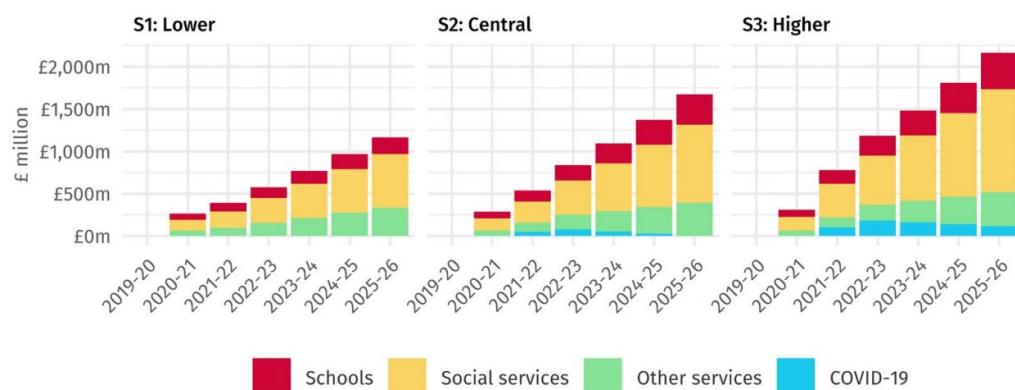
**Source:** Base estimates: RO and RA returns (2019-20 to 2020-21)

4. The Wales Fiscal Analysis team also made an assessment of local government pressures in their publication [Local Government & the Welsh Government](#)

[Budget: Outlook and Challenges for the next Welsh Government](#). This was part of a series of reports published in the run up the elections, assessing the implications for the Welsh Government Budget next year and beyond.

5. They produced three different scenarios of pressures facing local services, summarised in figure 2 below. Implicit in these estimates are pressures in the next financial year, 2022-23, from £184m in the lower scenario to £403m in the higher. In the following year 2023-24 they range from £195m to £300m.

**Figure 2:** Wales Fiscal Analysis' Assessment of Components of Local Government Spending Pressures to 25-26



**Source:** Wales Fiscal Analysis 2021

6. In conclusion, there is a consistent picture of those pressures in as much as our own estimates fit in between the scenarios set out by the Wales Fiscal Analysis team. If the Finance Subgroup convenes early, we will have something to present to ministers before the summer recess. A Programme for Government will likely be published by the Welsh Government, most likely before the summer recess, which will give a clearer picture of the incoming government's objectives and timescales.

## Next Steps

7. Over the course of the summer, we will make our own up to date assessment of pressures that will reflect any developments within the Programme for Government. We propose to run a survey with Treasurers over July to align our own estimates with local knowledge and medium-term financial plans.
8. As in the last financial year, COVID funding will be treated separately through the Hardship Fund. As members will know, there is a broad commitment to operate the fund to the end of September this year. However, it is likely that pressures will continue beyond September and we will work with the Welsh Government on an income loss and expenditure survey to cover the last half of the current financial year.

## **Hardship Fund Update**

9. The out-turn for the 2020-21 Hardship Fund is currently in the process of being finalised as the last of the claims were submitted to the Welsh Government the week beginning 17<sup>th</sup> May. This will give a clear picture of how the £661m has been allocated to different service pressures and areas of income loss. Our own estimates suggest that there will be an overall underspend of around £60m.
10. Looking forward to the operation of the Hardship Fund guidance that has been issued by Welsh Government, there has been an allocation of £206m which sounds more than enough to take us to September, and much will depend on what happens to social care (funding was guaranteed for Q1 only). A data collection exercise is being developed to get an understanding of what pressures look like in Q3 and Q4 next year under various 'Alert Level' scenarios which will feed into early (in-year) budget discussions.

## **Recommendations**

### **11. Members are recommended to:**

- 11.1 **note the contents of the paper; and**
- 11.2 **commission two surveys from Treasurers: one of COVID pressures for the latter half of 21-22 and another on medium-term pressures up to 24-25.**

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**Report Cleared by: Cllr Anthony Hunt & Cllr Carol Clement-Williams**

**Author:** Jon Rae  
Director of Resources  
**Tel:** 07979018007  
**E-mail:** jon.rae@wlga.gov.uk

**Key Finance dates over 2020-21**

20/10 – Welsh Government Second Supplementary Budget 2020-21

**02/11 – Finance Subgroup**

19/11 – Virtual Conference: Reforming Local Taxes

25/11 – UK Government Spending Review

08/12 – Joint Finance/Economic Development Cabinet Members

21/12 – Draft Welsh Government Budget

**22/12 – Provisional Local Government Settlement 2021-22**

11/01 – Evidence Session with Equalities, Communities & Local Government

**02/03 – Final Local Government Settlement 2021-22**

09/03 – Senedd debate on the Local Government Settlement

**WELSH GOVERNMENT RACE EQUALITY ACTION PLAN****Purpose**

1. To summarise the Welsh Government's Race Equality Action Plan and seek members' views to inform the WLGA's draft consultation response.

**Background**

2. The Welsh Government published its 'Race Equality Action Plan: An Anti-racist Wales' on 24<sup>th</sup> March<sup>1</sup>. The consultation closes on 17<sup>th</sup> June 2021 and the Welsh Government intends to publish a final Plan in September 2021.
3. The Plan aims to make Wales an anti-racist nation and make the Welsh Government and all public bodies become anti-racist organisations by 2030.
4. Jane Hutt MS, the then Deputy Minister and Chief Whip and Minister with lead responsibility for equalities updated leaders on the Race Equality Action Plan (the REAP) at the Leaders' Meeting on 12<sup>th</sup> March. Civil servants also provided a briefing on the Action Plan to Equalities Cabinet Members on 3<sup>rd</sup> March 2021.
5. The REAP has been informed by research and existing evidence and wide engagement with community representatives and stakeholders and has been shaped by lived experiences. It also incorporates commissioned research from the Wales Centre for Public Policy and the work and recommendations of wider working groups convened by the Welsh Government in response to Black Lives Matter and the impact of COVID-19 on Black, Asian and Minority Ethnic people, including the COVID 19 BAME Socio-economic Sub-Group.
6. The REAP steering group was co-chaired by Professor Emmanuel Ogbonna, Cardiff University and Dame Shan Morgan Permanent Secretary, Welsh Government. The WLGA was represented on the steering group (of circa 40 participants) by the Head of Policy and several WLGA officials commented on draft sections and discussions during drafting.
7. There was however limited pre-consultative engagement with local authorities or professional groups due to the pre-election protocol period, although the Welsh Government is currently organising several consultation events with relevant professional or service networks, for example social services.

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<sup>1</sup> [Race Equality Action Plan: An Anti-racist Wales | GOV.WALES](https://gov.wales/race-equality-action-plan-an-anti-racist-wales)

## Race Equality Action Plan

8. The REAP is ambitious and is challenging of the status quo and demands leadership and commitment to action from public bodies.
9. The REAP states that despite concerted efforts and previous action plans: '*Wales is not an equal country, and the experiences of the many communities within it are very different. Black, Asian and Minority Ethnic people face discrimination and racism.*'
10. The REAP sets the 'case for change' and notes several concerns that:
  - This should not be "another strategy" but focus on delivery of actions, including delivery of pre-existing plans and promises
  - the Welsh Government does not have all the necessary systems and levers in place to incentivise action or apply appropriate sanctions
  - current regulatory organisations do not have a strong enough experience or understanding about racism
  - public bodies' compliance with the Equality Act 2010 is inconsistent; and
  - 'generic Diversity and Inclusion Plans' tended to result in a lack of focus on race issues.

11. The diagram below summarises the core focus of the REAP:



12. The REAP defines anti-racism as:

*'...usually structured around conscious efforts and deliberate actions to provide equitable opportunities for all people, on an individual, organisational and systemic level. It requires individuals to scrutinise the stereotypes they and others hold, and to understand how their actions may impact on people of different races and ethnicities. Anti-racism at organisational and institutional levels requires a careful audit of policies, practices, functions and processes to uncover whether and how practices and behaviours which may seemingly appear benign may inadvertently discriminate against ethnic minority groups.'*

13. The work also explored language and terminology, with consensus emerging that that 'BAME' as an acronym should not be used. The Welsh Government has decided to discontinue the use of 'BAME' but to retain the use of 'Black, Asian

and Minority Ethnic' in full in all its communications, and when shortened it is to be 'ethnic minority groups' (or communities or individuals).

14. In summary, the draft REAP states that by 2030 Public services and the third sector will have:

- Provided demonstrable leadership at all levels to meet their existing commitments to challenge systemic and institutional racism.
- Self-motivated to comply with Equality Act (2010) and Well-being of Future Generations (Wales) Act 2015.
- Changed the experience of education, job seeking and career progression for ethnic minority people, to bridge the "attainment gap" in education and the "reward gap" in employment.
- Provided equitable, culturally appropriate services, recognising intersectionality and differences among groups.
- Provided a safe and nurturing workplace for ethnic minority people to thrive and flourish.
- Implemented the policies they agreed to deliver.
- Collected the right data, established baselines from which to measure progress and used evidence to identify where action is needed.
- Recognised the differential impact of racism in different locations in Wales.

## **Local Government Commitment to Zero Racism**

15. Local government in Wales has always stood firmly against racism and discrimination and is committed to promoting equality and fairness for all communities.

16. There is widespread recognition that inequalities remain embedded in Wales and in its communities and that councils, the Welsh Government and public services need to do more individually and collectively to address entrenched inequalities.

17. Councils responded to COVID-19 and the Black Lives Matter movement during the summer of 2020, with several establishing race forums or task and finish groups to tackle racism or to undertake reviews of statues or street names.

18. The WLGA contributed to several Welsh Government convened groups including the BAME Socio-Economic Advisory Sub-Group and the Welsh Government's Audit of statues and street names.

19. The WLGA is coordinating the Welsh Government funded Hate Crime Project in schools, working with partners such as the North Wales Race Equality Network Ltd, Race Council Cymru, Race Equality Wales and Show Racism the Red Card and SAPERE: Philosophy for Children (P4C), to deliver the Hate Crime in Schools project across Wales, which will deliver training and produce resources on critical, collaborative, creative and caring thinking skills to teachers and others around tackling hate crime.

20. Local authorities have a proud record in supporting and welcoming refugees and asylum seekers and in supporting their integration into local communities. All Welsh authorities participated in the Syrian Refugee Resettlement Programme and the majority have committed to continuing their participation in the further settlement of refugees across Wales. Four local authorities have also accommodated dispersed asylum seekers in their areas and more recently the majority of authorities also agreed to their participation in the future. A number of authorities also care for unaccompanied asylum-seeking children and all have been involved in ensuring EU nationals in the care of the authority are able to apply for settled status following Brexit. The WLGA also host the Wales Strategic Migration Partnership, funded by the Home Office to help coordinate migration issues in Wales. Four local authorities (Wrexham, Swansea, Cardiff & Newport) already act as Initial Accommodation & Dispersal Areas, and more recently the majority of authorities agreed to their participation into the future. A number of authorities also care for unaccompanied asylum-seeking children, and, following Brexit all have been involved in ensuring EU nationals in the care of the authority are able to apply for settled status. The WLGA also host the Wales Strategic Migration Partnership, funded by the Home Office to help coordinate migration issues in Wales.

21. The WLGA Council recently made a commitment to deliver an ambitious 'Diversity in Democracy' programme ahead of the 2022 elections to seek to encourage more diverse candidates to stand for election.

22. The WLGA and each of Wales' 22 councils signed the #ZeroRacismWales pledge in advance of the publication of the draft REAP and to mark UN International Day for the Elimination of Racial Discrimination on 21<sup>st</sup> March. The pledge sees all councils commit to:

- take a stand against racism and promote a more inclusive and equal society for all.
- not tolerate racial prejudice, discrimination, harassment, victimisation, abuse, or violence against any individual.
- stand in solidarity, come together, and say no to racism, in all its forms.
- promote good race relations between people from diverse ethnic backgrounds in organisation.
- promote equal and fair opportunities for people from diverse ethnic backgrounds to attain promotion.
- eliminate unlawful race discrimination, harassment, victimisation and abuse.

23. The WLGA welcomed the publication of the REAP, with Cllrs Mary Sherwood and Susan Elsmore, Joint WLGA Spokespersons for Equalities, Welfare Reform and Anti-Poverty stating:

*"We are committed to working with the Welsh Government and our communities to make Wales an anti-racist country. The Welsh Government's Race Equality Action Plan is welcome in challenging our public bodies and wider society to do more. It demands leadership, it demands action and it demands change. We are*

*committed to responding positively to this consultation to ensure we tackle racism and inequality in Wales.”*

*“Councils have worked towards reducing inequalities but the Race Equality Action Plan shows that we need concerted, collective action as racism remains within our society and inequality continues to adversely affect the lives of Black, Asian and Minority Ethnic people in Wales.”*

## **REAP: Expectations of Local Government**

24. The REAP sets out ambitious and challenging expectations for action for all public bodies to improve engagement and involvement, improve services and employment practices.
25. Much of the focus of the REAP is on the Welsh Government itself, however, there are several chapters and actions which will have an indirect or direct impact on or expectation of local government.
26. The WLGA is currently seeking the views of authorities and is engaging with relevant professional groups and cabinet member networks to consider the response to the REAP consultation. Most local authorities will be considering their draft responses in early June, ahead of the consultation deadline of 17<sup>th</sup> June.
27. It is proposed therefore that Executive Board provide initial comments on the REAP to inform the WLGA’s developing draft response, which then incorporates authority feedback and the final draft response is considered by the Equalities Cabinet Members’ Network on 10<sup>th</sup> June, with final approval via the WLGA Spokesperson for Equality in consultation with WLGA Group Leaders.
28. The WLGA has received limited feedback from local authorities to date, but there have been some discussions amongst Equality Cabinet Member and Education Cabinet Member networks, where the REAP’s aims and ambitions were supported. It was also noted that:
  - Black, Asian and Minority Ethnic role models, whether in senior leadership positions and particularly teachers and teaching assistants, were vital; and
  - Although actions and targets need to be proportionate and reflective of the demographic diversity of local populations, it was important that all authorities and all organisations demonstrated a clear commitment and progressed actions. =
  - Support and improved awareness and anti-racist approaches were needed in organisations where there were fewer black, Asian or Minority Ethnic employees, school pupils or residents than other areas; without such corporate leadership, empathy and understanding there was a risk the emotional burden of promoting anti-racism and tackling racism would fall disproportionately on a limited number of, often black, Asian and minority ethnic, individuals or staff members.

29. The REAP is a large, complex document at 147 pages with around 64 goals and approximately 340 actions. It covers 13 policy themes and 5 cross-cutting themes.

30. This report therefore seeks to summarise the main themes of most relevance to and/or impact on local government and local services.

## **Leadership and Representation**

31. This section applies to all public bodies and seeks to ensure that the public sector workforce and senior leadership is representative and inclusive, that people in public bodies are anti-racist and provide a safe and inclusive environment for ethnic minority people and that spending power is used to improve leadership and representation across the public, private and third sectors.

32. The REAP notes that leadership extends beyond senior leaders in public bodies and it is important to recognise, value and cultivate the essential contribution made by community leaders.

33. Local government is likely to be supportive of the principles and objectives and many align with Strategic Equality Plans or build on existing corporate arrangements, for example:

- 33.1 Use conditions of grants and public procurement to incentivise other organisations to improve leadership and representation and anti-racism;
- 33.2 Making available existing provision for ethnic minority staff within organisations to community leaders; and
- 33.3 Co-create mentoring, coaching, community mentorship, reverse mentoring for community leaders with public service leaders.

34. There are also several proposed actions that would apply *personally* to public service leaders, for example:

- 34.1 All public service leaders held personally accountable for delivering a representative workforce;
- 34.2 Chief executives to identify one inclusion and diversity objective, with a focus on anti-racism;

## **Local Government**

35. The local government section builds on local leadership, developing practice and recent legislation. There is also a separate section on health, in recognition of both sectors as major employers and public service deliverers.

36. The section recognises the critical importance of local government as an employer, a service provider, procurer of services and as a community leader.

37. It focuses on ensuring local democracy is more representative of the population it serves. This aligns with (and references) the Diversity in Democracy commitments the WLGA has already made about encouraging and supporting more diverse candidates to stand for election.

38. Several democratic and electoral reforms within the Local Government and Election (Wales) Act are also detailed, much of which the WLGA has supported previously.

39. The REAP focuses on local government becoming an exemplar employer where '...all employment and human resources policies are anti-racist to create a safe and inclusive environment for black, Asian and minority ethnic people.'

40. In seeking to achieve this, the Welsh Government specifically proposes to:

- 40.1 Review the workforce data which local government is required to publish in its pay policy statements to ensure accurate and timely diversity data is used to inform policies and performance frameworks.
- 40.2 Work with the WLGA, local authorities, professional bodies and One Voice Wales to support reviews of recruitment, human resources and internal complaints processes including coaching and employee support schemes to ensure they are anti-racist and that good practice examples such as staff support groups are promoted.
- 40.3 Work with the WLGA, One Voice Wales, Academi Wales and local government bodies to ensure all graduate recruitment and mentoring schemes are accessible to minority ethnic people.

41. Data is a theme running through many of the interventions and is identified as cross-cutting. There are already systems in place that seek to capture data to meet requirements of current broader equality duties.

42. There are likely to be administrative and resource implications in changing data collection, collation and reporting as well as wider human resource implications of reviewing and introducing new initiatives, policies, processes and training programmes.

## **Social Care**

43. Social care services are key public services through which anti-racist, intersectional and dignified practice can be delivered. There are duties on those performing social services functions to ensure that the rights, views, wishes and feelings of those receiving services are considered and acted on. There are also duties to ensure that people's characteristics, culture and beliefs are taken into account and acted on.

44. At its core social care is a profession which values everybody no matter how society perceives them, it seeks to ensure social justice, equality and human

rights are accessible to all and where they are absent does something about it. Despite this there is clear evidence that racial disparities are experienced by health and social care staff, mental health and social care service users.

45. We know that the health and social care sectors tend to be more diverse than the Welsh population as a whole, with Black, Asian and Minority Ethnic health and social care staff being over-represented in lower paid and lower status health and social care jobs in the UK. In addition, it is likely that the proportion of Black, Asian and Minority Ethnic practitioners in senior levels of management is far lower than at the front line.
46. A key part of this is recognising the important value people working in social care play. This includes making sure there is parity of pay and terms and conditions with comparable roles in the NHS as well as ensuring that social care is considered as a career option in the same way that NHS roles are. This needs to include professional qualifications, career progression, as well as equal pay. As a starting point we believe that the resources need to be made available which enable the whole social care workforce to be paid the Real Living Wage as a minimum.
47. The REAP highlights the need to bridge the operational gap between what the legislation and policy tells leaders and practitioners to do and how leaders lead it and practitioners do it. As the REAP recognises there are many complex and systemic factors that contribute to these implementation gaps and the structure and make up of the sector adds to this. It is essential that thought is given to how we can best support the whole range of providers and employers across the sector to tackle racism and promote race equality and guide behaviour change, both in how they support their own workforces, but also in how they deliver services.
48. A major feature highlighted in the plan is to significantly increase the range and the quality of the data, research and evidence that is available about people who use social care services and the social care workforce and this is supported. This is needed to help design future, more targeted activity that benefits the Black, Asian and Minority Ethnic people that use services and their families, builds the cultural competence and assets based practice of the wider workforce and protects and develops our Black, Asian and Minority Ethnic workforce.
49. During the consultation work that has led to the publishing of the draft Plan there were clear and strong messages from Black, Asian and Minority Ethnic people about past experiences and their levels of trust in the system. A key focus of the work going forward must be on how this can be addressed and how services to Black, Asian and Minority Ethnic people are delivered in order to ensure that social care services are provided with the highest quality support that is accessible, dignified and culturally appropriate and that people are confident in accessing and using social services whenever they are needed.
50. Social services professionals and stakeholders have been invited to a social services-specific REAP consultation event on 9<sup>th</sup> and 14<sup>th</sup> June.

## **Education**

51. Education and in particular schools, play a key role in promoting anti-racism and tackling racism in society.
52. There are significant challenges within schools currently, as has been noted in recent reports (Race Alliance Wales 'Show us you care' April 2021 and Show Racism the Red Card – Report June 2020<sup>2</sup>), notably that 'there is growing evidence of the extent of racist bullying they experience in schools and colleges during their formative years' and 77% of pupils told Show Racism the Red Card that racism existed in their schools.
53. Show Racism the Red Card have also noted that recording of racist incidents in schools and authorities is mixed and therefore the true scale of the problem is not known.
54. The REAP's goals and actions are supported and present an opportunity to bring together and ensure improved alignment of ambition between the various policy initiatives including Curriculum for Wales, anti-bullying guidance, Home Office initiatives such as Prevent and also the ambitions of Cymraeg 2050.
55. The REAP aims to improve the experiences of Black, Asian and Minority Ethnic learners and teachers in schools and improve the diversity of the teaching workforce and improve understanding of diversity and racism in the wider education sector. Specific actions include:
  - Strengthening rights, respect, equality anti-bullying guidance, with a particular focus on the disciplinary procedures in schools for handling incidence of identity-based bullying:
  - Strengthen data collection and reporting of racist incidents and harassment in schools:
  - publishing statutory Gypsies, Roma and Travellers' guidance:
  - Strengthening guidance on Exclusion from Schools and PRUs:
  - making learning about Black, Asian and Minority Ethnic stories mandatory within the Curriculum for Wales and take forward the recommendations set out in Professor Charlotte Williams' report:
  - Raising awareness and encourage increased take-up of Welsh medium education by Black, Asian and Minority Ethnic children:
  - Strengthening and enhancing training for all teachers in Wales on race equality and anti-racism:
  - Developing a strategy to increase the numbers in the teaching workforce from Black, Asian and Minority Ethnic groups:
  - Working with Estyn to determine how a refreshed inspection framework can be strengthened for anti-racism.

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<sup>2</sup> <https://racealliance.wales/wp-content/uploads/2021/04/Show-Us-You-Care-Full-Report-1.pdf>  
<https://www.theredcard.org/news/2020/6/2/7h506q77y3wunsc33ot983m2u8m6y>

## Housing

56. Securing safe and appropriate housing has long been viewed as a basic human right and there is much evidence that good quality housing is an integral factor for the general wellbeing and health of people and communities, for example, bad quality housing and instability can negatively affect children's mental and physical health. Over the last century, council house building has been essential in helping the most vulnerable in society gain access to a home and has helped to prevent homelessness and following recent changes, many councils are building homes at a scale not seen for many decades.
57. The housing function in local government however is more than the provision of homes and tackling homelessness as not all local authorities are landlords, the strategic housing role of all local authorities is important, involving assessing needs, determining local priorities and planning how the need for good quality affordable housing can best be met. Housing also plays an important role in the economy and economic development of local areas, including bringing jobs and training opportunities for local people. Ensuring there is fairness and equality for all in all aspects of the housing agenda is therefore integral to achieving fairer and more equal outcomes.
58. The proposed actions for housing and accommodation in the draft REAP will help drive forward improved race equality, tackling racial inequalities and achieving more equal outcomes in housing, addressing both employment and service delivery issues.
59. While improved data and information collection and analysis is required across all relevant areas, which will help identify racial disparities against which progress can be monitored and evaluated, existing evidence and discussions on key housing issues with Black and minority ethnic people with lived experience have been used to identify and inform the priority areas for action included in the draft plan. It is therefore proposed that we support the proposed action. However, better links and reference to related issues would be helpful (while noting there are a number of cross-cutting issues in the plan that will also require addressing in the area of housing such as data collection), for example reference to employment and training opportunities: skills development: and commissioning and contracting processes.
60. There are a number of areas in the proposed actions where the involvement of the WLGA is identified, many working with other partners in the housing sector, and this is supported.
61. The WLGA Housing Spokesperson met *Tai Pawb* at the end of last year, and *Tai Pawb* also attended a meeting with Housing Cabinet Members to discuss their *Deeds not Words* pledge: housing organisations have been asked to commit to the pledge to make change in four key strategic areas of work: mitigating the impact of COVID-19 on Black and minority ethnic staff and communities; improving the ethnic diversity of board and staff at all levels; communication and engagement; and developing an inclusive culture. Within each strand are

practical action points that housing providers can work towards over the short, medium and long term, with a view to overall achievement within five years.

## Other Themes

62. The above are the major themes demanding action from local government leadership or significant local government services. The REAP includes several other chapters which will demand attention by local authorities or their partners:

- **Social Partnership and Fair Work** – which aims to build diversity, inclusion and anti-racism objectives into the new work programme of the Workforce Partnership Council and ensure the Council supports the actions in the REAP and improve access to Trade Unions and the support they provide in tackling discrimination, bullying and harassment in workplaces.
- **Crime, justice, hateful attitudes and community cohesion** – key role for authorities and their partners around improvements in tackling hate crime and a focus on enhancing the community cohesion programme and teams.
- **Culture, Heritage & Sport** – focusing on celebrating cultural diversity, as well as an emphasis on the leadership of relevant governing bodies.
- **Welsh Language** – review and remove barriers regarding access to the Welsh language and Welsh medium education, including working with local authorities and schools
- **Environment** - encouraging efforts to improve engagement and involvement in environmental activity by black, Asian and minority ethnic communities.
- **Income, Employability and Entrepreneurship** - including supporting people from ethnic minority people undertaking Apprenticeships and improved data analysis.
- **Health Services and Health Outcomes** – a focus on health (as social care is covered separately) with similar emphasis on leadership, workforce, data, access to health services and tackling health inequalities.

## Governance and Support

63. The Welsh Government is currently scoping the remit of a proposed new Race Disparity Unit and an Equality Data and Evidence Unit. It is envisaged that the Race Disparity Unit will play a key role by providing data and analysis. The Race Disparity Unit could also play a role of sharing good practice across public services.

64. The proposed Race Disparity Unit is a welcome development as is ongoing funding for particular programmes delivered through local government, such as the Hate Crime in Schools project and the Community Cohesion Programme.

65. There are however likely to be significant administrative and resource implications on local government, particularly within human resources, and within the WLGA, given expectations around coordination and support.

66. The REAP understandably focuses on delivery, reflecting an impatience in public bodies' ability to deliver on agreed actions. The Welsh Government therefore commits to a governance framework that provides 'a robust level of authority and power to ensure delivery of the actions stated in the Race Equality Action Plan, both creating an enabling environment and compelling people to action.'

67. The Race Disparity Unit will provide valuable data and evidence to assess improvements and progress on a community, organisational and all-Wales level.

68. The Welsh Government's core proposal however is to change the Steering Group into an Accountability Group to hold the Welsh Government, public services and others to account on their commitments and actions in relation to race equality/anti-racism as outlined in the Plan.

69. This model although appropriate for the monitoring the Welsh Government's own compliance and progress, is not an appropriate governance or accountability model to oversee local government or arguably other public bodies.

70. The Steering Group's membership is largely civil servants and stakeholder representatives, and whilst it can play a vital continued role in providing guidance, and reporting progress, it would not be appropriate for such a forum to hold to account or scrutinise democratically accountable organisations.

71. This is reflected in the Local Government section of the REAP, which notes that '...each local government body is a sovereign body in its own right and in terms of their role as an employer it is for each body to ensure an anti-racist culture exists within the organisation and that this underpins its recruitment policies, complaints policies, terms and conditions'.

72. Local authorities have their own internal democratic and managerial governance and accountability arrangements. Progress against REAP actions, as well as wider Strategic Equality Objectives, should be overseen by cabinet and senior leadership teams with oversight and challenge through scrutiny committees, informed by staff forums and networks and community and local stakeholder engagement. Authorities are also subject to regulatory regimes, including through the Equality and Human Rights Commission and Estyn.

## **Recommendations**

### **73. Members are recommended to:**

- 73.1 Consider the contents of the report;**
- 73.2 Provide views on the draft Race Equality Action Plan's aims, goals and actions to inform the WLGA's draft consultation response;**
- 73.3 Note that the draft WLGA consultation response will be considered by Equality Cabinet Members' Network on 14<sup>th</sup> June and agree that the response is approved on behalf of the**

**WLGA by the Spokesperson for Equalities in consultation with WLGA Group Leaders; and**

**73.4 Encourage all local authorities to respond to the Race Equality Action Plan consultation.**

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**Report Cleared by:**

Clr Susan Elsmore

WLGA Spokesperson for Equalities, Welfare Reform and Anti-Poverty

**Authors:** Daniel Hurford, Head of Policy

**E-mail:** [daniel.hurford@wlga.gov.uk](mailto:daniel.hurford@wlga.gov.uk)

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## **NATURAL RESOURCES WALES (NRW) – INTERFACE WITH LOCAL AUTHORITIES**

### **Purpose**

1. To provide background information on Natural Resources Wales (NRW), identifying some of the key areas of interface with local authorities and to provide a basis for discussion amongst Leaders.

### **Background**

2. At their meeting on 14<sup>th</sup> May, Leaders aired some issues relating to authorities' experiences of working with NRW. It was agreed that a brief report should be prepared and that an item on the local authority-NRW interface should be placed on the agenda for the next Leaders' meeting to allow fuller discussion.
3. NRW was established in April 2013. It took over the functions of the previous Countryside Council for Wales, Forestry Commission and the Environment Agency in Wales, as well as certain Welsh (WG) functions. It is the largest WG Sponsored Body, employing 1,900 staff across Wales and having a budget of £180m (which has been reducing). NRW receives a remit letter from WG at the start of each financial year setting out what it is expected to achieve. It has a variety of roles including acting as an environmental adviser to all sectors, a regulator, a Category 1 responder and a statutory consultee for planning applications. NRW is also now represented on Public Service Boards across Wales.
4. In January 2018 the then-Leader of the WLGA, Cllr Debbie Wilcox, met with the then-Minister for Environment, Hannah Blythyn and discussed engagement between local authorities and NRW. Cllr Wilcox was asked to take soundings from local authorities via the WLGA and provide feedback.
5. Some positive responses were received, referring to positive and productive working relationships, but a number of concerns were also outlined. These included:
  - frequent changes in personnel making it hard to develop good working relationships at officer level
  - delays in responses, including comments on planning applications
  - lack of consultation with local authorities before making operational changes that impact on councils
  - some areas being under-resourced to carry out regulatory activities

6. The Minister responded, copying in Diane McCrea, the then-Chair of NRW, encouraging a joint high-level officer meeting between WLGA and NRW to talk through the issues raised. At that meeting it was agreed that a Memorandum of Understanding should be drawn up between NRW and local authorities and that efforts should be made to develop closer links between the political leadership of WLGA and the Chair of NRW.
7. Monthly officer liaison meetings were set up between WLGA and NRW and these have continued ever since. One of the first tasks was to draw up the Memorandum, which was completed by September 2018. It was signed after a WLGA Council meeting by Cllr Wilcox, Cllr Andrew Morgan (as WLGA Environment Spokesperson) and Madeleine Havard the, by then, interim Chair of NRW. The Memorandum identifies key NRW contacts and encourages dialogue at local level before escalating issues to the monthly liaison meetings or, ultimately Chair and Spokesperson.
8. Whilst the monthly liaison meetings have been positive useful levels of awareness of the Memorandum appear low and it is not clear that the procedure it sets out is always followed (although some authorities do have regular catch-up meetings with NRW). No instances have been raised that have required escalation to a political level. However, from Leaders' comments, it is clear that there are issues arising between NRW and local authorities 'on the ground'. This report briefly summaries some of the key areas of interface.

## **The key areas of Local Authority-NRW joint working**

9. Local authorities come into contact with NRW in a very wide variety of settings, including numerous examples where permits and licences have to be obtained. The following list is illustrative and not intended to be comprehensive:
  - **Waste** – NRW has an important regulatory role in relation to waste, including storage, treatment and disposal. There have been several fires at waste and recycling sites leading to questions about NRW's capacity to exercise necessary levels of oversight. Local authorities have pushed for enforcement around Part 4 of the Environment Act (which requires separated collections of business waste) to ensure a level playing field for private and local authority trade waste collections
  - **Fly-tipping** – NRW deals with large scale incidents, whereas authorities are responsible for smaller scale occurrences. Work is currently underway to develop a protocol specifically on fly-tipping, as the boundary line between respective responsibilities is often unclear. Instances of fly tipping have continued despite the waste licensing system managed by NRW. Tipping in water courses has arisen as a particular area of concern during discussions on the protocol, with its own set of health and safety considerations
  - **Planning** – NRW is a statutory consultee and identifies environmental constraints on development

- **Biodiversity and nature recovery/Sustainable Management of Natural Resources** – seven area statements have been produced by NRW, which collectively cover the whole of Wales. These are intended, amongst other things, to inform councils work on Well-being Plans
- **Flooding** – NRW is responsible for managing flood risk from main rivers and the sea. Councils are responsible for managing flood risk from ordinary water courses (i.e. non-main river), ground water and surface water. In flood situations the causes can combine, sometimes making it unclear who should take the lead and a partnership approach is required. NRW's response during flood events has been questioned with councils stepping in to deal with recent flood situations. Likewise, there have been cases of councils stepping in to take forward schemes. NRW's national risk-based approach to flood risk management means that resources and investment tend to be focused on a limited number of locations, and these don't always take account of local prioritisation by councils.
- **Water discharge and water quality** – NRW regulates surface and groundwater discharges to maintain water quality. Recent issues have arisen around tighter **phosphate targets** introduced in relation to Special Areas of Conservation (SACs). These have created significant problems and restricted proposed developments in a number of areas, with planning approvals having to be halted. Likewise, **Nitrate Vulnerable Zones** management, designed to protect water from nitrate pollution from agricultural sources, has been a controversial issue.
- Under **Sustainable Drainage** legislation, NRW is a statutory consultee on every application. However, there is not a dedicated team to deal with this requirement within NRW
- NRW's **marine licensing** service can take up to 6-8 months. This has impacted on the ability of councils to meet annual spend and deliver on coastal defence schemes. There have also been issues for investors seeking licences in relation to development plans (e.g. for tidal energy)
- **Energy** – NRW supports the development of renewable energy on its own and neighbouring land and facilitates community benefits/ownership
- **Air quality** – NRW provides advice, information and guidance as well as undertaking Pollution Prevention and permitting functions
- **Coal tips** – NRW will become involved if material is moved from the coal tip as it is then viewed as waste. There is joint work underway between Welsh Government, local authorities and NRW on all coal tips across Wales
- **Countryside Rights of Way** – NRW regulates access restriction and open access land
- **Sites of Special Scientific Interest** – NRW is responsible for consents relating to SSSIs
- **Trees** – As well as its own **forestry** operations, NRW issue licenses for tree felling. There can be wider implications arising from NRW's forestry activities – e.g. links to flood risk
- **Climate Change** – NRW is involved in a wide range of activities designed to encourage adaptation to climate change, as well as mitigation (e.g. its Carbon Positive project) and is represented on the Decarbonisation Strategy Panel established by Partnership Council

10. Clearly, there are many areas where local authorities and NRW have to work closely together and it is vitally important that the nature and quality of the relationship is kept under close review.

## **Recommendations**

11. It is recommended that Leaders use this report as a basis for discussing local authorities experiences of working with NRW and their views on this important relationship.

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Author: Tim Peppin, Director of Regeneration and Sustainable Development  
E-mail: [tim.peppin@wlga.gov.uk](mailto:tim.peppin@wlga.gov.uk)