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CORPORATE PERFORMANCE AND RESOURCES SCRUTINY COMMITTEE

Minutes of a Hybrid meeting held on 17th January, 2024.

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

The recording of the meeting is available [here](#).

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

Also present: Councillors R.M. Birch (Cabinet Member for Education, Arts and the Welsh Language), L. Burnett (Executive Leader and Cabinet Member for Performance and Resources), G. John (Cabinet Member for Leisure, Sport and Wellbeing) and E. Williams (Cabinet Member for Social Care and Health).

703 ANNOUNCEMENT –

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

704 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 13th December, 2023 be approved as a correct record.

705 DECLARATIONS OF INTEREST –

Councillor G.D.D. Carroll declared an interest in Agenda Item No. 4 - Draft Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings. The nature of the interest was the Councillor’s role as a Local Authority Governor at Llandough Primary School. This was a personal and not a prejudicial interest.

Councillor P. Drake declared an interest in Agenda Item No. 4 - Draft Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings. The nature of the interest was the Councillor’s role as a Governor at Gladstone Road and Holton Road Schools. This was a personal and not a prejudicial interest.

Councillor P. Drake declared an interest in Agenda Item No. 5 – Project Zero Update Report. The nature of the interest was due to the reference in the report to the retrofitting and improvement of community centres in the Vale of Glamorgan

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and the Councillor's role on the Board of Trustees of Castleland Community Centre.

Councillor C.P. Franks declared an interest in Agenda Item No. 5 – Project Zero Update Report. The nature of the interest was due to the reference in the report to the retrofitting and improvement of community centres in the Vale of Glamorgan and his close association with Murchfield Community Centre.

Councillor Dr. I.J. Johnson declared an interest in Agenda Item No. 5 – Project Zero Update Report. The nature of the interest was due to the reference in the report to the retrofitting and improvement of community centres in the Vale of Glamorgan and his related role as a Vale of Glamorgan trustee of the Margaret Alexander Community Centre. The Councillor had dispensation to speak and vote on matters relating to community centres when being discussed at both Vale of Glamorgan and Barry Town Council meetings.

Councillor B. Loveluck-Edwards declared an interest in Agenda Item No. 4 - Draft Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings. The nature of the interest was the Councillor's role as a Governor at Colcot Primary School. This was a personal and not a prejudicial interest.

Councillor B. Loveluck-Edwards declared an interest in Agenda Item No. 5 – Project Zero Update Report. The nature of the interest was due to the reference in the report to the retrofitting and improvement of community centres in the Vale of Glamorgan and her membership of the committee for Highlight Park Community Centre in a non-Trustee role.

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

The reference from Learning and Culture Scrutiny Committee held on 11th January, 2024 was presented by the Safeguarding Officer, supported by the ALN and Wellbeing Transformation Adviser. The purpose of the appended report was to advise of the findings of the consultation on the revised Vale of Glamorgan Council's Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings ("the Toolkit") and for Committee to refer their comments and recommendations back to Cabinet for consideration and determination. Key points referred to were:

- There were 591 responses to the online survey. Just over 50% of responses were from parents. There were around 100 responses to the survey from pupils and schools-based staff, which represents 18% of respondents, in addition to face-to-face engagement with these groups.
- There was significant support for the Toolkit from the majority of schools' staff and pupils who were of the opinion that the guidance was vital in order to build inclusive and safe environments for young people, although teachers raised concerns about having to address the medical matters related to gender transitioning. Officers explained that the Toolkit had been

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revised as a result of these concerns and medical matters were to be referred to health professionals. Also, due to the length and detail involved with the Toolkit, the suggestion given was for an easy-to-understand document or a young person infographic to accompany the main Toolkit. Officers confirmed that this task would be undertaken once the document had been agreed and young people would be involved in creating this.

- There were a number of parents who were fundamentally opposed to the toolkit on the basis that they did not believe it to be the role of schools to teach children and young people about relationships and sexuality as this should be the role of parents. Some parents were also concerned that the Toolkit should not be used in teaching primary aged pupils as they were considered too young to be exposed to such content.
- It was stressed that the Toolkit was not a teaching resource, rather a guidance document for staff working in schools to assist them in supporting pupils identifying as trans or gender variant. It was not a resource to teach pupils of any age about relationships and sexuality.
- The Toolkit stressed the need for schools to take a “case by case” approach when making decisions within this area, in order to take an impartial, flexible and ‘watch and wait’ approach due to the potential impact of ‘social transitioning’ on the relevant child or young person, as well as mitigating the risks of the decision-making process being challenged. As part of this, parents would also be involved in this process. Officers explained that these were major revisions which had been made in responses to the consultation feedback.

Following the presentation of the reference and report, the following questions and comments were raised in the Committee meeting:

- Councillor Carroll queried why the comments, which formed part of the consultation process, had not been included in the report. It was explained that due to the nature of some of the comments made, and following legal advice, it would not be appropriate to share these in the report or in public, due to their potentially offensive or extreme nature. Subsequently discussions were had at the meeting as to how to share these publicly, i.e. the redaction of the relevant areas in order to remove illegal or clearly offensive content etc. but it was decided to recommend that this information be shared with Committee Members privately and securely instead. The Committee were also advised that the vast majority of comments from parents were not offensive or extreme, and the majority were not against the Toolkit and it did try to address their concerns, with parents’ comments having been considered and taken into account. The Councillor stressed that the majority of the parents and constituents had well founded and legitimate views and concerns and he could not endorse the Toolkit in its present form.
- On Councillor Hanks’ query on the implementation of an all-Wales version of this guidance, it was explained that this could be out to consultation in Spring 2024 but there was no indication of a final publication date for the document. It was further explained that the Vale of Glamorgan Guidance would be published in January / February 2024 subject to Cabinet approval. Once the Welsh Government (WG) had published their version of the

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Transgender inclusion guidance, the Council would look to adopt this as appropriate.

- Councillor Dr. Johnson supported the new Toolkit as a guidance document and he felt that it had taken in the necessary changes and revisions i.e. taking on board an 'easy read' version of the Toolkit and collaboration with both parents and children concerned, but pointed out the absence of the Corporate Parenting Panel as a stakeholder in the documentation and the importance of having a list or table outlining the changes between the previous and new Toolkits (Appendices A and B of the original report) to be appended to the latest version of the Toolkit and to make it clear what changes had been made. He also commented on the potential issues that may arise with the Council adopting the WG guidance when it had just adopted its own guidance on this topic, as well as highlighting the higher adult response compared to that of younger persons in the consultation. In response to these queries, it was explained that the stakeholder status of the Corporate Parenting Panel would be added to the Toolkit. However, officers did not believe it would be achievable to include a comprehensive list of changes as requested, due to the sheer volume of amendments made over the 9-month period since the consultation was completed. Officers further emphasised that the main changes made to the Toolkit were highlighted in the Cabinet report. On the numbers of respondents, although it was disappointing to see a lower proportion of younger individual respondents on the consultation, this had been offset by engagement with the School Council Network and equalities groups.
- Councillor Loveluck-Edwards stressed the importance of having this guide to support teachers and pupils around transitioning by providing a consistent approach and framework. It would be a living document which would further develop over time and it was critical to have this in place now.
- Councillor Haines suggested that all religious groups be consulted as stakeholders in future consultations. It was explained that there had been engagement with the Catholic diocese and Church Schools due to the prevalence of the Catholic and Church schools in the Vale. Officers also stated that equalities groups had participated in the consultation via the Vale of Glamorgan Council Equalities Consultative Forum. The Councillor also raised concerns around the accessibility of this guidance to children and young people, which suggested it was a resource not just a guide. It was stressed this was a guide not a teaching resource. Therefore, it needed to be open and accessible to both teachers and pupils. The guide would ensure that each risk assessment around issues pertinent to gender transitioning i.e. single sex facilities, would be based on the specific circumstances and not on a 'broad strokes' approach.
- The Vice-Chair referred to the Relationships and Sexuality Education (RSE) Code which was a form of guidance that schools could turn to only when needed and was accessible to all parties who informed the decision-making process. Pupils and school council networks supported the Toolkit and appreciated the legal constraints that schools worked under, with further help being provided to pupils transitioning by networks set up by pupils within schools. He also highlighted that although parents were 'split' in their opinions on the Toolkit, they largely agreed on the need for an approach to

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ensure the safety of pupils and that schools should operate effectively in the light of such challenges.

Scrutiny Committee, having considered the reference, appended report and all the issues and implications contained therein,

RECOMMENDED –

(1) T H A T the content of the consultation responses, the revised Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings (“the Toolkit”); the Equalities Impact Assessment, and the reference from Learning and Culture Scrutiny Committee be noted.

(2) T H A T the following comments be referred to Cabinet together with the Report, appendices and reference from Learning and Culture Scrutiny Committee, for their consideration:

- That a list or table outlining the changes between the previous and new toolkits (appendices A and B of the original report) be included with the latest version.
- That consideration be given to Members of the Committee having confidential and secure access to the comments made as part of the consultation on the Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings by consultees.
- The need to place greater emphasis on the toolkit as being a guide rather than a teaching or pupil resource.
- Consideration to be given for future consultations on the toolkit for various religious groups to be engaged with this process and to encourage further responses from both adults and children.

Reasons for recommendations

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

(2) In order that Cabinet considers the report, the views of this Committee, the comments made by the Learning and Culture Scrutiny Committee and noting that the matter had also been considered by the members of the Corporate Parenting Panel.

707 PROJECT ZERO UPDATE REPORT (CX) –

The report was presented by Operational Manager - Corporate Strategy and Insight and Director of Corporate Resources, the purpose of which was to advise Members of progress across the Council in responding to the climate emergency and delivering the commitments as part of Project Zero.

The report and Appendix A (attached to the report) detailed the wide range of activity being undertaken across the Local Authority to ensure the Council

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continued to deliver against commitments in the Climate Change Challenge Plan and to take forward Project Zero. The progress outlined in the report referred to the April to September 2023 period.

The RAG (red, amber, green) rating of progress during this period had been introduced at Appendix A to the report and detailed progress against the 80 underlying steps within the Climate Change Challenge Plan. The report provided details of the Vale of Glamorgan Council's 2022-2023 carbon emissions. The report also provided Members with an update regarding the finances associated with Project Zero and the use of the Project Zero reserve as well as updates on the approach to programme management.

Following the presentation of the report, the following comments and queries were raised at the meeting:

- Councillor Franks was pleased with the progress regarding the Restore the Thaw project and hoped the Committee could be kept informed of its ongoing progress. The Councillor referred to his concerns on details within the report concerning the Local Flood Risk Management Strategy (LFRMS) and the impact on communities within the Vale such as at Dinas Powys with regard to flooding, the installation of solar power on roofing of community centres, some of which were in poor condition and needed replacing, the charging points installed in conjunction with the Council as part of net zero, the e-bike scheme as well as his concerns around Town and Community Councils possibly not being included in this process. He also referred to the RAG rating used within the report and his scepticism of the lack of red indices as part of this analysis and rating. It was explained that regarding the LFRMS further information would be gathered and provided to the Committee following the meeting. With regard to future reporting, the relevant officers with specialist knowledge in these areas would be asked to come along to the next meeting where future Project Zero reports would be discussed. Regarding the current state of community centre roofs in connection with the installation of solar panels, it was explained the Council would look as to whether the roofs were appropriate in terms of the structure and in terms of orientation and if required additional work would be undertaken to ensure that the roofs were optimal if there was sufficient funding via the limited amount of capital funding available for this. In terms of the query on electric vehicle charging points, further information would be sought and sent out to Committee Members and the latest position on the electric bike scheme would be sought, which during the reporting period had been withdrawn across Cardiff due to issues experienced within the City. It was stressed that the Town and Community Councils were an absolutely integral part to Project Zero and there were regular liaison meetings with all of the Town and Community Councils as part of the PSB arrangements. On the RAG status it was important to get feedback such as that offered by the Councillor from this Committee, and this was the first time that the RAG rating had been used in this reporting with the intention of it providing an indicator as to the progress made with the project against what had been achieved and what had been set out to be achieved within the six month period as outlined in

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the report. The Committee's attention was drawn to the right hand column of the relevant appendix which set out what actions were intended to be taken over the next six months and these would be provided with the RAG status in the next update of the Project Zero report to Committee.

- The Chair referred to the 80 steps within the Climate Change Challenge Plan, which were excellent initiatives but did not provide any correlation in terms of carbon reduction, particularly in light of the remaining 6 years before the goals of net zero would need to be achieved. It was important that the reporting reflected the steps that were taken as part of Project Zero to achieve and contribute to the reduction of carbon emissions and for Committee to be updated on those steps being taken. It was explained that two areas of work would assist in helping to address this area. Firstly, the Carbon Management Plan which would be coming through in the near future and the work being undertaken as part of the collaborative arrangements with the three other Councils as part of the procurement arrangements, in conjunction with Ardal, in terms of looking at the supply chain and those activities that had particularly high emission factors. Through this, the Council could look at changing the practices in these areas, eventually feeding into the Carbon Monitoring Framework.
- Councillor Carroll referred to the absence of stated risks and barriers with regards to the action PZC10.1 'Adopt a new Waste Management Strategy with a strong emphasis on working with the community', as featured in the Climate Change Challenge Plan in the relevant columns for Quarters 1 and 2. It was explained that the relevant Director had not identified any risks and barriers for the Waste Management Strategy for Quarters 1 and 2, but further information would be sought for the Councillor and the Committee following the meeting. The Councillor raised this because of ongoing concerns about the impact of the three weekly waste collections and its impact on areas such as Environmental Health, particularly in communal waste areas. It was explained that further information would be sought from the relevant officers and provided in future reporting. The Councillor also asked about the Council's emphasis on working with the community and the experiences that he had had via resident contact about reporting issues regarding waste collections through the Contact Centre or via the Councillor and that responses had not been provided in a timely manner by the Local Authority. It was explained that such feedback was taken seriously and that a conversation would be had with colleagues in the Council's Customer Relations Team to understand what the latest position was in terms of the volume of enquiries and handling times as well as getting back to residents to make sure that their issue had been dealt with. The Chair added that the recruitment of three recycling officers to work with communities around recycling would mean an additional benefit as well as the monthly audits on contaminated waste.
- On Councillor Hanks' query on the Council's fleet of electric vehicles, it was explained that this query would need to be covered at the Environment and Regeneration Scrutiny Committee, but this would be double checked and a response provided to the Councillor as well. On the Councillor's endorsement of the iDev course concerning carbon emissions and climate change the Councillor was thanked for her feedback and the Council would

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be looking to arrange further sessions for Elected Members concerning carbon emissions, etc.

- On Councillor Haines' concerns about the environmental impact of the proposed additional 1,000 homes to be built in an area of the Vale with poor public transportation i.e. the potential increase in car use and the carbon footprint, further information would be sought from the relevant officers concerning potential impacts and on the other points raised by the Councillor concerning the Replacement Local Development Programme (RLDP).
- The Vice-Chair endorsed the training of Elected Members and Council staff regarding Project Zero, commented on waste management providing only a small fraction of the Council's carbon emissions, and the benefits to future generations of building new, low or carbon neutral, low cost, good quality housing to help residents with their housing needs. He asked what consultation and collaboration was being undertaken with Town and Community Councils (TCCs) regarding the Local Area Energy Plan (LAEP). On the latter point, it was explained that there had been considerable consultation with both public and private sector organisations in developing the LAEP and further data would be sought on the consultation undertaken with TCCs. Further information would also be sought on what engagement there had been with the Council's Planning Department concerning the RLDP and Project Zero / carbon targets. Finally, the Vice-Chair urged the Committee to write to the Senedd Committee on Climate Change and Infrastructure to raise concerns about the change in the target date from 2030 to 2034 for public sector homes to reach net zero.
- Councillor Dr. Johnson raised a number of comments and queries concerning the importance of the Project Zero RAG rating, more information on the Local Nature Partnership and collaboration with it, ensuring that biodiversity was included in the progress made under Project Zero as well as other impacts, i.e. the removal and replacement of Victorian / heritage lampposts, the need of providing updates and reporting on Project Zero in as timely a manner as possible and the requirement for more buses to use Barry Interchange. The points raised would be looked into and further action would be taken, or information provided.

Scrutiny Committee, having considered the report,

RECOMMENDED –

- (1) T H A T the progress detailed in the report and Appendix A in relation to the challenges within the Climate Change Challenge Plan be noted.
- (2) T H A T the RAG rating of progress from April 2023 to September 2023 in Appendix A be noted.
- (3) T H A T the Council's 2022-2023 carbon emissions be noted.
- (4) T H A T the funding available in reserves and the projects awarded funding to date be noted.

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(5) T H A T the Committee refer this report and any comments to Cabinet to be considered alongside the comments of the Environment and Regeneration Scrutiny Committee who considered this report on the 16th January 2024. The Committee have referred the following comments to the Cabinet for their consideration:

- The importance of making the RAG rating for the progress made under Project Zero as effective and robust as possible.
- To ensure that biodiversity is included in the progress made under Project Zero as well as other impacts, i.e. the removal of Victorian lampposts.
- The importance of providing updates and reporting on Project Zero in as timely a manner as possible.
- The importance of working with partners, i.e. Town and Community Councils, local Nature Partnerships, etc in regard to Project Zero.
- To look at the environmental impact of the Replacement Local Development Plan.

(6) T H A T the Committee recommend to Cabinet that this report is distributed to all elected Members, members of the Public Services Board and all Town and Community Councils for their information.

(7) T H A T future reporting on Project Zero provides reassurance and details concerning how the steps as part of the Project Zero were achieving and contributing to the reduction of carbon emissions.

(8) T H A T the Committee write to the Senedd Committee on Climate Change and Infrastructure raising concerns about the change in the target date from 2030 to 2034 for public sector homes to reach net zero and be retrofitted if needed to accommodate this.

Reasons for recommendations

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

(5) To enable Cabinet to consider the comments of the Corporate Performance and Resources Scrutiny Committee as part of its consideration of progress in delivering the Climate Change Challenge Plan.

(6) To update all elected Members and other stakeholders on the arrangements in place to deliver Project Zero.

(7) To ensure that future reporting addresses how Project Zero would achieve and contribute to the reduction of carbon emissions.

(8) In order to raise the concerns of the Corporate Performance and Resources Scrutiny Committee with the Senedd Committee on Climate Change and Infrastructure on achieving net zero with public sector housing.

708 REVIEW OF THE VALE OF GLAMORGAN'S PROCUREMENT POLICY AND STRATEGY (DCR) –

The report was presented by the Democratic and Scrutiny Services Officer in conjunction with the Chair. The report requested the Scrutiny Committee to confirm the membership of the proposed Task and Finish Group as well as approve the proposed scope, meetings / sessions required and timescale for the review.

The Corporate Performance and Resources Scrutiny Committee identified as one of its options, on 24th May, 2023, to review the new Procurement Policy, Strategy, processes and documents with regards to embedding circular economy principles throughout the procurement lifecycle in order to maximise social value and decarbonisation outcomes. Consideration was given to setting up a Task and Finish Group in order to achieve this. It was subsequently agreed at the meeting of Scrutiny Committee Chairs and Vice-Chairs Group on 5th September, 2023 that the review of the new Procurement Policy and Strategy would be chosen as the first to be undertaken by the relevant Task and Finish Group.

The subsequent report(s) produced by the Task and Finish Group would be referred back to the Scrutiny Committee for consideration and any recommendations or comments approved be referred on to Cabinet.

Following the presentation of the report the Committee confirmed the membership of the Task and Finish Group as follows:

- Councillor Goodjohn
- Councillor Haines
- Councillor Hanks
- Councillor Hamilton
- Councillor Dr. Johnson
- Councillor Protheroe.

The appointment of the Task and Finish Group followed discussions around political balance, etc., although it was stressed that the findings of the Group in any subsequent report would go back first to Scrutiny in order to ensure that all Members of the Committee were happy with any recommendations or findings that were made.

It was also agreed that the first meeting of the Task and Finish Group would be undertaken as soon as possible using Microsoft Teams with subsequent meetings consisting of a mix of online meetings and in person ones i.e. in circumstances where the Group needed to go 'onsite' and / or interview various buyers and commissioners of services, etc.

The Committee having considered the report, subsequently

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RECOMMENDED –

(1) T H A T the Committee confirms the membership of the Task and Finish Group as follows:

- Councillor Goodjohn
- Councillor Haines
- Councillor Hanks
- Councillor Hamilton
- Councillor Dr. Johnson
- Councillor Protheroe.

(2) T H A T the first meeting of the Group be undertaken as soon as practicable following its establishment.

(3) T H A T the proposed scope and timescale for the review as attached at Appendix 1 to the report be approved.

(4) T H A T reports of the Task and Finish Group be referred to the Corporate Performance and Resources Scrutiny Committee for consideration.

Reason for recommendations

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

709 3RD QUARTER SCRUTINY RECOMMENDATION TRACKING 2023/24 AND UPDATED COMMITTEE FORWARD WORK PROGRAMME SCHEDULE 2023/24 (DCR) –

The purpose of the report was to provide Members with progress on Scrutiny recommendations and to consider the updated Forward Work Programme together with any slippage for 2023/24

The report advised Members of progress in relation to the Scrutiny Committee's historical recommendations and the updated Forward Work Programme Schedule for 2023/24.

Following the presentation of the report, the Committee made the following comments and queries:

- Following Councillor Dr. Johnson's query on the outstanding recommendation with regard to Appendix A Service Plans and Target Setting briefings and sessions it was agreed to complete this part of the recommendation tracker. Although the recommendation was ongoing in the sense of the Service Plans and Target Setting briefings or sessions would continue, for example, in early 2024 in order to help inform the approach and to enable Members to effectively scrutinise this activity, it

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was decided that this should now be marked as completed. Committee were now content that the initial concerns had been addressed.

- On Councillor Hanks' queries around the status of recommendations in the Decision Tracking Framework and the size of the overall report (including both the decision tracking and Forward Work Programme elements) it was explained that a number of recommendations had recently been completed and therefore they had been included in the report in order to inform Committee of their recent completion and would be subsequently taken off in future versions of the report. In terms of the overall size of the report, the Democratic and Scrutiny Services Officer in conjunction with the Chair and Vice-Chair pointed out that the report included the Work Programme for the period May 2023 to April 2024 and therefore included the whole history of reporting to the Committee for its and the public's information and reference. Also, the decision tracking had increased because of the numbers of recommendations that had been made by Committee in the recent quarters and would slowly reduce as these were addressed.
- The Vice-Chair hoped that recommendations made in Quarter 3 e.g. those around the Draft Vale of Glamorgan Council Annual Delivery Plan 2024/25 included areas around Smart Targets etc. would see significant movement and progress, to be brought back to Committee for further update. He also noted that the proposed update(s) from partners from the Public Services Board (PSB) had been moved to April as part of the Forward Work Programme and the Chair and Vice-Chair would be discussing this matter with Cabinet Members as part of their meeting around the Cabinet Forward Work Programme in the near future.

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

RECOMMENDED –

- (1) T H A T the status of the actions listed in Appendices A to E to the report be agreed.
- (2) T H A T the updated Forward Work Programme Schedule for 2023/24 attached at Appendix F be approved and uploaded to the Council's website.

Reasons for recommendations

- (1) To maintain effective tracking of the Committee's recommendations.
- (2) For public information.