

At: Aelodau'r Pwyllgor Llywodraethu
Corfforaethol

Dyddiad: Dydd Mawrth, 28 Hydref
2014

Rhif Union: 01824712575

ebost: dcc_admin@denbighshire.gov.uk

Annwyl Gyngorydd

Fe'ch gwahoddir i fynychu cyfarfod y **PWYLLGOR LLYWODRAETHU CORFFORAETHOL, DYDD MERCHER, 5 TACHWEDD 2014** am **9.30 am** yn **YSTAFELL BWYLLGORA 1A, NEUADD Y SIR, RHUTHUN.**

Yn gywir iawn

G Williams
Pennaeth Gwasanaethau Cyfreithiol a Democraidaidd

AGENDA

RHAN 1 - GWAHODDIR Y WASG A'R CYHOEDD I'R RHAN HON O'R CYFARFOD

1 YMDDIHEURIADAU

2 DATGANIADAU O FUDDIANT (Tudalennau 5 - 6)

Dylai'r Aelodau ddatgan unrhyw gysylltiad personol neu sy'n rhagfarnu mewn unrhyw fusnes a nodwyd i'w ystyried yn y cyfarfod hwn.

3 MATERION BRYD

Rhybudd o eitemau y dylid, ym marn y Cadeirydd, eu hystyried yn y cyfarfod fel materion brys yn unol ag Adran 100B(4) Deddf Llywodraeth Leol 1972.

4 COFNODION (Tudalennau 7 - 26)

- (a) Derbyn cofnodion cyfarfod y Pwyllgor Llywodraethu Corfforaethol a gynhaliwyd ar 3 Medi 2014.
- (b) Derbyn cofnodion cyfarfod y Pwyllgor Llywodraethu Corfforaethol a gynhaliwyd ar 29 Medi 2014.

5 PROSES Y GYLLIDEB 2015/16 (Tudalennau 27 - 32)

Ystyried adroddiad gan y Pennaeth Cyllid ac Asedau, sy'n rhoi diweddariad ar y broses i gyflawni'r gyllideb refeniw ar gyfer 2015/16. (copi ynghlwm).

6 ADOLYGIAD COFRESTR RISG CORFFORAETHOL (Tudalennau 33 - 42)

Ystyried adroddiad gan y Pennaeth Busnes, Gwella a Moderneiddio (copi wedi'i amgáu) oedd yn ceisio ystyriaeth am fersiwn ffurfiol ddiweddaraf y Gofrestr Risg Corfforaethol.

7 TALIAD ARIANNOL I RAI SY'N GADAEI GOFAL - DIWEDDARIAD

(Tudalennau 43 - 50)

Ystyried adroddiad gan y Pennaeth Archwilio Mewnol, (copi ynghlwm) sy'n rhoi'r wybodaeth ddiweddaraf am gynnydd y cynllun gweithredu sydd wedi'i gynnwys yn adroddiad Archwilio Mewnol am Daliadau Ariannol i Rai sy'n Gadael Gofal a ddosbarthwyd ym mis Mawrth 2014.

8 POLISI TWYLL A LLYGREDD (Tudalennau 51 - 54)

Ystyried adroddiad gan y Pennaeth Gwasanaethau Cyfreithiol a Democrataidd, ar y Polisi Twyll a Llygredd (copi ynghlwm).

9 RHEOLAU'R WEITHDREFN CONTRACTAU (Tudalennau 55 - 108)

Ystyried adroddiad gan y Rheolwr Caffael Strategol Dros Dro, sy'n cyflwyno'r Rheolau Gweithdrefn Contractau diwygiedig cyn eu cyflwyno i'r Cyngor i'w cymeradwyo (copi ynghlwm).

10 EICH LLAIS - DEFNYDDIO ADBORTH CWSMERIAID (Tudalennau 109 - 132)

Ystyried adroddiad gan y Pennaeth Cwsmeriaid a Chymorth Addysg (copi ynghlwm) sy'n rhoi trosolwg o weithgarwch ymgysylltu â chwsmeriaid ar draws yr Awdurdod, ac mae'n cynnwys enghreifftiau penodol o wasanaethau sy'n defnyddio adborth gan gwsmeriaid i lunio gynllunio a darparu gwasanaethau.

11 ADRODDIAD BLYNYDDOL EICH LLAIS 2013/14 (Tudalennau 133 - 144)

Ystyried adroddiad gan y Pennaeth Cwsmeriaid a Chefnogi Addysg (copi ynghlwm) sy'n cynnig trosolwg o'r adborth a dderbyniwyd dan bolisi adborth cwsmeriaid Cyngor Sir Ddinbych 'Eich Llais' yn ystod cyfnod 01.04.13 - 31.03.14.

12 CYLCH GORCHWYL PWYLLGOR LLYWODRAETHU CORFFORAETHOL
(Tudalennau 145 - 148)

Ystyried adroddiad gan y Pennaeth Gwasanaethau Cyfreithiol a Democrataidd (copi ynghlwm) a cheisio barn yr aelodau ar drosglwyddo meysydd o Gylch Gorchwyl y Pwyllgor hwn i Bwyllgor Safonau y Cyngor.

13 DIWEDDARIAD CYNLLUN GWELLA LLYWODRAETHU (Tudalennau 149 - 156)

Ystyried adroddiad gan y Pennaeth Archwilio Mewnol (copi ynghlwm) sy'n darparu diweddariad am Gynllun Gwella Llywodraethu'r Cyngor o ganlyniad i 'ddatganiad llywodraethu blynyddol' 2013/14 y Cyngor.

14 ADBORTH O'R CYFARFOD CYDRADDOLDEB CORFFORAETHOL

Derbyn adroddiad ar lafar gan y Cynghorydd M.L. Holland.

15 RHAGLEN WAITH Y PWYLLGOR LLYWODRAETHU CORFFORAETHOL
(Tudalennau 157 - 160)

Ystyried rhaglen gwaith i'r dyfodol y Pwyllgor (copi wedi'i amgáu).

MEMBERSHIP

Y Cynghorwyr

Joan Butterfield
Stuart Davies
Peter Duffy

Gwyneth Kensler
Jason McLellan
Martyn Holland

Aelod Lleyg

Paul Whitham

COPIAU I'R:

Holl Gynghorwyr er gwybodaeth
Y Wasg a'r Llyfrgelloedd
Cynghorau Tref a Chymuned

Mae tudalen hwn yn fwriadol wag

Cod Ymddygiad Aelodau

DATGELU A CHOFRESTRU BUDDIANNAU

Rwyf i,
(enw)

*Aelod /Aelod cyfetholedig o
(*dileuer un)

Cyngor Sir Ddinbych

YN CADARNHAU fy mod wedi datgan buddiant ***personol / personol a sy'n rhagfarnu** nas datgelwyd eisoes yn ôl darpariaeth Rhan III cod ymddygiad y Cyngor Sir i Aelodau am y canlynol:-
(*dileuer un)

Dyddiad Datgelu:

Pwyllgor (nodwch):

Agenda eitem

Pwnc:

Natur y Buddiant:

Llofnod

Dyddiad

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a *member/co-opted member of

*(*please delete as appropriate)*

Denbighshire County Council

CONFIRM that I have declared a ***personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-

*(*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

Signed

Date

PWYLLGOR LLYWODRAETHU CORFFORAETHOL

Cofnodion cyfarfod o'r Pwyllgor Llywodraethu Corfforaethol a gynhaliwyd yn Ystafell Bwyllgora 1B, Neuadd y Sir, Rhuthun, Dydd Mercher, 3 Medi 2014 am 10.00 am.

YN BRESENNOL

Y Cynghorwyr Joan Butterfield, Martyn Holland, Gwyneth Kensler (Is-Gadeirydd), Jason McLellan (Cadeirydd) a Mr P. Whitham (Aelod Lleyg).

Y Cynghorydd Meirick Lloyd Davies, Barbara Smith a/ac Julian Thompson Hill yn bresennol fel arsylwyr.

HEFYD YN BRESENNOL

Pennaeth Gwasanaethau Cyfreithiol a Democrataidd (GW), Pennaeth Archwilio Mewnol (IB), Pennaeth Cyllid ac Asedau (PM), Prif Gyfrifydd (RW), Rheolwr Caffael Strategol Dros Dro (SA), Rheolwr Gwasanaethau Adnoddau Dynol (CR), Rheolwr Eiddo (DL), Cynrychiolwyr Swyddfa Archwilio Cymru (AV a GB) a Gweinyddwr y Pwyllgor (CIW).

1 YMDDIHEURIADAU

Derbyniwyd ymddiheuriadau am absenoldeb oddi wrth y Cynghorwr(wyr)

2 DATGAN CYSYLLTIAD

Datganodd y Cynghorydd M.L. Holland gysylltiad personol fel Cyfarwyddwr yr Asiantaeth Fenter.

3 MATERION BRYD

Ni chodwyd unrhyw eitemau y dylid, ym marn y Cadeirydd, eu hystyried yn y cyfarfod fel mater o frys yn unol ag Adran 100B(4) o Ddeddf Llywodraeth Leol, 1972.

4 COFNODION

Cyflwynwyd cofnodion cyfarfod y Pwyllgor Llywodraethu Corfforaethol a gynhaliwyd ar 21 Mai, 2014.

PENDERFYNWYD – y dylid derbyn a chymeradwyo'r cofnodion fel cofnod cywir.

5 YSGOL UWCHRADD GATHOLIG Y BENDIGAID EDWARD JONES - DIWEDDARIAD

Roedd adroddiad gan y Pennaeth Archwilio Mewnol (HIA), a oedd yn darparu manylion gwaith dilynol yr Adain Archwilio Mewnol ar Ysgol y Bendigaidd Edward Jones yn dilyn ei adroddiad cychwynnol ym mis Hydref 2013, a'r adroddiad dilynol cyntaf ym mis Mehefin 2014, wedi ei ddosbarthu eisoes.

Roedd adroddiad ar Ysgol Bendigaid Edward Jones ym mis Hydref 2013, yn rhoi sgôr sicrwydd 'canolig', yn cynnwys cynllun gweithredu gyda 13 o feysydd ar gyfer gwella. Fodd bynnag, mynegodd y Pwyllgor bryder y dylai'r ysgol ymdrin â'r pwysau ariannol a gofynnwyd am adroddiad dilynol.

Eglurodd yr HIA bod yr adroddiad dilynol i'r Pwyllgor hwn ym mis Gorffennaf 2014 yn dangos cynnydd da ar y cyfan gyda'r Cynllun Gweithredu, ond mynegodd y Pwyllgor ei bryderon ynghylch diffyg cynllun adfer ariannol ar y cam hwnnw, a gofynnwyd am adroddiad pellach.

Mae'r Cynllun Gweithredu dilynol, Atodiad 1, yn dangos bod yr ysgol wedi gwneud cynnydd pellach wrth gyflwyno gwelliannau ac wedi cytuno ar ei gynllun adfer ariannol.

Croesawodd y Cadeirydd Mr Dominic Tobin, y Pennaeth, a Ms Sonia Weaver, Rheolwr Busnes a Chyllid, i'r cyfarfod. Ymatebodd gynrychiolwyr yr ysgol i gwestiynau gan Aelodau'r Pwyllgor, a darparu'r ymatebion canlynol ynglŷn â sut byddai'r Ysgol yn diwallu ei gyllideb yn 2016/17.

- Roedd y newidiadau yn fformiwla cyllid yr ysgol yn awr yn ymddangos yn dryloyw a theg.
- Roedd sefyllfa gyfredol yr ysgol wedi codi o ganlyniad i wariant sylweddol yn flaenorol.
- Teimlwyd gyda'r gwaith cynllunio a'r cynllun trefnu a fabwysiadwyd gellid ymdrin â'r sefyllfa'n gyfan gwbl o fewn cyfnod o ddwy i dair blynedd.
- Y prif ffactor oedd yn cael ei drafod ar hyn o bryd oedd gostyngiad yn y niferoedd mewn pum mlynedd. Darparwyd manylion niferoedd ar gyfer blynyddoedd 7 ac 11, ynghyd â'r effaith ar ddarpariaeth cyllid, yr effaith ar statws cyfredol yr ysgol a'r gwaith a wneir ar hyn o bryd i ymdrin â'r sefyllfa.
- Darparwyd sicrwydd bod strwythur trefn yr ysgol a'r strwythur staffio yn awr yn fwy effeithlon, ac y byddai addysg o ansawdd uchel yn cael ei ddarparu i'r disgyblion yn yr ysgol.
- Roedd hyder yn yr ysgol yn awr y byddai niferoedd blwyddyn 7 yn gwella, a darparwyd amlinelliad ar gyfer dyfodol hirdymor yr ysgol, gan gynnwys darpariaeth cyllid.
- Darparwyd manylion ynglŷn â'r gwaith i hyrwyddo dyfodol yr ysgol yn dilyn cyhoeddusrwydd ynglŷn ag ymgyrch ar gyfer ysgol ffydd newydd.
- Darparwyd amlinelliad o'r gwaith a wnaed o ran datrys materion staff o safbwynt contractau ar gyfer y Pwyllgor.
- Roedd Llywodraethwyr yr ysgol wedi derbyn mwy o rôl o ran gweithrediad yr ysgol ac wedi'u hystyried yn ffrind beirniadol oedd yn fodlon cyflwyno cwestiynau a chynnig her bositif. Hysbyswyd yr Aelodau bod nifer y cyfarfodydd Cyllid Llywodraethwyr wedi cynyddu, ac y cymerir camau ar hyn o bryd i lenwi sedd wag Llywodraethwr AALI ar y Corff Llywodraethu.
- Byddai'r Pennaeth yn dechrau trafod gyda staff a Llywodraethwyr yn ystod y tymor hwn i drafod strwythur Cyfrifoldebau Addysgu a Dysgu yn yr ysgol.

Mewn ymateb i bryderon a godwyd bod cronfeydd wrth gefn arian dros ben a gadwyd gan yr ysgol, a monitro terfynau amser mewn perthynas â'r Cynllun Adfer yn faterion i'r Grŵp Cadeiryddion ac Is-Gadeiryddion Archwilio a'r Pwyllgorau

Archwilio perthnasol eu hystyried, eglurodd yr HIA y cytunwyd y byddai'r Adain Archwilio Mewnol yn cyflawni archwiliad o reolaeth ariannol ysgolion, a chytunodd y Pwyllgor i adolygu'r mater ar ôl derbyn yr adroddiad.

Nododd Aelodau'r Pwyllgor y cynnydd a wnaed yn yr ysgol yn ystod y cyfnod byr o amser ers penodi Mr Tobin fel Pennaeth. Yn dilyn trafodaeth bellach:-

PENDERFYNWYD – *bod y Pwyllgor Llywodraethu Corfforaethol:-*

(a) *Yn derbyn adroddiad dilynol yr Adain Archwilio Mewnol ac yn nodi'r cynnydd a wnaed, ac*

(b) *Yn gofyn bod adroddiad yr Adain Archwilio Mewnol ar reolaeth ariannol ysgolion yn cael ei gyflwyno i'r Pwyllgor Llywodraethu Corfforaethol ar ôl ei gwblhau.*

(IB i Weithredu)

6 PROSES Y GYLLIDEB 2016/16

Roedd adroddiad gan y Pennaeth Cyllid ac Asedau, a oedd yn rhoi diweddariad ar y broses i gyflawni'r gyllideb refeniw ar gyfer 2015/16, wedi ei ddsbarthu eisoes.

Cyflwynodd y Cynghorydd J. Thompson-Hill yr adroddiad. Roedd Tabl 1 yn amlinellu Amserlen Cyfarfodydd Cyllideb Gwasanaeth Rhyddid a Hyblygrwydd a gynhaliwyd. Roedd y canlyniadau ar gyfer pob cyfarfod, ynghyd â dadansoddiad llawn o'r gyllideb gwasanaeth, wedi eu cyflwyno i'w hystyried yn y gweithdai cyllideb i'r aelodau. Rhoddwyd amser ychwanegol i ddau weithdy er mwyn caniatáu i'r Aelodau gael digon o amser i drafod cyllideb pob gwasanaeth a chynigion arbedion pob gwasanaeth. Roedd Gweithdai Cyllideb ychwanegol wedi'u trefnu a'u hychwanegu i Dabl 2 yn yr adroddiad oedd yn darparu manylion digwyddiadau allweddol.

Roedd presenoldeb da yn y gweithdai ac ystod eang o drafodaeth yn digwydd a nifer o gwestiynau yn cael eu gofyn. Gofynnwyd i'r Aelodau fynegi barn ynghylch a ddylai cynigion arbed gael eu 'mabwysiadu', 'datblygu', neu eu 'gohirio'. Roedd nifer o gynigion y dynododd yr Aelodau y buasant yn fodlon eu mabwysiadu yn cael eu cyflwyno i'r Cyngor Sir i'w cymeradwyo ar 9 Medi, 2014.

Pwysleisiodd y CA bod proses newydd a oedd wedi'i mabwysiadu wedi darparu cyfle i'r Aelodau gyfranogi'n llawn, ac wedi cynnwys lefel anrhagweladwy o broses ymgynghori. Mynegodd yr Aelodau eu gwerthfawrogiad o'r gwaith a wnaed a thryloywder y broses a fabwysiadwyd.

Mewn ymateb i gwestiwn gan gynrychiolydd Swyddfa Archwilio Cymru eglurodd y CA y byddai model yn cael ei ddatblygu gan Bennaeth Busnes, Cynllunio a Pherfformiad i gyflawni asesiad o effaith.

Mynegodd Mr P. Whitham bryder y byddai lleihad mewn adnoddau yn gallu arwain at leihau'r rheolaeth, fyddai o ganlyniad yn cynyddu'r risg i'r Awdurdod ac yn effeithio ar Lywodraethu. Eglurodd y byddai yn llunio rhestr o risgiau posibl i'w gyflwyno i'r Prif Weithredwr a'r Aelodau Etholedig. Teimla'r Cadeirydd bod yr

Aelodau Etholedig wedi deall y cysyniad y byddai'r Awdurdod yn wynebu sefyllfa lle y gallai wneud llai a llai o ran yr adnoddau sydd ar gael.

PENDERFYNWYD - bod y Pwyllgor Llywodraethu Corfforaethol yn derbyn ac yn nodi sylwadau'r Aelodau.

Hysbysodd y Cadeirydd y Pwyllgor y byddai'r eitemau oedd yn weddill ar y rhaglen yn cael eu cyflwyno yn y drefn ganlynol, 8,15,11,9,12,10,7,13 ac 14.

7 ADRODDIAD BLYNYDDOL Y PWYLLGOR LLYWODRAETHU CORFFORAETHOL

Roedd adroddiad gan Gadeirydd y Pwyllgor yn darparu adroddiad ar lafar ynghylch cylch gwaith a'r gwaith a wnaed gan y Pwyllgor Llywodraethu Corfforaethol oedd yn cynnwys:-

- Sicrhau fod gan Sir Ddinbych fframwaith llywodraethu cadarn.
- Rôl archwilio, oedd yn cynnwys craffu ar nifer o adroddiadau archwilio mewnol, ystyried canfyddiadau adroddiadau archwilio allanol, a throsolwg o Siarter Archwilio.
- Rheoli Risg Corfforaethol, sicrhau bod System Rheoli Risg yr Awdurdod a'r Strategaeth Rheoli Gwybodaeth yn gadarn.
- Rôl Ariannol oedd yn cynnwys goruchwyllo Rheolaeth Ariannol y Cyngor, Proses y Gyllideb, Datganiad Cyfrifon, Rheoli'r Trysorlys a Dangosyddion Darbodus y Cyngor.
- Derbyn adroddiadau allanol, heb dderbyn unrhyw argymhellion ffurfiol.
- Cynorthwyo i sicrhau bod y Cyngor yn diwallu ei Flaenoriaethau Corfforaethol.

Roedd meysydd, materion a thestunau eraill oedd yn rhan o gylch gwaith y Pwyllgor yn cynnwys: -

- Darparu trosolwg o bolisiâu amrywiol y Cyngor megis y Polisi Rhannu Pryderon a Thwyll.
- Ymateb i ac ymdrin ag adroddiadau yn y cyfryngau.
- Derbyn yr Adroddiad Cwynion Blynyddol.
- Goruchwyllo Materion Diogelu a Phrotocol Aelodau ar gyfer Cyrff Allanol.
- Ymdrin â nifer o faterion penodol wrth iddynt ddigwydd.
- Cynnwys Model newydd y Cyfansoddiad yn Rhaglen Gwaith i'r Dyfodol y Pwyllgor.

Yn ystod y drafodaeth cytunodd Aelodau'r Pwyllgor y byddai adroddiad yn nodi'r gwaith a wnaed gan y Pwyllgor Llywodraethu Corfforaethol yn cael ei gynnwys yn Rhaglen Gwaith i'r Dyfodol y Cyngor Sir.

PENDERFYNWYD:-

(a) Bod y Pwyllgor Llywodraethu Corfforaethol yn derbyn a nodi Adroddiad Blynyddol y Pwyllgor Llywodraethu Corfforaethol, ac

(b) Y cyflwynir adroddiad yn nodi'r gwaith a wnaed gan y Pwyllgor Llywodraethu Corfforaethol i'r Cyngor Sir.
(JM (Cadeirydd) a GW i weithredu)

8 ADRODDIAD BLYNYDDOL RHEOLI TRYSORLYS 1 2014/15

Roedd adroddiad gan y Pennaeth Cyllid ac Asedau wedi'i gylochredeg yn flaenorol.

Cyflwynodd yr HIA a'r CA grynodedb fanwl o'r adroddiadau. Roedd Adroddiad Blynyddol Rheoli'r Trysorlys 2013/14, Atodiad 1, yn nodi manylion gweithgarwch buddsoddi a benthycia yn ystod 2013/14, ac yn amlinellu'r hinsawdd economaidd ar y pryd ac yn dangos sut yr oedd y Cyngor wedi cydymffurfio â'r Dangosyddion Darbodus. Roedd Adroddiad Diweddarau Rheoli'r Trysorlys, Atodiad 2, yn disgrifio gweithgareddau Rheoli'r Trysorlys y Cyngor yn ystod 2014/15.

Roedd Rheoli'r Trysorlys yn cynnwys rheoli benthycia, buddsoddiadau a llif arian y Cyngor. Roedd tua £0.5bn yn pasio drwy gyfrifon banc y Cyngor yn flynyddol. Roedd y benthyciadau sy'n weddill ar 31 Mawrth 2014 yn £141.65m ar gyfradd cyfartalog o 5.63% ac roedd gan y Cyngor £32.5m mewn buddsoddiadau ar gyfradd cyfartalog o 0.66%.

Roedd rôl y Pwyllgor Llywodraethu Corfforaethol, a'r amserlen ar gyfer darparu adroddiadau a hyfforddiant ac adroddiadau i'r Pwyllgor, wedi'u cynnwys yn yr adroddiad.

Hysbyswyd yr Aelodau mai pwrpas Adroddiad Blynyddol Rheoli'r Trysorlys oedd:-

- Cyflwyno manylion cyllid cyfalaf, benthyciadau, aildrefnu dyledion a thrafodion buddsoddi yn 2013/14;
- Adrodd ar oblygiadau risg penderfyniadau a thrafodion y trysorlys;
- Cadarnhau cydymffurfiaeth gyda chyfyngiadau'r trysorlys a'r Dangosyddion Darbodus.

Roedd adroddiad diweddarau Rheoli'r Trysorlys yn darparu manylion y canlynol:-

- Amgylchedd economaidd allanol
- Risgiau
- Gweithgarwch
- Rheolyddion
- Gweithgarwch yn y dyfodol

Roedd Sir Ddinbych wedi mabwysiadu Cod Ymarfer diwygiedig Sefydliad Siartredig Cyllid Cyhoeddus a Chyfrifyddiaeth ar gyfer Rheoli'r Trysorlys ym mis Tachwedd 2011, ac roedd yn ofyniad yn y Cod bod y Pwyllgor yn derbyn diweddariadau gweithgareddau Rheoli'r Trysorlys dwywaith y flwyddyn ac yn adolygu Adroddiad Blynyddol Rheoli'r Trysorlys. Roedd Cynllun Corfforaethol

uchelgeisiol o fuddsoddi £124m i ddarparu'r blaenoriaethau dros gyfnod o bum mlynedd wedi'i fabwysiadu, felly roedd yn hanfodol fod gan y Cyngor swyddogaeth Rheoli'r Trysorlys cadarn ac effeithiol i gefnogi'r buddsoddiad a'r holl weithgareddau eraill. Tynnodd yr HFA sylw at yr Adolygiad Archwilio yn Atodiad 2, oedd yn cadarnhau cydymffurfiaeth gyda gofynion Rheoli'r Trysorlys.

Cyfeiriwyd at ddau brif fater Rheoli'r Trysorlys a oedd yn cynnwys newidiadau i ariannu'r Cyfrif Refeniw Tai, a mater Cynllun Ariannu Preifat yn ymwneud â Neuadd y Sir, Rhuthun. Darparwyd manylion yn ymwneud â'r newidiadau i ariannu'r Cynllun Refeniw Tai gan y CA, ac roedd hyn yn cynnwys y broses ymgynghori fyddai'n cael ei hadrodd i'r Pwyllgor.

PENDERFYNWYD - *Bod y Pwyllgor Llywodraethu Corfforaethol yn nodi perfformiad swyddogaeth Rheoli Trysorlys y Cyngor yn ystod 2013/14 a'i fod yn cydymffurfio â'r Dangosyddion Darbodus fel y nodir yn yr Adroddiad Blynyddol ar Reoli Trysorlys 2013/14.*

9 CAFFAEL GWASANAETHAU ADEILADU – DIWEDDARIAD

Roedd copi o adroddiad gan Bennaeth yr Adain Archwilio Mewnol, ynglŷn â gwaith dilynol Caffael Gwasanaethau Adeiladu yn dilyn ei adroddiad cychwynnol ym mis Hydref, 2013 ac Adroddiad Swyddfa Archwilio Cymru o fis Mawrth 2014, wedi'u cylchredeg gyda phapurau y cyfarfod.

Roedd yr Adain Archwilio Mewnol wedi cyhoeddi adroddiad ar Gaffael y Gwasanaethau Adeiladu ym mis Hydref 2013 a oedd yn rhoi sgôr sicrwydd 'isell', gyda Chynllun Gweithredu a oedd yn cynnwys 11 o feysydd i'w gwella. Daeth yr adolygiad i'r casgliad bod "... cryn le i wella. Trwy ddatblygu ymagwedd strategol, roedd potensial i wneud Caffael Gwaith Adeiladu yn llawer mwy effeithlon drwy symleiddio prosesau a'u gwneud yn fwy cyson, gyda'r fantais o ddileu dyblygu."

Soniodd adroddiad Swyddfa Archwilio Cymru am waith cynnal a chadw adeiladau ysgolion, gan ddod i'r casgliad "bod angen gwneud gwelliannau i'r trefniadau caffael presennol i sicrhau bod y Cyngor yn gallu dangos ei fod yn sicrhau gwerth am arian. Yn ogystal, nid oedd y Cyngor yn cydymffurfio'n llawn â'i reolau gweithdrefn contract presennol." Roedd Cynllun Gweithredu Argymhellion Swyddfa Archwilio Cymru yn cynnwys chwe maes i'w gwella.

Roedd y Cynllun Gweithredu dilynol, Atodiad 1, yn cynnwys yr holl gamau gweithredu oddi wrth y gwasanaeth Archwilio Mewnol a Chynlluniau Gweithredu Swyddfa Archwilio Cymru ac yn dangos diffyg cynnydd hyd yma o ran cyflawni'r gwelliannau a nodwyd gan y gwasanaethau perthnasol o fewn yr amserlen. Dim ond 2 o'r 17 o risgiau oedd wedi cael sylw yn llawn, gydag eraill yn mynd rhagddynt yn eu camau amrywiol. Yn benodol:

- Nid oedd strategaeth caffael wedi'i gosod;
- Roedd cytundebau fframwaith wedi eu gohirio am sawl mis o'r dyddiad gweithredu y cytunwyd arno;

- Roedd cyflwyno e-ffynonellu wedi ei ohirio am flwyddyn o'r dyddiad gweithredu y cytunwyd arno; a
- Ni chytunwyd ar reolau gweithdrefn contractau diwygiedig (CPRs) a byddant yn cael eu gohirio am flwyddyn o'r dyddiad gweithredu y cytunwyd arno. Roedd hyn wedi effeithio ar weithredu nifer o gamau gwella eraill. Eglurodd yr HIA y byddai adroddiad yn ymwneud â'r Weithdrefn Contractau Diwygiedig yn cael ei gyflwyno i'r Pwyllgor ym mis Tachwedd.

Mewn ymateb i bryderon a godwyd gan y Cynghorydd J. Butterfield mewn perthynas â'r angen i gynyddu nifer y contractwyr achrededig ar y rhestr, amlinellodd y Rheolwr Eiddo'r prif swyddogaethau'r fframwaith, a'r holiadur cyn cymhwyso, gan egluro bod ffurflen datgan diddordeb wedi'i dylunio i ganfod rhai sydd â diddordeb ac yn darparu cyfle i asesu cymhwysedd yr ymgeiswyr. Cyfeiriodd at bwysigrwydd arddangos y gwerth gorau ac ymgysylltu gyda'r contractwyr lleol, a chadarnhaodd y cynhaliwyd gwaith gyda Grŵp Cyswllt y Trydydd Sector a Chymdeithas y Busnesau Bychain i hyrwyddo cyfleoedd ar gyfer busnesau bychain.

Cyfeiriodd yr HFA at gyfansoddiad y rhestr gymeradwy mewn perthynas ag argaeledd gwaith ac amlygodd bod angen ysgogi cystadleuaeth. Cadarnhaodd y Rheolwr Eiddo y byddai adroddiad yn cael ei gyflwyno i'r Aelodau ar ôl cwblhau'r Cytundebau Fframwaith.

Mynegodd Mr P. Whitham bryder ynglŷn ag absenoldeb strategaeth caffael a diffyg cynnydd cyffredinol. Cytunodd yr HIA y gellir cyflwyno adroddiad cynnydd pellach i'r Pwyllgor yn y cyfarfod ar 17 Rhagfyr 2014. Cyfeiriodd Mr Whitham at adroddiad Swyddfa Archwilio Cymru ynglŷn â chynnal a chadw adeiladau ysgol a phwysigrwydd cydgrynhoad, ac awgrymodd bod cyfeiriad at berthnasau gyda chontractwyr yn cynnwys rhoddion a lletygarwch.

Mewn ymateb i gwestiwn gan y Cynghorydd M.L. Holland, eglurodd y Rheolwr Caffael Strategol Dros Dro bod contractau ar gyfer gwaith priffyrdd yn Sir Ddinbych a Sir y Fflint, cytundeb ar y cyd, yn cael eu datblygu ar hyn o bryd. Amlinellwyd manylion rheoli a pherfformiad y contractau ac amlygwyd y buddiannau o uno Timau Caffael Sir Ddinbych a Sir y Fflint.

PENDERFYNWYD – *bod y Pwyllgor Llywodraethu Corfforaethol:-*

- Yn derbyn yr adroddiad ac yn nodi'r pryderon a fynegwyd o ran diffyg cynnydd.*
- Yn cytuno bod Pennaeth yr Adain Archwilio Mewnol yn cyflwyno adroddiad cynnydd i gyfarfod mis Rhagfyr y Pwyllgor, ac*
- Yn gofyn am adroddiad i'r Aelodau ar ôl cwblhau'r Cytundebau Fframwaith. (IB, SA a DL i weithredu)*

ADRODDIAD AR GWMNĪAU HYD BRAICH

Roedd adroddiad gan Bennaeth yr Adain Archwilio Mewnol (HIA), a oedd yn amlinellu gwaith rhagarweiniol a wnaed ac yn darparu manylion ynglŷn â'r

fframwaith asesu ar gyfer y Cyngor er mwyn derbyn sicrwydd ynglŷn â llywodraethu a pherfformiad y cwmnïau 'hyd braich', wedi'i gylchredeg yn flaenorol.

Roedd y Pwyllgor Archwilio Perfformiad wedi gofyn am adroddiad ynglŷn â sut y gellid cael sicrwydd ynglŷn â pherfformiad 'sefydliadau hyd braich', a chytunodd y Pennaeth Archwilio Mewnol i ddatblygu hynny yn rhan o'r prosiect yn ymwneud â Thystysgrif Llywodraethu Corfforaethol, Sefydliad Siartredig Cyllid Cyhoeddus a Chyfrifyddiaeth. Cytunwyd yn ddiweddarach y dylid cyflwyno'r adroddiad i'r Pwyllgor Llywodraethu Corfforaethol gan ei fod yn cwmpasu cylch gwaith ehangach na pherfformiad yn unig.

Roedd yr adroddiad, Atodiad 1, yn gam cyntaf prosiect i ddatblygu fframwaith cadarn i fonitro trefn lywodraethol 'sefydliadau hyd braich' neu, 'Darparwyr Gwasanaethau a Ariennir gan y Cyngor'. Roedd yn darparu enghreifftiau o arfer da ac arweiniad o'r Alban ac yn awgrymu ffordd ymlaen i'r Cyngor ddatblygu fframwaith syml ond effeithiol, na fydd yn rhy fiwrocraidd.

Ar hyn o bryd, roedd yr argymhellion yn rhai cyffredinol, ond y cam nesaf fydd datblygu fframwaith penodol ar gyfer y Cyngor i'w weithredu erbyn 1 Ebrill 2015, gan fynd ati i ymgynghori â gwasanaethau, Darparwyr Gwasanaethau a Ariennir gan y Cyngor ac Aelodau. Gellid datblygu'r fframwaith hefyd i'w ddefnyddio mewn partneriaethau ac yn rhan o drefniadau contractau mawr gyda sefydliadau trydydd parti, pan fo'r Cyngor yn dibynnu'n helaeth ar sefydliadau trydydd parti i gyflenwi gwasanaethau allweddol.

Byddai'r fframwaith newydd gogyfer â monitro Darparwyr Gwasanaethau a Ariennir gan y Cyngor yn cyfrannu'n sylweddol at drefn lywodraethol y Cyngor ac yn mynd i'r afael â gwendid llywodraethol sylweddol a amlygwyd yn y 'Datganiad Llywodraethu Blynyddol' i roi sicrwydd i'r budd-ddeiliaid y cedwir cyfrif llawn o arian cyhoeddus ac y caiff ei ddefnyddio at y diben y'i bwriadwyd wrth gyflawni Blaenoriaethau Corfforaethol a dyletswyddau statudol y Cyngor. Byddai'r Pwyllgor yn derbyn adroddiadau pellach wrth i gam dau fynd rhagddo.

Holodd y Cadeirydd sut y gellir mynd i'r afael â chytundebau hanesyddol.

Amlygodd y PGCD bwysigrwydd nodi natur perthnasau rhwng y Cyngor a'r sefydliadau perthnasol o ran prynu, cynrychioli ar gyrrff rheoli a materion ariannol.

Pwysleisiodd bod angen cytundeb gyfreithiol derfynol fyddai'n nodi rolau a chyfrifoldebau, gan egluro natur y berthynas yn y cytundeb. Ymatebodd yr PGCD i gwestiwn gan Mr P. Whitham ynglŷn â'r angen i gael cynllun gweithredu, a darparodd fanylion ynglŷn â chyflwyno dogfennaeth i ymdrin â'r materion hyn.

Eglurodd bod canllawiau cyfredol ynglŷn â rôl Aelodau a darpariaeth hyfforddiant wedi'u seilio ar ganllawiau CLILC.

Yn ystod y drafodaeth cefnogodd gynrychiolydd Swyddfa Archwilio Cymru y camau gweithredu a weithredwyd gan yr Awdurdod i fynd i'r afael â'r sefyllfa gyfredol.

Nododd Aelodau'r Pwyllgor y cynnydd a wnaed hyd yn hyn a chytuno y dylid cyflwyno adroddiad cynnydd yng nghyfarfod y Pwyllgor ym mis Ionawr 2015.

PENDERFYNWYD – bod y Pwyllgor Llywodraethu Corfforaethol:-

- (a) *Yn derbyn yr adroddiad ac yn nodi'r cynnydd a wnaed hyd yn hyn, ac*
(b) *Yn gofyn am gael cynnwys adroddiad cynnydd gan Bennaeth yr Adain Archwilio Mewnol ar Rhaglen Gwaith i'r Dyfodol y Pwyllgor ar gyfer mis Ionawr, 2015.*
(IB i Weithredu)

11 ADRODDIAD ARCHWILIO MEWNOL ADNODDAU DYNOL STRATEGOL - DIWEDDARIAD

Roedd adroddiad, gan Bennaeth yr Adain Archwilio Mewnol, oedd yn nodi gwaith diweddaraf yr Adain Archwilio Mewnol yn AD Strategol, yn dilyn yr adroddiad cychwynnol ym mis Awst 2012 a'r adroddiadau dilynol blaenorol, wedi'i gylchredeg yn flaenorol.

Roedd y Pwyllgor wedi gofyn am gael ailymweld â'r Adnoddau Dynol Strategol er mwyn darparu sicrwydd bod Cynllun Gweithredu'r Adain Archwilio Mewnol wedi'i weithredu'n llawn a bod Cynllun Gwella'r gwasanaeth wedi'i gyflawni.

Roedd manylion yr adroddiad diwethaf, Atodiad 1, yn nodi y gwnaed cynnydd sylweddol, gan greu gradd sicrwydd 'Canolig'. Roedd yr adroddiad hefyd yn darparu sylwadau ynglŷn ag ymrwymiad staff AD Strategol i sicrhau bod y prosiect yn llwyddiant a darparu hyder y byddai'r gwasanaeth yn parhau i ddatblygu ymhellach.

Cadarnhaodd y Cynghorydd B.A. Smith ei bod yn falch o'r cynnydd a wnaed. Diolchodd Aelodau'r Pwyllgor a'r Swyddogion i Reolwr y Gwasanaethau AD a'i thîm am y gwaith a wnaed.

PENDERFYNWYD - *bod y Pwyllgor Llywodraethu Corfforaethol yn derbyn adroddiad yr Adain Archwilio Mewnol, ac yn nodi'r cynnydd a wnaed.*

12 ADRODDIAD CYNNYDD ARCHWILIO MEWNOL

Roedd adroddiad gan y Pennaeth Archwilio Mewnol (HIA) wedi ei gylchredeg ymlaen llaw a oedd yn cynnig diweddariad ynglŷn â'r cynnydd diweddaraf a wnaed gan y Gwasanaeth Archwilio Mewnol o ran darparu gwasanaeth, darparu sicrwydd, cwblhau adolygiadau ynghyd â'u perfformiad a'u heffeithiolrwydd wrth ysgogi gwelliannau.

Darparodd yr HIA ddiweddariad mewn perthynas â:-

- cyflawni'r Cynllun Sicrwydd ar gyfer 2014/15 (Atodiad 1)
- adroddiadau Archwilio Mewnol diweddar a gyhoeddwyd (Atodiad 2)
- ymateb rheolwyr i faterion a godwyd (Atodiad 3)
- Perfformiad Archwilio Mewnol (Atodiad 4)

Roedd manylion y gwaith a wnaed gan yr Adain Archwilio Mewnol yn ystod 2014/15, o'i gymharu â Chynllun Sicrwydd yr Adain Archwilio Mewnol, wedi'i gynnwys yn Atodiad 1. Roedd yn cynnwys sgoriau sicrwydd a nifer o faterion a

godwyd ar gyfer yr adolygiadau a gwblhawyd, diffiniadau a ddefnyddiwyd i ffurfio'r sicrwydd archwilio a'r sgoriau a ddefnyddiwyd i asesu'r lefelau risg ar gyfer y materion a godwyd. Roedd y cynnydd yn dda iawn ac roedd y Cynllun ar y trywydd cywir i'w gyflawni erbyn 31 Mawrth 2015.

Roedd crynodeb o'r adroddiadau Archwilio Mewnol terfynol a gyhoeddwyd ers mis Mawrth 2014 yn Atodiad 2. Roedd adroddiadau crynodeb gweithredol a Chynlluniau Gweithredu hefyd wedi'u cynnwys er gwybodaeth. Roedd y rhan fwyaf o adroddiadau Archwilio Mewnol yn nodi risgiau a gwendidau rheoli ac roedd y rhain wedi'u graddio fel risgiau critigol, arwyddocaol neu gymedrol. Adroddwyd am bob achos lle bydd rheolwyr yn methu ymateb i'r gwaith dilynol neu os oeddent yn mynd dros y dyddiad gweithredu y cytunwyd arno gan fwy na thri mis. Byddai'r Pwyllgor yn penderfynu os dylid cymryd unrhyw gamau pellach.

Roedd adolygiadau dilynol a gwblhawyd yn ystod 2014/15 hyd yn hyn wedi'u cynnwys yn Atodiad 3, ac roedd dau adroddiad dilynol wedi'u cynnwys fel eitemau ar wahân ar y rhaglen.

Eglurodd y Pennaeth Archwilio Mewnol bod y Gwasanaeth Archwilio Mewnol yn mesur ei berfformiad mewn dau faes allweddol:

- Darparu 'Sicrwydd Hanfodol'
- 'Safonau Cwsmeriaid'

Roedd Atodiad 4 yn dangos perfformiad hyd yn hyn ar gyfer 2014/15. Roedd yr Adain Archwilio Mewnol ar y trywydd cywir i ddarparu 100% o brosiectau 'Sicrwydd Statudol' erbyn 31 Mawrth 2015. Roeddent hefyd ar y trywydd cywir i gyflawni 100% ar holl 'Safonau Cwsmeriaid' gyda dau eithriad:-

- Ar gyfer un prosiect, ni lwyddodd yr Adain Archwilio Mewnol i gyhoeddi dogfen gwmpasu prosiect cyn cychwyn y prosiect.
- Cyhoeddodd yr Adain Archwilio Mewnol adroddiad drafft ar gyfer un prosiect wedi 17 diwrnod yn hytrach nag wedi 10 diwrnod fel y cytunwyd.

Eglurodd Mr P. Whitham ei fod yn gobeithio y byddai integreiddio systemau data Cyflogau ac AD yn mynd i'r afael â'r broblem o ordalu rhai oedd wedi gadael ysgol.

PENDERFYNWYD – bod y Pwyllgor Llywodraethu Corfforaethol:-

- yn derbyn ac yn nodi cynnydd a pherfformiad y Gwasanaeth Archwilio Mewnol yn 2014/15, ac*
- yn nodi'r adroddiadau a gyhoeddwyd gan y Gwasanaeth Archwilio Mewnol yn ddiweddar a'r gwaith dilynol y maent wedi ei wneud.*

ADBORTH O'R CYFARFOD CYDRADDOLDEB CORFFORAETHOL

Darparodd y Cyng. M.L. Holland ddiweddariad ynglŷn â'r cyfarfod Cydraddoldeb Corfforaethol a gynhaliwyd ar 15 Gorffennaf 2014.

Roedd prif bwyntiau'r drafodaeth yn ymwneud â:-

- Materion cydraddoldeb yn ymwneud ag Adroddiad Arolwg Preswylwyr .
- Arolwg Staff oedd wedi nodi bod 22 aelod o staff yn ystyried eu hunain yn bobl anabl.
- Aseidiadau o Effaith ar Gydraddoldeb, gydag adroddiadau ar hap a gyflwynwyd i'r Cabinet yn cael eu dewis i'w harchwilio.

PENDERFYNWYD - bod y Pwyllgor Llywodraethu Corfforaethol yn derbyn ac yn nodi'r adroddiad.

14 RHAGLEN WAITH Y PWYLLGOR LLYWODRAETHU CORFFORAETHOL

Cyflwynwyd Rhaglen Gwaith i'r Dyfodol y Pwyllgor Llywodraethu Corfforaethol (a gylchredwyd eisoes) i'w ystyried.

Cadarnhaodd y Pwyllgor Llywodraethu Corfforaethol Rhaglen Gwaith i'r Dyfodol y Pwyllgor yn amodol ar gynnwys yr adroddiadau canlynol:-

5 Tachwedd, 2014:-

- Adroddiad Cynnydd ynglŷn â Clwyd Leisure.

17 Rhagfyr, 2014:-

- Adroddiad diweddar ynglŷn ag Adeiladu a Chaffael.

28 Ionawr 2015:-

- Adroddiad cynnydd mewn perthynas â Chwmnïau Hyd Braich.

Mewn ymateb i gwestiwn gan y Cyngorydd J. Butterfield, cytunodd y PGCD i ddarparu manylion y rhesymau dros gynydd araf o ran terfynu'r dogfennau prydles, a oedd yn aml yn ymwneud â diffyg gwybodaeth hanfodol gan y Cyfarwyddiaethau perthnasol.

Ymatebodd PGCD i gwestiwn gan y Cyng. G.M. Kensler ac eglurodd bod cyfeiriadaeth at y Polisi Rhannu Pryderon wedi'i gynnwys ym Model newydd y Cyfansoddiad.

Cyfeiriodd Bennaeth yr Adain at y nifer sylweddol o eitemau busnes ar raglen y Pwyllgor ac awgrymodd y posibilrwydd o faterion yn cael eu cyflwyno fel adroddiadau gwybodaeth. Eglurodd y PGCD bod y posibilrwydd o gylchredeg rhaglenni pwyllgor, gyda phecyn gwybodaeth ar wahân, wedi'i drafod yn y Gweithdai Cyllideb yn ddiweddar. Eglurodd y gellid ychwanegu unrhyw faterion o bryder sy'n cael eu hamlygu gan yr Aelodau at raglen i'r dyfodol i'w hystyried gan y Pwyllgor.

PENDERFYNWYD yn amodol ar yr uchod bod y Pwyllgor yn cymeradwyo'r Rhaglen Gwaith i'r Dyfodol.

RHAN II

GWAHARDD Y WASG A'R CYHOEDD

PENDERFYNWYD dan ddarpariaethau Adran 100A Deddf Llywodraeth Leol 1972, gwahardd y Wasg a'r Cyhoedd o'r cyfarfod ar gyfer yr eitemau busnes canlynol ar y sail y byddai gwybodaeth eithriedig yn debygol o gael ei datgelu fel y'i diffinnir ym Mharagraffau 14 ac 15 Rhan 4 Atodlen 12A Ddeddf Llywodraeth Leol 1972.

15 NEUADD Y SIR – CYNLLUN ARIANNU PREIFAT.

Roedd adroddiad cyfrinachol gan Bennaeth Cyllid ac Asedau wedi'i gylchredeg yn flaenorol, a oedd yn darparu diweddariad ynglŷn â chynnydd y trafodaethau am ddyfodol contract Cynllun Ariannu Preifat Rhuthun, ac yn amlinellu'r risgiau a'r broses er mwyn cwblhau.

Roedd adroddiad a gyflwynwyd i'r Cabinet yn briffio amlinelliad o hanes y Cynllun Ariannu Preifat a'r syniadau cychwynnol oedd yn cael eu trafod wedi'i gylchredeg fel Atodiad 1. Cytunwyd bod Pennaeth Cyllid ac Asedau yn datblygu'r cynigion fel y trafodwyd yng Ngweithdy'r Gyllideb ym mis Gorffennaf. Ffurfiwyd grŵp prosiect er mwyn rheoli'r broses ac roedd manylion ynglŷn â'r cyngor a dderbyniwyd gan gyfreithwyr allanol wedi'u cynnwys yn yr adroddiad.

Fel gwerthwyr parod roedd Neptune yn fodlon ildio'r angen i ddilyn proses ffurfiol ac wedi dewis 'gwerth y farchnad' fel prisiad. Yn dilyn trafodaethau roedd cyflwyniad cychwynnol wedi'i awgrymu a chysylltwyd â Llywodraeth Cymru a CLILC am gyfraniad.

Roedd yr opsiwn o beidio â deall y prisiad wedi'i amlinellu gyda'r posibilrwydd o orfod dibynnu ar feirniadaeth gwerth am arian. Ynghyd â deall faint yr oedd Neptune ei angen ar gyfer y contract efallai y byddai angen i'r Awdurdod ddeall faint y byddai'n ei gostio i brynu a rhedeg yr adeilad. Canlyniad hyn oedd dau ffrwd gwaith ac roedd y costau'n ymwneud ag eiddo, goblygiadau'r Fantolen a Rheoli'r Trysorlys wedi'u hamlinellu yn yr adroddiad. Gan fod Cynllun Ariannu Preifat yn gyfuniad o gostau cyfalaf a referniw roedd y Swyddogion Cyllid wedi ceisio cyngor gan Ymgynghorwyr Rheoli Trysorlys y Cyngor ynglŷn â'r defnydd cywir ar y fantolen.

Roedd y Cynllun Ariannu Preifat wedi'i ddangos ar y fantolen gyda dyled prydles hir dymor. Roedd hyn yn cael ei ystyried yn gyfalaf ac roedd modd ei drawsnewid yn fenthyciad heb unrhyw wir oblygiadau. Byddai'n rhaid trin unrhyw swm fyddai'n weddill i Neptune fel taliad referniw.

Roedd manylion sut y cefnogir cynlluniau Ariannu Preifat gan y Llywodraeth Ganolog, gydag amcanion Cynllun Corfforaethol y Cyngor, sut y gellir cyflawni arbedion, buddiannau eraill, egwyddorion a'r ymgynghoriadau a gynhaliwyd wedi'u cynnwys yn yr adroddiad hefyd.

Ar ôl trafodaeth fanwl, a oedd yn cynnwys ymatebion i gwestiynau'r Aelodau a safbwynt Cynrychiolydd Swyddfa Archwilio Cymru:

PENDERFYNWYD – *bod y Pwyllgor Llywodraethu Corfforaethol:-*

- (a) *Yn derbyn ac yn cefnogi'r egwyddorion a nodwyd yn yr adroddiad, ac*
 - (b) *Yn gofyn y parheir â'r broses yn ofalus.*
- (PM a RW i weithredu)**

Ar y pwynt hwn parhaodd y cyfarfod fel sesiwn agored.

Daeth y cyfarfod i ben am 14.40pm.

Mae tudalen hwn yn fwriadol wag

PWYLLGOR LLYWODRAETHU CORFFORAETHOL

Cofnodion cyfarfod o'r Pwyllgor Llywodraethu Corfforaethol a gynhaliwyd yn Ystafell Bwyllgora 1A, Neuadd y Sir, Rhuthun, Dydd Llun, 29 Medi 2014 am 9.30 am.

YN BRESENNOL

Y Cynghorwyr Martyn Holland, Gwyneth Kensler (Is-Gadeirydd), Jason McLellan (Cadeirydd) a Mr P. Whitham (Aelod Lleyg).

Y Cynghorydd Meirick Lloyd Davies a/ac Barbara Smith yn bresennol fel arsylwyr.

HEFYD YN BRESENNOL

Pennaeth Archwilio Mewnol (IB), Pennaeth Cyllid ac Asedau (PM), Prif Gyfrifydd (RW), Cynrychiolwyr Swyddfa Archwilio Cymru (AV a NR) a Gweinyddwr Phwyllgor (CIW).

1 YMDDIHEURIADAU

Derbyniwyd ymddiheuriadau am absenoldeb oddi wrth y Cynghorwr(wyr) Joan Butterfield a/ac Julian Thompson-Hill

2 DATGAN CYSYLLTIAD

Ni fu i unrhyw Aelod ddatgan cysylltiad personol na chysylltiad sy'n rhagfarnu ag unrhyw fusnes a oedd i'w ystyried yn y cyfarfod.

3 MATERION BRYD

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

4 ADRODDIAD CYNNYDD ARCHWILIO MEWNOL

Roedd adroddiad gan y Pennaeth Archwilio Mewnol, a oedd yn rhoi diweddariad ynglŷn â Chynllun Gwella Trefn Lywodraethol y Cyngor, ac a oedd yn deillio o 'ddatganiad llywodraethu blynyddol' y Cyngor yn 2013/14 - 'Darparu llywodraethu da a gwelliant parhaus', wedi cael ei ddsbarthu'n flaenorol.

Cyflwynodd y Pennaeth Archwilio Mewnol yr adroddiad a oedd yn manylu ar y cynnydd sy'n digwydd o ran rhoi'r gwahanol gamau gweithredu sydd wedi eu cynnwys yng Nghynllun Gwella Trefn Lywodraethol y Cyngor ar waith, er mwyn sicrhau bod gan y Cyngor drefn lywodraethol gadarn ac effeithiol ar waith.

Roedd Datganiad Llywodraethu Blynyddol diweddaraf y Cyngor, 'Darparu llywodraethu da a gwelliant parhaus', yn darparu hunanasesiad tryloyw a chytbwys o drefn lywodraethol y Cyngor, ac yn amlygu unrhyw wendidau llywodraethu arwyddocaol ac unrhyw feysydd eraill y mae angen eu gwella.

Roedd meysydd gwella wedi eu cynnwys yng Nghynllun Gwella'r Drefn Lywodraethol, sydd i'w weld yn Atodiad 1, a oedd yn cynnig camau gweithredu i fynd i'r afael â gwendidau, y swyddogion sy'n gyfrifol am y camau gweithredu hynny ac amserlenni. Nid oedd y Cynllun yn gwbl gyflawn gan nad yw pob diweddariad cynnydd wedi cael eu darparu. Pan fo ymatebion wedi dod i law, mae'r camau gweithredu naill ai'n gyflawn neu ar y gweill. Roedd y Pwyllgor wedi derbyn adroddiadau diweddar ar wahân a oedd yn cynnwys rhai yr Adran Adnoddau Dynol Strategol, Sefydliadau Hyd-Braich a'r Adran Caffael Strategol.

Er nad yw hunanasesiad y 'Datganiad Llywodraethu Blynyddol' ei hun yn cyfrannu'n uniongyrchol at Flaenoriaethau Corfforaethol, mae'n darparu asesiad a sicrwydd ynglŷn â chyflawni'r Cynllun Corfforaethol, perfformiad gweithredol ac ariannol y Cyngor, y drefn lywodraethol, ymgysylltu â'r gymuned ac ati, y mae pob un ohonynt yn cyfrannu tuag at gyflawni'r Blaenoriaethau Corfforaethol.

Pe na bai Cynllun Gwella'r Drefn Lywodraethol yn cael ei weithredu, byddai gwendidau yn aros yn nhrefn lywodraethol y Cyngor, a allai arwain at:-

- adroddiadau rheoleiddiol niweidiol;
- defnydd gwael o arian cyhoeddus;
- methiant i wella meysydd corfforaethol a meysydd gwasanaeth allweddol;
- colli hyder budd-ddeiliaid; a
- effaith andwyol ar enw da'r Cyngor.

Mewn ymateb i gais gan Mr P. Whitham, yn sôn y dylid cyfarch y ffaith nad oes Strategaeth Gaffael erbyn diwedd mis Tachwedd 2014, cytunodd y Pwyllgor y gellid darparu adroddiad cynnydd ar lafar yng nghyfarfod mis Tachwedd y Pwyllgor cyn derbyn adroddiad ysgrifenedig ym mis Rhagfyr 2014. Gofynnodd yr Aelodau hefyd fod adroddiadau cynnydd ysgrifenedig yn cael eu darparu gan y Pennaeth Archwilio Mewnol, yng nghyfarfod mis Tachwedd, mewn perthynas â'r meysydd hynny nad oedd wedi darparu ymatebion o fewn y terfynau amser a roddwyd. Cytunodd y Cynghorydd B.A. Smith i drafod y pryderon a godwyd gan y Pwyllgor gyda'r Pennaeth Busnes, Gwella a Moderneiddio.

PENDERFYNWYD - bod y Pwyllgor Llywodraethu Corfforaethol:-

- yn derbyn yr adroddiad, ac yn*
 - gofyn am ddiweddariad cynnydd ar lafar yng nghyfarfod y Pwyllgor ym mis Tachwedd 2014 mewn perthynas â'r Strategaeth Caffael, ac yn*
 - yn gofyn i'r Pennaeth Archwilio Mewnol yn cyflwyno adroddiadau ysgrifenedig i gyfarfod mis Tachwedd, mewn perthynas â'r meysydd hynny nad oedd wedi darparu ymatebion o fewn yr amserlenni a roddwyd.*
- (IB i Weithredu)**

5 CYMERADWYO DATGANIAD CYFRIFON 2013/14

Roedd copi o adroddiad gan y Prif Gyfrifydd wedi ei ddosbarthu gyda phapurau'r cyfarfod, ynghyd â Datganiad Cyfrifon 2013/14 ac Adroddiad Archwilio'r Datganiadau Ariannol, a gynhyrchwyd gan Swyddfa Archwilio Cymru.

Cyflwynodd Pennaeth yr Adran Gyllid ac Asedau'r adroddiad a oedd yn cyflwyno'r Datganiad Cyfrifon i'w gymeradwyo'n ffurfiol. Tynnodd sylw at bwysigrwydd a natur gymhleth y ddogfen ac eglurodd y byddai'r terfynau amser ar gyfer cynhyrchu Datganiadau Cyfrifon yn dynnach yn y dyfodol. Mae gan y Cyngor ddyletswydd statudol i gynhyrchu Datganiad Cyfrifon sy'n cydymffurfio â safonau cyfrifeg cymeradwy, ac mae'n ofynnol bod Aelodau Etholedig yn cymeradwyo'r cyfrifon archwiliedig yn ffurfiol ar ran y Cyngor.

Roedd Datganiadau Ariannol 2013/14 wedi cael eu cymeradwyo gan y Prif Swyddog Cyllid, yn amodol ar archwiliad, ar 30 Mehefin 2014. Cafodd fersiwn ddrafft y Datganiad Cyfrifon ei chyflwyno i'r Pwyllgor ar 2 Gorffennaf 2014, pan ddarparwyd trosolwg o fersiwn ddrafft y Datganiad Cyfrifon gan y Prif Gyfrifydd ac eglurhad o'r broses sy'n sail iddo. Mae'r Rheoliadau Cyfrifon ac Archwilio yn ei gwneud yn ofynnol i'r Cyngor gymeradwyo'r Cyfrifon archwiliedig, sydd i gynnwys barn yr Archwilydd allanol, yn ffurfiol erbyn diwedd mis Medi.

Cafodd y Datganiad Cyfrifon ei gynhyrchu'n unol â'r Safonau Adrodd Ariannol Rhyngwladol, ac roedd manylion ynglŷn â hynny wedi eu cynnwys yn yr adroddiad. Mae Sefydliad Siartredig Cyllid a Chyfrifeg Cyhoeddus yn cynhyrchu Cod Ymarfer ar Gyfrifeg Awdurdodau Lleol, yn seiliedig ar Safonau Adrodd Ariannol Rhyngwladol ac mae'r Cyngor wedi paratoi cyfrifon 2013/14 yn unol â'r Cod hwnnw. Mae'r Datganiad Cyfrifon yn cynnwys barn archwilio ddiamod a thystysgrif archwilio, ac mae wedi cael ei ryddhau i'w archwilio ac mae ar gael i'r cyhoedd fwrw golwg drosto ac nid oes unrhyw sylwadau wedi dod i law. Bu Swyddfa Archwilio Cymru yn archwilio'r cyfrifon a byddant yn cyflwyno trosolwg o'u canfyddiadau ac asesiad o'r broses mewn adroddiad. Arweiniodd y broses archwilio at rai newidiadau technegol ac at gywiriadau a newidiadau eraill y cyfeiriwyd atynt yn adroddiad yr Archwilydd.

Roedd cyhoeddi'r Datganiad Cyfrifon yn ategu stiwardiaeth ariannol a threfn lywodraethol y Cyngor ac felly yn cefnogi holl wasanaethau a blaenoriaethau'r Cyngor. Mae Swyddfa Archwilio Cymru wedi gweithio'n agos â'r Tîm Cyllid er mwyn sicrhau fod yr archwiliad yn cael ei gwblhau yn llwyddiannus ac mewn modd amserol.

Roedd y Datganiad Cyfrifon unwaith eto wedi cael barn archwilio ddiamod, a oedd yn gyflawniad sylweddol o ystyried graddfa a chymhlethdod y Cyfrifon. Bydd y gweithdrefnau mewnol yn cael eu hadolygu'n flynyddol er mwyn sicrhau bod y Cyngor yn parhau i ddarparu adroddiadau ariannol o ansawdd da.

Cafwyd cyflwyniad gan y Prif Gyfrifydd ynglŷn â'r Datganiad Cyfrifon a oedd yn:-

- darparu trosolwg o'r cyfrifon a'r prif ddatganiadau ariannol.
- darparu amlinelliad o'r prosesau dan sylw gan gynnwys gofynion ac amserlenni deddfwriaethol ynghyd â rôl yr Aelodau yn y broses
- dangos sut yr oedd ffigurau a adroddwyd yn y Cyfrif Refeniw wedi cael eu hadlewyrchu yn y datganiadau ariannol.

- amlygu'r meysydd allweddol y dylid rhoi sylw iddynt yn cynnwys Symudiad mewn Cronfeydd Wrth Gefn; Datganiad Incwm a Gwariant; y Fantolen a'r Datganiad Llif Arian.

- nodi fod gofyniad statudol i gymeradwyo'r Datganiad Cyfrifon erbyn 30 Medi, 2014.

Nododd y Prif Gyfrifydd nad oedd unrhyw faterion sylweddol wedi dod i'r amlwg yn sgil archwiliad Swyddfa Archwilio Cymru a oedd yn rhoi sicrwydd inni o ran prosesau a chydymffurfiaeth.

Cafwyd crynodeb manwl gan gynrychiolydd Swyddfa Archwilio Cymru (AV) o Adroddiad Archwilio'r Datganiadau Ariannol a chyfeiriodd at rôl Swyddfa Archwilio Cymru o fewn y broses yn ei chyfanrwydd ac at y cyfrifoldeb sydd ganddynt i adrodd ynglŷn â'r datganiadau ariannol. Cyflwynodd drosolwg o ganfyddiadau'r adroddiad a chyfeiriodd yn benodol at y canlynol:-

- Roedd yr Archwilydd a Benodwyd yn bwriadu cyhoeddi adroddiad archwilio diamod unwaith y caiff Llythyr Sylwadau ei ddarparu.

- Cafwyd crynodeb o'r cywiriadau a wnaed i fersiwn ddrafft y datganiad ariannol, Rhif 10, Tudalen 16, Atodiad 3. Nid oedd y rhain yn sylweddol ac nid oeddent wedi effeithio ar gasgliadau'r adroddiad.

- Cyfeiriwyd at ansawdd y papurau ategol a ddarparwyd, a mynegwyd gwerthfawrogiad i'r Tîm Cyllid am eu cefnogaeth a'u cymorth.

- nid oedd unrhyw faterion pwysig eraill yn codi o'r archwiliad.

- roedd yr adroddiadau ariannol a fersiynau drafft y datganiadau ariannol wedi eu paratoi i safon uchel ac nid oedd unrhyw wendidau perthnasol wedi cael eu nodi yn y rheolyddion mewnol.

- ni ellir ardystio cau'r archwiliad hyd nes bod Swyddfa Archwilio Cymru wedi ymateb yn ffurfiol i ohebiaeth a dderbyniwyd gan y cyhoedd mewn perthynas â'r cyfrifon drafft.

- cafwyd cadarnhad o annibyniaeth a gwrthrychedd y gwaith a wnaed.

Mewn ymateb i bryderon a godwyd ynghylch materion yn ymwneud â phroses y Gwasanaethau Eiddo o brisio asedau, darparodd Pennaeth yr Adran Cyllid ac Asedau fanylion am y broses ac aeth ati i sicrhau'r Aelodau fod gwaith ar y gweill ar hyn o bryd i fynd i'r afael â'r mater hwn. Cafwyd cadarnhad gan Swyddfa Archwilio Cymru nad oedd unrhyw broblemau mewn perthynas ag ansawdd yr wybodaeth a ddarparwyd. Cafwyd cadarnhad hefyd, yn dilyn gwirio samplau, fod y 'gwiriad ymadael' yn cydymffurfio.

Cafwyd yr ymatebion canlynol i gwestiynau gan Aelodau:-

- Amlinellodd y Prif Gyfrifydd y broses, a'r gwaith sy'n cael ei wneud, mewn perthynas â gwybodaeth am y gronfa bensiwn sy'n ymwneud â gofyniad Safon Cyfrifo Rhyngwladol 19 i gyrff sy'n cynrychioli gweithwyr ddatgelu manylion eu cyfrifon mewn perthynas ag asedau, rhwymedigaethau a thrafodion. Amlygodd cynrychiolydd Swyddfa Archwilio Cymru bwysigrwydd gwneud yn siŵr bod gwerthusiad cywir o'r diffyg yn cael ei ddarparu.
- Eglurodd cynrychiolydd Swyddfa Archwilio Cymru bod a wnelo'r prif ysgogiad dros newid y terfynau amser ar gyfer y broses o gau Datganiadau Cyfrifon â menter gyfrifon y Llywodraethau yn ei chyfanrwydd, a oedd yn wreiddiol yn un o fentrau'r Trysorlys. Cadarnhawyd y byddai'n rhaid i Lywodraeth Cymru hefyd gadw at y terfynau amser newydd. Mynegodd Pennaeth yr Adran Cyllid ac Asedau farn na fyddai cwtogi'r terfynau amser yn gwella cywirdeb nac ansawdd y ffigurau a gynhychir.
- Cyfeiriwyd at y ffigurau adeiladu mewn perthynas â Harbwr y Foryd o ganlyniad i gam-ddosbarthu costau y gellir eu priodoli i'r prosiect.
- Roedd yr addasiad yr oedd angen ei wneud i'r gofrestr asedau sefydlog i adlewyrchu prisiad cywir Safle Ailgylchu Rhyl wedi codi o ganlyniad i ddarparu'r ffigwr ail-werthuso.
- Darparwyd manylion am y cronfeydd wrth gefn sy'n cael eu dal gan yr Awdurdod ac am ganlyniadau eu defnyddio, y rhai a glustnodwyd a'r rhai cyffredinol, gan Bennaeth yr Adran Cyllid ac Asedau.

Mynegodd y Pwyllgor foddhad bod lefel uchel o sicrwydd wedi ei ddarparu o ran proses a chydymffurfiaeth cyfrifo ariannol. Gofynnodd y Cadeirydd ac Aelodau'r Pwyllgor fod Pennaeth yr Adran Cyllid ac Asedau yn cyfleu eu gwerthfawrogiad i'r staff yn y Tîm Cyllid am y gwaith rhagorol a wnaed.

PENDERFYNWYD - *Bod y Pwyllgor Llywodraethu Corfforaethol:-*

- (a) *yn cymeradwyo Datganiad Cyfrifon 2013/14, sef Atodiad 1 yr adroddiad, ac*
- (b) *yn gofyn i'r Cadeirydd ac i'r Prif Swyddog Ariannol lofnodi'r Cyfrifon a'r Llythyr Sylwadau.*

[JMc a PM i weithredu]

Daeth y Cyfarfod i ben am 11.00 a.m.

Mae tudalen hwn yn fwriadol wag

Adroddiad i'r: Pwyllgor Llywodraethu Corfforaethol

Dyddiad y Cyfarfod: 5 Tachwedd 2014

Aelod Arweiniol / Swyddog: Y Cynghorydd Julian Thompson-Hill/ Paul McGrady

Awdur yr Adroddiad: Richard Weigh, Prif Gyfrifydd

Teitl: Proses y Gyllideb 2015/16

1. Am beth mae'r adroddiad yn sôn?

Mae'r adroddiad yn rhoi diweddariad ar y broses i ddarparu'r gyllideb refeniw ar gyfer 2015/16.

2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

I roi'r wybodaeth ddiweddaraf am y sefyllfa gyfredol.

3. Beth yw'r Argymhellion?

Ystyried y diweddariad diweddaraf a gwneud sylwadau fel y bo'n briodol.

4. Manylion am yr adroddiad

Ers y diweddariad diwethaf, mae proses y gyllideb wedi symud i'w ail gam (mae Atodiad 1 yn dangos proses y gyllideb er mwyn cyfeirio ato).

Mae'r tabl o ddigwyddiadau allweddol yn y broses ac yn cael ei ddangos isod:

Tabl 1 Digwyddiadau Allweddol

Digwyddiadau allweddol	Dyddiadau	Statws
Pwyllgor Llywodraethu Corfforaethol	15 Ebrill 2014	Cwblhawyd
Briffio'r Cyngor	28 Ebrill	Cwblhawyd
Rownd Gyntaf Cyfarfodydd Cyllideb gyda Gwasanaethau	7 Mai – 4 Awst	Cwblhawyd
Diweddariad i Friffio'r Cabinet	12 Mai	Cwblhawyd
Adolygiad UDG o'r Broses	19 Mai	Cwblhawyd
Diweddariad i'r Pwyllgor Llywodraethu Corfforaethol	21 Mai	Cwblhawyd
Diweddariad i Friffio'r Cabinet	2 Mehefin	Cwblhawyd
Diweddariad i'r Pwyllgor Llywodraethu Corfforaethol	2 Gorffennaf	Cwblhawyd
Diweddariad i'r UDA	3 Gorffennaf	Cwblhawyd
Diweddariad i Friffio'r Cabinet	7 Gorffennaf	Cwblhawyd
Gweithdy Cyllideb Cyntaf i'r Aelodau	9 Gorffennaf	Cwblhawyd
Yr Ail Weithdy Cyllideb i'r Aelodau	14 Gorffennaf	Cwblhawyd

Y Trydydd Gweithdy Cyllideb i'r Aelodau	26 Awst	Cwblhawyd
Gweithdy Ychwanegol os oes ei Angen	28 Awst	Dim angen
Y Pedwerydd Gweithdy Cyllideb i'r Aelodau	2 Medi	Cwblhawyd
Diweddariad i'r Pwyllgor Llywodraethu Corfforaethol	3 Medi	Cwblhawyd
Cyngor Sir	9 Medi	Cwblhawyd
Y Pumed Gweithdy Cyllideb i'r Aelodau	22 Medi	Cwblhawyd
Cynigion cam 2 a ddatblygwyd gan wasanaethau	Medi / dechrau Hydref	Cwblhawyd
Diweddariad i Friffio'r Cabinet	22 Medi	Cwblhawyd
Diweddariad i'r UDA	2 Hydref	Cwblhawyd
Diweddariad i Friffio'r Cabinet	6 Hydref	Cwblhawyd
Y Chweched Gweithdy Cyllideb i'r Aelodau	8 Hydref	Cwblhawyd
Y Seithfed Gweithdy Cyllideb i'r Aelodau	13 Hydref	Cwblhawyd
Yr Wythfed Gweithdy Cyllideb i'r Aelodau	20 Hydref	Cwblhawyd
Y Nawfed Gweithdy Cyllideb i'r Aelodau	27 Hydref	Gwahoddiadau wedi'u hanfon
Diweddariad i Friffio'r Cabinet	3 Tachwedd	
Diweddariad i'r Pwyllgor Llywodraethu Corfforaethol	5 Tachwedd	
Diweddariad i Friffio'r Cabinet	8 Rhagfyr	
Cyngor Sir	9 Rhagfyr	
Y Degfed Gweithdy Cyllideb i'r Aelodau	12 Rhagfyr	Gwahoddiadau wedi'u hanfon
Diweddariad i'r Pwyllgor Llywodraethu Corfforaethol	17 Rhagfyr	
Cyngor Sir	3 Chwefror 2015	

Daeth y rownd gyntaf o weithdai cyllideb gydag aelodau etholedig i ben ar 22 Medi. Cafodd y papurau ar gyfer pob gweithdy eu cyhoeddi ymlaen llaw yn electronig ac ar ffurf copi caled. Roedd llawer yn bresennol yn y gweithdai gydag ystod eang o drafodaeth yn digwydd a nifer o gwestiynau yn cael eu gofyn. Gofynnwyd i Aelodau fynegi barn ynghylch a ddylai cynigion arbed gael eu 'mabwysiadu', eu 'datblygu', neu eu 'gohirio'. Yn ogystal, cafodd aelodau weld cyllideb pob gwasanaeth ar sail tudalen wrth dudalen ac fe'i gwahoddwyd i roi sylwadau ar bob un. Cafodd nifer o gynigion y nododd yr aelodau y buasent yn fodlon eu mabwysiadu eu cyflwyno i'r Cyngor Sir i'w cymeradwyo ar 9 Medi. Roedd y cynigion a gymerwyd i'r cyngor fel arbedion Cam 1 yn gyfanswm o £3.7m ar gyfer 15/16 ac yn £870k ar gyfer 16/17.

Roedd strategaeth cyllideb y cyngor wedi nodi bwlch o hyd at £18m yn y gyllideb dros ddwy flynedd yn flaenorol. Roedd hyn yn cael ei lywio'n bennaf gan ddangosyddion y byddai setliad cyllid y cyngor yn cael ei dorri o 4.5%. Cyhoeddwyd Setliad Drafft Llywodraeth Leol ar 8 Hydref. Mae'r Setliad yn nodi

y bydd y gostyngiad arian parod i gyllideb y cyngor yn 3.7% sy'n cyfateb i £5.3m. Gyda'r pwysau costau sydd gan y cyngor i'w ariannu, fel tâl, pensiynau a chynnydd mewn ynni ac ati, mae'r bwch yn y gyllideb ar gyfer 2015/16 bellach yn tua £8.2m ac amcangyfrifir y bydd yn tua £8.8m yn 2016/17.

Mae ail gam proses y gyllideb bron yn gyflawn bellach, gyda gweithdy terfynol Cam 2 i aelodau wedi'i drefnu ar gyfer 29 Hydref. Hyd yn hyn, mae aelodau wedi nodi cynigion sy'n rhoi cyfanswm o £3.2m ar gyfer 2015/16 ac £1.8m ar gyfer 2016/17 a gymerir i'w gymeradwyo ym mis Rhagfyr. Os caiff pob un o'r cynigion a gymerir i'r gweithdy terfynol ym mis Hydref eu hargymell i'w cymeradwyo, yna bydd y cyfanswm yn £4.0m ar gyfer 2015/16 a £2.1m ar gyfer 2016/17 o Gam 2.

Caiff cynigion Cam 2 eu cyflwyno i'r cabinet i ddechrau ac yna eu hargymell i'r cyngor i'w cymeradwyo ym mis Rhagfyr.

Bydd Cam 3 o broses y gyllideb yn ystyried cynigion terfynol i gydbwysu cyllideb 2015/16, gan gynnwys opsiynau ar gyfer Treth y Cyngor ac unrhyw ddefnydd o gronfeydd wrth gefn. Caiff y materion hyn eu trafod yn y gweithdy i aelodau ym mis Rhagfyr cyn cael eu cymeradwyo'n derfynol ym mis Chwefror. Bydd Cam 3 o'r broses hefyd yn parhau i ddatblygu opsiynau ar gyfer arbedion yn 2016/17.

Mae ymgynghoriad ar effaith y toriadau yn y gyllideb wedi dechrau ac mae'n cynnwys yr holl aelodau etholedig, staff, preswylwyr a Chynghorau Tref a Chymuned.

5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?

Mae rheolaeth effeithiol o gyllideb y cyngor a chyflawni'r strategaeth gyllidebol a gytunwyd yn sylfaen i weithgareddau ym mhob maes, gan gynnwys blaenoriaethau corfforaethol.

6. Faint fydd hyn yn ei gostio a sut y bydd yn effeithio ar wasanaethau eraill?

Efallai y bydd angen i'r cyngor sicrhau arbedion o tua £17m dros y ddwy flynedd ariannol nesaf.

7. Beth yw prif gasgliadau'r Asesiad o Effaith ar Gydraddoldeb a gynhaliwyd ar y penderfyniad?

Bydd AEA G yn cael ei gwblhau ar gyfer yr holl gynigion perthnasol wrth i'r broses ddatblygu.

8. Pa ymgynghori a wnaed gyda'r Pwyllgor Archwilio ac eraill?

Mae'r broses wedi cael ei ystyried gan yr UDG, UDA, Briffio'r Cabinet, Briffio'r Cyngor a'r Pwyllgor Llywodraethu Corfforaethol. Dechreuodd ymgynghoriad cyhoeddus ehangach ar effaith y gyllideb ar ddiwedd mis Hydref.

9. Datganiad y Prif Swyddog Cyllid

Bydd hon yn broses heriol iawn gyda rhai penderfyniadau a fydd yn anodd ei gwneud ar hyd y ffordd. Mae ymrwymiad a chefnogaeth aelodau etholedig yn y broses o wneud penderfyniadau ac archwilio'r broses yn hanfodol.

10. Pa risgiau sy'n bodoli, ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?

Dyma'r cyfnod ariannol mwyaf heriol y mae'r cyngor wedi ei wynebu a byddai methu a chyflawni strategaeth gyllideb effeithiol yn rhoi mwy o bwysau ar wasanaethau yn y dyfodol.

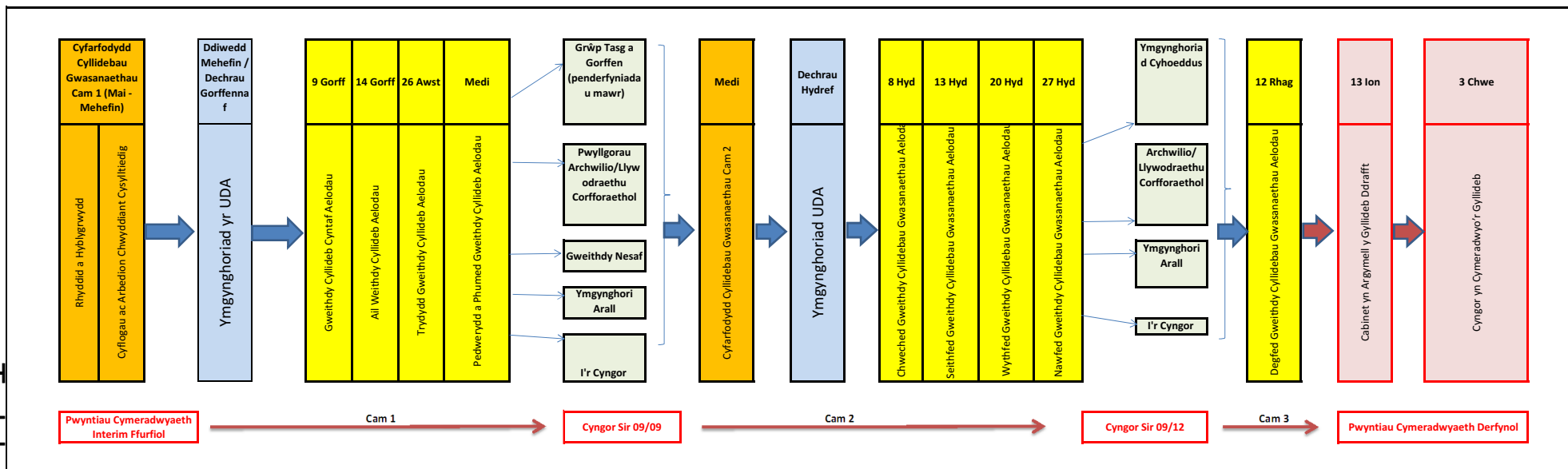
11. Pŵer i wneud y Penderfyniad

Mae'n ofynnol i awdurdodau lleol o dan Adran 151, Deddf Llywodraeth Leol 1972 wneud trefniadau ar gyfer gweinyddu eu materion ariannol yn briodol.

PROSES Y GYLLIDEB 2015/16

AROLYGU'R GYLLIDEB - Diweddariadau misol i'r Tim Gweithredu Corfforaethol, y Pwyllgor Llywodraethu Corfforaethol a Briffio'r Cabinet

Tudalen 31



Mae tudalen hwn yn fwiadol wag

Adroddiad i'r: Brïff Cabinet

Dyddiad y Cyfarfod: Dydd Mercher 5 Tachwedd 2014

Aelod / Swyddog Arweiniol: Keith Amos

Awdur yr Adroddiad: Nicola Kneale

Teitl: Adolygiad o'r Gofrestr Risg Gorfforaethol, Tachwedd 2014

1. Am beth mae'r adroddiad yn sôn?

1.1 Adolygiad ffurfiol o Gofrestr Risg Gorfforaethol mis Hydref 2014.

2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

2.1 Cyflwyno'r fersiwn ddiweddaraf ffurfiol o'r Gofrestr Risg Gorfforaethol i Lywodraethu Corfforaethol ei hystyried, fel y cytunwyd yn Sesiwn Briffio'r Cabinet.

3. Beth yw'r Argymhellion?

3.1 Bod Llywodraethu Corfforaethol yn nodi'r dileadau, yr ychwanegiadau a'r diwygiadau i'r Gofrestr Risg Gorfforaethol, a gyda chyfle i wneud sylwadau.

4. Manylion am yr Adroddiad

4.1 Mae'r Gofrestr Risg Gorfforaethol yn galluogi'r cyngor i reoli'r tebygolrwydd ac effaith y risgiau mae'n eu hwynebu drwy werthuso effaith unrhyw weithredoedd cyfredol i liniaru risg, a chofnodi dyddiadau cau a chyfrifoldebau ar gyfer gweithredoedd pellach er mwyn sicrhau rheolaeth well.

4.2 Y Tîm Gweithredu Corfforaethol sydd wedi datblygu'r Gofrestr Risg Gorfforaethol, a nhw sy'n berchen arni. Mae'r broses ar gyfer adolygu'r Gofrestr Risg Gorfforaethol fel a ganlyn:

- Anogir gwasanaethau i adolygu eu cofrestr risg ddwywaith y flwyddyn (yn unol â methodoleg Rheoli Risg Gorfforaethol) cyn bob adolygiad o'r Gofrestr Risg Gorfforaethol, a hefyd cyn eu cyfarfodydd Herio Perfformiad Gwasanaethau. Bydd unrhyw faterion neu ymholiadau yn cael eu trafod yn y cyfarfodydd Herio Perfformiad Gwasanaethau.
- Mae'r Tîm Gwelliant Corfforaethol yn dadansoddi'r holl gofrestrau risg y gwasanaethau i ganfod risgiau sy'n arwyddocaol yn gorfforaethol neu unrhyw themâu risg sy'n ymddangos ar draws y gwasanaethau.
- Mae'r diweddariadau am risgiau corfforaethol cyfredol yn cael eu casglu gan berchnogion y risg, a bydd diweddariadau am weithredoedd i liniaru yn cael eu casglu gan y rhai sy'n cyflawni'r gweithredoedd.

- Cynhelir cyfarfodydd unigol gyda'r Prif Weithredwr a phob Cyfarwyddwr Corfforaethol, i drafod y risgiau y maent yn eu harwain. Rhoddir ystyriaeth a yw'r risg yn parhau, a yw'r sgôr yn gywir, ac a oes angen cynnwys unrhyw risgiau newydd o dan eu hawdurdodaeth.
 - Cynhelir gweithdy risg gyda'r Cabinet a'r Tîm Gweithredu Corfforaethol i adolygu risgiau cyfredol; trafod cynnydd ar weithredoedd lliniaru a gytunwyd arnynt; trafod a chytuno ar risgiau corfforaethol newydd; adolygu a diweddarau sgôr risgiau sy'n weddill; diweddarau rheolyddion sydd eisoes yn bodoli (yn dilyn gweithredoedd sydd eisoes wedi'u cwblhau); a chytuno ar unrhyw weithredoedd eraill sydd eu hangen i liniaru'r risg.
- 4.3 Mae'r Tîm Gweithredu Corfforaethol a'r Cabinet yn adolygu'r Gofrestr Risg Gorfforaethol yn ffurfiol ddwywaith y flwyddyn. Ond, bydd unrhyw risgiau newydd neu risgiau cynyddol yn cael eu hadrodd i'r Tîm Gweithredu Corfforaethol (drwy'r Tîm Gwelliant Corfforaethol) pan fyddant yn cael eu canfod. Yna bydd y Tîm Gweithredu Corfforaethol yn penderfynu a ddylid cynnwys y risg yn y Gofrestr Risg Gorfforaethol.
- 4.4 Yn dilyn pob adolygiad ffurfiol o'r Gofrestr Risg Gorfforaethol (ddwywaith y flwyddyn), mae'r ddogfen sydd wedi'i diwygio'n cael ei chyflwyno i'r Pwyllgor Llywodraethu Corfforaethol.
- 4.5 Bydd y gweithredoedd a nodir er mwyn delio â risgiau corfforaethol yn cael eu cynnwys mewn Cynlluniau Gwasanaethau (lle bo'n addas), sy'n galluogi Aelodau Archwilio Perfformiad i fonitro'r cynnydd. Dylid amlygu unrhyw faterion perfformiad mewn perthynas â darparu'r digwyddiadau fel rhan o broses Herio Perfformiad Gwasanaethau.
- 4.6 Mae Archwilio Mewnol y cyngor yn darparu sicrwydd annibynnol ar effeithiolrwydd dulliau rheoli mewnol a'r dulliau sydd wedi'u gosod er mwyn lliniaru risgiau yn y cyngor. Mae hefyd yn cynnig her annibynnol i sicrhau bod egwyddorion a gofynion rheoli risg yn cael eu defnyddio'n gyson ym mhob rhan o'r cyngor. Mae Gwasanaethau Archwilio Mewnol hefyd yn defnyddio gwybodaeth o'n cofrestrau risg gwasanaethau a chorfforaethol er mwyn penderfynu ar eu rhaglen gwaith i'r dyfodol.
- 5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**
- 5.1 Pwrpas y Gofrestr Risg Gorfforaethol yw adnabod digwyddiadau posibl yn y dyfodol all gael effaith niweidiol ar allu'r cyngor i gyflawni'r amcanion, gan gynnwys y blaenoriaethau corfforaethol. Mae'r rheolyddion a'r gweithredoedd yn angenrheidiol ar gyfer cyflawni'r blaenoriaethau corfforaethol.
- 6. Faint fydd yn ei gostio a sut bydd yn effeithio ar wasanaethau eraill?**
- 6.1 Mae cost datblygu, monitro ac adolygu'r Gofrestr Risg Gorfforaethol yn cael eu cynnwys yn y cyllidebau cyfredol.

- 7. Beth yw'r prif gasgliadau'r Asesiad o Effaith ar Gydraddoldeb (AEC) a gynhaliwyd ar y penderfyniad? Dylai'r templed AEC wedi'i lenwi gael ei atodi fel atodiad i'r adroddiad.**
- 7.1 Mae'r Gofrestr Risg Gorfforaethol yn dogfennu risgiau sydd wedi'u canfod, a'r gweithredoedd lliniaru cyfredol ac arfaethedig. Nid yw'r broses o ddatblygu ac adolygu'r ddogfen yn ei hun yn cael effaith uniongyrchol ar unrhyw berson gyda rhinweddau wedi'u diogelu. Ond, dylid asesu effaith ar gydraddoldeb ar unrhyw broses, strategaeth neu bolisi newydd sy'n cael eu ffurfio o ganlyniad i weithred lliniaru, ar lefel darparu gwasanaeth.
- 8. Pa ymgynghoriadau a gynhaliwyd gydag Archwilio ac eraill?**
- 8.1 Mae manylion y broses ymgynghori i adolygu'r Gofrestr Risg Gorfforaethol wedi'u cynnwys ym mharagraff 4.2.
- 9. Datganiad y Prif Swyddog Cyllid**
- 9.1 Nid oes unrhyw oblygiadau ariannol yn codi o'r broses sydd wedi'i hamlinellu yn yr adroddiad hwn i ddatblygu, monitro ac adolygu'r Gofrestr Risg Gorfforaethol.
- 10. Pa risgiau sy'n bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?**
- 10.1 Y prif risg yn berthnasol â'r broses o reoli risg yw nad yw'r cofrestrau'n cael eu hadolygu'n rheolaidd ac felly nid ydynt yn dod yn offeryn rheoli ystyrlon a dynamig. Ond, mae'r broses newydd wedi'i chynnwys yn llawn yn fframwaith rheoli perfformiad y cyngor, a ddylai sicrhau nad yw hyn yn digwydd.
- 11. Pŵer i wneud y Penderfyniad**
- 11.1 Deddf Llywodraeth Leol 2000

Mae tudalen hwn yn fwriadol wag

The main changes made to the Corporate Risk Register are listed below, along with any points of note:

- i) No change to DCC001: *'The risk of a serious safeguarding error where the council has responsibility, resulting in serious injury or death'*. The planned mitigating actions are close to completion, but are still to be implemented.
- ii) Revision to DCC004: *'The risk that the HR framework doesn't support the organisation's aims'*. Support processes are now in place, and the Improvement Plan is progressing (annual leave guidance has been developed, the appraisal system has been reviewed and new lifecycles have been developed for managers). Enough progress has been made to justify a reduction in the residual risk score from a B2 to a C2, but there is still some work to be done around updating policies and procedures, and a strategy for developing leadership.
- iii) No change to DCC006: *'The risk that the economic and financial environment worsens beyond current expectations, leading to additional demand on services and reduced income'*. The inherent and residual risk scores remain identical, with this being a significant risk. This is because although the Freedom & Flexibilities program is identifying savings, it is still a work in progress.
- iv) Revision to DCC007: *'The risk that critical or confidential information is lost or disclosed'*. A previous mitigating action ('Roll out of information security e-learning') is fulfilled, but not all office-based staff have completed the training. Hence, an additional action has been added: to report non-completion to Cabinet, and inform SLT of this process. Other mitigating actions are due for completion at the next Corporate Risk Register review (March 2015).
- v) No change to DCC011: *'The risk of a severe weather, contamination, or public health event'*. Although there had been progress against implementation of the mitigating actions, they are not yet complete (but delivery of training to SLT and finalisation of the Incident Handbook are imminent). Until these actions are complete, the scores remain at D2. The actions we are putting in place at the moment should reduce the Impact of an emergency event (whereas mitigating actions for most risks tend to affect the Likelihood), and this should be tested by a multi-agency training exercise scheduled for October.
- vi) Revision to DCC012: *'The risk of a significantly negative report(s) from external regulators'*. No change to the score here, but the further mitigating action to merge the Annual Governance Statement and the Corporate Self-Assessment is complete.

- vii) Revision to DCC013: *'The risk of significant financial and reputational liabilities resulting from management of some Arm's Length organisations'*. There's a new mitigating action here, which is that Internal Audit will develop a robust framework for monitoring governance arrangements with 'Council Funded Service Providers'. This is expected to be delivered by March 2015, at which point the risk's score will be reviewed. It's suggested that we change the reference here from "Arm's Length Organisations" to "Council Funded Service Providers" for consistency.
- viii) No change to DCC014: *'The risk of a health & safety incident resulting in serious injury or the loss of life'*.
- ix) No change to DCC016: *'The risk that the impact of welfare reforms is more significant than anticipated by the council'*. This remains an area of uncertainty and, therefore, a risk for the Council.
- x) Revision to DCC017: *'The risk that the ICT framework does not meet the organisation's needs'*. There are two mitigating actions for this risk (Telephony Strategy, and MS Enterprise rollout), which aren't due for delivery until March 2015. Progress against them has increased our confidence in our ability to deliver these actions, but where this risk originally focussed on the ICT department itself, consideration has now broadened to consider other important IT systems that the council operates, such as Social Service's PARIS system. There are some corporate projects that have a dependency on PARIS (e.g. Vulnerable People Mapping, Central Invoice Registration), and there may be similar non-central IT systems across the Council that need to fit with the organisation's strategy. Should we consider how we respond to this situation under this risk description?
- xi) No change to DCC018: *'The risk that programme and project benefits are not fully realised'*. The Strategic Investment Group is now the only one that can approve funding for capital projects, and a representative from the Corporate Programme Office (who will seek to ensure that project benefits are articulated and appear robust) sits on the group. Nevertheless, there are still mitigating actions to be completed (some are due for completion before the next Risk Register review in March 2015), so the inherent and residual risk scores remain identical, and significant.
- xii) No change to DCC019: *'The risk that the availability of the Welsh Government's match-funding contribution towards Band A of the 21st Century Schools programme is not in line with the timescales for Denbighshire's work programme'*. The 21st Century Schools Programme is progressing, with contracts agreed (or about to be agreed) for three out of the five projects. However the scale of the project still warrants the risk level of B2 as the remaining value of

the two other projects is approximately £39m.

- xiii) Revision to DCC021: *'The risk that effective partnerships and interfaces between BCU Health Board and Denbighshire County Council (DCC) do not develop, leading to significant misalignment between the strategic and operational direction of BCUHB and DCC'*. The residual risk's likelihood has been downgraded here, so the score is now C2. This is due to the fact that the new Chief Executive of BCUHB is now in post, and the Statutory Director of Social Services on the BCUH Board will be Nicola Stubbins, Denbighshire. We're awaiting official confirmation, but the appointment will better position Denbighshire to effectively partner the Health Board.
- xiv) New risk, DCC027: *'The risk that the decisions that are necessary to enable the delivery of a balanced budget are not taken or implemented quickly enough'*. As our settlement reduces, we need to develop and gain approval for plans as to where to stop spending in our budget. Any plans require the approval of Council, and must be implemented in a timely manner that complies with legislation. With a suggested inherent score of B1, mitigating factors in place include the Freedom & Flexibilities program, and Member involvement in its operation. It's suggested that the residual score is then a C1 (reduced likelihood). Is there any further action we need to take in order to ensure approved decisions are implemented in a timely and effective manner?
- xv) New risk, DCC028: *'The risk that the services that we scale back have a greater negative impact than we anticipated'*. When deciding where to make budget cuts, we endeavour to ensure the quality of key services. There is a risk that we haven't identified the correct services as being 'key', and/or that the changes we make are more disruptive than we anticipated. There's also the risk that we don't effectively anticipate and manage the reputational risks associated with service reductions. With a suggested inherent risk score of B2, mitigating factors in place include the fact that Impact Assessments are undertaken, and all reports ask for risks and benefits to be articulated. It's suggested that the residual score is C2 (reduced likelihood). Is there any further action we need to take to ensure we have fully considered the impact of our ideas and decisions?
- xvi) New risk, DCC029: *'Risk of successful challenge that we are illegally depriving people of their liberty'*. In March 2014 the Supreme Court ruled that all people who lack the capacity to make decisions about their care and residence and, under the responsibility of the state, are subject to continuous supervision and control and lack the option to leave their care setting are deprived of their liberty. This means that each client needs to be assessed as to whether their liberty's being jeopardised by practises in their placement. We need to train our officers in how to

assess whether liberty's being jeopardised, and the main challenge here is how to deliver that training within the given timescales.

Risk Assessment Criteria

LIKELIHOOD	Event is almost certain to occur in most circumstances	>70%	Almost Certain	A					
	Event likely to occur in most circumstances	30-70%	Likely	B					
	Event will possibly occur at some time	10-30%	Possible	C					
	Event unlikely and may occur at some time	1-10%	Unlikely	D					
	Event rare and may occur only in exceptional circumstances	<1%	Rare	E					
					5	4	3	2	1
					Very Low	Low	Medium	High	Very High
Service Performance					Minor errors or disruption	Some disruption to activities/customers	Disruption to core activities/ customers	Significant disruption to core activities. Key targets missed	Unable to deliver core activities. Strategic aims compromised
Reputation					Trust recoverable with little effort or cost	Trust recoverable at modest cost with resource allocation within budgets	Trust recovery demands cost authorisation beyond existing budgets	Trust recoverable at considerable cost and management attention	Trust severely damaged and full recovery questionable and costly
Financial		Cost (£)		<£50k	£50k - £250k	£250k - £1 m	£1 m - £5 m	>£5m	
IMPACT									

Tudalen 41

Corporate Risk Severity key

Severity

Management intervention



Minor

Risk easily managed locally no need to involve senior management



Moderate

Risk containable at Service level – senior management and SLT may need to be kept informed



Major

Intervention by SLT, Exec Group with Cabinet involvement



Critical

Significant Exec Group and Cabinet intervention

Mae tudalen hwn yn fwrriadol wag

Adroddiad i'r:	Pwyllgor Llywodraethu Corfforaethol
Dyddiad y Cyfarfod:	5 Tachwedd 5 2014
Aelod Arweiniol:	Julian Thompson-Hill, Aelod Arweiniol Cyllid ac Asedau
Awdur yr Adroddiad:	Ivan Butler - Pennaeth Archwilio Mewnol
Teitl:	Diweddariad ar y Taliadau Ariannol i'r Rheiny sy'n Gadael Gofal

1. Am beth mae'r adroddiad yn sôn?

Mae'r adroddiad hwn yn rhoi'r wybodaeth ddiweddaraf am y cynnydd gyda'r cynllun gweithredu a gynhwyswyd yn yr adroddiad Archwilio Mewnol ar Daliadau Ariannol i'r Rheiny sy'n Gadael Gofal a gyhoeddwyd ym mis Mawrth 2014.

2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

Gofynnodd y Pwyllgor Llywodraethu Corfforaethol am adroddiad cynnydd yn ei gyfarfod ar 15 Ebrill 2014.

3. Beth yw'r Argymhellion?

Argymhellir bod y Pwyllgor yn adolygu ac yn gwneud sylwadau ar yr adroddiad cynnydd, yn enwedig o ran diffyg cynnydd gyda'r prif fater a godwyd, gan benderfynu a oes angen unrhyw wybodaeth bellach neu adroddiadau cynnydd pellach.

4. Manylion yr Adroddiad

Roedd adroddiad Archwilio Mewnol ar Daliadau Ariannol i'r Rheiny sy'n Gadael Gofal a gyhoeddwyd ym mis Mawrth 2014 yn cynnwys cynllun gweithredu gyda phedwar Mater Cymedrol ac 14 o gamau gweithredu i fynd i'r afael â nhw. Pan gyflwynodd y Pennaeth Archwilio Mewnol yr adroddiad i'r Pwyllgor Llywodraethu Corfforaethol ar 15 Ebrill 2014, mynegodd y Pwyllgor rai pryderon o ran bod y broses dalu bresennol yn anghynnaladwy ac felly bu i'r Pwyllgor ofyn i Archwilio Mewnol gynnal adolygiad dilynol ac adrodd yn ôl iddynt.

Mae Atodiad 1 yn rhoi diweddariad ar gynnydd y cynllun gweithredu ac yn dangos mai dim ond pump o'r camau gweithredu sydd wedi eu cwblhau, gyda thri arall ar y gweill. Nid yw chwech o'r camau gweithredu wedi cael sylw, gan gynnwys y prif fater a godwyd (Mater 1), a oedd yn gofyn am adolygiad llawn o'r broses ar gyfer gwneud taliadau i'r rheiny sy'n gadael gofal. O'n trafodaethau, ni fu unrhyw gyswllt rhwng y Gwasanaethau Cymdeithasol a Refeniw a Budd-daliadau er mwyn trafod dull corfforaethol. Mae'r diffyg cynnydd o ran y mater allweddol hwn hefyd wedi cael effaith ar faterion eraill o fewn y cynllun gweithredu.

Bydd Archwilio Mewnol yn cynnal adolygiad pellach ym mis Ionawr 2015.

5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?

Amherthnasol - adroddiad er gwybodaeth yn unig yw hwn

6. Faint fydd yn ei gostio a sut y bydd yn effeithio ar wasanaethau eraill?

Amherthnasol - adroddiad er gwybodaeth yn unig yw hwn

7. Beth yw prif gasgliadau'r Asesiad o Effaith ar Gydraddoldeb a gynhaliwyd ar y penderfyniad? Dylid atodi Asesiad o Effaith ar Gydraddoldeb wedi ei gwblhau fel atodiad i'r adroddiad hwn.

Nid oes angen penderfyniad na chynnig gogyfer â newid mewn perthynas â'r adroddiad hwn, felly nid oes unrhyw effaith ar bobl sy'n rhannu nodweddion sydd wedi eu gwarchod.

8. Pa ymgynghoriadau a gynhaliwyd gydag Archwilio ac eraill?

Amherthnasol - adroddiad er gwybodaeth yn unig yw hwn

9. Datganiad y Prif Swyddog Cyllid

Nid oes unrhyw oblygiadau ariannol ynghlwm wrth yr adroddiad hwn.

10. Pa risgiau sy'n bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?

Os nad yw cynllun gweithredu Archwilio Mewnol yn cael ei weithredu, bydd gwendidau yn parhau yn y gweithdrefnau ar gyfer gwneud taliadau i'r rheiny sy'n gadael gofal fel yr amlinellir yn yr adroddiad Archwilio Mewnol gwreiddiol.

11. Pŵer i wneud y Penderfyniad

Amherthnasol - adroddiad er gwybodaeth yn unig yw hwn

Adolygiad Dilydol Archwilio Mewnol: Gwasanaeth Gadael Gofal – Taliadau Ariannol

Dyddiad: Hydref 2014

Perchennog Cynllun Gweithredu: Pennaeth y Gwasanaethau Plant a Theuluoedd

Allwedd Difrifoldeb Risg/Mater Corfforaethol	
	Critigol - Ymyrraeth sylweddol gan y Tîm Gweithredu Corfforaethol a'r Cabinet
	Mawr - Ymyrraeth gan yr Uwch Dîm Arweinyddiaeth a/neu Tîm Gweithredu Corfforaethol gyda'r Cabinet
	Cymedrol - Gallu delio â'r risg/mater ar lefel gwasanaeth. Efallai y bydd angen darparu diweddariadau i'r uwch reolwyr a'r Uwch Dîm Arweinyddiaeth

Rhif Risg / Mater	Risg / Mater	Camau i'w cymryd, Cyfrifoldeb ac Amserlen	Statws Cyfredol	Gweithredu Pellach
Tudalen 45	Mae angen cynnal adolygiad o'r broses sydd ar waith ar hyn o bryd ar gyfer gwneud taliadau i'r rheiny sy'n gadael gofal.	<ul style="list-style-type: none"> Trefnu cyfarfod gyda'r Pennaeth Refeniw a Budd-daliadau (a staff eraill yn ôl yr angen) er mwyn trafod dulliau amgen o gaffael nwyddau a/neu wneud taliadau i'r rheiny sy'n gadael gofal. <p>Rheolwr Gwasanaeth - Plant sy'n Derbyn Gofal / Arweinydd Ymarfer / Pennaeth Refeniw a Budd-daliadau - Mai 2014</p> <ul style="list-style-type: none"> Yn dilyn yr uchod, cynnal adolygiad o'r broses dalu bresennol a gweithredu newidiadau fel y bo'n briodol / ofynnol. <p>Rheolwr Gwasanaeth -Plant sy'n Derbyn Gofal - Medi 2014</p>	<p>Yn weddill</p> <p>Ar y gweill Archwiliwyd gwahanol ddarparwyr cyfrifon/cardiau. Mae gan yr Undeb Credyd gardiau sy'n diwallu anghenion pobl ifanc gyda rheolaethau ychwanegol, yn dibynnu ar eu hoedran (dim gorddrafft, gallu eu defnyddio mewn siopau ac i dynnu arian parod). Mae'r Undeb Credyd hefyd yn derbyn un taliad BACS ac yn gallu</p>	<p>Y Rheolwr Gwasanaeth - Plant sy'n Derbyn Plant i gyfarfod â'r Rheolwr Caffael Strategol Dros Dro a/neu Pennaeth Refeniw a Budd-daliadau i ystyried opsiynau eraill a allai fod ar gael mewn perthynas â chaffael nwyddau a gwasanaethau am brisiau gostyngol.</p> <p>Amserlen ddiwygiedig - Rhagfyr 2014</p> <p>Arweinydd Ymarfer i gwrdd â'r Swyddog Asesu Ariannol sy'n prosesu taliadau i'r rheiny sy'n gadael gofal. Cyfarfod pellach wedi ei drefnu gyda rheolwr yr Undeb Credyd i gwblhau cytundeb cyn gweithredu.</p> <p>Amserlen ddiwygiedig - Rhagfyr 2014</p>

Rhif Risg / Mater	Risg / Mater	Camau i'w cymryd, Cyfrifoldeb ac Amserlen	Statws Cyfredol	Gweithredu Pellach
Tudalen 46	<p>Dylid ystyried amcanion i gyflawni'r canlynol:</p> <ul style="list-style-type: none"> Sefydlu cyfrif banc neu gyfrif amgen ar gyfer pob person sy'n gadael gofal cyn gynted ag y bo modd yn dilyn atgyfeiriad i'r gwasanaeth i'w galluogi i dderbyn taliadau yn y ffordd hon ac i ddysgu am reoli cyllideb. Mwyhau gwerth am arian drwy drafod gyda chyflenwyr trydydd parti, e.e. Arriva ar gyfer tocynnau bws neu gyda chyflenwyr nwyddau gwyn i gael gostyngiadau pellach trwy gytundebau fframwaith. Archwilio ffyrdd mwy modern a diogelach o wneud taliadau, fel defnyddio cardiau rhagdaledig lle gellir monitro a rheoli lefel y gwariant yn hawdd. Byddai hyn yn disodli'r angen i weinyddu trafodion drwy'r cyfrif arian mân, sy'n gostus ac yn llafurddwys. 	<p>Sylwer: Mae cyfrifon banc yn cael eu sefydlu ar gyfer y rheiny sy'n gadael gofal. Mae proses yn ei lle i gefnogi rhai o'r rheiny nad ydynt yn gallu rheoli materion cyllidebu. Mae hyfforddiant, cefnogaeth a chynghor yn ei le a chyfrifon banc wedi eu ceisio ar gyfer yr adeg pan fydd y gwasanaeth yn hyderus mai hyn sy'n diwallu anghenion asesedig y person ifanc orau.</p> <ul style="list-style-type: none"> Sefydlu proses lle mae cyfrif banc pob person ifanc yn cael ei fonitro pob chwe wythnos. <p>Arweinydd Ymarfer a Gweithwyr Cymdeithasol eraill – Mai 2014</p> <ul style="list-style-type: none"> I'w gynnwys yn yr adolygiad cyffredinol. I'w gynnwys yn yr adolygiad cyffredinol. 	<p>rhannu'r arian yn unol â'n cyfarwyddyd. Mae'r Arweinydd Ymarfer wedi cyfarfod â rheolwr yr Undeb Credyd i symud ymlaen gyda'r opsiwn hwn.</p> <p>Wedi ei gwblhau</p> <p>Yn weddill</p> <p>Ar y gweill</p>	<p>Monitro drwy oruchwyliaeth ac archwilio ffeiliau.</p> <p>Cyfarfod i'w gynnal i drafod materion caffael (gweler y nodyn uchod).</p> <p>Trefniadau i'w gwblhau (gweler y nodyn uchod).</p>

Rhif Risg / Mater	Risg / Mater	Camau i'w cymryd, Cyfrifoldeb ac Amserlen	Statws Cyfredol	Gweithredu Pellach
	<p>Yn ogystal, mae angen ystyried gweithio ar draws gwasanaethau i gyflawni'r prosiect hwn er mwyn manteisio ar setiau o sgiliau y tu allan i'r amgylchedd gofal cymdeithasol, e.e. trafod prisiau a marchnata.</p>	<ul style="list-style-type: none"> I'w gynnwys yn yr adolygiad cyffredinol. 	<p>Yn weddill</p>	<p>Cyfarfod i'w gynnal i drafod materion caffael (gweler y nodyn uchod).</p>
<p>2.</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Tudalen 47</p>	<p>Mae angen adolygu gweithdrefnau'r gwasanaeth ar gyfer y rheiny sy'n Gadael Gofal, ond rydym ni'n derbyn y gallai fod yn ymarferol delio â'r ymarfer hwn ar ôl mynd i'r afael â'r mater blaenorol.</p> <p>Yn gysylltiedig â hyn, mae meysydd cysylltiedig sy'n peri pryder yn cynnwys y canlynol:</p> <ul style="list-style-type: none"> Dylai'r atodlen lwfansau sy'n daladwy gael ei hadolygu a'i chymeradwyo gan uwch reolwr priodol yn flynyddol. Dylid dilyn yr un drefn ar gyfer grantiau cartref cyntaf y rheiny sy'n gadael gofal (os ydynt am barhau yn yr un modd ar ôl yr adolygiad). Efallai y bydd ar bob gweithiwr cymdeithasol sy'n delio â rhai sy'n gadael gofal angen rhywfaint o hyfforddiant gloywi i helpu i 	<ul style="list-style-type: none"> Y Rheolwr Gwasanaeth i adolygu'r atodlen Rheolwr Gwasanaeth – Plant sy'n Derbyn Gofal – Ebrill 2014 Y Rheolwr Gwasanaeth i adolygu'r atodlen Rheolwr Gwasanaeth – Plant sy'n Derbyn Gofal – Ebrill 2014 Gweithdy yn ystod cyfarfod Grŵp Ymarfer Arweinydd Ymarfer – Ebrill 2014 	<p>Wedi ei gwblhau Adolygiad o'r broses dalu ar gyfer y flwyddyn ariannol hon wedi ei gynnal. Ni wnaethpwyd unrhyw newid. Cytuno ar daliadau'r flwyddyn ariannol nesaf yn dilyn derbyn cadarnhad o sefyllfa'r gyllideb.</p> <p>Wedi ei gwblhau Fel uchod</p> <p>Yn weddill Ei ddal yn ôl hyd nes bydd yr aelod newydd o'r tîm yn ei swydd.</p>	<p>Rheolwr Gwasanaeth – Plant sy'n Derbyn Gofal a'r Swyddog Cyllid i adolygu sefyllfa'r gyllideb.</p> <p>Fel uchod</p> <p>I'w gynnal ym mis Tachwedd fel rhan o ddiwrnod tîm 14+ ac Ymgynghorwyr Personol Barnardos. Amserlen ddiwygiedig –</p>

Rhif Risg / Mater	Risg / Mater	Camau i'w cymryd, Cyfrifoldeb ac Amserlen	Statws Cyfredol	Gweithredu Pellach
	<p>godi eu hymwybyddiaeth o'r angen i gadw at y gweithdrefnau os yw'r gwasanaeth am sicrhau proses deg a chyson a bod y fframwaith ariannol yn gadarn.</p>	<ul style="list-style-type: none"> Adolygiad pellach o'r gweithdrefnau y dylid eu gwneud i adlewyrchu unrhyw newid i'r broses dalu (sy'n deillio o'r gwaith dan rif 1 uchod). <p>Rheolwr Gwasanaeth – Plant sy'n Derbyn Gofal Ar ôl cwblhau'r adolygiad o'r broses dalu.</p>	<p>Yn weddill</p>	<p>Tachwedd 2014</p>
<p>3.</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Tudalen 48</p>	<p>Hyd nes y darperir deddfwriaeth mewn perthynas â dyletswydd a chyfrifoldeb y Cyngor tuag at bobl ifanc sy'n cyflwyno eu hunain fel pobl ddigartref (dan y cytundeb Dyfarniad Southwark) mae angen canllawiau dros dro ar y cymorth ariannol sydd i'w darparu.</p> <p>Bydd angen i bob gweithiwr cymdeithasol sy'n delio â'r unigolion fod yn ymwybodol o'i gynnwys ac i gadw ato wrth wneud taliadau.</p>	<ul style="list-style-type: none"> Ailysgrifennu/diweddaru'r polisi a'r canllawiau dros dro a'u rhannu gyda'r holl staff perthnasol. <p>Rheolwr Gwasanaeth – Plant sy'n Derbyn Gofal – Ebrill 2014</p> <ul style="list-style-type: none"> Adolygiad pellach o'r gweithdrefnau y dylid eu gwneud i adlewyrchu unrhyw newid i'r broses dalu (sy'n deillio o'r gwaith dan rif 1 uchod) <p>Rheolwr Gwasanaeth – Plant sy'n Derbyn Gofal Ar ôl cwblhau'r adolygiad o'r broses dalu.</p>	<p>Ar y gweill Diweddarau'r polisi dros dro – wedi ei gwblhau ac eithrio cynnwys datganiad sefyllfa polisi gan RM.</p> <p>Yn weddill</p>	<p>I'w drafod yn y grŵp gweithredu Dyfarniad Southwark ac aelodau'r Gwasanaethau Tai.</p> <p>Amserlen ddiwygiedig – Rhagfyr 2014</p>

Rhif Risg / Mater	Risg / Mater	Camau i'w cymryd, Cyfrifoldeb ac Amserlen	Statws Cyfredol	Gweithredu Pellach
<p>4.</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Tudalen 49</p>	<p>Dylai'r gwasanaeth ystyried sefydlu cytundeb gyda'r rheiny sy'n gadael gofal i sicrhau eu bod yn rhoi gwybod i'w Hymgyngghorydd Personol neu Weithiwr Cymdeithasol am unrhyw newid yn eu hamgylchiadau e.e. pan fydd budd-daliadau DWP yn daladwy, fel nad yw'r gwasanaeth yn parhau i wneud taliadau am gyfnod amhenodol.</p>	<ul style="list-style-type: none"> Gwaith ar y gweill - mae CSDd, DWP a Barnardos ar hyn o bryd yn gweithio ar gytundeb cyfrinachedd tair ffordd a fydd yn caniatáu i wybodaeth benodol gael ei datgelu (h.y. dyddiadau dechrau derbyn budd-daliadau). Bydd hyn yn cael ei ddilyn gan waith ar gytundeb lle gall y sawl sy'n Gadael Gofal wneud cais am fudd-dal chwe wythnos cyn eu pen-blwydd yn 18 oed a derbyn taliad yn fuan ar ôl eu pen-blwydd yn 18 oed. Bydd hyn yn dileu'r angen am gydbwysedd neu gyfaddawd yn ein dyletswyddau rhianta corfforaethol 'moesol' ac yn sicrhau ein bod yn fwy ymwybodol o newid mewn amgylchiadau person ifanc. <p>Arweinydd Ymarfer – Mai 2014</p> <ul style="list-style-type: none"> Bydd ffurflen ar gyfer y sawl sy'n gadael gofal hefyd yn cael ei llunio lle maent yn cytuno i roi gwybod am newid mewn amgylchiadau. <p>Arweinydd Ymarfer – Mai 2014</p>	<p>Wedi ei gwblhau Cytundeb yn ei lle ac yn cael ei ddefnyddio.</p> <p>Wedi ei gwblhau Y ffurflen yn ei lle ac yn cael ei defnyddio.</p>	<p>Monitro'r defnydd o'r cytundeb trwy oruchwylio ac archwilio ffeiliau.</p> <p>Monitro'r defnydd o'r ffurflen trwy oruchwylio ac archwilio ffeiliau.</p>

Mae tudalen hwn yn fwiadol wag

Adroddiad i'r:	Pwyllgor Llywodraethu Corfforaethol
Dyddiad y Cyfarfod:	5 Tachwedd 2014
Aelod Arweiniol / Swyddog:	Gary Williams, Swyddog Monitro
Awdur yr Adroddiad:	Gary Williams, Swyddog Monitro
Teitl:	Polisi Gwrth-dwyll, Llygredigaeth a Llwgrwobrwyo

1 Am beth mae'r adroddiad yn sôn?

- 1.1 Mae'r adroddiad yn ymwneud â diwygiadau i Bolisi Gwrth-dwyll a Llygredigaeth y Cyngor.

2 Beth yw'r rheswm dros lunio'r adroddiad hwn?

- 2.1 Galluogi Aelodau i ystyried y Polisi Gwrth-dwyll, Llygredigaeth a Llwgrwobrwyo diweddar.

3 Beth yw'r Argymhellion?

- 3.1 Bod yr Aelodau'n nodi cynnwys y Polisi Gwrth-dwyll, Llygredigaeth a Llwgrwobrwyath drafft ac yn ei argymhell i'w gymeradwyo gan y Cabinet.

4 Manylion am yr adroddiad.

- 4.1 Mae'r Cyngor yn cyflogi dros 4,000 o staff ac yn gwario tua £ 250 miliwn y flwyddyn. Mae'n comisiynu ac yn darparu ystod eang o wasanaethau i unigolion a chartrefi ac yn gweithio gydag ystod eang o sefydliadau yn y sectorau preifat, cyhoeddus a gwirfoddol.
- 4.2 Fel gydag unrhyw sefydliad mawr arall, mae maint a natur gwasanaethau'r Cyngor yn golygu bod yna risg barhaus o golled oherwydd twyll a llygredd o ffynonellau mewnol ac allanol. Mae yna hefyd risg barhaus o lwgrwobrwyo gan fod y Cyngor yn darparu ac yn caffael nwyddau, gwaith a gwasanaethau. Felly, mae'r Cyngor wedi rhoi systemau cymesur ar waith i leihau'r risg hwn a chaiff y rhain eu hadolygu'n gyson. Mae'r systemau a'r gweithdrefnau hyn wedi'u nodi yn y canllawiau ym mharagraff 5.12.
- 4.3 Mae'r Cyngor yn cydnabod, yn ogystal ag achosi colled ariannol, bod twyll a llygredd hefyd yn niweidiol i ddarpariaeth gwasanaethau a'i fod yn niweidio enw da'r Cyngor a chyrff cyhoeddus yn gyffredinol.
- 4.4 Mae Polisi diwygiedig drafft ynghlwm yn Atodiad 1 i'r adroddiad. Arferai'r polisi fod yn ddogfen sengl hir. Mae'r Polisi wedi cael ei rannu'n ddwy ddogfen.

Mae'r cyntaf yn Atodiad 1 yn ddatganiad o Bolisi sy'n cynnwys y prif egwyddorion y bydd y Cyngor yn mynd i'r afael â thwyll, llwgrwobrwyo a llygredigaeth. Mae'r ail ddogfen i'w gweld yn Atodiad 2 i'r adroddiad hwn ac mae'n ddogfen gyfarwyddyd sy'n egluro'r cefndir a'r polisïau a'r gweithdrefnau sydd yn eu lle i gefnogi'r Polisi.

- 4.5 Mae'n bwysig bod unrhyw bolisi sy'n honni ei fod yn gwrthsefyll y bygythiad o dwyll a llygredd yn cael ei ddiweddarau a'i adolygu yng ngoleuni datblygiadau deddfwriaethol, technolegol a phroffesiynol newydd.
- 4.6 Cymeradwywyd Polisi presennol Gwrth-dwyll a Llygredigaeth y Cyngor yn 2006.
- 4.7 Bydd Aelodau'n sylwi bod teitl y Polisi wedi cael ei ddiwygio i gynnwys cyfeiriad at llwgrwobrwyo. Mae hyn er mwyn ystyried newidiadau i ddeddfwriaeth a ddaeth yn sgil Deddf Llwgrwobrwyo 2010. Mae'r canllawiau hefyd yn ystyried canllawiau arfer gorau, fel "Llyfr Coch 2 - Rheoli'r Risg o Dwyll" gan Sefydliad Siartredig Cyllid Cyhoeddus a Chyfrifyddiaeth.
- 4.8 Yn y Datganiad Polisi a'r gweithdrefnau sy'n ei gefnogi, mae'r Cyngor yn rhoi neges glir na fydd yn goddef unrhyw amhriodoldeb gan weithwyr, aelodau etholedig na sefydliadau trydydd parti.
- 4.9 Er bod y Cyngor wedi profi lefel gymharol isel o weithgarwch twyllodrus a ganfyddir yn y blynyddoedd diwethaf, mae'n bwysig iawn bod yn wylodrus a bod yr holl weithwyr, aelodau etholedig a phartneriaid yn ymwybodol o sut i roi gwybod am bryderon neu amheuan. Mae'r canllawiau yn Atodiad 2 yn rhoi cyngor clir ynghylch sut, ac i bwy, y dylid rhoi gwybod am amheuan. Yn ogystal, mae datganiad clir o ymrwymiad y Cyngor i gymryd camau gorfodi cadarn lle caiff gweithgaredd anghyfreithlon neu lygredig ei ganfod.
- 4.10 Bydd y Cyngor yn parhau i addasu a mabwysiadu dull rhagweithiol o atal gweithgareddau twyllodrus a bydd Archwiliad Mewnol yn cynnal adolygiad blynyddol o effeithiolrwydd y rheolaethau hyn.

5 Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?

- 5.1 Nid yw'r penderfyniad yn cyfrannu'n uniongyrchol at y blaenoriaethau corfforaethol, fodd bynnag, mae ymagwedd gadarn tuag at y risg o dwyll a llygredd yn cefnogi'r Cyngor o ran cyflawni ei flaenoriaethau drwy geisio lleihau'r risg o niwed ariannol ac enw da y gall twyll a llygredd ei achosi.

6 Faint fydd hyn yn ei gostio a sut y bydd yn effeithio ar wasanaethau eraill?

- 6.1 Nid oes costau uniongyrchol yn gysylltiedig â'r adroddiad hwn.

7 Pa ymgynghoriadau a gynhaliwyd, ac a gynhaliwyd Asesiad o Effaith ar Gydraddoldeb?

- 7.1 Nid oes angen asesiad o effaith ar gydraddoldeb.

8 Datganiad y Prif Swyddog Cyllid

8.1 Mae'r Polisiâu hyn yn helpu i wella fframwaith llywodraethu a sicrwydd y Cyngor.

9 Pa risgiau sy'n bodoli, ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?

9.1 Y risg o beidio â diweddarau'r Polisi yw na fydd gan y Cyngor strategaeth ddiweddar i frwydro yn erbyn twyll a llygredd.

10 Pŵer i wneud y Penderfyniad

10.1 Adrannau 111 a 151 Deddf Llywodraeth Leol 1972.

Mae tudalen hwn yn fwriadol wag

Corporate Policy for the Prevention and Detection of Fraud, Bribery and Corruption

POLICY STATEMENT

- 1 This Policy is intended to cover fraud, theft, corruption and bribery.**
- 2 The Council expects the highest standards of propriety and ethics in the delivery of its services and the management of its resources and assets.**
- 3 The Council will carry out its business fairly, honestly and openly at all times.**
- 4 The Council does not and will not tolerate any form of fraud, corruption or bribery when undertaking any of its responsibilities, including Housing / Council Tax Benefit fraud.**
- 5 The Council will prevent fraud, corruption and bribery by designing and formulating proportionate policies and systems to minimise risk.**
- 6 The Council will continue to promote the detection and investigation of fraud, corruption and bribery including the application of robust, effective sanctions and recovery procedures where it is identified.**
- 7 The Council recognises that bribery is a criminal offence. The Council does not, and will not, pay bribes or offer improper inducements to anyone for any purpose, nor will it, accept bribes or improper inducements. To use a third party as a conduit to channel bribes to others is a criminal offence.**
- 8 The Council does not, and will not, engage indirectly in or otherwise encourage bribery. The Council is committed to the prevention, deterrence and detection of bribery and adopts a position of zero tolerance towards bribery.**



Guidance on the Prevention and Detection of Fraud, Bribery and Corruption

2014

CONTENTS

1. INTRODUCTION

- 1.1 Denbighshire County Council (the Council) employs around 4,500 staff and spends around £250 million per year. It commissions and provides a wide range of services to individuals and households and works with a wide range of private, public and voluntary sector organisations.
- 1.2 As with any other large organisation, the size and nature of the Council's services mean that there is an ongoing risk of loss due to fraud and corruption from both internal and external sources. There is also an ongoing risk of bribery as the Council provides and procures goods, works and services. The Council has therefore put in place proportionate systems to minimise this risk and these are kept under constant review.
- 1.3 The Council recognises that as well as causing financial loss, fraud is also detrimental to the provision of services, and damaging to the reputation of, and confidence in, the Council and public bodies in general.
- 1.4 In its policies and procedures the Council gives out the clear message that it will not tolerate any impropriety by employees, elected Members or third party organisations. These are all signs of a robust framework in place to mitigate the risk of fraud, corruption or bribery.
- 1.6 The Strategy has the full support of Members and the Council's Strategic Leadership Team.
- 1.7 The Council is also aware of the high degree of external scrutiny of its affairs by a variety of bodies including:
 - The Local Government Ombudsman,
 - The Wales Audit Office,
 - Statutory Inspectorates such as ESTYN and the Care and Social Services Inspectorate Wales (CSSIW),
 - Her Majesty's Revenue and Customs,
 - Auditors of organisations for whom the Council acts as agents as well as those that provide direct funding for the Council e.g. European funding organisations.

2. ANTI FRAUD AND CORRUPTION STRATEGY

- 2.1 The previous Anti Fraud and Corruption Strategy was approved in 2006. This revised Strategy takes account of changes in legislation e.g. the Bribery Act 2010 and also best practice e.g. CIPFA's "Red Book 2 – Managing the Risk of Fraud".
- 2.2 The Strategy is based on the following principles of best practice:
- | | |
|------------------|---------------|
| a) culture | b) deterrence |
| c) prevention | d) detection |
| e) investigation | f) sanctions |
| g) redress | h) training |
- 2.3 The Council also has arrangements in place to prevent and detect Housing / Council Tax Benefit fraud which are attached as Appendix 2.

3. SCOPE

3.1 Fraud and corruption may take a number of forms. The relevant definitions are as follows:

Fraud

The Fraud Act 2006 provides definitions of the criminal offence of fraud and identifies three key offences:

- Fraud by false representation - an offence is committed if a person dishonestly makes a false representation with the intent of making a gain for himself or another; or to cause or expose the risk of loss to another.
- Fraud by failing to disclose information - an offence is committed if a person dishonestly fails to disclose to another person information which he is under a legal duty to disclose; and intends by failing to do so, to make a gain for himself or another; or to cause or expose the risk of loss to another.
- Fraud by abuse of position - an offence is committed if a person occupies a position in which he is expected to safeguard, or not to act against, the financial interests of another person; and dishonestly abuses that position with the intention to make a gain for himself or another; or to cause or expose the risk of loss to another

Theft

The Theft Act 1968 provides that an offence of theft is committed where a person dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it.

Corruption

The Oxford English Dictionary defines corruption as dishonest or fraudulent conduct by those in power, typically involving bribery.

Bribery

The Bribery Act 2010 provides definitions of the criminal offence of bribery and identifies four key offences:

- Bribing another person - A person commits an offence by offering, promising or giving a financial or other advantage to another person, directly or through an intermediary either:
 - a) intending that advantage to induce a person to perform improperly a Function or to reward a person for so doing (whether or not it is the same person to whom the advantage is offered) or

- b) knowing or believing that accepting the advantage would itself be improper performance of a Function.
- Being bribed - A person commits this offence by requesting, agreeing to receive or accepting a financial or other advantage, directly or through a third party, for his or her own or someone else's benefit and,
 - a) that person intends that, as a consequence, there is improper performance of a Function or
 - b) there is improper performance of a Function (whether as a reward, in anticipation of or as a consequence of the request, agreement or acceptance).

The request, agreement or acceptance itself may be the improper performance of a Function.

- Bribery of a Foreign Public Figure – This offence will be committed if a person offers or gives a financial or other advantage to a foreign public official with the intention of influencing the foreign public official and obtaining or retaining business, where the foreign public official was neither permitted nor required by written law to be so influenced.
- Failing to prevent Bribery - A company is “strictly liable” for any bribe paid by a person performing services on its behalf, unless the organisation proves that adequate anti-bribery procedures were in place.

4. CULTURE

- 4.1 The Council's Code of Corporate Governance sets out its commitment to the highest ethical and moral standards and also to a culture of honesty, openness and accountability.
- 4.2 The Council has agreed a set of core values that guide its work and shape the way that it goes about achieving its vision, aims and objectives. These are:
- Unity
 - Pride
 - Respect
 - Integrity
- 4.3 All employees, partner organisations as well as organisations working on the Council's behalf, are expected to share in this commitment and to lead by example in ensuring adherence to all Council regulations, procedures, practices and codes of conduct in accordance with the Nolan Committee's "Seven Principles of Public Life" which are:
- Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership
- 4.4 In addition, all elected Members and co-opted members will be expected to adhere to the "The Conduct of Members (Principles) (Wales) Order 2001". This Order adds to the seven Nolan principles set out above by including requirements in relation to Stewardship, Duty to Uphold the Law, and Equality and Respect
- 4.5 This ethical framework supports a preventative, anti fraud and corruption culture which is supported by ongoing work to detect / investigate fraud and to apply sanctions and recover losses where it is found.
- 4.6 The Council's elected members and employees play an important role in creating and maintaining this culture. The Council positively encourages

those working for or with the Council to raise concerns regarding fraud and corruption immaterial of seniority or status in the knowledge that such concerns will, wherever possible, be treated in confidence without fear of reprisals or victimisation so that they can be investigated properly and fairly. Guidelines on how to make such reports are contained in Appendix 1.

- 4.7 Members of the public are encouraged to report any concerns which they may have. This may be direct using the contact details shown in Appendix 5 or by using the Council's customer service contacts which are available on the Council's website; www.denbighshire.gov.uk
- 4.8 The Council will ensure that any allegations received will be taken seriously and investigated in an appropriate manner.

5. PREVENTION

5.1 Policies & Procedures

5.1.1 The Council is firmly of the belief that the best way to beat fraud and corruption is to prevent it from happening in the first instance. To achieve such an objective it is essential that the Council has in place a clear set of policies and procedures which set out the rules within which elected members, employees, consultants and contractors can work effectively. These are integral elements of the corporate internal control environment, and it is important that all members and employees are aware of their existence and at least their general content.

5.1.2 The most critical of such policy and procedural documents are as follows:-

- The Constitution, containing particularly:-
 - ✚ the Financial Regulations which include Contract Procedure Rules
 - ✚ the Code of Conduct for Members
 - ✚ the Code of Conduct for Employees
 - ✚ Schemes of Delegation
- The Code of Corporate Governance.
- Employees' Conditions of Service.

5.1.3 In addition to the above, some Departments have introduced their own measures designed to control their particular activities, for example procedure manuals.

5.1.4 It is the responsibility of Corporate Directors and Heads of Service to ensure that all employees have ready access to all of the Council's agreed policies and procedures, and, where appropriate, they receive suitable training in their operation.

5.1.5 Elected members and employees have a specific responsibility to read and understand the policies and procedures that apply to them, and subsequently act in accordance with the terms and conditions therein. The Council may take formal action against anyone who fails in their duty to comply with the agreed policies and procedures.

5.1.6 In the case of an elected member, such an occurrence could precipitate a referral to the Standards Committee by the Ombudsman. In the case of an employee, the Council may take action under its Disciplinary Policy & Procedure.

5.2 Internal Control

- 5.2.1 Corporate Directors and Heads of Service are fully responsible for ensuring that all operational systems, particularly financial procedures, incorporate an appropriate level of internal control mechanisms. It is also essential that, where possible and practicable, a clear division of duties exists in the operation of a particular system, and that no individual is in a position whereby he or she can carry out a complete transaction without some form of check being built in to the process.
- 5.2.2 Heads of Service must ensure that their Risk Register accurately reflects the risk of fraud including any emerging risks.

5.3 Recruitment

- 5.3.1 The Council recognises that a key preventative measure in dealing with fraud and corruption is for managers to take effective steps at the recruitment stage to establish, as far as possible, the honesty and integrity of potential employees, whether for permanent, temporary or casual posts and agency staff. The Council's formal recruitment procedure contains appropriate safeguards in the form of written references, the verification of qualifications held and employment history. As in other public bodies Disclosure and Barring Service (DBS) checks are undertaken for employees working with, or who may have contact with, children or vulnerable adults.

5.4 Joint-Working

- 5.4.1 The Council is committed to working and co-operating with other organisations to help prevent organised fraud and corruption. As a consequence, whenever possible, the Council will be prepared to help and exchange information with other Councils and organisations to deal with fraud.
- 5.4.2 Information exchange needs to be tightly controlled, particularly in relation to data protection and human rights issues. As a consequence, the Internal Audit Department controls all such help and exchange information in consultation with, and the ultimate approval of, the Monitoring Officer.
- 5.4.3 The Council will set up confidential facilities to enable information to be passed that may prevent fraud and corruption. These may well include a dedicated telephone line and an Internet reporting facility via the Council's official web site.
- 5.4.4 Such facilities will allow members of the public, as well as elected members and employees, to advise the Internal Audit Department about specific instances of alleged fraud and corruption. The Council will, therefore, ensure that full details of the reporting facilities are widely

publicised to all potential users, and that all information received will be thoroughly investigated and subsequently dealt with, as required.

5.5 The Role of Elected Members

5.5.1 As elected representatives, all elected members have a duty to the citizens and customers of the Council to protect the Council and public money from any acts of fraud and corruption. This is done through this Policy, compliance with the Members' Code of Conduct, the Council's Constitution, Financial Regulations, and relevant legislation.

5.5.2 Elected members sign an undertaking that they have read, understood and will abide by the Code of Conduct for Members when they take office. Conduct and ethical matters are specifically brought to the attention of elected members during induction and include the declaration and registration of interests. The Council's Monitoring Officer, advises elected members of new legislative or procedural requirements.

5.6 The Head of Paid Service, Monitoring Officer and Section 151 Officer

5.6.1 The Head of Paid Service, Monitoring Officer and Section 151 Officer have key roles in providing advice to all elected members and staff about vires issues, maladministration, financial impropriety, probity and policy framework and budget issues.

5.6.2 The Head of Paid Service is responsible for espousing and upholding high standards of conduct by officers, ensuring oversight of compliance with the member-officer protocol and with other policies adopted by the Council.

5.6.3 The Monitoring Officer encourages the promotion and maintenance of high standards of conduct within the Council, particularly through provision of support to the Standards Committee.

5.6.4 The Section 151 Officer undertakes the statutory responsibility under the Local Government Act 1972 to ensure the proper arrangements for the administration of the Council's financial affairs. This role is supported by the work undertaken by Internal Audit.

5.7 The Role of Managers

5.7.1 Managers at all levels are responsible for the communication and implementation of this Policy in their work area. They are also responsible for ensuring that their employees are aware of the Council's personnel policies and procedures and Financial Regulations and that the requirements of each are being met in their everyday business activities. In addition, managers must make their employees aware of the requirements of the Code of Conduct for Local Government Employees through the induction process.

5.7.2 Managers are expected to create an environment in which their employees feel able to approach them with any concerns they may have about suspected irregularities.

5.8 Responsibilities of Employees

5.8.1 Each employee is governed in their work by the Council's Financial Regulations and other policies on conduct, for example, health and safety, e-mail and internet usage, and IT security. Included in the Council's policies are guidelines on gifts and hospitality, and codes of conduct associated with professional and personal conduct and conflict of interest. These are issued to all employees when they join the Council, or are available to all on the Intranet.

5.8.2 In addition, employees are responsible for ensuring that they follow the instructions given to them by management, particularly in relation to the safekeeping of the Council's assets. These will be included in induction training and procedure manuals.

5.8.3 Employees are expected always to be aware of the possibility that fraud, corruption and theft may exist in the workplace and be able to share their concerns with management. If for any reason, they feel unable to speak to their manager they must refer the matter to one of those named below:

- Heads of Service, Corporate Directors, the Chief Executive or the Council's Monitoring Officer, who will report such concerns to the Head of Internal Audit.
- Directly to the Head of Internal Audit.
- The Council's external auditor, who, depending upon the nature of the concern, will liaise with the Head of Internal Audit.
- Trade Union representatives, who will report such concerns to the Head of Internal Audit.

5.9 Conflicts of Interest

5.9.1 Both elected members and employees must ensure that they avoid situations where there is a potential for a conflict of interest. Such situations can arise with externalisation of services, internal tendering, planning and land issues etc. Effective role separation will ensure that decisions made are seen to be based upon impartial advice and avoid questions about improper disclosure of confidential information.

510 Role of Internal Audit

- 5.10.1 Denbighshire Internal Audit Services independently reviews the adequacy, efficiency and effectiveness of the internal controls within the Council's systems by undertaking a comprehensive programme of work targeted at key risk areas.
- 5.10.2 Any weaknesses in internal control are reported to management with proposed recommendations to address the issues raised. It is the responsibility of management to ensure that corrective action is taken.
- 5.10.3 The independent review of the systems and the implementation of agreed recommendations contribute to the prevention and detection of fraud and corruption.

5.11 The Role of the External Auditor

- 5.11.1 Independent external audit is an essential safeguard of the stewardship of public money. This is carried out through specific reviews that are designed to test (amongst other things) the adequacy of the Council's financial systems and arrangements for preventing and detecting fraud and corruption. It is not the external auditors' function to prevent fraud and irregularities, but the integrity of public funds is at all times a matter of general concern.

6. DETERRENCE

6.1. Disciplinary Action

- 6.1.1 Theft, fraud, bribery and corruption are serious offences against the Council, and employees will face disciplinary action if there is evidence that they have been involved in these activities. Disciplinary action will be taken in addition to, or instead of, criminal proceedings depending on the circumstances of each individual case, but in a consistent manner.
- 6.1.2 Members will face appropriate action under this Policy if they are found to have been involved in theft, fraud, bribery and corruption against the Council. Action will be taken in addition to, or instead of criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner. If the matter is a breach of the Members' Code of Conduct it will also be referred to the Ombudsman.

6.2 Publicity

- 6.2.1 The Council's Public Relations unit (PR) will optimise the publicity opportunities associated with anti-fraud and corruption activity within the Council. PR will also try to ensure that the results of any action taken, including prosecutions, are also reported in the press.
- 6.2.2 In all cases (both elected member and officer) where the Council has suffered a financial loss, the Council will seek to recover the loss and advertise this fact.
- 6.2.3 All anti-fraud and corruption activities, including the update of this policy, will be publicised in order to make employees and the public aware of the Council's commitment to taking action on fraud and corruption, when it occurs

7. DETECTION & INVESTIGATION

- 7.1 This section should be read in conjunction with the Guidelines for Reporting Suspicions of Fraud & Corruption (Appendix 1) and the Prosecution Policy (Appendix 4).
- 7.2 In line with the Council's 'Code of Conduct' for Employees and 'Financial Regulations' employees must report any suspected cases of fraud and corruption to the appropriate manager, and the Head of Internal Audit must be informed by either the employee or manager. This is absolutely essential to the success of this Policy, and ensures that:
- Suspected cases of fraud and corruption are investigated correctly.
 - The Guidelines for Reporting Suspicions of Fraud & Corruption are properly implemented.
 - There is a standard approach for dealing with all suspected cases.
 - People, and the interests of the Council, are properly protected.
- 7.3 This process will apply to all the following areas:
- Fraud or corruption by elected members.
 - Internal fraud or corruption.
 - Other fraud or corruption by Council employees.
 - Fraud by contractors' employees.
 - External fraud (the public).
- 7.4 The Council's 'Whistleblowing Policy' is intended to encourage and enable staff to raise serious concerns. Employees reporting concerns in this manner are afforded certain rights under the Public Interest Disclosure Act, 1998.
- 7.5 The Head of Internal Audit will work with the Chief Executive, Corporate Directors and Heads of Service to decide on the type and course of the investigation, which will include referrals to the Police where necessary. The Council will seek prosecution of offenders and will carry out internal disciplinary procedures where appropriate. In so doing, every effort will be made to ensure that any internal proceedings do not jeopardise or prejudice the criminal case.

- 7.6 Internal Audit plays an important role in the detection of fraud and corruption. Included in its operational plans are reviews of system controls including financial controls and specific fraud and corruption tests, spot checks and unannounced visits. Procedures for the investigation of fraud and corruption are included in the Internal Audit Manual.
- 7.7 In addition to Internal Audit, there are numerous systems and management controls in place to deter fraud and corruption, but it is often the vigilance of employees and members of the public that aids detection.
- 7.8 In some cases frauds are discovered by chance or “tip-off” and arrangements are in place to enable such information to be properly dealt with.

8. RECOVERY AND SANCTIONS

- 8.1 Where the Council identifies fraud then it will:
- Recover wherever appropriate **and**
 - Prosecute or apply other sanctions to perpetrators.
- 8.2 Sanctions are actions taken against individuals or organisations to reduce the risk of fraud, corruption or bribery from occurring. These will be applied in accordance with the Council's Prosecution Policy, and will be done in a comprehensive, consistent and proportionate manner with all possible sanctions – disciplinary, civil and criminal – considered.
- 8.3 Where fraud by employees is indicated, then action will be taken in accordance with the Council's disciplinary procedures. This may be in addition to any civil recovery action or criminal sanctions.
- 8.4 The Council aims to be effective in recovering any losses incurred to fraud using, as appropriate, criminal and/or civil law.

Training

- 8.5 The continuing success of the Strategy requires all staff to be aware of fraud issues including corruption and bribery. The Council's induction process will reinforce this together with ongoing training identified through the Performance Appraisal process.
- 8.6 Staff involved in the setting up of or monitoring of internal control systems, e.g. Financial Regulations will receive specific training to ensure that their responsibilities and duties are regularly highlighted and reinforced.
- 8.7 Staff in the Internal Audit and Benefit Fraud teams will receive training in order to comply with their professional standards. This will maximise the Council's ability to prevent, detect and investigate fraud, corruption and bribery.
- 8.8 Disciplinary action will be considered against any employee who deliberately ignores such training regardless of whether it results in an actual fraud.

9. IMPLEMENTATION OF THE STRATEGY

- 9.1 Internal Audit will undertake an annual assessment of the effectiveness of existing counter-fraud arrangements against:
- a) CIPFA's "Red Book 2" Fraud standards.
 - b) The Audit Commission's "Managing the Risk of Fraud" assessment tool.
 - c) Guidance as to the implementation of the Bribery Act 2010 as provided by the Ministry of Justice
 - d) Other best practice / statutory guidance as required
 - e) The roles and responsibilities as set out In Appendix 1 of this Strategy.
- 9.2 CIPFA's Fraud Standards state that the foundations of an effective counter-fraud framework comprise the following five key elements:
- a) ADOPTING THE RIGHT STRATEGY
 - b) ACCURATELY IDENTIFYING RISKS
 - c) CREATING AND MAINTAINING A STRONG STRUCTURE
 - d) TAKING ACTION TO TACKLE THE PROBLEM
 - e) DEFINING SUCCESS
- 9.3 Internal Audit will report its findings to the Corporate Governance Committee and the Corporate Executive Team. The Corporate Governance Committee will also consider the effectiveness of anti fraud and corruption risk management arrangements.

Awareness

- 9.4 The Council will maintain an up to date awareness of the types of fraud that it may be exposed to especially given the ongoing financial situation and the resourcefulness of potential fraudsters. It will review national developments and strengthen systems and procedures accordingly using the following key sources of information:
- a) Audit Commission Publications – in particular, National Fraud Initiative Newsletters, Audit Commission Fraud Reports, "Protecting the Public Purse", ICT Fraud and Abuse etc.
 - b) HM Treasury Publications – in particular; Annual Fraud Reports,
 - c) CIPFA Better Governance Forum (IPF) - Monthly 'Risk News' Newsletters etc,
 - d) National Anti-Fraud Network - Strategic Risk Assessment – Local Authority Fraud; Ongoing Alerts on website etc.

10. CONCLUSION

- 10.1. The Council has always prided itself on setting and maintaining high standards and a culture of openness, with core principles of unity, pride, respect and integrity. This strategy fully supports the Council's desire to maintain an honest organisation, free from fraud and corruption.
- 10.2. The Council has in place a network of systems and procedures to assist it in dealing with fraud and corruption when it occurs. It is determined that these arrangements will keep pace with any future developments in both preventative and detective techniques regarding fraudulent or corrupt activity that may affect its operation.
- 10.3. The Council will maintain a continuous review of all these systems and procedures through its Internal Audit service.
- 10.4. This policy statement will be reviewed on a regular basis, with a maximum of three years between each review to take into account new legislative, professional and technological developments.

APPENDIX 1

GUIDELINES ON REPORTING SUSPICIONS OF FRAUD & CORRUPTION

What Do We Want to Know About?

1. Fraudulent or corrupt acts may include:-
 - **Systems Issues** - where a process/system exists which is prone to abuse by either employees or members of the public.
 - **Financial Issues** - where individuals or companies have fraudulently obtained money from the Council.
 - **Equipment Issues** - where the Council's equipment is used inappropriately for personal reasons.
 - **Resource Issues** - where there is a misuse of resources.
 - **Other Issues** - activities undertaken by officers of the Council which may be unlawful, breach the Council's Financial Regulations or policies, fall below established standards or practices, or amount to improper conduct.
- 2 This is clearly not an exhaustive list, but is merely indicative of the types of fraud and corruption that may well be encountered. If there is any doubt about the seriousness of a concern, an employee or member of the public can obtain advice and guidance from the Head of Internal Audit Services on 01824 706809.
- 3 Concerns or allegations which fall within the scope of other existing policies or procedures (e.g. child protection or discrimination issues) will normally be referred for consideration under those procedures.

Safeguards

- 4 **Harassment or Victimisation** - The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the alleged malpractice. The Council will not tolerate harassment or victimisation and will take appropriate action to protect those who raise a concern in good faith.
- 5 **Confidentiality** - The Council will do its best to protect an individual's identity when he or she raises a concern and wishes to retain their anonymity. It must be appreciated, however, that the investigation process may reveal the source of the information, and a statement by the individual may be required as part of the evidence.

6 Anonymous Allegations - This Policy encourages individuals to put their names to allegations. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the Council. In exercising this discretion, the factors to be taken into account would include:-

- The seriousness of the issue raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from attributable sources.

7 Untrue Allegations - If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the originator. If, however, an individual makes malicious or vexatious allegations, action may be considered against the individual making that allegation.

What Should Employees Do if They Suspect Fraud or Corruption?

8 Employees are often the first to realise that there could be something seriously wrong within an organisation; however, they may not wish to express their concerns because they may feel that by speaking out, they would be showing a degree of disloyalty to their colleagues or even to the Council itself. They may even fear harassment or victimisation. In such circumstances, it might appear easier just to ignore the concern rather than raise an issue which may just be a suspicion of malpractice.

9 The Council's 'Whistleblowing Policy' is intended to encourage and enable staff to raise serious concerns within the Council rather than overlooking a problem or 'blowing the whistle' to the media or other external bodies. A full copy of the 'Whistleblowing Policy' is available on the Council's intranet.

10 In essence, employees should approach the relevant Corporate Director or Head of Service, who, if they find the claim to be substantiated, will inform the Head of Internal Audit Services. The nature of the complaint will then determine the Council's course of action.

11 The Internal Audit Department can be contacted on 01824 706809, by e-mail (ivan.butler@denbighshire.gov.uk), or by writing to the Head of Internal Audit Services at Finance and Assets, Caledfryn, Council Office, Smithfield Road, Denbigh LL16 3RJ.

12 In summary, if you become aware of a problem:

- **DO** – make an immediate note of your concerns, the details of any conversations you have heard, or documents you have seen, and note the date, time, and names of people involved.
- **DO** – pass any documents that come into your possession immediately to Internal Audit Services.

- **DO** – act promptly, as delays may result in further financial loss or the loss of evidence.
- **DON'T** – ignore the concerns, or be afraid of raising them. You will not suffer recrimination from your employer as a result of voicing a reasonably held suspicion.
- **DON'T** – approach individuals yourself or convey your suspicions to other staff, except those authorised to deal with the matter.
- **DON'T** – try to investigate the matter yourself.

What Should Members of the Public Do if They Suspect Fraud or Corruption?

13 The Council actively encourages members of the public who suspect fraud and corruption to contact the Internal Audit Department in the first instance.

14 The Internal Audit Department operates independently of all other Council services, and its work includes establishing procedures with the following aims:-

- To develop an anti-fraud culture.
- To deter, prevent, detect and investigate fraud and corruption.
- To ensure that appropriate action is taken against those who commit, or seek to commit, some form of fraud or corruption.

15 The possible courses of action which could be taken by the Council are as outlined in the following Section.

How Will Allegations of Fraud and Corruption be dealt with by the Council?

16 For issues raised by employees or members of the public, the action taken within the Council will depend on the nature of the concern. The matters raised may be:

- Investigated internally.
- Referred to the Police.

17 Within ten working days of a concern being reported, the complainant will be written to:

- Acknowledging that notification of the concern has been received.

- Indicating how the Council proposes to deal with the matter, subject to limitations under Data Protection and Freedom of Information legislation.
- Giving an estimate of how long the Council will take to provide a final response.

18 The Council is also committed to training and developing all employees who are, or may be, involved in investigations of alleged or actual cases of fraud and corruption. The Council will, therefore, identify and arrange to provide appropriate training as considered necessary.

Alternative Methods for Taking a Complaint Forward

19 If either a member of the public or an employee feels it is right to take the matter outside these processes, the following are possible ways forward:-

- **The Local Councillor** - contact details are available from the Council's web-site or offices.
- **The Council's external auditor** - This is the organisation appointed to scrutinise the Council's finances and overall performance. By law, they must be completely independent of the Council.
- **A Trade Union** - Employees may invite their Trade Union to raise an issue on their behalf.
- **The Police** - Suspicions of fraud and corruption may be reported directly to the Police.
- **The Local Government Ombudsman** - The Ombudsman is an independent person, appointed by the government, to investigate and deal with complaints against local authorities.
- **Public Concern at Work** - This is a charitable organisation which provides free and strictly confidential legal help to any person with concerns about an alleged malpractice which they perceive as a threat to the public interest. The national website is at <http://www.pcaw.co.uk>. It can also be contacted on its dedicated national helpline on 020-7404-6609, or at helpline@pcaw.co.uk
- **The Wales Audit Office (WAO)** – The WAO can be contacted by writing to the PIDA **Officer**, The Auditor General for Wales, 24 Cathedral Road, Cardiff CF11 9LJ. E-mail whistleblowing@wao.gov.uk. Phone 01244 525980

APPENDIX 2

HOUSING & COUNCIL TAX BENEFITS ANTI-FRAUD STRATEGY & PROSECUTION POLICY

BENEFITS ANTI-FRAUD STRATEGY

1. Denbighshire County Council is responsible for paying over £18m in Housing Benefit and Council Tax Benefit every year. The National Audit office estimates that 7% of housing benefit is fraudulent, which means that the risk to the Council is over £1,260,000 per year.
2. Housing and Council Tax Benefit is a public fund which assists some of the most vulnerable members of society to meet their housing costs. The Council is committed to protecting public funds and maximising awards to those who are entitled to receive them whilst ensuring that payments do not go to those who are not entitled to them.
3. The Council is therefore committed to preventing, deterring and investigating instances of benefit fraud and to taking appropriate action in cases where fraud is identified. As a part of this commitment it will work to ensure that fraud in the benefit system is minimised by:
 - **Getting it right** - benefit payments should be correct from the start.
 - **Keeping it right** - ensuring that payments are adjusted as circumstances change.
 - **Putting it right** - detecting when payments go wrong and taking prompt action to correct them, with appropriate sanctions to prevent a recurrence.
 - **Making sure the strategy works** - by monitoring progress, evaluating the strength of defences and adjusting them in the light of experience.
4. Successfully countering benefit fraud is not just the responsibility of the Benefits Section and Fraud Investigators, but involves all elected members and employees, together with assistance from the public.
5. This strategy will be supported by more detailed policies and action plans which will be updated periodically.

Role of Members and Employees

6. Elected representatives have a duty to protect public funds from all forms of fraud or abuse. Elected members should report all information regarding

allegations of benefit fraud to the Principal Benefits Manager or Compliance Manager.

- 7 All managers should ensure that employees receive appropriate fraud awareness training, and that there are mechanisms in place for staff to report cases of suspected fraud in confidence. Employees should report suspicions of fraud to the Compliance Section.
- 8 Benefits Section employees should report any suspicions which might arise during the course of their work using the established fraud referral procedures. Compliance Team employees are responsible for the professional investigation of all suspected frauds referred to them, and for taking appropriate action against anyone who they believe has committed fraud, once they have obtained suitable evidence.

Prevention and Deterrence

- 9 The Council aims to ensure that claims are correct from the start, and are kept correct, by implementing measures and processes to prevent fraud entering the system, and deterring claimants or staff from committing fraud. These include:
 - Implementing the Verification Framework.
 - Ensuring that Benefits Section employees are suitably trained in fraud awareness.
 - Encouraging staff to refer suspicions to the Compliance Team for further investigation.
 - Publicising cases where the Council has successfully prosecuted benefit fraudsters.
 - Publicising information and statistics regarding other sanctions applied by the Council.
 - Raising the awareness of claimants and the general public in the seriousness of benefit fraud, and the Council's role in minimising it.
 - Ensuring that recoverable overpayments are recovered.

Fraud Detection

- 10 The Council employs a dedicated, trained, Compliance Team responsible for the detection and investigation of benefits fraud. This team liaises and works together with other Departments within the Council, other local authorities and government agencies, where appropriate, if legal gateways allow, in the detection and investigation of fraud and in applying appropriate sanctions.

11 In addition, the Council will have systems and procedures in place and use all appropriate means to assist in the detection of fraud. This includes:

- Using the Royal Mail “Do Not Redirect” scheme.
- Using the Housing Benefit Matching Service.
- Using internal and external data matching.
- Having suitable systems in place for suspicions to be reported by staff and public, including by “Hotline” and e-mail.
- Proactive visiting of claimants to verify claims.

Fraud Investigation

12 The Compliance Team is responsible for investigating cases of suspected fraud which are referred to it, or which it identifies in any proactive exercise, provided that there is sufficient information to justify opening an investigations file.

13 The Compliance staff will undertake all investigations in a professional manner, ensuring that all enquiries and action undertaken complies with current legislation. This includes:

- Theft 1968
- Theft 1978
- Criminal Justice Act 1991
- Social Security Administration Act 1992
- Police and Criminal Evidence Act 1984
- Criminal Procedure and Investigations Act 1996
- Social Security Administration (Fraud) Act 1997
- Data Protection Act 1998
- Human Rights Act 1998
- Regulation of Investigatory Powers Act 2000
- Social Security Fraud Act 2001

14 The Compliance staff will be encouraged to undertake PINS (Professionalism in Security) or equivalent training, and to undertake regular internal and

external training as appropriate. The need for training is identified at regular staff development reviews and is incorporated in the Benefits Section training plan.

15 Any person subject to enquiries will, at all times, be treated with respect and in accordance with human rights, and other appropriate legislation, including equal opportunities and race relations legislation.

16 All cases will be recorded on the Council's case management system. All actions carried out and evidence collected will be recorded and retained in accordance with legislation. Management information and statistics will be held on the case management system and reports supplied to management or Members as required.

Sanctions

17 A range of sanctions exist where the Council has sufficient evidence that a benefit fraud has been committed. These include:

- Prosecution
- Administrative Penalties
- Formal Cautions

18 Sanctions will be applied in accordance with the Council's Housing & Council Tax Benefits prosecution policy. Where appropriate sanctions will be applied jointly with other agencies.

Training and Feedback

19 The Compliance Team will provide regular fraud awareness training for Benefits staff, and to other staff as required. Where possible, results of investigations will be provided to staff in order to help develop fraud awareness and heighten staff motivation.

BENEFITS PROSECUTION POLICY

Fraud in the Benefits System

20 Denbighshire County Council is committed to protecting the Public Purse through its action on fraud and abuse. The Council is aware of the high risk within the benefit system for fraud and abuse and will take positive action to prevent, detect and deter it.

21 Criminal investigations are undertaken by Denbighshire County Council's Compliance Team in accordance with all relevant current legislation and any other relevant legislative and common-law rules and with advice from the

Council's Legal Section, the Department of Works and Pensions Solicitors Branch, or their agents.

22 The Council believes that imposing appropriate sanctions and recovering any overpayments is an important part of counter fraud activity and can have a significant deterrent effect. To this end the Council will, where appropriate, consider the imposition of one of the following sanctions on perpetrators of benefit fraud:-

- Prosecution
- Administrative Penalty
- Formal Caution
- Other penalties as prescribed by regulations

23 A decision on whether to impose sanctions, and the type of sanction to be imposed, will depend upon a number of factors. All relevant factors must be considered before any decision is made.

Guidelines for Prosecution

24 In accordance with the Crown Prosecution Service's "Code for Crown Prosecutors", two tests must be applied to determine whether a prosecution is appropriate:

- The "Evidential Test"
- The "Test of Public Interest"

25 If the case does not pass the Evidential Test it must not go ahead, no matter how important or serious it may be. If the case passes the Evidential Test then it must be decided whether a prosecution is in the public interest. Both of these tests must be satisfied before any prosecution action can commence.

The Evidential Test

- Is there enough evidence to provide a "realistic prospect of a conviction"?
- Can the evidence be used?
- Is it likely that any evidence will be excluded?
- Is the evidence reliable?
- Are witnesses likely to weaken the prosecution case?

The Test of Public Interest

26 Public interest factors may increase the need to prosecute, may suggest that another course of action would be better, or that disposal of the case may be best served by an alternative sanction. They will include consideration of the following factors:-

In favour of prosecution:

- Is a conviction likely to result in a significant sentence?
- Was the defendant in a position of authority or trust?
- Does the evidence show that the defendant was a ringleader or organiser of the offence?
- Is there evidence that the offence was premeditated?
- Is there evidence that the offence was carried out by a group?
- Does the defendant have previous convictions or cautions relevant to the offence?
- Are there grounds for believing that the offence is likely to be continued or repeated?
- Is the offence widespread in the area?

Against prosecution:

- Is the penalty likely to be small or nominal?
- Was the offence committed as a result of a genuine mistake or misunderstanding?
- Can the loss be described as minor and the result of a single incident?
- Has there been a long delay between the offence and the date of trial, unless:
 - the offence is serious
 - the delay has been caused in part by the defendant
 - the offence has only recently come to light
 - the complexity of the offence has meant there has been a long investigation

- Unless the offence was serious or there is a real possibility that it may be repeated:
 - is the defendant elderly?
 - is the defendant a young person?
 - is, or was, the defendant at the time of the offence, or currently suffering from significant mental or physical ill health?
- Has the defendant made voluntary disclosure?
- Has the defendant put right the loss that was caused? (but defendants must not avoid prosecution simply because they can pay compensation)
- Details may be made public that could harm sources of information.
- Has there been a failure in the investigation?
- Has there been a failure in the benefit administration?

27 This list is not exhaustive and other factors may need to be considered. The decision must be made not simply on the number of factors on each side, but must include the importance of each factor in the circumstances. Having considered these factors it may be decided that a prosecution should not proceed.

28 Although there may be factors against prosecution, it may still be decided to proceed in the public interest.

Administrative Penalties

29 The Council will offer Administrative Penalties as an alternative to prosecution, in accordance with Section 115A of the Social Security Administration Act 1992 inserted by the Social Security Administration (Fraud) Act 1997. Penalties can only be used where a recoverable overpayment has occurred which is attributable to an act or omission on the part of a person and grounds exist for instituting criminal proceedings.

30 An Administrative Penalty will be offered where the case is deemed to be not so serious as to warrant a prosecution. An Administrative Penalty is a meaningful deterrent for those persons at the lower end of benefit fraud or where criminal proceedings are not a first option and a Caution is not appropriate.

31 Before proceeding with offering an Administrative Penalty, the Evidential Test must be applied and there must be sufficient evidence to provide a “realistic

prospect of a conviction”; however, it is not necessary for the person to admit the offence before an Administrative Penalty is offered

32 The amount of the Penalty will be 30% of the total recoverable overpayment. This amount is prescribed in legislation and cannot be varied.

33 Where a person declines or fails to agree to pay a Penalty, withdraws their agreement to pay a Penalty, or fails to keep an appointment to discuss an offer of a Penalty, the case must be considered for referral for legal proceedings unless exceptional circumstances apply. In addition, before proceeding with a prosecution, the Test of Public Interest must be applied.

Formal Cautions

34 A Formal Caution is an oral warning given in certain circumstances to a person who has committed an offence. Formal Cautions are more appropriate for the less serious by the following methods (which must be PACE compliant):

- A tape recorded interview.
- A record of the admission in the officer’s notebook, signed by the suspect as an accurate record.
- A statement made by the suspect (after being reminded that they are under caution) and signed by the suspect as an accurate record.
- A contemporaneous interview under caution could be conducted in the absence of the suspect making a voluntary statement of admission, or for clarification where the statement does not meet the required evidential standard.

37 The person must sign a document to show that they admit the offence, agree to the Caution and that they have received one.

38 Consideration can be given to the use of a Formal Caution where:-

- The offence is minor, the amount of the overpayment is small and the Court is likely to award a minimal sentence.
- The person has not offended before.
- The person has been prosecuted or cautioned before for a similar offence within the past 5 years but the offence was minor and the current offence is also minor.
- The person’s attitude towards their offence indicates that a caution would be an appropriate punishment. Consider -
 - the wilfulness with which the person committed the offence;
 - and

- their subsequent attitude - e.g. whether they express genuine regret for what they have done.

39 This list is not exhaustive or exclusive and the categories must always be considered in the light of the circumstances of each individual case.

Options

40 Where the overpayment is below £2,000 an Administrative Penalty will be considered as the first option. This figure is to be used as a guide and will not be rigidly applied but will always have regard to the Test of Public Interest and an individual's circumstances.

Referral to the Fraud Investigations Service

41 The Council works closely with the Department of Works and Pensions operating under similar prosecutions practices and has a Partnership Agreement with them to support joint working activity such as joint Interviews Under Caution and joint investigations.

42 The Council will consult with the Department of Work and Pensions' Fraud Investigations Service on any case where Income Support/Job Seekers Allowance or other Department of Work and Pensions benefit is in payment and where the application of one of the above sanctions is considered appropriate.

43 The Council will co-operate with any prosecution, where appropriate, undertaken by the Department of Work and Pensions. Where such a prosecution also involves an overpayment of Housing/Council Tax Benefit, the Council will consider including any offences against the Council in any prosecution undertaken by the Department of Work and Pensions.

44 Where the Department of Work and Pensions intends to offer a Caution or Administrative Penalty to a person to whom it has overpaid benefit, and that person has also been overpaid Housing/Council Tax Benefit for the same act or omission, an officer of the Council will attend and offer a Caution or Administrative Penalty for any Housing or Council Tax Benefit overpaid, provided it is considered appropriate in line with this policy.

Choice of Sanctions

45 Any decision to apply a Caution or an Administrative Penalty will be made by the Compliance Manager, or, in his absence, by the Principal Compliance Officer and recorded in the investigation file. Whenever a case is considered suitable for prosecution it will be referred to the Council's legal representative.

46 Where it is brought to the attention of the investigator that any sanction chosen could adversely affect a person's mental or physical health, this should be justified on medical grounds. In such cases it will normally be required that

written confirmation is provided by a medical practitioner stating that any action taken would –

- Have a severe impact on ongoing medical issues, and/or
- Make any condition worse.

47 In such cases a lesser sanction may be offered, or a decision may be made not to proceed with any sanction or prosecution.

Recovery of Debt

48 In addition to any sanction undertaken, the Council will take all available steps to recover any overpayment or penalty arising from the fraud, including taking action in the civil courts if necessary.

Publicity

49 The Council believes that information concerning successful investigations should be publicised in order to act as a deterrent to future offenders. Whenever possible, and appropriate, the outcome of any successful prosecution undertaken will be publicised in the local media, or in the Council's publications and website.

50 Non-personal information about successful cautions and sanctions will also be publicised periodically.

51 This prosecution policy is not a definitive document, and any prosecutions or other sanctions will always have regard to an individual's circumstances and legal advice provided to the Compliance Manager.

APPENDIX 3

STATEMENT OF EXPECTED RESPONSIBILITIES

Stakeholder	Expected Responsibilities
Chief Executive	Ultimately accountable as Head of Paid Service for the effectiveness of the Council's arrangements for countering fraud and corruption as well as corporate governance.
Head of Legal, HR and Democratic Services (Monitoring Officer)	<p>To advise Councillors and officers on ethical issues, standards and powers to ensure that the Council operates within the Law and statutory Codes of Practice. The operation of the Council's Whistleblowing Policy.</p> <p>To put in place a corporate safe recruitment policy and monitor compliance against it.</p>
Head of Finance and Assets (Section 151 Officer)	The Head of Finance has a statutory duty, under Section 151 of the Local Government Act 1972, Sections 114 and 116 of the Local Government Finance Act 1988 and Accounts and Audit Regulations 1995 to ensure the proper administration of the Council's financial affairs. This includes Internal Audit and benefit fraud.
Heads of Service	To ensure that fraud and corruption risks are considered as part of the Council's corporate risk management arrangements. To ensure that actions to mitigate risks in this area are effective. To notify the Internal Audit Manager of any fraud arising in a timely manner.
Corporate Executive Team (CET)	<p>Challenge new policies and strategies to ensure that fraud and corruption risks have been taken into account.</p> <p>Review the corporate framework designed to promote an over-riding counter-fraud culture on a regular basis. This will include monitoring and evaluating arrangements to ensure effectiveness and compliance with best practice.</p>
Corporate Governance Committee	To monitor the Council's Whistleblowing policy and consider the effectiveness of the arrangements for

	countering Fraud and Corruption.
Standards Committee	The Committee monitors and advises upon the content and requirement of Codes, Protocols and other procedures relating to standards of conduct throughout the Council.
Elected Members	To support and promote the development of a strong counter fraud culture.
External Audit / Wales Audit Office / Other Inspectorates	Statutory duty to ensure that the Council has in place adequate arrangements for the prevention and detection of fraud, corruption and theft.
Internal Audit	Responsible for developing and implementing the Anti Fraud and Corruption Policy and Strategy and investigating any issues reported under this policy. Reporting on the effectiveness of controls to the Corporate Governance Committee. To ensure that all suspected or reported irregularities are dealt with promptly and in accordance with this Strategy and that action is identified to improve controls and reduce the risk of recurrence.
Senior Managers	To promote staff awareness and ensure that all suspected or reported irregularities are immediately referred to Internal Audit. To ensure that there are mechanisms in place within their service areas to assess the risk of fraud, corruption and theft and to reduce these risks by implementing robust internal controls.
Staff	To comply with Council policies and procedures, to be aware of the possibility of fraud, and to report any genuine concerns to the appropriate management, the Chief Executive, the Head of Finance and Assets(s151Officer), the Head of Legal, HR and Democratic Services (Monitoring Officer), or Internal Audit.
Public, Partners, Suppliers, Contractors and Consultants	To be aware of the possibility of fraud against the Council and report any genuine concerns or suspicions. To ensure that effective controls are in place to mitigate risks to the Council.

APPENDIX 3

THE 7 GUIDING PRINCIPLES ON PUBLIC LIFE

Denbighshire County Council is committed to sound corporate governance and supports the Nolan Committee's **Seven Principles of Public Life** for the conduct of Council Members and employees, namely:

- **Selflessness** – Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
- **Integrity** – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- **Objectivity** – In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, holders of public office should make choices on merit.
- **Accountability** – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness** – Holders of public office should be as open as possible about all decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- **Honesty** – Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership** – Holders of public office should promote and support these principles by leadership and example.

APPENDIX 4

PROSECUTION POLICY

Prosecution Statement

- 1 Denbighshire County Council is committed to protecting the public funds that it administers. The Council may use information received for the purposes of the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes.
- 2 As a general rule, the Council seeks full redress through legal processes available to counter any internal or external fraudulent activity perpetrated against it. This redress will be actioned through either the criminal and/or civil courts as is deemed appropriate. The Council will also consider alternative actions to prosecutions where it believes it would be in the best interests of the Council to do so.

Decision to Seek Prosecution

- 3 The Council recognises that the decision to seek prosecution will be a serious step to take. A decision to seek prosecution, which will be taken by the Head of Finance and Assets and the Monitoring Officer under delegated authority, must not be taken without consultation with relevant agencies as appropriate.
- 4 The Council also reserves its right to pursue civil recovery action in addition to any criminal prosecution that may be undertaken.
- 5 Before any such decision is taken, the Head of Finance and Assets and the Monitoring Officer will consider the evidence available against possible defendants. They must seek to be fair, independent and objective in assessing whether a prosecution should be brought. Each case will be unique and has to be considered in its own circumstances with due regard to the Council's Equal Opportunities and other relevant policies.
- 6 Two tests in particular must be applied when deciding whether to seek prosecution:
 - **The “Evidential” Test** – There must be enough evidence to provide a “realistic” prospect of conviction. This means that a jury or Bench of Magistrates properly directed in accordance with the law is more likely than not to convict the defendant of the alleged charge. The

case will need to be proved “beyond reasonable doubt” rather than on the “balance of probabilities” as with civil cases.

- **The “Public Interest” Test** – This will depend on the seriousness of the offence and/or circumstances of the offender. Some factors may increase the need to prosecute, but others may suggest that another course of action would be better.

Actions Other Than Prosecution

- 7 Where there is sufficient evidence to seek prosecution but the public interest does not require prosecution, an alternative could be to request the Police to consider using their powers to give the offender an “Official Caution”. This option is only available if there is an admission of guilt by the offender and he/she agrees to be cautioned.
- 8 The Council may consider issuing a letter to the alleged offender. This letter will state that the Council considers the matter to be very serious and by way of caution, if a similar incident occurs again, the Council will immediately seek to prosecute the offender. This option will only be used if a prosecution is not being brought or an Official Police Caution has not been administered. In the case of Council employees, this option will be considered after any possible disciplinary action has been taken and may be included as part of any written warning given.

Compliance with Legal Requirements

- 9 Upon implementation of this Prosecution Policy, the Head of Finance and Assets and the Monitoring Officer will, throughout the investigative process, ensure that there is compliance with the relevant requirements of:
 - The Police and Criminal Evidence Act 1984 (PACE)
 - The Data Protection Act 1998
 - The Human Rights Act 1998
 - The Regulation of Investigatory Powers Act 2000
 - All other relevant legislation and codes of practice.

APPENDIX 5

HOW TO REPORT ANY SUSPECTED FRAUDS, CORRUPTION, OTHER IRREGULARITIES OR CONCERNS

To Contact Denbighshire Internal Audit Services

Contact: Ivan Butler

Tel – 01824 706809

Email – ivan.butler@denbighshire.gov.uk

Write to – Head of Internal Audit (Confidential)

Finance and Assets

Caledfryn, Council Office, Smithfield Road, Denbigh LL16 3RJ

To contact the Council's Monitoring Officer

Contact: Gary Williams – Head of Legal, HR and Democratic Services

Tel – 01824 712562

Email – gary.williams@denbighshire.gov.uk

Write to – The Monitoring Officer, (**Confidential**)

(Head of Legal, HR and Democratic Services)

County Hall, Wynnstay Road, Ruthin LL15 1YN

To Contact the Council's External Auditor

Tel – 01244 525970 or

Write to – Wales Audit Office,

Unit 4, Evolution, Lakeside Business Village

St David's Park, Ewloe, CH5 3XP

Mae tudalen hwn yn fwriadol wag

Adroddiad i'r: Pwyllgor Llywodraethu Corfforaethol

Dyddiad y Cyfarfod: 5 Tachwedd 2014

Aelod Arweiniol / Swyddog: Cynghorydd Julian Thompson-Hill

Awdur yr Adroddiad: Stuart Andrews, Rheolwr Caffael Strategol Dros Dro

Teitl: Cyflwyno Rheolau Diwygiedig y Weithdrefn Gontractau

1. Beth mae'r adroddiad yn ymdrin ag o?

Cyflwyno Rheolau y Weithdrefn Gontractau diwygiedig i Bwyllgor Llywodraethu Corfforaethol cyn ei gyflwyno i'r Cyngor llawn i'w gymeradwyo ar 9 Rhagfyr, 2014 - Atodiad 1.

2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

Mae'r Rheolau Gweithdrefn Contractau drafft yn cael eu cyflwyno i'r Pwyllgor Llywodraethu Corfforaethol ar gyfer adolygu a rhoi sylwadau cyn eu cyflwyno i'r Cyngor llawn i'w gymeradwyo a'u mabwysiadu ar 9 Rhagfyr 2014.

3. Beth yw'r Argymhellion?

Bod y pwyllgor yn nodi ac yn derbyn y Rheolau Gweithdrefn Contractau diwygiedig ac yn awdurdodi eu cyflwyno i'r Cyngor llawn i'w gymeradwyo ym mis Rhagfyr 2014.

4. Manylion yr Adroddiad.

Nid yw'r Rheolau Gweithdrefnau Contract presennol wedi cael eu hadolygu'n llawn ers eu mabwysiadu'n flaenorol yn 2004. Cynhaliwyd adolygiad o'r ddogfen gan y Rheolwr Caffael Strategol Dros Dro a Dirprwy Swyddog Monitro i ddiweddarau'r ddogfen yn unol â deddfwriaeth gyfredol a gweithdrefnau caffael arferion gorau diweddaraf.

5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?

Mae ychwanegu cymalau sy'n gwneud ystyried cymalau Budd i'r Gymuned ym mhob contract uwchlaw £2,000,000 yn cyfrannu at flaenoriaeth y Bwrdd Uchelgais Economaidd a Chymunedol. Yr isaf yw'r trothwyon ariannol, bydd yn galluogi i fwy o gyfleoedd gwerth tendro llai i gael eu hysbysebu a fydd yn caniatáu i fusnesau bach a chanolig lleol i fod yn fwy ymwybodol o gyfleoedd.

6. Faint fydd yn ei gostio a sut bydd yn effeithio ar wasanaethau eraill?

Nid oes unrhyw gost o fabwysiadu'r ddogfen hon ac ni fydd angen staff ychwanegol.

7. Beth yw prif gasgliadau'r Asesiad o Effaith ar Gydraddoldeb a gynhaliwyd ar y penderfyniad? Dylid atodi'r templed Asesiad o Effaith ar Gydraddoldeb fel atodiad i'r adroddiad.

Nid oes unrhyw oblygiadau ar unrhyw un o'r staff neu'r gymuned fel y nodwyd yn yr Asesiad o Effaith ar Gydraddoldeb.

8. Pa ymgynghoriadau a gynhaliwyd gydag Archwilio ac eraill?

Cynhaliwyd ymgynghoriad gyda'r holl feysydd gwasanaeth y Cyngor o ran y broses o adolygu'r Rheolau Gweithdrefn Contractau. Mae'r holl sylwadau wedi cael eu hadolygu a'u hystyried lle bo'n briodol ac yn berthnasol i ofynion y ddogfen.

9. Datganiad y Prif Swyddog Cyllid

Mae'r Rheolau Gweithdrefn Contract yn ffurfio rhan bwysig o gaffael ac mae eu hadolygu yn gwella rheolaeth y cyngor o'r swyddogaeth hon.

10. Pa risgiau sydd, ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?

Y brif risg yw Adrannau nad yw'n cydymffurfio â'r Rheolau Gweithdrefn Contractau newydd a all amharu ar Reoliadau Caffael y DU a'r UE. Ar ôl rhoi'r ddogfen ddiwygiedig ar waith, bydd rhaglen hyfforddi ar gyfer pob maes gwasanaeth i ddiffinio gofynion y ddogfen a'r goblygiadau o beidio â chydymffurfio.

11. Pŵer i wneud y Penderfyniad

Adran 111 o Ddeddf Llywodraeth Leol 1972.

Mae hwn yn bapur er gwybodaeth yn hytrach na phenderfyniad cyn ei gyflwyno i'r cabinet llawn.

Dogfennau sy'n Amgaeedig:

Atodiad 1 Rheolau'r Weithdrefn Contractau (Diwygiedig)

Atodiad 2 Crynodeb o'r Newidiadau Allweddol

CONTRACT PROCEDURE RULES

General

1. Interpretation
2. Compliance with Contract Procedure Rules and Legislation
3. Officers' and Members Duties
4. Declaration of Interests
5. Scheme of Delegation
6. Electronic Procurement Solutions
7. Corporate Purchasing Agreements (including use of Framework Agreements) and Joint Procurement arrangements (including membership of official purchasing consortiums)

Exemptions

8. Exempt Contracts
9. Exemptions from Contract Procedure Rules
10. Exemption from tendering requirement

Approved List

11. Council Approved Lists and Vetting of Contractors

Procurement Planning

12. Contract value and Aggregation
13. Pre-Tender Enquiries
14. Purchasing Need and Procurement Planning Approval
15. Sustainable Procurement

Quotations and Tenders

16. Contracts valued at less than £10,000 (Goods, Services & Works)
17. Contracts valued between £10,001 and £25,000 (Goods, Services & Works)
18. Contracts valued between £25,001 and OJEU Threshold (Goods & Services)
19. Contracts valued over OJEU Threshold (Goods & Services)
20. Contracts valued between £25,001 and £250,000 (Works)
21. Contracts valued over £250,001 (Works)
22. Timescales for receiving Requests for Quotes and Tenders
23. Request for Quotes and/or Invitation to Tender Documentation
24. Tender Specifications
25. Tender opening
26. Late Tenders received
27. Tender Evaluation and alterations
28. Post Tender Negotiations and Tender Bid Clarifications
29. Request for Quotes /Tender Award Approvals
30. Notification of Tender Award and De-briefing Requests
31. Letters of Intent
32. Non-concluded Terms and Conditions of Contract

Form of Contract

33. Contracts in Writing
34. Bonds, Securities, Liquidated and other Damages

- 35. Parent Company Guarantee

Operation of Contract

- 36. Contract Management
- 37. Contract Performance
- 38. Termination of Contract
- 39. Contract Variations and Contract Extensions
- 40. Contract Payments
- 41. Assignments and Novation
- 42. Nominating Products/Contractors/Suppliers

Specific Contracts

- 43. Land Contracts
- 44. Use of Consultants.

Other

- 45. Retention of Contract Files
- 46. Review and Amendment of the CPR's

Schedule 1 Table of Values

GENERAL

1. Interpretation

1.1 In these Contract Procedure Rules, the following terms have the following meanings:

Approved List	a List drawn up for corporate use under CPR 11. Note this facility will no longer be available after 1 April 2016
Authorised Signatory	as per the Officers Scheme of Delegation
Chief Finance Officer	Head of Finance
Code of Conduct	the Code regulating the conduct of officers and members as set out in the Constitution
Contract	an agreement for the supply of goods, or services, or concessions or the execution of works
Contract File	a record of all matters relating to the contract
Contractor	a supplier of goods or services or concessions or Works to the Council
Corporate Purchasing Agreement	a contract or framework agreement which has been endorsed and approved for corporate use by the Strategic Procurement Manager and its use shall be mandatory
CPR's	these Contract Procedure Rules
Day	a calendar day unless otherwise specified
Director	Chief Executive or any other Director of the Council
EU	European Union
EU contract	a contract covered by the Public Contracts Regulations 2006
Framework Agreement	an agreement which allows a Responsible Officer to call off or undertake a mini competition to provide goods, services or works in accordance with the terms of the agreement. The Framework Agreement usually constitutes a non-binding offer with

no obligations to call off from the contractor. If the Council calls off from the contractor a binding contract comes into being.

Strategic Procurement Manager	the officer who is designated to have responsibility for the Collaborative Procurement Service
Head of Service	Head of Service of the relevant Council Service Area
Invitation to Tender	invitation to tender documents in the form required by these Rules
Monitoring Officer	the officer designated by the Council as its Statutory Monitoring Officer from time to time
Month	means a calendar month
OJEU	Official Journal of the European Union incorporating the Public Contracts Regulations 2006
OJEU threshold	the values that are determined by the European Union every two years, which are shown in schedule 1 of these Rules
Quotation	a quotation of price and any other relevant matter made without the formal issue of an invitation to tender;
Relevant Head of Service	the Head of Service whose Directorate or Department is responsible for the procurement exercise in question
Responsible Officer	any permanent or temporary staff member or any other person properly authorised by the Council to carry out any of the Council's contracts functions
Sub-OJEU	the values below the threshold that are determined by the European Union every two years, which are shown in schedule 1 of these Rules
Table of Values	the table maintained and updated by the Monitoring Officer as identified in Schedule 1
Tender	a Contractor's formal proposal submitted in response to an invitation to tender

Value for Money	means the optimum combination of whole life costs, quality and benefits to meet the Council's requirement. Such term equates to the EU procurement requirement of "most economically advantageous offer"
Working day	means any day other than a Saturday or a Sunday or a day which is a bank or a public holiday throughout Wales

1.2 Any reference to actions within these CPR's can also be undertaken by officers with the appropriate delegated authority to carry out such tasks, provided such delegated authority has been granted by the named individual.

1.3 Unless the context otherwise requires, reference to any clause, sub-clause or schedule is to a clause, sub-clause or schedule of or to these Rules.

1.4 Under these Rules, periods expressed as a certain number of days from a particular event run from the day following the day on which the event takes place. If the last day of the period falls on a Saturday, Sunday or a public holiday it will end on the next working day.

1.5 Periods will include public holidays and weekends unless these are expressly excluded or the periods are expressed as a certain number of working days.

2. Compliance with Contract Procedure Rules and Legislation

2.1 These Contract Procedure Rules apply to all contracts entered into by or on behalf of the Council with the intention of procuring goods, services, concessions or works.

2.2 The Strategic Procurement Manager in consultation with the Monitoring Officer shall advise on the implementation and interpretation of the Council's Contract Procedure Rules.

2.3 Every contract entered into by the Council or on its behalf shall be entered into pursuant to, or in connection with, the Council's functions and shall comply with:

- (a) all relevant statutory provisions
- (b) the relevant EU law and the EU public procurement rules (including the EC treaty, the general principles of EU law and the EU public procurement directives implemented by the UK regulations)
- (c) the Council's constitution including these CPR's and the Council's Financial Procedure Rules
- (d) schemes of delegation

- (e) the Council's strategic objectives and policies,
 - (f) the Council's Corporate Procurement Strategy and any other relevant Council policies
- 2.4 Should there be a conflict between the provisions of the Council's Contract Procedure Rules and any provision of an EU directive or any domestic legislation, the latter shall prevail.
- 2.5 It shall be a condition of any agreement between the Council and anyone who is not an officer of the Council including Temporary Agency staff and Consultants, but who is authorised to carry out any of the Council's contracts functions, that they comply with the Council's Contract Procedure Rules and Financial Regulations as if they were an officer of the Council.
- 2.6 Any failure by officers / members to comply with any of the provisions of these Contract Procedure Rules or Financial Regulations or associated guidance adopted by the Council or UK and European legal requirements may result in disciplinary action.
- 2.7 Failure to comply with these CPR's by officers or consultants shall be reported immediately to the relevant Head of Service / Director or Chief Finance Officer or Strategic Procurement Manager or Internal Audit Manager. All failures to comply by Members shall be reported immediately to the Monitoring Officer.
- 2.8 Arrangements for Contracts made by schools operating under local management arrangements shall not be subject to these CPR's but shall be subject to their own Contract Procedure Rules.

3. Officers' and Members Duties

- 3.1 The highest standards of probity are required of all officers and Members involved in the procurement, award and management of Council Contracts.
- 3.2 Officers shall always:
- (a) seek value for money
 - (b) show no undue favour to any contractor, nor discriminate against any contractor
 - (c) ensure that all procurement is in accordance with the highest standards of propriety and proper practice (including respecting the confidentiality of commercial information)
 - (d) do nothing that contravenes EU or domestic law
 - (e) ensure that adequate Contract Files are kept for Contracts upon which they are engaged
 - (f) ensure that Contracts are packaged to ensure Best Value for Money

3.3 As a general rule, Members and officers must not accept from Contractors or potential Contractors, or from any firm or organisation with whom the Council has had, is having or may have any dealings of any kind,

- (a) any gift; or
- (b) any hospitality

Without the written authorisation of the Head of Service / Director who is responsible for that officer, or in the case of Members, unless the matter has been reported to the Monitoring Officer.

3.4 Members shall comply with the Member's Code of Conduct and Officers shall comply with the Officers Code of Conduct

3.5 Members and officers may seek advice from the Monitoring Officer in respect of any matter arising out of CPR 3.3

4. Declaration of Interests

4.1 No member, employee or agent of the council shall improperly use their position to obtain any personal or private benefit from any contract entered into by the council

4.2 The following shall declare any interests which may affect the contract process;

- (a) all officers who play an influential role in any aspect of the contracts process, including those designated under a scheme of delegation in CPR 5.3;
- (b) Cabinet Members involved in the contract process;
- (c) external consultants.
- (d) anyone else who is not an officer of the Council but who is authorised to carry out any of the Council's Contract Functions

4.3 The Monitoring Officer shall ensure that Heads of Service, Directors, Cabinet Members, Officers, Consultants and anyone else who is not an officer of the Council appointed or agreed by them make declarations on their appointment and on any change in circumstances (and annually in the case of officers), and shall either certify them as acceptable or take any necessary action in respect of potential conflicts of interest.

4.4 Head of Service shall keep a register of declarations indicating the names and grades of those declaring and the nature of their declaration. Responsible Officers shall keep completed consultants' declarations on the Contract File.

5. Scheme of Delegation

- 5.1 Any procurement carried out on behalf of the Council may only be undertaken by officers with the appropriate delegated authority to carry out such tasks.
- 5.2 Each Head of Service / Director shall receive from Cabinet delegated powers to enter into contracts (CPR 29), to grant waivers and exemptions (CPR 8, CPR 9 and CPR 10) and to approve contract variations (CPR 39) on behalf of the Council to specified financial limits.
- 5.3 Each Head of Service shall compile and maintain a scheme of delegation specific to their Department, detailing the names and grades of officers approved for the purposes of obtaining quotations, tendering, entering into contracts and placing orders on behalf of the Council and the maximum contract/ order value allocated to each officer for these purposes.
- 5.4 Each Head of Service shall supply to and agree with the Strategic Procurement Manager their scheme of delegation before the start of each financial year, and on making any amendment.
- 5.5 The Chief Finance Officer shall keep a register of all schemes of delegation and shall ensure the appropriate scheme of delegation is replicated within the purchase to pay solution (for ordering, receipting and payments) and the e-sourcing solution (for sourcing and contracting).

6. Electronic Procurement Solutions

- 6.1 All purchase-to-pay processes including requisitioning, ordering, receipting and invoice payments shall be conducted via the corporate purchase-to-pay solution (where available), which has been approved by the Strategic Procurement Manager.
- 6.2 All e-sourcing processes including request for quotations, tendering, e-auctions, contract management, supplier performance management and approved list management shall be conducted via the corporate e-sourcing solution (where available), which has been approved by the Strategic Procurement Manager.
- 6.3 The use of any alternative e-procurement solutions cannot be carried out without the prior approval of the Strategic Procurement Manager.

7. Corporate Purchasing Agreements (including use of Framework Agreements) and Joint Procurement arrangements (including membership of official purchasing consortiums)

- 7.1 Any membership of an official purchasing consortium which requires upfront Council commitment shall be approved by Cabinet prior to the

involvement by or on behalf of the Council.

7.2 Any joint procurement arrangement, with any other public sector organization that results in the Council being committed to contractual obligations (not including Framework Agreements) shall be approved in the following manner prior to the commitment stage:

7.2.1 by the Head of Service / Director based on a report from the Responsible Officer having consulted with the Chief Finance Officer and Strategic Procurement Manager if the Council's estimated overall contribution over the contract duration is less than £250,000

7.2.2 by the Head of Service / Director based on a report from the Responsible Officer having consulted with the Chief Finance Officer and Strategic Procurement Manager and relevant Cabinet Member, if the Council's estimated contribution over the contract duration is over £250,000 and less than £1,000,000

7.2.3 by Cabinet based on a report from the Head of Service having consulted with the Chief Finance Officer and Strategic Procurement Manager, if the Council's estimated contribution over the contract duration is over £1,000,000

7.3 The use of the following Corporate Purchasing Agreements as endorsed by the Strategic Procurement Manager shall be mandatory, unless a justification not to use them has been made in writing and has been approved by the Strategic Procurement Manager:

- Corporate Purchasing Agreements resulting from the National Procurement Service or any other approved Official purchasing consortiums
- Any other Framework Agreements and any subsequent call-off arrangements,
- Joint Procurement Arrangements,
- Electronic catalogues within the purchase-to-pay solution and
- Contracts listed within the corporate contract register

7.3.1 The Strategic Procurement Manager will undertake a consultation or benchmarking exercise before endorsing any Corporate Purchasing Agreements

7.4 The use of any Framework Agreements and /or Joint Contracts resulting from a procurement exercise involving other public bodies as the lead authority shall be approved by the Strategic Procurement Manager prior to using such arrangements. All such requests shall be made in writing to the Strategic Procurement Manager, and once approved the responsible officer shall ensure that the Framework Agreements and/or Joint Contracts shall be inputted onto the Corporate Contract Register within the e-sourcing solution (where available).

- 7.5 The Head of Service will ensure that the CPR's or equivalent of the lead authority / body will be acceptable to the Council and are to be followed throughout the procurement exercise.

EXEMPTIONS

8. Exempt Contracts

- 8.1 Exemptions are where contract procedure rules do not apply to certain contracts
- 8.2 The following contracts are exempt from the requirements of these CPR's:
- (a) individual agency contracts for the provision of temporary staff;
 - (b) employment contracts;
 - (c) contracts relating solely to disposal or acquisition of an interest in land with exception to Development Agreements (see CPR 43),
 - (d) internal purchases or service provision
 - (e) contracts formalising the funding of particular voluntary sector bodies, where the purpose of the contract is to provide Grant in Aid funding by the Council;
 - (f) contracts for the engagement of Counsel;
 - (g) contracts for the engagement of Expert Witness;

9. Exemptions from Contract Procedure Rules

- 9.1 Waiver is where the Contract Procedure Rules are partly suspended to enable a particular course of action. This does not obviate the need to ensure that adequate and robust process is undertaken in accordance with the principles of these Contract Procedure Rules. The Council's rules and guidance will still apply.
- 9.2 Waiver from any Contract Procedure Rules requirements including obtaining quotations or tendering based on any reason that is not listed in CPR 10.2 can only be obtained from Chief Finance Officer or Monitoring Officer in accordance with CPR 10.3.

10 Exemption from Tendering Requirement

- 10.1 Exemption from Tendering is where the requirement to seek market competition as per CPR 17, 18, 19 & 21 is suspended provided a justification can be demonstrated as per CPR 10.2
- 10.2 Where an exemption is sought by an Responsible Officer in respect of obtaining tenders (CPR 10.2), a report must be provided setting out the reason for requiring the exemption and to notify which exception under CPR 10.2 is applicable. The responsible officer shall consult with the Strategic Procurement Manager in preparing the report and the report shall also include a statement from Chief Finance Officer.

In order to justify an exemption it will need to demonstrate that one or more of the following reasons is applicable:

- (a) In the absence of tenders, suitable tenders (irregular or unacceptable) or applications in response to an invitation to tender by the contracting authority using the open procedure or the restricted procedure but only if the original terms of the proposed contract offered in the discontinued procedure have not been substantially altered.
- (b) The contract involved is purely for the purpose of research, experiment, study or development under the conditions stated in Public Contracts Regulations 2006
- (c) The works/goods/services can be provided only by a particular contractor for reasons that are technical, artistic, or connected with the protection of exclusive rights.
- (d) Extreme urgency brought about by events unforeseeable by the contracting authority and in accordance with the strict conditions stated in the Public Contracts Regulations 2006.
- (e) Additional works/deliveries/services are ordered under the strict conditions stated in Public Contracts Regulations 2006, which do not exceed 50% of the value of the original contract and are required which, through unforeseen circumstances, were not included in the original contract and which either are strictly necessary for the completion of the contract or, for technical or economic reasons, cannot be carried out separately;
- (f) New works/services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions stated in the Public Contracts Regulations 2006. Such that new works or services are required which are a repetition of works or services carried out under the original contract (provided in the case of EU contracts they are required within three years of the original contract and the contract notice stated that a new contract might be awarded by negotiation);
- (g) That goods are required as a partial replacement or addition to existing goods or installations and obtaining them from another contractor would result in incompatibility or disproportionate technical difficulties in operation or maintenance;
- (h) That the rules of a design contest require the contract to be awarded to one of the successful candidates, provided all successful candidates are invited to negotiate;
- (i) For supplies quoted and purchased on a commodity market or for the supply of goods or materials the goods or materials are proprietary articles or are sold at a fixed price and no reasonable satisfactory alternative is available;
- (j) For the purchase of supplies on particularly advantageous terms from a supplier which is definitely winding up its business activities, or from the receivers or liquidators of a bankruptcy, an arrangement with creditors or a similar procedure.

- (k) Where delay attributable to the tendering process would, in the estimation of the Head of Service concerned, result in the Council incurring net expenditure or forfeiting net income in excess of the savings on the contract sum that might reasonably be expected to accrue from competitive tendering;
- (l) The engagement of actors and performers
- (m) Where the delay attributable to the Tendering process would create or increase danger to life or limb or would, in the opinion of the Head of Service / Director concerned, result in or continue an unacceptable level or standard of service.
- (n) that services are required which are categorised as Part B Health and Social Services in accordance with EU and UK legislation, and which represent a clear continuation of specific services required under an existing contract, and that a decision to both exempt the required services from obtaining quotations or tendering and award a new contract to the existing contractor **can** be justified as reasonable following **a balanced consideration in conjunction with guidance from the Monitoring Officer on the relevant public law principles, of the extent to which the new requirement meets the following criteria:**
 - i. evidence demonstrates that obtaining quotations or tendering for the required services is unlikely to secure significant improvements in value for money, or else is unlikely to secure sufficient improvement in value for money to justify the cost of obtaining quotations or tendering, or else any likely improvement in value for money will be outweighed by the potential cost of changing contractor;
and/or
 - ii. the specification for the new requirement does not differ substantially from that of the existing contract;
and/or
 - iii. the contract terms and conditions of the new requirement do not differ from those of the existing contract except where required by changes to the Authority's Financial Regulations (including these Contract Procedure Rules) or relevant standard contracting practices;
and/or
 - iv. the equivalent annual value of the contract for the new requirement does not differ from that of the existing contract by more than +10% unless required by law;
and/or
 - v. the services required have previously been tendered or been subject to competitive quotations no more than five years prior to the end of the original contract having regard to the term of the

contract to be offered and the volatility of prices and quality in the relevant sector;

and/or

vi. no more than two previous contracts for the required services have been exempted from obtaining quotations or tendering;

and/or

vii. the performance of the existing contractor in delivering the required services under the existing contract has been monitored and assessed as satisfactory or better;

and/or

viii. the quality of the required services as provided by the existing contractor under the existing contract has been assessed as satisfactory or better;

and/or

ix. improvements in value for money in respect of contract specification or contract price or service quality have already been secured or else will be secured under the terms of the new contract for the required services.

and/or

x. the required services, where applicable, are necessarily delivered in specific accommodation and there is a significant risk that a change in contractor would result in the loss of that accommodation to the required services or service user(s) and also a significant risk that alternative accommodation will not be secured within a reasonable and practical timescale.

and/or

xi. there is a reasonable probability that obtaining quotations or tendering the required services would result in significant distress or other detriment to the welfare of the service user(s) or would reverse or undermine the attainment of successful outcomes for the service user(s).

and/or

xii. any other valid and relevant considerations which may be identified by the Responsible Officer in consultation with the Monitoring Officer as pertinent to the relevant contractor.

10.3 Exemptions from tendering on the basis of one or more of the reasons listed in CPR 10.2 may be granted in the following manner:

(a) by the Monitoring Officer, based on a written report from the Head of Service, having consulted with the Strategic Procurement Manager and the Chief Finance Officer, if the contract value is under £1,000,000;

- (b) by a Cabinet Member in whose portfolio the service falls based on a report from the Head of Service, having consulted with the Monitoring Officer, Strategic Procurement Manager and the Chief Finance Officer, if the contract value is between £1,000,001 and £2,000,000. In the event that any Exemption under consideration is deemed sensitive or high risk then the Lead Member can request on a case by case basis that the matter is escalated to Cabinet for a decision
- (c) by Cabinet if the contract value is over £2,000,001.

10.4 No exemptions may be granted:

- (a) which would result in a breach of European or domestic law;
- (b) from CPR 3 (Officers' duties), CPR 4 (Declaration of Interests); CPR 5 (Scheme of Delegation), CPR 7 (Corporate Purchasing Agreements and Joint Procurement Arrangements);
- (c) from CPR 39 requiring approval of certain contract variations.

10.5 Exemptions from the CPR's can only be granted in the following circumstances:

- (a) at the direction of the Chief Finance Officer and Monitoring Officer subject to CPR 10.2 and CPR 10.3; or
- (b) in order to meet the requirements of European Union legislation or any domestic legislation including any regulations or directives from the National Assembly for Wales.

10.6 All single Tenders resulting from Exemption from the CPR's, Exemption from tendering or CPR waivers, shall be procured and evaluated via the e-sourcing solution (where available).

10.7 Each Head of Service shall keep a copy of the approved exemptions and waivers granted in respect of their Department, detailing the nature and value of the contract, the circumstances justifying the approval and the name of the contractor awarded. A central register of the same information will also be held on the Corporate Contract Register via the e-sourcing solution (where available).

APPROVED LISTS

11. Council Approved Lists and Vetting of Contractors

11.1 Quotations and Tenders for contracts which are not subject to EU Thresholds may be invited from Contractors included on the Council's Approved Lists. **The use of Approved Lists shall be discontinued from 1 April 2016**

11.2 The use of Approved Lists will need the prior approval from the

Strategic Procurement Manager and must be sought prior to set up or adoption of an Approved List.

- 11.3 All Approved Lists shall be compiled and maintained by named officers via the Approved List Management module within the e-sourcing solution (where available).
- 11.4 The Council's Approved Lists shall include all contractors that meet the Council's pre-qualification questionnaire requirements only and must not include any commercial / pricing elements.
- 11.5 Council Approved Lists shall:
- (a) be compiled for any goods, services or works categories as the relevant Head of Service may require up to the contract value of the OJEU threshold as identified in Schedule 1 (Goods and Services) and £250,000 (Works). Higher contract values can only be undertaken with prior approval of the Strategic Procurement Manager
 - (b) include contractor who must have expressed and submitted a written request for the inclusion on the Council Approved List and has been approved.
 - (c) indicate whether the contractors listed are approved for all contracts or for only some of the specified categories, values or amounts
 - (d) be publicly advertised and reviewed in full at least every three years. A public advertisement must be advertised as a minimum either on the Council's own website/National Procurement Website, or at least one local newspaper circulating in the locality or in at least one appropriate trade journal
 - (e) be open to receive new expressions of interest from any contractor at any time,
 - (f) be an approved list prepared by another public body providing that it has been composed in a proper manner by that body and that the Responsible Officer is satisfied that the procedure used does not conflict with the Council's procedures.
- 11.6 The financial standing of Contractors shall be subject to continuous financial monitoring through a third party financial vetting service (where available); alternatively a manual financial checking process will need to be put in place and undertaken by the relevant corporate Finance Manager. Whenever reasonable doubts which are based on objective grounds arise as to the financial standing or technical capabilities of a contractor on a Council Approved List, Framework Agreement or Contract, the appropriate Head of Service may, in consultation with the Strategic Procurement Manager, immediately suspend that contractor from the Approved List / Framework Agreement or Contract.

- 11.6.1 Investigations of the contractor shall commence immediately by the service and be completed as soon as possible but must be completed within 28 days. Where the investigation establishes sufficient evidence justifying removal from the Approved List / Framework Agreement the relevant Head of Service may remove the contractor following consultation with the Monitoring Officer. Where the investigation has not established grounds for removal the contractor shall be reinstated to the Approved List / Framework Agreement immediately. The Strategic Procurement Manager shall be kept informed of any decision made in respect of the contractor and shall update the e-sourcing solution immediately.
- 11.7 If a contractor consistently declines to tender when invited or consistently submits tenders which are so high as to suggest that the contractor is not genuinely competing for the contracts, the Head of Service shall seek an explanation from the contractor. Subject to the explanation given by the contractor, the Head of Service may consider whether removal from the List / Framework Agreement must be recommended. Such recommendation must be made to the Strategic Procurement Manager who will decide whether to remove the contractor from the Approved List / Framework Agreement.
- 11.8 A contractor may be removed from the List / Framework Agreement if the appropriate Head of Service considers that the contractor or its staff have breached standards of conduct that are relevant to the nature of the work performed by the contractor. Action may be taken under this paragraph even if there are no doubts about the financial standing or technical capability of the contractor. Any decision to remove a contractor from a List / Framework Agreement under this paragraph shall, following an investigation be reported to the Strategic Procurement Manager. In the event that a Contractor is removed from the List / Framework Agreement, then the Senior Leadership Team shall also be notified of the decision.
- 11.8.1 The removal of any contractors from the Proactis Approved List (where available) shall be carried out by the Strategic Procurement Manager. The removal of contractors from a manual Approved List shall be carried out by the relevant Approved List administrator.
- 11.9 In the event that it is deemed that the use of a specific Framework Agreement is more beneficial than the use of an Approved List for the same category of work as per CPR 7.3, the corresponding category of work on the Approved List including the Contractors shall be removed from use. This shall be done with agreement from the Approved List Manager and the Strategic Procurement Manager.
- 11.10 Where an Approved List is deemed to be in place then the creation of a tender shortlist using a combination of Approved List contractors as well as the inclusion of non Approved List contractors shall not be allowed. In the event that the tender shortlist may include non approved

contractors then this shall be subject to a separate Pre-Qualification Questionnaire vetting exercise as part of a specific Tender.

11.11 Contractors shall be invited to tender by random selection by using the e-sourcing solution (where available), save that up to 50% of tender shortlist may also include contractors:

(a) who have carried out similar work or has worked on an earlier stage of the project for the Council in the last two years and there is evidence that they have demonstrated the required performance standards. Once there is sufficient feedback available on the Contractor performance standards via the e-sourcing solution (when available), the best performing contractors shall be identified for the relevant category of work, and shall be considered for the tender short-list; or

(b) by 100% random selection from the contractors on the relevant Approved List.

11.12 Contractors shall be selected from within the appropriate work category or, where the contract involves several categories, from the most relevant category.

11.13 In all cases, the Responsible Officer shall demonstrate on the Contract File how they compiled the tender invitation.

11.14 With respect to Contractors that are on Approved Lists, Framework Agreements or that have a Contracts in place, the financial standing (see CPR 11.6), level of Insurance cover including any policy exclusions, Accreditations, level of Prosecutions any other relevant information that may be subject to change / renewal, must be checked and verified by Approved List Owner, Contract Manager or responsible officer that uses the relevant Framework Agreement.

PROCUREMENT PLANNING

12. Contract Value and Aggregation

12.1 Before conducting any procurement exercise the Responsible Officer will estimate and record the total monetary value and expected cost of a proposed contract, including any contract extensions, incidental or ancillary costs, net of VAT, over the full duration of the contract (not the annual value). For construction contracts, the estimate must be produced by a suitably qualified officer.

12.2 Where a service or supply contract does not stipulate a total price, the contract value shall be estimated as follows:

(a) fixed term service contracts of up to 48 months: total consideration payable over the term;

- (b) service contracts, or contracts for the hire of goods, for an indefinite (or uncertain) period or for a fixed term of more than 48 months: consideration payable in respect of each month multiplied by 48.

12.3 The contract value of regular or renewable service or supply contracts shall be estimated either:

- (a) by aggregating the value of similar contracts for the same categories of services or supplies awarded by the Council over the previous financial year or 12 months, adjusted where possible for anticipated changes in quantity or value over the next 12 months; or
- (b) by taking the estimated aggregate value during the twelve months following the first supply or service performed, or during the term of the contract where this is greater than 12 months

12.4 A contract cannot be artificially divided into two or more separate contracts, nor a valuation method selected, with the intention of avoiding these CPR's. Contracts shall be packaged to ensure best service delivery, competition and value for money.

12.5 Where a purchasing requirement is subdivided into several contracts, the estimated value of each shall be aggregated to estimate the total contract value; however:

- (a) any works contract that has an estimated value of less than the small lots provision in the Table of Values; or
- (b) any service contract that has an estimated value of less than the small lots provision in the Table of Values need not be aggregated, provided that the aggregate value of all those contracts is less than 20% of the total contract value.

12.6 The Responsible Officer must be satisfied that authority exists within the Council's approved budget for such expenditure, or will exist before expenditure is committed and that he has the delegated authority to spend from such budget.

13. Pre-Tender Enquiries

13.1 Enquiries of contractors may be made before tenders are invited in order to:

- (a) establish whether goods, works or services that the Council wishes to purchase are available, and within what price range;
- (b) prepare tender documents, price estimates and contracts;
- (c) establish whether particular contractors wish to be invited to tender or quote.

13.2 In making enquiries:

- (a) no information shall be disclosed to one contractor which is not then disclosed to all those of which enquiries are made, or who are suitably invited to tender or quote;
- (b) no contractor shall be led to believe that the information they offer will necessarily lead to them being invited to tender or quote, or awarded the contract;
- (c) a written record, including notes of any meetings held, the responses and the names of all individuals present shall be kept by the Responsible Officer on the Contract File.

14. Purchasing Need and Procurement Planning Approval

14.1 The Head of Service shall, having established and identified a purchasing need, nominate a Responsible Officer to fully assess the purchasing need.

14.2 Before undertaking a procurement exercise, the Responsible Officer, shall ensure that:

- (a) All individual procurements projects over the value of £100,000 will require that a Procurement Plan checklist is completed by the Responsible Officer and sent to for approval to the Strategic Procurement Manager prior to undertaking any competitive market testing or negotiation.
- (b) With respect to procurement projects between the values of £25,000 and £100,000 a Procurement Plan checklist must still be completed and retained on contract file for inspection. Other than for Projects outlined in CPR 14.2 (c), where approval is required by the relevant Head of Service listed below, no further approval will be required.
- (c) With respect to the following specific procurement projects, additional approval to the above will be required as follows:
 - ICT procurement projects - additional approval to the above will be required from the Manager of Business Transformation & ICT or their designated Responsible Officer
 - Property and Works related procurement projects – additional approval will be required from the Property Manager – Strategic Assets or their designated Responsible Officer
 - Temporary staff Agencies (excluding Matrix) and Interim staff Agencies – additional approval will be required from Head of Human Resources & Occupational Development or their designated Responsible Officer

15. Sustainable Procurement

15.1 For all contracts exceeding £2,000,000 in value it will be mandatory to deliver a social, economic and environmental return on investment through the adoption of a community benefits approach where such benefits can be realised.

- 15.2 For all contracts below £2,000,000 in value it will be optional to deliver a social, economic and environmental return on investment through the adoption of a community benefits approach. However, even for these contracts it will be desirable to deliver relevant community benefits.
- 15.3 All contractors that will be required to deliver Community Benefits shall be required to complete the Community Benefits Toolkit as part of their contractual requirements.
- 15.4 For all contracts over £100,000 for Goods and Services the Council shall take account of social, economic and environmental issues when making procurement decisions using the sustainable risk assessment template (SRA) as part of Procurement Plan Checklist approval (CPR 14).
- 15.5 The inclusion of Sustainable Procurement requirements arising from the Sustainable Risk Assessment (SRA) under CPR 15.4 shall be at the discretion of the relevant Head of Service, having taken into considerations any financial impact of including such requirements.

QUOTATIONS AND TENDERING

16. Contracts Valued at less than £10,000 (Goods, Services & Works)

- 16.1 The Responsible Officer shall check whether a Corporate Purchasing Arrangement is in use for the particular purchasing requirement. If so, an order shall be placed under the Arrangement accordingly.
- 16.2 Where practical, competition is required for contracts with an estimated value of less than £10,000. The need to obtain written request for quotation shall be at the Head of Service's discretion although this does not alleviate the Head of Service of his responsibility in being able to demonstrate that value for money has been obtained. The Responsible Officer shall obtain, where practical, a minimum of one request for quotation, which must be sourced from an Approved List of Contractors where such a list exists or alternatively if no Approved List is in place from the general list of registered suppliers on the e-sourcing solution (where available) or by public advertisement on the National Procurement Website.
- 16.3 The Request for Quotation shall be received through the e-sourcing solution (where available) or alternatively by written submissions. In the event that only ONE Request for Quotation is sought, then it can be in received in writing on paper or through e-mail which is not locked.
- 16.4 The Request for Quotation shall include as a minimum a technical specification, pricing schedule and Terms and Conditions.
- 16.5 A Purchase Order Must be sent via the Purchase-to-Pay solution (where available) following acceptance of the Request for Quotation /

signing of the contract.

17. Contracts Valued between £10,001 and £25,000 (Goods, Services & Works)

- 17.1 The Responsible Officer shall check whether a Corporate Purchasing Arrangement is in use for the particular purchasing requirement. If so, an order shall be placed under the Arrangement accordingly.
- 17.2 The Responsible Officer shall invite as a minimum three Quotations, which must be sourced from an Approved List of Contractors where such a list exists or alternatively if no Approved List is in place from the general list of registered suppliers on the e-sourcing solution (where available) or by public advertisement on the National Procurement Website.
- 17.3 The Quotations shall be received electronically through the e-sourcing solution (where available) or alternatively through written submissions. All Quotations received shall NOT be opened until the specified closing time and date has elapsed.
- 17.4 The Request for Quotation shall include as a minimum a technical specification, pricing schedule and Terms and Conditions.
- 17.5 A Purchase Order Must be sent via the Purchase-to-Pay solution (where available) following signing of the contract.

18. Contracts Valued between £25,001 and OJEU threshold (Goods & Services)

- 18.1 The Responsible Officer shall check whether a Corporate Purchasing Arrangement is in use for the particular purchasing requirement. If so, an order shall be placed under the Arrangement accordingly.
- 18.2 The Responsible Officer shall invite as a minimum four Tenders which must be sourced as a minimum through a public advertisement via the National Procurement Website. If a Restricted Procedure is undertaken then a minimum of four contractors shall be invited to Tender (subject to suitability). Exceptions to this, shall be the use Approved Lists or the supplier directory on the e-sourcing solution (where available) by prior agreement with the Strategic Procurement Manager.
- 18.3 The Tenders shall be received through the e-sourcing solution (where available) or alternatively through written submissions. All Tenders received shall NOT be opened until the specified closing time and date has elapsed.
- 18.4 A Purchase Order Must be sent via the Purchase-to-Pay solution (where available) following signing of the contract.

19. Contracts Valued over OJEU threshold (Goods & Services)

- 19.1 The Responsible Officer shall check whether a Corporate Purchasing Arrangement is in use for the particular purchasing requirement. If so, an order shall be placed under the Arrangement accordingly.
- 19.2 The Responsible Officer shall invite as a minimum five Tenders which must be sourced as a minimum through a public advertisement via the National Procurement Website, which will also publish the same advertisement in the Office Journal of European Union (OJEU).
- 19.3 The Tenders shall be received through the e-sourcing solution (where available) or alternatively through written submissions. All Tenders received shall NOT be opened until the specified closing time and date has elapsed.
- 19.4 All Tender notices for projects above the OJEU threshold (Goods and Services) shall be administered by the Strategic Procurement Manager.
- 19.5 A Purchase Order Must be sent via the Purchase-to-Pay solution (where available) following signing of the contract.

20. Contracts Valued between £25,001 and £250,000 (Works)

- 20.1 The Responsible Officer shall check whether a Corporate Purchasing Arrangement is in use for the particular purchasing requirement. If so, an order shall be placed under the Arrangement accordingly.
- 20.2 The Responsible Officer shall invite as a minimum four Tenders, which must be sourced from an Approved List of Contractors where such a list exists or alternatively if no Approved List is in place then from the general list of registered suppliers on the e-sourcing solution (where available) or by public advertisement on the National Procurement Website. If a Restricted Procedure is undertaken then a minimum of four contractors shall be invited to Tender (subject to suitability).
- 20.3 The Tenders shall be received through the e-sourcing solution (where available) or alternatively through written submissions. All Tenders received shall NOT be opened until the specified closing time and date has elapsed.
- 20.4 A Purchase Order Must be sent via the Purchase-to-Pay solution (where available) following signing of the contract.

21. Contracts Valued over £250,001 (Works)

- 21.1 The Responsible Officer shall check whether a Corporate Purchasing Arrangement is in use for the particular purchasing requirement. If so, an order shall be placed under the Arrangement accordingly.

- 21.2 The Responsible Officer shall invite as a minimum five Tenders which must be sourced as a minimum through a public advertisement via the National Procurement Website. With respect to contracts above the OJEU threshold the same advertisement shall be published in the Office Journal of European Union (OJEU). Exceptions to public advertisement shall be the use of Approved Lists or the supplier directory on the e-sourcing solution (where available) only following approval from the Strategic Procurement Manager for contracts below the OJEU threshold (Works) only.
- 21.3 The Tenders shall be received through the e-sourcing solution (where available) or alternatively through written submissions. All Tenders received shall NOT be opened until the specified closing time and date has elapsed.
- 21.4 All Tender notices for projects above the OJEU threshold (Works) shall be administered by the Strategic Procurement Manager.
- 21.5 A Purchase Order Must be sent via the Purchase-to-Pay solution (where available) following signing of the contract.

22. Timescales for receiving requests for Requests for Quotes and Tenders

- 22.1 For all Tenders below the OJEU threshold for Goods, Services and Works there is NO prescribed timescale duration for receipt of documentation e.g. Pre Qualification Questionnaire and / or Tender documentation, since all projects need to be assessed based on its own complexity and to allow sufficient timescales for contractors to provide suitable bids.
- 22.2 For all Tenders (Goods, Services and Works) above the OJEU threshold the timescales for various procedures **MUST** follow the process chart located in the Procurement Pages of the Intranet.

23. Request for Quotes and/or Invitation to Tender Documentation

- 23.1 The Invitation to Tender documentation (including Pre Qualification Questionnaire, Invitation to Tender and Award Letters) and all other procurement documentation used shall be in compliance with the corporate standard documentation as approved or amended from time to time by the Strategic Procurement Manager.

24. Tender Specifications

- 24.1 The Responsible Officer shall ensure the tender specifies the quality, performance, safety and other characteristics required of the works, services, or supplies. Specifications may include requirements relating to methods of construction, design and costing, tests, testing methods, inspection and acceptance, quality assurance, packaging, marking and

labelling.

- 24.2 Technical specifications shall be defined by reference to relevant European specifications or, where they do not exist, in the following order: to British technical specifications, British standards implementing international standards, other British standards and technical approvals or any other standards. Where an appropriate standard is current at the date of tender, all works services and supplies shall be at least of equal quality.
- 24.3 Specifications shall not refer to supplies of a particular make or source unless:
- (a) it is justified by the tender requirement; or
 - (b) the tender requirement cannot otherwise be described precisely and intelligibly, provided references are accompanied by the words 'or equivalent'

25. Tender Opening

- 25.1 All Quotations under £10,000 where there is only ONE quote invited can be opened upon receipt of the single quotation. The bid shall be accessed via the e-sourcing solution (where available) or alternatively by paper bid.
- 25.2 All Quotations under £25,000 (with exception to single quotes <£10,000 see CPR 25.1) shall be opened at the same time and place after the closing time for receipt as stated in the documents or as early as reasonably practical thereafter. The tender opening shall take place as a minimum 24 hours after the closing time if using the e-sourcing solution (where available). This shall be done in the presence of at least two officers of the Council designated for the purpose by the Head of Service concerned. At least one of the Officers present must be independent of the project and not had involvement in document preparation or be involved in the evaluation of Tenders received. The bids shall be accessed via the e-sourcing solution (where available) or alternatively by paper bids.
- 25.3.1 All Tenders undertaken on the e-sourcing solution that are above £25,000 shall be opened at the same time and place after the closing time for receipt as stated in the documents or as early as reasonably practical thereafter. The tender opening shall take place as a minimum 24 hours after the closing time. This shall be done in the presence of at least two officers of the Council designated for the purpose by the Head of Service concerned. At least one of the Officers present must be independent of the project and not had involvement in document preparation or be involved in the evaluation of Tenders received. The bids shall be accessed via the e-sourcing solution (where available) or alternatively by paper bids. A Cabinet member shall always be invited to attend the tender opening and be given reasonable notice of the

arrangement. It is that Cabinet Members discretion as to whether they attend. The Tender opening will be arranged by the Head of Service.

- 25.3.2 Where Tenders are undertaken using paper documents and the value is above £100,000 then the opening shall be undertaken in the presence of two or more officers of the Council designated for the purpose by the Monitoring Officer and the Head of Service concerned. A Cabinet member shall always be invited to attend the tender opening and be given reasonable notice of the arrangement. It is that Cabinet Members discretion as to whether they attend. The Tender opening will be arranged by the Head of Service. This facility will only remain in place until the e-sourcing solution is made available to all Services.
- 25.4 Every Invitation to Tender shall state that a Bid will only be considered if it is received by a specified time and date via the E-sourcing solution (where available) or with respect to paper tenders in a sealed plain envelope with the word "Tender" and the name of the contract written on it. If the envelope bears any distinguishing matter or mark intended to indicate the identity of the sender, the Bid may be deemed invalid.
- 25.5 All Tenders shall be submitted via the e-sourcing solution (where available) or by paper. All paper Tenders shall be delivered to the named Responsible Officer who shall be responsible for the safe custody of Tenders until such time as they are officially opened.
- 25.6 On receipt, all bids received (electronically or paper based) shall be endorsed with the time and date of receipt and kept secure by the Responsible Officer until the time specified for Tender opening.
- 25.7 If a paper based Tender is opened in error, no attempt shall be made to ascertain any contents of the bid or its origin and the matter shall be reported to the appropriate Head of Service. The envelope shall be resealed immediately and signed by the designated Responsible Officer who opened the envelope and the Head of Service. If the Head of Service has reason to suspect a breach of confidentiality or irregularity has occurred, the Head of Service shall consider arranging for re-Invitation to Tender and report without delay to Internal Audit.
- 25.8 The designated persons present at the Tender opening shall record the following details of each tender:
- (a) the last date and time for the receipt of bids;
 - (b) the name of each Bidder and the amount of each bid;
 - (c) the date the Tenders were opened;
 - (d) if using the e-sourcing solution a print out of the tender opening form shall be obtained

And the record shall be signed by all designated persons present at the Tender opening.

26. Late Tenders received

- 26.1 Any bid received after the specified time shall be endorsed with the time and date of receipt.
- 26.2 If all other bids have been opened, the late bid shall not be considered for evaluation and shall be opened only to ascertain the name of the contractor. No other details of the Bid shall be disclosed. The Responsible Officer shall arrange for the bid to be returned (if paper based) to the Contractor immediately. A notification letter explaining why the bid has not been considered shall be sent to the Contractor.
- 26.3 The late bid shall be considered, providing that the other bids have not been opened and that the Monitoring Officer is satisfied:
- (a) that there is evidence that the late bid was posted / submitted in time for delivery by the due date in the normal course of postal service/ internet service or
 - (b) that exceptional circumstances surround the submission of the late bid, including but not limited to technical difficulties accessing the e-sourcing solution.
- 26.4 Any decision made under CPR 26.3 is to be recorded on the Contract File signed by the Monitoring Officer and a copy of the decision is to be forwarded to the Strategic Procurement Manager.

27. Tender Evaluation and Alterations

- 27.1 All Tenders above £100,000 (Goods, Services and Works) shall be evaluated and awarded on the basis of MEAT (Most Economically Advantageous Tender) only, which shall include a combination of Price and Quality criteria, unless a deviation to this requirement has been approved by the Strategic Procurement Manager through the Procurement Checklist process. (See CPR 27.3)
- 27.2 Lowest price evaluation may only be used as an option for contracts below £100,000, however it is recommended that for contracts below £100,000 that they are evaluated and awarded on a price/quality basis.
- 27.3 Where a contract is to be awarded on the basis of Most Economically Advantageous Tender (MEAT), the Bids shall be evaluated by an Evaluation Team consisting of a minimum of TWO Responsible Officers, in accordance with the criteria stated in the Tender Evaluation documents. With respect to OJEU Tenders, the Collaborative Procurement Service (CPS) staff shall be notified of the evaluation process by the Evaluation Team and the CPS staff shall be consulted following the tender evaluation process, and prior to any tender award approval of any contract in order to ensure robustness of process.

- 27.4 Any particular scoring or weighting attributable to any criteria or sub criteria must be clearly stated in the Invitation to Tender documentation. In addition, the criteria shall be strictly observed (and remain unchanged) at all times throughout the evaluation stage. It must be noted that prior disclosure of and adherence to award criteria and weightings is a fundamental requirement of the core principle of transparency. The core procurement principles (transparency, equal treatment, non-discrimination) apply even to sub-OJEU threshold procurements.
- 27.5 As a general rule no adjustment or qualification to any bid is permitted. Errors found during the examination of bids shall be dealt with in one of the following ways:-
- 27.6 Where there is an error of clerical or arithmetical transcription or computation manifest upon the face of the document which would affect the tender figure in an otherwise successful tender, the tenderer shall be given details of such errors in writing and shall be allowed the opportunity of correcting those errors and confirming the correct details.
- 27.7 Where examination of Tenders reveals other errors or omissions not stated in CPR 27.6 which would affect the Tender figure or submission, the Tenderer shall be given details of such errors and an opportunity of confirming or withdrawing its Tender.
- 27.8 In relation to Contracts, The Relevant Responsible Officer shall be responsible for scrutinising the forms of Tender in order to identify any errors or other discrepancy affecting the validity of the Tender. Where Tender amounts are compiled from a detailed Bill of Quantities, Schedule of Rates or Pricing Schedule the Responsible Officer shall also scrutinise the priced documents supporting the lowest Tender received and any others he considers appropriate. Where scrutiny reveals a discrepancy between a Tender amount and a priced Bill of Quantities, Schedule of rates or Pricing Schedule the Responsible Officer shall notify the Tenderer who shall be offered the option of either correcting the Tender amount, the rates entered in the documents remaining unaltered or withdrawing the Tender. If it is in the best interests of the Authority, the Tenderer may be given the opportunity to correct the Tender. Where a standard form of contract is being used, errors in the contract will be dealt with in accordance with the rule applicable to that form of contract.
- 27.9 With relation to Works Contracts, if the contractor withdraws, or the corrected bid is no longer the highest ranking bid, the bid from the next highest ranking contractor in competitive order will be called in to be examined in more detail.

28. Post Tender Negotiations and Tender Bid Clarifications

- 28.1 Where the procurement is conducted pursuant to the Public Contracts

Regulations 2006 through either the open, restricted or competitive dialogue procedures, no post-tender negotiations are permitted. The responsible officer may seek clarification from tenderers where appropriate in consultation with the Strategic Procurement Manager. Negotiations on price are never permissible except where the negotiated procedure or electronic auctions are used. The negotiated procedure must only be used in those exceptional cases where it is lawful to do so under the Public Contracts Regulations 2006 (Regulation 14).

- 28.2 Where Sub OJEU contracts are conducted within these CPRs (i.e. they are below the relevant OJEU thresholds) the Strategic Procurement Manager may authorise negotiations if he/she considers that it is in the Council's interest to do so. Such negotiations must be undertaken by TWO responsible officers and must not distort competition, and it must be remembered that the core principles of transparency, non-discrimination and equal treatment apply to below-threshold contracts, therefore negotiations must be kept to a minimum. Negotiations must stay strictly within the boundaries authorised by the Strategic Procurement Manager and a written record must be kept of all negotiations and the final outcome.
- 28.3 At all times during the procurement process the Council shall ensure that all contractors are treated equally and in a non-discriminatory and transparent manner.
- 28.4 The Responsible Officer may negotiate a revised bid in the manner set out in CPR 28.2, provided the specification and terms of the contract remain substantially unaltered:
- (a) where tendering produced no tenders or inappropriate tenders, for example where the tender figure in an otherwise successful tender exceeds approved or budgeted expenditure, or where the sum has changed since tenders were invited; or
 - (b) where tendering was discontinued because of irregular bids, for example because contractors failed to meet the requirements specified in the bidding documents or offer variations on them, or the works, supplies or goods fail to meet the technical specification.
- 28.5 The Responsible Officer shall invite all contractors to amend their bids, in writing, in such matters (e.g. unit price, delivery, discounts or by removing elements of the old bill of quantities) as the Responsible Officer specifies. All negotiations shall be conducted by at least two officers of different disciplines, one of whom is not involved in the contract award. The Responsible Officer shall keep a written record of all negotiations, including notes of all meetings and the names of all individuals present.

28.6 Where post-tender negotiation results in a fundamental change to the specification or contract terms, then advice must be sought from the Strategic Procurement Manager or Monitoring Officer, since the contract must not be awarded but re-tendered.

29. Request for Quotations / Tender Award Approvals

29.1 No contract may be awarded unless the expenditure involved has been included in approved estimates or on capital or revenue accounts, or has been otherwise approved by, or on behalf, of the Council. The Responsible Officer shall ensure that evidence of authority to spend and the budget code to be used is recorded on the Contract File.

29.2 When awarding contracts, framework agreements or mini competitions based on MEAT (Most Economically Advantageous Tender) (based on price and quality criteria); Award approvals must be undertaken in the following manner:

(a) by the Head of Service having consulted with Chief Finance Officer, Monitoring Officer and Strategic Procurement Manager if the contract value is up to £1,000,000

(b) by the Cabinet Member in whose portfolio the services falls based on a report from the Head of Service, if the contract value is between £1,000,001 and £2,000,000. (2 million)

(c) following a report made to Cabinet if the contract value is over £2,000,001. (2 million)

29.3 When awarding contracts, framework agreements or mini competitions based on lowest price only; Award approvals must be made to the Contractor submitting the lowest price, unless the quote or tender is deemed to be an abnormally low bid which cannot be justified by the bidder to be sustainable in order to deliver the contract. Contracts will be awarded to the tender which offers the lowest price in the following manner:

(a) by the Head of Service providing it does not exceed £1,000,000;

(b) by the Cabinet Member in whose portfolio the services falls based on a report from the Head of Service, if the contract value is between £1,000,001 and £2,000,000. (2 million)

(c) following a report made to Cabinet if the contract value is over £2,000,001. (2 million)

29.4 The Responsible Officer shall following obtaining approval for Tender Award and having received no legal challenges during the "Standstill" period, ensure all Contracts are in writing as per CPR 33 and that a

Purchase Order is entered on to the Purchase-to-Pay solution (where available), once the contract has been signed.

- 29.5 The Responsible Officer shall record all contracts awarded by their Department, on a Corporate Contract Register via the E-sourcing solution (where available).
- 29.6 The Responsible Officer shall send a Contract Award Notice to the OJEU within 48 days of the award with respect to an above OJEU contract and shall publish a Contract Award Note to be published on the National Procurement Website for any other contracts below the OJEU threshold. The requirement to publish a contract award notice also applies to “Part B” services contracts (such as health and social care, and legal services) where the value exceeds the relevant OJEU threshold.
- 29.7 If a contract is to be awarded to a department of the Council, a record of the contract must be published in the Corporate Contract Register on the e-sourcing solution (where available) and a Service Level Agreement must be signed between the relevant Head of Services.

30. Notification of Tender Award and De-briefing requests

- 30.1 Prior to awarding any contract following a report to Lead Member or Cabinet, the Responsible Officer should note the Council’s 5 day Call-In procedure to be implemented before Contract Award notifications are made to contractors. Guidance is available on the Council’s Intranet site.
- 30.2 ‘Standstill’ letters to be issued as part of the OJEU tender process under the Public Contracts Regulations 2006 or optionally as part of any Sub-OJEU tender process must not be issued prior to confirmation of tender award (CPR 29).
- 30.3 There must be a mandatory standstill period between communicating the award decision to all tenders and conclusion of the contract with respect to OJEU tenders. This standstill period shall be 10 calendar days if sent electronically or 15 days for notices sent by other methods. Where the last day of the standstill period is not a working day, the standstill period is extended to midnight at the end of the next working day.
- 30.4 With respect to tender awards involving mini competition’s undertaken within a Framework Agreement or tender awards with respect to Sub-OJEU tenders, it is still advisable to include a Standstill period as per CPR 30.1, CPR 30.2 and CPR 30.3, in particular where there is a risk of challenge such voluntary standstill should be considered by the Responsible Officer.
- 30.5 The Notification letters which are sent to any Contractor who was successful and unsuccessful at either Pre Qualification or Tender Award stage shall be sent promptly once the decision has been made at either selection or award stage. The Contractor shall be informed of the

reasons for being unsuccessful and shall also be informed of the characteristics and relative advantages of the successful contractor as well as the name of contractor awarded the contract. For tender procedures that are below the OJEU thresholds the Responsible Officer shall, within 15 days of receipt of a request in writing from any contractor who was unsuccessful, inform them of the reasons why they were unsuccessful and, if an admissible tender was submitted, the characteristics and relative advantages of the successful tender as well as the name of the contractor awarded the contract (subject to certain exceptions e.g. commercial confidentiality)

31. Letters of Intent

31.1 Letters of Intent must only be used in exceptional circumstances after prior approval in writing has been obtained from the Monitoring Officer and shall only be used in exceptional circumstances as follows:

- (a) where the contractor is required to provide services goods or works prior to formal written acceptance by the Council; or
- (b) where all the contractual terms and conditions have been agreed and there would be an unacceptable delay in waiting for the contractual documentation to be completed.

32. Non-concluded Terms and Conditions of Contract

32.1 The council must always ensure that terms and conditions are fully agreed, by including them in the bidding documents and requiring contractors to accept them as part of the bidding process.

32.2 Where the Terms and Conditions of contract are not fully agreed, no contractor shall be allowed to commence delivery of goods, works or services until all Terms and Conditions have been agreed and signature or written agreement of both parties obtained.

32.3 The Council must in no circumstances contemplate entering into a contract on the contractor's own standard terms and conditions, or negotiate terms which are significantly different to those included or referred to at tender stage, without the prior approval of the Monitoring Officer and subject to CPR 28.

FORM OF CONTRACT

33. Contracts in Writing

33.1 The following contracts shall be in writing and executed under seal:

- (a) if the Council wishes to enforce the contract for more than six years after its end;

- (b) where the price paid or received under contract is a nominal price or there is no consideration and does not reflect the value of the works goods or services;
- (c) where there is any doubt about the authority of the person signing for the other contracting party;
- (d) where it is required by law; or
- (e) where the total value of the Contract exceeds £250,000.
- (f) where the appropriate national form of contract used is drafted as a 'deed'.

The seal must not be affixed without the authority of Cabinet, Cabinet Member or Head of Service acting under delegated powers. The sealing of documents is facilitated through Legal Services who shall arrange the signing and sealing with the Council Chairman and a second authorised signatory.

- 33.2 All contracts, whether made via a Purchase Order number, 'under seal' or 'under hand' (ie not sealed but still signed), will require an official Purchase Order to be created on the Purchase-to-Pay solution (where available).
- 33.3 All contracts up to £250,000 and made 'under hand', shall be in writing on the Council's general standard terms and conditions of business as available on the Council website and procurement pages of the intranet, subject to CPR 33.4 & 33.5, and signed by one authorised signatory. Approval in respect of the use of alternative terms and conditions shall be approved by the Monitoring Officer during the procurement planning stage.
- 33.4 Where there is an appropriate national standard form of contract, that standard form shall be used, subject to any amendments as may be agreed with the Monitoring Officer in consultation with relevant Head of Service.
- 33.5 Where bespoke terms and conditions are likely to be required for a particular project or scheme, based on its complexity, value, importance or risk level; then the Responsible Officer shall contact Legal Services at the procurement planning stages (CPR 12 to 15), to seek advice; give consideration to Legal Services sitting on the any project team or board at this early stage; and take into consideration the professional judgement of procurement and legal officers on the appropriateness of any bespoke terms that should be incorporated.
- 33.6 Emergency contracts awarded under CPR 10.2(d) need not be in writing before commencement but must be confirmed in writing as soon as possible.
- 33.7 All contracts, whether electronic copies or manual, (save for those which are sealed), shall be retained by the relevant Service for a minimum of 6 years from the expiry date of the contract. Sealed

contracts shall be retained in the Council's Deed Store by Legal Services, usually for a period of 12 years from the date of expiry of the contract.

- 33.8 The Responsible Officer shall ensure that all contracts signed 'under hand' are scanned and saved in the e-sourcing solution (where available).
- 33.9 Commencement of any contract shall not take place until the written contract is finalised except in cases of emergency or in accordance with rule 31, following which the written contract shall be finalised as soon as practicable.

34. Surety/Securities

- 34.1 The Responsible Officer shall undertake a risk assessment for all contracts (whether works or goods or services), over £100,000, to determine whether a form of surety is to be required as part of the contract terms and conditions. The nature of the surety, whether in the form of a bond, parent company guarantee or vesting certificate or otherwise, will be dictated by the outcome of the risk assessment and the form shall be approved by the Monitoring Officer.

35. Remedies for breach of contract and Service Level Agreements

- 35.1 The Responsible Officer shall ensure that the agreed remedies for breaches of the contract are incorporated into the terms and conditions as advertised. The type specified will depend on the nature of the contract and may be in the form of liquidated damages or service credits (payment or repayment of price) if the supplier does not meet service levels.
- 35.2 The level of remedy shall be a genuine and reasonable pre-estimate of anticipated loss based on the facts at the time the contract is made.
- 35.3 Advice shall be sought from the Monitoring Officer, on the main elements of any Service Level Agreement that forms part of the main contract. This should reflect the Service's explicit business objectives, describes service deliverables, sets performance standards, sets reporting and remedial mechanisms, compensation events and any other agreed remedies.
- 35.4 Advice shall be obtained from the Monitoring Officer before agreeing any exclusive remedies under the main contract or any Service Level Agreement.

OPERATION OF CONTRACT

36. Contract Management

- 36.1 All contracts must have a named contract manager for the entirety of the contract.
- 36.2 All contracts which are strategically critical and / or high risk and / or high value and / or high profile as determined by the relevant Head of Service within their own service area, are to be subject to a minimum monthly formal contract review with the contractor. Monthly reviews (or as determined by the provision in the contract whichever is the shorter) shall be undertaken by the named contract manager and any contractual issues reported to the relevant Head of Service / Project Sponsor.
- 36.3 All contract management activities shall be undertaken via the e-sourcing solution (where available).

37. Contract Performance

- 37.1 All Contractors shall be subjected to contract performance reviews, which shall be undertaken via the e-sourcing solution (where available) through feedback received from external and internal stakeholders. If practical, a performance review shall be undertaken at the end of each completed contract / job. This shall include a requirement to record good and bad performance including complaints, issues and defects arising under a contract and to monitor the aggregation of contractor defaults including performance issues.
- 37.2 Incidents of poor performance shall first be raised with the contractor in writing, or at a meeting where notes are made and sent to the contractor. In cases of particularly poor performance, or persistent poor performance, the Responsible Officer shall consider whether to recommend suspension or exclusion from the Council's Approved List or Framework Agreement (CPR 11) or to terminate early the contract as per CPR 38.
- 37.3 A customer satisfaction form will be devised and issued on a random and periodic basis to contractors in order for them to express their views and opinions on the operation of the approved list, framework agreement or contract.

38. Termination of Contract

- 38.1 Contracts of less than £250,000 may be terminated early by the relevant Head of Service / Director in consultation with the Monitoring Officer based on a written report by the Head of Service / Director.
- 38.2 Contracts with a value above £250,001 may be terminated early only by the Monitoring Officer in consultation with the Chief Finance Officer,

Strategic Procurement Manager and Portfolio Lead Member based on a written report by the Head of Service / Director.

38.3 Any contracts that are terminated early must be recorded against the contract entry on the Corporate Contract Register.

39. Contract Variations and Contract Extensions

- 39.1 No variation or extension may be made to the Contract if the proposed variation would:
- (a) extend the Contract period by more than 50% or more than three calendar months, whichever is the greater; or
 - (b) add more than 20% to the agreed Contract sum; or
 - (c) mean the works, services or goods to be added to or deleted from the original Contract are substantially different in scope: or
 - (d) be in breach of EU Regulations.

UNLESS IT HAS BEEN APPROVED BY:

- 1) By the relevant Head of Service / Director if the Contract value is under £250,000 (including the aggregated value of variations) based on a written report by the Responsible Officer providing that the variation costs can be met within the budget;
 - 2) By the Monitoring Officer, in consultation with the Chief Finance Officer based on a written report from the Head of Service / Director, if the Contract value is between £250,001 and £1,000,000 (including the aggregated value of variations), providing that the variation costs can be met within budget;
 - 3) by the Monitoring Officer and Chief Finance Officer, based on a written report from the Head of Service having consulted with the Strategic Procurement Manager, Other Statutory Officer(s) and Cabinet Member if the contract value is over £1,000,001 (including aggregated value of variations), providing the variation costs can be met within budget.
- 39.2 The value of a variation or extension shall be calculated by taking the aggregate value of all variations or extensions made to the Contract. No variation, which adds to the cost of the Contract, shall be made until funding has been identified by the relevant Head of Service / Director.
- 39.3 Subject to CPR 39.1 and the provisions of the Contract, every other variation or extension shall, unless otherwise deemed appropriate, be authorised in writing by the relevant Head of Service / Director or the Responsible Officer as delegated by the Head of Service / Director, providing that the variation costs can be met within budget.
- 39.4 CPR 39.1 shall not apply in cases of emergency or where the cost of

Contract delay would exceed the variation/extension costs. In such cases, the variation or extension may be approved by the appropriate Head of Service / Director providing that the same is reported as soon as practicable under the applicable thresholds as in CPR 39.1 to report on the impact of a variation order on a Contract, including budget implications.

- 39.5 For the avoidance of doubt, no variation may be made to a contract if the proposed variation would mean the works, services or goods to be added to the original contract are substantially different in scope or type to those contemplated by the original procurement exercise.
- 39.6 As soon as it becomes known or apparent that the total cost of a scheme including variations will or is likely to exceed the contract sum by more than 5%, the contract manager must inform the Chief Finance Officer or delegated Corporate Finance Manager immediately for financial monitoring purposes who may then inform the responsible officer of any further financial requirements to be complied with.
- 39.7 Contract variations which change any significant term of the contract (particularly as to price, quality or balance of risk) have the potential to amount to a new contract variations must therefore only be considered where:
- (a) The proposed variation is within the scope of the original tender (including any possible extensions or options which were included in the contract notice/advertisement or tender documents);
 - (b) The proposed variation does not significantly exceed the value of the original tender (including any possible extensions or options which were included in the contract notice/advertisement or tender documents);
 - (c) Variations of the type proposed were contemplated at the time the original procurement exercise was carried out; or
 - (d) The variation is permitted under the terms and conditions of the contract (provided that those terms and conditions were known to tenderers at the time of the original tender).
- 39.8 However, variations which alter the balance of risk in favour of the Council may in certain circumstances be judged not to be anti-competitive and thus may be permissible. Permission of the Monitoring Officer must always be sought to determine if the variation is deemed significant.
- 39.9 The decision to extend the contract period (term) may only be made before the original expiry date, where it is in accordance with the terms and conditions of the original contract.
- 39.10 Where the terms of the contract and or original procurement exercise do not expressly provide for extension then such contract may only be extended in exceptional circumstances, where legislation permits and value for money issues have been addressed. Such decision shall be

made by the relevant Responsible Officer in consultation with the Strategic Procurement Manager and Monitoring Officer.

- 39.11 Contract variations shall be entered on the e-sourcing solution (where available) and an amendment shall be made to the original Purchase Order via the Purchase-to-Pay solution (where available).

40. Contract Payments

- 40.1 The relevant Head of Service shall notify the Chief Finance Officer the contract value as soon as possible after any formal contract has been entered into by either ensuring a Purchase Order is submitted on the purchase-to-pay solution (where available) or by written notification, and shall make available the contract documents and accepted tenders to the Internal Audit Manager for inspection as and when required.
- 40.2 Where contracts provide for payment to be made by instalments, the relevant Head of Service shall arrange for the keeping of a Contract Register to show the state of account on each Contract between the Council and the Contractor in respect of all Contracts.
- 40.3 Payments to contractors on account of contracts shall be made only on a certificate issued by the relevant Head of Service / Director (or private consultant whenever engaged by the Council) as appropriate, or by an officer nominated by him. The names of officers authorised to approve such records shall be sent to the Chief Finance Officer by each Head of Service, together with specimen signatures (if applicable), and shall be amended on the occasion of any change.
- 40.4 The Internal Audit Manager shall, to the extent he considers necessary, examine final accounts for contracts and he shall be entitled to make all such enquiries and receive such information and explanations as he may require, in order to satisfy himself as to the accuracy of the accounts.
- 40.5 The Chief Finance Officer may at his discretion set off any sums due from a contractor to the Council against any sums due from the Council to the contractor.
- 40.6 Claims from contractors in respect of matters not clearly within the terms of any existing contract shall be referred to the Monitoring Officer and Chief Finance Officer before a settlement is reached.
- 40.7 Where completion of a contract is delayed beyond the original contract period or extended contract period within the terms of the contract, it shall be the duty of the relevant Head of Service / Director, in consultation with the Chief Finance Officer and Monitoring Officer, to consider what appropriate action, if any, must be taken in respect of a claim for liquidated damages by the Council under the contract.

40.8 The Responsible Officer approving invoices should be different to the Responsible Officer engaging the contractor to ensure proper segregation of duties

41. Assignments and Novation

41.1 When any request for Assignment or Novation of any contract is made it must be referred to the Monitoring Officer at the earliest possible instance.

42. Nominating Products/Contractors/Suppliers

42.1 The core procurement principles of transparency, non-discrimination and equal treatment are undermined by the nomination of products and suppliers.

42.2 Councils must first of all seek to specify goods and services by reference to objective, non-product specific descriptions. Equivalent goods or services are nearly always capable of being specified. If this is not possible for genuine technical reasons, and a particular type of product or service or method of production or delivery has to be stated, then the words “or equivalent” must always be added.

42.3 It is permissible to provide potential main or principal contractors with lists of council-approved suppliers or sub-contractors provided that it is made clear to the main/principal contractors that they are completely free to sub-contract to whoever they wish subject to the Council’s right to consent which shall not be withheld unreasonably subject to meeting the council’s reasonable requirements, such as technical standards, financial standing or insurance levels.

43. Land Contracts

43.1 All land transactions must comply with Section 120 -123 of the Local Government Act 1972.

43.2 Any Land Contracts which are deemed to be Development Agreements, where:

- the Council requires or specifies works to be undertaken by the Developer
- the Developer enters into an enforceable written obligation (under a development agreement to carry out the work and
- there is some pecuniary interest –which need not necessarily be a cash payment- in carry out the work

The appointment of a Developer may be subject to the Public Contracts Regulations 2006 and CPR 19 & 21 of these Rules. Any Land Contracts which involve Development Agreements shall be notified to the Monitoring Officer and advice sought.

44. Use of Consultants

- 44.1 The engagement of consultants must be approved, in the first instance, by the Relevant Head of Service / Director and such approval shall be recorded on a Corporate Register of Consultants that may be in place centrally.
- 44.2 When calculating the estimated value of the contract due consideration must be given to any follow on work that may result from the original contract. Where it is proposed that consultants are engaged by the Council, the Relevant Head of Service shall ensure that:-
- (a) there is a clear identification of need. In particular, the availability of in-house resources must be considered before seeking to engage external consultants;
 - (b) a budget has been agreed;
 - (c) a project brief has been prepared;
 - (d) Tenders have been invited in accordance with these CPRs, including any in-house bids unless CPR 10 applies;
 - (e) comprehensive criteria, against which proposals will be evaluated, are set
 - (f) the selection decision is clearly documented;
 - (g) a formal agreement or detailed letter of engagement is prepared and signed;
 - (h) fee payments and progress are monitored;
 - (i) a detailed Contract File is maintained;
 - (j) performance is reviewed and adequate management monitoring and reporting is in place, including implementation of any recommendations made by consultants.
 - (k) there is a clear requirement for knowledge and skills transfer from the consultant to in-house staff
- 44.3 Consultants shall be required to provide evidence of and maintain professional indemnity policies to the satisfaction of the Relevant Head of Service for the periods specified in the respective agreement. The sum insured shall be not less than £1 million but Head of Service may require a greater or lesser sum in appropriate cases further to consultation with the Monitoring Officer. The excess for any one claim shall be no less than £50,000 except with the approval of the Chief Finance Officer
- 44.4 For the engagement of technical external staff as architects, surveyors, engineers and lawyers, the Relevant Head of Service shall annually review the level of use of such external staff
- 44.5 Where consultants or technical external staff as architects, surveyors, engineers or lawyers are appointed to be responsible for supervision of a contract on behalf of the Council, it shall be a condition of appointment that they shall comply with these Rules and Financial Procedure Rules, in relation to that contract, as if they were an Officer of the Council and that, on completion of the contract, they shall submit

all relevant records to the Relevant Head of Service.

45. Retention of Contract Files

45.1 The Contract File prepared for all contracts over £10,000 must be kept for six years from the end of the contract term unless the contract was executed under seal, in which case the contract must be kept for twelve years from the end of the contract term. With respect contracts funded by Wales European Funding Office grants, the Contract Files shall be kept for twenty years from the end of the contract term.

45.2 Documents relating to unsuccessful tenderers may be micro filed or electronically scanned or stored by some other suitable method after 12 months from award of contract, provided there is no dispute about the award.

46. Review and Amendment of the CPR's

46.1 The Strategic Procurement Manager in conjunction with the Monitoring Officer shall continually review Contract Procedure Rules and shall undertake a formal review every three years.

Schedule 1

Table of Values

The relevant EU Thresholds for the period between 1st January 2014 and 31st December 2015 are as follows:

Contract provisions

Works	SDR € 5,186,000	£4,322,012
Supplies and Services	SDR € 207,000	£ 172,514

Small lots provisions

Works	€1,000,000	£833,400
Services	€ 80,000	£ 66,672

Prior Information Notices

Thresholds

Works	€ 5,186,000	£4,322,012
Supplies and Services	€ 750,000	£ 625,050

The EU Thresholds are published in the “C” series of the Official Journal of the European Union in the November preceding the 1st January revision.

Any queries regarding the thresholds must be referred to the Council's Collaborative Procurement Service.

Mae tudalen hwn yn fwriadol wag

Summary of key amendments / changes between the new CPR's and the current CPR's

Contract Procedure Rules clause	CPR section	Rationale / Comments	Status
2.8	Compliance with CPR's & Legislation	Recognise that schools will have their own version of the CPR's, which shall be based on these CPR's	Addition
6.1 & 6.2 & 6.3	Electronic Procurement Solutions	To ensure that all procurement activities are undertaken on the Proactis e-procurement solutions, once the service areas have had all modules implemented. The use of any other e-procurement solution cannot be used without prior approval from the Strategic Procurement Manager	Addition
7.1 & 7.2	Corporate Purchasing Agreements and Joint Procurement Arrangements	Cabinet approval required to join membership of official purchasing consortiums. Joint procurement arrangements (excluding framework agreements) with other public sector organisations to require prior approval from either Chief Officer or Cabinet subject to contract values	Amendment
7.3	Corporate Purchasing Agreements and Joint Procurement Arrangements	Use of Corporate Purchasing Agreements as approved by the Strategic Procurement Manager to be mandatory unless justification not to use them can be made, which shall require SPM agreement	
10.2 (n)	Exemption from Tendering Requirement	Exemption from Tendering has been extended to cover provision for existing social care contracts that are due to be re-tendered. This will allow for a justification to be made provided a number of the criteria can be demonstrated in order to defend a Judicial Review challenge.	Amendment

Tudalen 141

10.3	Exemption from Tendering Requirement	Tender Exemptions can only be approved by Chief Finance Officer or Monitoring Officer depending on contract values up to £1m. The approval of the Lead Cabinet Member for tender exemptions between £1m and £2m has been added. Cabinet approval is now required for exemptions from tendering that exceed £2m. This change will streamline a burdensome process e.g. cabinet report based on a technical judgement. However, in the event that any Exemption under consideration is deemed sensitive or high risk then the Lead Member can request on a case by case basis that the matter is escalated to Cabinet for a decision.	Amendment
10.6	Exemption from Tendering Requirement	Contracts deriving from single Tender actions, still need to be procured and evaluated on the e-sourcing solution.	Addition
11.0 (Various)	Council Approved Lists	<p>Use of approved lists shall be restricted to contracts up to £25,000 (Goods & Services) and £250,000 (Works). There is a requirement from the Welsh Procurement Policy from Welsh Government that all procurements above £25,000 to be subject to public advertisement. The use of Approved Lists will require approval of the Strategic Procurement Manager. Tender lists created from Approved Lists shall be created by a combination of random selection as well as from existing contractors who have performed to satisfactory standards.</p> <p>Various changes have been incorporated in order to implement a number of Internal Audit Recommendations arising from the Approved List Management Audit.</p> <p>It should be noted that from April 2016 the use of Approved Lists within the authority will be discontinued. They will be replaced by Framework Agreements or Term Contracts dependent on the requirement.</p>	Amendment

14.2	Procurement Plan Checklist Approval	All individual procurement projects above £100,000 will require a procurement plan checklist to be completed and approved as a minimum by the Strategic Procurement Manager, prior to undertaking any market testing. This new process will ensure that procurement projects are procured in a robust manner and be compliant with these CPR's, OJEU rules, Welsh Procurement Policy and general procurement best practice. There will need to be extra approvals in respect of projects involving ICT, Property and Temporary staff and Interim staff (excluding Matrix). All projects below £100,000 will also require the completion of the Procurement Plan Checklist and shall be retained on contract file. However, only projects relating to ICT, Property / Works and HR need prior approval.	Addition
15.1	Sustainable Procurement	All contracts above £2,000,000 will need to consider community benefits including social, environmental and economic factors. All contracts below £2,000,000 will also need to consider these factors on an optional basis. This is in alignment with the Welsh Procurement Policy	Addition
15.4 & 15.5	Sustainable Procurement	All contracts above £100,000 for Goods and Services shall also complete the Sustainable Risk Assessment template. This is in alignment with the Welsh Procurement Policy. However the Head of Service will have the option of including sustainable procurement requirement in Tenders, subject to the perceived financial considerations	Addition
16.0	Contracts less than £10,000 (Goods, Services & Works)	Request for Quotations can now only be used for contracts up to £10,000, which shall where it's not practical only require only a single quotation to be obtained. However value for money still needs to be demonstrated.	Amendment
17.0	Contracts between £10,001 and £25,000 (Goods, Services & Works)	All contracts for Goods, Services and Works between £10,001 and £25,000 shall require three written quotations. The upper threshold has been reduced to allow a lower level for public advertisement of tendering opportunities.	Amendment

18.0	Contracts valued between £25,001 and OJEU threshold	All contracts for goods and services above £25,000 shall be subject to a public advertisement as per Welsh Procurement Policy, unless an exemption is approved by the Strategic Procurement Manager	Addition
20.0	Contracts valued between £25,001 and £250,000 (Works)	Approved Lists for Works where available can only be used up to £250,000. A public advertisement will be required generally for all contracts above this value. This is a deviation on the Welsh Procurement Policy for practical reasons in dealing with high volume of bids from construction contractors	Amendment
25.0 & 25.2, 25.3b & 25.4	Tender Opening	All tenders above £10,000 shall be opened at the same time and place after the closing time for receipt of bids has elapsed. Currently quotations can be opened as they are received. This is a perceived risk that could allow officer collusion with suppliers and lead to fraud. All Tenders shall be undertaken on the e-sourcing solution (where available). All Tenders will now be opened at the same time by TWO designated officers (one of which shall be independent of the project) as selected by Head of Service. There will be a requirement for Officers from Legal and Democratic Services to be involved where paper tenders are received over the value of £100,000 until the e-sourcing solution is made available to all Services. The introduction of e-sourcing will prevent any tampering of any tenders, since the tender are locked once submitted electronically.	Amendment
26.3	Late Invitation to Tenders Received	Late bids may be still considered, providing the other bids have not been opened, subject to Monitoring Officer approval based on exceptional circumstances.	Amendment
27.1 & 27.2 & 27.3	Tender Evaluation	All Tenders above £100,000 shall be evaluated on price and quality. Price only evaluation can only be used for contracts below £100,000. When tenders are evaluated based on price and quality a tender evaluation team shall be arranged consisting of at least two officers. For OJEU tenders, the Corporate Procurement Unit will need to be consulted	Amendment

		following the evaluation process prior to the award of any contract	
28.2	Post Tender Negotiation	A minimum of TWO officers needs to be involved in any tender negotiation for sub –OJEU tenders.	Amendment
29.0 & 29.2 & 29.5	Tender Award Approvals	Tender Award approvals have been changed to include the need for Head of Service, Monitoring Officer and Chief Finance Officer approval subject to contract values up to £1,000,000, for contract values between £1,000,001 and £2,000,000 Lead Member approval must be given, for contracts exceeding £2,000,001 then Cabinet approval must be obtained. This change has been undertaken in order to streamline the process, which is based on technical judgement. This new process will also ensure that a robust quality assurance process is in place regarding tender awards, since there is an increasing risk of supplier legal challenges. All contract awarded will be required to be inputted onto a corporate contract register.	Amendment
31.1	Letter of Intent	Letters of Intent may only be used in exceptional circumstances after approval being obtained by Monitoring Officer	Amendment
32.3	Non-concluded Terms of Conditions of Contract	The Council should not enter into contracts on the suppliers terms and conditions, without upfront approval of the Monitoring Officer	Addition
33.2 & 33.3 & 33.4	Contracts in Writing	There will be a requirement for formal form of agreements to be developed and signed for various contract values. This addresses the current issues, whereby majority of contracts are not signed by both parties, and use of standalone purchase orders is not deemed robust.	Amendment
33.7 & 33.9	Contracts in Writing	All contracts above £10,000 save those which are sealed, shall be stored and retained by the relevant department. Work shall not commence on any contract (except for emergency works) until the signed contract has been returned since there are	Addition

		historical examples of contracts being sent out in Directorates and contracts have commenced before the return of signed contracts from contractors.	
36.2	Contract Management	All contracts that are strategically critical / high risk, high value or high profile shall be subject to monthly contract reviews	Addition
37.1 & 37.2	Contract Performance	Contracts shall be subject to regular performance reviews and if practical at the end of each contract / job a performance review shall be carried out to identify good and bad contractor performance, as well as identifying complaints etc	Amendment
38.0	Termination of Contract	Changes to how Termination of Contracts can be approved. Now 2 levels including Head of Service and the Monitoring Officer.	Addition
39.1 & 39.3	Contract Variations	Changes to Contract Variation approvals. Now 3 levels Head of Service, Monitoring Officer and Chief Finance Officer subject to contract and variation values. The same 3 levels are consistent with other clauses e.g. Tender Award. Cabinet is no longer required to approve contract variations above £1m. Contracts below £250,000 including variations can be approved by Head of Service	Amendment
40.8	Contract Payments	The Responsible Officer approving invoices should be different to the Responsible Officer engaging the contractor to ensure proper segregation of duties	Addition
43.0	Land Contracts	Changes to reflect case law on Development Agreements, which may be subject to OJEU regulations	Amendment
44.1 & 44.2	Use of Consultants	Use of consultants to be approved by Head of Service and all approvals shall be recorded on a central corporate register of consultants.	Amendment
45.0	Retention of Contract Files	Changes to reflect need to retain WEFO funded projects for 20 years	Amendment

Presentation of the Draft Contract
Procedure Rules to Corporate Governance
21 October 2014

Equality Impact Assessment

<Title of the proposal being assessed>

Contact: Stuart Andrews, Finance and Assets

Updated: 21.10.14

1. What type of proposal / decision is being assessed?

A new or revised policy

2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

The adoption by Corporate Governance of the Draft Contract Procedure Rules prior to submission to full Council. There will be no effect on the staff or community following implementation.

3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

No	The proposal is for the adoption of the revised Contract Procedure Rules which will have no effect on people, either staff or in the community as this is an internal set of regulations
-----------	--

4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

(Please refer to section 1 in the toolkit for guidance)

Consultation has been undertaken with all Service areas of the Council and there are no detrimental effects on any staff group as identified in the EIA Toolkit,
--

5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

(Please refer to section 1 in the toolkit for a description of the protected characteristics)

There will be no changes following this proposal
--

6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

No

7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.

No	There will be no changes following this proposal
----	--

8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?

No	This proposal is for the adoption of the revised Contract Procedure Rules where there are no further actions.
----	---

Action(s)	Owner	By when?
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Unrestrict editing to insert additional rows>	<Enter Name>	<DD.MM.YY>

9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	01.11.2017
--------------	------------

Name of Lead Officer for Equality Impact Assessment	Date
Stuart Andrews	21.10.14

Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.

Mae tudalen hwn yn fwriadol wag

Adroddiad i'r:	Pwyllgor Llywodraethu Corfforaethol
Dyddiad y Cyfarfod:	5 Tachwedd 2014
Aelod / Swyddog Arweiniol:	Y Cyngorydd Hugh Irving, Aelod Arweiniol Cwsmeriaid a Chymunedau Jackie Walley, Pennaeth Cwsmeriaid a Chymorth Addysg
Awdur yr Adroddiad:	Clare O'Gorman, Swyddog Cwynion Corfforaethol
Teitl:	Eich Llais - defnyddio adborth cwsmeriaid

1. Am beth mae'r adroddiad yn sôn?

Bydd yr adroddiad yn rhoi trosolwg i'r Pwyllgor o weithgareddau ymgysylltu â chwsmeriaid ar draws yr awdurdod ac enghreifftiau penodol o wasanaethau yn defnyddio adborth cwsmeriaid i gynllunio a darparu gwasanaethau.

2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

Mae'r adroddiad wedi ei lunio yn dilyn trafodaeth yn y Pwyllgor Archwilio Perfformiad ynglŷn â sut mae'r awdurdod yn ymateb i adborth cwsmeriaid ac yn gweithredu yn sgil hynny.

3. Beth yw'r Argymhellion?

Bod y Pwyllgor yn nodi ac yn rhoi sylwadau ar ddefnydd yr awdurdod o adborth gan gwsmeriaid.

4. Manylion am yr adroddiad

Fe ddylai parhau i chwilio am ffyrdd i wella ein gwasanaethau fod yn rhan hanfodol o'n gweithgaredd busnes. Mae defnyddio adborth cwsmeriaid yn y broses hon yn bwysig iawn ac fe all ddarparu cyfleoedd i wella cynllunio a darparu gwasanaethau yn ogystal â magu hyder y cyhoedd bod yr awdurdod yn gwranddo ac yn gweithredu ar adborth cwsmeriaid.

Gofynnwyd i bob gwasanaeth ddarparu enghreifftiau o sut maent yn ymgysylltu â'u cwsmeriaid, gan ganolbwyntio'n benodol ar ddefnyddio adborth wrth gynllunio a darparu gwasanaethau.

Gweler atodiad 1 am fanylion.

5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?

Mae cynllun Eich Llais yn cyfrannu'n uniongyrchol at y nod corfforaethol canlynol:

Cyngor rhagorol, agos at y gymuned.

6. Faint fydd yn ei gostio a sut bydd yn effeithio ar wasanaethau eraill?

Mae'r holl gostau sy'n ymwneud ag adborth cwsmeriaid yn cael eu hamsugno yn y cyllidebau presennol.

7. Beth yw prif gasgliadau'r Asesiad o Effaith ar Gydraddoldeb a gynhaliwyd ar y penderfyniad? Dylid cynnwys templed o'r Asesiad o Effaith ar Gydraddoldeb fel atodiad i'r adroddiad

Amherthnasol.

8. Pa ymgynghori a wnaed gyda'r Pwyllgor Archwilio ac eraill?

Adroddiadau misol i'r Uwch Dîm Arweinyddiaeth, gan adrodd yn ôl bob chwarter i'r Pwyllgor Archwilio Perfformiad, ac adroddiadau blynyddol i'r Pwyllgor Llywodraethu Corfforaethol.

9. Datganiad y Prif Swyddog Cyllid

Nid oes goblygiadau ariannol amlwg yn sgil yr adroddiad hwn.

10. Pa risgiau sy'n bodoli, ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?

Drwy beidio â delio ag adborth cwsmeriaid yn effeithiol, efallai y bydd enw da'r cyngor yn dioddef.

11. Pŵer i wneud y Penderfyniad

Mae hwn yn bapur ar gyfer gwybodaeth yn hytrach nag ar gyfer penderfyniad.

Mae tudalen hwn yn fwiadol wag

Extract from minutes:

20.02.14 - RESOLVED – that the Performance Scrutiny Committee:-

(a) note the performance of services in responding to complaints, and

(b) recommends that work be undertaken with the Council's services to enable a report to be presented to Members in the autumn on the Council's performance in dealing with complaints and the nature of complaints received.

The following information has been received and it is clear that some services have this practice well embedded and others are yet to establish processes to collate and use the information. We will work with all services to promote the good practice across the authority and implement as appropriate.

Tudalen 155

<p>Service: Business Improvement & Modernisation Lead Member: Councillor Barbara Smith/Hugh Evans</p>
<p>Customer engagement via:</p> <ul style="list-style-type: none"> • Resident's survey • DCC website • Customer satisfaction questions in Archives • Public engagement regarding corporate and wellbeing plans • Coordinating engagement with Town & Community Councils • Internal surveys on service quality • SOCITM • Archives' blog and open days
<p>Monitoring activity via:</p> <ul style="list-style-type: none"> • Town & Community Council cluster groups • Customer feedback to Archives • SOCITM
<p>Customer feedback influencing service design and delivery:</p> <ul style="list-style-type: none"> • Feedback from a regional stakeholder meeting informed the Strategic Equality Plans of the individual public authorities that

make up the North Wales Public Sector Equality Network.

- Businesses told us what they wanted to see in our Economic & Community Ambition strategy. We de-prioritised the things they didn't see as very important. Key areas for businesses were improving broadband, improving procurement opportunities, reducing red tape, increasing the availability of business premises in certain parts of the county, improving 'soft skills' amongst the future workforce and stepping up our engagement with businesses to understand their needs better. We are acting on all of these issues.

Complaints shaping service:

- Internal changes to ICT processes following customer feedback
- ICT service desk systems improved

Service: Customers and Education Support
Lead Member: Councillor Hugh Irving

Customer engagement via:

- DCC website
- Formal consultation with stakeholders
- Your Voice scheme
- Modernising Education Newsletter
- Education in Denbighshire blog
- Business planning – consulting and engaging with colleagues to ensure our business planning is effective and reflective of our service priorities
- Utilising Supportworks for One calls so that One users have one place to log all their requirements and they can be dealt with in a timely manner

Monitoring activity via:

- SOCITM website rating
- Your Voice scheme and reporting structure
- Feedback from consultations

- Using the Sims helpdesk and monitoring of the calls to help develop our training and support offered to schools
- Review of the way ICT calls are logged by school

Customer feedback influencing service design and delivery:

- Website was not specific enough regarding the bulky items that the council would / would not collect. We updated the list on the bulky item collection web page so that this included more examples of the types of items we collect.
- Customer commented that photos of Plas Newydd should be added to website. We added a Flickr slideshow to the Plas Newydd web page.
- Several customers commented that the Council's archive indexes were no longer available. We developed a new online archives facility.
- Several customers commented that the language switch feature (Cymraeg / English) should direct them to the same page in the equivalent language (not just the home page). We re-instated the language switch feature on the website so that customers are now re-directed to the same page - but in the equivalent language.
- Several customers unable to find Glasdir and Jillings reports easily on the website. We updated our search engine to include a quick link to improve access.
- Customer unable to find Chief Executive and Chairman email easily on website. Email addresses made more visible on website.
- Customer unable to find information about / applications for allotments in Denbighshire. Allotments web page and enquiry form added to website.
- School organisation documents were difficult to comprehend due to the required information to conform to legislation. Use of more plain language in documents, summary sections of key points.
- Requirement to engage with children and young people on school organisation proposals. Age appropriate documents produced for children and use of specialist staff to engage with children at all age ranges.
- Questionnaires issued with school organisation proposals. Questionnaires amended to focus on issues directly associated with the proposal rather than background information which would be useful for analysis.
- Concerns from local residents regarding the impact of the Rhyl new school proposal. Concerns from residents about access from Tynewydd Road led to the actual positioning of the school to be amended so that the access and front of the school was from Grange Road.
- Concerns from local residents over the plans for car and bus parking at Prestatyn High School. Service ensured more in-depth discussions with interested parties including bus operators leading to amendments to design.
- Ensuring that school requirements are met over school design. Extensive consultations with schools in the design process

to ensure that the requirements of the schools' needs are met within available resources.

- The Schools Forum suggested that it would be useful to have a single point of access for all Sims advice and guidance which we implemented.
- School Funding Formula Review - we undertook a detailed consultation on this to produce a simplified and transparent formula for schools. Including working directly with groups in schools to design how specific elements would look.
- Traded and Support Services - worked with schools to understand what their needs were in terms of services bought in from the LA and how these services could be delivered differently or not at all.
- Transport Policy - consulted with schools, elected members and the wider community on changes to central pick up points for schools. We are redesigning our processes to ensure we link transport eligibility to the admissions process as early as possible.
- Training for governors and schools - collected information on what schools needed in terms of training and how it could be best delivered (e-learning, school based, evenings).

Complaints shaping service:

Complaint	Action
Incorrect information given to customer by call handler.	Staff training for all staff in CCSC.
Unhappy with service at Ruthin One Stop Shop – not happy with new machine, too many staff and difficulty getting through to correct department via phone.	Staffing levels reviewed. New process for taking payments implemented so customer does not have to call another building.
Length of time waiting to get through to CCSC.	Review of call volumes and staffing.
Poor service provided by staff.	Customer services training provided to all staff.
Delays due to staff not inputting information correctly.	Staff training.
Inability to take card payments at the Harbour Master's office.	Installation of terminal.
Recorded message incorrect.	Re-record with correct information.

Service: Environment
Lead Member: Councillor David Smith

Customer engagement via:

- DCC website
- Advice on recycling via the refuse service's Recycling Advisors
- Consultation with councillors and residents concerning all trees that are removed or replaced in the Prestatyn MAG area
- Customer surveys
- "Bin it to win it" scheme to encourage correct disposal of litter or dog fouling

Monitoring activity via:

- Overall analysis of CRMs, covering outcome status (upheld/not upheld/partly upheld), response time, areas of highest demand and type (Public Spaces, Street Cleansing, Refuse – Other, etc.)
- Detailed analysis of dog fouling CRMs
- Detailed analysis of fly tipping CRMs

Customer feedback influencing service design and delivery:

- Installation of new bins along promenade in Prestatyn in response to CRMs concerning littering and dog mess.
- Dog fouling campaign as a response to level of CRMs concerning the issue.
- School meals surveys as a contributing factor to how the service is delivered.
- Introduction of more focused sweeping in Prestatyn in response to CRMs.
- Proactively dealing with seagulls in Rhyl in response to CRMs / White Rose Manager.
- Change of focus from scheduled work to demand based response – particularly with Ruthin Street Cleansing.

Complaints shaping service:

Complaint	Action
Complaints concerning street sweeping during school start and finish times causing traffic and health & safety issues.	Avoidance of street sweeping around school start & finish times.

Service: Finance and Assets
Lead Member: Councillor Julian Thompson-Hill

Customer engagement via:

- Website
- Landlord Forums
- Welfare Reform Groups
- liaison groups
- Third Sector Providers
- Internal Departments
- Face to face visits and comments / complaints
- Suppliers and contractors

Monitoring activity via:

- Number of comments & complaints
- Feedback from various groups and the third sector and face to face responses
- Feedback from suppliers and contractors
- Feedback from internal customers

Customer feedback influencing service design and delivery:

- Complaints about Bailiffs
- Make it easier to sign up to Direct Debit
- More flexibility on payment dates
- Feedback to suppliers and contractors is built into the procurement process – all bidders are given feedback on their tender submissions. This is mandatory for tenders via the OJEU process.

Complaints shaping service:

Complaint	Action
Bailiffs – accused of assault	Body worn cameras issued, complaints have reduced to nil
Incorrect classification of exemption	Used more relevant case law in response to customer
Setting up Direct Debits taking days to process	Changed to paperless direct debit. The details are now taken

	over the phone and the mandate is set up within one day, by using new processes
More choices to pay, over 12 months rather than 10 months	New Direct Debit options offered to run for 12 months
Agricultural Estate – complaint re: time taken to resolve issues around the general management of the estate and communication with tenants.	Chartered land agent appointed by Property as a focused additional resource. Introductory meetings arranged and letters sent to all tenant farmers explaining the changes within the department and giving relevant contact details.
Student finance – customer complained that she had different replies to her query from members of the team.	All the team were reminded of the legislation.

Service: Housing & Community Development Lead Member: Councillor Hugh Irving
Customer engagement via: <ul style="list-style-type: none"> • Formal consultation with internal and external stakeholders (Service Standards, Environmental Projects, Tenancy Agreement, Local Housing Strategy etc) • Consultation events countywide (daytime and evenings) - roadshows and drop-ins for specific environmental improvement projects • Housing web queries • Twitter & Facebook (via website) • Planned estate walkabouts • Residents Associations and informal residents groups • Tenants Federation • Volunteer Green & Clean Rangers • Tenants Newsletter • Complaints/Compliments/Comments (your voice)

- Questionnaires & Survey Monkey
- Postal & face to face (reception presence Brighton Road & County Hall)
- Customer Feedback - Property Services Repairs & Maintenance Team
- DTARF - Property Services Manager / Principal Officer, Maintenance attend the repairs sub group meetings of the Denbighshire Tenants & Residents Federation
- Meetings and joint working with various internal and external partners i.e. Communities First Team, Older People's Strategy Development Officer, Coleg Llandrillo, Countryside Services
- Environmental Grant scheme

We are just about to send out star surveys to all of our tenants which will capture tenant satisfaction in a number of our service areas including repairs & maintenance, rents, neighbourhoods etc. In addition to this we will be contacting all tenants whom we do not have any profile information on – this gives us better information on who we are communicating with and their preferred method of communication so we can reach more people and improve communications.

Monitoring activity via:

- Your voice complaints/compliments/comments procedure (CRM system) – establishing a formal way to review feedback (positive and negative)
- Dedicated officer for Facebook and Twitter
- Forums, resident groups and Tenants Federation
- Green & Clean Rangers feedback on grounds maintenance works and contract cleaning
- Dedicated officers for Housing web queries
- Local Housing Strategy (once adopted) – Strategic Housing Partnership with RSLs will monitor progress and regular reports to Scrutiny
- Feedback from consultations
- Results from Property Services surveys are analysed and feedback received is used to improve service delivery
- Minutes from Estate Walkabouts
- Survey Monkey & Questionnaire analysis
- System Thinking reviews including review of complaints
- Specific service area performance challenge meetings
- Feedback from Scrutiny, Cabinet and Full Council on specific topics – e.g. Local Housing Strategy, SARTH, Tenancy Agreement, etc

- Feedback from partner organisations

Customer feedback influencing service design and delivery:

- Green rangers have had input in to the new ground maintenance contract that is currently out for tender. They will also be included in the evaluation panel as part of the tendering process.
- Questionnaire feedback for Repairs & Maintenance was included in the systems thinking review and recommendations were made based on what customers told us such as; during property viewing the officer couldn't answer some of the customer questions in relation to other service for example when are the bins collected? A recommendation has been made to develop a FAQ list and answers to some of the most popular questions.
- Number of unofficial complaints around the length of time customers left waiting to see homelessness officers during drop in times and a congested reception area has led to the removal of the drop in and anytime access introduced (operating within council core hours).
- Feedback from RSLs in terms of the Social Housing Grant programme and any other bids for a specific purpose e.g. Housing Finance Grant.
- Feedback from Property Service surveys is used to improve service delivery.
- A representative from the Denbighshire Tenants & Residents Federation had a representative on the panel for the evaluation of the tenders for the contract to outsource the stores.
- Environmental Projects – comments and feedback from tenants and residents at consultation events has led to changed design and plans.
- Feedback and joint working has led to developing training programmes with partners for tenants and to developing projects for the benefit of our tenants i.e. environmental projects with Countryside Service, intergenerational projects.

Complaints shaping service:

Complaint	Action
Liberty gas contract - no Welsh speakers available at the call centre.	We have reviewed our contract with Liberty Gas in order to ascertain whether this level of service is acceptable within the terms. There is no specific reference to Welsh language provision within the contract and this is something we will rectify – Liberty now have access to Language Line.
Contractor failing to turn up for planned appointments and	Regular contract meeting now held with contractor and missed appointments are monitored, discussed and as a result this has

not notifying the customer.	improved and better communication with customers is in place.
Lack of communication/call backs from Homelessness Officer and customer worried they will be homeless soon.	Line manager to remind staff to keep in regular contact with customers. Staff attended Denbighshire Way training for Housing.
The wording of our final letter from Liberty Gas requesting access to service the gas appliances is threatening due to the letter implying that legal proceedings may be taken should access not be permitted.	We reviewed the wording of the letter and removed a section about the 'notice of seeking possession' should access not be allowed. We also added a further sentence at the end of the letter advising tenants that if their service had now been completed then to disregard the final notice. The change was implemented by us rewording the letter and advising Liberty to update their system with the revised standard letter, Liberty immediately updated their system and also arranged for the new letter to be translated into Welsh.
Comment - The trees that have been cut down for safety reasons have exposed the back of garages which are in a poor condition, paints and graffiti are not a good introduction to Ruthin on one of the main routes into the town. Shrubs are to be planted to act as a screen but these will take a time to mature and in the meantime could have the garages painted preferably green to blend into the landscape and stop them being such an eyesore.	Order has been placed with painting contractors to proceed with the work.

Service: Planning and Public Protection
Lead Member: Councillor David Smith

Monitoring activity via:

- Complaints

Customer feedback influencing service design and delivery:

- Citizens Advice consumer service review following feedback.
- Following Ombudsman recommendation - 'give more mention to the assessment provided by one of the objectors', officers have reviewed the Planning Committee report process to ensure that, where objections are received by specialist groups, bodies or individuals, the nature of their objections will be explained in more detail in the summary section of the report. Where DCC specialist Officers have differing views to the objectors, the Officers will attempt to explain in more detail to Members, both within the report and at Committee, why they have a different opinion.

Complaints shaping service:

Complaint	Action
Complainant believed that the Officer should have taken her mother to a more private location to issue FPN.	Kingdom Security Environmental Officers have been advised to consider all the circumstances of engagement.
Complaints regarding CCTV staff.	Customer care training delivered to staff.
Complaints regarding Community Safety Enforcement officers.	Denbighshire Way and Conflict Management training delivered to staff.
FPN - a reminder letter for payment was sent in error.	A procedure is now in place to avoid a reoccurrence - currently one officer does the task of cross referencing payments as they come in. Two officers will from now on review those payments against the list of none payers after a period of 28 days before letters are dispatched.
Officer conduct - Community Safety Enforcement.	Manager has brought the matter to the Officer's attention and spoken to him regarding his approach.
Information not provided or made available during the planning application process; lack of clear information on the website which states when representations on applications should be made.	Necessary adjustments to the electronic system to ensure the date by which representations should be made within the consultation period on any application is made clear on the website.

Service: Highways and Infrastructure

Lead Member: Councillor David Smith	
Customer engagement via:	
<ul style="list-style-type: none"> • DCC website • Customer feedback surveys (for example feedback on the National Standards Bikeability training delivered by Cycle Experience Ltd) • Rights of Way actively work with customers via the Statutory Local Access Forum, regular meetings with user groups such as the Ramblers' Association and British Horse Society, as well as attending Community Council meetings • Rights of Way regularly consult with the wider public when making orders and, if the public identify areas to improve, will give these areas due consideration 	
Monitoring activity via:	
<ul style="list-style-type: none"> • CRM analysis 	
Customer feedback influencing service design and delivery:	
<ul style="list-style-type: none"> • Forums and bus surgeries held regularly in the past by Passenger Transport as part of bus service design. 	
Complaints shaping service:	
Complaint	Action
Complaint regarding parking charges at Loggerheads; not clear that blue badge holders have to pay.	Information revised and specific information regarding blue badge charges included.
Requests from users who were unable to obtain complete personal sets of the definitive county map needed to find out path numbers.	Provision of the map layer of public paths on the county web site mapping system.
Request by the Ramblers Association for the provision of signage when Rights of Way divert paths.	Provision of signage when Rights of Way divert paths. These are maintained by owners for 5 years to ensure users are made aware of changes in an official manner until the Ordnance Survey updates the maps walkers will use.

Service: Communication, Marketing and Leisure
Lead Member: Councillor Huw Jones

Customer engagement via:

- Stakeholder workshops
- Evaluation of Youth Work sessions
- Active Young People surveys (5x60 / Dragon Sport)
- Comments boxes on customer receptions
- Family Information Service outreach work
- Youth Service locality newsletters
- Tourism Forums
- Press releases
- County Voice / What's On (new electronic County Voice will have built in customer feedback mechanism)
- Campaigns (e.g. Dog Fouling, Fostering)
- Marketing of events (e.g. Eisteddfod, Denbigh & Flint)
- Temporary Advice Centre / Emergency Rest Centre (Rhyl floods)
- Visitor Surveys (Tourism)
- Survey Monkey / Facebook surveys
- Facebook and Twitter pages
- Integrated Children's Centres parent evenings, letters to parents, newsletters
- GP referral information and education sessions
- Support for community clubs
- Rhyl Talented Athlete Scheme
- Children with Disabilities project engagement with parents

Monitoring activity via:

- Customer complaints / feedback reviewed at monthly Lead Officer Group meetings
- Customer Service Group with representatives from all parts of CML meet monthly to review customer feedback and plan future changes and initiatives
- Research undertaken during events (e.g. "Open for Business" event at Llangollen Pavilion)

- Economic Impact Assessments (e.g. Rhyl Harbour opening, Rhyl Air Show, Proms on the Proms)
- Corporate Communications weekly feedback meetings with Customer Services on current issues to inform press stories
- Your Voice reports
- Facebook and Twitter posts
- Survey results
- Stakeholder event results
- GP Referral client feedback forms
- Family Information Service monitoring forms
- Integrated Children’s Centre childcare inspections reports
- Sport Wales KPIs
- Community Chest grants awarded
- Sport Wales self-assessment

Customer feedback influencing service design and delivery:

- Stakeholder workshops informed Leisure Strategy and Library Strategy.
- Workshops with tourism businesses shaped the Destination Management Plan and priorities.
- Refurbishment of Ruthin Leisure Centre.
- New Prestatyn Library+ model and opening hours.
- Worked with residents on designs for fascia of Denbigh Leisure Centre following feedback.
- Youth Service open access sessions split into junior/senior sessions following discussion with young people.
- Christmas opening hours at Leisure Centres.
- Introduction of parent portal and direct debit for swimming lessons.
- Fitness suites were too busy at Rhyl and Denbigh. We have added new fitness rooms in Rhyl and have plans to expand Denbigh.
- 5 x 60 programmes influenced by young people.
- GP Referral timetable changed.

Complaints shaping service:

Complaint	Action
Process for booking swimming lessons (having to queue from	Parent portal and direct debit introduced and has been well

early morning).	received.
Prestatyn One Stop Shop only open half day in new Library+.	Additional post now in place to cover community need.
Only being able to book fitness classes on the day.	Can now book 7 days in advance. Online booking facility to be introduced shortly.
No access to fitness suites or classes for under 16s.	Junior fitness memberships introduced for 11-15 year olds.
Inconsistent communication from lifeguards regarding use of equipment in public swimming and lack of clear direction on website or at reception.	All duty officers informed to ensure consistent message. Website updated to make situation clearer to customers.
Inconsistent Officer communication with Members raised at Scrutiny.	New Member protocols introduced.
Concession holder locations at Rhyl Air Show.	New booking procedure introduced with agreed location and payment up front.

Service: HR Lead Member: Councillor Barbara Smith
Customer engagement via: <ul style="list-style-type: none"> • Customer service feedback button on the HR intranet site • Customer service feedback button on every email signature • Confidential email address to allow customers to provide confidential feedback direct to senior managers within the service • At the end of each case or project a feedback form is provided to the manager to comment on the service they have received • Annual customer service survey
Customer feedback influencing service design and delivery: <ul style="list-style-type: none"> • HR Improvement Plan Phase 1 This plan was developed as a direct result of customer feedback received and centred on the main areas of concerns that had been identified. Examples include: <ul style="list-style-type: none"> ○ Improving the transaction service ○ Changes to the performance appraisal system on itrent

- Development of the HR intranet page and document store
- Introduction of a HR training plan and competency framework

- **Middle Managers Feedback**

Senior managers from HR attended all the departmental managers' team meetings during February / March this year, in order to gain their views on three keys areas:

- *Has the service you receive from HR direct improved over the past few months? If so in what way?*
- *What areas of improvement would you like to see the service concentrate on over the next 12 months?*
- *How can HR facilitate you as a senior manager working more independently on HR matters? What support do you need; what tools do HR need to develop/improve in order to support you?*

The feedback gathered from these meetings has been used to evaluate the success of the HR Improvement Plan Phase 1 and has been fundamental to building up phase 2 of the HR Improvement Plan.

Service: Adult Social Services
Lead Member: Councillor Bobby Feeley

Customer engagement via:

- Feedback Fortnight
- Carers' Week

Monitoring activity via:

- 'Have your say' questionnaire which is sent out to a random selection of people who have received a service from the Intake Team. If respondents raise any issues, we contact them. We also provide an annual summary which is shared with respondents who have indicated that they want a copy of the summary.
- The customer service standards are in place; some of this information is gained at the point of the service users reassessment and is captured on PARIS. Each quarter the data is analysed and findings are shared with managers.
- Complaints:
 - Each quarter, a full analysis is completed and presented to the senior management teams - Adults and Children's
 - Following a complaint being made, we look at what lessons can be learned. An action plan is drawn up and monitored until all the actions have been completed.

- We do record praise/compliments and report on the numbers, we include the details in the annual report alongside the reason for the praise.
- Quarterly and annual reporting.

Service: Children and Family Services
Lead Member: Councillor Bobby Feeley

Customer engagement via:

- Fun days
- Surveys/questionnaires
- Consultation events
- Focus groups
- Workshops
- Complaints system
- Have your Say surveys – to gain service user views (children, young people, parents/carers) on the impact the Children & Family Service is having on their lives and how useful the service they’ve received is/has been, specific surveys for various target groups have been devised

Monitoring activity via:

- Statutory reviews and visits
- Planning meetings, reviews and assessments
- Inspections
- End of Placement reports – these are completed by social workers, foster carers, parents and children/ young people at the end of a placement
- Family Support exit questionnaires – to gain service user feedback when a case is closed the Family Support Team
- Foster Carer self-assessments

Customer feedback influencing service design and delivery:

- The Leaving Care Team's name changed to the **14+ Group** following feedback from the young people.

Complaints shaping service:

Complaint	Action
Complainant unhappy with the foster placement and in particular to the foster carers. Complainant felt they were unable to deal with their needs in particular to self-harming. Complainant also felt that issues were not taken seriously until moved which at that point had reached crisis point.	Future training session on self-harm identified.

Mae tudalen hwn yn fwiadol wag

Adroddiad i'r:	Pwyllgor Llywodraethu Corfforaethol
Dyddiad y Cyfarfod:	5 Tachwedd 2014
Aelod/Swyddog Arweiniol:	Y Cynghorydd Hugh Irving, Aelod Arweiniol Cwsmeriaid a Chymunedau Jackie Walley, Pennaeth Cwsmeriaid a Chymorth Addysg
Awdur yr Adroddiad:	Clare O'Gorman, Swyddog Cwynion Corfforaethol
Teitl:	Adroddiad Blynyddol Eich Llais 2013/14

1. Am beth mae'r adroddiad yn sôn?

Mae'r adroddiad yn rhoi trosolwg o'r adborth a dderbyniwyd drwy bolisi adborth cwsmeriaid Cyngor Sir Ddinbych 'Eich Llais' yn ystod 01.04.13 – 31.03.14. Mae'r adroddiad yn hepgor data'r gwasanaethau cymdeithasol sy'n cael ei adrodd arno ar wahân.

2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

I ddarparu trosolwg i'r Pwyllgor o'r cyfeintiau a'r mathau o adborth a dderbyniwyd yn ystod 2013/14.

I ddarparu gwybodaeth i'r Pwyllgor ynglŷn ag adroddiad blynyddol Ombwdsmon Gwasanaethau Cyhoeddus Cymru a'r llythyr cysylltiedig.

3. Beth yw'r Argymhellion?

Bod y Pwyllgor yn nodi ac yn rhoi sylwadau ar berfformiad gwasanaethau.

4. Manylion am yr adroddiad

Penawdau ar gyfer 2013/14 (gweler atodiad 1 am fanylion pellach).

- Cofnodwyd cyfanswm o 510 o gwynion - gostyngiad o 8% o'i gymharu â'r flwyddyn flaenorol lle cafwyd 556 cwyn.
- Yn ystod y flwyddyn, ymatebwyd i 96% (488/510) o'r cwynion o fewn terfynau amser 'Eich Llais'. Mae hyn yn welliant o gymharu â 2012/13 (93%) ac yn rhagori ar y targed corfforaethol o 95%.
- Lleihaodd nifer y cwynion a ddeliwyd yn llwyddiannus â nhw ar gam 1 i 91%, (94% y llynedd).

- Cofnodwyd cyfanswm o 749 o gwynion - gostyngiad o 9% o'i gymharu â'r flwyddyn flaenorol lle cafwyd 820 cwyn.
- Cofnodwyd cyfanswm o 67 awgrym - cynnydd o 319% o'i gymharu â flwyddyn flaenorol (16%). Mae hwn yn faes rydym ni'n mynd i'w hyrwyddo er mwyn annog mwy o adborth er mwyn llunio ein gwasanaethau.

Ombwdsmon Gwasanaethau Cyhoeddus Cymru

Cyflwynwyd 36 cwyn i'r Ombwdsmon yn ystod 2013/14. Mae hyn yn uwch na chyfartaledd awdurdodau lleol Cymru, gweler atodiad 2 am fanylion pellach. Nid yw hyn ynddo'i hyn yn bryder, gan mai dim ond dau gŵyn a ymchwiliodd yr Ombwdsmon i mewn iddynt yn 2013/14. Mae hyn yr un fath â chyfartaledd awdurdodau lleol Cymru. Roedd y ddau gŵyn yn ymwneud â'r gwasanaethau cymdeithasol. Cyhoeddwyd un adroddiad Adran 21 a oedd yn ymwneud â Gwasanaethau Cymdeithasol i Oedolion. Mae adroddiadau Adran 21 yn cael eu cyhoeddi gan yr Ombwdsmon pan fydd y corff cyhoeddus yn cytuno i weithredu argymhellion a wneir gan yr Ombwdsmon, ac yn cadarnhau ei fod yn fodlon nad oes unrhyw fudd cyhoeddus yn gysylltiedig. Mae crynodebau o'r cwynion wedi eu cynnwys yn Atodiad 3.

Gwnaethpwyd pedwar cwyn yn ymwneud ag Aelodau yn torri eu cod ymddygiad yn ystod 2013/14. Yr un nifer â'r llynedd, gweler atodiad 4 am fanylion pellach.

5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?

Mae cynllun Eich Llais yn cyfrannu'n uniongyrchol at y nod corfforaethol o gael: *Cyngor ardderchog, sy'n agos at y gymuned.*

6. Faint fydd yn costio a sut bydd yn effeithio ar wasanaethau eraill?

Mae'r holl gostau sy'n gysylltiedig ag adborth cwsmeriaid yn cael eu hamsugno i gyllidebau presennol.

7. Beth yw prif gasgliadau'r Asesiad o Effaith ar Gydraddoldeb a gynhaliwyd ar y penderfyniad? Dylid atodi Asesiad o Effaith ar Gydraddoldeb wedi ei gwblhau fel atodiad i'r adroddiad hwn.

Amherthnasol.

8. Pa ymgynghori a wnaed gyda'r Pwyllgor Archwilio ac eraill?

Adroddiadau misol i'r Uwch Dîm Arweinyddiaeth, gan adrodd yn ôl bob chwarter i'r Pwyllgor Archwilio Perfformiad, ac adroddiadau blynyddol i'r Pwyllgor Llywodraethu Corfforaethol.

9. Datganiad y Prif Swyddog Cyllid

Nid oes goblygiadau ariannol amlwg yn sgil yr adroddiad hwn.

10. Pa risgiau sydd, ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?

Drwy beidio â delio â chwynion yn effeithiol, efallai y bydd enw da'r cyngor yn dioddef.

11. Pŵer i wneud y Penderfyniad

Mae hwn yn bapur ar gyfer gwybodaeth yn hytrach nag ar gyfer penderfyniad.

Mae tudalen hwn yn fwriadol wag

Appendix 1

Table 1: complaints by service including timescale performance – 3 year comparison

Service Area	Full Year 2011-2012				Full Year 2012-2013				Fu
	Recd	Within	%	Status	Recd	Within	%	Status	
Business Planning and Performance	1	1	100%	– G	0	0	–	–	6
Legal and Democratic Services	6	3	50%	– R	3	3	100%	▲ G	6
Customers and Education Support	19	16	84%	– O	25	24	96%	▲ G	24
Environment	142	137	96%	– G	201	198	99%	▲ G	121
Finance and Assets	25	21	84%	– O	24	19	79%	▼ R	39
Housing Services	79	33	42%	– R	86	75	87%	▲ O	67
Planning and Public Protection	97	85	88%	– O	66	65	98%	▲ G	80
Highways and Infrastructure	69	56	81%	– O	100	84	84%	▲ O	91
Communication, Marketing and Leisure	51	43	84%	– O	45	44	98%	▲ G	63
Education	4	3	75%	– R	1	1	100%	▲ G	4
Other	1	0	0%	– R	5	2	40%	▲ R	9
	494	398	81%	– O	556	515	93%	▲ G	510

Table 2: timescale performance at each complaint stage for 2013/14

YTD	Count	Within	%
Stage 1	459	447	97%
Stage 2	43	34	79%
Stage 3	8	7	88%
¹ PSOW	0	0	-
TOTAL	510	488	96%

Table 3: compliments by service – 3 year comparison

Service Area	2011/12	2012/13	2013/14
Social Services Adults	332	355	219
Social Services Children		49	58
Business Planning and Performance	4	0	4
Legal and Democratic Services	1	2	1
Customers and Education Support	23	19	49
Environment	181	212	165
Finance and Assets	0	1	0
Housing Services	43	56	62
Regeneration	0	2	0
Planning and Public Protection	25	25	46
Highways and Infrastructure	42	75	75
Communication, Marketing and Leisure	39	24	70
	690	820	749

¹ Public Services Ombudsman for Wales

Table 4: social services complaints data – 3 year comparison

Service Area	2011/12	2012/13	2013/14
Social Services	93	118	97

Public Services Ombudsman for Wales – complaints data 2013/14

Chart 1: comparison of complaints received by the Ombudsman with average, adjusted for population distribution

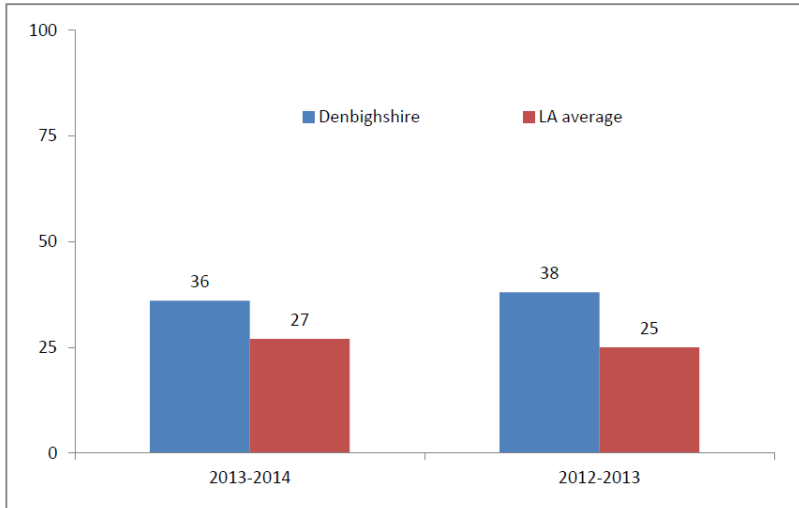
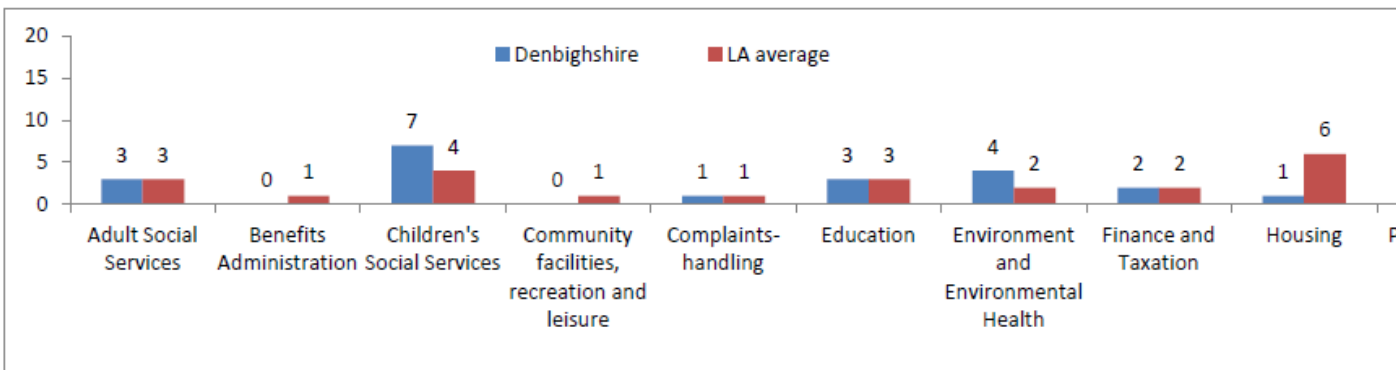


Chart 2: comparison of complaints by subject category with LA average



Mae tudalen hwn yn fwriadol wag

Public Services Ombudsman for Wales – investigation summaries**Social Services – Adult****Upheld****April 2013 – Services for vulnerable adults – Denbighshire County Council**

Mr A and Mrs B complained about Denbighshire County Council. The complaint was about many issues relating to the care provided to Miss C, particularly during the last months of her life, whilst she was in receipt of domiciliary care from a care agency (the Agency). Miss C was diagnosed with cerebral palsy at a young age. The Council partly funded and contracted with the Agency to provide Miss C with domiciliary care on its behalf. A complaint was also made about the Council's complaints handling process, in particular, regarding its second Stage 2 investigation report.

Mr A and Mrs B also complained about the Care and Social Services Inspectorate for Wales' (CSSIW) actions following the Council's complaints investigation, specifically, that it failed to undertake its own investigation of the issues raised in their complaint to the Council.

Having reviewed all the available information and documentation, and having obtained a professional view from two of the Ombudsman's professional advisers, the complaint was partly upheld against the Council. The Ombudsman found that there were inadequacies in the Council's care review and contract monitoring role which the Council accepted. However, the Ombudsman concluded that the overall standard of care provided to Miss C was reasonable. Issues about potential vulnerability and adult protection concerns were fully considered during the investigation. The Ombudsman concluded that Miss C had the mental capacity to make her own decisions and that the issues raised as part of the complaint did not meet the threshold of significant harm for triggering adult protection processes. The Ombudsman found some inadequacies in the second Stage 2 investigation report and its recommendations but in general, concluded that the Council's complaints process was reasonably managed.

The Ombudsman concluded that from a regulatory perspective, the action taken by CSSIW in response to the complainants' concerns had been appropriate. The complaint was not upheld against CSSIW.

The Ombudsman recommended that the Council provide Mr A and Mrs B with a written apology for the failings identified and provide evidence of the action taken to ensure that it effectively carries out its assessment and contractual role in circumstances where care is provided on its behalf by an agency.

Case reference 201104048

Social Services - Children

Quick fixes & Voluntary settlements

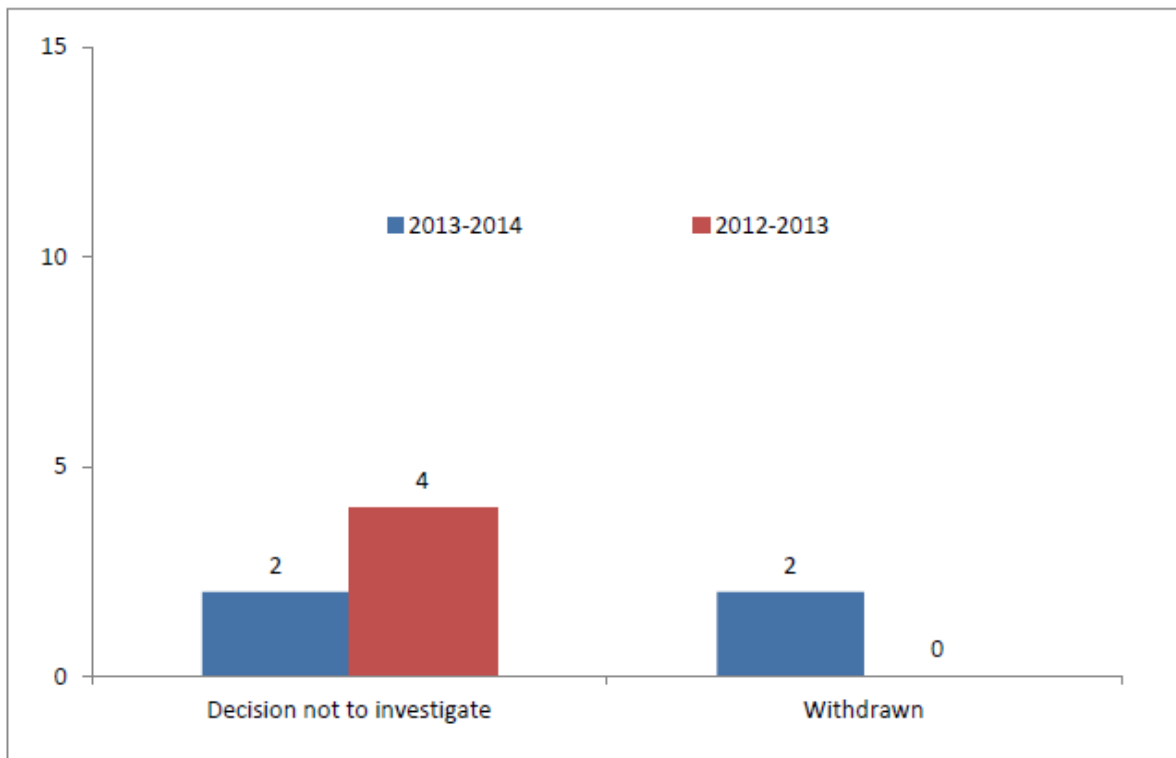
September 2013 – Other – Denbighshire County Council

Mrs B complained that the Council had failed to provide services to support her family in caring for her son, who has autism and a number of complex needs. She also complained that communication between professionals and the family had been poor.

In a meeting with Mrs B, the Council apologised for its failings and updated Mrs B on the implementation of the previously agreed “corrective action plan”. It put in place a package of support for Mrs B’s son, including partially funding a college placement and making direct payments to Mrs B to assist the family to access support for him at weekends and holidays.

Case reference 201301441

Chart 3: code of conduct complaints



Mae tudalen hwn yn fwriadol wag

Adroddiad i'r:	Pwyllgor Llywodraethu Corfforaethol
Dyddiad y Cyfarfod:	5 Tachwedd 2014
Aelod/Swyddog Arweiniol:	Gary Williams, Swyddog Monitro/Pennaeth y Gwasanaethau Cyfreithiol a Democrataidd
Awdur yr Adroddiad:	Lisa Jones, Dirprwy Swyddog Monitro.
Teitl:	Cylch Gorchwyl Pwyllgor Llywodraethu Corfforaethol

1. Am beth mae'r adroddiad yn sôn?

Ceisio barn yr aelodau ar drosglwyddo meysydd o Gylch Gorchwyl y Pwyllgor hwn i Bwyllgor Safonau y Cyngor.

2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

Bydd yr Aelodau'n ymwybodol bod llwyth gwaith y Pwyllgor yn cynyddu ac mai'r rheswm dros lunio'r adroddiad hwn yw creu trafodaeth a chael barn ar drosglwyddo meysydd y gellid o bosib ymdrin â nhw yn y Pwyllgor Safonau.

3. Beth yw'r Argymhellion?

Bod y Pwyllgor Llywodraethu Corfforaethol yn rhoi arweiniad o ran y manylion a awgrymir yn yr adroddiad.

4. Manylion yr Adroddiad.

Ar hyn o bryd mae gan Bwyllgor Safonau'r Cyngor 'awdurdod' i ymdrin â chydymffurfio monitro â'r Cod Ymddygiad i Aelodau, codi safonau moeseg a gonestrwydd, hyfforddiant ar y Cod Ymddygiad a chwynion ynghylch aelodau a delio â chyfeiriadau gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru (OGCC) ; gan gynnwys chwarae rôl ym Mhrotocol Hunan Reoliadol y Cyngor. Mae'r Pwyllgor yn cyfarfod oddeutu bob yn ail fis a chwblheir y cyfarfodydd o fewn 2 awr. Mae Aelodaeth y Pwyllgor Safonau yn cynnwys 2 Gyngorydd Sir, 4 aelod annibynnol sy'n cael eu recriwtio drwy hysbyseb cyhoeddus a 1 aelod o Gyngor Cymuned. Dim ond pan fydd y mwyafrif yn bresennol yn annibynnol y bydd y Pwyllgor yn gallu bod yn gworwm.

Mae rhai awdurdodau lleol wedi ymestyn cylch gorchwyl eu Pwyllgorau Safonau i ymdrin â materion fel rhannu pryderon a chwynion i Ombwdsmon

Gwasanaethau Cyhoeddus Cymru gan aelodau o'r cyhoedd ynghylch camweinyddu.

Mae cyfle felly i'r Cyngor ystyried cynyddu llwyth gwaith y Pwyllgor hwn a'i drosglwyddo i'r Pwyllgor Safonau.

Mae'r penderfyniad terfynol yn un ar gyfer y Cyngor Llawn a byddai'n cael ei ymgorffori yn yr adolygiad o'r Cyfansoddiad; fodd bynnag, mae'r adroddiad hwn yn ceisio barn y Pwyllgor Llywodraethu Corfforaethol i weld a oes dyhead am y dull hwn.

Mae trafodaethau rhwng Cadeiryddion y Pwyllgorau hyn yn ymddangos bod lle i ddadlau ar drosglwyddo rhai neu bob un o'r meysydd canlynol i'r Pwyllgor Safonau (yn ogystal â chadw ei gylch gwaith presennol): -

- a) Rhannu Pryderon
- b) Indemniadau ar gyfer Swyddogion ac Aelodau,
- c) Cwynion gan gynnwys Cwynion i'r OGCC am y Cyngor (camweinyddu) gan aelodau o'r cyhoedd
- d) Cwynion Comisiynydd Gwybodaeth ac adolygiad o weithgareddau'r Cyngor o dan y Ddeddfwriaeth Gwybodaeth (Diogelu Data a Rhyddid Gwybodaeth)

5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?

Bydd arferion gwell yn cyfrannu at y flaenoriaeth o fod yn Gyngor sy'n perfformio'n dda.

6. Beth fydd yn ei gostio a sut y bydd yn effeithio ar wasanaethau eraill?

Nid oes unrhyw oblygiadau ar gyfer gwasanaethau gan y bydd yn dal yn ofynnol iddynt gyflwyno eu hadroddiadau i bwyllgor. Mae'n bosibl y bydd rhywfaint o gynnydd mewn costau presenoldeb i aelodau annibynnol y Pwyllgor Safonau gan fod angen iddynt eistedd am gyfnod hirach o bosib yn y Pwyllgor. Mae'r holl gostau eraill yn cael eu bodloni o dan adnoddau presennol.

7. Pa ymgynghoriadau a gynhaliwyd?

Bu ymgynghori cychwynol gyda Chadeiryddion y Pwyllgor Llywodraethu Corfforaethol a'r Pwyllgor Safonau. Cafodd y materion eu trafod yn sydyn yn y Pwyllgor Safonau ar 18 Gorffennaf, 2014 ac roedd diddordeb yn bodoli mewn ymgymryd â chylch gwaith ehangach.

8. Datganiad y Prif Swyddog Cyllid

Nid yw'n ofynnol ar hyn o bryd, ond bydd yn ofynnol os oes cynigion i drosglwyddo meysydd i bwyllgor arall.

9. Pa risgiau sy'n bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?

Gall risgiau fodoli gyda dyblygu gwaith os bydd materion yn cael eu cymryd i'r ddau Bwyllgor.

10. Pŵer i wneud y Penderfyniad

Nid oes angen penderfyniad gan fod y penderfyniad terfynol ar y mater hwn yn un ar gyfer y Cyngor Llawn o dan Ddeddf Llywodraeth Leol 2000.

Mae tudalen hwn yn fwriadol wag

Adroddiad i'r: Pwyllgor Llywodraethu Corfforaethol

Dyddiad y Cyfarfod: 5 Tachwedd 2014

Aelod Arweiniol / Swyddog: Barbara Smith - Aelod Arweiniol Moderneiddio a Pherfformiad

Awdur yr Adroddiad: Ivan Butler - Pennaeth Archwilio Mewnol

Teitl: Cynllun Gwella Llywodraethu

1. Am beth mae'r adroddiad yn sôn?

Mae'r adroddiad hwn yn rhoi'r wybodaeth ddiweddaraf am Gynllun Gwella Llywodraethu'r Cyngor sy'n deillio o 'datganiad llywodraethu blynyddol' y Cyngor 2013/14 – *'Sicrhau llywodraethu da a gwelliant parhaus'*.

2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

Roedd ychydig o fylchau yn yr wybodaeth ddiweddaraf ar y Cynllun Gwella Llywodraethu i'r Pwyllgor Llywodraethu Corfforaethol ar 29 Medi 2014 lle nad oedd y Pennaeth Archwilio Mewnol wedi cael ymateb gan swyddogion allweddol. Gofynnodd y Pwyllgor am gael yr wybodaeth ddiweddaraf ar yr eitemau sy'n weddill yn ei gyfarfod nesaf.

3. Beth yw'r Argymhellion?

Bod y Pwyllgor yn adolygu a rhoi sylwadau ar yr adroddiad cynnydd.

4. Manylion yr Adroddiad.

Teitl 'datganiad llywodraethu blynyddol' diweddaraf y Cyngor oedd *'Darparu llywodraethu da a gwelliant parhaus'*. Roedd y ddogfen hon yn darparu hunanasesiad eglur a chytbwys o drefniadau llywodraethu'r Cyngor, gan dynnu sylw at unrhyw wendidau llywodraethu arwyddocaol a meysydd eraill i'w gwella.

Roedd y meysydd gwella wedi eu cynnwys mewn Cynllun Gwella Llywodraethu, sydd hefyd yn cynnig camau gweithredu i fynd i'r afael â gwendidau, y swyddogion sy'n gyfrifol am y camau gweithredu, ac amserlenni.

Roedd y diweddariad cyntaf i'r Pwyllgor Llywodraethu Corfforaethol ar 29 Medi 2014 yn anghyflawn, gan nad oedd ymatebion wedi cael eu darparu er mwyn galluogi'r Pennaeth Archwilio Mewnol i ddiweddarau'r Cynllun cyfan. Mae'r ymatebion hyn rŵan wedi'u derbyn ac wedi'u cynnwys yn Atodiad 1.

5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?

Er nad yw'r hunanasesiad 'datganiad llywodraethu blynyddol' yn cyfrannu'n uniongyrchol at Flaenoriaethau Corfforaethol, mae'n darparu asesiad a sicrwydd ar ddarpariaeth y Cynllun Corfforaethol, perfformiad gweithredol ac ariannol y Cyngor, trefniadau llywodraethu, ymgysylltu â'r gymuned ac ati sydd i gyd yn cael eu cyfeirio tuag at gyflawni'r Blaenoriaethau Corfforaethol.

6. Beth fydd yn ei gostio a sut y bydd yn effeithio ar wasanaethau eraill?

Nid oes unrhyw gostau ynghlwm wrth yr adroddiad hwn, a'r unig effaith ar wasanaethau yw lle mae'r adroddiad yn nodi meysydd gwella; ond, bydd gwasanaethau eisoes yn ymwybodol o'r rhain a dylent fod yn eu cynnwys yn eu cynlluniau gwasanaeth.

7. Beth yw'r prif gasgliadau o'r Aseiad o'r Effaith ar Gydraddoldeb (EqIA) a gynhaliwyd ar y penderfyniad? Dylid atodi Aseiad o Effaith ar Gydraddoldeb wedi ei gwblhau fel atodiad i'r adroddiad hwn.

Nid oes angen penderfyniad na chynnig ar gyfer newid mewn perthynas â'r adroddiad hwn, felly nid oes unrhyw effaith ar bobl sy'n rhannu nodweddion sydd wedi eu gwarchod.

8. Pa ymgynghoriadau a gynhaliwyd gydag Archwilio ac eraill?

Mae hwn yn adroddiad er gwybodaeth yn unig. Roedd yr unig ymgynghoriad gyda'r swyddogion sydd â chyfrifoldeb am weithredu'r camau gweithredu a nodwyd yn y Cynllun Gwella Llywodraethu.

9. Datganiad y Prif Swyddog Cyllid

Nid oes unrhyw oblygiadau ariannol ynghlwm wrth yr adroddiad hwn.

10. Pa risgiau sy'n bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?

Pe na bai'r Cynllun Gwella Llywodraethu yn cael ei weithredu, byddai gwendidau yn aros yn nhrefn lywodraethol y Cyngor, a allai arwain at:

- adroddiadau rheoleiddiol niweidiol;
- defnydd gwael o arian cyhoeddus;
- methiant i wella meysydd corfforaethol a meysydd gwasanaeth allweddol;
- colli hyder budd-ddeiliaid; ac
- effaith andwyol ar enw da'r Cyngor.

11. Pŵer i wneud y Penderfyniad

Nid oes angen gwneud penderfyniad ar gyfer yr adroddiad hwn, ond mae gofyniad o dan Fesur Llywodraeth Leol (Cymru) 2011 i'r 'pwyllgor archwilio' oruchwylio trefniadau llywodraethu corfforaethol y Cyngor.

Mae tudalen hwn yn fwriadol wag

Cynllun Gweithredu Gwella Llywodraethu - Adroddiad Cynnydd Hydref 2014 (eitemau sy'n weddill o fis Medi 2014 yn unig)

Ardal Gwella	Cam Gweithredu	Cyfrifoldeb	Amserlen	Cynnydd hyd yma
Materion Llywodraethu Arwyddocaol				
<p>Darparodd ein gwasanaeth Archwilio Mewnol adroddiad beirniadol ar gaffael gwasanaethau adeiladu sy'n tynnu sylw at nifer o wendidau, gan gynnwys bod ein strategaeth gaffael wedi dyddio. Dengys archwiliad dilynol diweddar yr Archwilwyr Mewnol o'r cynllun gweithredu gwella, er ein bod wedi datblygu strategaeth ddrafft newydd a Rheolau Gweithdrefn Contractau, bell cynnydd o ran gwelliant yn araf ac ar ei hôl hi.</p> <p>Hefyd wrth gaffael, rydym yn cymryd rhan yn y gwaith o ddatblygu rhai prosiectau allweddol, ond mae creu'r Gwasanaeth Caffael Cenedlaethol Keyd wedi ychwanegu at gymhlethdod trefniadau caffael ac arwain at golli staff i'r sefydliad newydd, gyda cholledion staffio pellach posibl.</p> <p>Yr ydym yn ymwybodol ein bod yn cychwyn ar gyfnod allweddol mewn perthynas â chaffael strategol a'r prif newidiadau yr ydym yn eu gwneud; felly, bydd angen i ni adolygu'r maes hwn yn rheolaidd er mwyn sicrhau bod y gwelliannau a nodwyd yn cael eu gweithredu a bod y rhaglenni newid strategol yn cael eu cyflwyno'n llwyddiannus.</p>	<p>Mae'r Cyngor yn newid elfennau sylweddol o'i gaffael yn sylfaenol. Ym mis Mai 2014, cymeradwyodd y Cabinet uno timau caffael Sir y Fflint a Sir Ddinbych i greu tîm mwy, a mwy cadarn. Hefyd, cymeradwyodd symud tuag at reoli categori ar y cyd â Sir y Fflint a Gwynedd.</p>	<p>Pennaeth Cyllid ac Asedau</p>	<p>Tîm newydd yn ei le Gorffennaf 2014. Symud i Reoli Categori hyd at 2016.</p>	<p>Ar y Gweill</p> <p>Bydd yr hysbysiad contract yn cael ei gyhoeddi ym mis Hydref 2014. Bydd Holiadur Cyn Cymhwyso (PQQ) ar gael ar yr adeg yma. Bydd y PQQ yn cael ei ddychwelyd ym mis Tachwedd 2014 gyda'r Gwahoddiad i Dendro (ITT) i gynigwyr ar y rhestr fer ym mis Rhagfyr 2014. Y dyddiad dychwelyd ar gyfer yr ITT yw diwedd Ionawr 2015 gyda phartner Rheoli Categori yn cael ei benodi ym mis Mawrth 2015.</p>

Ardal Gwella	Cam Gweithredu	Cyfrifoldeb	Amserlen	Cynnydd hyd yma
Cydraddoldeb				
<p>Rydym yn parhau â'n gwaith i wella ymwybyddiaeth o faterion cydraddoldeb. Ond canfu arolwg staff Archwilio Mewnol bod gwaith eto i'w wneud i wella ymwybyddiaeth o drefniadau cydraddoldeb corfforaethol.</p>	<p>Bydd y Grŵp Cydraddoldeb Corfforaethol (CEG) yn trafod yr adroddiad Archwilio Mewnol yn ei gyfarfod ym mis Gorffennaf 2014. Yn yr un cyfarfod, bydd y Grŵp yn ystyried cymeradwyo modiwl hyfforddiant e-ddysgu newydd ar faterion cydraddoldeb. Yn dilyn cymeradwyaeth, bydd y modiwl newydd yn cael ei gyflwyno.</p>	<p>Pennaeth Gwella Busnes a Moderneiddio</p>	<p>Hydref 2014</p>	<p>Ar y gweill</p> <p>Mae CEG yn ystyried y modiwl E-ddysgu yn ei gyfarfod ar 14 Hydref 2014. Yna dylid ei gyflwyno yn gorfforaethol. Mewn ymateb i'r adroddiad Archwilio Mewnol, mae CEG yn rhagweld y bydd e-ddysgu yn cynyddu ymwybyddiaeth o faterion cydraddoldeb ar draws y Cyngor.</p>
Fframwaith Polisi				
<p>Mae ein polisi amgylcheddol wedi gyddio ac nid oes gennym ddull corfforaethol ffurfiol tuag at reoli amgylcheddol a fyddai'n helpu i ddangos ein gwerthoedd a moeseg do'ny ymrwymo i sicrhau ein bod yn helpu i gynnal, gwella a defnyddio adnoddau naturiol yn gynaliadwy rŵan ac yn y dyfodol.</p>	<p>Ar hyn o bryd, nid oes cynlluniau i ailedrych ar ein polisiâu presennol; ond, mae cynladwyedd rŵan yn egwyddor graidd yn ein cynllunio cymunedol ac yn cael ei adlewyrchu yng Nghynllun Lles drafft Sir Ddinbych, sydd i'w gyhoeddi ym mis Tachwedd 2014.</p>	<p>Pennaeth Gwella Busnes a Moderneiddio</p>	<p>Tachwedd 2014</p>	<p>Nid oes gennym unrhyw gynlluniau i ddiweddarau'r polisi presennol. Dim camau pellach wedi'u cynllunio.</p>

Ardal Gwella	Cam Gweithredu	Cyfrifoldeb	Amserlen	Cynnydd hyd yma
Rheoliadau a Safonau				
<p>Rydym wedi gwneud gwelliannau sylweddol o ran llywodraethu gwybodaeth yn ystod y flwyddyn; ond, rydym yn cydnabod bod gennym lawer o waith i'w wneud ond rydym wedi nodi hyn yn ein Strategaeth Rheoli Gwybodaeth, er enghraifft:</p> <ul style="list-style-type: none"> • datblygu modiwlau e-ddysgu ar gyfer sawl maes hyfforddiant; • gwella'r fframwaith polisi mewn meysydd fel e-bost, rheoli cofnodion a diogelwch gwybodaeth; • digideiddio catalogau a chasgliadau yn ein harchifau; • gwella ein Cynllun Cyhoeddi a Logiau Datgelu; • adolygu ac ymgorffori'r amserlen gadw corfforaethol; a • chyflawni achrediad PSN gyfer 2014. <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Tudalen 197</p>	<p>Byddwn yn parhau i weithredu'r Strategaeth Wybodaeth.</p> <p>E-ddysgu ar ddiogelu data rŵan wedi'i sefydlu</p> <p>Camau eraill parhaus</p>	<p>Pennaeth Gwella Busnes a Moderneiddio</p>	<p>Y gwaith cyflwyno i'w gwblhau Medi 2014</p>	<p>Ar y gweill</p> <p>Mae hyfforddiant e-ddysgu diogelu data rŵan wedi ei gwblhau gan fwy na 1000 o aelodau o staff. Mae'r Rheolwr Gwybodaeth Corfforaethol yn parhau i gasglu ymatebion i ddeall lle mae bylchau yn y niferoedd.</p> <p>Mae achrediad PSN wedi cael ei gyflawni ar gyfer 2014.</p> <p>Mae achos busnes ar gyfer cyflwyno'r system e-bost ddiogel Egress ymhellach yn cael ei ystyried gan yr Uwch Dîm Arweinyddiaeth ym mis Tachwedd 2014.</p> <p>Mae'r gwasanaethau rheoli archifau/cofnodion wrthi'n cael eu hadolygu, gyda chynnig i ehangu lefel y digido.</p>
Ymgysylltu â Budd-ddeiliad				
<p>Nododd ein harolwg preswylwyr diweddaraf nad yw'r rhan fwyaf o bobl yn teimlo eu bod wedi'u hysbysu'n dda am berfformiad y Cyngor a nifer o faterion eraill a ofynnwyd yn yr arolwg.</p>	<p>Byddwn yn parhau i gyhoeddi gwybodaeth hawdd ei deall am berfformiad ar wefan y Cyngor.</p>	<p>Pennaeth Gwella Busnes a Moderneiddio</p>	<p>Parhaus</p>	<p>Dim camau gweithredu pellach wedi'u cynllunio</p>

Ardal Gwella	Cam Gweithredu	Cyfrifoldeb	Amserlen	Cynnydd hyd yma
<p>Mae gwerth ymgysylltu busnes effeithiol newydd gael ei gydnabod, sy'n golygu bod gennym lawer mwy o waith i'w wneud cyn i ni weld y manteision sy'n deillio o ddatblygiadau diweddar. Mae angen i ni sicrhau bod cyfleoedd effeithiol ar gael i fusnesau roi adborth ar y gwaith o gyflawni'r Strategaeth / Rhaglen Uchelgais Economaidd a Chymunedol a nodi'r hyn y mae angen i ni ei wneud i sicrhau bod ymgysylltiad â'r Cyngor yn weithgaredd gwerthfawr i fusnesau. Yn y tymor hirach, fel bydd-ddeiliaid allweddol wrth cyflwyno'r weledigaeth gyffredinol a gyfer ein heconomi, mae angen i ni gynyddu cyfranogiad busnes wrth wneud penderfyniadau am y ffordd yr ydym yn cynllunio ac yn buddsoddi cyllidebau ac adnoddau'r Cyngor i greu'r effaith economaidd mwyaf.</p>	<p>Bydd yr Arweinydd a'r Cyfarwyddwr Corfforaethol Uchelgais Economaidd a Chymunedol yn ymgymryd ag ymweliadau blynyddol â Grwpiau Busnes ac â'r 10 busnes mwyaf yn y sir er mwyn sicrhau ein bod yn gwneud popeth o fewn ein gallu i gefnogi busnesau lleol a hwyluso cyswllt hawdd a hygyrch gydag unigolion uwch sy'n gwneud penderfyniadau yn y Cyngor.</p>	<p>Arweinydd a'r Cyfarwyddwr Corfforaethol Uchelgais Cymunedol</p>	<p>Blynyddol</p>	<p>I'w wneud</p> <p>Nid yw'r ymweliadau â'r 10 busnes mwyaf wedi'u cynnal eto. Rhoddwyd blaenoriaeth i gefnogi'r gyllideb/proses Rhyddid a Hyblygrwydd yn lle hynny. O ran ymgysylltu â busnesau yn fwy cyffredinol, mae cynnydd da yn cael ei wneud ar lefel weithredol drwy'r Tîm Datblygu Economaidd a'r prosiect Gwell Rheoleiddio sy'n cael ei arwain gan y Rheolwr Gwarchod y Cyhoedd.</p>
	<p>Arolwg blynyddol o fusnesau. Mae canlyniadau yr arolwg cyntaf wrthi'n cael eu casglu ar hyn o bryd a bydd yn cyfrannu at sut y byddwn yn gweithio gyda busnesau yn y dyfodol.</p>	<p>Rheolwr Datblygu Busnes ac Economaidd</p>	<p>Yn flynyddol ym mis Mehefin</p>	<p>Wedi'i gwblhau</p> <p>Arolwg wedi'i gwblhau a'r canlyniadau yn cael eu dadansoddi ar gyfer rhoi gwybod a thrafodaeth yn y Bwrdd Rhaglen Uchelgais Economaidd.</p>

Rhaglen Gwaith i'r Dyfodol y Pwyllgor Llywodraethu Corfforaethol

17 Rhag 2014		Eitemau Sefydlog	
	1	Materion a Gyfeiriwyd gan Bwyllgorau Archwilio	Cydlynnydd Archwilio, Rhian Evans
	2	Adroddiadau Rheoleiddio Allanol Diweddar a Dderbyniwyd	Pennaeth Busnes, Cynllunio a Pherfformiad, Alan Smith / Keith Amos
	3	Adborth am y cyfarfod Cydraddoldeb Corfforaethol – adroddiad llafar.	Cynghorydd Martyn Holland / Hugh Evans
	4	Rhaglen Gwaith i'r Dyfodol	
		Adroddiadau	
	5	Proses y Gyllideb 2015/16	Pennaeth Cyllid ac Asedau, Paul McGrady
	6	Cynllun Llywodraethu Corfforaethol	Pennaeth Archwilio Mewnol, Ivan Butler
	7	Gwasanaethau Adeiladu a Chaffael - Diweddariad	Pennaeth Archwilio Mewnol, Ivan Butler
	8	Adolygiad Hamdden Clwyd	Busnes, Gwella a Moderneiddio / Hannah L Jones
Tudalen 9	9	Cyfansoddiad Model Newydd	Pennaeth y Gwasanaethau Cyfreithiol a Democrataidd / Gary Williams
28 Ionawr 2015		Eitemau Sefydlog	
	1	Materion a Gyfeiriwyd gan Bwyllgorau Archwilio	Cydlynnydd Archwilio, Rhian Evans
	2	Adroddiadau Rheoleiddio Allanol Diweddar a Dderbyniwyd	Pennaeth Busnes, Cynllunio a Pherfformiad, Alan Smith / Keith Amos
	3	Adroddiad Cynnydd Archwilio Mewnol	Pennaeth Gwasanaethau Archwilio Mewnol, Ivan Butler / Cyng Julian Thompson-Hill
	4	Adborth am y cyfarfod Cydraddoldeb Corfforaethol – adroddiad llafar.	Cynghorydd Martyn Holland / Hugh Evans
	5	Rhaglen Gwaith i'r Dyfodol	
		Adroddiadau	

Rhaglen Gwaith i'r Dyfodol y Pwyllgor Llywodraethu Corfforaethol

	6	Proses y Gyllideb 2015/16	Pennaeth Cyllid ac Asedau, Paul McGrady
	7	Datganiad Strategaeth Rheoli'r Drysorlys a Dangosyddion Darbodus 2015/16	Pennaeth Cyllid ac Asedau, Paul McGrady
	8	Adroddiad Blynyddol Rheoli'r Drysorlys 2014/15	Pennaeth Cyllid ac Asedau, Paul McGrady
	9	Cwmnïau Hyd Braich - Diweddariad	Pennaeth y Gwasanaethau Archwilio Mewnol, Ivan Butler
25 Mawrth 2014		Eitemau Sefydlog	
	1	Materion a Gyfeiriwyd gan Bwyllgorau Archwilio	Cydlynnydd Archwilio, Rhian Evans
Tudalen 200	2	Adroddiadau Rheoleiddio Allanol Diweddar a Dderbyniwyd	Pennaeth Busnes, Cynllunio a Pherfformiad, Alan Smith / Keith Amos
	3	Adborth am y cyfarfod Cydraddoldeb Corfforaethol – adroddiad llafar.	Cynghorydd Martyn Holland / Hugh Evans
	4	Rhaglen Gwaith i'r Dyfodol	
		Adroddiadau	
	5	Proses y Gyllideb 2016/17	Pennaeth Cyllid ac Asedau, Paul McGrady
	6	Cynllun Llywodraethu Corfforaethol	Pennaeth Archwilio Mewnol, Ivan Butler
	7	Strategaeth Archwilio Mewnol	Pennaeth Archwilio Mewnol, Ivan Butler
	8	Adroddiad am Nifer y cwynion a ddaeth i law	Pennaeth Cwsmeriaid a Chefnogaeth Addysg / J. Walley
	9	Strategaeth Rheoli Gwybodaeth, Adroddiad Rheoli Gwybodaeth	Rheolwr Gwybodaeth Corfforaethol / Craig Berry
20 Mai 2015		Eitemau Sefydlog	
	1	Materion a Gyfeiriwyd gan Bwyllgorau Archwilio	Cydlynnydd Archwilio, Rhian Evans
	2	Adroddiadau Rheoleiddio Allanol Diweddar a Dderbyniwyd	Pennaeth Busnes, Cynllunio a Pherfformiad, Alan Smith / Keith Amos
	3	Adroddiad Cynnydd Archwilio Mewnol	Pennaeth y Gwasanaethau Archwilio

Rhaglen Gwaith i'r Dyfodol y Pwyllgor Llywodraethu Corfforaethol

			Mewnol, Ivan Butler / Cyng. Julian Thompson-Hill
	4	Adborth am y cyfarfod Cydraddoldeb Corfforaethol – adroddiad llafar.	Cynghorydd Martyn Holland / Hugh Evans
	5	Rhaglen Gwaith i'r Dyfodol	
		Adroddiadau	
	6	Proses y Gyllideb 2016/17	Pennaeth Cyllid ac Asedau, Paul McGrady

DS Nid yw union ddyddiad cyhoeddi adroddiadau achlysurol gan, er enghraifft Swyddfa Archwilio Cymru neu Adroddiadau Blynyddol gan yr
Cynbwrdsmon yn hysbys ar hyn o bryd. Bydd dyddiad cyfarfod yn cael ei bennu cyn gynted ag y bo'n ymarferol.

Diwygiwyd 23/10/2014 CIW

Mae tudalen hwn yn fwiadol wag