

Public Document Pack



Cyngor Sir
CEREDIGION
County Council

Neuadd Cyngor Ceredigion, Penmorfa,
Aberaeron, Ceredigion SA46 0PA
ceredigion.gov.uk

7 March 2024

Dear Sir / Madam

I write to inform you that a Meeting of the Governance and Audit Committee will be held REMOTELY - VC on Thursday, 14 March 2024 at 9.30 am for the transaction of the following business:

1. **Apologies**
2. **Personal Matters**
3. **Disclosures of Personal / Prejudicial interest**
4. **To confirm the Minutes of the Governance and Audit Committee held on 24 January and 6 February 2024 and to consider any matters arising from those Minutes (Pages 3 - 18)**
5. **Appointment of Chair and Vice Chair (Pages 19 - 20)**
6. **Governance and Audit Committee Meetings Actions Log (Pages 21 - 24)**
7. **Regulator & Inspectorate Reports and Ceredigion County Council Responses (Pages 25 - 62)**
8. **Draft Annual Governance Statement 2023-24 (Pages 63 - 100)**
9. **Corporate Governance Framework (Pages 101 - 114)**
10. **Internal Audit Progress Report Q3 (Pages 115 - 118)**
11. **Internal Audit Strategy and Plan (Pages 119 - 146)**
12. **Internal Audit Governance Framework Review 2023-24 (Pages 147 - 150)**
13. **Revised Statutory and non-statutory guidance on democracy within principle Councils (Pages 151 - 352)**
14. **Forward Work Programme (Pages 353 - 354)**
15. **Any other matter which the Chair decides is for the urgent attention of the Committee**

Members are reminded to sign the Attendance Register

A Translation Services will be provided at this meeting and those present are welcome to speak in Welsh or English at the meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read 'L Edwards', written in a cursive style.

Miss Lowri Edwards
Corporate Lead Officer: Democratic Services

To: Chairman and Members of Governance and Audit Committee
The remaining Members of the Council for information only.

Minutes of the Meeting of GOVERNANCE AND AUDIT COMMITTEE held remotely - VC on Wednesday, 24 January 2024

PRESENT: Mr Alan Davies (Chair), Councillors Elizabeth Evans, Wyn Evans, Keith Henson, Maldwyn Lewis, Gareth Lloyd, Mark Strong together with Mr Andrew Blackmore and Mrs Caroline Whitby

Also in attendance: Councillors Bryan Davies, Matthew Vaux

Audit Wales: Mr Jason Blewitt, Mr Matthew Brushett, Miss Non Jenkins, and Miss Allison Rees

Officers in attendance: Ms Elin Prysor, Corporate Lead Officer-Legal and Governance & Monitoring Officer; Mr Duncan Hall, Corporate Lead Officer – Finance and Procurement and Section 151 Officer; Mr Alun Williams, Corporate Lead Officer – Policy & Performance; Mrs Alex Jenkins, Corporate Manager - Internal Audit; Mrs Alison Hodgson, Corporate Performance and Improvement Officer; Miss Stephanie Land, Senior Auditor; Julie Brown, Audit Manager; and Katy Sinnett-Jones, Governance Officer.

1 Apologies

None.

2 Personal Matters

None.

3 Disclosures of Personal / Prejudicial interest

Caroline Whitby declared a personal interest in relation to item 14, specifically risk item 19.

4 To confirm the Minutes of the Governance and Audit Committee held on 27 September 2023 and to consider any matters arising from those Minutes

It was AGREED to confirm as a true record the Minutes of the Meeting of the Committee held on 27 September 2023 subject to a point of accuracy in item 10 which should note the numbering as iv. Instead of vi.

Matters arising

The Chair noted that in relation to item 10, he and the Vice-Chair had met the Chief Executive, and that it had been confirmed that the request for a report to the Governance and Audit Committee was not endorsed. It was confirmed that any such matters should be considered by the relevant Overview and Scrutiny Committee for them to consider what actions should be taken. He noted that had this advice been given to the Committee at the time, that he would have been happy to accept this.

Elin Prysor confirmed that this item has been referred to the Chair of the Learning Communities Overview and Scrutiny Committee for consideration at its meeting dated 9 May 2024, and is included in the action log.

Relevant Cabinet member to be informed

The Chair noted a reference on page 2 of the minutes to an agreement that the Governance and Audit Committee would be involved in the budget workshop, however this did not happen, and he would be looking to rectify this in the future.

5 Governance and Audit Committee Meetings Actions Log

Consideration was given to the Governance and Audit Committee Meeting Actions Log which provides details of progress on each action. It was noted that 9 actions are complete, number 4 is included on the agenda, and that the item relating to the Museum is currently in progress.

Mr Alan Davies noted an error on the title of the document which refers to 2022-23 and should be 2023-2024.

It was **AGREED** to note the content as presented and to amend the title of the document.

6 Regulator & Inspectorate Reports & Council Responses

Consideration was given to the Regulatory and Inspectorate Reports and Council Responses.

Jason Blewitt from Audit Wales noted that Audit of the Council's 2022-23 Statement of Accounts were now complete and due to be reported to the Governance and Audit Committee and to Council on 6 February 2024, and signed-off by the Auditor General on the 7th February 2024. The Annual Returns for the Ceredigion Harbour reports, Growing Mid Wales and Corporate Joint Committee are now also complete, and will be reported to various committees and signed off by the Auditor General on 7th February 2024. The Audit of the Council's 2022-23 Grants and Returns are ongoing and they hope to complete this work by the end of February 2024.

The Chair asked whether Audit Wales resources issues have now been resolved, and Mr Jason Blewitt confirmed that they have now caught up with the work and that in accordance with the 3 year plan to 2024-25. Audit Wales aims to sign off the next Statement of Accounts by 30 November 2024, and by 30 September of the following year, reliant on the Council's timetable.

Non Jenkins from Audit Wales noted that they would be providing an update soon upon the Performance Audit work, confirming that they have now finalised the Assurance and Risk Assessment work for 2022-23 and that they are working on 2023-24. The final report will be presented at the next meeting. In terms of the thematic review of Unscheduled Care, she noted that this is a major piece of work which is now nearing completion and apologised for the delay in delivering this work. She noted that the reports relating to the thematic review of Digital and the Planning review follow up are included on today's agenda, and that the Assurance and Risk

Assessment, the Financial Sustainability and the Commissioning and Contract Management are in progress.

The Chair asked whether the recommendation from the review of the digital assurance would apply to all Councils. It was confirmed that the audit is moderated across all 22 authorities, however the key findings will be published in a summary which will bring together the key findings, recommendations and best practice. Non Jenkins also noted that Audit Wales were pleased that the council's responses to their comments are published together with the recommendations.

Elin Pryor provided an update on local risk work issued/published since the last Governance and Audit Committee meeting noting the following:

- The cracks in Foundations report largely does not apply to Ceredigion;
- The completion date for the Equality Impact Assessment is March 2024;
- The completion date for Springing Forward was 6 December 2023 therefore the report will be presented to a future meeting;
- That work is in progress in relation to the Setting of Wellbeing Objectives and Poverty in Wales and that it is aimed to bring these reports to Committee in September.

Mr Andrew Blackmore asked why target dates weren't met. Elin Pryor confirmed that this does not reflect the progress made by the Service, however it is sometimes necessary to clarify responses, and there wasn't sufficient time to bring a report which has a deadline date in December to the January meeting due to the deadline for presenting reports to the Committee. Mr Andrew Blackmore noted that a verbal update may be useful in such circumstances.

Elin Pryor noted that many of the actions from the Equality Impact Assessment were not applicable, and that this report is almost complete. The Chair confirmed that he was happy to close this item as actions are complete. Elin Pryor noted that the Springing Forward report is showing as mostly complete, with the exception of a revised date for reviewing hybrid working, and that the Setting of Wellbeing Objectives is also close to complete with a recommendation relating to ongoing targeted work. Mr Alan Davies noted that these together with the Digital review would need to be closed properly in March.

Elin Pryor noted that the Poverty in Wales and Social Enterprise reports would require considerable work and may take longer than the initial target date of March 2024, and may be presented to the May or June meeting.

Mr Alan Davies asked why there was no Management Response form for the Corporate Joint Committee. It was confirmed that the Corporate Joint Committee is a separate entity. Mr Alan Davies noted that Members of the

Governance and Audit Committee needs to be more vociferous in expressing their dissatisfaction that the Corporate Joint Committee, Governance and Audit sub-committee has not met, with several meetings cancelled due to various reasons. Elin Prysor noted that comments made by the Chair at briefing sessions have been passed on.

It was **AGREED** to

- 1) Note the Regulator and Inspectorate reports and Updates
- 2) Note the Council's response (Management/Organisational Response Forms)

7 Governance Framework - verbal update

A verbal update was provided upon the Governance Framework noting that a new governance Framework will be presented to the Committee in March of this year for approval. The review of the council's governance arrangements is there to ensure that meeting outcomes are met based upon the CIPFA recommendations. It was also noted that the governance framework will act as an overarching document and will replace the current Code of Local Governance. The draft versions have been shared with the Chair and Vice-Chair of the Governance and Audit Committee, and their input appreciated.

8 Annual Governance Statement 2022-23

Consideration was given to the updates to the Annual Governance Statement 2022-23 which included amendments to dates and the addition of the following text to pages 22, 28 and 29.

“The Annual Report at year-end contains the results of the internal audit annual self-assessment of the service, based on CIPFA's LG Application Note's template. This was subject to an external peer review in May 2022, and an external assessment is planned to be repeated every five years, as required by the Public Sector Internal Audit Standards (PSIAS)’.

Councillor Bryan Davies noted that the updated Annual Governance and Audit Statement 2022-23 will be presented to the Governance and Audit Committee and to Council at their respective meetings dated 6 February 2024.

Additional text will be added (on page 22) in relation to the external assessment

It was **AGREED** to

- i) Note and consider its contents, and
- ii) Recommend that Council approves the Draft Annual governance Statement 2022-23

9 Report on the Annual Governance Statement 2023-24 progress update & Governance Framework Review 2023-24

Consideration was given to the Annual Governance Statement 2023-24 progress update and Governance Framework Review 2023-24.

It was noted that a workshop was held on 6 December 2023 to consider progress on the actions set out in the 2023-24 Governance Framework Review, and that the Governance Framework Review 2023-24 will form the basis for the Annual Governance Statement 2023-24 which is due to be presented to Committee in draft form on 14 March 2024.

Elin Prysor noted that the document will reflect the updates seen in the 2022-23 document and ensure that references to policies and strategies are updated, even though they sit outside the reporting period due to subsequent and ongoing work. References to historic actions will only remain on the document if they are needed to explain what has gone on subsequently.

It was **AGREED** to:

- i) Note the Annual Governance Statement 2023-24
- ii) Note the Governance Framework Review

10 Internal Audit Progress Report Q2 2023/24

Consideration was given to the Quarter 2 Internal Audit Progress Report. It was noted that for 2023-24, a risk assessment was undertaken in addition to information from the Council's Corporate Risk Register, and that Internal Audit will assess its work regularly, considering the Council's changing needs and priorities.

It was noted that there are 95 items on the plan, of which 82 were originally planned and an additional 13 reactive or new items added due to new, emerging or escalated reasons. 9 audits have been completed, with 1 remaining at a draft stage. At the end of this quarter Internal Audit will have covered 48.9% of its plan and are on target to provide opinions on all items before the end of the year.

It was noted that 4 audits were given substantial assurance. There were 5 significant actions issued in Internal Audit reports during the quarter, including Human Resources, one of which was due to the accuracy of information provided by other service areas. This has now been addressed by means of introducing 'Dodl' for electronic submission, reducing errors associated with manual inputting of information. It was also identified that one Honorarium had exceeded the 12 month maximum period due to a restructure that had been delayed by Covid. The Harbour review identified that a Mooring license has been issued despite failure to pay for the previous year, and that processes have been put in place to avoid a repetition of this.

Work has also been carried out in response to requests by Services for advice and support, such as the Members' Declaration of Interest requested

by the Monitoring Officer, and advice requested in relation to Housing Grants, governance and internal control.

Alex Jenkins confirmed that Internal Audit staff attend regular webinars and that she has completed her Certified Internal Auditor qualification and that 2 other members of her team are nearing their final examination.

It was **AGREED** to note the work undertaken and current position of the Internal Audit Section.

11 Internal Audit Management Actions Report

Consideration was given to the Internal Audit Management Actions report which included details of current performance. It was noted that this report is newly implemented following the External Quality Assessment and self-assessment undertaken by the Corporate Manager for Internal Audit during her first year in post. It was noted that there will be fewer graphs and charts as actions issued are implemented and deemed to have sufficiently addressed the issues, or that the risks have been accepted. It was noted that there are currently 18 outstanding items that have yet to be verified. This report is shared with Senior Management as Internal Audit currently do not have Audit Management software therefore Senior Management are unable to track their Internal Audit actions. It is hoped that this can be managed via Teifi or a similar system, which will provide Corporate Lead Officers and Corporate Managers with greater visibility of progress. It was also noted that there is one outstanding action from 2020-21 relating to travelling which does not include information relating to whom it was assigned, and will need to be looked at further.

It was **AGREED** to note the work undertaken and current position of the Internal Audit Section.

12 Internal Audit Charter

Consideration was given to the review of the Internal Audit Charter which included the following updates for 2024-25:

- The Governance Officer's administrative reporting lines to the Corporate Manager – Internal Audit to maintain Internal Audit independence;
- Internal Audit resourcing including professional qualifications;
- New Global Internal Audit Standards; and
- The Counter Fraud Risk Assessment & Fraud Risk Register

It was noted that there are significantly fewer updates compared to last year.

Mr Andrew Blackmore noted that he was satisfied with the structure and content of the report and asked whether there was anything that the Committee could do better in terms of their responsibilities to the Corporate

Manager – Internal Audit. Alex Jenkins confirmed that the Committee’s questions are constructive and forward thinking, and that improvements have been made to pathways which has contributed to noticeable progress in terms of effectiveness and efficiencies resulting from these responses and thanked the Committee for their feedback.

It was **AGREED** to approve the report.

13 Internal Audit National Fraud Initiative Self-Appraisal (Verbal Update)

A verbal update was provided upon the Internal Audit National Fraud Initiative Self-Appraisal noting that the NFI exercise had been delayed this year due to changes in requirements for staff who undertake data matches in terms of DBS checks. This is due to the NFI using DWP data. It was noted that many of the Officers that undertake this work for Ceredigion County council don’t require DBS checks as it isn’t necessary for their roles. A decision has now been made to apply this check, however a delay in receiving responses from DBS are delaying the completion of the exercise further, therefore it is unlikely that the exercise will be complete by the-14 March meeting.

Mr Alan Davies confirmed that he is happy for the information to be brought to the meeting in June 2024.

14 Corporate Risk Register

Consideration was given to the Corporate Risk Register, noting that in Quarter 2, an additional risk was identified relating to the WCCIS System Software End of Life. Councillor Bryan Davies confirmed that there has been good progress in terms of regulations and cyber security and that a new member of staff has now been appointed who has made good progress in relation to this.

A review of the latest risk status was also conducted by the Leadership Group at its meeting dated 13 December 2023. It was noted that the aforementioned risk was escalated from service to corporate and included in the Corporate Risk Register and that none of the risks had been de-escalated from corporate to services, however the scores were amended for the following risks:

- Medium Term Financial Plan, increasing from 20 to 25;
- Information Management, decreasing to 16;
- Phosphates, decreasing to 16.

Councillor Elizabeth Evans asked whether there were any capacity issues in terms of Information Management. Alun Williams noted that when combined with cyber security, information management scored highly on the risk register, however these have now been separated as there is always a concern that one element may push up the overall score. Separating cyber security is part of the reason why this has now come down and provides greater focus on the cyber security risk.

Councillor Maldwyn Lewis noted his concern that the lack of external funding in terms of the Medium-Term Financial Strategy is a big concern to Members. Mr Alan Davies reiterated his disappointment that the Governance and Audit Committee has not been involved in the budgetary process, however he and the Vice-Chair had had a catch-up with the Corporate Lead Officer for Finance and Procurement a week ago, noting that there needs to be some serious thinking about the 'so what' implications, and that this Committee needs to be involved in the 'so what' conversations and the role which it has to play.

It was **AGREED** to note the updated Corporate Risk Register.

15 Council Risk Management Policy

Consideration was given to the Council's Risk Management Policy which is updated every 3 years. It was noted that the updated documents were considered by Leadership Group which resulted in further updates. Consultation was also conducted with various stakeholders including members of the Governance and Audit Committee and Zurich Insurance. The main updates include:

- Strengthening the monitoring of service risks – service risks scoring 15 or above will be assessed quarterly by Leadership Group for escalation to the Corporate Risk Register and vice versa.
- Service risks will be added to the Teifi Performance Management System so that they can be updated and managed through the system.
- Clarification that the threshold for risks to be considered by Leadership Group to be escalated / de-escalated is 15.
- Clarification that Leadership Group are responsible for deciding if risks should be escalated or de-escalated.
- Clarification the role of Internal Audit in the Policy and Framework, which is to assess and evaluate the effectiveness of actions in place to mitigate risk and provide objective assurance that risks are being managed appropriately. Additionally, Internal Audit will also provide objective assurance to Leadership Group, Governance & Audit Committee and Council on the robustness and effectiveness of the risk management procedures by including periodic reviews of the Corporate Risk Register, Service Risk Register and Corporate Risk Management procedures.
- Clarification that "target risk" scores should be provided to accompany the mitigating actions for risk, i.e. what score should the risk be reduced to by delivering the mitigating actions identified.

The documents will now be taken through the Democratic process for decision, including any further feedback from the Governance and Audit Committee.

Alun Williams thanked Mr Andrew Blackmore for his responses which were both challenging and valuable, noting that the Council's insurance provider, Zurich had also been involved in this process. He noted that the recommendation states that this report was to be *noted*, and that he had asked for this to be changed to '*endorse*'.

It was **AGREED**:

- i) To endorse the draft Risk Management Policy, Strategy and Framework
- ii) To note current progress and the next steps

16 Statutory and non-statutory guidance on democracy within principal councils

Consideration was given to the Statutory and Non-Statutory guidance on democracy within principal councils relating to the Governance and Audit Committee, section 14.0 to 14.33.

Elin Prysor noted that this document was provided for information and consideration as to how the committee undertakes its work, and that this extract forms part of the statutory element to which Local Authorities must have regard. If the Council does not accept the guidance, it must provide reasons as to why. The extract deals with the overview, background, membership, meetings, proceedings and functions as well as a review of financial affairs, risk management and internal controls. She noted that the terms of reference are contained within the Council's Constitution, which reflects this document.

Elin Prysor noted that the Chair and Vice-Chair had provided feedback on this extract, and that a response is currently being prepared which will be shared with a number of Chief Officers. The guidance does not provide a definition of words, and each authority will need to interpret the guidelines to the best of their ability.

Mr Alan Davies noted that this document has raised a lot of questions and that the Committee will need to define exactly what it means. He noted that the third bullet point refers to '*review and scrutinise the authority's financial affairs*', and that there needs to be clarity as to what the Welsh Government means and how this maps out with what is currently happening in the Scrutiny Committees. He noted that if this is what the Government expects of us, then we have a duty to work out what it means in practical terms and how we make it happen. Currently there are significant gaps, and we are a long way apart from this.

Councillor Wyn Evans asked where the Committee stands in terms of the democratic process. He noted that the financial settlement is scrutinised by the democratic processes and asked what is the role of the Governance and Audit Committee. Mr Alan Davies noted that it is the democratic processes which should scrutinise, but this document suggests that the Governance and Audit Committee should be doing this. He also reiterated his disappointment that the latest financial documents were in the public domain before it had been viewed by the Governance and Audit Committee.

Councillor Elizabeth Evans noted that the role of the Governance and Audit Committee is to gain assurances that scrutiny processes are in place, and that it is not the role of the Governance and Audit Committee to scrutinise the scrutineers, but rather to ensure that appropriate support is in place to do so. Mr Alan Davies noted that he agreed, however the Committee needs to define, and have clear parameters. Councillor Elizabeth Evans noted that Lowri Edwards would have information to hand on how to navigate our way through this document.

Mr Alan Davies asked that Members review the document and send their comments to Elin Prysor within 14 days in order to work out the next steps. Elin Prysor confirmed that it was an excellent idea to include all Members in the review, and that it would be brought to the Leadership Group for consideration. She noted that the full Council decide in the context of financial affairs, but different Committees have different roles, and clarity is needed as to the parameters and boundaries between their functions. Elin Prysor recommended that an internal workshop would allow for consideration in a private forum, and a report would then be brought back to the Committee once clarity has been established.

Duncan Hall highlighted the content of paragraph 14.20:

'The governance and audit committee role should be more to seek assurance that the budgetary control systems (as an internal control) of the council are working, rather than the actual scrutiny of spend. This may serve as acceptable demarcation between the role of the governance and audit committee and that of an overview and scrutiny committee.'

It was **AGREED** to note the content of the report and the relevant parts of the Guidance.

17 **Ceredigion County Council Self-Assessment Report 2022/23 Final Report**

Consideration was given to Part 6 of the Local Government and Elections (Wales) Act 2021 which relates to the introduction of a new Self-Assessment based performance regime for Principal Councils. Alun Williams noted that the report was brought to the Governance and Audit Committee, and that it has been through the democratic process, and finalised in line with the duties

referred to in the paper. It has been shared with Welsh Government Ministers, Estyn, CIW and the Auditor General for Wales and published on the Council's website. He also noted that Ceredigion will be one of the first authorities to undertake a Panel Performance Assessment, which has to take place once in every administration.

Mr Alan Davies asked if there are any anticipated costs to a Panel Performance Assessment. Alun Williams confirmed that it is estimated to cost around £24,000, however this is a legal requirement, and hopefully it will be worth it. Councillor Bryan Davies noted that this is an excellent tool which will be used to improve our services.

It was **AGREED** to note the Self-Assessment Report 2022-23 including the Annual Review of Performance and Well-being Objectives.

18 Forward Work Programme

It was **AGREED** to note the content of the Forward Work Programme.

Since publishing, there have been 2 additions including:

- Appointment of a new Governance and Audit Chair and Vice-Chair in March 2024
- Annual Statement of Accounts in November 2024

19 Any other matter which the Chair decides is for the urgent attention of the Committee

Elin Prysor confirmed that an additional meeting of the Governance and Audit Committee will be scheduled for 11 June 2024 at 10:00am, and that all meetings will commence at 10.00am from the beginning of the 2024-25 Municipal Year.

**Confirmed at the Meeting of the Governance and Audit Committee held
on 6 February 2024**

Chairman: _____

Date: _____

This page is intentionally left blank

Minutes of the Meeting of Governance and Audit Committee held remotely on Tuesday, 6 February 2024

Present: Mr Alan Davies (Chair), Councillors Wyn Evans, Keith Henson, Maldwyn Lewis, Gareth Lloyd, Mark Strong together with Mr Andrew Blackmore and Mrs Caroline Whitby.

Also in attendance: Councillors Gareth Davies (Cabinet Member), Rhodri Evans, Hugh Hughes and Matthew Vaux (Cabinet Member).

Audit Wales: Ms Carys Bates, Mr Jason Blewitt, Ms Lucy Herman and Mr Derwyn Owen.

Officers in attendance: Mr Barry Rees, Corporate Director; Mr Duncan Hall, Corporate Lead Officer - Finance and Procurement and Section 151 Officer; Mr Justin Davies, Corporate Manager - Core Finance; Mr Mark Bridges, Service Manager; Ms Elin Prysor, Corporate Lead Officer - Legal and Governance and Monitoring Officer; Mrs Alex Jenkins, Corporate Manager - Internal Audit; Mrs Katy Sinnott-Jones, Governance Officer; Mr Arwyn Davies, Corporate Manager - Growth and Enterprise; Miss Lowri Edwards, Corporate Lead Officer - Democratic Services; Ms Nia Jones, Corporate Manager - Democratic Services and Miss Neris Morgans, Democratic Services Officer.

(09.30am-10.33am)

1 Apologies

Councillor Elizabeth Evans apologised for her inability to attend the meeting due to being on other Council duties.

2 Personal Matters

None.

3 Disclosures of Personal / Prejudicial interest

Councillor Keith Henson declared a personal interest in relation to item 5.

4 Annual Governance Statement 2022- 2023 update

Consideration was given to the Annual Governance Statement 2022-23 update. Following its consideration at the previous meeting held on 24 January 2024, there had been no amendments to the Statement. It was reported that the Annual Governance Statement 2022-23 would be presented to Full Council for approval later that afternoon.

It was **AGREED** to:

- i) note and consider its contents, and
- ii) recommend that Council approves the Annual Governance Statement 2022-23.

5 Report of the Head of Finance upon the Ceredigion County Council and Ceredigion Harbour Authority Statements of Accounts 2022/23

The Corporate Lead Officer- Finance and Procurement presented the Ceredigion County Council and Ceredigion Harbour Authority Statement of Accounts 2022/23 highlighting both procedural and presentational matters.

The Committee commented upon and queried certain matters on the accounts.

Members thanked the Corporate Lead Officer - Finance and Procurement and Corporate Manager - Core Finance and their staff for their hard work in producing the Statement.

It was **AGREED** to recommend to Council that the Statement of Accounts for Ceredigion County Council and Ceredigion Harbour Authority Statements of Accounts for 2022/23 be approved as presented and that the Chairman would report the Committee's recommendation to Council that afternoon.

6 ISA260 Report

The Chairman welcomed to the meeting Mr Derwyn Owen from Audit Wales to introduce the report.

Mr Owen highlighted the information contained in the report to Members. Congratulations were extended to the Corporate Lead Officer - Finance and Procurement and his Officers on their work in completing the audit.

The Corporate Lead Officer - Finance and Procurement provided an overview of the plan in place to address the Other Significant issues arising from the audit.

Mr Owen explained that Audit Wales intended to issue an unqualified audit opinion on the accounts for 2021-22, once the Local Authority had provided them with a Letter of Representation following the Full Council meeting later that afternoon.

Committee Members thanked all concerned, the Officers of the Council and Audit Wales, for the co-operation shown in the audit of accounts and welcomed a positive report.

It was **AGREED**:

- i) to note the content of the report;
- ii) to congratulate the service on this excellent report; and
- iii) that a progress report on addressing the Other Significant issues arising from the audit be included on the Committee's Forward Work Programme.

**Confirmed at the Meeting of the Governance and Audit Committee held
on 14 March 2024**

Chairman: _____

Date: _____

Cyngor Sir CEREDIGION County Council

REPORT TO:	Governance and Audit Committee
DATE:	14 March 2024
LOCATION:	Remotely via Video-conference
TITLE:	Appointment of the Chair and Vice Chair of the Governance and Audit Committee
PURPOSE OF REPORT:	To appoint a Chair and Vice Chair of the Governance and Audit Committee for a two-year term
For:	Decision

Introduction

In June 2022 the Governance and Audit Committee appointed a lay Chair and Vice Chair for a two-year term effective from 6th of June 2022 which will come to an end on 16th of May 2024.

Current position

The Committee now needs to appoint a new Chair and Vice Chair effective from 17th of May 2024.

RECOMMENDATION(S):

The Governance and Audit Committee is requested to:

1) Approve the appointment of a lay Chair and Vice Chair to the Governance and Audit Committee for a period of two years from 17th May 2024 to 17th of May 2026.

REASON FOR RECOMMENDATIONS:

To ensure that the Committee is properly constituted.

Appendices:	None
Head of Service:	Elin Prysor, Corporate Lead Officer – Legal & Governance Services / Monitoring Officer
Reporting Officer:	Katy Sinnott-Jones, Governance Officer
Date:	15.02.2024

This page is intentionally left blank

Ceredigion County Council Governance and Audit Committee Meeting Actions Log 2023-2024*

The purpose of this Actions Log is to monitor Actions agreed by the Governance and Audit Committee at their Meetings e.g. where the Governance and Audit Committee have requested a future Report to be presented to them, or information sought at a future Meeting.

For further information regarding the Actions Log please contact the Governance Officer.

Last updated: 26/01/2024

*Municipal Year

Actions marked Completed shall be removed from the subsequent Actions Log

Acronyms:

AW – Audit Wales

CE – Chief Executive

CLO – Corporate Lead Officer

DPO – Data Protection Officer

FWP – Forward Work Programme

GO – Governance Officer

MO – Monitoring Officer

CM – Corporate Manager

CMIA – Corporate Manager Internal Audit

DCC – Development Control Committee

GAC – Governance & Audit Committee

L&G – Legal & Governance

N/A – Not Applicable

TBC – To be confirmed

No	GAC Meeting Date	Item no	Noted / Comments	Action	Officer(s) responsible for action	Progress Update	To next be reported	Status	Notes
1	27/09/2023	8 Annual Governance Statement	<p>i) AGS / Local Code / Governance Framework</p> <ul style="list-style-type: none"> •Further work on these documents will be addressed following discussion with the chair. •An overarching document will be presented to consider both the Framework and Statement for 2023-24 	Work on update / revision of documents to commence.	Elin Prysor	Governance Framework has been created and shared with the chair and vice chair of GAC. It will be presented in GAC on 14.3.24	14/3/2024	In Progress	on agenda
2			(iii) to note that a follow up meeting with the CLO and Corporate Manager for the Museum service had been undertaken and that a further Internal Audit of Financial Management & Income was due to be undertaken in October to ensure sufficient controls being addressed by management;	Further Audit of Financial Management to be undertaken by the Audit Section	Alex Jenkins	Audit was completed in January and is due for review. Update in June meeting.	19/06/2024	In Progress	

3	24/01/2024	6 Regulator & Inspectorate Reports & Responses	i) it was agreed that the following ORF's would be returned to a future GAC meeting.	Officers to be asked for updated ORF's.	Katy Sinnett-Jones	It was agreed that the link will be shared for the report and only the ORF will be circulated to reduce report volume.	14/3/2024	In Progress	
			4b Cracks in the Foundation			No further update for March 2024.	19/06/2024	In Progress	
			6b Springing Forward - Workforce Management			Returned to GAC 14/03/2024		In Progress	
			7b Setting of well-being objectives			No further update for March 24.	19/06/2024	In Progress	
			8b Poverty in Wales			No further update for March.	19/06/2024	In Progress	
			10b Social Enterprises, Planning Service Review			No further update for March	19/06/2024	In Progress	
4			ii) it was noted that there was dissatisfaction with communication from the CJC due to several cancelled meetings	Comments to be passed to the CJC	Elin Prysor	Mid Wales CJC GAC scheduled for 19/3/24.	14/03/2024	Complete	
5	24/01/2024	16 Statutory & Non Statutory Guidance	i) It was noted that the document would be shared with Leadership Group.	Appendix 1 to be shared with Leadership Group.	Elin Prysor	WG Statutory Guidance (Appendix 1) shared with LG informally.	14/03/2024	Complete	

6			ii) GAC members to consider the document and give feedback to Elin Prysor / Alan Davies	GAC members to read and comment on the document.	GAC	14 day deadline to reply. x3 lay members replied. No replies received from Members	14/03/2024	Complete	
7			iii) Democratic Services to be consulted on the role of GAC within context of the WG Guidance	Lowri Edwards to be asked for advice.	Elin Prysor	WG Guidance & officers replies to Lay members comments on the Guidance shared with Head of Democratic services. Thereafter, It will be shared wider.	14/03/2024	In progress	
8	06/02/2024	6 Report of the Head of Finance	iii) That a progress report on addressing the Other Significant issues arising from the audit to be included on the Committee's Forward Work Programme	Mid-term report on The significant Property, Plant & Equipment issues reported in Audit Wales Report on the Accounts for 2022/23	Russell Hughes-Pickering		25/09/2024	In Progress	

Cyngor Sir CEREDIGION County Council

REPORT TO:	Governance and Audit Committee
DATE:	14th March 2024
LOCATION:	Remotely by Video Conference
TITLE:	Regulator & Inspectorate Reports & Council Responses
PURPOSE OF REPORT:	To provide the Governance and Audit Committee with updates on the progress of regulator/inspectorate reports and Council responses.
For:	Decision

Introduction

This Report sets out Regulator and Inspectorate Reports and updates along with Council responses regarding progress made against proposals and recommendation. It has 3 parts:

- a) *Audit Wales quarterly update to Governance and Audit Committee*
- b) *Any local risk work issued/published since the last Governance and Audit Committee meeting*
- c) *Audit Wales National Reports*

Current Position

a) Audit Wales quarterly update to Governance and Audit Committee

- Audit Wales – Q3 Work programme and timetable (Appendix 01a)

b) Any local risk work issued/published since the last Governance and Audit Committee meeting

- Audit Wales – Use of Performance Information: Service User Perspective and Outcomes – Ceredigion County Council (link only) [Use of performance information: service user perspective and outcomes – Ceredigion County Council \(audit.wales\)](#) (appendix 02a)
- ORF – Use of performance Information Report – Ceredigion County Council (appendix 02b)
- Audit Wales – Springing Forward Workforce Management Report – Cyngor Sir Ceredigion (link only) [Ceredigion County Council – Springing Forward – Strategic Workforce Management \(audit.wales\)](#) (Appendix 03a)
- MRF – Springing Forward – Review of Strategic Workforce Management (appendix 03b)
- Audit Wales – Ceredigion Annual Audit Summary Appendix (04)

c) Audit Wales National Reports

- Audit Wales – Sustainable Development? – making best use of brownfield and empty buildings – Final (link only) [Sustainable development? – making best use of brownfield land and empty buildings \(audit.wales\)](#) (appendix 05a)
- ORF – Sustainable Development? – making best use of brownfield land and empty buildings (appendix 05b)

- Audit Wales - From Firefighting to Future-proofing – the Challenge for Welsh Public Services (link only) [From Firefighting to Future-proofing – the Challenge for Welsh Public Services \(audit.wales\)](#) (Appendix 06)

RECOMMENDATIONS: 1) To consider the Regulator and Inspectorate reports and Updates
 2) To Consider the Council's response (Management/Organisational Response Forms)

Reasons for Recommendation To keep the Governance and Audit Committee informed of reports, proposals and work being undertaken

Appendices: **Appendix 1a** Audit Wales – Q3 Work programme and timetable
Appendix 2a Audit Wales – Use of Performance Information: Service User Perspective and Outcomes – Ceredigion County Council (link only)
Appendix 2b ORF – Use of performance Information Report – Ceredigion County Council
Appendix 3a Audit Wales – Springing Forward Workforce Management Report – Cyngor Sir Ceredigion (link only)
Appendix 3b MRF – Springing Forward – Review of Strategic Workforce Management (appendix 02b)
Appendix 4 Audit Wales – Ceredigion Annual Audit Summary 2023
Appendix 5a Audit Wales – Sustainable Development? – making best use of brownfield and empty buildings – Final (link only)
Appendix 5b ORF – Sustainable Development? – making best use of brownfield land and empty buildings
Appendix 6 Audit Wales – From Firefighting to Future-proofing – the Challenge for Welsh Public Services (link only)

Contact Name: Elin Prysor
Designation: Corporate Lead Officer: Legal & Governance & Monitoring Officer
Date of Report 14/03/2024

Audit Wales Work Programme and Timetable – Ceredigion County Council

Quarterly Update: 31 December 2023

Annual Audit Summary

Description	Timetable	Status
A report summarising completed audit work since the last Annual Audit Summary, which was issued in February 2022.	Complete	Report published Ceredigion County Council – Annual Audit Summary 2022

Financial Audit work

Description	Scope	Timetable	Status
Audit of the Council's 2022-23 statement of accounts	To confirm whether the statement of accounts provides a true and fair view.	Audit Opinion by 28 February 2024	Audit work complete. Audit Opinion to be signed 7 February 2024.
Audit of the 2022-23 Annual Return for Ceredigion Harbour	To confirm that the return has been properly completed.	Audit Opinion by 28 February 2024	Audit work complete. Audit Opinion to be signed 7 February 2024.

Audit of the 2022-23 Annual Returns for Growing Mid Wales and Mid Wales Corporate Joint Committee	To confirm that the returns have been properly completed.	Audit Opinion by 28 February 2024	Audit work complete. Audit Opinion to be signed 7 February 2024.
Audit of the Council's 2022-23 Grants and Returns	Audit of the grants and returns as required by their terms and conditions.	In line with the deadlines for each individual grant and return.	Audit work in progress

Performance Audit work

2022-23 Performance Audit work	Scope	Timetable	Status
Assurance and Risk Assessment	<p>Project to identify the level of audit assurance and/or where further audit work may be required in future years in relation to risks to the Council putting in place proper arrangements to secure value for money in the use of resources and acting in accordance with the sustainable development principle.</p> <ul style="list-style-type: none"> Financial position 	Ongoing monitoring of financial position	Ongoing

2022-23 Performance Audit work	Scope	Timetable	Status
	<ul style="list-style-type: none"> <li data-bbox="416 658 863 689">• Capital programme management <li data-bbox="416 1272 863 1361">• Use of performance information – with a focus on service user feedback and outcomes <li data-bbox="416 1603 836 1635">• Setting of well-being objectives 	<p data-bbox="938 658 1098 748">September – December 2023</p> <p data-bbox="938 1272 1075 1361">February – September 2023</p> <p data-bbox="938 1603 1054 1635">July 2023</p>	<p data-bbox="1185 658 1362 1196">AW will not undertake detailed work at all councils as part of our 2022-23 work programme. We are currently exploring our options for undertaking a detailed piece of work on this topic either in 2023-24 or future years.</p> <p data-bbox="1185 1272 1347 1496">Final report issued to the Council December 2023. Preparing for publication.</p> <p data-bbox="1185 1603 1370 1733"><u>Complete Setting of Well-being Objectives</u></p>

2022-23 Performance Audit work	Scope	Timetable	Status
Thematic Review – Unscheduled Care	A cross-sector review focusing on the flow of patients out of hospital. This review will consider how the Council is working with its partners to address the risks associated with the provision of social care to support hospital discharge, as well as prevent hospital admission. The work will also consider what steps are being taken to provide medium to longer-term solutions.	August 2022 – October 2023	Reporting from February 2024 onward.
Thematic review – Digital	A review of councils’ strategic approach to digital, and the extent to which this has been developed in accordance with the sustainable development principle; and that it will help to secure value for money in the use of councils’ resources.	January – September.	Report published Digital Strategy Review
Local risk work: Planning review – follow up	To follow up the Council’s progress in relation to addressing the recommendations in our Planning review published in November 2021. Review of the Planning Service – Ceredigion County Council	Autumn 2022 – Summer 2023	Report Published Planning Service Follow-up review

2023-24 Performance Audit work	Scope	Timetable	Status
Assurance and Risk Assessment	Project to identify the level of audit assurance and/or where further audit work may be required in future years in relation to risks to the Council putting in place proper arrangements to secure value for money in the use of resources and acting in accordance with the sustainable development principle.	Ongoing	In progress
Thematic review – commissioning	A review focusing on how councils' arrangements for commissioning apply value for money considerations and the sustainable development principle.	January – July 2024	Scoping
Thematic review – Financial Sustainability	A review of councils' financial sustainability including a focus on the actions, plans and arrangements to bridge funding gaps and address financial pressures over the medium term.	March – June 2024	Scoping

Local government national studies planned/in progress

Study	Scope	Timetable	Status	Fieldwork planned at Ceredigion County Council
Planning for sustainable development – Brownfield regeneration	Review of how local authorities are promoting and enabling better use of vacant non-domestic dwellings and brownfield sites	October 2022 – September 2023	Complete	Report published <u>Sustainable development? – making best use of brownfield land and empty buildings</u>
Governance of special purpose authorities – National Parks	Review of systems and effectiveness of governance	November 2022 – September 2023	Report drafting – publication due February 2024.	No
Governance in Fire and Rescue Authorities	Review of systems and effectiveness of governance	September 2023 – August 2024	Fieldwork underway	No
Homelessness	Examining how services are working together to progress the response to homelessness.	TBC	Scoping	TBC

Estyn

Our link inspectors are continuing to work with Torfaen as part of our follow-up process for an authority causing significant concern. We inspected Conwy local government education service in the week beginning 6 November 2023, and the report will be published early in January 2024. We will be piloting our new inspection arrangements in the Vale of Glamorgan on the week beginning 11 March 2024. We will also be inspecting the Vale of Glamorgan’s youth work services on the week beginning 19 February 2024, and the findings of that inspection will contribute to the evidence base for the LGES inspection.

We have published a [report outlining the approaches of local authorities and secondary schools in promoting attendance](#).

Care Inspectorate Wales (CIW)

CIW planned work 2023-25	Scope	Timetable	Status
Thematic reviews Community Learning Disability Team (CLDT)	Working with HIW we will complete a small sample of joint CLDT inspections in 2024. We will use this approach to evaluate and consider our approach to joint inspection.	2024-25	Planning
Stroke pathway	Working in collaboration with HIW a National Review of Patient Flow: a journey through the stroke pathway (hiw.org.uk) has recently been published.	Complete	Published

CIW planned work 2023-25	Scope	Timetable	Status
National review of Care Planning for children and young people subject to the Public Law Outline pre-proceedings	<p>Purpose of the review</p> <p>To provide external scrutiny, assurance and to promote improvement regarding the quality of practice in relation to the care planning for children and young people subject to the public law outline pre-proceedings.</p> <p>To consider the extent to which practice has progressed since the publication of both the CIW 'National Review of care planning for children and young people subject to public law outline pre-proceedings' and the publication of the PLO working group report 2021 including best practice guidance.</p>	Published	Report published The Public Law Outline in Wales
Child Protection Rapid Review	<p>The review looked at to what extent the current structures and processes in Wales ensure children's names are appropriately placed on, and removed from, the child protection register (CPR) when sufficient evidence indicates it is safe to do.</p> <p>Rapid review of child protection arrangements, Care Inspectorate Wales</p> <p>Rapid review of child protection arrangements - interim findings, Care Inspectorate Wales</p>	Published	Published
Deprivation of Liberty Safeguards Annual Monitoring Report for Health and Social Care 2022-23	<p>The 2020-21 report was published on 7 February 2021</p> <p>The 2021-2022 report is underway</p>	<p>Published</p> <p>To be confirmed</p>	<p>Published</p> <p>Preparing</p>

CIW planned work 2023-25	Scope	Timetable	Status
Joint Inspection Child Protection Arrangements (JICPA)	<p>We will complete a further two multi-agency joint inspections in total.</p> <p>The findings following Denbighshire County Council have been published - Joint Inspectorate Review of Child Protection Arrangements (JICPA): Denbighshire 2023 Care Inspectorate Wales</p> <p>The findings following Bridgend County Borough Council have been published - Joint Inspectorate Review of Child Protection Arrangements (JICPA): Bridgend 2023 Care Inspectorate Wales</p> <p>The findings from Powys County Council are underway</p> <p>We will publish a national report in late spring 2024.</p>	<p>April 2023 – April 2024</p>	<p>Delivery</p>
Performance review of Local Authorities	<p>We continue to inspect Local Authorities in line with our updated Code of Practice for our local authority inspection activity Care Inspectorate Wales</p> <p>How we inspect local authority services and CAFCASS Cymru</p>	<p>Ongoing</p>	<p>Ongoing</p>

Audit Wales national reports and other outputs published since December 2022

Report title	Publication date and link to report
Corporate Joint Committees – commentary on their progress	November 2023
Governance arrangements relating to an employment dispute at Amgueddfa Cymru – National Museum Wales	November 2023
Failures in financial management and governance and losses incurred – Harlech Community Council	November 2023
Putting out the false alarms: Fire and Rescue Authorities’ responses to Unwanted Fire Signals	October 2023
Covering teachers’ absence – follow-up (letter to the Public Accounts and Public Administration Committee)	October 2023
NHS workforce – data briefing	September 2023
Income Diversification for National Park Authorities in Wales	September 2023
Approaches to achieving net zero across the UK	September 2023
Springing Forward: Lessons learnt from our work on workforce and assets (in local government)	September 2023
Local Government Financial Sustainability Data tool update (further update planned in January 2024)	September 2023
NHS finances data tool – to 31 March 2023	September 2023

Report title	Publication date and link to report
Public interest reports – Ammanford Town Council and Llanferres Community Council	September 2023
Cwm Taf Morgannwg University Health Board - Quality Governance Arrangements Joint Review Follow-up	August 2023
'Cracks in the Foundations' – Building Safety in Wales	August 2023
Maximising EU funding – the Structural Funds Programme and the Rural Development Programme	June 2023
Digital inclusion in Wales (including key questions for public bodies)	March 2023
Orthopaedic Services in Wales – Tackling the Waiting List Backlog	March 2023
Betsi Cadwaladr University Health Board – Review of Board Effectiveness	February 2023
Welsh Government purchase of Gilestone Farm	January 2023
Together we can – Community resilience and self-reliance	January 2023
A Picture of Flood Risk Management	December 2022
'A missed opportunity' – Social Enterprises	December 2022

Audit Wales national reports and other outputs (work in progress / planned)^{1, 2}

Title	Indicative publication date
Ukrainian refugee services	February 2024
Betsi Cadwaladr University Health Board – review of board effectiveness follow up	February 2024
A465 Section 2 – update	February 2024
NHS quality governance	March 2024
Local government digital strategy review – national summary	March 2024
Local government use of performance information, outcomes and service user perspective – national summary	March 2024
Affordable housing	Spring 2024
Active travel	Spring 2024

¹ We will continue to keep our plans under constant review, taking account of the evolving external environment, our audit priorities, the context of our own resourcing and the capacity of audited bodies to engage with us. Follow up work could also lead to other outputs, as may other local audit work where we consider there is merit in a national summary output of some kind.

² We have also published to our website a paper – [Our work programme for 2023-2026](#) – that provides additional detail about our national work (including local thematic reviews). In addition to new work that we will be taking forward in 2023-24, the paper includes details about indicative topics for work to start in 2024-24 or 2025-26.

Title	Indicative publication date
Audit Committees. 'What does good look like?'. R&D work to understand the broad audit committee landscape across all sectors in Wales. Outputs to support Good Practice Exchange events and potential future audit work.	R&D work Sept – Dec 2023 Good Practice Event Spring 2024
NHS Workforce planning (national messages)	Late spring 2024
Cancer services	Late summer 2024
The senior public service	To be confirmed (scoping early 2024)
Challenges for the cultural sector	To be confirmed (starting in 2023-24)
Rebalancing care and support	To be confirmed (starting in 2023-24)
Tackling NHS waiting lists (local audit work at health boards)	To be confirmed (starting in 2023-24)
Access to education for children with Additional Learning Needs	To be confirmed (starting in 2023-24)
Addressing biodiversity decline (pan-public sector and at Natural Resources Wales)	R&D work underway September to December 2023. Data gathering with representative groups. Outputs will inform any further audit work. Pan-public sector review – Autumn 2024
Velindre Cancer Centre	To be confirmed (scoping)
Welsh Government capital and infrastructure investment	To be confirmed (scoping)

Title	Indicative publication date
Further and higher education funding and oversight – Commission for Tertiary Education and Research	To be confirmed (scoping)

Good Practice Exchange events and resources

Title	Link to resource
The Good Practice Exchange – Our yearly round up of events and resources	December 2023
<p>Integrity in the Public Sector ‘Trust is built and maintained through competence, reliability, and honesty, as well as the building of genuine and sound relationships between the public sector and the public it serves. That means the public sector must be accountable for the management and delivery of public services and outcomes, for the direction and control of the work it does, the resources it manages, and for its behaviour and ethics.’ This event will look at how public services can promote a culture of integrity.</p>	5 December 2023 10:00 – 12:00 Online
<p>Working in partnership to improve wellbeing This event will bring together the North Wales Insight Partnership, the Public Service Boards and the C4C community to share wellbeing plans across the North Wales region, as well as sharing the innovative work being undertaken by a range of sectors around wellbeing in our communities. The event will provide opportunities to discuss how we can connect all of this work to deliver real change.</p>	24 October 2023 09:30 – 16:30 Cardiff date TBC
<p>Strategy to Action: How digital makes a difference to everyday lives This event will take a practical and honest view at the digital landscape in Wales and will offer practical ideas for public and third sector organisations which will help them achieve the best value for money.</p>	27 September 2023 09:00 – 13:00 – North Wales 5 October 2023 09:00 – 13:00 – Cardiff

Title	Link to resource
Podcast: Auditing Community Resilience In this edition of The Exchange, our Local Government team discuss some of the factors that cause poverty in Wales, as well as the value provided by social enterprises, and the importance of keeping wealth in communities.	<u>To listen</u>

This page is intentionally left blank

Organisational response form

Report title: Use of Performance Information; Service User Perspective and Outcomes

Completion date: November 2023

Document reference: TBC

Ref	Recommendation	Organisational response Please set out here relevant commentary on the planned actions in response to the recommendations	Completion date Please set out by when the planned actions will be complete	Responsible officer (title)
R1	<p>Information on the perspective of the service user</p> <p>The Council should ensure that the information provided to its senior leaders enables them to understand the service user perspective. The Council should ensure this information is drawn from the diversity of its service users.</p>	<ul style="list-style-type: none"> • Deliver the Engagement and Participation Strategy Action Plan • Ensure that “performance information” on the service user perspective from engagement and consultations activities is reported to senior leaders • Use the recent implementation of MyAccount and other digital technologies, such as the Council’s LoRaWAN network, to capture further feedback and data on the customer experience at the point of contact and the usage of Council services. • Explore a potential involvement project that would bring together the work on strengthening citizen engagement and consultation. This could include, for example, the work with Data Cymru on developing the national Pan-Wales Survey and a group to bring insights together across the Council. 	<p>March 2024</p> <p>Ongoing</p> <p>March 2025</p> <p>June 2025</p>	<p>Diana Davies / Cathryn Morgan et al</p> <p>Leadership Group via Alun Williams</p> <p>Leadership Group</p> <p>Engagement and Inclusion Team / Performance and Research Team</p>
R2	<p>Information on progress towards outcomes</p> <p>The Council should strengthen the information provided to senior leaders to</p>	<ul style="list-style-type: none"> • Update Business Planning Guidance for 2024/25 to provide further support for setting performance measures, in particular outcome-based measures. 	<p>March 2024</p>	<p>Diana Davies</p>

	<p>help them evaluate whether the Council is delivering its objectives and intended outcomes.</p>	<ul style="list-style-type: none"> Corporate Lead Officers and Corporate Managers to develop and identify additional outcome focused measures to demonstrate progress in delivering objectives and intended outcomes. 	<p>Ongoing / March 2024</p>	<p>Leadership Group via Alun Williams</p>
<p>R3</p>	<p>Quality and accuracy of data The Council needs to assure itself that it has robust arrangements to check the quality and accuracy of the information it provides to senior leaders relating to service user perspective and outcomes.</p>	<ul style="list-style-type: none"> Individual services continue to be responsible for the accuracy of their own data. The Internal Audit Annual Plan is prioritised according to risk. The results of the Audit Wales report will be added to Internal Audit's assurance map and considered as part of the CMIA's annual risk assessment. 	<p>Ongoing</p>	<p>Alex Jenkins</p>

This page is intentionally left blank

Council Response Form

Council action planned in response to the recommendations issued by Audit Wales

Council: Ceredigion County Council

Report title: Springing Forward – Review of Strategic Workforce Management

Issue date: June 2022

Document reference: 2971A2022

Ref	Recommendation	Council action planned in response to recommendation issued by Audit Wales	Target date for completion of actions	Responsible officer
R1	<p>Workforce vision and planning</p> <p>The Council's workforce vision, planning and monitoring could be strengthened by:</p> <ul style="list-style-type: none"> refreshing its corporate workforce vision; having a clearer integration with its tier one annual Business Planning process; an annual review of its strategic workforce plans; 	<p>Development of five-year Strategic Workforce Plan 2022 – 2027 in progress coinciding with new administration and Corporate Strategy.</p> <p>The process will also include the following:</p> <ul style="list-style-type: none"> Review of annual reporting mechanism of strategic workforce plans and integration with business planning process Review of Hybrid Working Strategy including the introduction of targets and timescales 	<p>September/October 2022 - Services to complete Strategic Workforce Planning Toolkit</p> <p>Completed October 2022</p> <p>December 2022 – Implement Hybrid Working Strategy targets and timescales</p> <p>Hybrid working review completed July 2023. Cabinet</p>	Geraint Edwards

Ref	Recommendation	Council action planned in response to recommendation issued by Audit Wales	Target date for completion of actions	Responsible officer
	<ul style="list-style-type: none"> developing a more comprehensive picture of workforce skills and competencies; more clearly demonstrating how it consistently uses the sustainable development principle to support the delivery of its workforce planning; and developing specific targets and timescales for its Hybrid Working Strategy success measures. 	<ul style="list-style-type: none"> Research skills competency framework and development workforce assessment process 	<p>consideration in Sept 2023. Revised target date March 24. Agreed by NWoW Programme Board. Strategy due for review in 2025. Completed March 2024</p> <p>March 2023 – drafting and approval of Strategic Workforce Plan 2022 – 2027 Workforce Plan 2023 -2028 completed July 2023. Plan approved by Cabinet in Sept 2023. Completed September 2023.</p> <p>March 2023 – Skills competency framework development and assessment</p>	

Ref	Recommendation	Council action planned in response to recommendation issued by Audit Wales	Target date for completion of actions	Responsible officer
			Included in Strategic Workforce Plan. Revised target date March 2024. Skills competency framework included in succession planning process. Completed February 2024	
R2	<p>Benchmarking</p> <p>The Council should undertake more routine workforce benchmarking to strengthen its business planning and self-assessment arrangements</p>	<ul style="list-style-type: none"> The Council will review its current benchmarking measures and use of data to inform the preparation of plans and provide a framework for improving future self-assessment arrangements. 	<p>March 2023</p> <p>Working with regional LAs to identify sector-wide benchmarking. Following WLGA work programme, set of benchmarking measures identified which will be adopted for 2024/25</p> <p>Completed February 2024.</p>	Geraint Edwards

This page is intentionally left blank

Ceredigion County Council Annual Audit Summary 2023

This is our audit summary for Ceredigion Council. It shows the work completed since the last Annual Audit Summary, which was issued in February 2023. Our audit summary forms part of the Auditor General for Wales' duties.



More information about these duties can be found on our [website](#).

About the Council

Some of the services the Council provides



Key facts

The Council is made up of 38 councillors who represent the following political parties:

- Plaid Cymru 21
- Independent 9
- Welsh Liberal Democrats 7
- Gwlad 1

The Council spent £192 million on providing services¹ during 2022-23².

¹ We define spending on services as the cost of services charged to the general fund from the Expenditure Funding Analysis, less any Housing Revenue Account cost of services, plus precepts, levies and debt interest.

² Source: 2022-23 Statement of Accounts

Key facts

As at 31 March 2023, the Council had £55.5 million of useable financial reserves³. This is equivalent to 29% of the Council's annual spending on services⁴.

Ceredigion has 2% of its 46 areas considered to be within the most deprived 10% of areas in Wales, this is the third lowest of the 22 unitary councils in Wales⁵.

The population of Ceredigion is projected to decrease by 3% between 2023 and 2043 from 70,900 to 68,800, including a 13% decrease in the number of children, a 10% decrease in the number of the working-age population and a 16% increase in the number of people aged 65 and over⁶.

The Auditor General's duties

We completed work during 2022-23 to meet the following duties

- **Audit of Accounts**
Each year the Auditor General audits the Council's financial statements to make sure that public money is being properly accounted for.
- **Value for money**
The Auditor General examines whether the Council has put in place arrangements to get value for money for the resources it uses, and he has to be satisfied that it has done this.
- **Sustainable development principle**
Public bodies need to comply with the sustainable development principle when setting and taking steps to meet their well-being objectives. The Auditor General must assess the extent to which they are doing this.

³ We define useable financial reserves as reserves usable for revenue costs, where the purpose is not protected by law. This is the total of the general fund, earmarked reserves, and schools' balances. It excludes Housing Revenue Account reserves, capital receipts and capital grants unapplied.

⁴ Source: 2022-23 Statement of Accounts

⁵ An area in this context is defined as a 'Lower Super Output Area'. Source: Stats Wales

⁶ Source: [Stats Wales, Population Projections](#)

What we found

Audit of Ceredigion County Council's 2022-23 Accounts

Each year we audit the Council's financial statements.



To meet the Auditor General's duties we complete specific projects, but we also rely on other audit work, and the work of regulators such as Care Inspectorate Wales and Estyn (the education inspectorate). We take the findings of our audit work into account when assessing whether the Council has put in place arrangements to secure value for money. Our findings and conclusions are summarised below.

For 2022-23:

- the draft statements were presented for audit on 18 August 2023. This was after the deadline of 31 July 2023 set by the Welsh Government.
- the quality of the draft statements presented for audit was generally good.
- the Auditor General gave an unqualified true and fair opinion on the Authority's financial statements on 7 February 2024, after the deadline agreed with the Welsh Government of 30 November 2023. The audit was delivered later than in previous years, mainly due to the impact of new auditing standard requirements. These were covered in our audit plan considered by the Audit Committee in June 2023.
- the Authority's Annual Governance Statement and Narrative Report were prepared in line with the CIPFA Code and relevant guidance. They were also consistent with the financial statements prepared by the Authority and with our knowledge of the Authority.
- a number of changes were made to the Authority's financial statements arising from our audit work, which were reported to the Audit Committee in our Audit of Financial Statements Report in February 2024.
- in addition to the Auditor General's responsibilities for auditing the Authority's financial statements, he also has responsibility for the certification of a number of grant claims and returns. Our work to date has not identified any significant issues.
- the Auditor General issued the certificate confirming that the audit of accounts for 2022-23 has been completed.

Assurance and risk assessment review

We reviewed the arrangements the Council has put in place to secure value for money in the use of its resources. We produced the following reports from our assurance and risk assessment work:

- setting of well-being objectives – we looked at the Council's approach to setting its well-being objectives. We found that the Council has applied the sustainable development principle in setting its well-being objectives, however, it could draw on more extensive citizen involvement and improve monitoring and reporting.
- use of performance information –service user perspective and outcomes – we looked at the service user perspective and outcome data provided to members and senior officers, and how this information is used. We found that the performance information provided by the Council to senior leaders to enable them to understand the service user perspective and the outcomes of the Council's activities is limited.

Planning Service Follow-up Review (August 2023)

During 2022-23, we looked at the Council's progress against the ten recommendations made in our Review of the Planning Service 2021 report. We found that the Council has taken swift action to begin responding to the original recommendations. However, the Council now needs to further refine its Development Management Committee procedures and governance arrangements so that they are fully understood, applied and embedded in a way that is transparent and provides value for money for the Council as a whole.

Digital Strategy (December 2023)

During 2022-23, we examined the Council's strategic approach to digital, and specifically the extent to which this has been developed in accordance with the sustainable development principle; and that it will help to secure value for money in the use of the Council's resources. We found that the Council is taking an integrated approach to developing its digital strategy and is using internal and external data to inform it, but does not yet have arrangements in place to assess its value for money or impact.

Other inspectorates

We also took into account the reports of Care Inspectorate Wales (CIW) and Estyn, as well as any subsequent actions taken by the Council in response.

Ongoing work

We also looked at the key challenges and opportunities facing the Council. These could have an effect on the Council's ability to meet its legal obligations in relation to the sustainable development principle and the use of its resources.

Our planned work for 2023-24 includes:

- Assurance and risk assessment
- Thematic review – Financial sustainability
- Thematic review – Commissioning
- Unscheduled Care (2022-23 audit work). Report being finalised.

The Auditor General is independent of government and was appointed by Her Majesty the Queen. The Auditor General undertakes his work using staff and other resources provided by the Wales Audit Office, which is a statutory board established for that purpose and to monitor and advise the Auditor General. The Wales Audit Office is held to account by the Senedd.

The Auditor General audits local government bodies in Wales, including unitary authorities, police, fire and rescue authorities, national parks, and community councils. He also conducts local government value for money studies, assesses compliance with the remaining requirements of the Local Government (Wales) Measure 2009 and may undertake special inspections under the Local Government and Elections (Wales) Act 2021.

Beyond local government, the Auditor General is the external auditor of the Welsh Government and its sponsored and related public bodies, the Senedd Commission, and National Health Service bodies in Wales.

Audit Wales is the non-statutory collective name for the Auditor General for Wales and the Wales Audit Office, which are separate legal entities with their own legal functions, as described above. Audit Wales is not a legal entity.

We welcome correspondence and telephone calls in Welsh and English. Corresponding in Welsh will not lead to delay. Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg a Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

This document is also available in Welsh.

Organisational response

Report title: Sustainable development? – making best use of brownfield land and empty buildings

Completion date: January 2024

Ref	Recommendation	Organisational response Please set out here relevant commentary on the planned actions in response to the recommendations	Completion date Please set out by when the planned actions will be complete	Responsible officer (title)
R1	<p>To enable stakeholders to assess potential sites councils should create a systematic process to find and publicise suitable sites for regeneration:</p> <ul style="list-style-type: none"> • this should draw on data already held by councils, as well as external data sources to develop a composite and more complete picture of sites; and • where known, key barriers should be named to help efforts to overcome them 	<p>The Ceredigion LDP volume 2 Allocated Sites Schedule available here The Current Ceredigion Local Development - Ceredigion County Council sets out the greenfield/ brownfield status of every allocation in the plan and the annual monitoring report – sets out the percentage development of Brownfield land annually as well as providing an annual review of the current status of all allocated sites available here Annual Monitoring Report for the - Ceredigion County Council . Brownfield land more generally (ie not allocated) is not recorded by the LPA on a specific data set. However the council has adopted an Empty Property Action Plan available here Report- Empty Property Action Plan.pdf (ceredigion.gov.uk) which outlines the approach the authority will adopt to bring back empty properties into use – with the individual list being regularly updated as properties come back into use. The authority relies on council tax data to assess the ‘empty status’ of properties across the county. Whist the LPA are not adverse to the recommendations herewith, this would be undermining the LDP process which undertakes this work in allocating sites and setting out their viability and constraints, to undertake this work for all brownfield land countywide and constraint checking said sites as well as establishing landowner intentions would be resource intensive a suitable threshold would need to be established and support found for authorities to adopt such an approach.</p>	Completed - those actions outlined opposite are statutory duties - and have already been completed and are annually reported.	RHP

R2

To help ensure that regeneration activity and the shaping of the environment is informed by the needs of communities Councils should increase opportunities for community-based involvement in regeneration, both in plan-making and actual development.

The Council has co-ordinated a programme of work to develop new Place Plans.

These are community-led documents that are driven by the relevant Town or Community Council setting out local guidance and identifying specific issues such as shaping future land use and development, allocated sites, open space, community facilities and local aspirations.

These plans are held by the local Town Councils representing their locality/community. Further information can be found [here](#).

The place planning work was then further evolved by the Council through securing funding from the UK Government's Community Renewal Fund. Throughout 2022 and 2023 – community consultation and engagement was [sought](#) to further refine proposals into a vision and a plan to direct future regeneration opportunities and investment. The plans are available [here](#).

The LPA holds a placemaking website with a number of strategy documents that are useful to towns and developers that include action plans on regeneration, green infrastructure and conservation areas and are continuing to develop this regeneration resource.

[Placemaking - Ceredigion County Council](#) The LPA also offer pre-preapplication advice to a range of community interest groups and community land trusts and developers to support their regeneration activity at early stages.

Completed – plans are in place and development aims are part of the work programme.

RHP

		<p>The authority has recently introduced the Community Housing Scheme which is a shared equity product to support local people to purchase homes in their community – the scheme specifically supports those people who purchase a registered empty property with upto double the amount of shared equity than those purchasing an occupiable home Community Housing Scheme - Ceredigion County Council</p> <p>The council has also introduced the Empty Homes Grant Scheme which can provide grants of upto £25,000 to bring empty properties back into use and is available to applicants of the community housing scheme above. Ceredigion County Council</p>		
R3	<p>To provide focus and impetus to developing brownfield sites Councils should review their current regeneration approaches and where appropriate set clearer, more ambitious regeneration policies and targets. Together these should:</p> <ul style="list-style-type: none"> • set out the approach and expectations of the council; • set out how their approach will be resourced; and • set out how the approach aligns with national policy goals and regional planning priorities 	<p>The Council has an Economic Strategy that has recently been updated and adopted and also outlines regeneration approaches of the authority and is available here Boosting Ceredigion's Economy: A Strategy - Ceredigion County Council</p> <p>A Town Regeneration Plan exists for each of the County's towns. They clearly set out the ambition and vision for each town, developed by the local community.</p> <p>Enabling investment is then secured via available funding from Welsh Government, the key fund being the Transforming Towns programme.</p>	<p>Complete – plans are in place for towns. The ability to deliver depends on government funding – which is still subject to ongoing discussion. The exact programme of works would be overseen by the Transforming Towns Programme Board.</p>	RHP

Conversations are ongoing with Welsh Government to identify the scope and quantum of funding available for the next round – and a pipeline scheme (informed by the place and town plans) is being identified.

In replacement plan preparation once the phosphates issue is resolved community engagement will be a central tenant of LDP / SDP preparation where sites and policies for regeneration will be discussed and developed.

This page is intentionally left blank

Cyngor Sir CEREDIGION County Council

REPORT TO:	Governance and Audit Committee
DATE:	14 March 2024
LOCATION:	Remotely via Video-conference
TITLE:	Annual Governance Statement 2023-24
PURPOSE OF REPORT:	To present Annual Governance Statement 2023-24
For:	Approval

Background

The Accounts and Audit (Wales) Regulations 2014 requires local authorities to conduct at least annually a review of the effectiveness of their governance framework including their systems of internal control. This review must be documented in an Annual Governance Statement and published as part of the Council's Annual Statement of Accounts.

The Governance & Audit Committee is responsible for monitoring the governance arrangements on behalf of the Council.

The Annual Governance Statement must be prepared in accordance with proper practices, including those set out

in the Chartered Institute of Public Finance and Accountancy ('CIPFA') and The Society of Local Authority Chief Executives ('SOLACE') '*Delivering Good Governance in Local Government: Framework*' (2016). The Framework, published in April 2016, is based on the CIPFA/International Federation of Accountants ('IFAC') '*International Framework: Good Governance in the Public Sector*'.

The CIPFA/SOLACE '*Delivering Good Governance in Local Government: Framework*' (2016) sets out a framework of 7 key principles that will enable organisations, public sector partnerships and combined authorities to achieve their outcomes while working in the public interest. The principles are further supported by core-principles of behaviour that demonstrate what good governance should look like in practice. These principles are the basis for the Council's current Local Code of Corporate Governance and are considered in the draft Governance Framework document.

Current Position

A workshop of relevant officers and committee Members was held on 6th December 2023.

The workshop considered:

- progress on the actions set out in the 2023-24 Governance Framework Review.
- any updated evidence included in the document.
- previously identified actions.

It was also agreed to amend the scoring to the document to be out of 5 rather than 10 as in previous years.

The Annual Governance Statement 2023-24 has since been drafted and is attached for consideration (**Appendix 1**).

Proposal

Committee is requested to:

Approve the draft Annual Governance Statement 2023-24 (Appendix 1)

The Annual Governance Statement 2023-24 will be presented to Committee and Council, along with the Statement of Accounts during 2024/25.

RECOMMENDATION(S):

Committee is requested to:

- i) Approve the draft Annual Governance Statement 2023-24 (**Appendix 1**)

REASON FOR RECOMMENDATIONS:

To comply with statutory requirements

Appendices: **Appendix 1 –Annual Governance Statement 2023-24**

Head of Service: Elin Prysor, Corporate Lead Officer – Legal & Governance Services / Monitoring Officer

Reporting Officer: Katy Sinnett-Jones, Governance Officer

Date: 15.02.2024

Annual Governance Statement

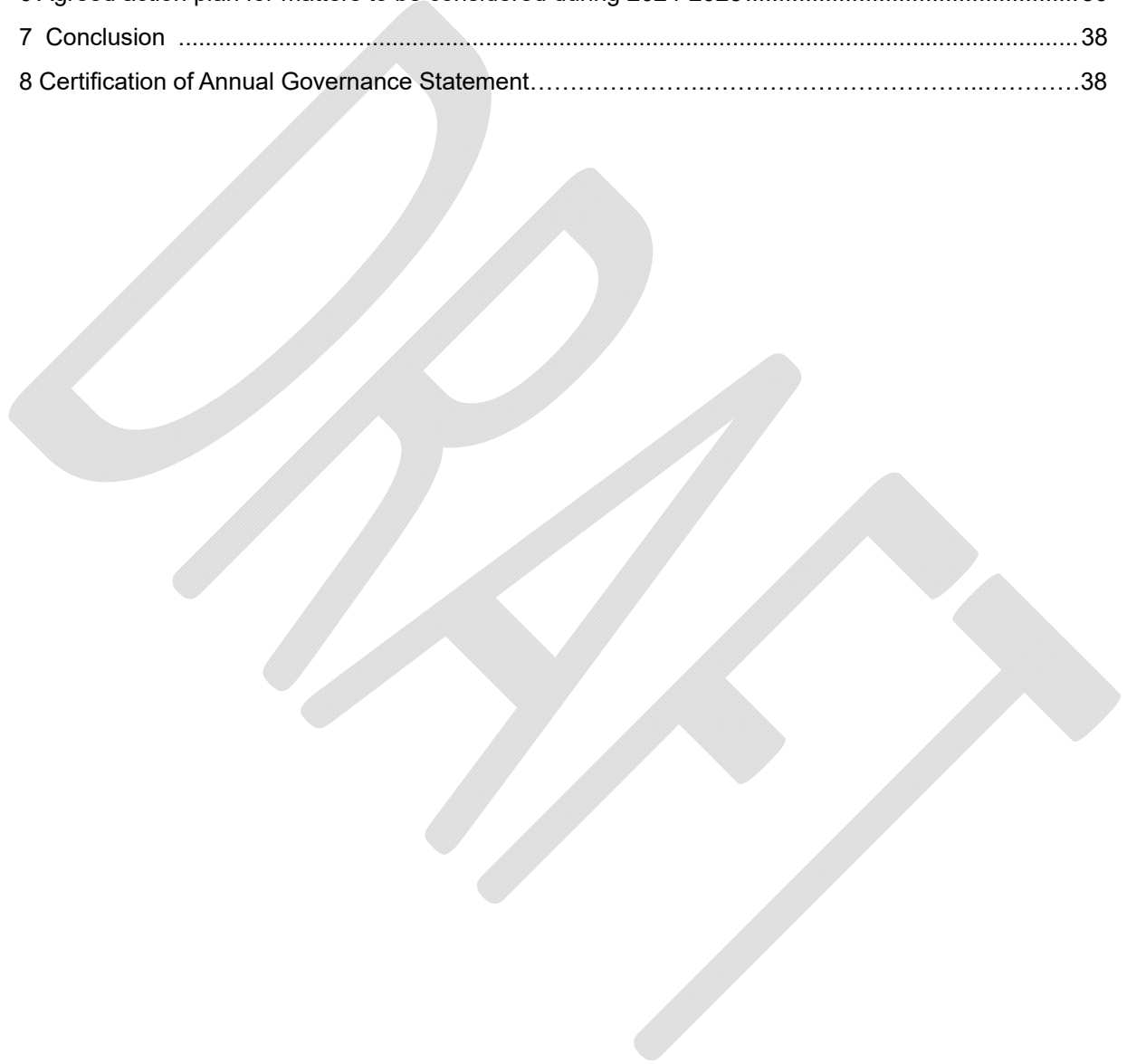
2023-2024



DRAFT – To be approved

Contents

1 Executive Summary	3
2 Assessment of the effectiveness of key elements of the Governance Framework	8
3 Corporate Governance Achievements for 2023-2024	10
4 Opinion on the level of assurance that the governance arrangements can provide	28
5 Issues identified for last year (2023-2024).....	31
6 Agreed action plan for matters to be considered during 2024-2025.....	36
7 Conclusion	38
8 Certification of Annual Governance Statement.....	38



1 EXECUTIVE SUMMARY

Ceredigion County Council ('the Council') is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively.

Council's Governance Framework

The Council's Governance Framework serves to review the Council's governance arrangements to ensure that the Council is achieving the intended outcomes for its stakeholders/service users. The Framework is based upon the CIPFA/SOLACE Delivering Good Governance in Local Government Framework 2016, *International Framework: Good Governance in the Public Sector* (CIPFA/IFAC, 2014) and the following seven principles:

- A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- B: Ensuring openness and comprehensive stakeholder engagement
- C: Defining outcomes in terms of sustainable economic, social and environmental benefits.
- D: Determining the interventions necessary to optimise the achievement of the intended outcomes
- E: Developing the entity's capacity, including the capability of its leadership and the individuals within it
- F: Managing the risks and performance through robust internal control and strong public financial management
- G: Implementing good practices in transparency reporting, and audit to deliver effective accountability

The Council is required, each year, to produce an Annual Governance Statement ('AGS') (this document), which explains how the Council has complied with the seven core principles and sub-principles contained in its Governance Framework and the Local Code of Corporate Governance, and also meets the requirement of The Accounts and Audit (Wales) Regulations 2014, as amended by the Accounts and Audit (Wales) (Amendment) Regulations 2018.

Annual Governance Statement (AGS)

This Annual Governance Statement(AGS) sets out the results of the annual review of the Council's Governance Arrangements in delivering its Corporate Priorities and gives assurances on compliance for the year ending 31 March 2024 and up to the date of approval of the Statement of Accounts.

The review confirmed that the Council's governance arrangements are effective and fit for purpose.

The Annual Governance Framework review measured progress against the new CIPFA/SOLACE Delivering Good Governance Framework (2016) and overall governance arrangements were found to be acceptable or good. The review confirmed that the Council's governance arrangements are effective and fit for purpose.

The Council has made good progress during the year with recorded achievements against each of the seven core principles.

The Council's governance arrangements for the year 2023/24 have been reviewed in line with its Local Code of Corporate Governance. This Local Code of Corporate Governance is a public statement that sets out the way the Council will meet that commitment in order to achieve its Corporate Well-being Objectives.

The Governance and Audit Committee concluded that, based upon the evidence presented to it during 2023/24, the Council's governance arrangements and internal controls are considered satisfactory/good].

In consideration of the evidence presented to it, the Leadership Group has also concluded the Council's governance arrangements and internal controls are considered satisfactory/good.

In addition, it is considered that the Council has made good progress during the year with recorded achievements against each of the seven core principles.

The Council has identified a number of minor issues for resolution during 2023/24 and has set these out in an action plan for completion (as shown below)

The actions taken as a direct result of the pandemic have been recorded, as appropriate and are now deemed historical

The Well-being of Future Generations (Wales) Act 2015 introduced new governance arrangements for public services in Wales, such as carrying out sustainable development, a well-being duty to set and publish well-being objectives (designed to maximise their contribution to the 7 national well-being goals) and taking all reasonable steps towards achieving their objectives.

Corporate Strategy

The Council's Corporate Strategy sets out the Council's Corporate Well-being Objectives, which aim to improve and enhance the social, economic, environmental and cultural wellbeing of citizens of Ceredigion and into which the Council will direct its resources.

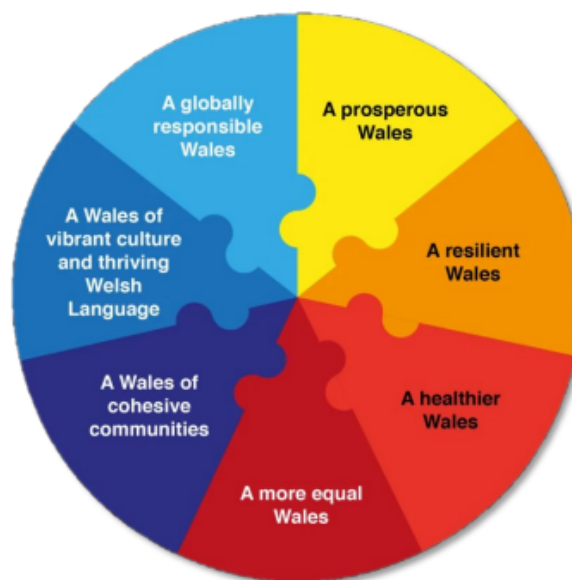
The Council's Corporate Strategy 2022-2027 (available on the Council's website at: <https://www.ceredigion.gov.uk/media/12183/corporate-strategy-2022-2027.pdf> with a document summary available at: <https://www.ceredigion.gov.uk/media/12294/corporate-strategy-summary-2022-2027.pdf>) describes how the Council will meet the challenges ahead and make the most of opportunities.

The Council's vision is to deliver value for money, sustainable bilingual public services, that support a strong economy and healthy environment, while promoting well-being in the people and communities of Ceredigion. This is to be achieved by fulfilling Corporate Well-Being Objectives, which are:

1. Boosting the Economy, Supporting Businesses and Enabling Employment;
2. Creating Caring and Healthy Communities;
3. Providing the Best Start in Life and Enabling Learning at All Ages; and
4. Creating Sustainable, Greener and Well-Connected Communities.

The steps the Council plans to take to achieve its Corporate Well-being Objectives will help improve outcomes for local people and maximise its contribution to the 7 National Well-being Goals (see below):

THE 7 NATIONAL WELL-BEING GOALS
From the Well-being of Future Generations (Wales)
Act 2015



Governance Framework Review

The current Governance Framework review monitors how the Council is fulfilling its Corporate Priorities and adhering to its Corporate Strategy.

The Governance Framework review was reviewed in a workshop which was held on 6th of December 2023 by Governance and Audit Committee members and officers.

Governance Framework

A Governance Framework has been created and will be completed in April 2024. The Governance Framework will replace the current local code of corporate governance and act as an overarching document on the governance arrangements within the local authority.

Constitution

The Council's Constitution sets out the governance arrangements (Standing Orders) for the Council and is revised regularly.

[constitution-eng.pdf \(ceredigion.gov.uk\)](https://www.ceredigion.gov.uk/constitution-eng.pdf)

The Leader of the Council and Chief Executive both recognise the importance of having a solid foundation of good governance and sound financial management. They pledge their commitment to address the matters highlighted in this AGS, and to further enhance the Council's governance arrangements.

The Leader and Chief Executive confirm they have been advised of the implications of the review by Senior Management and the Audit Committee and are satisfied that the steps outlined in this AGS will address the areas for improvement.

Signed on behalf of **Ceredigion County Council**

Leader of the Council

Date: xx/xx/xxxx

Chief Executive

Date: xx/xx/xxxx

2 Assessment of the effectiveness of key elements of the Governance Framework

The Council is committed to demonstrating that it has the necessary corporate governance arrangements in place to perform effectively.

The Leader of the Council provides clear strategic direction, and the Constitution clearly defines the roles of Councillors and Officers. Internal and External Audit, Ethics and Standards Committee and the Governance and Audit Committee are committed to ensuring the governance arrangements are effective and robust.

The Council has conducted an annual review of the effectiveness of its governance against the CIPFA/SOLACE Delivering Good Governance Framework (2016). The review involved a member/officer workshop in which the Council's Governance Framework Document was analysed and reviewed, with further changes made after the workshop reported to the Governance and Audit Committee. Contributions were made to the review by the following Members: The Chair of the Governance and Audit Committee along with councillor and lay members of the Committee. In addition, the Monitoring Officer, Corporate Manager - Internal Audit, Governance Officer, Corporate Lead Officer - Democratic Services, Corporate Manager – Democratic Services, Corporate Lead Officer – People & Organisation and the Corporate Manager – Partnerships, Performance and Public Protection also took part.

During the workshop each behaviour was introduced and scored against a scoring mechanism, as follows:

- 1 Unacceptable Immediate action required
- 2 Below satisfactory - urgent Action Required (within 3-6 months)
- 3 Satisfactory - Action Required (before end of year 9-12 months)
- 4 Acceptable Minor adjustments may be required
- 5 Good - overall Governance considered to be good and meets best practice no further action required

Each score used in the Governance Framework Review is a score out of 5

The Governance Framework Review is reviewed by officers, who have governance/management responsibilities within the Council, and also by the Council's Leadership Group.

The Leadership Group, which consists of the Chief Executive, Corporate Directors and Corporate Lead Officers, concluded in their review that [enter comments/statement from LG].

The framework review was also reviewed by the Governance and Audit Committee on 24/01/2024 (see Report at [Governance and Audit Committee 24.1.24](#)).

Based on the evidence presented to the Governance and Audit Committee during 2023/24, including during the annual Workshop, the Governance and Audit Committee concluded that the Council does have effective governance arrangements in place.

Actions recommended by the Governance and Audit Committee are included in the Actions and also monitored through the Committee's Actions Log.

The effectiveness of the governance framework review draws on evidence and assurances from:

- Internal and External Audit and Inspection;
- Financial Controls;
- Risk and Performance Management;
- Legal and Ethical Standards;
- Corporate Directors and Other Senior Management, including the S.151 Officer and the Monitoring Officer;
- The Governance and Audit Committee; and
- Overview and Scrutiny Committees.

Internal Audit

In addition, the Chief internal Auditor (Corporate Manager - Internal Audit) undertakes an independent review of the Annual Governance Statement and the method of scoring and evidence, on an annual basis. The conclusion of the review was that

The review of the 2023/24 Framework Review was completed in December 2023 and provided 'high' assurance that there was a sound system of scrutiny and robustness in place.

This was reported to the Governance and Audit Committee in March 2024 (report available at [\[enter link\]](#)).

The system of internal control is a significant part of the Local Code of Corporate Governance and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The CIPFA Financial Management Code sets the standards of financial management for local authorities. It is designed to support effective practice in financial management and to assist local authorities in demonstrating their budgetary sustainability. The S.151 Officer has undertaken a self-assessment review and is satisfied that the Council is compliant with the code.

3 Corporate Governance Achievements for 2023-24

The Governance Framework sets out the Council's commitment to the principles of good governance. The following paragraphs provide a brief summary of the Council's main Corporate Governance achievements during 2023-24 (consideration of the achievements in full having been considered during the Framework review carried out between relevant Officers and Governance and Audit Committee members as part of the review process).

To avoid unnecessary repetition, included below is a summary of *new* evidence of the Council's work *during 2023-2024 only* relevant to each of the A-G principles. For a full breakdown of evidence, including continuing ways the Council evidences adherence to the principles, see the Governance Framework Review at [Governance and Audit 24.1.24](#)].

A. Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law:

Behaving with integrity

All Council Members and Officers must comply with Codes of Conduct, which are set out in the Constitution and set out responsibilities and duties.

Mandatory training is also provided on the Code of Conduct and ethics to Members, as well as training on Ethics/Fraud for Managers.

The Corporate Lead Officer – Legal & Governance is the Monitoring Officer whose duties include ensuring lawfulness and fairness of decision making, and supporting the Ethics and Standards Committee. The Monitoring Officer advises on Member interests (and holds the Register of interests), declarations of interest and Officer/Member relationships.

Members are required to update Register of Interests in accordance with the Code of Conduct, and in addition, annually, which is opportunity to reference any close personal associates/roles etc. Additionally, declarations of interest made by members at meetings. This includes lay/independent members. Regular updates employee declarations of interest and hospitality were published on the Council's CeriNet site.

The Ethics & Standards Committee champions ethical compliance to ensure that public have trust and confidence that Members and Officers work to highest ethical and moral standards. It considers member standards and conduct matters, and the Committee provided its Annual Report to Council on 5.6.2023.

The Council has several policies and strategies in place to prevent fraud and [any statistics e.g. number of staff who've done training?] and the Governance and Audit Committee presented with Internal Audit's Annual Report on Counter Fraud on [date] in which it was concluded [enter comments]. [insert any relevant work e.g., grant assistance payments and how fraud avoided?]

The Politically Restricted Post Register for Officers is maintained and a review carried out in [enter date], with and the Political Restrictions on Local Government Employees Policy available to employees on CeriNet. The Register of Politically Restricted Posts has been updated and is published on Council website.

The Constitution is subject to regular reviews, with ongoing updates as required, including presenting proposed changes to Cross Party Constitution Working Group, to make recommendations on changes to Constitution to Council. MO/Governance Officer report to Council to update delegations and Constitution. The Constitution Working Group met up three times in 2023. The 25th of April, 26th of September and 14th of November.

The Governance and Audit Committee, which is chaired by a lay person and has a 1/3 Lay Person/Member make-up, formed part of the AGS review process during the Workshop stage 6th December 2023 and reviewed the AGS at its meeting of 24th January 2023.

Since the Ethics Audit undertaken during 2019, a follow up Internal Audit of Council's arrangements regarding ethics

During April 2023 there was a review of the Whistleblowing Policy, which is available to Employees and Contractors, has been completed and published on CeriNet for Staff. The MO keeps a register of referrals and reports 6-monthly to the Overview and Scrutiny Co-ordinating Committee.

B. Ensuring openness and comprehensive stakeholder engagement:

Consulting and engaging with citizens is important to the Council. Consultations are published on the Council's website and promoted on social media. Consultations carried out during 2023-24 included:

- Proposed and recently introduced Traffic Regulation Orders/Experimental Traffic Regulation Orders;
- Welsh Government Consultation to establish Corporate Joint Committees;
- Flooding reduction;
- Ysgol Gymraeg Aberystwyth Pre-planning Application Consultation Event;
- Aberaeron Secondary School Footpath;
- Re the Charitable Trust 'New Quay Library and Reading Room';
- Use of trust money of the charity 'Old County School, Tregaron';
- Ceredigion Respite and Day Services;
- 20mph speed limits on Ceredigion country roads
- Application for the Registration of Erw Goch Field;
- Ceredigion Crime and Disorder Strategic Assessment Questionnaire; and
- Ceredigion Local Well-being Plan 2023-28 (Draft)

Council and Cabinet meetings are broadcasted online

IIA conclusions reported to Council, Cabinet and Overview and Scrutiny.

- Summary reports on consultation and engagement activities are reported back to Members and service users.
- We have worked in partnership with Local Authorities and Public Services across Mid and West Wales on the review of our Strategic Equality Plans. A joint question set and engagement and consultation framework was produced and as a result, feedback was obtained from people with protected characteristics.
- Minutes of engagement groups with people with protected characteristics.
- Effective Community involvement carried out with the well-being assessment work.
- Effective Community involvement carried out with service users from different backgrounds to inform the new Strategic Equality Plan.
- Corporate Communications Strategy 2019-2022 is currently under review and a new Strategy will be developed in 2023.
- Dissemination of consultation results and reports on completed consultations and engagement exercises are posted on the Council's public consultations webpage in order to provide feedback to the public.
- Processes have been introduced to monitor feedback e.g. any consultation/engagement reports are presented to Scrutiny and Cabinet to inform their decision-making.
- Feedback from engagement and how people's views have been taken into account is recorded in the IIAs.
- A Well-being assessment (PSB) has been carried out that will inform the development of the PSB's Local Well-being Plan, which will be published in May 2023.
- An annual report on progress made against the Council's Well-being objectives and Corporate priorities is published on the Council Website.
- UNCRC – United Nations Convention on the Rights of the Child have been adopted by the Council.
- Participation Standards have been adopted by Council.

C. Defining outcomes in terms of sustainable, economic, social and environmental benefits:

Defining outcomes

- The Council's Corporate Well-being Objectives are included in the Council's Corporate Strategy 2022-2027 and are reviewed each year and reported in the Self-assessment and Annual Review of Performance and Well-being Objectives Annual Report published on the Ceredigion County Council website.
- The purpose and the vision of the Council have been determined by Council and is contained in the Corporate Strategy 2022-2027. This strategy illustrates how the authority will support and promote the well-being of the citizens of Ceredigion.
- All Planning arrangements reflect the Golden Thread and make the links to Corporate plans including;
 - Business Plans;
 - Strategic Plan;
 - Corporate Performance Management Reporting; and
 - Well-being and Improvement Objectives.
- Performance information is outlined in the Council's Self-assessment and Annual Review of Performance and Well-being Objectives Annual Report .

- Business Plans are prepared on an annual basis and are monitored quarterly by a Performance Board, which includes Cabinet members and the Chairs and Vice Chairs of the Overview and Scrutiny Committees and Chair of the Governance and Audit Committee.
- Budget setting subject to detailed scrutiny by the five Overview and Scrutiny Committees.
- The Medium Term Financial Plan is in place.
- Quarterly performance arrangements provide a challenge protocol to ensure outcomes are delivered.
- Business planning process includes resource allocation.
- Cross-Party Transformation and efficiency Group monitors the budget savings and delivery of services within budgets.
- Corporate performance management arrangements include quarterly assessment of risks to the achievement of outcomes or service delivery.
- Risk management includes risk logs for;
 - Business Plans (Level 1); and
 - Service Plans (Level 2).
- Local performance measures are included in Business and service delivery plans.
- Capital Plans include;
 - Rights of Way;
 - Highways;
 - Annual Budget Plan; and
 - Transformation.
- The Risk Management Policy and Strategy and the Risk Management Framework was approved by Cabinet on 24 September 2019.
- Risk Management training to be rolled out to Members and Senior Managers.
- Risk management e-learning package has been developed for all other Staff and training took place in 2019, with workshop with insurers arranged for senior Managers.
- Publication of service performance, including costs and value for money data is routinely considered within service reports.

Sustainable economic, social and environmental benefits

- The appointed Auditor considers the Council's arrangements to secure economy, efficiency and effectiveness. In his letter he has stated that the Council has complied with its responsibilities to the use of its resources.
- The most recent Audit of the Council's Improvement Plan (2020-2021) was issued in November 2020. The report concluded positively that the Council discharged its duties and has acted in accordance with Welsh Government guidance sufficiently to discharge its duties.
- A capital appraisal form is completed for new capital projects, which covers the requirement for the project, and is used to assess value for money and the revenue implications of major projects.
- Capital Investment Strategy is contained within the Medium Term Financial Strategy.
- The Authority has undertaken the following steps towards the implementation of the Well-being of Future Generations (Wales) Act 2015:
 - Prepared well-being objectives and statement;
 - Embedded the Well-being Goals and Sustainable; development principal into the business planning process

- Developed a new IIA tool and guidance;
- Established a Well-being of Future Generations Act group and action plan;
- The Constitution is continually monitored and reviewed;
- PSB assessment of Local Well-being published in March 2017;
- Scrutiny arrangements agreed for PSB;
- Cabinet Reports, to include the Social/economic/ environmental impact assessment;
- A mandatory e-learning module on the Act has been developed and promoted to all Council Staff;
- an Equality, community and Welsh language Impact Assessment must be undertaken on all school restructuring proposals as required under the Welsh Government School Organisation Code; and
- Members have contributed to The Future Generations Officer Scrutiny Framework in relation to the WFGA.
- Wales procurement policy statement is aligned to the Council's Procurement Strategy 2018-2022. Task and Finish Group established December 2023 to consider Procurement & Commissioning Strategy 2024
- Procurement training also being rolled
- The Council wide WFGA Group Action Plan.
- Strategic Equality Plan 2020-2024.
- Welsh Language Standards.
- Annual Welsh Language Standards monitoring report.
- A mandatory E-learning training module on Welsh Language Awareness must be completed by all Staff.
- Members provided with Welsh Language Awareness and Equalities Training as part of their Induction Programme.

D. Determining the interventions necessary to optimise the achievement of the intended outcomes:

Determining interventions

- The IIA tool and guidance is available and training has been rolled out for Officers and Members.
- Corporate project management group has been established to formalise project development and management.
- Standard reporting templates are used in decision making process.
- Organisational Awareness training available as an optional module of the Corporate Manager Programme, which includes information relating to the decision-making process, Wellbeing of Future Generations, Equalities, Welsh Language and the use of the IIAs, Head of Democratic Services and MO (CLO-Legal & Governance) advise as necessary.
- Risk Management Policy, Strategy and Framework with training programme for Members, Senior Management and Managers, published on CeriNet and available to all Members of Staff. Documents amended to reflect additional risks and background information to make informed decisions. Corporate Risk Register reported regularly to Governance and Audit Committee.
- Medium Term Financial Strategy has been regularly updated.
- Consultation decision tree tool includes a guidance section on dissemination of consultation results.

- Finance challenge regarding savings on Council Website.

Planning interventions

- Corporate Performance Management arrangements include quarterly:
 - Weekly leadership Group meetings;
 - Quarterly reporting of progress against level 1 Business Plans;
 - Quarterly Performance Board meetings; and
 - Quarterly Executive Panel Meetings.
- A calendar is used to report deadlines and Board/Executive Panel dates are published with reports.
- All major collaboration projects have established governance and management arrangements including risk management.
- All projects considered by Corporate Project Management Panel, which is also attended by IA and is an effective forum for advice/challenge and highlighting risks as Service areas develop projects, including collaboration projects.
- The Corporate Project Management Panel helps ensure projects give early consideration to: the Well Being and Future Generations Act; to other guidance; to finance, procurement, governance and legal arrangements; to HR implications; Health & Safety; and Audit. Improve project arrangements prior to reporting to the Development Group and other authorisation processes. This also helps identify capital requirements for inclusion in future capital programmes.
- Ensuring Staff with project management skills are available.
- Account will be taken of legislative changes e.g. work is ongoing in relation to implementing legislative changes such as LGEW 2021 Act changes and considering/monitoring risks facing each partner when working collaboratively, including shared risks. Meetings are being held and preparation being carried out, for example, regarding the 2021 Act's requirement for Corporate Joint Committees, including potential and shared risks (a CJC group has been established, with the first meeting held on 19th April 2021, to consider the requirement to establish the Mid Wales CJC in accordance with the 2021 Act).
- Appropriate Joint Scrutiny arrangements are in place in relation to the Growing Mid Wales Board. Similarly, the Mid Wales Corporate Joint Committee will have Sub appropriate arrangements in place (Joint Scrutiny, Standards and Governance and Audit Committee)- arrangements in compliance with legislation and its Standing Orders.
- Local performance indicators have been established and approved for each service element and included in the service plan and are reported upon regularly.
- The Business Planning process for 2023-24 is being implemented with Level 1 Business Plans shared with the Performance and Research Team.
- Performance measures have been identified within each Level 1 Business Plan that have in turn translate into the reporting Dashboard for each service. These measures have been closely scrutinised and have received final sign-off from senior leadership. Services report against these measures as part of the performance management process for the year.
- Business Plans include budget and finance information and form part of the quarterly Corporate Performance Management arrangements.
- Budget Framework in place.
- Service Accountancy – Budget monitoring takes place.
- Financial Regulations and Financial Procedure Rules (Document F Constitution) along with Budgetary Control Guidance are all up to date. Chief Officer Assurance

Statements. The internal controls in place are subject to regular review by Internal Audit, in accordance with the annual risk-based audit plan.

- Changes through the corporate savings plan have been through a robust governance process to ensure that all savings all link to the desired outcome.
- Community Benefits is embedded in our Processes and Policies and has been regularly applied, monitored and reported upon. Well-being of Future Generations (Wales) Act is integrated into our processes.

E. Developing the entity's capacity, including the capability of its leadership and the individuals within it:

Developing the entity's capacity

- Corporate and line management induction is now in place. Corporate induction and Corporate Manager Development plans were introduced in April 2018 and revised in October 2022. Corporate induction sessions are part of these requirements, all new Staff must attend an induction session. Senior Managers present within these face-to-face or virtual sessions.
- CeriNet (the HR intranet and resource to Staff and management) is continually reviewed and improved for effectiveness.
- Learning & Development is now managed via the Ceri system offering opportunities to all Staff.
- Ongoing annual Personal Performance scheme – Performance Reviews link to Corporate and strategic objectives.
- The Corporate Performance Management arrangements provide the forum for performance management's needs and thereafter preparing action plans for delivery of corporate improvements in performance review of Staff. These have been further strengthened with the introduction of annual appraisals for all Staff via the Ceri HR system.
- Induction programme is provided for new Members. Ongoing training is arranged for specific issues e.g. Treasury management.
- Members attend various events, seminars and conferences (see above).
- Personal Development Review process in place for Members.
- Utilisation of research and benchmarking exercises.
- The Ceri HR payroll system has ensured that meaningful data on Staff is now available to Managers on a monthly basis in order to monitor costs turnover and absence.
- Effective operation of partnerships which deliver agreed outcomes.
- Effective Partnerships have been developed in a number of areas and services including:
 - School Improvement;
 - Health & Social care; and
 - Waste.
- Additional partnerships are included in the strategic Collaboration Projects List.
- Strategic workforce planning is undertaken utilising the Strategic workforce planning tool kit and is completed by all service areas. The Workforce Plan 2022-2027 is currently being developed and will be published once approved by Cabinet in early 2023. Once in place, annual updates on progress of the workforce plan are reported to scrutiny.

Developing the capability of the entity's leadership and other individuals

- The Leadership and Senior Officer structure has defined these roles, including how they integrate with each other.
- Joint meeting of senior Managers ensures that roles, responsibilities and accountabilities are clear.
- Job descriptions clearly define the roles and responsibilities required of posts.
- The Constitution sets out the roles and responsibilities of Members (Part 3.4 Table 4) and senior Officers (part 2 Article 2)
- The Strategic Planning Toolkit includes an element of succession planning and talent management.
- Learning and Development opportunities are offered to those within a Leadership role or who are aspiring leaders.
- A Scheme of Delegation (The Constitution Part 3.5) exists and clearly sets out responsibilities for Members and Officers.
- Protocols are in place for working relationships between Members and Officers (e.g. Officer-Member Protocol).
- Codes of Conduct for Officers and Members are in place.
- Member Officer working groups in place and working effectively.
- Contract Procedure Rules ('CPR') (Part 4 Document G Constitution) and Financial Regulations and accompanying financial procedures (Part 4 Document F Constitution) are reviewed on a regular basis e.g. CPR updated March 2019.
- The Council's Constitution sets out the functions and responsibilities of the Leader and Chief Executive.
- The Corporate structure of the Council has been established to ensure that the Statutory Officers are able to perform their roles effectively.
- The CE is responsible for reviewing this structure, as necessary.
- Democratic Services Committee agreed the revised set of Member Role Descriptions, designed to be used alongside Welsh member Development (Competency) Framework, of Welsh Local Government Association ('WLGA') Framework.
- Member Role Descriptions and Person Specifications presented to Council.
- Comprehensive Induction Programme for Members (new and old) undertaken following the Local Elections 2022.
- Access to courses/information briefings on new legislation.
- Provision of opportunities for ongoing skills and refresher training for Officers.
- Members Workshops arranged, as necessary.
- Personal reviews for Officers.
- Provision and ongoing review of opportunities for skills and refresher training for Members (see above), including Personal Development Review Scheme.
- Development/training done as part of person specifications for key finance and legal posts (mandatory qualification, job requirements).
- The Council aims to achieve the standard level for the Wales Charter for Member Support and Development.
- A process for Member Personal Development Reviews has been developed and the information used to develop a Members' Training Plan.
- Induction and Corporate Manager Development plans are in place.
- E-learning packages are regularly being developed and rolled out for mandatory and non-mandatory training for staff and Members.

- Performance Reviews are undertaken by all Staff as part of the Ceri system Performance Management module.
- The Corporate Performance Management arrangements provide the forum for performance management's needs and thereafter preparing action plans for delivery of corporate improvements in performance review of Staff.
- Induction programme is provided for new Members and new comprehensive induction programme has been provided post-election (from May 2022) with additional e-learning modules available. Ongoing training is arranged for specific issues. Members attend various events, seminars and conferences (see above).
- Scrutiny self-assessment undertaken annually.
- Succession planning is undertaken through discussions and actions within service areas and with partners this cannot always be evidenced. This will be further developed through the strategic workforce planning toolkit.
- Ceredigion Manager Programme offers personal development including governance arrangements and organisational knowledge.
- Members are encouraged and supported to complete Annual Reports, which are published on the Council's website.
- Chair of the Democratic Services Committee attends the National Network, facilitated by the WLGA.
- Chair of Governance and Audit Committee attends All Wales Governance and Audit Committee Chair's Networking Meetings to develop and compare role within Local Authorities.
- Staff development plans linked to appraisals have been strengthened with the introduction of the Performance Management module in Ceri.
- Implementing appropriate Human Resource policies and ensuring that they are working effectively.
- Smoke-Free Workplace Policy.
- Alcohol and Drug Misuse Policy.
- The Council has introduced a range of resources and options to enhance the health and well-being of Staff.
- Health and Well-being Strategy 2021-2026 has been introduced to support the improvement in the workforce health and well-being.
- The Council has appointed an Employee Health & Wellbeing Officer to coordinate and promote health and wellbeing within the workforce.
- A Care First employee assistance package has been introduced that offers:
 - Counselling service; and
 - Advice on financial, legal, consumer, eldercare, childcare and employment issues.
- Other support available for Staff includes:
 - Cognitive Behaviour Therapy Interactive health and wellbeing programme;
 - Eyecare scheme;
 - Childcare voucher scheme;
 - Iechyd Da; and
 - Mindfulness training for Staff and Managers.
- Counselling service is also available to Members.

F. Managing risks and performance through robust internal control and strong financial management:

Managing risk

- The Corporate Risk Management Framework and the Risk Management Policy and Strategy were approved by Cabinet on the 24th of September 2019 and continue to be updated.
- The Corporate Risk Register is considered at all Leadership Group, Corporate Lead Officers, Corporate Performance Management meetings and by the Governance and Audit Committee as a standing item. The Committee refers matters to Scrutiny Committees, where appropriate. This provides ongoing information and assurance that risks continue to be managed.
- All Risks are allocated to a Corporate Lead Officer (Risk Owner).
- Specific Project Risk Monitoring is undertaken.
- The Cross-party Transformation and Efficiency Group regularly monitors Transformation Risks.
- Risk Management is integral to operational business planning Policy and Strategy setting.
- Project and transformation Risks are all logged.
- All Plans included Risk logs including:
 - The Medium-term Financial Plan;
 - Business Plans (level 1); and
 - Service Plans (level 2).
- Corporate Risk Management arrangements are audited regularly.
- The management of risks is included in individual Services service/establishment audit programmes.
- 'Risks' form the basis of Internal Audit's audit programmes of work, as required by the Pentana audit management software system. Cabinet report template expanded to include risks and implications arising.

Managing performance

- Corporate performance management is linked to the Well-being and Improvement Objectives, Corporate Strategy 2022-2027 and the PSB's plans. The Council also has many local indicators which helps it determine whether it has achieved the priorities in its Corporate Strategy 2022-2027.
- Council approved the Self-assessment and Annual Review of Performance and Well-being Objectives Annual Report 2021-22.
- Benchmarking information carried out as part of service re-modelling.
- External & internal assessments by:
 - Audit Wales;
 - Estyn;
 - Care Inspectorate Wales ('CSIW'); Investigatory Powers' Commissioner's Office ('IPCO'); and
 - Information Commissioner's Office ('ICO').
- Self-Assessment (Governance and Audit Committee) - self-assessment exercise discussed at 28.11.22 workshop and will be carried out in 2023.
- Individual Services carry out self-assessment through a performance matrix.
- A undertake an annual self-assessment and have a 5-yearly independent external assessment / peer review as required by the PSIAS. EQA completed May 2022, report & resulting action plan presented to Governance & Audit Committee 27.9.22 along with the CMIA's Internal Audit Self-Assessment. The external assessor concluded that Ceredigion County Council's Internal Audit function generally conforms

with the PSIAS. With the function currently conforming to 50 of the best practice areas, partial conformance in six areas and no areas of non-conformance.

- Cost performance (using inputs and outputs).
- A Corporate Performance Management Panel meets quarterly. All Corporate Lead Officers report to this Panel and the Dates for reporting are published in the report. The Chairs and Vice Chairs of the Overview and Scrutiny Committees attend with the principle that they can identify areas that require inclusion on their respective Forward Work Programmes.
- Chief Officers provide support and advice to Members and advice provided by Chief Finance Officer and MO.
- Scrutiny arrangements are in place which provide opportunities to challenge decision making and review the provision of services. The scrutiny function's aim is to provide added value to the continuous improvement agenda in their role as "critical friend". In addition, Overview and Scrutiny Committees also provide opportunities to undertake pre-decision and policy development work, which is a function of scrutiny, which has developed over recent years. The Council's aim is to scrutinise, where possible, before decisions are made.
- Training for Members on the role of Scrutiny and Scrutiny Chair and Vice Chair training provided.
- The Council's Overview and Scrutiny Co-ordinating Committee is responsible for taking an overview of the overall effectiveness of the PSB.
- Work undertaken with the Future Generations Office to develop a Scrutiny Framework in relation to the WFGA.
- A Corporate Performance Management Board meets each quarter, with Chairs of Scrutiny Committees invited to attend.
- Reporting dates are set at beginning of each year.
- Transformation and Risks are all referred to joint Local Government meetings and Panels.
- Financial monitoring is regularly undertaken throughout the Council under a devolved accountancy arrangement and formal reporting is made to Cabinet. Monitoring is also incorporated into the quarterly performance management reports.
- Accounting practices - Codes of Practice are complied with. Prudential Indicators are prepared and reported to Council and monitored throughout the year. Regular budget monitoring takes place throughout the year. IA also reviews controls over income collection and monitoring.
- Business/Service plans are monitored to ensure delivery outcomes are achieved.

Robust internal control

- Risk Management Policy and Strategy and the Risk Management Framework were approved by Cabinet on 24 September 2019.
- Updates in relation to Business Continuity and Civil Contingencies arrangements submitted on a regular basis in line with the Corporate Risk Register, Risk CORP04.
- Business Continuity and Civil Contingencies Group meet quarterly.
- Regular meetings of the Emergency and Business Continuity Management Group take place to review Corporate and Service Area Emergency and Business Continuity Arrangements and Plans as well as recommendations arising from past incidents and exercises to evidence

risk, identify emerging trends, and document any lessons learnt for follow up.

- The annual Internal Audit Plan is risk-assessed and takes account of Council aims and objectives, and corporate policies and procedures; to include a review of the Risk Management corporate arrangements, and testing the mitigating controls in place for a sample of risks noted in the Corporate Risk Register
- Internal Audit Strategy & Annual Plan 2023-2024 approved by Governance and Audit Committee on 9th March 2023 & continues to take account of additional risks presented by the pandemic.
- IA's annual audit plan can address any necessary re-prioritisation of work, allowing IA to be reactive to any changes in risk within the Council.
- Regular Quarterly Internal Audit Progress Reports to Governance and Audit Committee for monitoring (e.g. Internal Audit Progress Report for period 1 July 2022 to 30 September 2023 presented to Governance & Audit Committee on 24 January 2024).
- Internal audit reports issued to Managers highlight the risks of not implementing any IA recommended actions. Fundamental & significant recommended actions are followed up and reported to Governance and Audit Committee. If CMIA considers that any fundamental risks have not been addressed by a Manager this is reported to Governance and Audit Committee who has the discretion of requesting that Manager to attend & explain reasoning for non-compliance.
- Summary of work and audit opinion on assurance provided annually in Internal Audit Annual Report at year-end. IA Annual Report for 2023/24 approved by Governance & Audit Committee 19 June 2024.
- Follow-up IA reviews to monitor implementation of required actions.
- Internal controls, risk & governance processes are monitored according to the Internal Audit Charter (last version approved by Governance & Audit Committee on 17/01/2023) & the Annual Internal Audit Strategy and Plan.
- The appointed Auditor considers the Council's arrangements to secure economy, efficiency and effectiveness in his letter he has stated that the Council has complied with its responsibilities to the use of its resources.
- Risk evaluation always appears on agendas.
- Compliance with the Code of Practice on Managing the Risk of Fraud and Corruption ('CIPFA', 2014).
- Internal Auditors have procedures in place if fraud discovered.
- An Officer in the IA team is an accredited Counter Fraud Technician, and a second officer is also currently undertaking the qualification.
- An officer) in the IA team holds a CIPFA Certificate in Investigative Practices ('CCIP').
- 'Strategy to Counter Fraud, Corruption and Bribery (to include Anti-Money Laundering)' updated and approved by Council 17 June 2021 (minutes confirmed 23 September 2021) has been written with regard to the Code of Practice & updated to ensure all requirements are included.
- IA undertakes counter fraud work where required (as well as dealing with the discovery of fraud as considered earlier).
- Council complies with Audit Wales's annual National Fraud Initiative requirements, currently co-ordinated by IA.
- IA presents Counter-Fraud Report to Governance and Audit Committee annually ([2022/23 Counter-Fraud Report presented to Governance & Audit Committee on 21 June 2023](#)).

- Monitoring and response to fraud alerts (NAFN, wider networks, peers, etc);
- Membership and active participation in professional networks and groups (Tisonline, KHub, etc);
- IA offer advice to services on implementation of new systems and processes to ensure effective internal controls maintained;
- Nominated Council Officers undertake various fraud training to maintain knowledge and expertise;
- Where appropriate, successful prosecutions publicised on Council website (and in local press)
- IA's annual audit plan can address any necessary re-prioritisation of work, allowing IA to be reactive to any changes in risk within the Council.
- The AGS contains the CMIA's annual opinion on assurance.
- The IA function is headed by a CMIA who is currently studying to gain an IIA qualification, they have considerable local government experience, and are supported by a team with appropriate knowledge and skills. Regular reporting to Governance and Audit Committee on the activity of IA is undertaken. Robust risk-based forward work programme and business planning is in place.
- IA evaluates and improves the effectiveness of risk management, control & governance processes in accordance with PSIAS, which is self-assessed and reported to Governance and Audit Committee annually along with any improvements required. A peer review is undertaken every 5 years the most recent having been completed in May 2022. The report and resulting action plan were presented to Governance & Audit Committee on 27 September 2022.

IA provides an individual assurance to Managers after each audit review – these are then used to provide an overall corporate level of assurance annually, which feeds in to the AGS.

A re-structure of IA was implemented in May 2019, and another in November 2020. The service has been fully resourced since 1 December 2020.

Two members of the team are currently pursuing the Institute of Internal Auditors' professional training qualification.

Governance and Audit Committee self-assessment - self-assessment exercise underway

Regular meetings between CMIA and Chair of Governance and Audit Committee.

Meetings as necessary between MO & Chair of Governance and Audit Committee.

Regular meetings between MO & CMIA.

Regular meetings between MO, CMIA & Audit Wales when necessary.

Regular Meetings between Governance and Audit Committee Members and external regulator Audit Wales (with and without Officers).

Managing data

- ICT and Digital Strategy for 2018-2022 has been approved
- All policies are up to date including; (all approved in February 2019).
 - Data Protection & GDPR Policy (updated in 2023)
 - Information Security Policy; (to be updated 2024) and
 - Records Management Policy. (to be updated 2024)
- A mandatory E-learning training module on Information Security must be completed by all Staff.
- A mandatory E-learning training module on Data Protection must be completed by all Staff.
- Designated Data Protection Officer.

- Corporate Lead Officer Customer Contact , ICT & Digital is the Senior Information Risk Owner ('SIRO') and has attended appropriate training for that role.
- The following responsible Officers are identified:
 - IT Security Officer ('ITSO'); and
 - Information and Records Management Officer ('IRMO')
- In addition the following groups/committees consider Information security:
 - Cyber Resilience and Information governance Group; and
 - Emergency & Business Continuity Meeting.
- External assessments to include compliance with Code of Conduct.
- Supporting the roll out and adoption the Cyber Assessment Framework across all LA's and the Fire and Rescue service.
- Regular Internal Audit of data protection Registration requirements.
- Procedures following Audit Wales audit have been implemented.
- Officers are considering the introduction of privacy notices in relation to applications to all Members, including the Development Management Committee.
- Training has been scheduled for Members on their obligations under the GDPR as part of the new Member training and a section on said legislation is now included in the protocol for Members in planning.
- Ceredigion County Council signed Wales Accord on the Sharing of Personal Information ('WASPI') and therefore uses WASPI framework for Information Sharing Agreements.

***The Accord is a common set of principles and standards under which partner organisations will share personal information. Organisations who adopt the Accord will show their commitment in meeting the agreed conditions, obligations and requirements within the framework.
- In most cases agreements are forwarded to the Data Protection Officer.
- There is also a public register on [WASPI Website](#).
- Regular external Assessments e.g. Compliance with Code of Conduct.
- Internal performance monitoring and evidence.
- Cross matching data happens across the different services.
- Performance Indicator values are validated with evidence.
- Retention Schedule –now [published](#) on intranet.

Strong public financial management

- The latest version of the [Medium Term Financial Strategy](#) ('MTFS') was approved by Full Council on 21/09/23. This reflects the 2023/24 WG Final Settlement and the 2024/25 WG indicative All Wales Settlement and covers the period 2023/24 to 2026/27. This was also considered by Corporate Resources Overview & Scrutiny Committee on 19/07/23 and Cabinet on 05/09/23.
- This now includes a policy framework for setting the budgets annually as well as a three-year plan. The MTFS features as a corporate risk that is updated at least three times a year. The annual budget setting also included a risk assessment. The Council is responding to the proposal in the 2016 Wales Audit Office (now Audit Wales) Annual Improvement Report and considering the report in light of the MTFS through ensuring that the Council's financial management arrangements are sufficiently robust to meet the significant challenges ahead.
- A Strategic Plan has been developed and has improved the programme of work necessary to consider service priorities whilst addressing financial constraints.

- An annual budget project plan/timetable is established to ensure that a balanced budget is approved within the statutory period in accordance with the Councils budget framework.
- Regular budget reports are taken to Cabinet and Leadership Group throughout the year and operational budgets are monitored on a monthly basis.
- Budget monitoring is regular throughout the year, within services, to Cabinet and to Member Officer working groups e.g. Development Group and CMG and transformation programme savings to the Cross Party Transformation and Efficiency Consultative Group.
- Quarterly Executive Panel meetings take place if required with Corporate Lead Officers together with the Leader of the Council, the CE, Corporate Lead Officer for Finance and Cabinet Member with Finance responsibility.

G. Implementing Good Practices in transparency, reporting and audit to deliver effective accountability:

Implementing good practice in transparency

- Council's Website.
- Council and Cabinet meetings are broadcasted.
- Standard templates for Cabinet, Scrutiny and Council.
- Compliance to the Welsh language Standards.
- Use of Modern.Gov for publishing agendas and Councillor Information.
- Councillors' contact details, attendance records, Committee membership and Declarations of Interests available on the Council's Website.
- Councillors' annual reports available on the Council's Website.
- Overview and Scrutiny Annual Report available on the Council's Website.
- Democratic Services Annual Report available on the Council's Website.
- Equipment has been installed in the Council Chamber to enable hybrid meetings to be held, as per the Local Government and Elections Act 2021. The Council provides alternative ways for citizens to access information if they don't have access to digital services. The Citizen can telephone the Council's Contact Centre or visit its Libraries where public access to computers are available or free 4G Wi-Fi to allow anyone to use their own device.

Implementing good practices in reporting

- The County Council's Self-assessment and Annual Review of Performance and Well-being Objectives Annual Report is published on the Ceredigion County website to inform Ceredigion citizens what activities and actions the Council undertakes in support of its Well-being and Improvement Objectives. This also forms part of the Council's self-assessment. A summary plan is also available in public offices for our citizens.
- Annual financial statements are published on the Council's Website.
- Council's AGS evidences how it complies with the seven core Governance Framework Principles and sub-principles contained in the Framework and in the Local Code of Corporate Governance, including how it puts in place proper arrangements for the governance of its affairs, facilitates the effective exercise of its functions, and makes arrangements for risk management (the Governance Framework was developed in 2010 and has been revised in accordance with the CIFA/SOLACE Delivering Good Governance in Local Government Framework

2016). In compliance also with Local Government (Wales) Measure 2009 and The Well-being of Future Generations (Wales) Act 2015.

- Assessment of the framework for corporate governance carried out to ensure compliance. Decision by Council whether AGS approved alongside Statement of Accounts.
- AGS shared with accounts, reviewed and updated with Members and Officers providing a wider engagement process.
- Council's Local Code of Corporate Governance demonstrates how it has the necessary corporate governance arrangements in place to perform effectively. The Local Code of Governance is a public statement that sets out the way the Council will meet that commitment.
- Financial implications are a requirement for inclusion in all Cabinet Meeting reports. Financial Regulations and Financial Procedure Rules (Document F Constitution), Contract Procedure Rules (Document G Constitution) are all up to date.
- Accounting practices - Codes of Practice are complied with Prudential Indicators are prepared and reported to Council and monitored throughout the year. Regular budget monitoring takes place throughout the year. IA also reviews controls over income collection and monitoring.

Assurance and effective accountability

- A good working relationship exists with Welsh Government and external regulators, including Audit Wales, Estyn, CIW, Financial Services Authority ('FSA') and Food Standards Agency as key regulators.
- Audit Wales Protocol documented and procedures in place to ensure all 'Management Response Forms' from each Audit Wales report addressed and that Service responses are presented to Leadership Group, Governance and Audit Committee and Audit Wales.
- Regarding monitoring of progress of actions/recommendations,
- Governance Officer is Audit Wales point of contact for ongoing governance related ORFs/governance matters. Corporate Performance and Improvement Officer is point of contact for performance related ORFs/performance matters. This system is set out in a Protocol, approved by Leadership Group and presented to Governance and Audit Committee, with updated version (to reflect that the Corporate Performance and Improvement Officer is in post) presented to Governance and Audit Committee 9.9.2021 Meeting.
- Monthly meetings are also being held between Performance Officers & Audit Wales and can be arranged with other officers as necessary. Regular dialogue is maintained with representatives from Audit Wales.
- Recommendations from Audit Wales are taken forward in the Corporate Performance Management arrangements.
- All Audit Wales reports presented to Leadership group and Governance and Audit Committee, which monitors implementation of corrective actions required.
- Monitoring of progress of Actions process has been developed.
- Chief Internal Auditor (CMIA) has completed the IIA qualification, and has considerable local government experience, and is supported by a team with appropriate knowledge and skills.
- The Audit Manager has completed the IIA qualification.
- and two auditors are developing ICT auditing skills.
- IA Officers are undergoing audit qualifications to enhance knowledge, skills and competency.

- A re-structure of IA was implemented in May 2019, and another in November 2020 and April 2022. The service has been fully resourced since 1 June 2022.
- A new CMIA has been in place from 1 January 2022, and has considerable experience in IA, and is supported by a knowledgeable & skilled Audit Manager.
- The role of CMIA has free and unfettered access to the Chair of the Governance & Audit Committee and both meet regularly during the year.
- Robust risk-based forward work programme and business planning is in place.
- Regular reporting to Governance & Audit Committee on the activity of IA is undertaken, i.e. quarterly Internal Audit Progress Reports to Governance & Audit Committee for monitoring progress performance and improvement and summary of work and audit opinion on assurance provided annually in Internal Audit Annual Report at year end. Follow-up reviews undertaken to monitor corrective actions are implemented.
- Internal Audit Charter regularly reviewed and approved by Governance & Audit Committee (last version approved by Audit Committee 17/1/23).
- CMIA provides annual objective opinion on assurance placed on Council's risk management, control and governance processes, based on the individual assurances given to Managers after each audit review, & feeds into the AGS.
- The external assessor concluded that Ceredigion County Council's Internal Audit function generally conforms with the PSIAS. With the function currently conforming to 50 of the best practice areas, partial conformance in six areas and no areas of non-conformance.
- IA's mission is to enhance & protect organisational value by providing risk-based & objective assurance, advice & insight. This is detailed in the internal Audit Charter, which also states IA's right of access (as per the Council's Financial Regulations/Constitution).
- Partnership and Accountability agreements are established in collaborative projects.

4 Opinion on the level of assurance that the governance arrangements can provide

The Corporate Manager - Internal Audit (CMIA) prepares an Annual Internal Audit Report at year-end, which is usually presented to the Governance and Audit Committee at its June meeting. The report sets out the individual and collective outcomes of the audit reviews undertaken during the year, and provides the overall audit opinion of assurance based on this audit work. The assurance provided also takes into account progress in implementing improvements, consideration of the risk register and assurances provided in reports issued by external regulators. The scope of audit work and how the need to constantly reprioritise to ensure sufficient work is undertaken for the assurance is detailed in the report.

The Annual Report at year-end contains the results of the internal audit annual self-assessment of the service, based on CIPFA's LG Application Note's template. This was subject to an external peer review in [enter date].

The external assessor concluded that Ceredigion County Council's Internal Audit function generally conforms with the PSIAS. With the function currently conforming to 50 of the best practice areas, partial conformance in six areas and no areas of non-conformance.

A Report on the Annual Governance Statement 2023-2024 Progress and Current Year Action Plan was provided to the Governance and Audit Committee on 24th of January 2024 and 14th of March 2024.

The Quarter 1 Internal Audit Progress Report 1/4/2023-30/6/2023 (presented to the Governance and Audit Committee on 27/09/2023 and subsequent periods expected on 24/01/2024, 14/03/2024 and 19/06/2024 include the actions taken to date to achieve the identified proposed improvements.

The Internal Audit staffing structure has been at full complement during the year 2023-2024.

On 9 March 2023, the CMIA presented to the Governance and Audit Committee the Internal Audit Strategy and Plan for 2023/24. This is designed to ensure a sufficient area of coverage is undertaken to support the annual opinion on the effectiveness of the systems of governance, risk management and internal control across the Council. The Internal Audit Strategy and Plan for 2023/24 summarised the work areas the Internal Audit Section aimed to concentrate their time on during the year,

Internal audit work has been assessed on an on-going basis with regular consideration given to the Council's changing needs and priorities. In addition to this reactive work, assurance for 2023/24 is placed on planned reviews either carried forward or undertaken during the year to assess the annual level of assurance for the Council. All actions taken have been consistent with the guidance note issued by the Internal Audit Standards Advisory Board. In addition, more resources have been dedicated to developing the assurance mapping system to provide additional support to the assurance provided at year-end.

The Council has, for example, had an urgent obligation to award various grants to eligible businesses in the County, and due to potential fraudulent claims, Internal Audit has continued to review a sample of applications prior to payment (easier to stop payments than recover after), adding value to the Council's operations due to changing circumstances, as supported by Internal Audit Standards Advisory Board guidance notes.

The CMIA concluded in her 2023/24 Annual Report presented to the Governance and Audit Committee on 19 June 2024 that the Council has a satisfactory framework of governance, risk management and internal controls in place to manage the achievement of the organisation's objectives during the year, based on:

- the number, scope and assurances from internal and external sources during the year to 31 March 2024, and
- the acceptance of actions by management (where available).

The Annual Governance Statement will be the subject of review by Audit Wales to ensure that it is consistent with their knowledge and with legislation. In addition, the Internal Audit section undertakes an annual independent review of the Annual

Governance Framework and the method of scoring and evidence, as noted in Point 2 above.

The Council's Corporate Lead Officer - Customer Contact, ICT & Digital acts as the Authority's Senior Information Risk Owner (SIRO) and also has responsibility for Data Protection and ICT Security.

The SIRO Forum traditionally included subject matter experts: E.g. Facilities, Data Protection, IT Security, Head of IT, Legal, HR and some departmental representation. This meets every quarter to discuss information risk and information management issues.

The current key roles and scrutiny of Information Assets are as follows:

- An IT Security Officer ('ITSO') who advises on data security and external advisers and consultants are employed from time to time to test and advise on the Authority's security arrangements;
- An Information and Records Management Officer ('IRMO') advises on legal compliance and ensures that policies and procedures are in place and are being adhered to;
- Corporate Data Protection (known internally as Corporate Data Protection / FOI / EIR Group Meeting) meets quarterly and is chaired by the Head of Service Policy (Deputy HOS ICT&CS); and
- Annual Reports as required to the Council's Governance and Audit Committee.

Additionally:

- ITSO is the Vice-chair of Wales National Public Sector Security Forum (CymruWARP) which meets quarterly.
- IRMO Chairs the Information and Records Management Society Wales/Cymru and arranges events across Wales.
- IRMO is part of the WASPI - Mid and West Wales Quality Assurance Panel.

Following the Governance Framework review, overall governance arrangements are considered to be good on the basis that the majority of scores applied were 4/5.

5 Issues identified for last year (2023-2024)

The following table records the actions that have been taken during 2023-24 to resolve the issues identified in the Annual Governance Statement for 2022-2023, the Lead Officer responsible for oversight of the Action and the estimated Completion Date. The Lead Officer has responsibility to ensure the action is also detailed, monitored and updated in their own Service's Business Plans

Note: Any actions not fully completed by the completion date will be carried forward into the 2024-2025 Action Plan

Issue	Action	Outcome / Progress to Date	Lead Officer	Completion Date
<p>A1.1 Ensuring Members and Officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated thereby protecting the reputation of the organisation</p>	<p>MO to continue to advise Members further on the Code of Conduct.</p> <p>MO to continue to advise Chief Officers further on the need to declare:</p> <ul style="list-style-type: none"> • close personal associations with other Officers or Members, Ongoing review on Chief Officers business declarations <p>Review Members holding directorships, trusteeships, or memberships.</p> <p>MO to consider member feedback and added value of memberships of outside bodies.</p>	<p>Outcome: Further embedding of behaviour with integrity.</p> <p>Progress:</p> <p>Code of Conduct for Officers revised and approved. MO advice ongoing</p> <p>Not complete</p>	<p>Elin Prysor/ Lowri Edwards</p>	<p>March 2024</p>

Issue	Action	Outcome / Progress to Date	Lead Officer	Completion Date
	<p>Reviewed Code of Conduct for Officers to be issued once approved.</p> <p>Officers to complete a Mandatory Ethics/Fraud e-training module once completed & approved.</p> <p>Planning/Development Management Committee governance actions/documents established, training to be provided and progress to be reviewed during 2023-2024.</p> <p>Discussions are currently taking place with Audit Wales to support their Planning Service Follow-Up Review. Any recommendations will be responded to.</p>	<p>Fraud & Ethics mandatory eLearning module completed. Will be launched on 12/12/2023 for all Council employees to complete</p> <p>Task & Finish Group established October 2023</p>		
<p>A1.2 Ensuring Members take the lead in establishing specific standard operating principles or values for the Organisation and its Staff and that they are communicated and understood. These should build on the Seven</p>	<p>Planning/Development Management Committee governance actions/documents established, training to be provided and progress to be reviewed during 2023-2024.</p> <p>Discussions are currently taking place with Audit Wales to support their</p>	<p>Outcome: Further embedment of Standard Operation Principles and values, including their communication.</p>	<p>Elin Prysor/ Lowri Edwards</p>	<p>March 2024</p>

Issue	Action	Outcome / Progress to Date	Lead Officer	Completion Date
Principles of Public Life (the Nolan Principles)	Planning Service Follow-Up Review. Any recommendations will be responded to.	Progress: Ongoing . Task & Finish group established.		
A1.4 Demonstrating, communicating and embedding the standard operating principles or values through appropriate policies and processes which are reviewed on a regular basis to ensure that they are operating effectively	<p>Delegated decision Decisions Register to be published – in progress. Continued monitoring of completion of mandatory Whistleblowing e-learning module.</p> <p>Whistleblowing policy has been reviewed and is awaiting approval by Overview and Scrutiny Co-ordinating Committee and Cabinet. Revised Officer Code of Conduct and Declaration of Interest forms to be presented to Scrutiny Committee</p> <p>Report on generic whistleblowing activity to be presented to Overview and Scrutiny Co-ordinating Committee.</p>	<p>Delegated decision Decisions Register to be published – in progress. TPO Register prepared and was published in January 2024</p> <p>Chief Officer Register of Personal Business Interests to be updated & published</p> <p>Progress: Draft prepared. Consistency exercise required</p> <p>Approved by Scrutiny on Xx</p> <p>Approved by Corporate Resources scrutiny on 4.3.24</p>	Elin Prysor/ Katy Sinnett-Jones	March 2024

Issue	Action	Outcome / Progress to Date	Lead Officer	Completion Date
		Due to be done on March 2024		
A3.1 Ensuring members and Staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations	Privacy notices for Councillors being developed and to be provided by Data Protection Officer.	<p>Outcome: Demonstrating strong commitment to rule of law. and adherence to relevant laws and regulations</p> <p>Progress: Complete</p> <p>A template privacy notice has been created and is provided and discussed with councillors as part of their DPO training</p>	Lowri Edwards /Alan Morris	March 2024
A3.2 Creating the conditions to ensure that the statutory Officers, other key post holders and members are able to fulfil their responsibilities in accordance with legislative and regulatory requirements.	CMIA to complete professional qualification	<p>Outcome: Ensuring key post holders are able to fulfil their responsibilities in accordance with legislative and regulatory requirements.</p> <p>Progress: (CIA)Certificate of Internal Audit completed November 2023</p>	Elin Prysor/ Alex Jenkins	March 2024 Complete

Issue	Action	Outcome / Progress to Date	Lead Officer	Completion Date
B1.1 Ensuring an open culture through demonstrating, documenting and communicating the organisation's commitment to openness	Review of the FOI Publication Scheme is in progress.	Outcome: Demonstrating commitment to openness. Progress:	Alun Williams /Marie-Neige Hadfield	March 2024
B3.1 Establishing a clear policy on the type of issues that the organisation will meaningfully consult with or involve individual citizens, service users and other stakeholders to ensure that service (or other) provision is contributing towards the achievement of intended outcomes	A new Engagement and Participation Policy, 'Talking, Listening and Working Together' has been published. Implementation of this policy to be considered before action complete.	Outcome: Improving Community Engagement. Progress:	Alun Williams	March 2024
D2.3 Considering and monitoring risks facing each partner when working collaboratively including shared risks	To continue to take into account legislative changes e.g. Local Government and Elections (Wales) Act 2021. To implement legislative changes, such as regarding the Local Government and Elections (Wales) Act 2021 and consider/monitor risks facing each	Outcome: Risk management and compliance with legislation to demonstrate commitment to rule of law. Progress: All complete save approval of Petitions pe-Protocol: Council 14/12/23. Constitution to be revised thereafter.	Alun Williams/ Elin Prysor	March 2024

Issue	Action	Outcome / Progress to Date	Lead Officer	Completion Date
	partner when working collaboratively, including shared risks.			
E2.2 Publishing a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the governing body	Delegated Decision Register to be published.	<p>Outcome:</p> <p>Delegated decision register to be prepared and published</p> <p>TPO Register prepared and published in January 2024</p> <p>Chief Officer Register of Personal Business Interests to be updated & published</p>	Elin Prysor	March 2024
G3.1 Ensuring that recommendations for corrective action made by external audit are acted upon	Monitor progress of actions/recommendations – ongoing action.	<p>Assurances and managing risk.</p> <p>Progress: ORF's presented to GAC as part of ongoing Action Plan. Updates are revisited at future meetings?</p>	Elin Prysor/ Alun Williams/Alex Jenkins	March 2024

6. Agreed action plan for matters to be considered during 2024-2025

Following the implementation and review of the CIPFA/SOLACE Delivering good governance in Local Government Framework (2016) the following issues (see below table) have been identified for resolution during 2024-2025. The Table sets out the issue, action, desired outcome, Lead Officer responsible for oversight of the action and the estimated completion date. The Lead Officer has responsibility to ensure the action is also detailed, monitored and updated in their own Service's business plans.

Issue	Action	Outcome	Lead Officer	Completion Date

7. Conclusion

The annual governance framework review measured progress against the new CIPFA/SOLACE Delivering Good Governance Framework (2016) and overall governance arrangements were found to be acceptable or good. The Council has made good progress during the year with recorded achievements against each of the seven core principles. The Local Code of Corporate Governance brings together all the local codes and documents together in one document and provides assurance that there are clear governance arrangements in place. The Council set out an action plan for completion for 2024/25 (as above)



This page is intentionally left blank

Cyngor Sir CEREDIGION County Council

REPORT TO:	Governance and Audit Committee
DATE:	14 March 2024
LOCATION:	Remotely via Video-conference
TITLE:	Governance Framework
PURPOSE OF REPORT:	To present the Governance Framework
For:	Decision

Introduction

Following a review of the Council's governance documents, it was agreed that a Governance Framework would be created to act as an overarching document encompassing the Council's governance arrangements and to replace the current Local Code for Corporate Governance [2023-2024-local-code-of-corporate-governance.pdf \(ceredigion.gov.uk\)](https://www.ceredigion.gov.uk/2023-2024-local-code-of-corporate-governance.pdf).

The Council is committed to demonstrating that it has the necessary corporate governance arrangements in place to perform effectively, and to ensure that these arrangements are reflected in the Council's governance arrangement documentation.

The draft Governance Framework attached (Appendix 1) demonstrates the arrangements in place to ensure that the intended outcomes for all stakeholders are defined and achieved, whilst ensuring that the Council always acts in the public interest. It sets out the way the Council meets that commitment in order to achieve the Council's vision and Corporate Well-being Objectives, brings together all governance arrangements and provides assurance that there are clear governance arrangements in place.

The Governance Framework document summarises how the Council:

- organises its affairs through determining an appropriate governance, executive oversight and organisational structure
- agrees and implements robust policies, systems and processes
- makes and executes decisions in an efficient and transparent manner engages with, and holds itself accountable to local people

Proposal

Committee is asked to: Consider the contents of Governance Framework (Appendix 1), and recommend the document for approval by Council

RECOMMENDATION(S):

That Committee:

- 1) Considers the contents of Governance Framework (Appendix 1), and**
- 2) recommends the document for approval by Council**

REASON FOR RECOMMENDATIONS:

to ensure that the Council's governance arrangement documentation is fit for purpose

Appendices: Appendix 1 –Governance Framework

Head of Service: Elin Prysor, Corporate Lead Officer – Legal & Governance Services / Monitoring Officer

Reporting Officer: Katy Sinnett-Jones, Governance Officer

Date: 15.02.2024



Cyngor Sir
CEREDIGION
County Council

Governance Framework



March 2024
V10.

Introduction

Aims

Our Governance Framework (the 'Framework') comprises the arrangements put in place to ensure that the intended outcomes for all our stakeholders are defined and achieved, whilst ensuring that we always act in the public interest. It also sets out the way the Council meets that commitment in order to achieve the Council's vision and Corporate Well-being Objectives, brings together all governance arrangements and provides assurance that there are clear governance arrangements in place.

This Framework document summarises how the Council:

- Organises its affairs through determining an appropriate governance, executive oversight and organisational structure
- Agrees and implements robust policies, systems and processes
- Makes and executes decisions in an efficient and transparent manner
- Engages with, and holds itself accountable to local people

This Framework is a public statement for our stakeholders which sets out the way we are committed to effectively delivering our Corporate Strategy for the benefit of local people/ citizens of Ceredigion.

The Corporate Strategy sets out the Council's vision and Corporate Wellbeing Objectives.

Our four Corporate Well-being Objectives are:

- Boosting the Economy, Supporting Businesses and Enabling Employment
- Creating Caring and Healthy Communities
- Providing the Best Start in Life and Enabling Learning at All Ages
- Creating Sustainable, Green and Well-connected Communities

Our governance is founded on the basic seven principles of accountability, transparency, effectiveness, integrity, impartiality, and inclusivity together with the overarching concept of leadership.

We do this in 7 ways:

- Act ethically.
- Engage with the public.
- Define what people need.
- Identify actions to meet needs.
- Engage capacity to carry out actions.
- Monitor risks and manage performance.
- Be open & accountable and open.

The Council has adopted the Framework for Delivering Good Governance in Local Government (CIPFA / Solace, 2016). The framework sets out 7 key principles for achieving good governance. The Framework comprises two core principles and five supporting principles. Principles A and B run through principles C to G but good

governance is dynamic, and the Council as a whole is committed to improving governance on a continuing basis through a process of evaluation and review.

The principles are set out below:

A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

- Act Ethically
- Monitor risks and manage performance.
- Be open and accountable.

B: Ensuring openness and comprehensive stakeholder engagement

- Engage with the community to make sure that the Council understand what the public expects from us and to show how we are trying to achieve this.
- Make sure that we communicate with all sections of the community and encourage active participation in our activities.
- Act as 'ambassadors' to promote the interests of Ceredigion and its residents
- Define what people need

C Defining outcomes in terms of sustainable economic, social and environmental benefits.

- Accountable
- Openness
- Transparency
- Public engagement
- Define what people need and want.

D: Determining the interventions necessary to optimise the achievement of the intended outcomes.

- Engagement with the public
- Define what people need.
- Identify actions that meet needs.
- Ensure capacity to carry out the actions.

E: Developing the entity's capacity, including the capability of its leadership and the individuals within it.

- Make sure that councillors and staff follow the highest standards of conduct.
- Maintain a fair and effective disciplinary procedure to investigate alleged breaches of the standards of conduct
- Ensure capacity to carry out the actions

F: Managing the risks and performance through robust internal control and strong public financial management.

- Identify, control and monitor the risks that we face in the course of our work.
- Maintain systems and procedures to control risks and monitoring their effectiveness to ensure that these are being followed.

G: Implementing good practices in transparency reporting, and audit to deliver

effective accountability.

- Audit reports go to the Governance and Audit Committee which is a public meeting and papers are published on the local authority's website.
- Make a clear distinction between the roles and responsibilities of staff and Councillors.
- Open the work of the Council to proper and effective scrutiny.
- Maintain up to date and transparent decision-making processes.
- Be open when we make decisions about the best ways to deliver local services

Governance Process

This document details how the Council complies with each of these of the principles to demonstrate good governance in the Framework including how key documents such as the Council's Corporate Strategy, Constitution, policies & procedures and codes of conduct align with the Council's Corporate Wellbeing Objectives and principles set out in this Framework.

The Council conducts, at least annually, a review of the effectiveness of our governance framework including the system of internal control. The review of effectiveness is informed by the work of managers within the Council who have responsibility for the development and maintenance of the governance environment, the Head of Internal Audit's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

The effectiveness of the governance framework be evaluated through a combination of the results of the regular in-year review and monitoring by officers and committees which include:

- Risk Management, including specific consideration of those risks linked to governance processes;
- Internal Audit, whose work includes auditing governance processes, internal controls and the risks in the Corporate Risk Register, including the management of risks, in accordance with the annual internal audit strategy, and which includes 'follow-up' work to ensure that senior officers address agreed 'Management Actions';
- Work of the Council's Scrutiny and other Committees, including its Governance and Audit and Standards committees;
- Opinions and recommendations of the Council's external auditors and other review agencies and inspectorates;
- Regular monitoring of improvement and performance against the Council Strategy and its supporting plans and strategies by members and senior managers;
- Review of relevant documents prepared during the year or relating to the year;
- Review of progress against the Council's Corporate Strategy;
- Reviews of feedback from the Councils' regulators and the related scrutiny committees;
- Discussions and receiving comments from, groups of key officers and members including Leadership Group.
- Review of the Council's Constitution -this is undertaken by the Monitoring Officer in consultation with the Council's Constitution Working Group consisting

of 7 cross-party members. Minor Changes are made by the Monitoring Officer and all others by Council.

- The Council reviews and reports against its governance arrangements on a regular basis.

The result of the annual governance framework review forms the basis of the Council's Annual Governance Statement (AGS). The AGS is presented for approval by the Governance and Audit Committee and Council and published as part of the Council's Annual Statement of Accounts. The purpose of the AGS is to report publicly on the extent to which the Council complies with this framework.

Structures & Responsibilities for Corporate Governance

All Members, Officers and Governance and Audit Committee have a responsibility for upholding the principles of good governance and ethics. It is a key responsibility for the Leader of the Council and the Chief Executive.

Members

The Council consists of 38 Members (councillors). All Councillors are members of the Council, and they may also be members of one or more of the Council's Members bodies (such as the Cabinet or a committee).. Members work together to make decisions which affect everybody who lives, works or visits Ceredigion. They have overall responsibility for the work the Council does - for its policies and how well it performs. They are the voice of the community and play a vital role making democracy work. Every Member has some responsibility for governance.

Members must:

- Understand their communities
- Provide a strategic vision
- Hold senior officers to account
- Not stray into operational management

In addition, lay members/persons sit on the Governance & Audit, Ethics & Standards and Learning Overview & Scrutiny Committee, who provide independence.

Relationships between Members and Officers including the Leadership Group must be based on mutual respect.

Officers

The elected members of the Council are supported by paid Officers, who are accountable to the Council and responsible for delivering services to the public in accordance with the policies and procedures agreed by the Council, the Cabinet and their committees and bodies.

The Chief Executive has overall corporate and operational responsibility for the work of the Council and for all paid officers of the Council.

Officers:

- Provide operational management and service delivery,
- Technical and professional expertise
- Impartial advice and information to member
- Be politically impartial,

The organisational hierarchy and structure are set out at Appendix 1, led by the Chief Executive. This sets out the Council's employee line of accountability.

Leadership Group

The Leadership Group, comprising of the Chief Executive, Corporate Directors and Corporate Lead Officers are responsible for the development, delivery and review of robust corporate governance arrangements.

Constitution

The Council's Constitution is the key governance document which sets out how the Council operates, how decisions are made, by whom, the democratic structure and the procedures which are followed. This ensures that the Council operates in an efficient, transparent and accountable way to local people and relevant stakeholders. Some of these processes are required by the law, while others are a matter of local choice.

The Constitution enables: -

- the Council to make decisions efficiently and effectively;
- the public to participate in decisions that affect them;
- Councillors to represent their constituents more effectively;
- the public to hold the Council to account;

The Constitution sets out the Chief Officer function delegated powers.

The Monitoring Officer advises on compliance with policies, procedures, laws and regulations whilst the Section 151 officer advises on all financial matters, ensures proper financial records are kept and that a sound system of internal control is in place.

Decision-making

Key policies, and any amendments to them, are approved by Cabinet (the Executive) and where appropriate, formally adopted by Council.

Appendix 2 shows Ceredigion County Council's Democratic and decision-making structure. This shows the relationship between Council, Cabinet and the various Committees including Regulatory Governance & Scrutiny.

The terms of reference and the roles and responsibilities for each committee are outlined in the Constitution.

In situations whereby urgent decisions are needed in a national emergency, and in absence of the Leader/Deputy Leader, Cabinet functions may be further delegated.

Corporate Strategy

The current Corporate Strategy (2022-2027) and sets out the Council's vision and Corporate Wellbeing Objectives. This places an emphasis on the requirement of effective governance structures to support the achievement of the wellbeing objectives.

Our four Corporate Well-being Objectives (2022-2027) are:

- Boosting the Economy, Supporting Businesses and Enabling Employment

- Creating Caring and Healthy Communities
- Providing the Best Start in Life and Enabling Learning at All Ages
- Creating Sustainable, Green and Well-connected Communities

The Council aims to achieve good standards of governance by adhering to the seven core principles and also adhering to the Wellbeing of Future Generations (Wales) Act 2015 principles.

Risk Strategy & Framework

Our Risk Management Policy and Strategy is important to ensure that appropriate procedures are in place and risk appetites and priorities are in place. Risk Management is integral to the operational business planning Policy and Strategy setting.

Corporate Risk Management arrangements are reviewed regularly, and management of risks is included in individual Services Business plans. All Risks are allocated to a Corporate Lead Officer (Risk Owner). Service risks are also considered at CLO level and escalated to LG as appropriate.

The Council has a Corporate Risk Register which is considered quarterly at Leadership Group meetings and by the Governance and Audit Committee as a standing item. The Leadership Group consider the Corporate Risk Register in all decisions.

The Governance and Audit Committee refers risk matters to Scrutiny Committees, where appropriate. This provides ongoing information and assurance that risks continue to be managed.

'Risks' also form the basis of Internal Audit's audit programme of work and Cabinet reports include risks and implications arising.

How do we demonstrate compliance to the Governance Framework?

To comply with the Framework, the Council publishes an Annual Governance Statement, which explains the processes and procedures in place to enable the Council to carry out its functions effectively. In preparing the Annual Governance Statement, the Council conducts an Annual Governance Framework Review to illustrate examples of how the Council complies with the core (and supporting) principles to ensure that:

- Its business is conducted in accordance with all relevant laws & regulations;
- Public money is safeguarded and properly accounted for;
- There is sound and inclusive decision making;
- Resources are used economically, efficiently and effectively; and
- There is clear accountability for the use of those resources to achieve agreed priorities which benefit local people and communities.

This document has therefore been developed in line with the CIPFA/SOLACE Framework and CIPFA/SOLACE *Delivering Good Governance in Local Government Framework*

Guidance notes for Welsh authorities (2016 Edition).

Whilst our governance arrangements reflect the core principles and sub-principles contained in the CIPFA Guidance, we recognise that the principles contained within it are examples of good practice and that the Council is managed more effectively as a result.

. To facilitate good governance, we also have a;

- Governance and Audit Committee
- Ethics & Standards Committee
- Scrutiny Committees
 - Governance Framework Review
 - Whistleblowing Policy.
 - Leadership Group
 - Governance Officer

Monitoring and Review of Corporate Governance

The Governance and Audit Committee is responsible for monitoring and reviewing the governance arrangements as described in this Framework.

The Leader and Chief Executive review corporate governance arrangements within the Annual Governance Statement on an annual basis to measure the extent to which the Council meets the requirements of the core principles and sub-principles contained in the CIPFA Framework.

Through the Governance and Audit Committee, the Council will ensure that these arrangements are kept under continual review. This will include consideration of:

- The work of Internal and External Audit
- The opinion of other review agencies and inspectorates
- Opinions from the Council's Statutory Officers
- Implementation of the Governance Framework
- The production of the Annual Governance Statement and actions planned to address arising governance issues

Assurance and effective accountability

The Council has good working relationships and effective communication channels with external regulators.

We have a process to ensure that recommendations from each external regulator report are addressed by way of Organisational Response Forms. Service responses are presented to Leadership Group, and Governance and Audit Committee to ensure monitoring of progress of actions/recommendations.

Corporate Performance Management arrangements are in place to ensure adequate internal monitoring of service delivery.

The Chief Internal Auditor provides an annual objective opinion on the Council's risk management, internal control and governance processes and has free and unfettered access to the Chief Executive & Chair of the Governance & Audit Committee. The Governance and Audit Committee are regularly updated on Internal Audit progress.

Conclusion

We believe this Framework comprises necessary governance arrangements to support the achievement of the Council's vision and Corporate Well-being Objectives and provides assurance that the Council has effective processes in place.

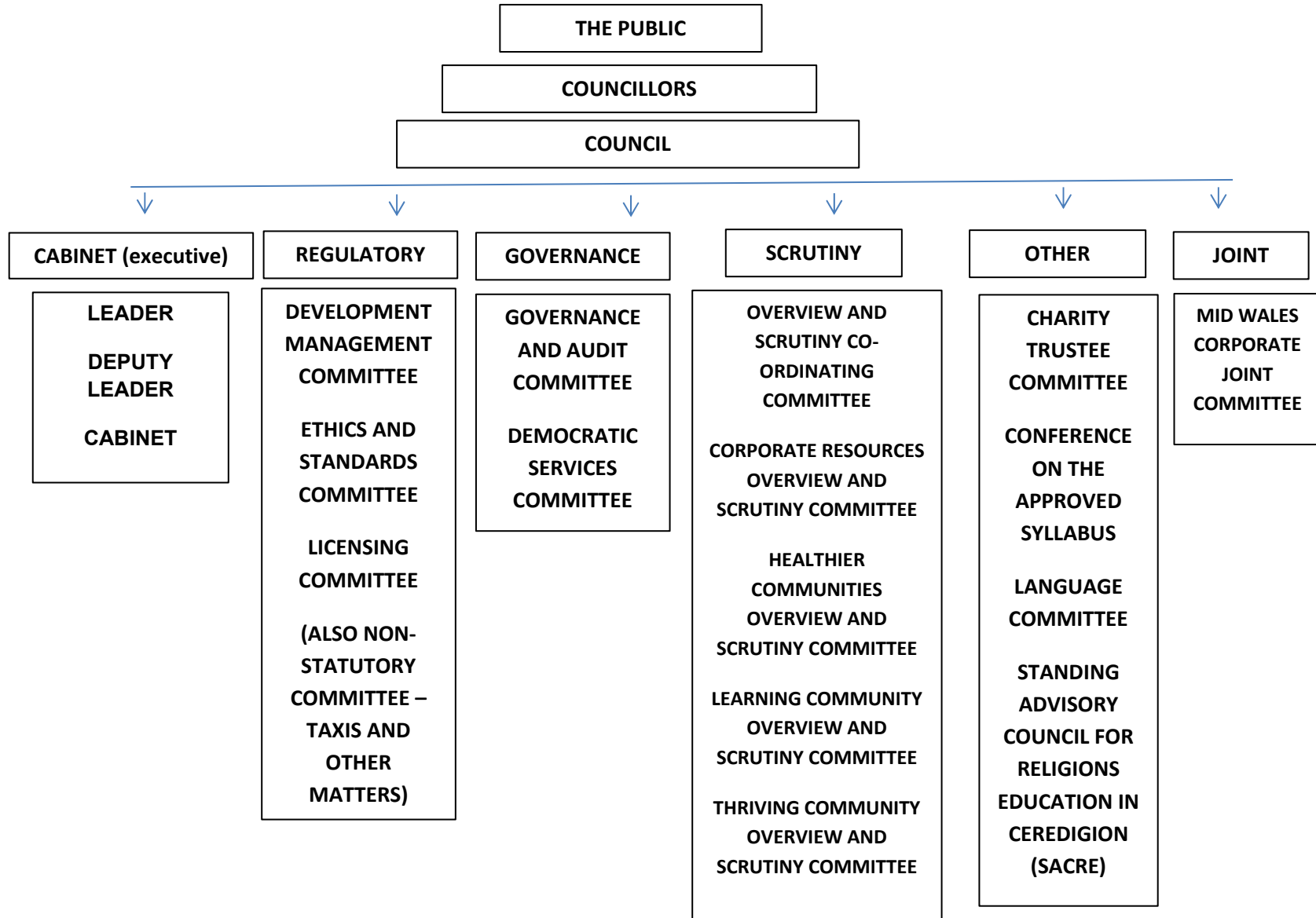
Appendix 1

Organisational Chart

CHIEF EXECUTIVE												
CORPORATE DIRECTOR						CORPORATE DIRECTOR						
<ul style="list-style-type: none"> To ensure the development, implementation and evaluation of corporate strategic priorities and objectives which deliver high quality, safe, efficient and effective services to the residents of Ceredigion. To work strategically and creatively to achieve the highest possible standards of performance in Council services 						<ul style="list-style-type: none"> To be Corporate Director and provide strategic leadership within the Council ensuring that all services comply with, and support, the Council's strategic objectives and standards. To deputise for the Chief Executive when required To provide leadership, guidance and performance management of up to six Corporate Lead Officers 						
CORPORATE LEAD OFFICERS (7)						CORPORATE LEAD OFFICERS (6)						
<ul style="list-style-type: none"> To be Corporate Lead Officer and lead advisor to the Council for all matters relating to their specific functions as listed below. To provide a key link with Corporate Directors and work with other Corporate Lead Officers in ensuring that strategic and corporate objectives are effectively co-ordinated and implemented across all service areas 						<ul style="list-style-type: none"> Whilst Corporate Lead Officers have specific responsibility for the management and leadership of a portfolio of service areas, they have an overriding corporate responsibility to ensure that all service activities and actions comply with and support Council strategic objectives and standards. To work creatively and strategically to achieve the highest possible standards of performance in Ceredigion County Council services 						
SCHOOLS AND LIFELONG LEARNING		LEGAL & GOVERNANCE	FINANCE & PROCUREMENT	POLICY, PERFORMANCE & PUBLIC PROTECTION	ECONOMY & REGENERATION	HIGHWAYS & ENVIRONMENTAL SERVICES	PORTH CYNNAL - SPECIALIST THROUGH AGE SERVICES	PORTH GOFAL TARGETED INTERVENTION	PORTH CYMORTH CYNNAR	PEOPLE & ORGANISATION	CUSTOMER CONTACT, ICT & DIGITAL	DEMOCRATIC SERVICES
*Chief Education Officer	Deputy Chief Education Officer	*Monitoring Officer	*Chief Finance Officer (s151 Officer)				*Statutory Director of Social Services	Deputy Director of Social Services			*SIRO *Proper Officer for Civil Registration	*Head of Democratic Services
<ul style="list-style-type: none"> Post-16 education Attendance, inclusions & behaviour support Pupil welfare Pupil Referral Units EOTAS Lifelong Learning, Skills & Employment Cultural Services Catering Pre-school provision Childcare offer Welsh Language Standards 	<ul style="list-style-type: none"> School Improvement Attainment Additional Learning Needs Admissions and appeals. Governors Sustainable Schools Programme 	<ul style="list-style-type: none"> Legal Corporate Governance Internal Audit Coroners Service 	<ul style="list-style-type: none"> Procurement, Commissioning and Payments Core Finance (Deputy 151) Service Finance (Deputy 151) Revenues & Financial Assessment 	<ul style="list-style-type: none"> Strategic Partnerships, Engagement & Equalities Complaints, Compliments & FOI Public Protection Corporate Performance & Research Refugee resettlement Civil contingencies & Business continuity 	<ul style="list-style-type: none"> Growth and Enterprise Planning Property 	<ul style="list-style-type: none"> Highways Maintenance Highways Development Local Environment Services Transport Services 	<ul style="list-style-type: none"> Specialist through age services including: Strategic Safeguarding Quality Assurance and Independent Review Mental wellbeing and substance misuse Planned care. Extended support 	<ul style="list-style-type: none"> Intake & Triage Team Targeted intervention services Fostering Services Residential and Day Care services (*Responsible Individual) Integrated community equipment stores. Emergency Duty Team 	<ul style="list-style-type: none"> Wellbeing Centres Support & Prevention Early Intervention Housing Services 	<ul style="list-style-type: none"> HR Advice & Admin Pay, Benefits & Systems Learning & Development Health & Safety Employee engagement & wellbeing 	<ul style="list-style-type: none"> ICT Customer Contact Archives & Info Management Library Services Civil Registration 	<ul style="list-style-type: none"> Democratic Services Translation External Communication Electoral Services Corporate Service Support Project Management

Page 112

**Appendix 2
Democratic and decision-making structure**



This page is intentionally left blank

CEREDIGION COUNTY COUNCIL

Report to:	Governance and Audit Committee
Date of meeting:	14 March 2024
Title:	Internal Audit Progress Report 1/10/23 – 31/12/23
Purpose of the report:	To provide Members with an update on the work undertaken by internal audit during the above period

The Committee considered the annual Internal Audit Strategy 2023/24 at its meeting in March 2023 which also identified the main areas of work for the 2023/24 operational audit plan. The Plan included reviews carried forward from the previous year's audit plan, routine audits eg grant certifications and work prioritised dependant on risk, on which the Internal Audit Section can form its assurance opinion.

For 2023/24, a risk assessment was undertaken in addition to information from the Council's Corporate Risk Register as new risks to the Council continue to emerge, which are constantly changing. IA will therefore assess its work on an on-going basis, considering the Council's changing needs and priorities regularly. Any reactive work added to the Operational Plan is reported within this report.

This progress report notes the steps made to date toward delivery of the audit strategy, by providing a summary of the work undertaken. It also documents the current resource position, and the Section's improvement plan.

Recommendation(s):	To consider the work undertaken and current position of the Internal Audit Section
Reasons for decision:	That the Committee is satisfied that the Internal Audit Section is undertaking sufficient and appropriate work in order to provide a realistic assurance at year-end, whilst adding value and assisting the Council in achieving its objectives.
Appendices:	Internal Audit Progress Report 1/10/23-31/12/23
Corporate Lead Officer:	Elin Prysor CLO-Legal and Governance / Monitoring Officer
Reporting Officer:	Alex Jenkins Corporate Manager – Internal Audit
Date:	11 January 2024

Gwasanaethau Cyfreithiol a Llywodraethu

Legal and Governance Services

Gwasanaeth Archwilio Mewnol

Internal Audit Service

Page 116

Mae'r adroddiad yma ar gael yn Gymraeg.

This report is available in Welsh.



Cyngor Sir
CEREDIGION
County Council

Adroddiad Cynnydd Archwilio Mewnol

Internal Audit Progress Report

1 October – 31 December 2023

Report Prepared by: Alex Jenkins,
Corporate Manager – Internal Audit

Date of Issue: 11 January 2024

Presented to Governance & Audit
Committee 14 March 2024

ADRODDIAD CYNNYDD ARCHWILIO MEWNOL

INTERNAL AUDIT PROGRESS REPORT

1/10/2023 – 31/12/2023

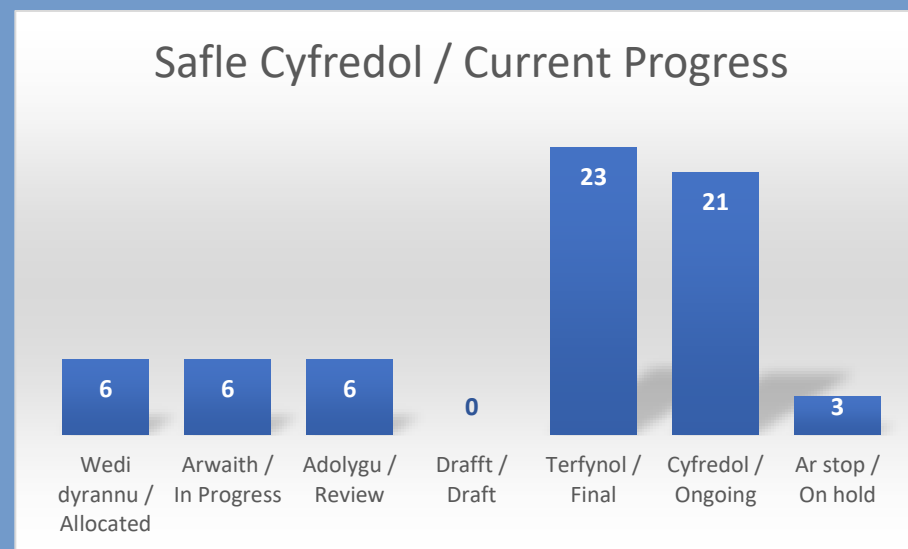
Page 117

1 INTRODUCTION

- 1.1 The Internal Audit Strategy and Annual Plan for 2023/24 was approved by the Committee (GAC) on 9 March 2023.
- 1.2 The purpose of this report is to update the GAC on the work undertaken by Internal Audit (IA) and the progress made and position of the service in progress made towards the completion on the Internal Audit annual plan.
- 1.3 This report also provides an update of work undertaken by the service during the third quarter of the 2023/24 financial year and highlight any areas of concern that may have arisen during the completed audits.
- 1.4 As at 31/12/2023 a total of 80 'live' items appear in the operational Interim Audit Plan. These are made-up of 61 'planned' pieces of work consisting of audits from the Annual Strategy & Plan. The remaining 19 items have been risk assessed and added during the first three quarters, ie reactive work. Further detail on these can be found in Section 3.

2 AUDIT WORK UNDERTAKEN

2.1 Audit Plan Progress (YTD):



2.2 Up to 31/12/2023 78% of the Internal Audit Operation Plan has been covered. With 55% Completed.

2.3 Nine pieces of work were finalised during the quarter, as per table below, which will be considered in determining the IA annual opinion:

Audit Area	Type of Audit	Assurance
<p>HR Amendments – Customer Contact Assessment of processes in place for new starters, leavers and other contract amendments (including honoraria), and to evaluate the controls, risk management and governance processes audited.</p>	System	Substantial
<p>HR Amendments – Economy & Regeneration Assessment of processes in place for new starters, leavers and other contract amendments (including honoraria), and to evaluate the controls, risk management and governance processes audited.</p>	System	Substantial
<p>Counter Fraud Risk Assessment Organisation-wide Fraud Risk Assessment to identify areas of assurance and areas for further investigation / improvement.</p>	Assurance	N/A
<p>Payroll Key Control Key financial risk area. Completed every 3-years. The review considers the arrangements for processing payroll: separation between creating and amending job roles and staff details and processing payroll; security of system. It does NOT include the ICT system.</p>	System	High
<p>Ceredigion Sports Council Honorary audit. Historically, IA prepares and audits the body's annual accounts in time for its AGM.</p>	Account	N/A
<p>Governance Framework As requested by the Governance & Audit Committee, Internal Audit assisted and advised the Governance Officer and CLO L&G on a consultancy basis with the creation of Ceredigion County Council's Governance Document.</p>	Consultancy	Advice
<p>SI – Aberaeron Leisure Centre Cash IA were requested to investigate the income received at Aberaeron Leisure Centre from 2020-2023 to identify a sum of cash found locked in the safe.</p>	SI	SI
<p>Cash Management Software IA were requested to provide advice on the adequacy of controls within the Council's new Cash Receiving System.</p>	Advisory	Advice
<p>Housing Benefit - Suspected Fraud IA were contacted by Revenues & Benefits to provide advice on a suspected fraud.</p>	Consultancy / Counter Fraud	Advice

2.4 Examples of good practice noted from the finalised audits have been listed below, which also form part of the annual assurance process:

- **HR Amendments**

- ✓ Notification of Appointment forms completed for all new employees.
- ✓ Statements of Particulars issued to new employees before commencing employment with the Council.
- ✓ Change of Hour contracts all processed through Dodl.
- ✓ All contracts sampled were found to be correct on Ceri.

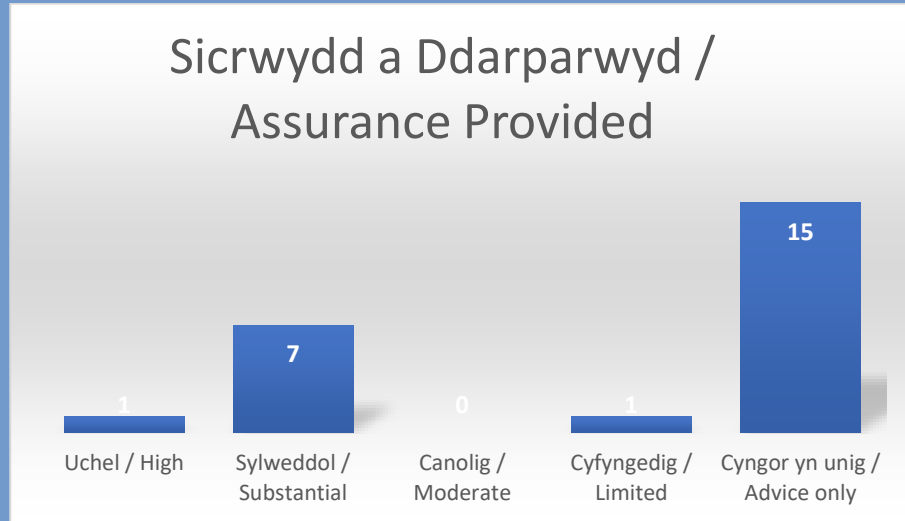
- **Payroll Key Control**

- ✓ There is an adequate separation of duty between preparation and payment.
- ✓ Staff assigned with payroll roles are unable to access HR functions and vice versa.
- ✓ An automatic warning report is produced when authorisation limits are exceeded.
- ✓ All CLOs are sent a monthly report of their structure.
- ✓ A thorough structure check has been completed on during the review of the Through Age and Well Being service.

2.5 A total of 21 items included in the plan are on-going pieces of work, from which IA have extracted examples of good practice achieved during the quarter, which again will be considered in forming the IA annual opinion:

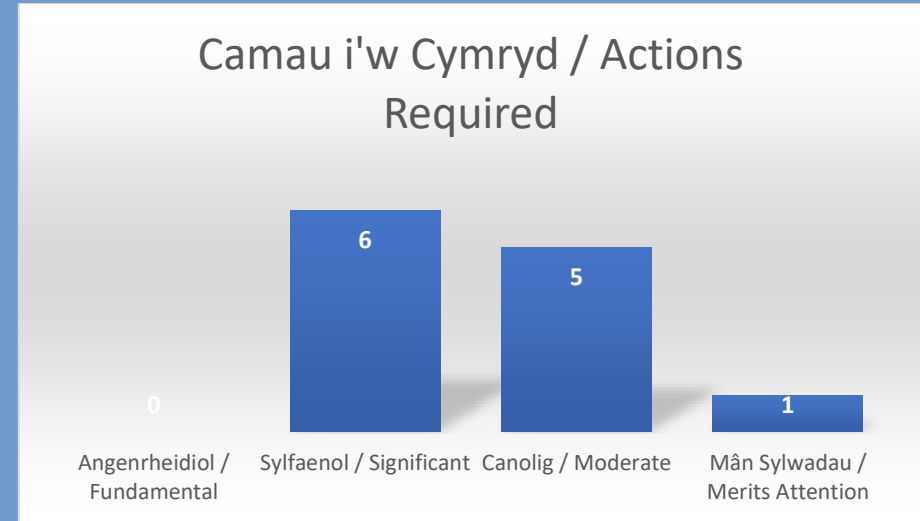
- **Emergency Planning & Business Continuity** – Corporate Business Continuity Plans being reviewed and updated by services & Civil Contingencies staff. Training was given to CMs in order to develop plans to respond to ransomware attacks.
- **Corporate Project Management Panel** – new project proposals put forward & actions requested by panel where appropriate.
- **Corporate Management Workshop** – updates to managers re ways of working, policies & procedures for information and role development.
- **Cyber Resilience & Information Governance Group** – the Group provides operational support, preparedness and direction to address and reduce cyber risks and improve the Council's cyber security, information security and governance.
- **Service Risk Register** - Risk management review which assesses the effectiveness of controls in place for ALL risks identified in the service risk registers.
- **Annual Governance Statement** - CMIA to contribute to finalising 2023/24 AGS & 2024/25 procedures, to include the Governance Framework, as necessary throughout the year.

2.6 The levels of assurance provided for the audits completed so far this year are as follows:



2.7 A guide to the criteria used to determine the overall assurance is shown in Appendix I.

2.8 A total of 12 'actions required' have been issued in the finalised reports during the quarter of which 6 were significant, 5 moderate and 1 merits attention:



2.9 The criteria used to determine the 'actions required' is outlined in Appendix II.

2.10 The 5 significant actions issued during the third quarter are detailed below:

HR Amendments (Customer Contact)

R1

Managers must ensure all forms submitted to HR are accurate and are completed in full.

HR Amendments (Economy & Regeneration)

R1

Termination forms must be provided to HR promptly for all departing employees and should be accompanied by a signed/otherwise authorised resignation letter from the employee.

R2

Honoraria payments must be closely monitored, especially when approaching agreed end dates. Where an employees' honoraria is expected to exceed 12 months, posts should be updated to include the member of staff's higher duties and job evaluated in accordance with the Council's Honorarium Policy.

Special Investigation - Aberaeron Leisure Centre Cash

R1

Centre managers must check and monitor daily & weekly reconciliations of income received at the centre. All income received must also be reconciled to the General Ledger.

All financial records must be retained in line with the Council's Retention Schedule to include system end of day reports, Collection & Deposit (C&D) returns, card machine end of day printouts.

All staff must receive adequate training and be made aware of these procedures and retention schedules.

R2

Leisure services must document accepted protocol for officers when dealing with variances, including an acceptable variance limit. This will ensure that officers are aware of what procedures must be followed when identifying a large variance at the end of the day.

Officers must provide an explanation of till variances. Where the error cannot be found, note the checks undertaken.

Management must investigate all variances exceeding the acceptable limit, regular or unusual till variances.

R3

Refunds must be adequately controlled. Only appointed members of staff should have the functionality to undertake a refund.

All refunds must be authorised by a manager and recorded as such.

3. A total of 19 'reactive' items have been risk assessed and included in the Operational Internal Audit Plan as shown in table (below).

Audit Area	Type of Audit	Status
Ceredigion Museum Shop – Independent Verification of Stock	SI	Completed
Special Investigation – CM	SI	Completed
Special Investigation - SS Motability	SI	In Progress
Special Investigation – Housing Grant	SI	Completed
Special Investigation – Carers Fund Administration	SI	Completed
Special Investigation - Aberaeron Leisure Centre Cash	SI	Completed
Direct Payment Respite Protocol	Consultancy	Completed
Face to Face Provision	Advice	Completed
Direct Payment Policy	Advice	Completed
Coroners Software	Advice	Completed
Safekeeping Review	Advice / Governance	In Progress
Governance Framework	Governance	Completed
Museum – Income	Assurance	In Progress
Recruitment & Retention	Assurance	In Creation
Complaints & FOI Review	Assurance	In Creation
Service Risk Register	Risk	Ongoing
Harbours Report 2022/23	Systems	Completed
Cash Management Software	Advice	Completed
HB Suspected Fraud	Advice	Completed

4 RESOURCES

4.1 Internal Audit has been fully resourced during the third quarter of 2023/24.

4.2 A total of 199 days have been dedicated to audit work during the period 1 October 2023 to 31 December 2023, representing 77% of the assessed days estimated as required to complete the audit plan to year-end (or 103% of days required to complete the audit plan for the first three quarters).

4.3 The CMIA continues to support the Welsh Chief Auditors Group (WCAG) which ensures best practice and consistency between all authorities; and the North & Mid Wales Chief Auditors Group (NMWCAG) to compare practices and share generic documentation. These meetings continue to be held using 'Teams'.

4.4 The NMWCAG run a Counter Fraud Sub-Group, which dedicates more time to the subject. This Sub-Group is attended by the Audit Manager (via Teams).

4.5 All members of staff ensure they meet any continuous professional development conditions and complete the Council's mandatory training requirements. During this year:

- All members of audit staff have undertaken the required updates to the Council's webinars and e-learning training modules, the e-learning system has been redeveloped and several members of audit staff have completed refresher e-learning modules.
- The CMIA and Audit Manager attended the Council's Ceredigion Manager Update training.
- The CMIA along with other IA staff where relevant, have 'attended' regular webinars hosted by the Institute of Internal Auditors (IIA), CIPFA, Data Cymru.
- The CMIA is CIA qualified and a further 2 members of staff are pursuing their Institute of Internal Auditors' qualification.

4.6 Arrangements are also in place to develop IA staff's awareness of counter fraud and ICT/Digital risks and controls via training and online resources.

5 PERFORMANCE INDICATORS

5.1 The current Performance Indicator's (PI's) used by the Internal Audit service are set out below along with performance figures for Q3.

Indicator	Measure	Target	Q3 (YTD)
Number of audits completed	Number	-	23
Percent of planned time spent on audits	%	80	103
Percentage of clients responses at least 'satisfied'	%	95	100
Percentage of actions accepted versus made	%	95	100
Av no of days from end of audit to issue of draft report	Days	10	9.5
Av no of days from exit meeting to final report	Days	5	0

6 IMPROVEMENT PLAN 2023/24

PSIAS Ref.	Conformance with Standard	Action Required	Target Date	Progress
1210	Does the CAE hold a professional qualification, such as CMIIA/CCAB or equivalent? She would like to	The Council should support the CMIA in achieving, at the earliest opportunity, the Chartered Institute of Internal Auditors professional qualification (CMIIA).	As soon as possible, within 3 years of appointment	CMIA has completed the CIA qualification. CMIA will enroll on CMIIA qualification after completing the ILM Level 4.

Guide to the assurance criteria used:

Level:	High	Substantial	Moderate	Limited
Adequacy of Controls:	Controls in place to ensure achievement of service objectives and to protect Council against significant foreseeable risks. No fundamental weaknesses found.	Controls in place to ensure achievement of service objectives and to mitigate significant foreseeable risks. Some areas of improvement identified.	Controls in place to varying degrees. Gaps identified which leaves service exposed to certain risks. Improvement required.	Controls considered insufficient. Need to strengthen procedures significantly and ensure compliance.
Risks:	Minor risks only.	Opportunity exists to improve on risk exposure.	Need to introduce additional controls and/or improve compliance.	Failure to improve controls leaves Council exposed to significant risk (major financial loss, reputation, failure to achieve service's key objectives).
Guide:	No fundamental or significant actions required.	No fundamental actions required. Limited significant actions.	Number of significant actions.	Number of fundamental / significant actions.
Follow-up required:	Initial audit only.	Follow-up of any significant actions only / self-assessment with samples to evidence compliance.	IA follow-up with sample tests undertaken to ensure all actions implemented, and to re-assess assurance.	IA follow-up with full testing undertaken to ensure all actions implemented, and to re-assess assurance.

Guide to the classification of actions used:

Classification of Actions			
Fundamental	Significant	Moderate	Merit Attention
Weakness that is crucial to the management of risk within the service. Needs to be notified and requires the attention of the CLO.	Important findings that identify non-compliance with established procedures that could lead to a risk of financial / reputational loss to Service.	Findings that identify non-compliance with established procedures but do not represent any major risk of financial / reputational loss to Service.	Items requiring little or no action. Included as may be of interest to service or best practice advice.

CEREDIGION COUNTY COUNCIL

Report to:	Audit Committee
Date of meeting:	14 March 2024
Title:	Internal Audit Strategy and Plan 2024/25
Purpose of the report:	To present a proposed Internal Audit plan of work areas to be reviewed during 2024/25 to Members of the Audit Committee

The Public Sector Internal Audit Standards (PSIAS), along with CIPFA's accompanying Local Government Application Note require Councils to have an Internal Audit Charter with an accompanying Annual Audit Strategy and Plan.

The Plan is designed to ensure a sufficient area of coverage is undertaken to support the annual opinion on the effectiveness of the systems of governance, risk management and internal control across the Council.

This proposed Internal Audit Strategy and Plan supports the IA Charter by summarising the work areas the Internal Audit Section will concentrate its time on during 2023/24 and takes account of the current situation due to the pandemic.

Recommendation(s): To APPROVE the Report

Reasons for decision: **That the Audit Committee is satisfied that the Internal Audit Section will undertake sufficient and appropriate work in order to provide a realistic assurance at year-end, whilst adding value and assisting the Council in achieving its objectives.**

Appendices: **Internal Audit Strategy and Plan 2024/25**

Head of Service: Elin Prysor
CLO – Legal and Governance / Monitoring Officer

Reporting Officer: Alex Jenkins, Corporate Manager – Internal Audit

Date: 14 March 2024

GWASANAETHAU CYFREITHIOL A LLYWODRAETHU LEGAL AND GOVERNANCE SERVICES



Mae'r adroddiad yma ar gael yn Gymraeg.

This report is available in Welsh.



STRATEGAETH A RHAGLEN FLYNYDDOL ARCHWILIO MEWNOL 2024/25 INTERNAL AUDIT STRATEGY AND ANNUAL PLAN

Report Prepared by: Alex Jenkins, Corporate Manager - Internal Audit

Date of Issue: 21 January 2024

Presented to Governance and Audit Committee: 14th March 2024

STRATEGAETH A RHAGLEN FLYNYDDOL ARCHWILIO MEWNOL

INTERNAL AUDIT STRATEGY AND ANNUAL PLAN

2024/25

INTRODUCTION

- 1.1 As required by the Global Internal Audit Standards and the PSIAS, the Internal Audit (IA) Service is delivered and developed in accordance with the Internal Audit Charter.
- 1.2 Internal Audit's purpose, as updated in the new Global Internal Audit Standards, is that 'Internal Audit strengthens the organisation's ability to create, protect and sustain value by providing the board and management with independent, risk-based and objective assurance, advice, insight and foresight.'
- 1.3 According to the Global Standards, Internal Auditing enhances the organisation's:
- Successful achievement of its objectives.
 - Governance, risk management and control processes.
 - Decision-making and oversight.
 - Reputation and credibility with its stakeholders.
 - Ability to serve the public interest.
- 1.4 In line with these requirements, we perform our internal audit work with a view to supporting the Council in achieving its aims, objectives and priorities set out in the Council's Strategy by:
- Reviewing the Council's governance processes.
 - Evaluating the effectiveness of the Council's internal control, risk management and governance arrangements by providing independent and objective assurance to management and the Governance and Audit Committee (GAC).
 - Evaluating the management of key risks and challenges to the Council by providing assurance to management and the GAC that they are being managed appropriately.
 - Assisting in the development of an effective internal control environment.
 - Providing advice, consultancy and insight on the Council's operations and provide added corporate value.
- 1.5 This document summarises the work undertaken to develop the Internal Audit Strategy & Plan for 2024-25. It covers:
- Development of the Internal Audit Plan
 - Priority of Work
 - Resources
 - Dependencies
 - Assurance & Reporting
 - Performance & Improvement
 - Areas for review
 - Proposed programme of work for 2024/25

DEVELOPMENT OF THE INTERNAL AUDIT PLAN

- 2.1 In accordance to the Global Internal Audit Standards and PSIAS, the Corporate Manager - Internal Audit is required to develop and implement a strategy and plan that supports strategic objectives and success of the organisation.
- 2.2 The Internal Audit function's objective is to support the Council's services to achieve the Council's vision to 'deliver value for money, sustainable bilingual public services, that support a strong economy and healthy environment, while promoting well-being in our people and our communities'.
- Audits within the Internal Audit annual plan will align to the Council's Corporate Well-being Objectives:
- boosting the economy, supporting businesses and enabling employment
 - creating caring and healthy communities
 - providing the best start in life and enabling learning at all ages, and,
 - creating sustainable green and well-connected communities.
- 2.3 The Council's Corporate Strategy, plans, policies, and other various minutes, reports and correspondence are referred to during the compilation of the plan, to ensure the IA activities are consistent with the Council's current corporate goals and objectives.
- 2.4 The areas for attention highlighted in the Internal Audit Plan have been created by taking into account the Council's objectives, risks identified in the Council's Corporate Risk Register, Internal Audit's annual risk assessment and discussions with management.
- 2.5 Internal Audit's annual risk assessment was undertaken alongside our ongoing assurance mapping to develop the 2024/25 Internal Audit Plan. This took into consideration:
- Results of previous audit work (last audit opinion and time since last audit)
 - Any changes to the Council's systems, processes, controls or service delivery
 - New and emerging challenges affecting the Council
 - Corporate priorities within the Council's Strategy
 - Materiality of budget
 - The Council's risk management processes to include management's views of risks and mitigating actions within their area of responsibility
 - Annual Governance Statement
 - Other sources of external assurance and the results of this external assurance
 - The requirement to ensure there is sufficient coverage to support an annual audit opinion
 - Audit work deferred due to reprioritisation from 2023/24
- 2.6 To avoid duplication of work, those areas where other auditors or regulators have undertaken, or plan to undertake, reviews will be disregarded from the current year's IA operational plan.

- 2.7 Internal Audit will assess its work on an on-going basis, considering the Council's changing needs and priorities regularly.
- 2.8 The Internal Audit Strategy & Plan will be revisited each year to confirm current priorities for internal audit coverage and to develop a detailed operational internal audit plan for the year.

PRIORITY OF WORK

- 3.1 Priority of work within the Internal Audit plan is given to risks within the Corporate Risk Register. 80% of risks within the Corporate Risk Register will be audited over a rolling 2-year period.
- 3.2 All high priority audits and annual reviews highlighted from the Internal Audit Risk Assessment and assurance mapping will be undertaken within 2024/25.
- 3.3 Medium priority audits will be kept under continuous review. Any work required to respond to new priorities or risks may take precedence over the medium priority reviews.
- 3.4 All completed audits and 'reactive' items added to the plan will be reported to GAC within the internal audit progress report.
- 3.5 Where still relevant, the audit plan includes reviews carried forward from the previous year's audit plan, and any routine audits eg grant certifications that are time sensitive are also included, but work will be prioritised dependant on risk.
- 3.6 Internal Audit maintains an Assurance Map that includes assurances that are provided by other assurance sources. The Assurance Map is regularly updated which keeps IA up to date with any emerging issues and will further enable the service to focus its resources in areas of greatest priority and risk.
- 3.7 Internal Audit coordinates an annual Counter Fraud Risk Assessment to obtain assurances and identify controls in place to detect, prevent and identify fraud.
- 3.8 The results of the Counter Fraud Risk Assessment form a Fraud Risk Register where areas requiring Internal Audit advice or input and additional resources can be identified and prioritised. This information has also been considered in the creation on the Internal Audit Annual Plan.
- 3.9 The audit plan can therefore only be indicative as each service / system's associated risk may change during the year. It will therefore be necessary to periodically review the plan in response to any developments and initiatives which are deemed relevant.
- 3.10 The plan for 2024/25 has been formulated for the current level of resources (as set out in Part 4). Days per audit have not been recorded within the plan set out in Appendix I, as days will be allocated to each audit dependant on scope and priority to ensure appropriate resources are allocated. However, indicative days have been allocated to audit areas in accordance with priority and scope of the area of work.

RESOURCES

- 4.1 The provision of IA will be delivered by the in-house team during 2024/25, comprising of six officers (to include the CMIA) plus part of the Governance Officer and Governance & Audit Assistant's (0.5 FTE for Internal Audit) time.
- 4.2 The Internal Audit service is currently fully resourced. This provides 784 audit days, and it is considered that there is sufficient skills and expertise to provide a full range of audits on which to base assurance to the GAC on the adequacy of internal controls, risk management and corporate governance processes in place.
- 4.3 The level of resource is considered sufficient to deliver the annual assurance opinion, however it may be necessary to use external resource to deliver more technical ICT audits should the need arise.
- 4.4 Internal Audit covers the entire control environment within the Council including both financial and non-financial systems. The level of resource requirements has been assessed to ensure the delivery of an effective and efficient internal audit service to the Council.

DEPENDENCIES

- 5.1 Internal Audit recognises that good working relationships and effective communication are key to the delivery of its work in a productive and efficient manner. As such Internal Audit will seek to work and co-operate with both internal and external partners, including management, Members and regulators.
- 5.2 The Corporate Manager – Internal Audit will consult with management during audit planning and the Internal Audit Strategy and Annual Plan will be presented to Leadership Group.
- 5.3 In order to provide an annual audit opinion, the CMIA must receive sufficient assurances from successful completion of the Internal Audit Plan. Co-operation from other Council services and officers is integral to ensure that the plan is completed successfully and on time.
- 5.4 The CMIA will report any variances to the plan or potential risks to the successful completion of the Internal Audit plan to the GAC.

ASSURANCE & REPORTING

- 6.1 A lead auditor is appointed for each audit review to assist in developing the scope of each audit. The scope of an audit may be discussed with managers at the commencement of a review to ensure key risks are addressed, to provide meaningful assurance to the service and maximising added value; or, the review will be based on the control, risk or governance matter that brought the system / service to the attention of IA.
- 6.2 Scoping documents will be provided to managers outlining the agreed scope, objectives of the audit and related Corporate Wellbeing Objective.
- 6.3 Draft internal audit reports are issued at the end of a review for discussion with managers. The final audit reports are issued after the agreement of the draft reports and contain completed action plans addressing any management actions required, identifying those responsible for implementation and timescales. They will also note the IA assurance provided. If managers are unable to attend an exit meeting, draft reports will be issued stating this and required actions will be followed-up, as appropriate, at a future date.
- 6.4 The implementation of management actions is tracked by Internal Audit as part of Internal Audit's Management Actions Programme, however, it is management's responsibility to implement actions to address the findings.
- 6.5 The levels of assurance used by internal audit are:

Level	Guide
High	No fundamental or significant actions required.
Substantial	No fundamental actions required. Limited significant actions.
Moderate	Number of significant actions.
Limited	Number of fundamental / significant actions.

- 6.6 Assurance for 2023/24 will be based on both planned and reactive work, management's implementation of management actions and other sources of assurance identified in Internal Audit's assurance map and fraud risk register. This will then be reported to GAC in the CMIA's Annual Report at year-end and will feed into the Council's Annual Governance Statement (AGS).
- 6.7 On a regular basis GAC receive internal audit progress reports for information. These reports identify:
- Audits completed during the period together with the assurance opinion given and any fundamental & significant actions.
 - Details of audits issued with a Limited assurance opinion.
 - Progress on the implementation of agreed management actions.
 - Measurement of internal audits performance against internal performance targets.
 - Progress against the annual audit plan.

PERFORMANCE & IMPROVEMENT

- 7.1 The CMIA contributes to the Council's Corporate Performance process and creates an annual Business Plan for the service outlining key tasks to be completed during the year.
- 7.2 To achieve planned coverage, deliver a high standard of customer service and demonstrate effectiveness, the Section complies with PSIAS as set out in the Charter via a set quality assurance and improvement program (QAIP) as noted in the Annual Report. IA will also work towards implementing changes to conform with the new Global IA Standards by the effective date for conformance on the 9th January 2025.
- 7.3 An action plan resulting from the 2023/24 internal audit self-assessment, plus other identified improvements, will be reported to GAC after year-end, which will be monitored and updated throughout the year and reported to GAC as part of the quarterly progress reports.
- 7.4 The performance targets for the service have been set, based on CIPFA's benchmarking indicators and the new Global Internal Audit Standards:

Indicator	Measure	Target
Number of audits completed* ¹	N/A	-
Percentage of actions accepted versus made	%	80
Average number of days from exit meeting to final report	days	5
Percentage of QCQ ² responses at least satisfied	%	80
Percentage of audit conclusions addressing the Council's Wellbeing Objectives	%	75
Percentage of the Council's key risks and controls reviewed within 2 years.	%	80
Percentage of Internal Audit plan completed on time.	%	75

1 No target set – for information only

2 Quality Control Questionnaires

AREAS FOR REVIEW 2024/25

8.1 The following have been identified as the main areas of work for the 2024/25 operational internal audit plan:

Corporate Risk Register

8.2 Priority will be given to provide assurance on 'Red' rated risks within the Corporate Risk Register within a rolling 2-year period. This year, priority of attention will to be given to risk R005 Medium Term Financial Plan, R009 Information Governance, R019 Climate Change and Coastal Erosion/Flooding, R020 Ash Dieback and R024 Cyber Resilience.

Risk Assessed Work

8.3 IA will undertake reviews of services, systems and procedures according to the risk assessment and assurance mapping undertaken and / or service requirement which will include work on Penalty Charge Notices, Registrars service and Schools.

Risk Management

8.4 IA has an important role in assessing services' compliance with good risk management practices and the adequacy of controls in place to mitigate risks. IA also supports the corporate risk management protocols by undertaking a periodic review of the process, and the Corporate and Service Risk Registers.

Counter Fraud Work (including NFI)

8.5 IA will continue to participate in the National Fraud Initiative (NFI) exercise, which matches data across organisations and systems to help public bodies identify potentially fraudulent or erroneous claims and transactions.

This will be complemented by data matching reviews using the Active Data software system, and other counter fraud work such as:

- Undertake investigations into reports of breaches of the Council's regulations or criminal activities i.e. fraud against the Council.
- Undertake investigations of reports from staff, other persons engaged in activities on behalf of the Council, and members of the public, regarding cases of possible breach of rules or regulations, misconduct, or fraudulent abuse of authority.
- Refer to the police suspected criminal activity, in accordance with the Anti-Fraud and Corruption Policy and the Fraud Response Plan.

Key Control Audits

8.6 The effectiveness of controls and management of risks within the Council's key financial systems remain a core part of IA's work. This is important to provide assurance to the Council and, if appropriate, to inform the work of Audit Wales (AW). These are now normally performed on a 3-yearly cycle, as agreed with AW.

Ethics

8.7 IA will undertake governance reviews of the ethical culture within the Council including the Code of Conduct and Declarations of Interest.

ICT Audit

8.8 As well as placing assurance on external assessments of ICT, if possible, IA will commence their own assessments based on ICT audit training received.

Local Government & Elections (Wales); and Well-Being of Future Generations Act

8.9 IA's will review and assess the Council's progress in embedding of the acts within the Council's procedures.

Grants

8.10 IA will continue to review grants received where AW assurance is not provided or where there are concerns regarding the operational controls within processing arrangements. Assurance will also be given on compliance with terms and conditions, where requested.

Corporate Governance Arrangements

8.11 The Council is committed to demonstrating that it has the necessary corporate governance arrangements in place to perform effectively. IA supports and reviews the corporate governance framework and provides assurance that it operates effectively by attending the officer / Member joint workshops and undertaking audit reviews.

New Projects

8.12 All Council projects should be delivered in a consistent corporate manner. IA supports this requirement by attending the corporate project management panels and undertaking audit reviews.

Corporate Managers Workshops & GAC Support

8.13 Any corporate changes should deliver its set aims and objectives. IA supports this requirement by undertaking audit reviews and ensuring added value is achieved. This includes supporting the work of the GAC.

Reactive Work & Consultancy

8.14 In addition to the planned assurance services provided, IA will provide reviews on a reactive basis if any risks are highlighted during the year. IA will also offer advice and guidance to officers in respect of a range of issues to include compliance with policies, internal control requirements, etc.

PROPOSED PROGRAMME OF WORK FOR 2024/25

9.1 Attached as Appendix I, is the initial internal audit plan which specifies the areas of work to be performed for the Council during 2024/25. The plan is risk based and has a number of days allocated to each of the key areas of work. The plan also includes a number of days allocated in the plan for risk assessed reactive work.

9.2 The CMIA and/or AM will report progress on a quarterly basis, and will inform the GAC immediately if it is suspected that any impact on resources is likely to have an adverse effect on the audit opinion.

Audit Area	Type of Audit	Planned Days
Risk Register audits	Assurance	200
<ul style="list-style-type: none"> • R005 Medium Term Financial Strategy 		
<ul style="list-style-type: none"> • R009 Information Governance 		
<ul style="list-style-type: none"> • R019 Climate Change 		
<ul style="list-style-type: none"> • R020 Ash Dieback 		
<ul style="list-style-type: none"> • R021 Phosphates 		
<ul style="list-style-type: none"> • R022 Recruitment & Retention 		
<ul style="list-style-type: none"> • R023 Systems End of Life 		
<ul style="list-style-type: none"> • R024 Cyber Resilience 		
Risk Assessed Work – audits identified from IA risk assessment & Assurance Mapping	Assurance / System	150
Reactive audits	Reactive	100
Risk Management	Assurance	30
Follow-up of Management Actions	FF	40
Counter Fraud (including NFI)	Counter Fraud	55
Key Controls – rolling programme	KC	40
Ethics	Counter Fraud	20
ICT Audit	ICT	25
Wellbeing of Future Generations Act	System	30
Grants	Grant	20
Honorary Audits	Honorary	10
Annual Accounts Audits	Accounts	5

LG & Elections (Wales) Act 2021	Assurance	10
Corporate Governance & Projects	Governance	34
Corporate Management / GAC	Assurance	15
Total days		784

A Jenkins, Corporate Manager - Internal Audit	21 January 2024
---	-----------------

This page is intentionally left blank

CEREDIGION COUNTY COUNCIL

Report to:	Audit Committee
Date of meeting:	14 March 2024
Title:	Internal Audit Strategy and Plan 2024/25
Purpose of the report:	To present a proposed Internal Audit plan of work areas to be reviewed during 2024/25 to Members of the Audit Committee

The Public Sector Internal Audit Standards (PSIAS), along with CIPFA's accompanying Local Government Application Note require Councils to have an Internal Audit Charter with an accompanying Annual Audit Strategy and Plan.

The Plan is designed to ensure a sufficient area of coverage is undertaken to support the annual opinion on the effectiveness of the systems of governance, risk management and internal control across the Council.

This proposed Internal Audit Strategy and Plan supports the IA Charter by summarising the work areas the Internal Audit Section will concentrate its time on during 2023/24 and takes account of the current situation due to the pandemic.

Recommendation(s): To APPROVE the Report

Reasons for decision: **That the Audit Committee is satisfied that the Internal Audit Section will undertake sufficient and appropriate work in order to provide a realistic assurance at year-end, whilst adding value and assisting the Council in achieving its objectives.**

Appendices: **Internal Audit Strategy and Plan 2024/25**

Head of Service: Elin Prysor
CLO – Legal and Governance / Monitoring Officer

Reporting Officer: Alex Jenkins, Corporate Manager – Internal Audit

Date: 14 March 2024

GWASANAETHAU CYFREITHIOL A LLYWODRAETHU LEGAL AND GOVERNANCE SERVICES



Mae'r adroddiad yma ar gael yn Gymraeg.

This report is available in Welsh.



STRATEGAETH A RHAGLEN FLYNYDDOL ARCHWILIO MEWNOL 2024/25 INTERNAL AUDIT STRATEGY AND ANNUAL PLAN

Report Prepared by: Alex Jenkins, Corporate Manager - Internal Audit

Date of Issue: 21 January 2024

Presented to Governance and Audit Committee: 14th March 2024

STRATEGAETH A RHAGLEN FLYNYDDOL ARCHWILIO MEWNOL

INTERNAL AUDIT STRATEGY AND ANNUAL PLAN

2024/25

INTRODUCTION

- 1.1 As required by the Global Internal Audit Standards and the PSIAS, the Internal Audit (IA) Service is delivered and developed in accordance with the Internal Audit Charter.
- 1.2 Internal Audit's purpose, as updated in the new Global Internal Audit Standards, is that 'Internal Audit strengthens the organisation's ability to create, protect and sustain value by providing the board and management with independent, risk-based and objective assurance, advice, insight and foresight.'
- 1.3 According to the Global Standards, Internal Auditing enhances the organisation's:
- Successful achievement of its objectives.
 - Governance, risk management and control processes.
 - Decision-making and oversight.
 - Reputation and credibility with its stakeholders.
 - Ability to serve the public interest.
- 1.4 In line with these requirements, we perform our internal audit work with a view to supporting the Council in achieving its aims, objectives and priorities set out in the Council's Strategy by:
- Reviewing the Council's governance processes.
 - Evaluating the effectiveness of the Council's internal control, risk management and governance arrangements by providing independent and objective assurance to management and the Governance and Audit Committee (GAC).
 - Evaluating the management of key risks and challenges to the Council by providing assurance to management and the GAC that they are being managed appropriately.
 - Assisting in the development of an effective internal control environment.
 - Providing advice, consultancy and insight on the Council's operations and provide added corporate value.
- 1.5 This document summarises the work undertaken to develop the Internal Audit Strategy & Plan for 2024-25. It covers:
- Development of the Internal Audit Plan
 - Priority of Work
 - Resources
 - Dependencies
 - Assurance & Reporting
 - Performance & Improvement
 - Areas for review
 - Proposed programme of work for 2024/25

DEVELOPMENT OF THE INTERNAL AUDIT PLAN

- 2.1 In accordance to the Global Internal Audit Standards and PSIAS, the Corporate Manager - Internal Audit is required to develop and implement a strategy and plan that supports strategic objectives and success of the organisation.
- 2.2 The Internal Audit function's objective is to support the Council's services to achieve the Council's vision to 'deliver value for money, sustainable bilingual public services, that support a strong economy and healthy environment, while promoting well-being in our people and our communities'.
- Audits within the Internal Audit annual plan will align to the Council's Corporate Well-being Objectives:
- boosting the economy, supporting businesses and enabling employment
 - creating caring and healthy communities
 - providing the best start in life and enabling learning at all ages, and,
 - creating sustainable green and well-connected communities.
- 2.3 The Council's Corporate Strategy, plans, policies, and other various minutes, reports and correspondence are referred to during the compilation of the plan, to ensure the IA activities are consistent with the Council's current corporate goals and objectives.
- 2.4 The areas for attention highlighted in the Internal Audit Plan have been created by taking into account the Council's objectives, risks identified in the Council's Corporate Risk Register, Internal Audit's annual risk assessment and discussions with management.
- 2.5 Internal Audit's annual risk assessment was undertaken alongside our ongoing assurance mapping to develop the 2024/25 Internal Audit Plan. This took into consideration:
- Results of previous audit work (last audit opinion and time since last audit)
 - Any changes to the Council's systems, processes, controls or service delivery
 - New and emerging challenges affecting the Council
 - Corporate priorities within the Council's Strategy
 - Materiality of budget
 - The Council's risk management processes to include management's views of risks and mitigating actions within their area of responsibility
 - Annual Governance Statement
 - Other sources of external assurance and the results of this external assurance
 - The requirement to ensure there is sufficient coverage to support an annual audit opinion
 - Audit work deferred due to reprioritisation from 2023/24
- 2.6 To avoid duplication of work, those areas where other auditors or regulators have undertaken, or plan to undertake, reviews will be disregarded from the current year's IA operational plan.

- 2.7 Internal Audit will assess its work on an on-going basis, considering the Council's changing needs and priorities regularly.
- 2.8 The Internal Audit Strategy & Plan will be revisited each year to confirm current priorities for internal audit coverage and to develop a detailed operational internal audit plan for the year.

PRIORITY OF WORK

- 3.1 Priority of work within the Internal Audit plan is given to risks within the Corporate Risk Register. 80% of risks within the Corporate Risk Register will be audited over a rolling 2-year period.
- 3.2 All high priority audits and annual reviews highlighted from the Internal Audit Risk Assessment and assurance mapping will be undertaken within 2024/25.
- 3.3 Medium priority audits will be kept under continuous review. Any work required to respond to new priorities or risks may take precedence over the medium priority reviews.
- 3.4 All completed audits and 'reactive' items added to the plan will be reported to GAC within the internal audit progress report.
- 3.5 Where still relevant, the audit plan includes reviews carried forward from the previous year's audit plan, and any routine audits eg grant certifications that are time sensitive are also included, but work will be prioritised dependant on risk.
- 3.6 Internal Audit maintains an Assurance Map that includes assurances that are provided by other assurance sources. The Assurance Map is regularly updated which keeps IA up to date with any emerging issues and will further enable the service to focus its resources in areas of greatest priority and risk.
- 3.7 Internal Audit coordinates an annual Counter Fraud Risk Assessment to obtain assurances and identify controls in place to detect, prevent and identify fraud.
- 3.8 The results of the Counter Fraud Risk Assessment form a Fraud Risk Register where areas requiring Internal Audit advice or input and additional resources can be identified and prioritised. This information has also been considered in the creation on the Internal Audit Annual Plan.
- 3.9 The audit plan can therefore only be indicative as each service / system's associated risk may change during the year. It will therefore be necessary to periodically review the plan in response to any developments and initiatives which are deemed relevant.
- 3.10 The plan for 2024/25 has been formulated for the current level of resources (as set out in Part 4). Days per audit have not been recorded within the plan set out in Appendix I, as days will be allocated to each audit dependant on scope and priority to ensure appropriate resources are allocated. However, indicative days have been allocated to audit areas in accordance with priority and scope of the area of work.

RESOURCES

- 4.1 The provision of IA will be delivered by the in-house team during 2024/25, comprising of six officers (to include the CMIA) plus part of the Governance Officer and Governance & Audit Assistant's (0.5 FTE for Internal Audit) time.
- 4.2 The Internal Audit service is currently fully resourced. This provides 784 audit days, and it is considered that there is sufficient skills and expertise to provide a full range of audits on which to base assurance to the GAC on the adequacy of internal controls, risk management and corporate governance processes in place.
- 4.3 The level of resource is considered sufficient to deliver the annual assurance opinion, however it may be necessary to use external resource to deliver more technical ICT audits should the need arise.
- 4.4 Internal Audit covers the entire control environment within the Council including both financial and non-financial systems. The level of resource requirements has been assessed to ensure the delivery of an effective and efficient internal audit service to the Council.

DEPENDENCIES

- 5.1 Internal Audit recognises that good working relationships and effective communication are key to the delivery of its work in a productive and efficient manner. As such Internal Audit will seek to work and co-operate with both internal and external partners, including management, Members and regulators.
- 5.2 The Corporate Manager – Internal Audit will consult with management during audit planning and the Internal Audit Strategy and Annual Plan will be presented to Leadership Group.
- 5.3 In order to provide an annual audit opinion, the CMIA must receive sufficient assurances from successful completion of the Internal Audit Plan. Co-operation from other Council services and officers is integral to ensure that the plan is completed successfully and on time.
- 5.4 The CMIA will report any variances to the plan or potential risks to the successful completion of the Internal Audit plan to the GAC.

ASSURANCE & REPORTING

- 6.1 A lead auditor is appointed for each audit review to assist in developing the scope of each audit. The scope of an audit may be discussed with managers at the commencement of a review to ensure key risks are addressed, to provide meaningful assurance to the service and maximising added value; or, the review will be based on the control, risk or governance matter that brought the system / service to the attention of IA.
- 6.2 Scoping documents will be provided to managers outlining the agreed scope, objectives of the audit and related Corporate Wellbeing Objective.
- 6.3 Draft internal audit reports are issued at the end of a review for discussion with managers. The final audit reports are issued after the agreement of the draft reports and contain completed action plans addressing any management actions required, identifying those responsible for implementation and timescales. They will also note the IA assurance provided. If managers are unable to attend an exit meeting, draft reports will be issued stating this and required actions will be followed-up, as appropriate, at a future date.
- 6.4 The implementation of management actions is tracked by Internal Audit as part of Internal Audit's Management Actions Programme, however, it is management's responsibility to implement actions to address the findings.
- 6.5 The levels of assurance used by internal audit are:

Level	Guide
High	No fundamental or significant actions required.
Substantial	No fundamental actions required. Limited significant actions.
Moderate	Number of significant actions.
Limited	Number of fundamental / significant actions.

- 6.6 Assurance for 2023/24 will be based on both planned and reactive work, management's implementation of management actions and other sources of assurance identified in Internal Audit's assurance map and fraud risk register. This will then be reported to GAC in the CMIA's Annual Report at year-end and will feed into the Council's Annual Governance Statement (AGS).
- 6.7 On a regular basis GAC receive internal audit progress reports for information. These reports identify:
- Audits completed during the period together with the assurance opinion given and any fundamental & significant actions.
 - Details of audits issued with a Limited assurance opinion.
 - Progress on the implementation of agreed management actions.
 - Measurement of internal audits performance against internal performance targets.
 - Progress against the annual audit plan.

PERFORMANCE & IMPROVEMENT

- 7.1 The CMIA contributes to the Council's Corporate Performance process and creates an annual Business Plan for the service outlining key tasks to be completed during the year.
- 7.2 To achieve planned coverage, deliver a high standard of customer service and demonstrate effectiveness, the Section complies with PSIAS as set out in the Charter via a set quality assurance and improvement program (QAIP) as noted in the Annual Report. IA will also work towards implementing changes to conform with the new Global IA Standards by the effective date for conformance on the 9th January 2025.
- 7.3 An action plan resulting from the 2023/24 internal audit self-assessment, plus other identified improvements, will be reported to GAC after year-end, which will be monitored and updated throughout the year and reported to GAC as part of the quarterly progress reports.
- 7.4 The performance targets for the service have been set, based on CIPFA's benchmarking indicators and the new Global Internal Audit Standards:

Indicator	Measure	Target
Number of audits completed* ¹	N/A	-
Percentage of actions accepted versus made	%	80
Average number of days from exit meeting to final report	days	5
Percentage of QCQ ² responses at least satisfied	%	80
Percentage of audit conclusions addressing the Council's Wellbeing Objectives	%	75
Percentage of the Council's key risks and controls reviewed within 2 years.	%	80
Percentage of Internal Audit plan completed on time.	%	75

1 No target set – for information only

2 Quality Control Questionnaires

AREAS FOR REVIEW 2024/25

8.1 The following have been identified as the main areas of work for the 2024/25 operational internal audit plan:

Corporate Risk Register

8.2 Priority will be given to provide assurance on 'Red' rated risks within the Corporate Risk Register within a rolling 2-year period. This year, priority of attention will to be given to risk R005 Medium Term Financial Plan, R009 Information Governance, R019 Climate Change and Coastal Erosion/Flooding, R020 Ash Dieback and R024 Cyber Resilience.

Risk Assessed Work

8.3 IA will undertake reviews of services, systems and procedures according to the risk assessment and assurance mapping undertaken and / or service requirement which will include work on Penalty Charge Notices, Registrars service and Schools.

Risk Management

8.4 IA has an important role in assessing services' compliance with good risk management practices and the adequacy of controls in place to mitigate risks. IA also supports the corporate risk management protocols by undertaking a periodic review of the process, and the Corporate and Service Risk Registers.

Counter Fraud Work (including NFI)

8.5 IA will continue to participate in the National Fraud Initiative (NFI) exercise, which matches data across organisations and systems to help public bodies identify potentially fraudulent or erroneous claims and transactions.

This will be complemented by data matching reviews using the Active Data software system, and other counter fraud work such as:

- Undertake investigations into reports of breaches of the Council's regulations or criminal activities i.e. fraud against the Council.
- Undertake investigations of reports from staff, other persons engaged in activities on behalf of the Council, and members of the public, regarding cases of possible breach of rules or regulations, misconduct, or fraudulent abuse of authority.
- Refer to the police suspected criminal activity, in accordance with the Anti-Fraud and Corruption Policy and the Fraud Response Plan.

Key Control Audits

8.6 The effectiveness of controls and management of risks within the Council's key financial systems remain a core part of IA's work. This is important to provide assurance to the Council and, if appropriate, to inform the work of Audit Wales (AW). These are now normally performed on a 3-yearly cycle, as agreed with AW.

Ethics

8.7 IA will undertake governance reviews of the ethical culture within the Council including the Code of Conduct and Declarations of Interest.

ICT Audit

8.8 As well as placing assurance on external assessments of ICT, if possible, IA will commence their own assessments based on ICT audit training received.

Local Government & Elections (Wales); and Well-Being of Future Generations Act

8.9 IA's will review and assess the Council's progress in embedding of the acts within the Council's procedures.

Grants

8.10 IA will continue to review grants received where AW assurance is not provided or where there are concerns regarding the operational controls within processing arrangements. Assurance will also be given on compliance with terms and conditions, where requested.

Corporate Governance Arrangements

8.11 The Council is committed to demonstrating that it has the necessary corporate governance arrangements in place to perform effectively. IA supports and reviews the corporate governance framework and provides assurance that it operates effectively by attending the officer / Member joint workshops and undertaking audit reviews.

New Projects

8.12 All Council projects should be delivered in a consistent corporate manner. IA supports this requirement by attending the corporate project management panels and undertaking audit reviews.

Corporate Managers Workshops & GAC Support

8.13 Any corporate changes should deliver its set aims and objectives. IA supports this requirement by undertaking audit reviews and ensuring added value is achieved. This includes supporting the work of the GAC.

Reactive Work & Consultancy

8.14 In addition to the planned assurance services provided, IA will provide reviews on a reactive basis if any risks are highlighted during the year. IA will also offer advice and guidance to officers in respect of a range of issues to include compliance with policies, internal control requirements, etc.

PROPOSED PROGRAMME OF WORK FOR 2024/25

9.1 Attached as Appendix I, is the initial internal audit plan which specifies the areas of work to be performed for the Council during 2024/25. The plan is risk based and has a number of days allocated to each of the key areas of work. The plan also includes a number of days allocated in the plan for risk assessed reactive work.

9.2 The CMIA and/or AM will report progress on a quarterly basis, and will inform the GAC immediately if it is suspected that any impact on resources is likely to have an adverse effect on the audit opinion.

Audit Area	Type of Audit	Planned Days
Risk Register audits	Assurance	200
<ul style="list-style-type: none"> • R005 Medium Term Financial Strategy 		
<ul style="list-style-type: none"> • R009 Information Governance 		
<ul style="list-style-type: none"> • R019 Climate Change 		
<ul style="list-style-type: none"> • R020 Ash Dieback 		
<ul style="list-style-type: none"> • R021 Phosphates 		
<ul style="list-style-type: none"> • R022 Recruitment & Retention 		
<ul style="list-style-type: none"> • R023 Systems End of Life 		
<ul style="list-style-type: none"> • R024 Cyber Resilience 		
Risk Assessed Work – audits identified from IA risk assessment & Assurance Mapping	Assurance / System	150
Reactive audits	Reactive	100
Risk Management	Assurance	30
Follow-up of Management Actions	FF	40
Counter Fraud (including NFI)	Counter Fraud	55
Key Controls – rolling programme	KC	40
Ethics	Counter Fraud	20
ICT Audit	ICT	25
Wellbeing of Future Generations Act	System	30
Grants	Grant	20
Honorary Audits	Honorary	10
Annual Accounts Audits	Accounts	5

LG & Elections (Wales) Act 2021	Assurance	10
Corporate Governance & Projects	Governance	34
Corporate Management / GAC	Assurance	15
Total days		784

A Jenkins, Corporate Manager - Internal Audit	21 January 2024
---	-----------------

This page is intentionally left blank

CEREDIGION COUNTY COUNCIL

Report to:	Governance and Audit Committee
Date of meeting:	14 March 2024
Title:	Internal Audit Report – Governance Framework Review 2023/24
Purpose of the report:	To advise Members of the audit findings

A review has recently been undertaken of the Framework supporting the Annual Governance Statement (AGS) for 2023/24.

The Governance Framework, AGS and Local Code of Corporate Governance were presented to the Committee in January 2024. Members of the Committee were also involved in its review.

AW provides an audit opinion on the AGS based on its consistency with their knowledge and compliance with legislation.

The internal audit review consists of an assessment of the procedures in place to compile the governance framework, the scoring methodology used, and consideration of the 'evidence' noted in the framework.

This review therefore complements AW's work on the AGS, and provides assurance that the procedure is robust, focussed and effective.

Recommendation(s):	To note the review of the Governance Framework
Reasons for decision:	Information only
Appendices:	Internal Audit Report – Governance Framework Review 2023/24
Head of Service:	Elin Prysor CLO-Legal and Governance / Monitoring Officer
Reporting Officer:	Alex Jenkins Corporate Manager – Internal Audit
Date:	15 February 2023

GWASANAETHAU CYFREITHIOL A
LLYWODRAETHU

LEGAL & GOVERNANCE SERVICE

GWASANAETH ARCHWILIO MEWNOL

INTERNAL AUDIT SERVICE



Cyngor Sir
CEREDIGION
County Council

ADRODDIAD ARCHWILIO— AUDIT REPORT

Governance Framework Review 2023/24

Report Prepared by: Alex Jenkins, Corporate Manager – Internal Audit
Date of Issue: 15th February 2023

THIS REPORT IS ALSO AVAILABLE IN WELSH

INTERNAL AUDIT REPORT

Governance Framework Review 2023/24

EXECUTIVE SUMMARY

A review has recently been undertaken of the framework supporting the Annual Governance Statement (AGS) 2023/24.

The review was undertaken to complement Audit Wales (AW) officers' work, whose opinion provides assurance that the AGS is consistent with their knowledge and the organisation's corporate governance arrangements comply with required legislation and regulations.

I'm pleased to report that the systems and procedures audited were found to be satisfactory, with improvements to simplify the scoring mechanism having taken place. A Governance Framework has been created, and improvements on the Governance Framework review process and the resulting Annual Governance Statement have been planned for completion in 2024.

These collectively enable me to provide substantial assurance that there is a sound system of scrutiny and robustness in place.

I would like to take this opportunity to thank Katy Sinnett-Jones, Governance Officer (GO) for her ready assistance and co-operation during the course of the audit.

OBJECTIVE

The main objective of the assessment is to review the procedure and self-assessment arrangements of the governance framework, the scoring methodology used and the evidence available, in order to provide an opinion to the Corporate Lead Officer – Legal and Governance of Internal Audit's evaluation of scrutiny and robustness present in the process.

AUDIT APPROACH

The assessment was designed to evaluate the attainment of specific standards. These are mainly the standards set out in CIPFA's Delivering Good Governance document. In doing so, Internal Audit has:

- Examined the standards and framework,
- Held discussions with key personnel, and
- Reviewed the procedures employed by the service to produce the framework, to include attending the workshops.

SUMMARY OF FINDINGS

The Governance Officer is responsible for co-ordinating and drafting the AGS and supporting framework. The current arrangement was adopted in 2016/17 and in accordance with AW (then WAO) recommendation, Member / officer workshops have been held to scrutinise, review and update the framework annually.

The items substantiating good governance against each principle have been listed / described as evidence in the framework.

During the workshops Members and officers had an opportunity to assess those items, and to score them accordingly, using the system as noted in the AGS:

1	Unacceptable - Immediate action required
2	Below satisfactory - Urgent action required (within 3-6 months)
3	Satisfactory - Action required (before end of year 9-12 months)
4	Acceptable - Minor adjustments may be required
5	Good - Overall governance considered to be good and meets best practice; No further action required

In addition, where possible improvements have been identified, appropriate action has been included in the following year's action plan.

During the audit review, the framework evidence and scores were assessed, and an additional statement / opinion provided to substantiate their effectiveness.

CONCLUSION

From the review, it is concluded that there is a sound system of scrutiny and the systems and procedures in preparing and scoring the framework are satisfactory, with improvements already in progress. This is further demonstrated from the assessment of the evidence provided as assurance against each element in the framework.

23/02/2024

X 

AEJ/AGS
15 February 2024

Signed by: Alex Jenkins

Corporate Manager - Internal Audit

Report Distribution

Elin Prysor, Corporate Lead Officer – Legal & Governance / Monitoring Officer
Katy Sinnott-Jones, Governance Officer

Cyngor Sir CEREDIGION County Council

REPORT TO:	Governance and Audit Committee
DATE:	14th March 2024
LOCATION:	Remotely via Video Conference
TITLE:	Statutory and non-statutory guidance on democracy within principal councils
PURPOSE OF REPORT:	For information

Background

This is statutory guidance issued under section 38 of the Local Government Act 2000, as amended by section 45 of the Local Government and Elections (Wales) Act 2021-[Statutory and non-statutory guidance on democracy within principal councils | GOV.WALES](#). **Appendix 1. June 2023**

This was first brought to the committee on **24.1.24** for information.

In August 2023 there was an update to the section highlighted in yellow on **Appendix 1 Part 4 Governance and Scrutiny (pages 143-151)**.

There has been an amendment in that an additional paragraph has been added into the August 2023 version relating to the Annual Governance Statement which now reads as follows:

‘An Annual Governance Statement is a document which sets out a council’s arrangements for decision-making and governance. The AGS is the product of a review of council governance carried out by senior officers. There is no obligation on Welsh councils to prepare an Annual Governance Statement. As there is no legal obligation to produce an Annual Governance Statement, Welsh Government is not providing statutory guidance on this matter. However, councils will note the presence of the local government accounting standards. Councils could consider how the AGS can be used as a tool for broader corporate improvement; it can be used to evaluate strengths and weaknesses in the governance framework and, as part of an annual action plan, take forward agreed changes accordingly.’

The additional text has been shared with the Chair and Vice Chair.

Current position

1)It is proposed that the impact/effect of this additional text relating to the Annual Governance Statement will be considered, and reported back to Committee.

2)Officers are planning on reviewing the Annual Governance Statement template for 2024-25

RECOMMENDATION(S):

The Committee is requested to:

- i. Note the contents of this report, and the parts of the Guidance relevant to the Governance & Audit Committee, in particular the additional text in relation to the Annual Governance Statement.
- ii.

REASON FOR RECOMMENDATION(S): To note the Statutory and non-statutory guidance within principal councils

Appendices: Statutory and non-statutory guidance on democracy within principal councils (**Appendix 1**)

Head of Service: Elin Prysor, Corporate Lead Officer – Legal & Governance Services / Monitoring Officer

Reporting Officer: Katy Sinnett-Jones – Governance Officer

Date: 27.02.2024



Llywodraeth Cymru
Welsh Government

GUIDANCE

Statutory and non-statutory guidance on democracy within principal councils

Explains what county and county borough (principal) councils must do to meet relevant law in Wales.

First published: 7 July 2023

Last updated: 7 August 2023

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Contents

Statutory and non-statutory guidance on democracy within principal councils: about

Purpose of this guidance

Navigating this guidance

Terminology

Statutory and non-statutory guidance on democracy within principal councils: members' support, training and development

Timing of Council Meetings Statutory Guidance

Training, Development and Support for Local Authority Members Statutory Guidance

Research Support and Services for Councillors Statutory Guidance

Statutory Guidance on duties of leaders of political groups in relation to standards of conduct

Statutory Guidance on the Functions of Standards Committees

Duty of a standards committee to monitor group leaders' compliance with the duties, and provision of advice and training

Duty of standards committee to make annual report

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Statutory and non-statutory guidance on democracy within principal councils: public participation; strategies and petitions

Statutory Guidance on Public Participation Strategies

Statutory Guidance on Petitions

Statutory and non-statutory guidance on democracy within principal councils: governance and scrutiny

Statutory Guidance on Constitutions

The Constitution Guide Statutory Guidance

The Exercise of Functions by Councillors Statutory Guidance

Council Executives Statutory Guidance

Political Assistants Non Statutory Guidance

Arrangements for Securing Effective Overview and Scrutiny Statutory Guidance

Appointment of Persons to Chair Overview and Scrutiny Committees Statutory Guidance

Co-opted Members of Overview and Scrutiny Committees Statutory Guidance

Call in' Arrangements in relation to Overview and Scrutiny Committees Statutory Guidance

Councillor Calls for Action Statutory Guidance

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Overview and Scrutiny Committees: taking into account the views of the public

Joint Overview and Scrutiny Committees Statutory Guidance

Democratic Services Committees Statutory Guidance

Governance and Audit Committees Statutory Guidance

Guidance on multi-location meetings

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Part 1: about this guidance

Purpose of this guidance

This guidance is consolidated statutory guidance intended to support principal councils meet requirements under the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021.

Navigating this guidance

This guidance consists of 4 parts as set out below:

- **Part 1: about this guidance**
- **Part 2: guidance for elected members' support, training and development**
- **Part 3: guidance on public participation strategies and petition schemes**
- **Part 4: guidance on constitutions, executives, scrutiny, governance and audit committees and conducting meetings**

Terminology

For the purposes of this guidance the terms Principal Council and Local Authority are to be considered to mean County Council or County Borough Council.

Part 2: members' support, training and development

Timing of Council Meetings Statutory Guidance

Status of this Guidance

This is statutory Guidance made under Section 6 of the Local Government (Wales) Measure 2011 (the Measure). By virtue of section 6 (2) of the Measure, local authorities must have regard to this guidance in respect of the times and intervals at which meetings of a local authority are held. The relevant meetings in the context of this guidance are meetings of the full council and any committee or sub-committee of the council.

Purpose

Part 1 of the Measure contains provisions related to the strengthening of local democracy. More specifically, this guidance deals with “promoting and supporting membership of local authorities” and section 6 relates to the timing of meetings.

The times at which the meetings of a council take place is of considerable significance as it can affect the extent to which individuals may contemplate standing for election. It is also important to provide for flexibility to support the changing needs of councillors when they are elected so that diversity can be maintained. This is an area for concern as it may impact on the diversity of membership of the council and thus impact on the council's ability to make decisions which are informed by and reflect the diversity of people living in the council area. Decision making informed by insight from people of all ages and backgrounds is likely to be more balanced and have more focus on sustainable and long term solutions which balance the needs of different people in keeping with the principles set out in the Well-being of Future Generations (Wales) Act

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

2015.

For example, whilst the requirement to provide the facility for multi-location meetings for members who wish to join meetings remotely (see section 47 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act)) should overcome some concerns, many people will find attending, sometimes lengthy meetings, in the day is incompatible with their paid employment and certain times of day are challenging for people with caring responsibilities such as young children. Therefore, for the purposes of this guidance the timing of meetings also includes their frequency and length.

Reviewing existing arrangements

Only members of council executives are considered to be “full-time” councillors and this is reflected in the levels of payments they are entitled to for their special responsibilities. By contrast, non-executive members are considered to undertake the equivalent of a part-time role, which will, in many cases, need to be fitted around whatever other commitments councillors may have.

For many prospective and serving councillors in full-time employment, the extent to which their employers are supportive of their new commitment is a vital concern. Although employment legislation entitles councillors to time off for public duties, operating that in practice may be more difficult (see Section 50 of the Employment Rights Act 1996 (1996 c18)).

The timing, length and frequency of meetings is the most problematic issue in this respect. Other duties may be fulfilled at times which suit the individual but a meeting is at a set time and (subject to any arrangements made for remote attendance) at a set venue.

It is neither practical nor desirable for the Welsh Government to prescribe the times, length and frequency of meetings of the full council, its committees and sub-committees as these are matters for each council to consider in individual circumstances. However, it is important that councils do not simply continue to

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

hold their meetings at the same time, in the same way as they have always done, simply out of inertia. What may have been tradition or an arrangement which suited the previous cohort of councillors will not necessarily serve the interests of the current one. It is recommended that meetings should be held of a length and at times, intervals and locations which are convenient to its members, having regard to equality and diversity issues. Also, regardless of whether meetings are fully on-line, multi-location or in person, agendas should provide for suitable breaks as this not only promotes a more effective meeting but is essential for members' and officers' health and well-being.

Therefore, all local authorities should review the times, frequency and length of meetings at least once in every term, preferably shortly after the new council is elected. However, it would be prudent to consider an increase in this frequency to accommodate changes in circumstances that may accrue during that period.

Councils should survey their members, at least once shortly after each election, to assess their preferences and should be committed to act on the conclusions. The survey should be carried out at such time as it will be of most benefit to incoming members but no later than 6 months following ordinary elections. It will then be for each authority to decide on the regularity of such surveys.

Issues to be taken into account in conducting a survey could include:

- whether daytime or evening meetings are preferred
- whether meetings are to be in person, fully online or multi-location
- the preferred meeting length
- whether particular times cause difficulties for councillors with particular characteristics, such as age, gender, religion, having caring responsibilities or being in employment

When considering the results of the survey, councils will need to balance a range of responses and while committed to flexibility it may not be possible to accommodate every individuals' circumstances at all meetings. In these circumstances councils should also consider whether there may be advantages to rotating meeting times due to an impossibility of meeting all of their members

needs all of the time. Any such arrangements will, of course, need to be clearly publicised for the benefit of interested members of the public.

Training, Development and Support for Local Authority Members Statutory Guidance

Status of this Guidance

This is statutory guidance made under Section 7(4) of the Local Government (Wales) Measure 2011 (the Measure), a local authority (a county or county borough council in Wales) must have regard to it.

Section 38 of the Local Government Act 2000, as amended by section 45 of the Local Government and Elections (Wales) Act 2021. A local authority (a county or county borough council in Wales), elected mayor or an executive leader must have regard to it; and Section 71 of the Government of Wales Act 2006.

Purpose

Part 1 of the Measure contains provisions intended to strengthen local democracy. Chapter 1 of that Part concerns the support provided to members of a local authority and section 7 within that chapter provides for the training and development of these members. This guidance relates to matters local authorities must take into account in securing reasonable training and development opportunities for its members as required under section 7 of the Measure.

What the Measure requires

Section 7 requires local authorities to secure the provision of reasonable training and development opportunities for its members. Each member should also have

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

the opportunity to have a review of their training and development needs on an annual basis. However, it should be noted that these provisions do not apply to the executive leader of an authority which operates a leader and cabinet executive.

Should a member decide to have an annual review of their training and development needs, the authority must ensure that the review includes an opportunity for an interview with someone who they consider to be “suitably qualified” to advise about the training and development needs of a member.

In relation to these functions, a local authority is under an obligation to have regard to guidance issued by Welsh Ministers.

Reasonable Training and Development Opportunities

The Measure does not define what constitutes reasonable training and development opportunities for the purposes of section 7. The Welsh Government recommends that local authorities provide opportunities for what is essential for a local authority member to perform their role effectively.

The role of councillors is constantly evolving as legislation changes, for example, the Local Government and Elections (Wales) Act 2021 (the 2021 Act) brings in provision enabling executive members to job share executive posts and for there to be assistants to the executive, it amended the remit of Governance and Audit Committees and placed new duties on councils to encourage the public to participate in decision making. Likewise the social and environmental context in which councillors undertake their roles is constantly changing, new developments in social media, structural change in the way the public services are organised and the way councils interact with individuals and communities.

Therefore, it is essential that councils do not have a static view of what constitutes reasonable training and development needs for the purposes of section 7 of the Measure. The definition should be one which is regularly and frequently kept under review, most likely by the democratic services committee,

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

to ensure it reflects legislative changes and the needs of members identified through their annual reviews. It is not sufficient to offer a package of training to a member immediately on their election and take a position that is sufficient to support them for the whole of their term.

Subjects for an on-going training programme of member development should, but not exclusively, include:

- induction: an introduction to the work of a local authority and its relationship with key bodies and the role of those bodies. Councils should plan a comprehensive induction programme for new councillors for delivery shortly after ordinary elections and also for new members elected at a by election
- training on the role and functions of the executive, the council and its officers
- an overview of the council's constitution, including the operation of meetings, how to raise questions with the leader and executive, access to information and research support
- training for the chairs of committees including effective chairing skills
- training on specific roles members may undertake such as governors or representatives on health boards, fire and rescue authorities or national parks including a short brief on the purpose of the role and the member's responsibilities in keeping the council apprised of developments on the body they are representing the council on, the level of decision making that is delegated to them and how they may access assistance to support them in the role
- training on the role of the councillor as a local member, the delegation of functions to ward members and councillor calls for action
- training on public engagement, the council's strategy to encourage participation in local decision making and the role members can play in engaging communities
- specific training for councillors carrying out certain regulatory or quasi-judicial roles (training for councillors sitting on planning or licensing committees, for example)
- specific training for councillors carrying out roles relating to the operations of the council. Governance and Audit, Democratic Services and Standards Committee members might be seen as in particular need

- training on the operation of overview and scrutiny and its relationship with the council executive
- training on rights and responsibilities under the Equality Act 2010 and more broadly the Social Model of Disability
- training on ICT, including how to participate in multi-location meetings and how the use of ICT can support the councillor's work
- training on the effective use of social media and the opportunities for better engagement between councillors and the communities they serve. Also the risk of councillors being victimised or harassed by opponents or campaigners overstepping the bounds of reasonable debate
- training on wellbeing and safety, including ways of keeping safe when undertaking their role
- councillor induction should include training on the expected standards under their authority's Code of Conduct, emphasising the issues that arise as a result of application of the Code in the context of social media. It should also include the role of the Public Services Ombudsman for Wales (PSOW) in handling the complaints about breaches of the Code. Refresher of that training should also form a part of the ongoing programme of member development
- training on councillors' corporate parenting responsibilities
- regular briefings and updates on changes in the law, policy and other issues that impact on the role of the elected member such as the economy
- training on equality and diversity (EDI), and the council's responsibilities in respect of the wellbeing of future generations (WFG)
- training on keeping safe when working alone, including when visiting others

Training can also be carried out using a variety of formats; traditional classroom-style teaching is one option, as is more bespoke coaching and mentoring of individual members. Training and development opportunities might also be 'designed' in to council business to make learning opportunities more practically relevant, for example, a briefing on a technical issue as part of preparation for a scrutiny meeting. Training can be sourced and delivered in-house, in collaboration with other councils, or with the support of external individuals or organisations.

Training is a process, not an event. Councils could put together a member development strategy, which should reflect the need to keep councillors' skills refreshed and updated. This should incorporate the opportunity for organising briefings for councillors on emerging areas of law and policy. In producing such a strategy councils should consider any guidance including any charters or councillor development frameworks, developed by the WLGA and resources and guidance issued by the PSOW.

Training in the above areas need not be exclusively delivered. Training which combines one or more of the above areas is not discouraged. It is recommended that each member has their own personal development plan which is reviewed on a regular basis. This could be used to inform the annual review of a local authority member's training and development needs as required under the Measure.

It is recommended that the Democratic Services Committee (DSC) has overall responsibility for deciding what should be regarded as reasonable training and development opportunities as part of its function of providing support to members to carry out their functions. In addition to the list above the DSC may consider adding some policy areas for which training is considered essential, such as planning or licensing. It may also consider how it could maximise the opportunities within the council's membership and that of other councils to provide for peer support and mentoring, shadowing and opportunities to observe meetings and other activities.

The agreed, training and development opportunities could be contained within a published development strategy which should include how the development will be provided and the process for commissioning external training and development. The Welsh Local Government Association's Charter for Member Support and Development ("the Charter") could be used for guidance purposes by local authorities in developing their strategies. Local authorities may wish to consider the requirements to achieve the Charter when developing their strategies and programmes.

Annual Review

Every local authority member, other than an executive leader, must be offered the opportunity to have their training and development needs reviewed on an annual basis. It is recommended that much of the training and development needs of local authority members is identified by such reviews.

The review must include an opportunity for a pre-planned interview between the member and a suitably qualified person (see below). The interview could include a review of the training and development received by the member over the last year (or appropriate period if the local authority member has only been recently elected).

Local authorities may wish to consider detailing the outcome of the interview in an agreed plan which sets out training and development needs, if any, identified for the year ahead. It is recommended that this personal development plan is provided for the member and signed by both member and reviewer. This is a private document which is not expected to be published by the authority or member, although a member is free to publicise in his or her annual report any training and development undertaken if he or she so wishes.

Good practise suggests councils should adopt role descriptions to ensure that all members have a full understanding of the expectations placed upon them. The descriptions can then be used as a guide to the skills required by the relevant member. The WLGA's competency framework sets out the expected skills and knowledge across a range of councillor roles ([WLGA Councillor Development \(Competency\) Framework](#)).

The annual review can then be an assessment of training and development needs to support the councillor in their role. A local authority may wish to consider making it clear to members that the review is not a performance review or an assessment of how well or how badly a member has conducted their duties. Ensuring members feel supported to undertake their role and can ask for training and development is integral to engendering a relationship of trust

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

between backbench members, the executive and officers.

Councils could consider the drafting of a personal development plan for each councillor, arising from the statutory interview discussed above. Collated (and anonymised), these individual plans could then form the basis of a corporate member development strategy.

Suitably Qualified

It is for the local authority to determine who could be considered a suitably qualified person to conduct interviews with local authority members to discuss their training and development needs as part of their annual review. This responsibility could be allocated to the DSC within the authority. In most cases, this may not be a question of naming individuals, but of describing a post or office holder, (see below). It would probably be neither suitable nor desirable for a single person to be made responsible for conducting all interviews.

It is also possible for group leaders to conduct interviews with their members or interviews to be conducted by the leader and the executive members. Both these practices are perfectly acceptable methods of complying with the requirements of the Measure.

Authorities may prefer, however, to divest the duty with their human resources officers. If this is the preferred option, local authorities may consider making the Head of Democratic Services (HDS) responsible for co-operating with human resources officers for this part of their work. If the chief executive was selected as a suitably qualified person to conduct an interview it would not be expected that they would work under the supervision of the HDS.

Some authorities may prefer to hire external consultants or peers to conduct interviews, which is also acceptable. Local authorities are encouraged to appoint a Member Development Champion from amongst its councillors.

It is recommended that there should be no surprises in the system and that

individual members know who they can expect to conduct their interview. Local authorities may wish to consider including an option in their arrangements for members to make a request to the HDS to arrange for a different person to conduct their interview if there is good reason for so doing.

Finally, authorities must ensure that anyone conducting an interview must themselves have received suitable training in how to do this and are advised to liaise with the WLGA to ensure the provision of this. Therefore, even if the authority has chosen to allocate the duty of conducting reviews to a post, rather than an individual, that post holder should have received the necessary training before conducting reviews.

Executive Leader of the Local Authority

Section 7 of the Measure does not apply to the executive leader (or elected mayor) of an authority. However, there may, of course, be occasions where the leader wishes to receive training or development and there is no suggestion that, by excluding them from the provisions of the Measure, they should not be able to receive training, nor, indeed, an annual review or an interview with a suitably qualified person.

On-going Training, Development and Support for Members

The annual review should not be seen as the only point in the year when a discussion is held with a member about their training, development, support and well-being. It should also not be seen by the member as the only opportunity available to them to proactively consider their own development and training needs or other forms of support. Increasingly, councillors are subjected to significant personal demands as a consequence of their work. Representing local people is a privilege but with it comes challenges which, at their most extreme, pose challenges to the mental and physical health of elected representatives.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Councils have a general responsibility to develop an awareness and an understanding of the constraints under which councillors operate, and to ensure that the support arrangements put in place for councillors reflect these needs. This could be done alongside work carried out by political parties, and national sector bodies.

Councils should take every opportunity to support the well-being and personal safety of councillors and their families and should note carefully legislation which requires councils to provide councillors with an office contact address, both electronic and postal, (section 43 of the 2021 Act) to ensure members' privacy and that of their families is preserved and protected. This is critical to member's well-being and encouraging and supporting a diversity of membership which reflects the diversity in the council's area.

The Welsh Government considers the protection of members addresses should be a priority for councils to support their members' well-being and promote diversity of membership. Therefore, the Local Authorities (Amendments Relating to Publication of Information) (Wales) Regulations 2022 amend sections 100G (4) of the Local Government Act 1972 and the Regulation 12 (1) of the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001 to remove the requirement to make the register of members addresses and the register of members of the executive addresses available for public inspection.

It is, of course, important that the public are aware of the interests members may have or hold, in particular where those interests could influence the decisions they may be involved in making in their role or roles on the council. Therefore, Part 4, paragraph 15 of the Model Code of Conduct requires members to register personal interests in the authority's register of members interests falling within a category mentioned in paragraph 10(2)(a), by providing written notification to the members' authority's monitoring officer. This includes any land and property in the authority's area in which members have a beneficial interest (or a licence to occupy for more than 28 days).

The Welsh Government is therefore mindful of the need to protect members'

safety and welfare, whilst ensuring all relevant interests are captured and openness and transparency is maintained. However, it is the view of the Welsh Government that while members have an obligation to declare interests and not to participate in or influence council business, there is no requirement for members to include their full primary address (or any other address) when registering beneficial interests in land in the authority's area. It would be sufficient for members to state that they own a property in the authority's area (for example identifying the road or ward), in order to discharge their duties under paragraph 15 of the Code.

In addition, councils are reminded, under paragraph 16 of the Model Code, members, with their agreement, need not include information relating to any of the members' personal interests that is deemed sensitive information. In the code, "sensitive information" means the availability of the information for inspection by the public creates, or is likely to create, a serious risk that the member or a person who lives with the member may be subjected to violence or intimidation.

Councils and councillors have a role in supporting the presence of an open, accountable and respectful political culture in local areas. Despite this, councils will need to be aware of the risks that come with high profile public service. Councillors may at times be at physical risk of harm, particularly where they are associated with unpopular or controversial decisions or issues. Councils must seek to understand where and how such risks emerge, and to work closely with local police and other community safety partners to, where necessary, put in place protective arrangements for councillors, as proactively as possible.

Councils are required to put arrangements in place for supporting councillors on family absences but there may be times when a member is in need of targeted, unplanned support for example:

- where councillors are the subject of attacks on social media which go beyond acceptable political discourse. As far as possible, councillors should be supported to use social media to be more accessible to their constituents, but safe and reliable avenues need to be available to them to highlight such

attacks, and for the council to support police action where appropriate. Legally there is a principle that councillors are expected to have “thicker skins”, but this should not limit the extent of informal support and advice that councillors should be given under these circumstances. Political parties may provide advice to councillors on the effective and safe use of social media, but councils should be aware of the comparative vulnerability of councillors who might be members of smaller parties, or acting as independents, and who therefore might not benefit from this support

- where councillors have chronic health conditions and/or are disabled, and councils should consider the support from the perspective of the social model of disability and remove barriers that may be disabling councillors with impairments
- where their circumstances make them less able to engage with their roles and duties, for example caring responsibilities. These may require temporary or permanent accommodations therefore councils should consider councillors’ wider support needs in respect of their personal commitments;
- where councillors have other commitments (including professional commitments), or operate under other restrictions, which may limit temporarily or permanently their ability to attend meetings or to otherwise engage in the life of the council

Political groups may put in place arrangements for peer mentoring and support, for example, ‘buddying’ newly elected councillors with colleagues returning to office. This is an important element of training and support for many members. However, councillors unaffiliated to a political group (or part of a small, or geographically-specific, political group) may have particular needs, and councils can consider how these can be met in such a way that does not disadvantage other members.

A council culture where member well-being, learning and development is valued and nurtured amongst elected members could be considered an important element of a council being able to meet its duties in sections 89 and 90 of the 2021 Act to keep its performance under review and consult the public on performance. The active involvement of all members will be important to demonstrating these duties are being met and members must be receptive to

training and development to support them in this role and the council must be receptive to the importance of doing so.

Research Support and Services for Councillors Statutory Guidance

Status of this Guidance

This is statutory guidance issued under section 8(1A) of the Local Government (Wales) Measure 2011. This section enables the Welsh Ministers to issue guidance to which a local authority must have regard when exercising its functions in respect of providing the head of democratic services (HDS) with the staff, accommodation and other resources which are, in its opinion, sufficient for the HDS to discharge their functions.

Purpose of this Guidance

Councillors who are part of the executive or assistants to it have the benefit of working closely with officers of the council and have ready access to information and professional support. In order to undertake their roles effectively all elected members should be able to access a range of information and support. It is anticipated this will mainly focus on signposting individual members to existing sources of information or available training for example, brief prepared for scrutiny committee meetings or how to use research, statistical or legislative websites. It may also include targeted support for groups of members for example, leading a task and finish group investigation or support for individual members to research issues impacting on their communities where they are taking forward a councillor call for action under section 21A of the Local Government Act 2000, they have been delegated functions under section 56 of the 2011 Measure or with which they are involved through their role on the council, for example as chair of a committee.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

The democratic services committee should consider the provision of this kind of support to elected members as part of its considerations as to what constitutes sufficient resources for the HDS to discharge their functions. The case for resources for this support should form part of the DSC's budget considerations and discussions with the council. It is anticipated that the DSC will begin this process by identifying the baseline of support which is already available to members, then work with members to identify how this support and its parameters could be developed over time. The council should set out what steps it will take to improve research services to members where appropriate, with actions and timelines and communicate this to members.

Support for Research

It is for the DSC to advise on the nature and level of support for research by elected members that would be suitable for their council and the level of resources that the HDS might require to provide a sufficient set of services in this regard. This guidance sets out the sorts of services the DSC should consider when making its deliberations.

The proportionate use of research support by councillors is an important part of ensuring local democracy is functioning effectively. It is also important to ensure that members do not get frustrated by feeling they are not able to access or have available to them the support they need to make a difference to their local community or undertake a role they have been asked to do on behalf of the council effectively.

Councils should, through their democratic services committee, put in place a protocol or other set of rules governing how councillors should expect to be able to access and use research services, to ensure that it is accessible to all councillors and that it is used equitably and proportionately. This should dovetail with the democratic services committee's oversight of the overall resourcing available for democratic services in an authority.

The aim should be to provide support to assist backbench councillors and their

staff to work with constituents, scrutinise legislation, develop policy, undertake any roles they may be asked to do on behalf of the council and undertake effective overview and scrutiny. Research may be related to a specific issue or issues that have a more general impact on the work of elected members across the council but would usually be connected to the delivery of the council's priorities or the scrutiny of their delivery. It should work in harmony with and not be expected to duplicate the support members might be provided by virtue of their membership of a political group, for example where political assistants have been appointed (section 9 of the Local Government and Housing Act 1989). Research provided to councillors through this part of the guidance should not be politically motivated or compromise officers' political neutrality.

Research Support and Services

Examples of research support and services include:

- collating and distributing background papers to assist councillors to better understand forthcoming key decisions including analysis of complex data and information which may be provided as background papers for council meetings such as the budget discussion
- preparing and sharing regularly management information, including performance management shared as a part of formal assessments either by performance panels or Audit Wales
- preparing and sharing demographic information, and information on the use of services by local people
- responding to councillors' requests for research on specific topics to be undertaken either by council officers or an external source. Councils should set out clear processes and procedures to ensure councillors have access to this kind of research but also that they understand the requirement for its judicious use within the budget and other resourcing parameters set by the council
- signposting of members to useful sources of information they can access on the issue in which they have an interest
- circulation of calendars of events held by local and national organisations

which may be of interest to members and help inform their knowledge of particular issues

The service should not be solely reactive, the proactive provision of timely briefings on new policies, changes in the law or other matters that could impact on the work of members should form part of the service. These briefings should be published and made available to the public as they will be of wider interest and can form part of the Council's strategy for meeting its duties under sections 39 to 41 of the Local Government and Elections (Wales) Act 2021 to encourage local people to participate in decision making and the publication of a participation strategy.

However, it is also important the DSC and HDS should consult and involve members to shape and regularly review the usefulness and effectiveness of the support provided.

Benefits

The benefits of pro-active research support for councillors are:

- it means that councillors are better able to engage with the business of the authority in an informed, proactive manner
- different officers do not have to deal with requests for information and duplication is reduced
- there is less demand for the bringing of reports to committees (particularly scrutiny committees) for information, or to note, because there are systematic methods to share research with councillors through other means thus freeing up committee time and resources
- the products and outcomes of research can be shared equitably, rather than through one-to-one councillor-officer conversations which privileges those more capable in "navigating" the authority and its officer structures

Support in accessing information

Councils should adopt a proactive and permissive approach in how they engage with councillors' information needs. Councillors cannot always know what information they need to know, and as such may not be in a position to frame requests in a way that captures these needs succinctly. In particular, councils should recognise that it is not optimal for councillors to be expected to make FOI requests of their own authority, and should put in place arrangements to ensure that they can access this, and other information in an expedited manner.

As such councils should:

- frame councillor access to information procedure rules expansively with a presumption in favour of the release of information to councillors unless a clear public policy reason exists not to
- proactively provide councillors with management information and other data to ensure that they are kept informed about the business of the authority. Councils could produce an information bulletin or digest for councillors on a regular basis, subject to resources as suggested above
- engage with members to better understand how and where their roles will require that they access certain information sources, and support them to gain that access. This may include negotiation with partners, and others who may hold information relevant to councillors' roles
- ensure mechanisms are in place to protect personal data in line with appropriate legislation

As far as possible councils should specify publicly why a matter is exempt from publication or from discussion in a public forum, ideally providing more information than just the description given in Schedule 12A of the Local Government Act 1972.

Equally, councillors should be made aware that councils are frequently under legal obligations to others with regard to maintaining the confidentiality of certain information, in particular, commercial information and personal information, and

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

such releases could open up the council to challenge.

Statutory Guidance on duties of leaders of political groups in relation to standards of conduct

Status of this Guidance

This is statutory guidance issued under section 52A of Local Government Act 2000 (the 2000 Act) inserted by section 62 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act).

Purpose of this Guidance

This guidance sets out how leaders of political groups in principal councils should meet their duties contained in section 52A of the Local Government Act 2000 (“the 2000 Act”), inserted by section 62, of the 2021 Act, which relates to the promotion and maintenance of high standards of conduct by the members of the group.

This guidance is designed to support leaders of political groups understand and discharge their duties in relation to high standards of conduct, whilst recognising that they will wish to and should be encouraged to develop their own approach in line with their wider statutory obligations, local circumstances, and best practice. However, the basic principles set out in the guidance should apply to all.

This guidance specifically addresses the following duties:

Duty to take reasonable steps to promote and maintain

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

high standards of conduct by the members of the group

Section 52A(1)(a) of the 2000 Act requires that a leader of a political group consisting of members of a county council or county borough council in Wales, must take reasonable steps to promote and maintain high standards of conduct by the members of the group.

Duty to co-operate with the council's standards committee (and any sub-committee) in the exercise of the standards committee's functions

Section 52A(1)(b) of the 2000 Act requires that a leader of a political group consisting of members of a county council or county borough council in Wales, must co-operate with the council's standards committee (and any sub-committee of the committee) in the exercise of the standards committee's functions.

This guidance refers specifically to these duties on a leader of a political group, and sets out the expectations on how they will perform these duties. All of the duties apply from 5 May 2022.

There are other provisions within Part 3 of the 2000 Act relating to standards committees, inserted by sections 62 and 63 of the 2021 Act. These aspects of the 2021 Act are also described in this guidance.

This guidance is set out as follows:

- policy context within which the duties are set and the purpose of the duties
- duty to take reasonable steps to promote and maintain high standards of conduct by the members of the group
- duty to co-operate with the council's standards committee (and any sub-committee) in the exercise of the standards committee's functions

Policy context and purpose of the duties set out in section 52A of the Local Government Act 2000

Policy context

Part 3 of the 2000 Act established a statutory framework to promote and maintain high standards of ethical conduct by members and employees of relevant authorities in Wales. A 'relevant authority' is a county or county borough council ("a principal council"), community council, fire and rescue authority, a national park authority and a Corporate Joint Committee.

The framework consists of the 10 general principles of conduct for members (derived from Lord Nolan's 'Seven Principles of Public Life'), set out below:

- Selflessness.
- Honesty.
- Integrity and propriety.
- Duty to uphold the law.
- Stewardship.
- Objectivity in decision-making.
- Equality and respect.
- Openness.
- Accountability.
- Leadership.

These are included in the statutory Model Code of Conduct ("the Code") (as required under section 50 of the 2000 Act), which lays down a set of enforceable minimum standards for the way in which members should conduct themselves, both in terms of their official capacity and (in some instances) in their personal capacity. It also guides members on the declaration and registration of interests. All elected members must familiarise themselves with and give a written undertaking to observe the Code before they can take up office. As the Code may from time to time be updated members must familiarise themselves with

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

any changes with which they are required to observe.

Watch a video on:

- [the local authority ethical standards framework in Wales](#)
- [how councillors should behave and interact with people](#)
- [how to complain about a councillor in Wales](#)

Building on the existing arrangements, section 62 of the 2021 Act inserts a new section 52A into the 2000 Act which places a duty on leaders of political groups within a principal council to promote and maintain high standards of conduct by members of their group. Group leaders are required to co-operate with the council's standards committee in the exercise of its general and specific functions for promoting high standards (see below).

Subsection (3) amends section 54 of the 2000 Act to extend the specific functions of a standards committee to include monitoring compliance by leaders of political groups with the new duty imposed on them by the 2021 Act to promote and maintain high standards of conduct by members of their group. A standards committee must also provide advice or provide or arrange training for group leaders on the new duty.

Purpose of the standards of conduct provisions

The ethical standards framework in Wales aims to promote the observance of consistent standards of conduct by local government members. High ethical standards underpin and maintain public confidence in democratic governance and the decision making process. For any organisation to be effective it must respect diversity in all its forms and treat everyone with the respect they would expect for themselves. Engendering a culture within a principal council which embraces high standards of conduct, requires both local leadership and all elected members to accept responsibility and accountability for their actions both individually and collectively.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

The standards of conduct provisions in the 2021 Act complement the existing statutory ethical framework and support the Code of Conduct process. The provisions are designed to ensure leaders of political groups in principal councils, supported by standards committees, promote and maintain high standards of conduct by the members of their group.

The wider environment in which the standards of conduct duties operate

The standards of conduct provisions contained in the 2021 Act support the Welsh Government's wider commitment to equality and diversity in public life. Action has been taken through the Diversity in Democracy Programme to tackle the barriers which prevent individuals' active participation in local democracy. Within local government, and through the Welsh Local Government Association (WLGA), there has been a commitment to Diversity in Democracy, including councils signing Diverse Council declarations which seek, amongst other actions, to ensure councils 'demonstrate an open and welcoming culture to all'. Furthermore, the WLGA, working with the Local Government Association (LGA), Northern Ireland Local Government association (NILGA) and the Scottish body, COSLA, has been promoting the Civility in Public Life programme, which seeks to promote civil, constructive and respectful political discourse.

The Anti Racist Wales Action Plan sets out a series of goals and actions designed to improve the outcomes for black, Asian and minority ethnic people in Wales. It includes a number of goals and actions for local government relating to its leadership and representation role. It recognises that a more diverse elected representation is good for decision making and likely to lead to decisions which better reflect society as a whole. This in turn contributes to greater public confidence.

Duty to take reasonable steps to promote and maintain high standards of conduct by the members of the group

Introduction

This is statutory guidance issued under section 52A of the Local Government Act 2000 (the 2000 Act) as amended by section 62 of the Local Government and Elections Act 2021 (the 2021 Act). This section of the guidance should be read by a leader of a political group in a principal council to support the discharge of their duties in section 52A of the 2000 Act, to take reasonable steps to promote and maintain high standards of conduct by the members of the group. The guidance here reflects the minimum requirements, recognising that leaders are best placed to build on this to develop the detail of their own approach, and work together to share best practice across political groups and with standards committees.

Definition of political groups and group leaders

Section 52A(3) of the 2000 Act enables the Welsh Ministers to make provision in regulations about the circumstances in which (a) members of a county council or county borough council in Wales are to be treated as constituting a political group; (b) a member of a political group is to be treated as a leader of the group.

The Local Government (Committees and Political Groups) Regulations 1990, made under the Local Government and Housing Act 1989, currently governs the position in this respect, until such time as regulations passed under 52A(3) of the 2000 Act are made.

Section 52A(1)(a) of the 2000 Act requires that a leader of a political group consisting of members of a county council or county borough council in Wales, must take reasonable steps to promote and maintain high standards of conduct by the members of the group.

The duty does not make leaders of a political group accountable for the behaviour of their members as conduct must be a matter of individual responsibility and accountability. However, they do have a role in taking

reasonable steps in maintaining high standards, setting an example, using their influence to support a positive culture, being proactive in promoting high standards of conduct in their group and addressing issues of alleged non-compliance as soon as they arise.

Reasonable steps the group leader may undertake include:

- demonstrating personal commitment to and attending and participating in relevant development or training around equalities and standards, including on the Code of Conduct
- actively encouraging group members to attend relevant development or training around equalities and standards including in relation to the Code of Conduct
- ensuring nominees to a committee have received the recommended training for participating on that committee
- promoting modelling civility and respect within group communications and meetings and in formal council meetings
- supporting informal resolution procedures in the council, and working with the standards committee and monitoring officers to achieve local resolution
- encouraging a culture within the group which supports high standards of conduct and integrity
- attend a meeting of the council's standards committee if requested to participate in discussions on Code of Conduct issues
- drive forward work to implement any recommendations from the standards committee about improving standards
- work with the standards committee to proactively identify, consider and tackle patterns of inappropriate behaviour
- work together with other group leaders, within reason, to collectively support high standards of conduct within the council and where any issues identified involve more than one political group

As set out above, the purpose of the new duties is to build on and support a culture which is proactive, acts on and does not tolerate inappropriate behaviour. The Guidance from the Public Services Ombudsman for Wales for members on the Code of Conduct provides advice on the Code and its requirements. It

includes examples of cases considered by the Ombudsman and decisions reached by local standards committees and the Adjudication Panel for Wales which demonstrate behaviours which are unreasonable or inappropriate. Leaders of political groups and all members, including independent members, should have regard to the Ombudsman's Guidance, which can be accessed on the [Ombudsman's website](#).

The importance of attendance at training on the Code of Conduct has been highlighted by the Ombudsman and was raised under the independent review of the Ethical Standards Framework and Model Code of Conduct carried out by Richard Penn. Leaders of political groups should actively encourage all members in their group to read the Ombudsman's Guidance and any local guidance issued by the monitoring officer or standards committee and to take up any offer of training. They should also work constructively with standards committees and monitoring officers to identify the training requirements for themselves and for their group members.

It is essential that relationships with members are established which encourage them to raise issues with the group leader. The group leader has a significant role to play in creating a culture of trust and mutual respect in their group. Where issues arise, the importance of resolving low-level complaints at a local level has been raised by the Ombudsman and the independent Review of the Framework. Typically, these complaints are about alleged failures to show respect and consideration for others and the making of frivolous and low-level complaints. The group leader should be pivotal in preventing the escalation of these complaints to the stage where more formal interventions become necessary. Leaders of political groups should have informal discussions with members who may be showing early signs of inappropriate behaviour to 'nip this in the bud' before it becomes problematic or in danger of breaching the Code. This may include suggesting and requesting appropriate training or refresher training for the members concerned, asking for social media posts they have made to be removed, and requesting they apologise where appropriate.

A leader of a political group who fails to comply with the new duty in a meaningful way, may potentially be regarded as bringing their office into

disrepute, and likely to be in breach of the Code (see the Ombudsman's Guidance).

Political group leaders will want to ensure they are able to evidence the steps they have taken to help create an environment in which members demonstrate appropriate standards of behaviour, undertake appropriate training and address, with members, instances where standards of behaviour falls short of that expected. It is a matter for individual group leaders how they choose to evidence their compliance with this guidance, but it may include notes of meetings, copies of correspondence, audits of member training on issues such as equality and the Code of Conduct and action taken to address any gaps in that training.

A political group's internal disciplinary procedures remain a matter for that group or any associated political party's own rules on discipline. However, it is expected that the group leader will take reasonable steps to promote and maintain high standards of conduct by members within group communications and meetings as well as their 'public' conduct outside of the group setting.

Duty to co-operate with the council's standards committee (and any sub-committee) in the exercise of the standards committee's functions

Introduction

This section of guidance is issued under section 52A of the Local Government Act 2000 (the 2000 Act) as amended by section 62 of the Local Government and Elections Act 2021 (the 2021 Act). It is about the duty to co-operate with the council's standards committee (and any sub-committee) in the exercise of the standards committee's functions within section 52A of the 2000 Act.

The duties came into force on 5 May 2022.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Duty

Section 52A(1)(b) of the 2000 Act requires that a leader of a political group consisting of members of a county council or county borough council in Wales, must co-operate with the council's standards committee (and any sub-committee of the committee) in the exercise of the standards committee's functions.

Role of leader of political group

It is essential the leaders of a political group co-operate, and ensure the members within their group co-operate, with the monitoring officer and standards committee when an issue is referred to the standards committee.

Leaders of a political group should build good relations, and work constructively with the monitoring officer, seeking advice from them and the standards committee on matters of behaviour and conduct when required, both promoting positive behaviours and addressing inappropriate ones. Group leaders should also report compliance with their duty to the standards committee. This can take the form of a short letter or report at a frequency agreed by the political group leaders in the council and its standards committee. Group leaders should also report any serious concerns about members' behaviour which have not been remedied by informal actions, in line with the requirement in the Code of Conduct to report such breaches.

At the beginning of each council year Political group leaders should meet with the standards committee to agree the following:

- how group leaders and the standards committee will work together to ensure appropriate standards of behaviour
- frequency of meetings between group leaders and the standards committee throughout the year
- the threshold which the standards committee will use to establish whether it is content that political group leaders have complied with the duties of the

2021 Act

- the mechanism for political group leaders to provide reports to the standards committee about the actions they have taken to comply with the duties within the 2021 Act

If a member is found by the standards committee to be in breach of the Code of Conduct and is disciplined by the committee, the leader of the political group must support the action, in order to maintain the high standards of conduct expected in public life and the Code. Group leaders should observe the Ombudsman's Guidance and the Sanctions Guidance issued by the President of the Adjudication Panel for Wales, which can be accessed on the [Adjudication Panel's website](#).

Statutory Guidance on the Functions of Standards Committees

Status of this guidance

This guidance is issued under; section 54(7) of the Local Government Act 2000 (the 2000 Act) inserted by section 63 of Local Government and Elections (Wales) Act (the 2021 Act).

The duties came into force on 5 May 2022.

Purpose of this guidance

Local standards committees play an important role in supporting members, individually and collectively, to develop and maintain a culture which embraces high standards of conduct.

A principal council is required by section 53 of the 2000 Act to establish a standards committee.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

The general functions of a standards committee under section 54(1) of the 2000 Act are to promote and maintain high standards of conduct by members and co-opted members of a “relevant authority” and to assist them to observe the members Code of Conduct.

In addition, a standards committee also has specific functions under section 54(2) of the 2000 Act, namely to:

- advise the authority on the adoption or revision of a Code of Conduct
- monitor the operation of the Code of Conduct
- provide advice or provide or arrange training on the Code of Conduct for members of the authority

Section 56(1) of the 2000 Act provides that a principal council’s standards committee (or a sub-committee established for the purpose) also exercises these functions in relation to members of community councils in its area. Principal council standards committees should play a proactive role in promoting and supporting high standards of conduct in the town and community councils in their area, for example, by visiting them, working together to share good practice and identifying training opportunities.

Monitoring officers work closely with standards committees and support them in providing day-to-day advice to members on conduct matters.

A principal council may arrange for its standards committee to exercise such other functions as it considers appropriate, for example, monitoring the operation of corporate maladministration complaint procedures.

An important aspect of governance arrangements is the approach taken to gifts and hospitality. While there has been some support for a Wales wide approach we consider this is a matter to be dealt with by individual councils. We would expect standards committees to regularly review the approach taken in respect of gifts and hospitality and the use of thresholds. We would recommend this to be a matter included in standards committees annual reports. In addition it is considered this is a matter which would be routinely discussed at regular

meetings of Monitoring Officers across Wales.

Duty of a standards committee to monitor group leaders' compliance with the duties, and provision of advice and training

Status of this guidance

This guidance is issued under section 54 of the Local Government Act 2000 (the 2000 Act) as amended by 62(3) of the Local Government and Elections (Wales) Act 2021 (the 2021 Act).

Purpose

Section 62(3) of the 2021 Act amends section 54 of the 2000 Act to extend the specific functions of a standards committee to include monitoring compliance by leaders of political groups with the duty imposed on them by the 2021 Act to promote and maintain high standards of conduct by members of their group. As noted above, a council's political group leaders and its standards committee should agree on the form and frequency of a report from each group leader to the standards committee. The standards committee should then consider each report and provide feedback to the group leaders.

A standards committee must also provide advice and training or arrange to train group leaders on the new duty. At the start of each administration this should take place within 6 months of the election and be reviewed at least annually.

As set out earlier in this guidance the standards committee should meet with group leaders at the beginning of each council year to agree a number of issues, including the frequency of meetings between political group leaders and the standards committee through the year to discuss compliance with the duties

covered by this guidance, annual reporting processes and issues arising from the analysis of complaints in respect of standards of behaviour.

Duty of standards committee to make annual report

Status of this guidance

This guidance is issued under section 54(7) of the Local Government Act 2000 (“the 2000 Act”).

Purpose

Section 63 of the 2021 Act inserts section 56B into the 2000 Act which places a requirement on standards committees in each “relevant authority” to make an annual report to the authority concerned. In the case of a principal council, the requirement to report to “the authority” in this context includes any community councils in its area.

As a minimum, the report must:

- describe how the committee has discharged its functions during the preceding financial year
- confirm the operation of a local protocol for the resolution of complaints and provide an assessment of its impact. Where no local protocol has been adopted, the standards committees must consider whether the adoption of such a protocol would support its functions in relation to promoting high standards of ethical conduct
- include an analysis of complaints. This analysis must include information about the number of councillors who have been the subject of a complaint which has been upheld, and whether they have or have not attended a training session on the Code of Conduct prior to or after the complaint was

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

received

- include a summary of reports and recommendations made or referred to the committee by the Public Services Ombudsman for Wales relating to the investigation of alleged breaches of the member; Code of Conduct, and any subsequent action taken by the committee
- include a summary of notices given to the committee by the Adjudication Panel for Wales, relating to the Panel's decisions on possible breaches of the member Code of Conduct
- describe the advice it has provided on training for all members and how that has been implemented; in the case of a principal council set out how it has worked with the town and community councils in its area to promote and maintain high standards of conduct amongst town and community councillors
- in the case of a principal council, include the committee's assessment of how political group leaders have complied with the new duty under section 52A(1) of the 2000 Act (inserted by section 62 of the 2021 Act) to promote high standards of conduct, including the advice the standards committee has provided and the training it has suggested

The committee may also wish to report on the number of cases considered under local resolution processes. This would help to capture data on an "all Wales" basis, on matters which do not reach the Public Services Ombudsman for Wales.

Approaches to the management and monitoring of gifts and hospitality are often sensitive matters. It is recommended the approach to this is reviewed and agreed within individual principal councils and that the regular review of thresholds for declaration of gifts, hospitality, material benefit or advantage, are included in standards committee's annual report. This will assist in terms of transparency of the arrangements.

The requirement to make an annual report is intended to ensure there is a regular and consistent approach to the reporting and consideration of standards of conduct by members of relevant authorities in Wales. This is intended to promote local ownership and collective responsibility by members for ensuring

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

high standards of conduct within their authority. To this end, section 56B places an obligation on a relevant authority to consider the report and any recommendations made by its standards committee within 3 months of its receipt. The authority's consideration of a report will be a matter of public record through the published minutes of the meeting.

The standards committee should consider whether there are improvements that can be made to strengthen the standards of behaviour of members. This may include recommendations to the full council and town and community councils in its area about matters such as mandating training in equalities and the model code of conduct.

It would be good practice for standards committees to share their Annual Reports with the Public Services Ombudsman for Wales and town and community councils.

Part 3: public participation; strategies and petitions

Statutory Guidance on Public Participation Strategies

Status of this Guidance

This is statutory guidance made under section 44 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act). A principal council (a county or county borough council in Wales), must have regard to it.

Purpose of this Guidance

This guidance is to support councils in the preparation and maintenance of their

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

public participation strategies which aim to support and encourage decision making, which is informed by, understands and reflects the diversity of the communities in the council area.

Policy intent

Public participation is essential to ensuring the needs and aspirations of communities are at the heart of local decision making. Councils must demonstrate they recognise and value the contribution of local people in identifying, shaping and evaluating the services they and their families rely upon as part of their democratic decision-making processes. This is central to the ethos of the Well-being of Future Generations (Wales) Act 2015 (the 2015 Act) and sections 39 to 41 of the 2021 Act are intended to work in harmony with the pursuit of councils' well-being goals and complement the five ways of working set out in the 2015 Act.

This is because the 'participation duty' in the 2021 Act relates specifically to participation in the democratic processes of the council, recognising the democratic dimension of councils which is specific and integral to their constitution. Its focus is on maintaining the participation, trust and interest of the public in democracy in the years between elections. Also, if this trust interest can be grown, supported and built upon in the years between elections, there is the opportunity to further build on this and encourage higher levels of voter registration and turnout at election time.

The aim of the public participation strategy is therefore to set out the arrangements the council intends to put in place to embed and deliver a culture of partnership with the public. To build this culture of partnership and for the public to have confidence in the council's commitment to encourage and act on their views, the participation strategy must be developed with all diverse communities within the council area.

The 2021 Act does not provide a definition of participation but for the purposes of this guidance and the preparation of the public participation strategy

'participation' should be interpreted as an all-encompassing term for activities or methods which inform, engage, consult, involve or use co-development or co-production between council and the public. It should also be interpreted as participation of everyone no matter their age, protected characteristic or characteristics or socio-economic background. The council's public participation strategy should be clear how it will enable participation for everyone including by reference to the social model of disability.

What the 2021 Act requires

The 2021 Act places a duty on principal councils (a county or county borough council in Wales) to encourage local people to participate in their decision making. This includes where councils are making decisions in partnership with another principal council or in conjunction with another individual or body such as a local health board. This is set out in section 39 of the 2021 Act and is specifically intended to encourage public participation in the democratic processes of the council as a bridge with the public's direct engagement with councillors.

Section 40 of the Act then requires a principal council to prepare and publish a public participation strategy setting out how it will encourage local people to participate in its decision making. These strategies must include (section 40(2):

- ways of promoting awareness among local people of the principal council's functions
- ways of promoting awareness among local people of how to become a member of the principal council, and what membership entails
- ways of facilitating access for local people to information about decisions made, or to be made, by the principal council
- ways of promoting and facilitating processes by which local people may make representations to the principal council about a decision before, and after, it is made
- arrangements made, or to be made, for the purpose of the council's duty in section 62 of the Local Government (Wales) Measure 2011 (bringing views

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

of the public to attention of overview and scrutiny committees)

- ways of promoting awareness among members of the principal council of the benefits of using social media to communicate with local people

The strategy may also address how a principal council proposes to comply with a duty imposed by any enactment. This enables the council to set out in one place how it will address a variety of duties to eliminate any duplication and to make it easier for the public to understand the many different ways in which the council is encouraging participation across the range of its activities.

In developing its public participation strategy councils must consult people who live, work or study in the council's area and anyone else it thinks appropriate. Section 41 of the 2021 Act requires a council's first strategy made under this section to be published as soon as reasonably practicable after the local government elections in May 2022.

There are many ways of involving, engaging and interacting with individuals and groups of individuals within communities for example, formal consultations, focus groups, public meetings and citizens juries. No one mechanism is the key to developing a partnership approach between members of the public and the council which serves them, and councils will need to consider which approaches are best matched to different aspects of the strategy and the different communities they must engage.

A public participation strategy must go beyond relying solely on traditional requests for feedback on pre-determined plans and establish a relationship with communities built on trust, a commitment to listen to all voices and for those voices to be heard and to work together with the community to explore and resolve issues of concern, promote and recognise achievements and face new challenges together. The public participation strategy must set out how this will be achieved.

Section 41 then enables the council to determine the frequency of the subsequent reviews of its strategy but it must consult with people who live, work or study in the council's area and anyone else it thinks appropriate when

undertaking a review. The revised or new version of the strategy must be published as soon as possible after the review.

Preparing the strategy

In preparing the strategy the council should be clear about those it is required to consult with under section 41 of the 2021 Act on its purpose. The purpose is to set out how the council will achieve the requirements set out in section 39 of the Act.

Each of the requirements cannot be met solely through formal consultation, although formal consultation may be one of the pathways for participation, demonstrating that the requirements are being met will involve setting out a basket of measures. For example, demonstrating the council is meeting the requirement relating to ways of promoting and facilitating processes by which local people may make representations to the council about a decision, before, and after it is made could include formal consultation processes but could also include how to make representations to your ward member, how to submit questions to the council leader, how to submit evidence to scrutiny committees, how to become a member of a citizens' panel or a co-production forum, systematic publication of council, cabinet and committee forward work plans and agendas and so on.

Whilst meeting the requirement relating to promoting awareness among local people of how to become a member of the principal council and what membership entails could include youth councils and youth cabinets, outreach in local communities and opportunities for shadowing elected members, promotion of how to attend council meetings, podcasts and webcasts about the work of elected members and so on.

The development of the strategy should be informed by discussions and involvement of the public as to its purpose and what participation pathways would best enable them and support them to engage in local decision making. The approach to the development of the strategy and the routes for participation

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

it sets out must go beyond this, focusing on a partnership approach with those impacted by decisions made and services provided by the council.

An effective approach to public participation cannot be achieved without investment. It is essential as part of any baseline assessment the current level of resource allocated to engaging with the public is identified with an explanation of what those resources deliver.

The requirement to develop a public participation strategy should not be seen as an indication that councils are not already engaging with the public. Many councils will already have a number of mechanisms in place aimed at helping the council to understand the views of the public it serves. Councils should use the strategy to build on the strengths it already has in this area, while developing new ways of working within a wider partnership approach to demonstrate its commitment to public participation.

Councils should have regard to their statutory duties in respect of equalities, Welsh language and the Well-being of Future Generations (Wales) Act 2015 when preparing their strategy. Councils should also be aware that a well-rounded public participation strategy is integral to demonstrating it is meeting its duties under section 89 of the 2021 Act to keep its performance and governance under review and its duties under section 90 to consult local people on performance.

Baseline assessment

An important part of any strategy is being clear about the starting point. In the case of a public participation strategy it is necessary to understand what is already in place, what works well and where the gaps are. It is essential there is an understanding of the demographics within the local authority area. A local authority should conduct a baseline assessment as part of its preparation for developing a public participation strategy.

Key issues which should be considered as part of this assessment are the

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

demographic profile of the local authority, the existing level and nature of community engagement and the current approach to public participation. The following questions, while not exhaustive, may be useful in establishing the baseline assessment:

- What is the local authority's demographic profile?
- What community networks already exist and under what circumstances does the local authority engage with them?
- What community leaders and local issues champions has the local authority identified, developed and maintained relationships with?
- What mechanisms currently exist for members of the community to put forward ideas to the council for consideration? How is this communicated to the public?
- How does the local authority act upon complaints received and how does the public know whether changes have been made to services/processes as a result? Information published by the PSOW about levels of complaints for councils is a rich source of information
- What resources are dedicated to community engagement/involvement? What has changed as a result?
- How does the public contribute to the scrutiny of the council's work?

The baseline assessment will help the local authority to focus on its strengths while developing a holistic, public-centred strategy.

In advance of drafting a strategy the council should consider the requirement placed on it through sections 39, 40 and 41 of the 2021 Act alongside the baseline assessment. This will provide an opportunity to identify key issues which will be important in developing the strategy, the timelines for action and the potential for investment to support both the development of, and implementation of the strategy.

Designing effective public participation

Building on good practice and working with the public, councils can move from

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

traditional approaches and design more collaborative, tailored and imaginative participation. Strategies should explain the approach and guiding principles the council has adopted. There are many approaches a council could follow in the development of its strategy and the following is intended to set out a high level approach of the key steps:

Design

- Set out clearly the purpose of the strategy and the intended outcomes.
- Identify and set out the process for development such as public and stakeholder engagement and how this will be inclusive and extensive.
- Involve a wide range of staff across the council to bring together an understanding of existing interactions with the public, understand good practice and generate ideas.
- Ensure the design fulfils the statutory requirements relating to the Well-being of Future Generations (Wales) Act 2015, equalities and Welsh language and considers the social model of disability and responsibilities in relation to children's rights.
- Set out how it will be ensured that the council executive and the council provide leadership for the development and implementation of the strategy.
- Set out how ward councillors will be involved in championing and leading the development process in their communities.

Development

- Map existing participation pathways, existing strengths and weaknesses, identify gaps.
- Identify opportunities where digital could add value or provide new opportunities.
- Use the development process to create participation, harness democratic involvement, both inside the council and with the public, and build it into involvement in decision making.
- Road test proposals in communities.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- Benchmark proposals with other councils.
- Identify on-going resource needs to implement and evaluate the strategy.

Evaluation and revision

- Develop and use evaluation measures.
- Set timeframes for evaluation and revision.

This should not be approached as a sequential process. It should be noted that the above are interrelated, iterative tasks, not a step-by-step template.

Promoting awareness

Effective public participation relies on there being a range of information available to the public which includes information about the following:

- the role of the council
- how the council is structured
- who represents them on the council and what has their contribution been;
- how decisions are made
- how decisions are scrutinised
- key contacts within the council for general and specific issues
- short, medium and long term plans
- financial aspects of the Council
- information about council service or activities complaints and trends in terms of complaints as well as actions/changes made as a result
- key contact points

The above is not an exhaustive list, there are many other examples of information which should be easily accessible to the public. It is however important that the public help define what they consider to be important to them as opposed to an approach which solely relies on the council determining what it thinks is important to people.

Much of the above information should be included in the council's constitution and constitution guide which it is required to prepare, publish and keep up to date by section 37 of the Local Government Act 2000. Separate guidance has been published about constitutions and the constitution guide.

The council's public participation strategy should include how it will improve the way it promotes awareness for example by:

- improving the relevant sections of the council's website
- ensuring the council's forward plan supports public engagement by being accessible, timely and user friendly
- ensuring information for potential councillors is available and fit for purpose;
- communicating through council publications, local media and social media, taking steps to use languages such as BSL and Braille
- information and support for schools
- how individuals can submit positive comments to the council and the arrangements for making complaints about services or activities, including the role of the PSOW
- staff from across the council being involved in its design, development, review and revision so that all interactions with the public can be harnessed
- staff training and development on good practice engagement, encouragement to see the participation strategy as a living document with continuous opportunity for improvement
- how it will measure progress in terms of public participation
- providing information to individuals interested in standing to be a councillor

Reviewing, revising and replacing the strategy

Encouraging and implementing measures to encourage public participation is a challenging aspect of council business. It is expected that as participation levels increase, the new partnership approach between the council and individuals and communities will present more ways of working together which may necessitate amendments to the strategy, which should be developed in conjunction with the public.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

The council must review its public participation strategy as soon as possible following each ordinary election, but may review its strategy at any other time. When reviewing the strategy the council must consult local people, and others it considers have an interest in the strategy. Following a review, the council may revise its strategy, or replace it with a new strategy.

The council must publish the revised or new strategy as soon as possible setting out the changes and the rationale for those changes.

However, the public participation strategy should not be viewed as a static 'document', only reviewed and revised to a pre-determined timetable. It should be viewed as an opportunity to constantly learn and develop and a process should be in place to ensure learning and good practice can be captured and harnessed in between 'formal' reviews.

Matters to consider

Bringing together and joining up existing pathways for participation under the umbrella of the strategy

Principal councils already have numerous ways of enabling people and communities to get involved with their policy development and service delivery and the way in which this informs the democratic processes of the council. . However, the participation strategy can add value to existing pathways by clearly identifying them, signposting them and recognising them as potential multi-use pathways that could enrich areas of the council's work which they may not previously have been designed to interact or connect with.

Examples of existing participation pathways include:

- interactions generated through engagement with the guide to the constitution published under section 37 of the Local Government Act 2000, as amended by section 45 of the Local Government and Elections (Wales) Act 2021
- arrangements to support the delegation of functions to individual ward

- councillors under section 56 of the Local Government (Wales) Measure 2011
- how the publication of future meeting dates of council, committee and scrutiny meetings and their forward work programmes support the public's knowledge of council business and therefore ability to engage with and participate in it
 - how policies relating to the co-option of members to council committees can support and enhance diversity of perspective
 - how arrangements for fulfilling the statutory duty in section 62 of the Local Government (Wales) Measure 2011 to take the views of the public into account work in harmony with and support the duty in section 39 of the 2021 Act
 - how arrangements for the public to make complaints and submit complements to the council can be interactive and include feedback on changes or actions that result (this should form part of the Governance and Audit Committee's function to review and assess the effectiveness of the council's ability to handle complaints effectively)
 - how existing statutory participation pathways will be integrated within the strategy, such as those relating to equalities, future generations and planning
 - how the council's policies on the broadcasting of council meetings, including archiving, as required by section 46 of the 2021 Act support the public's awareness and therefore ability to engage with council decision making
 - ensuring the work and engagement elected members undertake in their wards is recognised and incorporated into participation strategy
 - connecting the enabling of members' annual reports under section 5 of the Local Government (Wales) Measure 2011 as a means of promoting awareness of the council's functions and the role of elected members
 - the Council's petition scheme and petitions submitted under it as required by section 42 of the 2021 Act
 - the council's duty under section 90 of the 2021 Act to consult local people on performance
 - schools' engagement programmes and work to ensure young people are registered and made aware of their voting rights
 - youth councils and youth cabinets

- focus groups and citizens' panels

One of the functions of the role of the participation strategy is to coherently set out how these pathways contribute to and enable the public to participate in decision making. It should identify the added value of approaching participation in a holistic rather than piecemeal way. Mapping of existing pathways is also important to identify both gaps and potential connections which could strengthen the participation networks.

Making the best use of digital

Technology has advanced significantly during the last decade and there are many tools that, if used appropriately can help bring democracy closer to the public. It offers new ways of engaging, which can address previous limitations, rather than simply recreating traditional offline participation online. The use of digital services and communication across Wales varies, however, developing and maintaining the participation strategy provides the opportunity for councils to work together and share experience and learning as to what works. A participation strategy must set out the ways in which the council and the public can exploit the use of digital to maximise opportunities for effective participation.

The COVID-19 pandemic resulted in an increased awareness and use of digital, however these are technologies which present challenges in terms of training and awareness and a wide range of skills are needed to properly embrace digital participation. Councils should consider the cost benefits of investment in digital to promote engagement, including the investment in staff training and expertise required to make effective use of the opportunities digital presents. This is likely to mean taking a medium to longer term horizon for the realisation of benefits.

Participation strategies must include ways of promoting awareness amongst members of the principal council of the benefits of using social media to communicate with local people. This should be co-ordinated with the work of the Democratic Service Committees and its development of a member development strategy. Annual training reviews with individual members can be used to identify

specific training needs but the participation strategy should set out how members will be involved in campaigns the council might run or support and how collective efforts of members can be harnessed on social media to promote and enable public participation. Separate guidance has been issued on member support, training and development and councils are reminded of their duties to ensure the well-being of their members is protected and, in particular, members are also provided with high quality training and information to deal with the challenges social media can bring in relation to threats and harm to personal well-being.

Digital is both a benefit and a barrier to diversity of participation and councils should be mindful of this when considering their approach to digital participation. Online channels can accommodate large volumes of participation thus allowing people with work, caring or other commitments to take their time to make their contribution at a time that suits them. However, it also has the potential to exclude some communities and people with protected characteristics from being able to participate in a way which is suitable or comfortable for them and so a mix of participation pathways should always be available.

This is because while digital communication offers significant benefits and opportunities to facilitate participation, the way it is implemented has the potential to exclude individuals. There are many reasons for this including physical and mental health conditions, accessibility of technology, lack of digital skills and socio-economic factors. Therefore, participation strategies must identify how the council will address these and other risks and ensure inclusivity.

Digital advances are likely to be a constant theme in society and it will be important for councils to enable staff to engage in exploration of new ways of working in a way that staff feel supported to try new ways of engaging. This will require appropriate safeguards to be put in place and the strategy should identify how any exploration will take place, how the public will be involved and how it will approach identifying and implementing safeguards.

Ensuring Equality and Diversity

This Welsh Government is committed to increasing diversity across all aspects of public life. This includes tackling the barriers which prevent individuals' active participation in local democracy and provision of local services.

Equality and diversity are fundamental to effective public participation. The public participation strategy must set out how the council will ensure the widest possible range of views from the public inform council business. This will require councils to go beyond what many describe as 'the usual suspects'.

Leadership and culture within councils is key to a successful partnership approach to participation. The baseline assessment councils conduct will assist in identifying existing routes to communication and engagement, while providing an opportunity to identify key communication gaps and opportunities to explore how the more hard to reach groups can be encouraged to participate. The use of representative groups, community leaders, ward councillors and charities can all provide important information about community networks. The involvement of such groups should be welcomed and form a key component of any public participation strategy.

The Equality Act 2010 provides a legal framework for protection against direct and indirect discrimination for people with protected characteristics. These include age, sex, disability and religion. Councils must ensure its strategy sets out how it will advance equality of opportunity through the establishing and maintaining relationships with individuals and groups with protected characteristics.

In respect of disability, the Welsh Government is committed to the Social Model of Disability. This is an important approach, which goes beyond the Equality Act 2010 and broadens the focus on disability by recognising that what makes someone disabled is not their medical condition, but the attitudes and structures of society which present barriers. This is a key distinction and the removal of societal and attitudinal barriers must form part of the public participation

strategy.

There are many ways in which barriers, often not intentional, can present in normal council business. An example would be where there are time limits on contributions to be made at meetings. The conditions some people experience may not be in a position to put forward their views within that time frame and as a result feel frustrated and not heard. This is a simple example of a self-imposed council barrier to participation, there will be others which could be explored further with those effected.

Local authority meetings

Much of a council's work is undertaken through meetings both at full council and committees. There are a number of challenges councils face when determining the arrangements for these meetings including the timing of the meetings, opportunities for the public to attend and contribute and communication of the impact on communities and individuals as a result of the decisions made. While the majority of these meetings are open to the public, it is recognised that not everyone will be able to attend in person. It is therefore important that information about the items to be considered, the evidence base which will underpin discussions and the outcome is readily available to the public. The public participation strategy should be clear about the communication arrangements around all council meetings. Separate guidance about multi-location meetings has been published.

The 2021 Act requires principal councils to broadcast meetings of the full council live as they happen. This development will allow the public to follow the proceedings of the full council in real time from wherever they are, hear the contribution of their local representatives and understand the issues raised in respect of agenda items. The council is also required to make the broadcast available electronically for a reasonable period after the meeting. This should be available for at least 6 months following the meeting. This should not be seen as a prohibition on councils to the broadcast of other meetings of the council. This is the first step in respect of broadcasting and the Welsh Government intends to

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

extend this requirement to a number of other council committee meetings in the future. As part of its strategy councils should explore the views of the public about which of the council's committees they consider should be broadcast. This will require councils to ensure the public are clear about the nature and scope of each of its committees and sub committees.

Influencing decisions

A principal council must set out in its strategy how it will support people to express their views on decisions before and after they are taken. This could include, for example:

- setting out arrangements for contacting a local councillor, or a relevant cabinet member or senior officer, to make representations directly, and how those representations will be responded to
- setting out how representations can be made at relevant meetings
- holding local meetings to discuss the issues with local people
- including mechanisms for individuals to identify issues for consideration through scrutiny (for example, through arrangements to support the public to suggest topics for scrutiny or opportunities to take part in the scrutiny process)
- opportunities to make their views known via the council's website or social media channels, these should include opportunities for individuals to speak with 'real people' where appropriate rather than simply relying on automated responses or interaction

Ensuring impact

The expected impact of participation should be integral to design, delivery and monitoring. Councils should consider impact in terms of:

- inviting participation when thinking is still at a formative stage
- providing information that allows for informed consideration

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- giving adequate time for consideration and response
- giving 'real' consideration to the results of participation before a decision is taken
- Councils should set out how participation will influence the council's decision making, how the executive and relevant committees will be involved and what processes will be put in place

Transparency should also be a key feature of these processes as should feedback to those participating about what the impact of their involvement has been. Feedback processes are integral to this so that people can understand and trust that their views were considered seriously and appropriately even though the outcome may not reflect or entirely reflect what they may have hoped for.

The strategy should therefore set out how this feedback cycle will operate in practice.

Approval and Review

The strategy should set out the arrangements for approval and review within the council and what the proposed review cycle will be. As noted above, it should also set out that the strategy is a living document and to that end processes for on-going review and improvement should also be set out, as well as 'formal' full review periods and processes. The strategy should also set out how it will be evaluated and how the council will incorporate learning from its self and panel assessments conducted under Part 6 of the 2021 Act into any resulting new or revised participation strategy.

Statutory Guidance on Petitions

Status of this Guidance

This is statutory guidance made under section 44 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act).

Purpose of this Guidance

This guidance is to support councils in the preparation and maintenance of petition schemes aimed at enabling communities to explore support for specific issues to inform council deliberations.

What the Act requires

Section 42 of the 2021 Act requires principal councils to make and publish a petition scheme setting out how the council intends to handle and respond to petitions including electronic petitions.

The petition scheme must as a minimum set out:

- how a petition may be submitted to the council
- how and by when the council will acknowledge receipt of a petition
- the steps the council may take in response to a petition received by it
- the circumstances (if any) in which the council may take no further action in response to a petition
- how and by when the council will make available its response to a petition to the person who submitted the petition and to the public

A principal council must review its petition scheme from time to time and, if the council considers it appropriate, revise the scheme.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

If a principal council revises or replaces a petition scheme, it must publish the revised or new scheme.

Designing a petition scheme

A petition scheme should not be considered as the sole method of receiving public views on matters. Its design and parameters should be set in the context of the council's public participation strategy and informed by the other participation pathways available to members of the public. Therefore, as part of a suite of pathways used as part of the council's wider public participation strategy, it can be a powerful tool in gauging support for specific courses of action.

Well designed and resourced petition systems, working in conjunction and harmony with other participation pathways can have a range of benefits for the public and councils. For example, petitions enable communities to quickly highlight the issues which are of the most concern to them to the council, they can add weight to representations made by ward councillors on their behalf and provide a focus for community discussion. In turn, councils gain valuable insight into the concerns of their communities and can then support communities in addressing these issues.

Petitions should not be considered as a nuisance or threat and should be considered as a good opportunity to hear the views of the public, whether in support or not of something the council may be considering or intending to do.

Councils should, when designing petition schemes, think about the process from the point of view of petitioners, including understanding what petitioners might think "success" will look like at different stages in the process, and how the process can be made as transparent and streamlined as possible.

Councils should have regard to their statutory duties in respect of equalities, Welsh language and the Well-being of Future Generations (Wales) Act 2015 when preparing their petition scheme.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Petition schemes should be developed not just to ensure a fair and robust process but also to provide a helpful and positive experience for those people who take the time to submit and promote petitions. This is likely to involve consideration of the following issues:

- a clear explanation of the matters about which the council will accept petitions, including the criteria for making a decision to accept or reject a petition
- how and where advice will be given to petitioners to enable them to engage productively with the process, including measures in place for disabled people and individuals with long term health conditions and neurodiversity
- a clear understanding of the different stages in the petitions scheme, with an explanation of what thresholds will be used to determine the transition from one stage to another
- how petitions fit in with other opportunities for the public to be involved and signposting to other opportunities, either as complementary to a petition or instead of it, including connecting the potential petitioner with their ward councillor
- the correct body to consider a given petition. It is right for petitions to be heard by a variety of different bodies, although the default is likely to be full Council unless it is seen as especially useful for the petition to be heard by a committee that focuses specifically on the subject matter of the petition itself
- petition schemes will need to consider where petitions are considered in scrutiny committees. These committees have no power to act on petitions but could (for example) adopt petitioners' arguments as formal recommendations
- the rights of petitioners to speak in meetings, and how this engages with wider public speaking rights, and rights to make deputations
- how and within what timeframe the council will provide feedback to the petitioner on the success or otherwise of their petition

Councils are encouraged to explore what would constitute good practice around the framework for petition schemes set out in this guidance. For example, what might be an appropriate signature threshold for the consideration of a petition and how and when this threshold would be kept under review. This would

support a balance between local discretion based on the size of the council, the nature of the scheme and its relationship to other participation pathways in the council and consistency for the members of the public who may be engaged with multiple councils or move from one council area to another.

Part 4: governance and scrutiny

Statutory Guidance on Constitutions

Status of this Guidance

This is statutory guidance issued under section 38 of the Local Government Act 2000, as amended by section 45 of the Local Government and Elections (Wales) Act 2021. A local authority (a county or county borough council in Wales), elected mayor or an executive leader must have regard to it. This guidance replaces previous guidance relating to constitutions issued under this section in 2006.

Purpose of this Guidance

This guidance is to support councils in the preparation and maintenance of their constitutions.

Developing a Constitution

Under Section 37 of the Local Government Act 2000, each council operating executive arrangements is required to prepare, keep up to date and publish electronically a document known as the council's 'constitution'. This must include a copy of their standing orders, code of conduct and other information the council considers appropriate.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

The Welsh Ministers issued separate guidance on Modular Constitutions for Welsh councils in 2001. This is regularly updated by Lawyers in Local Government and the WLGA and remains a valuable resource for local authorities.

Content of the Constitution

Councils should ensure their constitution is easy to use and understand. It will also be supplemented by a constitution guide. Councils should in particular make sure parts of the constitution which deal with related issues are cross-referenced. In considering their constitution, councils should have regard to their statutory duties in relation to the Welsh language, the Well-being of Future Generations (Wales) Act 2015, equalities, including the public sector socio economic duty, and also that they are now required to publish their constitutions electronically.

The constitution must include:

- such information as the Welsh Ministers may direct, this currently includes information with respect to the discharge of all the council's functions as directed by the Local Government Act 2000 (Local Authority Constitution) (Wales) Direction 2023 made under section 37(1)(a) (annexed to this guidance)
- a copy of the authority's standing orders
- a copy of the authority's code of conduct for members (including co-opted members)
- such other information as the authority considers appropriate

The Local Government Act 2000 (Local Authority Constitution) (Wales) Direction 2023 provides that a constitution must specify the roles of the full council. The arrangements for the discharge of non-executive functions should be a statement of who or which body within the council is responsible for the discharge of non-executive functions, (as described in the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

2007 made under Section 13(3)(a) of the Local Government Act 2000) together with a description of the role of the full council. The constitution must be clear as to how decisions are taken, who takes them, which decisions are delegated and to whom and how the decision to delegate is made. Decisions involving significant and/or controversial matters must not be delegated to officers.

There is considerable scope for local choice and diversity in the content of the constitution and the way in which it operates. Many of the matters to be included in the constitution may also be included in an authority's standing orders.

There will be other matters governing the conduct of the authority's affairs which will not be included in standing orders, executive arrangements, the arrangements for the discharge of non-executive functions, the code of conduct for members or the code of conduct for officers. Councils may, if they choose, include any of these other matters in their constitution.

For example, a council should include a description of locally developed protocols governing the relationships between the executive, other councillors and officers. The constitution should be clear these relationships must be constructive and respectful at all times. Also, as well as enabling informal routes for disagreements between members to be addressed, the constitution should provide routes for officers to seek informal resolution of difficulties in relationships with members without the need to escalate to formal processes. The code of conduct for officers should make clear that that code of conduct is incorporated into the officers' contract of employment. It should also be clear that, once informal routes have been exhausted, statutory processes must be followed in relation to any disciplinary action relating to officers falling within the remit of the Local Authorities (Wales) Standing Order Regulations 2006.

Other matters councils should consider including and/or taking into account in their constitutions include:

- the need for a "preamble" (or introduction) to the constitution, setting out the important principles that underpin the constitution's contents and recognising the council's broader obligations to local democracy and local people

- the relationship between Articles of the constitution and more detailed rules of procedure (if this is the structure that a Council chooses to use to organise its constitution)
- the way in which informal discussions between members and officers inform and influence formal decision-making at the council
- the way the council makes decisions in partnership with other councils and other bodies, in particular through public service boards, regional partnership boards, corporate joint committees, and any joint committee established under the Local Government Act 1972
- how the council will appoint members to national park authorities and fire and rescue authorities and how those members will update the council on their work;
- the working arrangements and relationship with community and town councils in the council's area
- rules of procedure which relate to high profile issues for example, the full council procedure rules, including the arrangements in place for the electronic broadcasting of those meetings and the archiving and retention of the broadcasts
- financial procedure rules
- details on arrangements relating to public participation in relation to duties included in sections 39 to 41 of the Local Government and Elections (Wales) Act 2021
- the arrangements for dealing with complaints including interaction with the PSOW
- the needs of equality, diversity and inclusion and the statutory duties related to these and the Welsh language. This relates not only to ensuring that constitutional documents are themselves accessible, but that rules and procedures take account of the needs of people with a wide range of needs. For example, parts of the constitution that relate to the public's right to be involved in decision-making should take account of these needs
- Councils' duties relating to the Well-being of Future Generations (Wales) Act 2015. Councils' overall legal obligations under this Act are well understood, but it also has implications, for example, through the ways of working, for how councils make formal decisions, and how scrutiny and oversight

systems operate

- the way the council will fulfil its obligations under the UK General Data Protection Registration (UKGDPR) when dealing with personal information

Importantly, the constitution should be drafted as a flexible document. For example, it should not be necessary to produce a revised constitution every time an ad-hoc committee or sub-committee is appointed to undertake a particular task. However, this needs to be balanced against the need for a constitution to be detailed enough so that anyone who has dealings with the council can use it to determine who is responsible for the matter with which they are concerned.

Availability of the Constitution

The Act requires that copies of the constitution are published electronically and available at the council's principal office for inspection at all reasonable times. Members of the public should be able to take away copies of the constitution for free or charge representing no more than the cost of providing the copy a reasonable fee. It is also recommended that local authorities should make copies of the constitution available more widely, for example at all their offices, libraries, community buildings etc.

Review and Revisions to the Constitution

The council's constitution should be kept up to date at all times. Councils should review the constitution regularly to make sure it continues to be fit for purpose, with these reviews being led by councillors, and supported by the council's monitoring officer in consultation with the head of democratic services.

In considering their arrangements for the ongoing review and revision of their constitution councils should consider:

- whether the council constitution will permit the monitoring officer to make "minor" amendments and what constitutes a minor amendment, for example

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

the updating of a reference to legislation. Full reviews and major amendments must be agreed at full Council. Councils may wish to systematise this process, by linking it more formally to the annual general meeting to ensure that the constitution is kept under regular review

- arrangements for councillor “ownership” (that is, a clear sense that councillors are responsible for making sure that the constitution is of a high quality). This matter of ownership is important. Ownership must be held by full council; but detailed work can be led by a named committee. Whichever formal space is designated it is important that councillors have regular opportunities to reflect on the strength of the governance framework, of which the constitution forms a central part

An individual councillor may propose additions, amendments, suspensions or withdrawals to the council’s constitution, but in doing so would have to declare any interest they have before obtaining a decision of the full council. Any proposal should also be accompanied by advice from the Monitoring Officer to full Council (or any committee or member considering potential changes).

All proposed changes, unless previously agreed as being ‘minor’ have to be debated by the full council and require a majority vote of those members voting to be accepted.

Any changes the council has resolved to make will come into immediate effect unless the decision specifies otherwise.

The published constitution should be amended within 5 working days of the making of a resolution to ensure the most up to date version of the constitution is always available.

The Local Government Act 2000 (Local Authority Constitution) (Wales) Direction 2023

The Welsh Ministers, in exercise of the power given to them by sections 37(1)(a) of the Local Government Act 2000 (“the Act”), directs each county and

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

county borough council (“local authority”) in Wales that the document which they must prepare and keep up to date in accordance with section 37(1) of the Act and referred to in that section as their constitution must contain the information specified in the Schedule.

This direction will have effect from to be confirmed.

The Local Government Act 2000 (Local Authority Constitution) (Wales) Direction 2001 is revoked.

.....

Minister for Finance and Local Government

The Schedule

Specified Information

A summary of the constitution.

The roles of members and (if applicable) of the elected mayor including:

- their election and terms of office
- the rights and duties of all members and (if applicable) of the elected Mayor, including the application of family absence for members

The roles of the full council including:

- the functions and actions which are reserved to the full council
- the different types of council meeting and the rules governing the proceedings of those meetings, including the arrangements for multi-location meetings and for their electronic broadcast where this is required on a statutory basis or undertaken voluntarily

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

The roles of the chairperson or presiding member of the council, and their respective deputies.

The roles of overview and scrutiny committees including:

- the terms of reference of each of the committees
- the general and specific roles of each of the committees
- the rules governing the proceedings of the committees
- the arrangements in place for the consideration of and response to their reports by the full council and/or the executive

The roles of the standards committee and of any sub-committee of that committee including:

- the membership of the committee and any sub-committee
- the roles, functions, rights and duties of the committee and any sub-committee
- the rules governing the proceedings of the committee and any sub-committee
- the arrangements in place for the consideration of and response to their reports by the full council and/or the executive

The roles of any area committees including:

- the membership, terms of reference and functions of the committees
- the rules governing the proceedings of the committees
- the arrangements in place for the consideration of and response to their reports by the full council and/or the executive

The roles of the governance and audit committee and of any sub-committee of that committee including:

- the membership of the committee and any sub-committee
- the roles, functions, rights and duties of the committee and any sub-committee
- the rules governing the proceedings of the committee and any sub-

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

committee

- the arrangements in place for the consideration of and response to their reports by the full council and/or the executive.

The roles of the Democratic Services Committee and of any sub-committee of that committee including:

- the membership of the committee and any sub-committee
- the roles, functions, rights and duties of the committee and any sub-committee
- the rules governing the proceedings of the committee and any sub-committee
- the arrangements in place for the consideration of and response to their reports by the full council and/or the executive.

In the case of a local authority which is operating executive arrangements as defined by section 10(1) of the Act the roles of the executive and of members of the executive including:

- the roles, functions, rights and duties of members of the executive and assistants to the executive, including the maximum number of assistants that may be appointed
- the roles, functions, rights and duties of any elected mayor and any deputy mayor
- the allocation of responsibility for the exercise of social services functions including responsibility for looked after children
- the process for the appointment and removal of members of the executive and assistants to the executive
- the rules governing the proceedings of the executive, including the arrangements for multi-location meetings
- the arrangements for determining and managing the job sharing of executive posts, including the executive leader in relation to managing, and the manner in which this will be considered when allocating seats on committees which include a seat for members of the executive, such as the governance and audit committee and the democratic services committee, to which the

political balance rules apply. In the case of the executive leader, the arrangements must set out how an election for executive leader will be undertaken where one or more of the potential office holders seeking that office are seeking it on the basis of job sharing arrangements.

Particulars of any arrangements for the discharge of any functions by individual members, another local authority, including corporate joint committees, or for the exercise of any functions jointly with another local authority including:

- the nature of the arrangements and the functions to which they apply
- the membership of any joint committees and sub-committees
- the rules governing the proceedings of any joint committees and sub-committees
- details of any contracting out arrangements

The roles of officers of the local authority including:

- the management structure of the local authority
- the functions of the chief executive, the monitoring officer, the head of democratic services and the chief finance officer (section 151 officer)
- the code of conduct for officers
- the arrangements for recruitment, appointment, remuneration, dismissal and disciplinary action in relation to officers, including officers covered by the Local Authorities (Wales) Standing Order Regulations 2006 and the council's pay policy statement
- details of delegations of functions to officers
- protocols for managing constructive and respectful relationships between officers and members, including informal and formal processes for handling disputes and complaints

The principles and processes for efficient, transparent and accountable decision making within the council and access to information about decision making including rules of procedure for decision making and access to information in respect of the full council, its committees and sub-committees, the executive, overview and scrutiny committees and officers.

The confidential reporting procedure with references to the authority's codes of conduct for members and employees respectively.

The rules and regulations governing finance, contractual and legal matters including:

- audit procedures
- contracts and procurement rules and procedures including authentication of documents
- the rules governing legal proceedings by and against the local authority

The arrangements to fulfil the duties under sections 91, 92 and 93 of the Local Government and Elections (Wales) Act 2021 to report on the council's performance and to arrange and respond to a panel assessment.

The rules and procedures for review and revision of the constitution.

Provisions for the suspension and interpretation of the constitution and elements of it.

The statutory derivations of all of the provisions of the constitution (i.e. the powers and duties under which they are made).

The Constitution Guide Statutory Guidance

Status of this Guidance

This statutory guidance is issued under section 38 of the Local Government Act 2000. A local authority (a county or county borough council in Wales), elected mayor or an executive leader must have regard to it.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Purpose of this Guidance

This guidance accompanies the requirement set out in section 38 of the Local Government Act 2000, as amended by section 45 of the Local Government and Elections (Wales) Act 2021. This section requires councils to publish electronically and keep up to date a guide which explains in ordinary language the content of their constitution.

What is the Guide?

Councils must produce and publish a guide to their constitution. A guide to the constitution is not the same thing as a guide setting out how the council works, although there is likely to be some overlap, nor is it an annotated index of the constitution itself. Councils are likely to already hold material on their website explaining key aspects of their operation, which could be used to form this guide.

Consultation and matters to be taken into consideration when preparing the guide

How to prepare an effective constitution guide should form part of the council's strategy on encouraging public participation in decision making by the council prepared under sections 40 and 41 of the Local Government and Elections (Wales) Act 2021. Councils could speak to local people, and to voluntary organisations representing local people, to understand what it would be most helpful to put in the constitution guide.

Councils should also have regard to their statutory duties in respect of equalities, Welsh language and the Well-being of Future Generations (Wales) Act 2015 when preparing their constitution guide. Councils should involve and consult a wide range of people and groups from diverse backgrounds before publishing the final guide.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

An effective constitution guide will be one that understands the different interactions local people are likely to have with the council, and with local democratic systems, and which focusses in more detail on those interactions. It may bear some similarity with some of the introductory information on councils' websites describing how the council operates.

For example, a guide could provide particular detail on:

- the rights of the public to access information about the council (including the right to inspect accounts, and other formal documents)
- rights of access to meetings, and public speaking rights
- arrangements for petitions

The Welsh Local Government Association and Lawyers in Local Government have produced a model guide to the constitution which councils may find helpful.

The Exercise of Functions by Councillors Statutory Guidance

Status of this Guidance

This is statutory guidance made under Section 56 of the Local Government (Wales) Measure 2011 (the Measure). This replaces previous guidance issued on this matter.

Purpose of this Guidance

This is statutory guidance issued in accordance with section 56(6) of the Measure to which the county or county borough council or senior executive member of the local authority must have regard in making arrangements under section 56.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Powers under section 56 are optional in nature but those councils that decide to use them may have regard to this guidance to assist them.

By giving more autonomy to elected members in their local area, section 56 enhances councillors' ability to resolve issues and problems on behalf of their residents.

Introduction

The Measure includes powers for councillors to help them tackle issues and resolve problems in their local ward.

Section 56 enables councils to make arrangements for functions to be exercised by individual councillors to allow them to make decisions at an electoral ward level that may result in improvements in their local areas.

Arrangements under this section provide for a non-executive member to exercise those functions in relation to the electoral ward for which the member has been elected, or to exercise functions in relation to their official membership of an outside body.

This guidance seeks to outline potential positive benefits from delegating functions to elected members both within their role as ward members and as the council's official representative on outside bodies. The aim is to support elected members in being the voice of their community within the council and the voice of the council in their community.

What the Measure says about exercise of functions by councillors

Section 56 gives powers to local authorities to formally delegate powers to individual councillors to carry out any function of the authority. With regard to the range of functions that may be exercised by non-executive councillors, section

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

56 allows local authorities flexibility to develop arrangements which may best suit their individual preferences. This includes enabling local authorities to delegate both executive functions and other council functions to non-executive councillors.

Section 56(1) provides that the senior executive member of a local authority may make arrangements for a non-executive member of the authority to exercise a function of the local authority which is the responsibility of the executive. Section 56(2) provides that a local authority may make arrangements for a non-executive member of the authority to exercise any other function of the authority.

However, councils will need to be mindful that section 56(3) stipulates that local authorities may only delegate functions to non-executive members:

- in relation to the electoral ward for which the non-executive member is elected, or
- in relation to the non-executive member's official membership of a body other than the local authority

Purpose and objectives of section 56

The intent behind the provision is to provide councils with a wider range of opportunities to make effective use of elected members' representational role, this could now also be considered in conjunction with the duties placed upon councils in sections 39 to 41 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act) to encourage local people to participate in decision making.

It could also be a way of supporting elected member training and development. For example, councils may wish to use the provision as a means to create developmental 'on-the-job' learning initiatives for non-executive members in instances where they may be utilised as council representative on outside bodies such as local health boards, housing associations, voluntary organisations, trusts or agencies. Such 'learning by doing' would be a chance to further councillors' skills and knowledge in a given area and broaden the

council's overall pool of experienced elected members.

For those outside bodies where more than one member is appointed, councils may wish to delegate functions in a way which empowers non-executive members on occasions where the executive member may be absent.

In these instances, it would be important for the council to ensure those non-executive councillors to whom functions had been delegated receive the support and developmental opportunities necessary for them to successfully fulfil their role.

As a means to provide the necessary transparency and accountability for delegated functions, section 100EA of the Local Government Act 1972 (as amended by section 57 of the Measure) provides the Welsh Ministers with powers to make regulations to require councils to publicly record decisions made under section 56 of the Measure. This is in order to give the public information about the work undertaken by councillors within their wards. The Welsh Ministers have not exercised this power however councils are encouraged to publish these decisions as a matter of good practice. Councils may also wish to publish delegated decisions of councillors as part of their annual review process.

Although section 56 gives broad powers to delegate any local authority function to an individual member, there are obviously some functions that will be more appropriate than others. It would not be appropriate to delegate powers which are specified as specifically not to be exercised by the executive or not to be exercised solely by the executive in the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 as these functions are intended to be exercised by the membership of the council as a whole or one of its committees. Also it would not be appropriate to delegate functions requiring a council wide strategic approach such as social care. But, delegated powers could be used to allow councillors to play a more active role in a wide range of policy areas.

For example, functions that could be delegated may include:

- powers to effect repairs or improvements to streets. This could include road calming measures or street lighting
- powers to develop and oversee youth activities within the area of an electoral ward

Factors to consider when delegating powers

When considering whether or not to delegate functions to non-executive members, councils may wish to give thought to the following issues in relation to members:

- What value can be added by delegating powers? What specific local problems will be able to be tackled as a result?
- Would councillors need additional support such as legal advice in the discharge of delegated functions?
- How will members be supported if their decisions are challenged, for example, by judicial review?
- How will councillors publicly record decisions made using their new powers?
- Integrating the learning and participation generated through the delegation in to wider initiatives and strategies including statutory ones to strengthen them.
- How the delegations support the council in meeting statutory duties in relation to equalities, Welsh language, the Well-being of Future Generations (Wales) Act 2015 and the duty to encourage participation in the 2021 Act.

For officers, in supporting elected members discharge delegated functions, things to think about include:

- working more closely with councillors to develop their knowledge and skills
- providing advice and reports to ensure delegated powers are used effectively and in accordance with duties placed upon the council, including advice on statutory duties such as those contained in the Well-being of Future Generations Act (Wales) 2015, the Welsh Language (Wales) Measure 2011 and the Equality Act 2010

- Will members need legal advice and support to discharge the delegated functions?
- How will members be supported if their decisions are challenged, for example, by judicial review?
- How will the decisions made by councillors with delegated functions be officially recorded?
- Implementing decisions that are made under delegated powers
- developing processes to appropriately record decisions made by a councillor under these powers

Some practical considerations

Practically speaking, most local authorities will probably wish to amend their constitutions to put in place arrangements for delegating powers to councillors. Councils may wish to utilise existing procedures used to delegate powers to cabinet members when developing frameworks for delegating functions to non-executive members. In particular, any decisions made by non-executive members using delegated functions should be subject to the same call-in procedures as relate to executive functions more generally. Further options councils may wish to adopt include:

- establishing enabling powers in their constitution for the purpose of delegating powers to non-executive members to be used as and when needed
- using delegated powers to tackle specific area based issues in response to local challenges

It is for councils to decide the extent and means by which they wish to use the powers under section 56. It is advised that councils should develop a protocol to define when and under what conditions a function will be delegated to a non-executive member. Also, that the training, development and support the councillor might require to undertake the role is considered as part of their annual training review. When making arrangements to delegate powers, councils should take into account the need to avoid the possibility of allegations

of favouring councillors of a particular political persuasion. In multi-member wards, local authorities should make the same arrangements for delegated functions including any associated budgetary arrangements to apply to each elected member or to none.

Multi-member Wards

The powers in the Measure relate to individual councillors but local authorities may need to put arrangements in place to ensure that delegated powers are used jointly by all members representing a particular ward especially if those members are from different political parties.

If functions are delegated to councillors within the same ward, councils may wish to produce guidance and support aimed at ensuring decisions undertaken in wards are co-ordinated and complementary in improving outcomes for local people.

Links with Councillor Calls for Action (CCfA)

Where councils have decided to take advantage of the powers under section 56, they will find that there are some close links with CCfA. Members exercising delegated powers may find that they have more opportunities to resolve issues locally without having recourse to CCfA. CCfAs on particular issues may encourage councils to use section 56 to delegate powers to members to resolve those issues locally.

Council Executives Statutory Guidance

Status of this Guidance

This guidance is statutory guidance issued under section 38 of the Local

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Government Act 2000 and a county or county borough council, elected mayor or executive leader must have regard to it. This section was amended by section 59 of the Local Government and Elections (Wales) Act 2021 to provide for Welsh Ministers to issue guidance under section 38 which ‘may among other things, include provision designed to encourage good practice in relation to equality and diversity (within the meaning of section 8(2) of the Equality Act 2006).’

Purpose of this Guidance

The purpose of this guidance is to require the executive leader of a council to take into account diversity when appointing their cabinet. The aim is to support and encourage decision making in the executive which understands and reflects the diversity of the communities in the council area.

This guidance also requires council executives to take a proactive, positive and constructive approach to its interactions with scrutiny in the council.

Diversity in Cabinets

When establishing their cabinet the executive leader or elected mayor must have regard to statutory duties relating to equalities and the Welsh language. This includes consideration of the protected characteristics set out in the Equalities Act 2010, including the public sector duty to have due regard to the need to reduce the inequalities of outcome resulting from socio-economic disadvantage.

The leader or mayor must consider how their appointments to the cabinet reflect and support the diversity of the communities in the council area and as far as possible try to reflect this diversity. This is to ensure decision making in the executive is informed by a wide range of perspectives and experiences. The Local Government and Elections (Wales) Act 2021 (the “2021 Act”) provides executive leaders with opportunities to increase the diversity in their cabinet

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

through the use of job sharing arrangements and/or the appointment of assistants to the executive.

When appointing two or more members to a job sharing arrangement the leader must not make the cabinet role covered by the job sharing arrangement of such a size that it could not reasonably be undertaken by a single cabinet member working on their own. The workload of the role must not increase simply because two or more members will now be undertaking it. The purpose is to support diversity, including through succession planning, to enable members to genuinely share the role.

Job Sharing Executive Leaders and Executive Members

Section 58 of the 2021 Act amends the Local Government Act 2000 to require councils with executive arrangements to make provision enabling two or more councillors to share office on that executive, including the office of leader of the executive. It is envisaged, that the most likely scenario in the case of the leader of an executive, is that 2 or more members would mutually make an arrangement to stand for election as executive leader on the basis of a job-sharing arrangement. The executive procedures and council procedures must provide for this.

In the case of executive members, it is for the executive leader to determine appointments to the executive based on the arrangements set out and agreed in the council's constitution. The constitution must set out the parameters for the operation of job-sharing arrangements in the executive. The number of executive posts (including that of executive leader) that can be filled on a job-sharing basis is limited to three by the 2000 Act. This is to ensure that in councils with a smaller number of members there are still sufficient members to provide proper scrutiny of the executive.

When making appointments on a job-sharing basis the executive leader should consider matters including how:

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- this could increase the diversity in the executive to best reflect the diversity in the council's area
- job-sharing members will be supported to ensure they can maintain a reasonable work life balance
- those arrangements may offer opportunities for succession planning in the executive

The terms of the job-sharing arrangements should be clear and agreed in advance. Members of the job sharing arrangement, their cabinet colleagues, other elected members and officers will need to understand how the responsibilities of the cabinet role subject to the job sharing arrangement are to be discharged. Job-sharing arrangements should not be used solely as a means of increasing the number of executive members or to create roles for job-sharing members which equate to workloads greater than if the cabinet position was held by an individual member. However, 1 member of the arrangement focusing on some aspects of the role and another member focusing on others enables skills and knowledge to be utilised to best effect.

In the case of both job-sharing executive leaders and job-sharing executive members, the two or more members in the job-sharing arrangement are to be treated as 1 member when attending a meeting in their capacity as members of the executive for voting purposes and for the purposes of determining whether a meeting is quorate. The exception is where 1 member of a job sharing arrangement makes a declaration of interest and has to recuse themselves from the meeting and voting, the other member or members of the arrangement may remain and exercise the vote ascribed to the job share arrangement.

Should 2 or more of the members in a job-sharing arrangement attend a meeting in their capacity as executive members they should both be recorded as having attended the meeting and they both may speak at the meeting. However, should the meeting require a vote to be cast, they must decide between them in advance who will cast their vote and inform the chair of the meeting. There is then a careful balance to be struck between pre-determination and proper preparation for the meeting amongst the job-sharers which should include an exploration on their position, what questions they may have on the matter and

what further information they might wish to see, in the same way that it would be expected they would manage all aspects of their job-sharing arrangements to ensure continuity and consistency of approach between themselves.

If 1 member of a job-sharing arrangement attends a meeting in their capacity as a member of the executive and the meeting requires a vote then the attending member must cast their vote taking into account preparatory discussions with their job-sharing partners.

Where a member of a job-sharing arrangement casts a vote at a meeting they have attended which is subsequently identified as contrary to any preparatory discussions between job-sharing partners, unless the contradiction is attributable to debate and discussion in the meeting, then that vote may be treated as invalid for the purpose of decision making, as the vote is allocated to the job-sharing arrangement and not to the individual member of that arrangement who has attended the meeting.

It will be for each council to determine the appropriate course of action at that point, based on the specific circumstances, to ensure integrity of decision making is maintained. Councils should explain the significance of this aspect of job-sharing clearly to any members participating in executive job-sharing arrangements in advance and it should form part of induction and training for executive members.

As noted above, councils and job-sharing members should recognise that the successful operation of job-sharing arrangements will require the establishment of effective working arrangements from the outset and high levels of trust between the job-sharing members. The working arrangements should include how disputes between job-sharers will be resolved.

Councils will need to consider how they communicate the position in respect of job -share arrangements to external organisations to which job-sharing members are appointed in their capacity as an executive member.

Councils must consider the implications for political balance requirements for

those committees which are subject to political balance requirements and on which a job-sharing member of the executive may sit i.e. the Governance and Audit Committee and the Democratic Services Committee. This will require consideration where a job-sharing arrangement consists of members from more than one political group or a political group or groups and an unaffiliated member or members (where an unaffiliated member is a member not registered with the proper officer as being a member of a political group for the purposes of sections 15 to 17 of the Local Government and Housing Act 1989).

The treatment of job-sharing partners as if they were one member for the purposes of voting and quorums for meetings they attend as executive members does not extend to meetings they attend in their roles as members of the council.

Assistants to the Executive

Section 57 of the 2021 Act amends the 2000 Act to provide for the appointment of assistants to the executive. The aim is to support diversity by enabling members who might not be in a position to take up a full time executive role because of personal or other circumstances to have the opportunity to learn and develop. Whilst not members of the executive, assistants can attend and speak at executive meetings or at committees of the executive and could bring valuable diversity and insight into discussions.

The Council's constitution, which must be agreed by the full council, and its executive arrangements must include provision as to the number of assistants to the executive that may be appointed, their term of office and their responsibilities. Again, there should be a clear purpose to the appointment of assistants to the executive, and these appointments should not be used solely as a means of increasing the number of members able to make a contribution to the running of the executive.

The 2000 Act (as amended) provides that neither the chair nor the vice-chair of the council nor the presiding member, or deputy presiding member can be

appointed as assistants to the executive.

Whilst assistants to the executive are not members of the executive, they are treated as if they are members of the executive for the purposes of the allocation of seats on scrutiny committees where neither members of the executive nor assistants to the executive can be members. Likewise, the committees which are able to include one member of the executive, the Governance and Audit Committee, the Democratic Services Committee and the Standards Committee, can only have a member of the executive or an assistant to the executive as part of their membership (Schedule 6, to the Local Government and Elections (Wales) Act 2021 and The Local Government and Elections (Wales) Act 2021 Consequential Amendments (Job-Sharing and Assistants to the Executive) Regulations 2022.

Scrutiny and Call-ins

Cabinets should recognise the importance of effective scrutiny for the good governance of the council overall and reflect this in their constitutions. They should respond promptly and constructively to requests from scrutiny for information, attendance at meetings and other reasonable requests.

Executives should note that Section 65 of the Local Government and Elections (Wales) Act 2021 amended section 22(10) of the Local Government Act 2000 which provides Welsh Ministers with a power to make regulations which include provision for or in connection with requiring prescribed information about prescribed decisions made in connection with the discharge of functions which are the responsibility of a local authority executive to be made available to members of the public or members of the authority to include an overview and scrutiny committee of the authority or a sub-committee of such a committee. This is intended to convey the seriousness which Welsh Ministers attach to effective co-operation and information sharing between the executive and scrutiny and its place at the heart of the good and effective governance of the council.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Cabinets should set the tone for organisational commitment to effective scrutiny by ensuring there is parity of esteem between scrutiny and the executive and encouraging scrutiny to operate in a cross party constructive manner.

Cabinets should respond promptly and respectfully to recommendations from scrutiny explaining whether the recommendation will be accepted or rejected, the reasons for these decisions and what actions will be taken. Cabinets should publish their response electronically and the response should be available to the public except for matters exempt from publication.

Cabinets should be open to the need for appropriate use of call-ins and respond in a prompt and constructive manner to such requests. Cabinets should support the design of effective and proportionate call in rules which do not make call-ins overly difficult or impossible.

Leaders and cabinets should also be respectful and mindful of the role of statutory officers such as the chief executive, the monitoring officer and the section 151 officer and their appointment by and role in serving the council as a whole. In exercising their functions, leaders and cabinets must remain within the parameters of the statutory framework and the council's own constitution. They must respect the role council officers play in advising them of these parameters and the interaction of this role with the scrutiny process and decisions required either by statute or the council's constitution to be taken by the full council.

Political Assistants Non Statutory Guidance

Status of the guidance

This is non-statutory guidance on the appointment of political assistants to political groups.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Purpose of this guidance

The purpose of this guidance is to explain provisions in the Local Government and Housing Act 1989 relating to the appointment of political assistants and to encourage councils to be open and transparent regarding the role and activities of the political assistants they employ.

Political Assistants

Local authority political assistants are local government employees who undertake research and provide administrative support for the main political groups within an authority.

The existence of these posts allows a separation of professional officer and political roles and can enable the provision of advice to councillors that local authority officers are prevented from providing.

Part I of the Local Government and Housing Act 1989 sets out the framework regulating the appointment and conduct of political assistants.

Under section 2 of the 1989 Act, the post of political assistant in a local authority is politically restricted. This means that, like other politically restricted posts, the post-holder cannot stand for election, act as an election agent or sub-agent, be an officer of a political party, manage a party or branch of a party, and cannot canvass on behalf of a political party or candidate for election.

Political assistants are, however, permitted to speak to the public with the intention of affecting support for a political party, but their actions must not give the impression that they are acting as the representative of the political party.

Political assistants are also able to publish or cause to be published written work or other material intended to affect public support for a political party, but they must not give the impression that the publication is authorised by the political

party.

These rules were adopted to address concerns about political impartiality, conflict of interest and the use of taxpayer funds for political purposes in councils. Further details on the restrictions in place can be found in the **Local Government Officers (Political Restrictions) Regulations 1990**.

The restrictions take the form of terms and conditions that are deemed to be incorporated into those officers' terms of appointment and conditions of employment. The restrictions applicable to all holders of politically restricted posts are set out in **Part I of the Schedule** to the Regulations. **Part II of Schedule** provides for further terms and conditions for political assistants.

Appointments

Under **section 9 of the Local Government and Housing Act 1989**, a local authority may appoint up to 3 assistants for political groups subject to stringent conditions and safeguards.

The 3 largest political groups in each authority qualify for a political assistant if the membership of the group consists of at least 10% of the membership of the authority. The exception is where only one political group accounts for at least 10% of the membership, in which case the next biggest group also qualifies.

No appointments can be made until posts have been established for all qualifying groups, however, only one post can be appointed to a political party.

Under **section 7 of the Local Government and Housing Act 1989** employees of a local authority must be appointed on merit. Section 9 provides an exception to this principle. The appointment of each political assistant is down to the political group each post (political assistant) is to represent. The appointee can take account of the candidate's political activities during the selection process, although the posts are 'politically restricted' (as described above).

Once appointed line management responsibility for political assistants should be assigned to one of the authority's senior officers. However, in practice, political assistants' day to day work will be determined and managed by the relevant political group and its political group leader. Authorities should therefore consider how any conflicts or disputes will be resolved, perhaps through the development and agreement of a protocol.

Remuneration and contracts

It is for the authority to determine the salary payable, however, it is expected that local authorities show restraint and allow pay increases in a proportionate manner in line with wider local government pay.

The Local Government (Assistants for Political Groups) (Remuneration) (Wales) (Amendment) Order 2019 sets the maximum level of potential pay that political assistants can be paid.

Under **section 9(4)(b) of the Local Government and Housing Act 1989** the maximum salary set by regulations is a full-time equivalent figure so it is not possible to pay an annual salary at an hourly rate for part-time hours if this would breach the maximum amount stipulated if the political assistant were to work full-time.

The contract of employment must terminate at or before the annual council meeting following the first elections after the person was appointed. However, this does not prevent the post holder being reappointed for a further term. The local authority cannot delegate any functions to an assistant, and no other authority officer can be required to work under the direction of an assistant (other than in respect of secretarial or clerical services).

Openness and transparency

Each local authority is under a duty to draw-up and regularly update a list of

posts which are politically restricted and political assistants are expected to comply with the officer code of conduct of their authority.

Local authorities should consider publishing the details below as best practice:

- the total number of political assistants it employs
- the political group each assistant serves
- the number of councillors in each political group
- the number of hours per week for which each political group's assistant is employed

Arrangements for Securing Effective Overview and Scrutiny Statutory Guidance

Status of this Guidance

This guidance is statutory guidance issued under section 38 of the Local Government Act 2000. A county or county borough council, elected mayor or an executive leader must have regard to it. It replaces previous guidance issued in 2012.

Purpose of this Guidance

The purpose of this guidance is to ensure councils have effective scrutiny arrangements and that procedures are in place to regularly review and seek to improve the effectiveness of those arrangements.

Policy Intent

Overview and scrutiny is an essential element of the political and general governance of the council. The council and executive culture should be open to

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

and supportive of scrutiny and scrutiny should be provided with staff and resources to enable it to effectively undertake its functions, including holding the council executive to account.

It is recognised that difficult decisions will always have to be made in relation to council finances but the overriding principle should be that investment in scrutiny also contributes to better services for local people by providing another channel for people to be involved in the decisions that affect them and driving a culture of learning and improvement across the council as whole. This principle should be considered in light of sections 39 to 41 of the Local Government and Elections Act 2021 (the 2021 Act) in terms of the duty to encourage local people to participate on decision making and prepare a strategy on encouraging participation and the duty on a principal council to keep its performance under review, including the conduct of its self and panel assessments and consulting local people as part of that duty as required by sections 89 and 90 of the 2021 Act.

Effective scrutiny of collaborative arrangements with other councils such as joint committees and corporate joint committees and cross public service partnership arrangements such as public service boards must be viewed as essential in ensuring that those arrangements are democratically accountable to local people.

Processes and Relationships

To achieve the policy intent scrutiny should not sit aside from other processes which form part of the council's governance system. Arrangements for overview and scrutiny should be set out clearly in the council's constitution and constitution guide required by section 37 of the Local Government Act 2000.

Scrutiny should be an integral part of the council's self-assessment under Part 6 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act) and should also be considered when the council arranges its panel assessment.

The role scrutiny plays in involving local people to participate in decision making under section 39 of the 2021 Act should be set out in the strategy the council must prepare and consult upon in sections 40 and 41.

Scrutiny chairs should have good working relationships with each other and regularly discuss approaches to scrutiny and learn from the work of other scrutiny committees within the council and in other councils. Scrutiny chairs should also establish good working relationships with the chair of the governance and audit committee and the standards committee, as well as the chair or presiding member of the council and the chairs of other committees. They should also foster good working relationships with internal and external auditors and with regulators.

The effectiveness of scrutiny is in part dependent on mutual respect between those charged with scrutiny of the executive and the executive itself. Chairs should therefore develop constructive working relationships with the council's executive in particular, the leader, cabinet members, chief executive and senior officials. The council's executive are required to reciprocate this approach to constructive working under statutory guidance also issued under section 38 of the Local Government Act 2000.

Effective Working

All scrutiny committees should adopt the most effective ways of working to ensure they are able to fulfil their role. This may include:

- the consideration of matters as part of a multi-item committee agenda. Here, councils should ensure the number of items on a single agenda does not make it difficult for members to consider the matter in question in depth
- the consideration of matters at a single-item committee agenda. This provides more flexibility around approach, involving panels of witnesses, and potentially some public participation. One off "challenge panels" can be a proportionate and effective way to dig into a topic
- task and finish groups. "Task and finish" groups are small, informal groups of

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

members, commissioned by a committee to investigate a topic and to report back. Task and finish groups are not subject to rules about the meeting of committees, because they are informal bodies

- the convening of a short task and finish group. A group that meets only a couple of times over a few weeks will be able to tackle a narrow, defined subject. It is likely to be possible for a review to be commissioned, and then to report back to the next meeting of the same committee
- the convening of a longer task and finish group. The “traditional” task and finish group model is for a body that meets multiple times over several months, building a comprehensive evidence base

The commissioning of task and finish groups, where it happens, should involve the agreement of a scope, setting out the terms of reference of the group and the timescale for carrying out its work.

Task and finish groups can meet either in private, or in public. When they have completed their work, task and finish groups should submit a report and recommendations to the committee that has commissioned them. This should also include some record of the proceedings of the group (including information on where, and from whom, evidence has been gathered), particularly if the group has met in private. The committee can then decide to adopt the recommendations, submitting them to the council’s executive or another body for a response.

All ways of working demand careful planning. Councils should, in programming work, consider in some detail the scope of a topic and how it should be considered so as to maximise its impact. In some cases this may involve councillors’ meetings beforehand, either in private or in public, to discuss questioning strategy, or otherwise meeting to plan scrutiny work. Resourcing arrangements for scrutiny should take into account the necessity for officer support for this planning activity.

Resourcing and Information

To be effective scrutiny must be resourced and have access to officers dedicated to supporting scrutiny committees to plan, manage and execute their work programmes. Officers not directly supporting scrutiny should be mindful that their employment is with the council and not the executive, they should therefore provide scrutiny committees with support and information in a constructive and timely manner to assist their work. This may sometimes present challenges for officers but members of scrutiny committees and members of the executive should also be mindful of these conflicts and these matters should be considered when protocols are developed governing the relationships between officers and members for inclusion in the council's constitution.

Section 65 of the Local Government and Elections (Wales) Act 2021 amended section 22(10) of the Local Government Act 2000 which provides Welsh Ministers with a power to make regulations which include provision for or in connection with requiring prescribed information about prescribed decisions made in connection with the discharge of functions which are the responsibility of a local authority executive to be made available to members of the public or members of the authority to include an overview and scrutiny committee of the authority or a sub-committee of such a committee. This is intended to convey the seriousness which Welsh Ministers attach to effective co-operation and information sharing between the executive and scrutiny and its place at the heart of the good and effective governance of the council.

Reviewing Scrutiny

Effective scrutiny is itself open to regular review and arrangements should be put in place for this to take place as part of the council's self-assessment processes. Peer review is also a good way to review effectiveness and learn from the experience of other scrutineers.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Appointment of Persons to Chair Overview and Scrutiny Committees Statutory Guidance

Status of this Guidance

This is statutory guidance made under Section 75 of the Local Government (Wales) Measure 2011 (the Measure). This guidance replaces previous guidance issued under this section in relation to the appointment of persons to chair overview and scrutiny committees in 2012.

Purpose of this Guidance

To provide guidance to councils on the appointment of persons to chair overview and scrutiny committees.

Introduction

Part 6 of the Measure deals with overview and scrutiny, including, from sections 66 to 75, provisions relating to the appointment of chairs of overview and scrutiny committees (scrutiny committees). The policy intent is to ensure overview and scrutiny is not dominated by the political groups on the executive of the council, and can act independently.

What the Measure requires

Local authorities must include within their standing orders arrangements for the appointment of the chairs of their scrutiny committees which are in line with the following:

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Council with no political groups declared

Each scrutiny committee elects its own chair.

Council with only one declared political group

Each scrutiny committee elects its own chair.

Council has 2 political groups but only 1 scrutiny committee

The scrutiny committee elects its own chair. If, however, one of the groups (A) is represented in the council executive but the other (B) is not, that other group (B) must be left to appoint the chair.

Council with 2 or more political groups and multiple scrutiny committees

If there is more than one political group on the executive they can only be allocated as many chairs as is proportionate to their combined share of the council's total membership. This should be rounded down if it does not equate a whole number. It is then for the political groups on the executive to decide on the distribution of the executive's allocation of chairs between themselves.

The rest of the scrutiny chairs are the "property" of those groups not represented in the executive. If there is only one such group, they are entitled to all the remaining chairs. If there is more than one non-executive group, each gets a share of the chairs in proportion to their membership, rounding down to the nearest whole number, including zero. For example:

- number of members of council = 60
- number in executive groups(s) = 26
- number of scrutiny chairs = 5

- number for executive groups = 2
- number of chairs remaining = 3
- number of non-executive group(s) = 3
- size of non-executive group C = 16
- size of non-executive group D = 6
- size of non-executive group E = 2
- entitlement to scrutiny chairs of C = 2
- entitlement of scrutiny chairs of D = 1
- entitlement of scrutiny chairs of E = 0

Should there be any unallocated chairs following this calculation, then the chair is to be appointed by the members of that committee(s).

If all political groups in an authority are represented in the executive and the rounding down process results in unallocated chairs, any such chairs are also to be appointed by the members of those committees.

Council where political group refuses to take allocation of chairs

Where a political group declines to take its allotment of chairs, none of those chairs can be allocated to an executive group. The vacant positions are to be offered to the other political groups in proportion to their size. In the example above, if A refused their 2 chairs, the opposition groups would be entitled to appoint the chairs of 5 committees and the allocations should be C = 3, D = 1, E = 1. If C refused their 2 chairs, the other groups would be entitled to one each. If D refused its single chair that would go to E, as group C has already had its allocation rounded up to give it 2.

In a council where there is only one non-executive group and this group is declining its chairs, or in a council where there are other non-executive groups but each of them declines to take the vacant chairs, it is left to each scrutiny committee to elect its own chair from any of its membership.

Political make-up of the executive changes

If a political group leaves or joins the executive, the exercise of allocation of chairs begins again in accord with the provisions described above.

Filling casual vacancies

Should a scrutiny chair be vacated for some reason, the chair should normally be allocated to the same political group as the outgoing chair. If, however, the chair has been elected by the committee itself, then the committee should appoint the new chair.

Council wishes to operate different allocation system

A council may decide to abandon the processes outlined above, but only if it wishes to bring about an allocation of scrutiny chairs which is more favourable to the non-executive groups than would be produced by the prescribed procedures. For this to happen, a majority within each political group must support the alternative proposal, and the proposal must be approved by a resolution of the full council, with a majority of members of every political group voting in favour of the resolution.

Appointment of vice-chairs

The allocation of any committee vice-chairs is a matter for each authority to decide upon.

Welsh Ministers may make regulations in relation to the allocation of chairs and also issue directions. At the time of issuing this guidance there are no plans to do either.

Guidance

The provisions of sections 66 onwards provide little room for manoeuvre. Councils' standing orders should set a timetable for the appointment processes to be completed.

Where a situation arises where the allocation procedures outlined in this guidance appear inadequate to deal with a particular situation, councils should first consult their legal advisers for an opinion. Welsh Government officials may be contacted for advice by those legal advisers if necessary.

The spirit of the legislation is clear. It reflects a policy position in favour of scrutiny being, as far as possible, independent from the leadership of a council.

Co-opted Members of Overview and Scrutiny Committees Statutory Guidance

Status of this Guidance

This is statutory guidance made under Section 76 of the Local Government (Wales) Measure 2011 (the Measure). It relates to the co-option of persons that are not members of local authorities onto their overview and scrutiny committees in accordance with section 21 of the Local Government Act 2000. This guidance replaces previous guidance issued in 2012.

Purpose of this Guidance

The purpose of this guidance is to provide a framework for councils to consider when appointing co-opted members to overview and scrutiny committees. In particular it requires councils to have regard to how co-option could bring a wide range of different skills and increased diversity to overview and scrutiny

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

committees.

Policy Intent

Co-option of members to overview and scrutiny committees who are not councillors is a way to build a more diverse membership. It can provide a way to support broader public participation in local democracy and should form part of the council's strategy on encouraging participation as required by section 40 of the Local Government and Elections (Wales) Act 2021.

In making arrangements for co-option, councils might:

- think about the needs of under-represented groups, and the barriers that might otherwise exist for such groups to engage with the business of the authority
- consider co-option alongside other methods of assuring public participation such as inviting people with valuable perspectives and experience to engage as witnesses or technical advisers as co-option may not always be the best way to garner the views and experience of some people

Co-opted members on committees can significantly strengthen their effectiveness by bringing different perspectives. Whilst co-option is only one method by which the views of stakeholders can help shape the work of scrutiny committees, it is considered by the Welsh Government to be an important tool in achieving 'buy-in' from representative groups and individuals that may otherwise be disengaged from local decision-making processes. Co-option can serve to strengthen Members' community leadership role through the provision of alternative perspectives and the facilitation of stronger area-based networks and contacts.

The Welsh Government considers that including a broader range of specialists, community representatives and service-users in scrutiny exercises is advantageous, and that proactively engaging co-optees in scrutiny activity, enables elected members to send powerful messages about involving people

and partners through their own structures and practice.

In recognition of the rich impact multi-perspective scrutiny can have in driving improvement, panels have been established to scrutinise the work of Public Service Boards whose membership span sectoral, organisational and geographic boundaries. To date these panels have included co-optees from voluntary organisations, local health boards, community health councils, police and crime panels, Natural Resources Wales, and local business forums who have been working alongside elected members to improve local services. When appointing co-optees from partner public bodies, individuals should be from a non-executive function within their organisation, where possible, to avoid any conflict of interest.

Some of the important benefits accruing from these arrangements have been the cross-transference of learning and the breaking down of organisational fragmentation in addressing 'wicked issues'. These practices have indicated that partnership working and co-option may be seen as processes that increase local democratic input and integration across different parts of the public sector.

Deciding when to co-opt

Any appointment of co-optees should be informed by scrutiny forward work plans and what outcomes elected members are seeking to achieve as the result of planned scrutiny exercises. Councils are advised to think carefully about the use of co-option as a means to develop partner relations or improved public connections that may add significant value to the work of scrutiny committees.

In all instances where co-option is being considered, care should be taken to ensure that co-option is in fact the best way for some individuals or groups of interest to be involved in the work of scrutiny committees. Groups of interest should include protected characteristics equality groups in recognition of the value these perspectives can add to the work of local authority scrutiny committees. In some circumstances it may be more appropriate for stakeholders to act as 'expert advisors' of a task and finish group or to be included as an

invitee at scrutiny committee meetings. For example, some vulnerable groups or service users may feel intimidated by the formality of full committee meetings and may wish to submit written or oral evidence in support of a scrutiny review. The nature of stakeholder involvement in scrutiny work will need to be established on a case by case basis.

Also, organisations who are financially supported by partner agencies may feel reluctant to challenge the performance of funding providers in a public arena. Steps should be taken to minimise the risk of co-optees experiencing conflicts of interest as a result of being involved in scrutiny work.

Identifying potential co-opted members

Councils may wish to think about employing several strategies to identify co-optees that are likely to enrich scrutiny activity.

For example, councils may wish to:

- approach town and community councils in the area to nominate representatives for co-option on to committees
- advertise in the local press
- utilise social networking sites
- approach wider 'sectoral organisations' such as the voluntary sector or local business forums for co-optee nomination
- invite former co-optees with specific interest or expertise, to attend scrutiny meetings in an 'advisory capacity' when there are relevant items on the agenda

Councils may also wish to develop an application form for groups or individuals to complete to express an interest in becoming a co-optee. Such forms could be made available from the scrutiny web pages of local authorities or advertised in the local press. Again, consideration should be given to protected characteristic equality groups.

Recruiting co-opted members

Councils will need to ensure that recruitment processes in relation to co-optees, whether this be on an individual or representational basis, are inclusive and fair so as to encourage people with a wide diversity of knowledge, skills and experience to participate in scrutiny activity.

To assist committees in recruiting co-optees it is suggested that councils consider developing outline role descriptions for co-opted members. These would help to clarify the expectations of both committees and potential co-opted members. Some councils have also found it helpful when selecting a co-opted member when more than 1 application has been received to identify competencies against which an application for a position is evaluated.

However, as a general rule it is suggested that committees should ensure co-opted members are able to:

- represent the interests of the population that receive services provided by or commissioned by public service providers
- contribute expert knowledge or skills that will lead to a rigorous and objective scrutiny of the issues under review
- live or work in the county or county borough area

Councils should have a protocol to govern co-option to scrutiny committees, to provide consistency and transparency on these issues. The protocol should form part of scrutiny's rules of procedure.

Scrutiny Committees: number of co-opted members

In recognition of the democratic mandate of councillors it is recommended that the number of co-opted members on a scrutiny committee should not exceed a third of the total membership of the committee.

It is suggested however, that approaches to co-option be informed by an appreciation of what the co-optee will be able to contribute to the issue under consideration rather than a narrow focus on numbers of co-opted members.

Such an approach will help committees decide whether or not the participation of co-opted members remains relevant to its work priorities or whether there is need to refresh co-opted membership from time to time.

Sub-Committees: number of co-opted members

In recognition of the varied ways in which sub-committees operate, it is recommended that no limit be placed on the number of co-opted members that may participate in a sub-committee.

However, it is considered that it should be the case that co-opted members should not comprise the whole membership of the sub-committee.

Types of appointment for co-opted Members

As previously highlighted, scrutiny committees have a wide range of options available to them with regard to appointing co-opted members.

In their recruitment processes councils may specify that the appointment of a co-opted member is to be:

1. for the life of the committee
2. until such time as it decides to terminate the appointment
3. for the purpose of a particular review or performance monitoring exercise

It is advised that successful applicants be required to sign a statement of appointment that will include terms governing appropriate conduct. Specifically, on accepting office, co-opted members should be required to declare that they will observe the Code of Conduct for Members in the particular council's

constitution which covers, among other matters, treating others with respect, not disclosing confidential information and disclosing relevant personal interests.

To ensure that co-opted members are provided with the information and skills necessary to fully participate in scrutiny activity, it is recommended that councils take steps to provide co-optees with appropriate induction training in addition to other training and developmental opportunities.

Voting rights and Code of Conduct

The Measure does not afford co-opted members of scrutiny committees with any voting rights. Consequently, they are therefore not bound by statute to comply with the Code of Conduct for Elected members as provided for by Part 3 of the Local Government Act 2000. However, co-opted members should be encouraged to abide by the principles set out in the code and conduct themselves to the highest standards of ethical behaviour. There are other statutory co-optees whose roles attract voting rights. These include: those members co-opted under the provisions of paragraph 8 to Schedule 1 to the Local Government Act 2000, the Parent Governor Representatives and Church Representatives (Wales) Regulations 2001 and the Crime and Disorder (Overview and Scrutiny) Regulations 2009. Any members co-opted under these provisions are required by law to comply with the Code of Conduct.

Call in' Arrangements in relation to Overview and Scrutiny Committees Statutory Guidance

Status of this Guidance

This guidance is statutory guidance issued under section 38 of the Local Government Act 2000. A county or county borough council elected mayor or an executive leader must have regard to it. This guidance replaces any previous

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

guidance issued on this matter.

Purpose of this Guidance

The purpose of this guidance is to set out matters local authorities should take in to account when making their arrangements under section 21 of the Local Government Act 2000 in relation to the powers of overview and scrutiny committees to review and scrutinise decisions made, including those not yet implemented by the executive and make recommendations for those decisions to be reconsidered. The process commonly referred to as 'call in'.

Policy Intent

The call in process is an important part of the political governance of the council. The rules of procedure a council sets out in relation to call in should strike a balance between enabling open and transparent overview and scrutiny of decisions and preventing deliberate filibustering of the council's operation. For these reasons, councils should ensure that clear and consistent call-in rules form a part of their constitutions.

Guidance

Call-ins should not be regarded as a regular tool for scrutiny and they should not by default become a means of compensating for deficiencies elsewhere in scrutiny procedures. The more constructive approach is to put in place procedures which facilitate more, proportionate, pre-decision scrutiny.

Call-in rules should make reference to:

- the kinds of decision which will be subject to call-in. These will usually be key decisions, set out in the executive's forward plan
- the number of councillors who need to request a call-in for it to be valid

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- any other limits to call-in requests for example, a need for a decision to cover two or more electoral divisions in order to be valid
- process requirements, for example, the need to fill in a form stating reasons for the call-in, which would then be published. In general councils should ensure that call-in requests do not need to satisfy too many bureaucratic requirements, and that they ensure that call-ins can happen where politicians recognise a pressing need for a decision to be reconsidered
- the timescale, after a decision is made, within which a valid call-in request might be made and accepted
- the arrangements for organising a meeting of an overview and scrutiny committee once a valid call-in request is received
- arrangements for how such a meeting is carried out. This may include a right for a councillor or councillors requesting a call-in to set out their reasons for doing so
- the recommendations that the scrutiny committee can make. These might be to take no further action (allowing the decision to be immediately implemented) or to make recommendations to the executive that the decision should be amended, or withdrawn entirely
- arrangements for the executive to provide a response to the scrutiny committee

Call-in rules should not be designed to make call-ins essentially impossible (for example, by requiring that two members of a scrutiny committee request a call-in where political balance requires that only one member of each committee is a member of the opposition). For this reason, councils should review their call-in rules following elections to ensure that they still allow for the proportionate use of this power.

Councillor Calls for Action Statutory Guidance

Status of this Guidance

This is statutory guidance made under Section 21A(3) of the Local Government

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Act 2000 (the 2000 Act). This guidance replaces previous guidance on this matter issued in 2012.

Purpose of this Guidance

This is statutory guidance issued under section 21A(3) of the 2000 Act (as amended by section 63 of the Local Government (Wales) Measure 2011 (the 2011 Measure)), to which a member of an authority must have regard in considering whether to make a call for action. Councillor calls for action (CCfAs) enable local councillors and their electors to ensure a response from their council leadership to issues of local importance. CCfAs should be regarded as one of a series of tools elected members have at their disposal to resolve local issues and make a positive difference in their community.

Introduction

Section 63 of the 2011 Measure amends Section 21A of the Local Government Act 2000 to enable any councillor of a principal council in Wales to refer a matter to an overview and scrutiny committee which relates to the discharge of any of the functions of the council or which affects all or part of the electoral area which the councillor represents.

This provision pre-dates the Well-being of Future Generations (Wales) Act 2015, but reflects its principles that outcomes such as improved health, educational attainment and employment should be co-produced through the joint efforts of service users, service providers and others. CCfAs can offer a valuable form of community intelligence which can contribute to developing and delivering a shared vision for the locality. The CCfA should be understood as a means of “last resort” in a broad sense, with issues being raised at a scrutiny committee after other avenues have been explored. As such, the process should make it easier for issues that would benefit from scrutiny consideration to be identified, and for those issues which are best dealt with through other means to be signposted accordingly. It might be helpful to identify research support for

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

members considering a CCfA to either ensure it is the appropriate course of action or to build a well evidenced case to enable effective scrutiny and consideration.

Therefore, for CCfA to act effectively as an improvement tool, discussions about how to put CCfA procedures in place should focus less on process and more on outcomes. Since it is likely that the types of issues that would make for a CCfA would be cross-cutting and multi-agency in nature, thought should be given to the types of things that may constitute a satisfactory 'resolution' for councillors and by extension, local communities.

Purpose and objectives of the CCfA

The CCfA provisions should be seen in the wider context of strengthening local democracy and widening participation in local decision making. They should be considered in the context of duties placed on the council in sections 39 to 41 of the Local Government and Elections (Wales) Act 2021 relating to encouraging local people to participate in decision making.

As such, CCfA should not be regarded solely as a 'scrutiny' process. Instead Councils should consider it within the context of making improvements more generally to a wider range of council functions aimed at supporting participatory democratic activity. This includes support for members in their constituency roles as well as activities such as complaints, and consultation processes that capture public experience and opinion.

This guidance is not about providing authorities with a prescriptive 'instruction manual' as to how councils must set about putting CCfAs in practice. Instead, it provides a series of considerations and analysis to those authorities that recognise the value of identifying and acting upon the local knowledge that elected members can channel and who wish to use CCfA.

Legislative context

The purpose is to ensure that executive arrangements by a local authority enable any member of the council to refer to an overview and scrutiny committee a “local government matter” which falls within the committee’s remit. A referral in this way will ensure that the matter is included in the agenda and discussed at the committee. However, in making such a referral the member must have regard to any guidance issued by the Welsh Ministers.

If the overview and scrutiny committee receives a referral from a member who is not on the committee, it can choose to do any of the things that it might normally do with a new item. These include: reviewing and scrutinising decisions and actions, and making reports and recommendations.

In deciding whether to do any of these things, the committee may “have regard to” 2 particular points:

1. anything that the member may have already done in relation to the matter, particularly if they have been empowered to do so by the council under section 56 of the 2011 Measure
2. representations made by the elected member as to why the committee should take the matter up. If the committee decides not to take the matter up, it must explain the reasons why to the member. However, if the committee chooses to conduct some work on the issue, it must make sure that the elected member has a copy of any reports or recommendations that it makes in relation to it

Subsection (12) of section 21A of the 2000 Act defines ‘local government matter’ in relation to a member of a local authority in Wales as a matter which is not an excluded matter and which:

- relates to the discharge of any function of the authority
- affects all or part of the electoral area for which the member is elected or any person who lives or works in that area

Subsection (13) of section 21A of the 2000 Act defines what is meant by an excluded matter in subsection (12). It is described as any matter which is:

- a local crime and disorder matter within the meaning of section 19 of the Police and Justice Act 2006 (local authority scrutiny of crime and disorder matters)
- a matter of any description specified in an order made by the Welsh Ministers for the purposes of this section

It can be seen that subsection (12)(b) allows for a broad range of issues that may be referred to an overview and scrutiny committee by a local authority member. As such, local authorities will need to ensure that implementation of CCfA is sufficiently responsive and wide ranging.

For example, it may be the case that a CCfA identifies a cross-cutting issue such as access to local dental services which could necessitate the scrutiny committee considering engagement with public service partners. In these instances CCfA can be used to develop closer links between councils and external partners.

When deciding upon whether or not to address an issue raised by CCfA at a scrutiny committee meeting, committees may find it helpful to use criteria for referral.

In considering how to respond to a CCfA, committees have a wide range of options available to them. They could, for example, call members and officers to attend a meeting and answer questions, instigate a review of policy, or, depending on the nature of the CCfA, make reports or recommendations to the decision making body of the relevant partner(s). Committees should think about the levels of formality that would be most appropriate in addressing issues in a way that helps facilitate positive outcomes.

Regarding how best to make use of the resources available to them, scrutiny committees should also assess how the problem may fit with existing programmes of work. CCfAs that can be considered as a complementary part of

a scrutiny committee's forward work programme should similarly themed or related topics already have been included. In these instances, taking into account the steps councillors will already have taken in trying to resolve a community issue CCfAs can be considered as providing an evidence base to inform the committee's next steps.

Defining 'resolution'

The concept of resolution is arguably the issue at the centre of CCfA, i.e. ensuring that CCfA actually helps councillors to resolve intractable issues. The purpose of CCfA is to provide resolution where other techniques might not be able to do so, so the first step is to try to see if the issue has been or can be resolved through other means. This should be central to a council's procedures for raising and addressing CCfAs. As highlighted earlier, the deployment of a CCfA should be regarded as a last resort after other avenues have proved unsatisfactory. Consequently, the successful operation of CCfA will be reliant on the effectiveness of existing mechanisms in place aimed at supporting councillors in their constituency role.

Due to the potential cross-cutting and intractable nature of the social problems likely to be raised under CCfA, it is probable that there be no 'quick fix' of the issue under discussion. Therefore, in order for CCfA to make any headway in addressing local issues, it is advisable that councils should seek to make processes sufficiently adjustable so not to limit openness or exploratory discussion.

In practical terms it may help if local authority procedures specified that the councillor raising an issue articulates what they would regard as a successful outcome or resolution at the beginning of the CCfA process. Such outcomes could be revised by an appropriate scrutiny committee following initial enquiry. These initial objectives could act as the indicator of success against which the progress of a CCfA could be considered.

Before a CCfA is escalated to a full scrutiny committee meeting, councillors

should first consider the following options in resolving a community issue:

- informal discussions with officers or other councillors
- informal discussions with partner representatives
- referral of matters to other 'scrutiny bodies' or internal audit committees
- formal discussions with officers and councillors
- formal letters to Executive Members
- asking questions at Full Council
- submitting a motion to Full Council
- organising public meetings
- use of petitions
- making a complaint
- freedom of Information requests to other bodies
- communication with local MSs or MPs
- use of social media or email based campaigns

In order for the CCfA to be effective in identifying and addressing public concern, the local authority's leadership together with senior officers within partner agencies will need to support the following principles:

- appreciation of the role scrutiny can play as a driver of service improvement and its responsiveness to the needs of people in the area
- willingness to address unsatisfactory performance and a recognition of the need to resolve problems through discussion
- transparency in decision making processes and inclusion of the scrutiny process at all stages
- understanding, and a willingness to bolster the multi-faceted 'Community Leadership' role undertaken by members in their communities
- appreciation of the active part that service users and the wider community play in achieving improved outcomes

Each issue attempted to be raised as a CCfA will have to be considered on its own merits. But it must be demonstrable that each issue raised as a CCfA has been given due and appropriate consideration even if it is then determined it does not meet the criteria the council has set.

Scrutiny committees often examine issues which are highly political in nature and this should not necessarily be viewed as a negative thing. Elected members can use the power of political debate to give proper consideration and analysis to controversial issues and in many cases a councillor's local knowledge can result in significant investigatory impact in helping identify constructive ways forward.

Working with partners

Success in dealing with CCfA issues that involve partners will usually involve those partners having been a part of the initial discussions leading to CCfA being established in a local authority. If partners have been part of those discussions it follows that it is more likely that they will be willing to work with scrutiny committees to resolve local issues.

Good management of partnership relations by scrutiny committees can be beneficial for both partners and elected members. Using CCfA, Scrutiny can play an important role in linking partners up across the spectrum of local policy making. Partnership scrutiny can assist integration as well as ensuring local needs and aspirations are represented in decision making processes.

Links to community safety issues

The Police and Justice Act 2006 (the 2006 Act) provides for a CCfA mechanism to deal with community safety and crime and disorder matters. The 2006 Act requires that the designated Crime and Disorder Committee consider all crime and disorder matters including community safety CCfAs. However, it may be the case that a cross-cutting issue such as substance misuse which draws upon a wide range of agencies is raised as a CCfA and it is unclear which committee is best placed to consider it.

In these instances, councils will need to bear in mind that the most important consideration is for the issue to be discussed in its entirety rather than adopt a

rigid structural approach which further fragments enquiry. It may be the case that scrutiny chairs adopt a pragmatic approach about which committee should address a CCfA which has both crime and disorder and other subject elements. For example, it might be the case that scrutiny committees invite additional scrutiny chairs to meetings where CCfAs are being considered as linked to their relevant areas of expertise.

Links with section 56 of the 2011 Measure (exercise of functions by councillors)

It might be that where councils have chosen to take advantage of the power to delegate functions under section 56, there are close links with CCfA. It could be that members exercising delegated powers will have more opportunities to resolve issues locally without having recourse to CCfA. CCfAs on particular issues may encourage councils to use section 56 to delegate powers to members to resolve those issues locally, further strengthening the council's responsiveness in improving local services.

Overview and Scrutiny Committees: taking into account the views of the public

Status of this Guidance

This is statutory guidance issued under section 62(4) and (5) of the Local Government (Wales) Measure 2011 (the Measure). A local authority and an overview and scrutiny committee must have regard to this guidance in complying with their obligations under section 62 'Taking into account the views of the public'. This guidance replaces previous guidance on this matter issued in 2012.

Purpose of this Guidance

Overview and scrutiny committees as to how to comply with the requirements set out in section 62 of the Measure. This guidance relates to all overview and scrutiny committees and their sub-Committees, and to any joint overview and scrutiny committees and sub-Committees of joint overview and scrutiny committees (referred to in the legislation as “relevant overview and scrutiny committees”).

Background

Effective scrutiny is integral to helping people feel they are able to influence what goes on in their locality. Scrutiny has an important role in stimulating connections between different individuals and groups, and channelling community intelligence into the improvement processes of the council and its partners. In this respect, the scrutiny function can be regarded as helping to both build and represent democratic capacity. Before this can happen however, people need to know about their options to make their views known when they want to.

Engaging the public more deeply in scrutiny activity may be regarded as a hallmark of healthy democracy. Better communication about local decision-making processes and greater representative participation will help ensure more direct experiences of community life inform strategic thinking and operational practice. It is also an important element of the council being able to demonstrate it is complying with the duty in section 39 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act) to encourage local people to participate in decision making. The arrangements for taking into account the views of the public in the scrutiny process should be set out in the strategy on encouraging participation required by section 40 of the 2021 Act.

Section 62 of the Local Government (Wales) Measure 2011 (“the Measure”) places a requirement on local authorities to make arrangements that enable all

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

persons who live or work in the area to bring to the attention of the relevant overview and scrutiny committees their views on any matter under consideration by the committee.

Furthermore, section 62 provides that an overview and scrutiny committee must take into account any views brought to its attention in accordance with arrangements under this section.

Raising public awareness about scrutiny

To enable the public to effectively engage with overview and scrutiny committees, the Welsh Government considers people should first be informed about their council's scrutiny function and programmes of planned work.

As such, overview and scrutiny committees are expected to make strong efforts to raise public awareness about their role and function, including how people and communities can help shape and contribute to the delivery of scrutiny committee forward work programmes (FWP). This should also be included and publicised in the council's strategy on encouraging participation required by section 40 of the 2021 Act.

Several principal councils have already developed good quality websites which inform members of the public about the way in which decisions are made by a local authority and how people may engage in the work of overview and scrutiny committees. This should also form part of the guide to the constitution required to be published electronically and kept up to date under section 37 of the Local Government Act 2000.

There should be clear reference to overview and scrutiny on the council's website with easy links to meeting schedules and documentation required by Part VA of the Local Government Act 1972. Local authorities should consider the list below which sets out some of the additional information that could be included on their scrutiny webpages:

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- an accessible guide to the local authority's decision-making processes
- an accessible guide to the local authority's scrutiny function
- overview and scrutiny committee FWPs
- copies of the annual report of overview and scrutiny committees
- a list of criteria as to what would make a good scrutiny item
- forms by which members of the public can identify issues for scrutiny
- forms by which members of the public can put themselves forward to offer comments upon any item included for discussion on a relevant overview and scrutiny committee's FWP
- forms by which members of the public may nominate themselves to attend an overview and scrutiny committee to provide evidence, information, comment or views in relation to any topic being considered by such a committee. This will include directions as to how a member of the public may submit views related to Call-Ins
- forms by which members of the public may nominate themselves to participate as a co-opted member of an overview and scrutiny committee
- details of Chairs and support staff of overview and scrutiny committees and how they may be contacted

Public Engagement

The Welsh Government considers public engagement in scrutiny is vital in improving the design and delivery of local services from a citizen-perspective. Input from a range of stakeholders can assist in understanding the complexities that often characterise social problems and scrutiny committees can play an important role in gathering necessary intelligence.

In formulating their arrangements for taking in to account the views of the public councils must have regard to their statutory duties in relation to equalities, including the public sector socio-economic duty and the Welsh language. Arrangements must facilitate and support the ability for people and communities from all backgrounds and protected characteristics to be able to engage constructively and easily with scrutiny.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

It is recommended that local authorities develop internal mechanisms to better enable all members of the public engage in scrutiny activity. Such mechanisms should take accessibility into account and may include the following:

- request that an item be placed on an agenda for consideration by an overview and scrutiny committee (providing this is of immediate relevance to a topic included on its FWP)
- submit evidence (oral or written) to a planned or ongoing scrutiny review or investigation
- participate as a co-opted Member
- submit evidence (oral or written) relating to a Call-In of an Executive decision

Arrangements may take the form of public speaking arrangements in some cases, or developing reports summarising written submissions in others. Committees should take the preferences of the member or member of the public concerned into account. It is recognised that safeguards may need to be built into processes to protect against committees being lobbied in potentially vexatious ways. Overview and scrutiny committees may still refuse public requests to include particular items on their agendas but in doing so should produce a clear rationale to account for their decision.

This rationale could link to criteria that committees will have developed in formulating their overview and scrutiny committees' FWPs. Committees should explain why they may refuse to consider a public request for scrutiny or to exclude particular information from their investigative work.

In managing the engagement process it may help a local authority to differentiate between public contributions to scrutiny which are unsolicited, such as a councillor call for action or an external request for an item to be placed on an agenda, and those which have been actively sought by an overview and scrutiny committee in support of a planned review or investigation.

In either case, any such arrangements made by local authorities should recognise the distinct timescales that direct different forms of scrutiny activity in order that public contributions can influence committee work programmes in an

appropriate and timely manner.

It is recommended that arrangements are made to give careful consideration to ensuring the credibility and applicability of public contributions to the scrutiny process. This will ensure that the work of the relevant overview and scrutiny committees is informed by accurate and relevant evidence.

In order to manage the differing ways in which members of the public may engage with the work of scrutiny it is recommended that a series of protocols be developed to assist in the consistent application of practices. The aim of the protocols will be to manage public expectations in terms of setting out how any information submitted to relevant overview and scrutiny committees will be used and detailing how and when feedback will be provided. It is recommended that local authorities develop protocols to cover the following:

- public speaking arrangements at Scrutiny Committee / Joint Overview and Scrutiny Committees (JOSC) meetings (to include Call-In)
- public involvement in Sub-Committee and / or Task and Finish group meetings
- managing a request for scrutiny (including petitions)
- dealing with requests for public co-option

Publication of forward work programmes

The timely publication and regular updating of forward work programmes of overview and scrutiny committees is essential in facilitating meaningful engagement from the public in scrutiny. This should again be included in the council's strategy on encouraging participation in decision making published under section 40 of the 2021 Act.

It is expected that scrutiny committees publish details of their annual FWP on the council's webpages in a clearly signposted section of the website dedicated to scrutiny.

To encourage greater collaboration between local authorities in the undertaking of joint scrutiny, it is recommended that overview and scrutiny committees FWP's be published near the start of the municipal year. This will allow such committees to better co-ordinate planned activity with relevant councils and other public sector agencies.

In addition, in order to stimulate interest within existing community networks and representative groups, relevant overview and scrutiny committees should consider sending copies of their FWP to the following:

- Local voluntary sector organisations
- Police and Crime Panels
- Fire and Rescue Authorities
- Youth Councils
- National Parks
- Town and Community Councils

It is recommended that this take place at the start of the FWP period and make clear that the FWP's of overview and scrutiny committees are flexible and may change according to local priorities. In addition, local authorities may wish to consider containing information in the FWP about how members of the public may assist in developing and delivering overview and scrutiny committees' FWP's.

Public Engagement and Call-In

In respect of decisions of a council's executive which have been called-in the local authority may wish to develop public speaking arrangements specifically for these occasions.

Where the subject matter under consideration is not confidential or exempt, such arrangements could recognise the time-limited nature of call-ins by giving the Chair discretion to allow public speakers to provide information and also respond to information presented during the course of discussion. The Chair may be

given discretion to allow for multiple representations to be made at a Call-In meeting to allow for different public perspectives to inform the Committee's deliberations.

The Chair could also have the discretion to stop a speaker at any time in proceedings if in their view a speaker is making comments that are, or appear to be, defamatory, vexatious, discriminatory or offensive.

Engaging with the third sector

The third sector in Wales has a wealth of specialist expertise and frontline experience in a wide range of areas and can provide means of entry for often disenfranchised people into local decision making.

For that reason the Welsh Government considers the voluntary sector has an important role to play in providing input to local government overview and scrutiny. Councils should develop protocols with County Voluntary Councils as an integral part of their arrangements in complying with section 62 of the Measure. These should include consideration of co-option, regular meetings between scrutiny chairs and voluntary sector representatives and use of voluntary sector networks as a means to inform and engage people of all ages and backgrounds in the work of scrutiny.

Taking the public's views into account

An overview and scrutiny committee must take into account any views brought to its attention. In practice this will mean developing appropriate methods by which a member of the public may engage with the scrutiny process as considered above and pro-actively managing the overview and scrutiny committee's interface with written and oral submissions. Authorities will need to have in place methods to deal with requests for scrutiny and / or public oral or written submissions which are vexatious, discriminatory, inappropriate or unreasonable.

In the event a member of the public requests an issue for scrutiny, then it is recommended a report detailing their submission is considered at the next relevant overview and scrutiny committee meeting. Good practice would also suggest that the person who submitted the issue is invited to attend a meeting to present their views to elected members in person. However, attendance at formal overview and scrutiny committees may not be an attractive or appropriate proposition for some people and so arrangements could be made to ensure their views are nevertheless presented for consideration.

Regardless of whether or not an overview and scrutiny committee decides to further investigate a public request for scrutiny, it is recommended that the committee provide full feedback as to their decision to the person who submitted the original request, together with a rationale for the course of action adopted.

On those occasions where an overview and scrutiny committee receives a number of written submissions from the public in relation to a single topic under consideration, then it is recommended a summary report be presented to the relevant committees at the first appropriate opportunity.

Joint Overview and Scrutiny Committees Statutory Guidance

Status of this Guidance

This is statutory guidance under section 58(4) of the Local Government (Wales) Measure 2011 (the Measure). A local authority and a joint overview & scrutiny committee must have regard to this guidance in exercising or deciding any function conferred upon it. This guidance replaces previous guidance in relation to joint overview and scrutiny committees issued under this section in 2013.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Purpose of this Guidance

The purpose of this guidance is to set out the key matters councils must take into consideration when establishing and operating joint overview and scrutiny committees (JOSCs).

Policy Intent

The aim of section 58 of the Measure is to enable joint scrutiny of collaborative arrangements, such as corporate joint committees, and strengthen scrutiny arrangements through the promotion of collaboration and the sharing of scrutiny expertise. This could include wider public service matters. Section 66 of the Local Government and Elections (Wales) Act 2021 amends section 58 to enable Welsh Ministers to also prescribe the circumstances when two or more principal councils must form a joint scrutiny committee.

Enabling local authorities to establish JOSCs is intended to make it easier to scrutinise the delivery of providers whose services cover more than one county, or to examine issues which cut across geographical boundaries. The provision for joint scrutiny expands the options currently available to councils in undertaking wider public service scrutiny, and provides for a more flexible way of working to secure improved outcomes. In addition, joint scrutiny can facilitate opportunities to share learning and scrutiny capacity across local authorities. The harnessing of 'collective intelligence' through JOSCs is intended to lead to more effective forms of governance, and higher standards of democratic accountability.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

What are the benefits of Joint Scrutiny?

For Scrutineers

Where joint scrutiny exercises have taken place in Wales, participants have reported a number of benefits in having gained insight into, and knowledge from, other councils' scrutiny arrangements.

For example, it was found that councillors have been able to view issues from a wider perspective, leading to a more thorough exploration of the topics under consideration. Furthermore, the presence of different scrutiny chairs and support from alternative scrutiny officers has provided opportunities for cross-transference of learning and exchanges of good practice. Experiences of joint scrutiny have been found to stimulate members and officers to critically review and enhance their 'home' council's internal methods and ways of working, ultimately leading to a higher standard of scrutiny.

Benefits for Partners

From a partnership perspective, the benefits of a joint scrutiny approach are in bringing a fresh eye to developments at all stages of the decision-making process. JOSCs have the ability to bring forward new sources of information that decision-makers may not have considered in the development of plans, policies and strategies.

Non-executive members have a wealth of local intelligence and are well-placed to evaluate whether partnership priorities and methods of delivery are meaningful to local communities. Many councillors are linked in to a range of social networks and community groups and are able to feed views into decision making processes. Furthermore, JOSCs can help reduce duplication of accountability and reporting mechanisms by adopting a co-ordinated approach to the issue under enquiry.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Selecting the right issue for Joint Overview and Scrutiny

The effectiveness of a JOSC will be dependent on the reasons underpinning its establishment and the issue it intends to address. To secure the commitment and sustained interest of the principal councils involved, it follows that the topic chosen as the focus of a JOSC should be of relevance to all participants. The identification of a suitable topic for joint scrutiny will be dependent on effective forward work programme planning that seeks to consider issues of wider public interest, as well as those topics specific to a particular geographical area. Members and officers will need to be pro-active in exploring opportunities for joint scrutiny, checking to see whether there is compatibility in the forward work programmes of neighbouring or relevant authorities. Networking via regional and national scrutiny events, and the publication of forward work programmes will allow scrutiny practitioners to be more informed in this respect.

Some instances where a joint committee might be appropriate include:

- on-going monitoring of a joint service delivery mechanism
- on-going review of a joint statutory partnership or other collaborative arrangement such as a corporate joint committee
- investigating a topic that may require a regional response (for example, waste management or sustainable development)
- sharing scrutiny resources to investigate a similar topic of high interest or high importance to more than one authority (although not necessarily requiring a joint / multi-authority response)

Criteria for establishing a JOSC

In deciding whether or not to establish a JOSC, the following questions should be considered:

1. Does the topic involve the work of a strategic partner or partnership body whose services cover more than one local authority area? For example, a

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

JOSC may wish to focus upon the work of a transport provider, third sector organisation or a relevant social enterprise whose services cross authority boundaries.

2. Does the issue or service affect residents across more than one county area or concern a particular population's needs? A JOSC may wish to consider thematic topics such as climate change, fuel poverty, grass-fires or road safety; or it may wish to consider services connected to particular groups of interest such as young adults with physical disabilities, teenage mothers or vulnerable older people.
3. What form of JOSC could reasonably be resourced? Undertaking effective joint scrutiny is dependent on participating councils engaging in the building of relationships, and putting in place systems of working and administration. In order that JOSCs can provide significant added value, care must be taken to ensure that its objectives are proportionate to its resources.

The importance of scoping and project management

Outline scoping should be undertaken to help determine whether or not to establish a JOSC. In identifying which partnership projects to progress and determining an appropriate methodology, practitioners should think carefully about whether examining a topic will result in added value or enhancement for each participant. In order to determine the likely success of joint work, it is strongly recommended that a project management approach be adopted to help ensure the objectives of joint scrutiny activity are delivered.

An informal feasibility study should be undertaken by likely participants in order that members and officers more specifically define areas of mutual interest, the type of scrutiny role intended to be undertaken, and the level of resource that could reasonably be dedicated to support a JOSC's effective functioning. Preliminary work should also identify the likely risks associated with the scrutiny topic, and how it is intended that these be effectively managed.

Roles for Joint Overview and Scrutiny Committees

Local authorities can use JOSCs in a flexible way to suit their needs. For example, councils have the option to establish JOSCs on an ad hoc basis which may be more appropriate for forms of pre-decision scrutiny or consultation exercises; or councils may decide to establish 'standing' JOSCs which may be more useful in monitoring services or decisions over the medium to long term.

Powers of Joint Overview and Scrutiny Committees

The 2011 Measure enables Welsh Ministers to make regulations which will provide for JOSCs to have equivalent powers to other overview and scrutiny committees, as set out in existing legislation, and includes reviewing and scrutinising decisions of the Council's executive which have not yet been implemented ('call-in'). These regulations [The Local Authorities \(Joint Overview and Scrutiny Committees\) \(Wales\) Regulations 2013](#).

JOSCs may make reports and recommendations about any matter, other than crime and disorder matters which are covered by separate legislation and guidance under sections 19 and 20 of the Police and Justice Act 2006. This guidance does not preclude councils from working together on crime and disorder issues.

Councils should make efforts to co-ordinate their forward work programmes to avoid duplication and help ensure scrutiny activities are complementary where appropriate. JOSCs could operate in an environment where there is scrutiny of particular issues or organisations at both a joint regional level and at a local level. Clarity of roles will be important to avoid duplication.

A JOSC is only able to exercise functions in relation to matters which are identified by the appointing authorities. It is therefore important that the local authorities participating in the joint committee are clear from the outset about its roles, responsibilities and terms of reference.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Under section 58(3)(b) JOSCs also have the option of establishing sub-committees in the same way as single authority overview & scrutiny committees. It is important to note that any sub-committee would discharge only those functions conferred on them by the JOSC.

This provision will enable JOSCs to operate in a more streamlined and flexible manner in achieving the aims and objectives of the 'parent' JOSC.

In practice, the reporting arrangements for JOSCs will be informed by the reasons underpinning the committee's establishment and the outcomes intended to be achieved. An important factor for JOSCs to consider when determining reporting arrangements is the need to develop constructive working relationships with the executive groups of service providers who are subject to scrutiny. Consequently, it is suggested that the chairs of JOSCs should meet regularly with an appropriate executive representative to discuss priorities, approaches and planned areas of work.

Joint Overview and Scrutiny Committees and Call-In

With regard to call-in, JOSCs should be able to recommend that an executive decision made by one of the participating councils, made but not yet implemented, be reconsidered by the person(s) that made it or arrange for that decision to be exercised by the relevant Council.

However, in order to safeguard against potential abuse, councils should consider developing procedures where an executive decision of one of the participating councils of a JOSC may only be called-in by the JOSC if it is supported by an equal proportion of the participating Councils.

Whilst the above approach has been suggested to help ensure the integrity of the call-in function as it relates to JOSCs, this is ultimately a matter for councils to determine as part of their constitutional arrangements. In support of the development of such arrangements it is suggested that the number of members required to initiate a Call-In should, as a minimum, be set at half the total

membership of the JOSOC.

To illustrate, a worked example is set out in the following fictional scenario. Councils A, B and C wish to work together to jointly commission services. A Joint Committee is subsequently established which is comprised of the executive members of each Council. A JOSOC is also established to provide governance arrangements. The membership of the JOSOC is comprised of non-executive Members from the 3 Councils.

A decision is subsequently made but not implemented by the executives of councils A, B and C. However, non-executive members from Council A consider that the decision made by the three executives may disadvantage Council A's local communities. Council A therefore wishes to call-in the decisions made by the three respective Councils.

In this instance, the JOSOC could not call-in a decision made by the executive of Councils B or C unless the call-in procedure was supported by an equal number of members from Councils A, B and C.

The number of members able to call-in an executive decision of one of the participating Councils should be half of the JOSOC's entire membership. That half must include equal numbers from each participating council. In the above example, should the total membership of the JOSOC be 12 (4 members from each Authority) then a call-in could only be made by 2 members from each Authority which would give 6.

In the event that a JOSOC would wish to call-in an executive decision made by Councils B and C, then it is advisable that each participating council undertake each call-in separately. That is not to say that 2 call-in processes could not run in parallel, only to recognise that any re-examination of an executive decision would have to take place on an individual basis within each participating council.

Appointing a Joint Committee

In establishing a JOSC which is additional to a council's existing scrutiny committee(s), a report setting out its role, responsibilities, terms of reference and intended outcomes to be generated by the joint exercise should be considered by each of the participating authorities appropriate scrutiny committees (or sub-committees) before being endorsed by full council.

The appropriate scrutiny committees (or sub-committees) would be those whose terms of reference are most closely aligned to the issue intended to be considered by means of a JOSC. This would help to ensure that the non-executive members of each local authority are able to participate in the decision to establish a joint committee and to ensure that a JOSC would add value and would not duplicate existing work programmes.

With regard to the remit of JOSCs it should be remembered that existing legislation relating to sections 19 and 20 of the Police and Justice Act 2006, excludes any matter which could be considered by a Crime and Disorder Committee from the work programmes of all other scrutiny committees, sub-committees and JOSCs.

Local authorities will need to give careful consideration to who they appoint to sit on JOSCs. It might be helpful in some instances to appoint members who already sit on the scrutiny committee whose terms of reference most closely match the issue to be scrutinised or the terms of reference for the proposed JOSC. However, in wishing to draw on the expertise and knowledge base of a wider pool of non-executive members this might not be the most appropriate course of action, and it will be for local authorities to decide which members should be appointed to which committee.

In order to ensure JOSCs represent fairly the interests of each local authority, an equal number of committee seats must be allocated to each of the participating councils. JOSCs are not required to be politically balanced themselves but each participating council should aim to ensure that the membership of the JOSC it

puts forward reflects, as far as possible, the political balance in the council.

The representation from an authority may include co-opted members from that authority who are either statutory or who have been accorded voting rights under the Crime and Disorder (Overview and Scrutiny) Regulations 2009.

The JOSCs may also decide to co-opt members who would be in addition to the allocations from each council. With regard to co-option as it relates to a JOSC, the following conditions may help committees determine their approach to co-option:

1. Where the parent council/committee has appointed co-opted members to sit on the JOSC, the number of co-opted members should not exceed the number of elected members that have been identified by the parent council/committee to sit on the JOSC.
2. The JOSC should have the ability to appoint co-opted members if there are none contained within the body of the committee's membership.

With regard to the size of JOSCs, good practice suggests that the maximum number of seats should be set at no more than 16 for effective functioning. However, this is ultimately a matter for local authorities to decide as it is dependent on the issue intended to be considered.

Chairing a Joint Overview and Scrutiny Committee

The chair of a JOSC must be elected from the membership of the JOSC, and the election of the chair should take place at the first meeting of the Committee. JOSCs that are established on a long-term basis may decide to rotate chairs annually, or at some other interval, in order for each participating authority to have equal status, and to ensure that opportunities for member development are provided.

Where joint scrutiny exercises have taken place in Wales, it was found helpful to alternate the chairs amongst the participating local authorities. As such, councils

may wish to give thought to allocating vice-chairs (if thought appropriate) to the members of those authorities who are next scheduled to hold the position of chair. This would allow for a measure of continuity within joint arrangements and broaden the experience of participating members.

Officer Support for JOSCs

Where a JOSC is established, it is suggested participating councils should share the costs associated with the undertaking of joint scrutiny exercises. This should cover arrangements for officer support and research, as well as administrative support and provision of meeting venues.

Each council may wish to offer different types of scrutiny officer support in respect of resourcing JOSCs. For example, some councils may wish to offer administrative support, and others research and advisory expertise. Consideration should be given to how the JOSC could most effectively achieve its scrutiny objectives and how the standard of scrutiny could be raised including through the collective learning of each authority.

In recognition that officer support for scrutiny varies across local authorities, it is likely that the scrutiny support officers of participating councils will need to liaise regularly to co-ordinate and project manage the work of JOSCs, and consider how to make best use of available resources. When deciding joint support arrangements, factors to consider include the scrutiny capacity available and how well the expertise and skill sets of officers' link to the topic(s) identified for joint scrutiny.

Regular meetings may help to overcome any difficulties in aligning different cultures, methodologies and supporting mechanisms for scrutiny and will help facilitate transfer of skills and learning. Participating scrutiny officers and chairs should nominate a JOSC officer co-ordinator from amongst themselves to ensure a clear point of contact available for those engaged in joint activity.

It is recommended that those supporting JOSCs put in place opportunities for

reflection at key stages (for example, at mid-term points) within the life cycle of scrutiny reviews. This would help ensure that participating authorities are satisfied with the support arrangements and are finding them of benefit in meeting the objectives of the JOSC. Scrutiny support arrangements may include rotating meeting venues of JOSCs among the local authorities represented on the joint committee. However, it may also be the case that the committee chooses to meet at the authority which is geographically most central to minimise travel times for those involved.

Forward planning

In order to function effectively, JOSCs should formulate a forward plan to identify what issues the JOSC intends to focus upon during the course of the year or duration for which it is established.

The forward plan should provide a clear rationale as to the purpose of considering a particular topic, and to the methods by which it will be investigated. Attempts should be made to develop an outcome-focused forward plan rather than one which is process-orientated.

As JOSCs may be either ad hoc or standing, care will need to be taken to ensure that its forward plan corresponds with the committee's original purpose. For example, in the instance where several authorities may wish to form a JOSC to investigate a cross-cutting issue such as substance misuse, its forward plan should serve to act as the investigation's project plan since the investigation should have a clearly-defined start and finish.

Where a JOSC may have been formed to consider the work of a strategic partnership, its forward plan should be driven by evidence of community need and a sound understanding of the partnership's priorities, risks and financial pressures. In addition, the forward plans of JOSCs should be agreed in consultation with partners where possible.

JOSCs must also have regard to guidance relating to section 62 of the Measure

which places a requirement on local authorities to engage with the public. The JOSC publishing its forward plan as soon as is reasonably possible in order that interested groups and individuals are able to provide comment and offer their views is integral to complying with this duty.

Appointing a sub-committee of a JOSC

JOSCs are able to appoint sub-committees. This provision extends the range of options available to a JOSC in being able to effectively investigate and make recommendations for improvement as they relate to issues of public interest or concern.

As is the case with sub-committees appointed by single authority scrutiny committees, sub-committees of a JOSC can only exercise the functions conferred upon it by the 'parent' JOSC. In the interests of fairness and effective working, a sub-committee of a JOSC should, where possible, consist of equal numbers of representatives from each participating authority.

Ways of working

The following section is not statutory guidance but has been included as a way of working which JOSCs may wish to consider.

Task and Finish Groups

Where elected members have been involved in task and finish groups of single authority scrutiny committees, they have reported a number of benefits from working in smaller, more structured teams. For example, members with differing levels of scrutiny experience and subject knowledge are able to gain confidence and motivation by working collaboratively with more experienced councillors and co-opted members. Similarly, task and finish group working can develop positive peer relations as a result of a members working collectively towards a common

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

goal.

In the event that a JOSC may wish to establish a task and finish group to consider a particular issue in more depth, it is suggested that JOSCs limit the membership of a task and finish group to include any co-opted members the JOSC may wish to appoint.

Depending on the nature of issue under consideration, JOSC task and finish group investigations can either be 'light-touch' where recommendations can be identified at a relatively early stage and strictly time-limited, or a very intensive investigation involving a range of 'Expert Witnesses', site visits and the commissioning of supporting research as is currently the practice for the majority of overview and scrutiny committees.

It is often the case that task and finish groups have significant resource implications and for this reason it is suggested that a JOSC think carefully about the number of task and finish groups that can effectively be run and supported at any one time.

As a means of ensuring that a task and finish group of a JOSC fulfils its objectives, it is recommended that a project management approach be adopted. This should include developing a project brief for the task and finish group's work, a project plan and the production of highlight reports to the parent JOSC to ensure it is kept informed of the investigation's progress.

Democratic Services Committees Statutory Guidance

Status of this Guidance

This statutory guidance for Democratic Services Committees made under Sections 8 (1A) and 16 of the Local Government (Wales) Measure 2011 (the Measure). This guidance replaces previous guidance issued on this matter in

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

2012.

Purpose of this Guidance

This guidance is provided to assist principal councils in the effective running of their democratic services committees.

Introduction

The Measure contains provisions related to the strengthening of local democracy including the requirement for principal councils to have a democratic services committee. The purpose of the committee is to ensure those councillors outside the executive leadership have the support and resources to fulfil their duties and play a full role in the operation of the local authority.

This is critical to good governance and enabling the council to demonstrate it is effectively supporting and resourcing scrutiny as part of its duties in sections 89 and 90 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act) relating to keeping performance under review and consulting local people on performance. It is also critical to enable both scrutiny and elected members in their representational role to engage with the public thus contributing to meeting the duties set out in sections 39 to 41 of the 2021 Act in relation to encouraging local people to participate in decision making and participation strategies.

Head of Democratic Services

Each county and county borough council is required to designate one of their officers as “Head of Democratic Services” (HDS) and provide that officer with sufficient support to do their job (section 8(1) of the Measure). Section 8(1A) enables the Welsh Ministers to issue statutory guidance to councils about the exercise of their function in relation to the provision of staff, accommodation and other resources which are, in the council’s opinion, sufficient to support the HDS

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

in discharging their functions.

The person designated as HDS must be designated by the democratic services committee (section 11(1)(a) and must not be the council's chief executive or chief finance officer, section 8(4) as amended by section 161 of the 2021 Act which removed the prohibition on a council designating the same officer monitoring officer and head of democratic services. The same section of the 2021 Act amends section 43(2) of the Localism Act 2011 to include the head of democratic services in the definition of 'chief officer' for the purposes of pay policy statements.

The post of HDS is a politically restricted post within the meaning of the Local Government and Housing Act 1989 (section 21) and the designated officer is defined as a chief officer for the purposes of the Local Authorities (Standing Orders) (Wales) Regulations 2006 as amended. In these regulations, the HDS is provided the same 'statutory protection' in relation to disciplinary action as the council's chief executive, monitoring officer and chief finance officer (s151 officer). Underlining the important role they undertake in ensuring the good governance and democratic accountability of the council.

The HDS is able to delegate any of their functions to any of their staff (section 8(2)). The functions of the HDS are:

- to provide support and advice to the authority in relation to its meetings
- to committees of the authority and the members of those committees
- to any joint committee which a local authority is responsible for organising and the members of that committee
- in relation to the functions of the authority's overview and scrutiny committee(s), to members of the authority, members of the executive and officers
- to each member of the authority in carrying out the role of member of the authority
- to promote the role of the authority's overview and scrutiny committee(s)
- to make reports and recommendations in respect of the number and grades of staff required to discharge democratic services functions and the

- appointment, organisation and proper management of those staff
- any other functions prescribed by the Welsh Ministers

Notes

1. The function of providing advice about whether or how the authority's functions should be, or should have been, exercised, only applies to advice concerning the functions of the overview and scrutiny and democratic services committees.
2. In this case, advice to a member does not include advice in connection with their role as an executive member, and does not include advice about a matter being or to be considered at a meeting (other than a meeting of an overview and scrutiny or democratic services committee).

The Measure enables Welsh Ministers to make regulations requiring local authorities to include within their standing orders provisions concerning the management of the staff provided to the HDS. For these purposes, “management of staff” does not include appointment, dismissal or disciplinary action.

Democratic Services Committees

Each council must also establish a democratic services committee (DSC) to perform the following roles:

- carry out the local authority’s function of designating the HDS
- keep under review the provision of staff, accommodation and other resources made available to the HDS, in order to ensure that it is adequate for the responsibilities of the post
- make reports to the full council in relation to these matters

Each DSC can decide how it carries out these functions.

The full council must appoint the members of the DSC, which must consist solely of councillors and cannot include more than one member of the executive or assistant to the executive. Any executive member must not be the council leader. The rules concerning allocation of seats to political groups apply to the DSC.

The council must also appoint the chair of the DSC, who must not be a member of any of the political groups represented in the executive. The exception to this is when a council has no opposition groups. In this case, any member of the DSC can be appointed as chair provided the member is not a member of the executive (section 14((1), (2) and (9)).

The DSC can appoint its own sub-committees and delegate functions to them (section 13). The DSC appoints the chair of any sub-committee (section 14(3)).

A DSC has the power to require the attendance of any members or officers of the council to answer questions and can invite anyone else it likes to do so also. If a member or officer is required to attend they must answer any questions unless the question is one which they would be entitled to refuse in a court (section 14(5) to (7)).

DSC meetings and sub-committees are to be open to the public as is normal in council meetings and subject to the same regime of accessibility in general (section 14(8)). The DSC must meet at least once a year (section 15(1)) and, additionally if the full council so decides or at least a third of the members of the DSC demands a meeting (section 15(2)). There is no limit on the maximum number of meetings a DSC may hold. The onus lies on the chair to ensure that meetings are held when required (section 15(3)).

The DSC must have regard to guidance from the Welsh Ministers when exercising its functions (section 16(2)).

Any report presented to the DSC by the HDS must be considered by the DSC within 3 months. Similarly, any report made by the DSC must be considered by the full council within three months (sections 18 and 19). The procedures

relating to the operation of the DSC should be included in the council's constitution.

Functions of the DSC

Designating the Head of Democratic Services

Only the DSC or a sub-committee of the DSC can designate the HDS. How this operates in practice will vary and a DSC can decide itself how it wishes to do this. However, the expectation is there would be discussion with the chief executive and relevant member(s) of the council executive, for example, to agree whether the post should be advertised externally, in which case the procedures for appointing staff described in the council's standing orders must be followed.

It would be a sensible arrangement for the DSC to be consulted on the advertising, interview and selection process, even though it would be the council, not the DSC, which would appoint as the employing body. The appointment could, however, be made subject to the DSC subsequently designating the selected person as HDS.

The person designated as HDS is not prevented from performing other roles within the authority. Just as the chief executive will have other duties to perform outside their statutory role, so too could the HDS. However, local authorities should take care to ensure that any other duties do not conflict with their HDS role and the DSC will need to be satisfied that the person designated has sufficient time to conduct his/her functions despite any other roles they may have.

Making recommendations on the adequacy of the provision of staff, accommodation and other resources

It is the function of the DSC to consider, and make recommendations as to, the adequacy of the provision of staff, accommodation and other resources for the exercise of the functions which fall to the HDS. The functions known in many local authorities as members' services, committee services and overview and scrutiny support would fall within the HDS responsibilities.

The HDS must present a report to the DSC describing what they feel to be a reasonable level of support for democratic services functions. The DSC, however, cannot make the final decision on these matters. It must submit its own report to the full council, arguing the case for necessary resource. It may well be that full council will modify or reject the DSC's report, in which case it could be advisable for the DSC to consider alternative proposals, which may involve a period of negotiation involving the HDS, Chief Finance Officer and the appropriate executive member.

In considering the DSC's recommendations the council should take into account the contribution the work of the HDS and the DSC make to the good governance and effective democratic accountability of the council, including the contribution this work makes to the council meeting its duties in sections 39 to 41 of the 2021 Act relating to the duty to encourage local people to participate in decision making and its strategy on public participation and its contribution to sections 89 and 90 of the 2021 Act to keep its performance under review and consult with local people on performance. Ensuring all members are adequately supported and trained, that scrutiny is adequately resourced and committees have access to high quality analysis and information is a cost of effective democracy. It is noted councils will have competing pressures for resources, including for essential front line and statutory services, careful consideration of cumulative impacts of resourcing erosion or reductions in relation to democratic services should therefore be part of considerations on the DSC Committee's report.

The final decision on resources will rest with full council but the Measure places

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

the responsibility on the authority itself to ensure that the HDS is provided with sufficient staff, accommodation and other resources as are, in the council's opinion, sufficient to allow the HDSs functions to be discharged (section 8(1)(b)) and it must therefore fully explain any decision not in keeping with the recommendations of the DSC. See guidance on Research Support and Services for Councillors Statutory Guidance (Part 2, 3.0).

Governance and Audit Committees Statutory Guidance

Status of this Guidance

This is statutory guidance under section 85 of the Local Government (Wales) Measure 2011 (the Measure). It replaces any previous guidance issued under this section.

Purpose of this Guidance

The purpose of this guidance is to set out the key matters councils must take into consideration when establishing and operating governance and audit committees.

Overview

Councils must establish a Governance and Audit Committee. The committee has the following functions (s81, Local Government (Wales) Measure 2011):

- review and scrutinise the authority's financial affairs
- make reports and recommendations in relation to the authority's financial affairs
- review and assess the risk management, internal control, performance

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- assessment and corporate governance arrangements of the authority
- make reports and recommendations to the authority on the adequacy and effectiveness of those arrangements
- review and assess the authority's ability to handle complaints effectively
- make reports and recommendations in relation to the authority's ability to handle complaints effectively
- oversee the authority's internal and external audit arrangements
- review the financial statements prepared by the authority

The Welsh Government's view is that well-functioning governance and audit committees are critical to the effective governance of councils. They should be viewed positively by all council members as part of the improvement and governance system. They also have an important role to play in improving strategic planning and facilitating both scrutiny and constructive challenge within the structures of a council.

In addition to these statutory functions, a council can confer other functions on the committee which it deems suitable for it. Each governance and audit committee can decide how it wants to carry out its functions, but in doing so it must have regard to this guidance.

Detailed guidance on the operation of governance and audit committees has been produced by Chartered Institute of Public Finance and Accountancy (CIPFA). In deciding how the Governance and Audit Committee will operate and how it will transact its key tasks, councils and committees themselves should consider the intersection between the formal role of this committee and the role of other bodies – in particular, the Democratic Services Committee (in respect of corporate governance) and the Overview and Scrutiny Committee(s) (in respect of financial oversight and review of strategic risks).

Membership

The full council must have regard to this guidance when determining membership. Two thirds of the members of the committee are to be members of

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

the council and one third must be a lay members. Only one member of the executive or assistant to the executive may sit on the committee, and that person must not be the leader (s82, Local Government (Wales) Measure 2011).

The chair of the committee is to be decided upon by the committee members themselves. However, the chair must be a lay member. The committee must also appoint a deputy chair who must not be a member of the council's executive or an assistant to the executive (section 81, subsections 5A, 5B and 5C of the Measure). All committee members, including lay members, have the right to vote on any issue considered by the committee. Lay members are therefore required by statute to comply with the council's code of conduct made under Part 3 of the Local Government Act 2000 and uphold the highest standards of ethical conduct.

The rules within section 15 et seq of the Local Government and Housing Act 1989 apply to governance and audit committees. The authority must however decide how many non-councillors should be appointed to the committee, and all members of the committee should display independence of thinking and unbiased attitudes, and must recognise and understand the value of the governance and audit function.

All new members will need to be provided with induction training. Although it is to be hoped that appointed councillors would have some relevant expertise, this cannot be guaranteed. What will be important, though, is to try and ensure that members do not have any other responsibilities which might conflict with their role on the governance and audit committee. That might be particularly the case in the choice of any executive member or assistant to the executive on the committee.

It may also mean that the members should not have too many other commitments, in general such as membership of other committees because of the significant commitment which being a member of the governance and audit committee implies. All members should receive adequate training and development.

The governance and audit committee should try and ensure it appoints a member as chair who will be strong and experienced enough to lead the questioning which the committee will have to perform.

Whatever recruitment method is employed, lay members should be independent from the council and have no business connection with it, although knowledge of how local government functions would be a definite advantage. In appointing lay members whose political allegiances are well known, local authorities should consider if this compromises the independence and perception of independence from the council a lay member should demonstrate. Councils should follow a public recruitment exercise, similar to that used to appoint members of standards committees, to recruit their lay members. It is recommended that a lay member should not be appointed for more than 2 full terms of a local authority.

Meetings and proceedings

As a committee of the council, the governance and audit committee is subject to normal arrangements of openness. Meetings should be held in public, agendas and reports should be published and available for inspection. The exception to this is where “exempt items” are being considered, which are chiefly matters which involve discussions concerning named individuals or commercial in confidence matters.

Any officer or member called to attend the governance and audit committee meeting must do so. They must answer any questions asked of them save ones which they could refuse to answer if they were in court. The committee can invite other persons to attend before it, but anyone else so invited to attend is under no compulsion to do so.

The committee must meet at least once a year and must also meet if the full council so decides, or if at least a third of the committee’s members require that a meeting be held. Beyond these stipulations, the committee can meet whenever it determines.

The Welsh Government suggests councils consider appropriate publications by relevant professional bodies such as CIPFA when establishing and reviewing their procedures for governance and audit committees.

Functions of a Governance and Audit committee

Reviewing the authority's financial affairs

Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of its financial affairs. Putting in place the governance and audit committee and providing it with the duty to keep the authority's financial affairs under review must be viewed as assisting in the fulfilment of this requirement.

This is an area which is given close attention by the authority's external auditors and ties in with the duty of the governance and audit committee to oversee the arrangements for internal and external audit, and also the need to monitor the internal control and risk management arrangements made by the authority.

Local authorities should make their own arrangements, in their constitution, to provide for clear demarcation between the role of the governance and audit committee and that of a relevant scrutiny committee. The governance and audit committee role should be more to seek assurance that the budgetary control systems (as an internal control) of the council are working, rather than the actual scrutiny of spend. This may serve as acceptable demarcation between the role of the governance and audit committee and that of an overview and scrutiny committee.

Risk management, internal control, performance assessment and corporate governance arrangements of the authority

The attention to this matter should raise the profile of risk management as a

necessary control tool within the authority as a whole. By providing regular review, the governance and audit committee forms a significant part of the authority's corporate governance system.

The authority should have a clear 'Statement of Purpose' for its governance and audit committee, ensuring the committee has a prime role in ensuring effective corporate governance is central to the organisation's procedures. As such, the governance and audit committee should review the Annual Governance Statement and Corporate Governance Strategy.

An Annual Governance Statement is a document which sets out a council's arrangements for decision-making and governance. The AGS is the product of a review of council governance carried out by senior officers. There is no obligation on Welsh councils to prepare an Annual Governance Statement. As there is no legal obligation to produce an Annual Governance Statement, Welsh Government is not providing statutory guidance on this matter. However, councils will note the presence of the local government accounting standards. Councils could consider how the AGS can be used as a tool for broader corporate improvement; it can be used to evaluate strengths and weaknesses in the governance framework and, as part of an annual action plan, take forward agreed changes accordingly.

An effective and high profile governance and audit committee is critical to engendering public confidence that the authority has a solid approach to its financial and organisational propriety.

The governance and audit committee will need to report on the adequacy of the authority's risk management and internal control arrangements, and comment on their effectiveness. It will also follow up on risks identified by internal and external auditors and require reports as to action taken in response. This means the council must ensure the governance and audit committee is briefed on the contents and recommendations contained in auditor's reports and has access to them. It should also have access to reports from regulators where these have identified risks, failures in internal control or the corporate governance systems of the council. It would be good practice for all reports from auditors and

regulators to be shared with the governance and audit committee as a matter of course.

In addition to these existing duties, the 2021 Act added a new duty to this group of duties which requires the governance and audit committee to review and assess and make reports of the effectiveness of the arrangements the council has put in place for the performance assessments it is required to complete under section 91 of the Local Government and Elections (Wales) Act 2021 in order to fulfil its duty to keep performance under review in section 89 of the 2021 Act. This is not intended to be a repeat of the performance assessment itself but consideration, for example, of the rigour and comprehensive nature of the process. Neither is it intended to duplicate the role of overview and scrutiny committees in holding the council's executive to account in relation to the performance management of the council's services.

The council must make a draft of its self-assessment report (and panel assessment report when published) available to its governance and audit committee. The committee must review the draft reports and may make recommendations for changes to the conclusions or action the council intends to take. If the council does not make a change recommended by the governance and audit committee, it must set out in the final self-assessment report (or response to a panel assessment report) the recommendation and the reasons why the council did not make the change.

Review and assess the authority's ability to handle complaints effectively

The way in which an organisation manages its internal and external complaints process for service and organisational complaints (consideration of the complaints process for complaints made under the members' code of conduct is not a function of the Governance and Audit Committee) is an integral part of its corporate governance systems. It is vital that people, communities and other stakeholders have trust and confidence their complaints will be treated with due respect and gravity. It is also important that staff and others internal to the

organisation have trust and confidence internal complaints are treated with similar respect.

The role of the governance and audit committee is not to consider whether individual complaints have been dealt with appropriately but to consider the effectiveness of the complaints process. For example, is the process accessible to everybody in the community, is the council giving proper consideration to its statutory duties in relation to equalities and Welsh language when handling complaints, is there internal learning built into the complaints process to improve systems and services going forward. The Welsh Government expectation is that councils provide the PSOW with an assessment of the arrangements in place for handling complaints and the effectiveness of its approach as part of its regular communication with the PSOW.

Internal and external auditors

An effective governance and audit committee should provide the authority's chief finance officer with advice which can serve to bolster the work of internal and external auditors. The committee can ensure that audit reports are kept in the authority's mind, so timing of meetings might be planned so as to effectively follow-up auditors' recommendations.

The governance and audit committee will expect to input into the planning of internal audit priorities, approving the annual programme of audits and ensuring the internal auditors have the necessary resources to conduct their work effectively. They will want to meet with the Head of Internal Audit and receive their annual report.

The governance and audit committee should also receive the reports from the external auditors and follow up their recommendations during the year. The committee should have a role in agreeing the authority's response to the auditor's letters or reports as well as being able to meet with the external auditor.

In addition, the governance and audit committee should receive and consider

reports from any regulators or inspectors. In respect of these, the authority will need to ensure there is no unnecessary duplication between the governance and audit committee and any overview and scrutiny committee in considering such reports.

Financial statements

Before their approval by the authority, the governance and audit committee should consider and comment on the authority's certified draft financial statements. They will want to see to what extent the statements take cognisance of audit reports during the year, and changes in accounting policy and internal control mechanisms. The Committee should also review the external audit statement and also seek assurance on the management of the council's financial affairs. Any concerns should be reported to the Council.

Governance and audit committees may approve the financial statements themselves where local authorities have delegated that power to them under regulation 10 of the Accounts and Audit Regulations (Wales) 2014 (as amended).

Governance and Audit Committee reports and recommendations

Reports and recommendations by the governance and audit committee should be considered by full council in particular, as well as the executive. The processes for these considerations should be set out in the council's constitution.

Guidance on multi-location meetings

Status of this guidance

This is statutory guidance issued under section 47 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act).

Purpose

The overall purpose of the Welsh Government in amending the law to give relevant authorities powers and freedoms to convene meetings in this way is to achieve greater accessibility and improved public participation in local government. These powers are closely connected with the new requirement for principal councils to broadcast (by audio and/or video) certain meetings.

Multi-location meetings offer authorities the potential to update and transform the way they do business. It provides opportunities for authorities to become more flexible and efficient and also raise their profile in the local community and to bring their work directly into people's homes. Public access to multi-location meetings is likely to be significantly higher than the level of audiences of formal meetings when all were held physically, attendance levels during the pandemic bear this out. This heightened public awareness and involvement is to be welcomed, and further encouraged. In particular, authorities will need to think directly about the needs of the public as they design their arrangements and policies for multi-location meetings. While these meetings are still "meetings in public" rather than "public meetings" by and large the public will be able to observe but not participate they provide a crucial opportunity for accountability and transparency, and an accessible shop window for many public bodies.

This guidance is for principal councils, National Park Authorities, Fire and Rescue Authorities, and Port Health Authorities. This guidance does not cover the arrangement by other public bodies of their own formal meetings, or the organisation by public bodies (including councils) of public meetings or any other

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

gathering. It also does not include the convening of formal meetings by corporate joint committees (CJCs) or community councils, which are covered in separate guidance.

This guidance is intended for:

- participants in meetings convened by the authorities listed above
- officers providing support to formal meetings in these authorities
- officers with adjacent responsibilities for example, those responsible for drafting and clearing reports, attending meetings to present reports to members and officers with supervisory responsibilities on governance matters
- anyone with an interest in the way in which the business of these authorities is conducted

Generally speaking the requirements for all relevant authorities is similar, although differences do exist especially relating to the convening of **multi-location meetings** of local authority executives.

Relevant authorities are required to “have regard to” the guidance. Where authorities are under an existing statutory obligation to carry out an act the guidance says that they “must” do something; where there is no such obligation but the guidance presents a suggestion on a possible course of action, the guidance says that a council “can” or “may” do something.

How this guidance was developed

This guidance was developed between February and April 2021. It was drafted by the Centre for Governance and Scrutiny, Cardiff University and Public Governance Wales, who were commissioned by Welsh Government to speak to people with a stake and interest in this area and to develop the text as a result of these conversations.

This guidance will be reviewed periodically.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Definitions of words used in this guidance

Generally, the words used in this guidance have the same meaning as they do in the 2021 Act.

A “relevant authority” is an organisation which is required to put in place arrangements for multi-location meetings. This covers principal councils, Fire and Rescue Authorities, National Parks Authorities and Port Health Authorities. It also includes joint committees of these bodies. The obligations of corporate joint committees (CJCs) and of community and town councils are covered in separate guidance.

A “meeting” is a formal meeting of a relevant authority convened in accordance with whatever the legal requirements are for such meetings. Formal meetings are usually those where formal decisions can be made; these meetings may need to be held in public and that notice is published beforehand that they are being held. This is not always the case as some meetings, or parts of meetings, are held in private due to confidentiality or exempt issues being discussed. When we talk about these meetings being “convened”, we mean the process involved in organising the meeting and setting and distributing an agenda and reports.

A “multi-location meeting” is a meeting of a relevant authority whose participants are not all in the same physical place. In some places these are colloquially described as “remote” meetings. The 2021 Act does not refer to these meetings as “remote”, but that they are attended by “persons who are not in the same place”.

At least 1 participant may be joining the meeting by remote means. For example, this includes meetings of the type described below:

- meetings of a committee where all participants are in the same physical location except one individual who joins from another location, with a physical public gallery being provided

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- meetings of a committee where a roughly equal number of members are present in a physical space and joining through remote means; those joining through remote means may include the Chair
- meetings of a committee where all members are joining through remote means but nonetheless a physical public gallery has been made available in authority premises
- meetings of a committee taking place wholly through remote means where no physical arrangements have been made

Some have described the kinds of meetings described above as “hybrid meetings”. This guidance and Section 47 of the 2021 Act makes no distinction between meetings where some participants join by remote means and those where all participants do so, but meeting arrangements will need to account for the practical differences that different forms of meetings will take, and make plans accordingly.

The definition of “Joining a meeting by remote means” is being in a different physical location to that of other participants, and participating through an online meeting platform. Where participants are present in a committee room or other physical space which is publicised (through a formal notice) as being the location of the meeting, those participants are present physically.

A “participant” of a multi-location meeting is a person who takes an active part in that meeting. They might be a member, a person giving evidence to a committee as a witness, an appellant or claimant on a regulatory matter, someone presenting a petition, or taking part formally in another way.

An “observer” of a multi-location meeting is a member of an audience, or otherwise spectating, a multi-location meeting. They might be in the same room that a meeting is taking place or they might be observing by remote means.

“Meeting arrangements” are the rules and procedures that relevant authorities adopt to act on their statutory requirements relating to multi-location meetings, and to act on the recommendations in this guidance. This guidance suggests that these arrangements will form part of relevant authorities’ constitutions,

where they are required.

Background to multi-location meetings

Arrangements were first made in legislation to allow for “remote meetings” in section 4 of the Local Government (Wales) Measure 2011.

At the outset of the coronavirus pandemic in March 2020, the Welsh Government produced the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020. These established a framework within which all relevant authorities convened meetings by remote means throughout 2020 and part of 2021. Experience operating meetings under these Regulations has provided relevant authorities with significant expertise in understanding and managing multi-location meetings, now they have been placed on a new statutory footing. The provisions in the 2021 Act can be seen as an evolution of these prior arrangements.

The benefits of multi-location meetings

Councils, and other relevant authorities, convened meetings by remote means throughout much of 2020 and 2021. While meeting this way proved challenging in the context of the global coronavirus pandemic, it has also resulted in a number of benefits.

- Enhancing and supporting local democracy. Having the flexibility to convene meetings in this way will reduce the barriers that might previously have been in place for explaining and demonstrating how relevant authorities do business.
- Working more productively. When participants come together by remote means, they have often been able to get more done. Multi-location meetings have also resulted in a dramatic reduction in the amount of paper needed and produced. The move to an approach which sees the production of formal notices and other material as being “online by default” will make it

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- easier for councils to innovate around the use of formal meeting material.
- Making it easier for the public to attend meetings. Although experiences have been mixed, public attendance has been higher for multi-location meetings than for meetings in person. Some relevant authorities, in particular, found both before and during the pandemic that multi-location meetings have made it possible to include external participants actively, ensuring that committees can benefit from a greater range of views. Relevant authorities have reported that members of the public think that multi-location meetings are much less intimidating than those held in person, and that they have the potential to encourage more people to stand for public office. For some though, multi-location meetings will also present challenges for example, those with poor broadband connections or disabled people, or those unable to access meetings over the internet for other reasons.
 - Making relevant authorities more resilient and sustainable in how they carry out their work. The Wellbeing of Future Generations (Wales) Act 2015 requires relevant authorities to think about, and act on, long term needs in the way that policy is developed and made. Multi-location meetings reduce the carbon footprint of physical meetings (although digital activity is not of course carbon-neutral). They can also help relevant authorities to reduce the risk of future unexpected events such as extreme weather which could in future present a challenge to in-person meetings. Issues of sustainability are explored in more detail below.
 - Making the use of the Welsh language easier. Relevant authorities' experience during 2020 has been that the simultaneous translation on platforms such as Zoom has reduced some of the practical difficulties which some authorities have experienced around facilitating bilingualism in public meetings.
 - Reducing the need for travel. For more rural relevant authorities and for relevant authorities covering large geographical areas and for joint bodies, significant time and cost savings for councillors, officers and other participants have arisen. In turn, this makes it easier for participants to take part if they have professional and caring commitments potentially removing some significant barriers to standing for public office.

- Better support for members from diverse backgrounds, including support that recognises the social model of disability. Just as barriers are being removed to public participation, multi-location meetings have made it easier for care providers, or disabled people, or people with other protected characteristics, to engage on an equal footing. In some cases, participants have found the formality of physical meetings to be off putting, and multi-location meetings have removed this factor. Of course, this raises broader issues around the way that relevant authorities work generally, and the extent to which they welcome participation and involvement from a wide range of people. These are not matters which will be resolved through multi-location meetings alone, but such meetings could be a tool that will, in due course, help a wider range of people to take an active role in local democracy.
- Better behaviours. Although experiences have been mixed, on the whole meeting management and the behaviours of participants have both improved. It has been easier for Chairs of meetings to understand who wants to make a contribution, although it is harder to read body language. Disruption of meetings by political argument (for example) seems to have been less of a theme as well.

Physical meetings should not be seen as representing the “gold standard” with multi-location meetings being second best. Physical meetings may be convenient and effective for those most familiar with and comfortable with how they work but they may also be inaccessible and impractical to many. All meetings that meet the required communication and quorate arrangements have equal status under the law.

For some, there have been drawbacks to multi-location meetings. In particular, people have had worries about the need for more council officers to support them. In time, ongoing experience is likely to improve this and reduce the amount of resource required to support them.

What this guidance covers

This guidance focuses particularly on arrangements for the convening of formal

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

meetings held by relevant authorities under the 2021 Act , and the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001 as amended by the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2021.

Guidance for principal councils on broadcasting these meetings, where required in law, is being provided separately.

Together, this legislation updates arrangements for the management of these meetings and enhances transparency and public access.

This guidance also engages with other enactments relating to this issue, as well as with the wider local democratic context within which the Act sits.

This guidance focuses particularly on arrangements for the convening and broadcast of formal local authority meetings. Provisions relating to local authority meetings are included in various pieces of legislation, including but not limited to:

- The Local Government and Elections (Wales) Act 2021
- The Local Government Act 2000
- The Local Government Act 1972
- The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001 as amended by the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2021.
- The National Park Authorities (Wales) Order 1995
- The **North Wales Fire Services (Combination Scheme) Order 1995**
- The **Mid and West Wales Fire Services (Combination Scheme) Order 1995**
- The **South Wales Fire Services (Combination Scheme) Order 1995**

Chapter 4 of Part 3 of the 2021 Act covers meetings convened by relevant authorities, as well as by certain other bodies and organisations. In respect of

principal councils, community and town councils, National Parks Authorities, Fire and Rescue Authorities and Port Health Authorities, it covers:

- electronic broadcasts of meetings: Principal councils must make arrangements for broadcasting certain meetings live, and ensuring that broadcasts are available electronically afterwards. A failure to comply with this requirement does not necessarily make proceedings invalid (s46). Separate Regulations and guidance are being prepared on this matter
- attendance at meetings: relevant authorities must make arrangements for “multi-location” meetings, at which participants can speak to and be heard by each other. Where meetings must be broadcast participants must also be able to see each other (s47)
- notice of meetings, and publication of agendas: relevant authorities must publish certain information, including notices of meetings, electronically, and electronic information relating to meetings must remain available in this format for 6 years following the date of the meeting (Part 1 of Schedule 4 to the 2021 Act, amending the Local Government Act 1972). Relevant authorities must also put in place facilities for the public who would otherwise not be able to do so, to access meeting documents

Arrangements for the broadcast of meetings (physical or multi-location) held by relevant authorities is explored in separate Regulations and came into force in May 2022 and separate guidance will apply. However, relevant authorities are likely to need to consider the requirement to broadcast alongside the need to make provision for multi-location meetings. This is the reason for suggesting that meeting arrangements take account of both requirements.

General principles

Relevant authorities will need to think about and agree independently the details of their own arrangements for multi-location meetings. In doing so, they should be guided by the following general principles.

All of the below relate to legal obligations. In developing meeting arrangements,

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

relevant authorities will need to explicitly assure themselves that these principles are understood, taken into account and acted on, possibly through being the subject of specific discussion at meetings to ensure standing orders are amended by Democratic Services Committees or other bodies in relevant authorities.

Of paramount importance are the needs of local democracy. Local people need to have confidence that relevant authorities have systems in place that meet their needs this might be about observing meetings, participating in them, and using this to hold to account a meeting's participants for what they see and do. Relevant authorities' approach to multi-location meetings has to be seen as part of the wider support and commitment to local democracy. The other principles described below need to be considered in light of this.

Transparency

Formal meetings of relevant authorities will be spaces in which democratic debate and decision-making happen. It is fundamental that these meetings are held in public (subject to the specific exceptions available), and that the public are able to access and engage with them. Relevant authorities will need to think about wider legal requirements around transparency, and accessibility, and what that means for the way that they carry out meetings. These meetings allow public and media involvement as observers whether they are held in person or virtually.

(Local Government Act 1972, s100 et seq., Schedule 12 and 12A and related legislation).

Accessibility

Democratic systems need to be organised and arranged to account for barriers that members of the public might experience. Multi-location meetings have the potential to enhance and improve access for participants. This will not happen

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

automatically however, and meeting arrangements will need to be specifically designed to help this to happen.

Relevant authorities' meeting arrangements will need to have regard for the protected characteristics under the Equality Act 2010, including ensuring that accessibility is considered in the context of the social model of disability, and for ensuring that the impact of its decisions on democratic arrangements are understood from these perspectives.

([Equality Act 2010](#)).

Good conduct

In line with the Nolan Principles, multi-location meetings, as with any other public meeting, should demonstrate high standards of conduct.

Multi-location meetings have in many places led to changes in conduct, and an improvement in behaviours. Meeting arrangements can account for the need to entrench more positive behaviours particularly where these meetings involve a number of people together in a single physical location, where different dynamics may arise.

Relevant authorities will also need to have regard to the Model Code of Conduct (and to local codes of conduct, and standards arrangements) in how they develop their meeting arrangements.

(The [Local Authorities \(Model Code of Conduct\) \(Wales\) Order 2008](#)).

Use of English and Welsh Languages

Adherence to legal requirements relating to the use of the English and Welsh languages is a legal requirement. It is a fundamental element of the obligations attached to public bodies in Wales separate legislation and guidance exists. In

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

order to maximise accessibility relevant authorities may wish to consider subtitling in English and/or Welsh, and translation into other languages depending on need for example, BSL.

Arrangements must ensure that English and Welsh are treated equally and support and promote the Welsh Language. The use of the Welsh language can be provided for in multi-location meetings and normalised in a wide range of settings in ways which might historically have proven challenging for physical meetings. Relevant authorities will also need to take account of their individual Welsh language standards.

(Welsh Language (Wales) Measure 2011).

Local needs

Local authorities are democratic institutions. Decisions about local democracy and the best approaches to promote and encourage engagement in local democratic systems are best made at a local level. Relevant authorities' approaches to meeting arrangements should therefore be aligned with the way that they approach public participation in particular, their plans for ensuring that they meet their public participation obligations which came into force in May 2022. An understanding of the specific needs of a wide range of local people is a part of this.

(Local Government and Elections (Wales) Act 2021, on public participation).

Future generations

In agreeing arrangements for meetings, relevant authorities must give regard to the well-being goals and ways of working set out in the Well-being of Future Generations (Wales) Act 2015. Many of the improvements which could be brought about by multi-location meetings innovation around the transaction or

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

meetings, reductions in the use of paper, enhanced public accessibility and so on will serve the objective of making local democratic systems more sustainable.

However, relevant authorities will still need to ensure that the 2015 Act's principles are actively embedded in arrangements for meetings. Digitisation has the potential to significantly reduce the carbon footprint of local democratic systems, but only where cloud services and server storage is procured from carbon neutral providers. Digital services are not carbon neutral by default. The reduction in travel will also add to the reduction in the carbon footprint.

Core requirements

This section sets out the things that relevant authorities must do in relation to multi-location meetings.

These provisions are set out to help ensure legal compliance. In all respects it will be for a relevant authority's Monitoring Officer to determine exactly how the authority will ensure this compliance. The expectation is that relevant authorities will want to use these requirements as a starting point from which to innovate and experiment with different arrangements for facilitating multi-location meetings, in the context of the wider needs of local democracy.

The 2021 Act requires that "arrangements" be made by principal councils for both the broadcasting of meetings, and the convening of meetings involving participants in multiple locations. These "meeting arrangements" will need to be written in such a way that integrates a relevant authority's approach to multi-location arrangements to its wider compliance with the legislative framework for formal meetings, including the new requirements for the audio and (in certain circumstances) video broadcasting of such meetings.

Although, there is a requirement for principal councils to broadcast certain meetings which was commenced in May 2022, many principal councils were already broadcasting a number of their meetings, we therefore suggest these arrangements form an integrated part of an authority's Constitution. For principal

councils such arrangements might be subject to oversight from the Democratic Services Committee.

The reason for integrating these arrangements into a constitutional document is that they set out how the authority is run, and will need to be integrated in some form into the rules of procedure of committees and other formal bodies.

Relevant authorities will need to develop these arrangements for themselves, there is no single set of rules setting out what arrangements should look like in detail. This guidance sets out a framework within which relevant authorities can explore their options and decide what is right for them and the communities they serve.

Practical considerations

This section sets out things to which relevant authorities must give regard, but which do not form part of the legislative framework.

Welsh Government considers these considerations to be matters of good practice. Some specific solutions are suggested but relevant authorities should consider local circumstances in deciding what approaches are ultimately adopted, in a process which should be led by those involved in participating in meetings, and supporting those meetings' operation always informed by the needs and expectations of the public. While meeting arrangements should fit local preferences and circumstances, there should be a clear process for considering the issues highlighted below. For local authorities the Democratic Services Committee is expected to lead this process.

Sitting alongside the core requirements of the “meeting arrangements” the legally mandated arrangements that relevant authorities must make for multi-location meetings can be a wider multi-location meetings policy, which will also reflect the **general principles** while setting out more detailed procedures to ensure that multi-location meetings work efficiently, effectively and accountably. Keeping such a policy distinct from the legal “meeting arrangements” is

important because it will make it clear to those involved where processes are put in place because of legal requirements, and where local decisions have been made about the operation of multi-location meetings.

Relevant authorities can take whatever process they choose in designing and adopting this policy, but those responsible for leadership on governance matters, and participants in multi-location meetings, will need to be satisfied that these arrangements take into account the **general principles**. In particular, the meetings policy will be the document to refer to the role of the public in the operation of formal meetings, and to ensure their needs and expectations are understood and treated as paramount.

Because of the public-facing nature of this work relevant authorities may consider it necessary to adopt a provisional policy, and for those within that authority and outside it (in particular, the public) to develop and refine it over time. Reviewing the policy (and of the meeting arrangements themselves) as they operate will offer the best opportunity to reflect and refine.

Where a relevant authority determines that they wish to draft such a policy it should be led by a committee of the authority with a responsibility for governance, supported by a relevant officer. This might be that authority's Monitoring Officer. Where the authority is a principal council, the decision would be made by the cabinet and the officer taking leadership might properly be the Head of Democratic Services.

The exact contents of a policy will be agreed at local level. The experience of relevant authorities in the past however suggests that it should include:

- how to decide which meetings will have physical provision made for them, and which will be conducted wholly through remote means, taking different **taking different approaches for meetings**
- which online meeting platform or platforms which will be used, **multi-location meeting platforms**
- how formal notices will be issued, and the publication of agendas and minutes, **notices, agendas, reports and providing for exempt matters**

- how **exempt matters** will be dealt with
- **meeting attendance**, including deciding where a member is “present”
- how participants who sit as part of committees or bodies subject to the 2021 Act will be able to access and participate in the meeting (including support and advice on technology, behavioural and conduct issues), **support during meetings**
- how observers (including the public and the press) will be able to access the meeting, and how they may actively participate in the meeting where needed, **supporting observers**
- facilitating broadcast by members of the public, **supporting broadcast by members of the public**. Broadcast by the authority itself may also be required, and is covered by separate guidance
- **chairing of meetings**
- **the taking of votes**
- **training and peer support** to ensure that participants are able to take part

It is important to ensure that participants and observers have access to easy to understand information which explains how they can and should engage in multi-location meetings this documentation can be part of the multi-location meetings policy but should also be available separately, and may constitute a simple explanation of some of those arrangements for the casual reader. It is particularly important the relevant authorities highlight and publicise their multi-location meeting arrangements and policy to make it as easy as possible for the public to engage.

Taking different approaches for different meetings

Some relevant authorities may decide that all meetings will be conducted through remote means by default. Relevant authorities may wish to adopt different approaches for different bodies, and for different circumstances.

In general

A multi-location meetings policy may make provision that different kinds of meeting be convened, by default, with all participants joining through remote means, or with some arrangement being made for people to attend and participate and observe in person. Policies should recognise that the 2021 Act requires participants to be able to join meetings through remote means for all formal meetings. It will not be permitted for relevant authorities to decide that all meetings will be held entirely physically.

The needs of local democracy, and the needs of the public in engaging with multi-location meetings, are a paramount consideration in deciding where and when meetings will be convened partially or wholly by remote means. The overriding intention of the 2021 Act on this issue is to help the public to be able to access and engage with local democratic systems. The convenience of participants and the efficient operation of relevant authorities themselves is important but the needs of the public will come first when these decisions are being made.

Relevant authorities may want to make particular plans for multi-location meetings where a number of participants are in the same physical space, while others join through remote means. Similarly, provisions might need to be made for allowing people to observe in person, or through remote means, or both.

There is no requirement for each meeting to be held in the same way every time it meets. For example, a council could decide to hold some full council meetings entirely remotely and others as multi-location meetings with a number of councillors (or most councillors) present in a chamber. In determining which meetings may be held wholly through remote meetings and for which physical arrangements might be made available, relevant authorities might consider:

- the general circumstances of participants. Participants' needs and preferences may change over time, and policies should have the flexibility to allow for arrangements to change where this happens. For example,

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

councillors in a local authority may decide that full Council should take place predominantly physically or predominantly through remote means but in doing so they might ensure that the policy remains flexible enough to change this approach if participants' views change

- the subject matter, and number of participants attending, certain meetings. This may relate to the general matters usually under discussion at a given committee (or other body) rather than the specific agenda for an individual meeting
- the need to ensure that meetings are fully accessible to both active participants and to observers. Accessibility may under certain circumstances require physical provision
- connected to this, consideration of whether physical provision for a public gallery, or for the attendance of certain participants, is necessary if the majority of a meeting's participants are joining through remote means. This is discussed in more detail in [supporting observers \(including the public\) to access and participate in the meeting](#)

The overriding requirement is to consider the needs of the public, both as observers and participants.

Relevant authorities may have concerns about equality of access and participation in multi-location meetings where some participants are in the same physical space. On considering the risks and other circumstances they may determine that, by default, meetings can take place either wholly by remote means, or that, where a number of participants express a preference for a meeting being held physically, that support should be given to all participants to attend physically. However it is worth reiterating that relevant authorities will not be able to require that all participants attend physically under these circumstances.

Where a relevant authority decides that physical arrangements will be made for certain meetings or classes of meetings, a multi-location meetings policy will need to determine what those arrangements will be. They may include:

- the availability of a meeting room which is publicly accessible, along with the

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- provision of a physical public gallery (and press gallery)
- making arrangements for participants who attend physically to be seen by those joining from other locations (a requirement under the Act), which will require planning where multiple participants wish to attend physically and where camera facilities in a room may be less than ideal for this purpose
 - the availability of professional support in the room, or through remote means. This may be IT support or governance/clerking support
 - the streaming of broadcast footage from the meeting to those present through the use of one or more display screens (and the use of audio equipment)

Even where all participants join a meeting from another location a relevant authority may still wish to provide a physical space for members of the public to watch proceedings and to participate. This is covered in [supporting observers \(including the public\) to access and participate in the meeting](#).

Accessibility and involvement

Some participants may wish to join meetings from another location regularly – because they have working or caring responsibilities which make attending meetings in person difficult. Some participants may have a preference for physical meetings. Participants may have personal protected characteristics, or circumstances, which limit their ability to participate online, and/or which requires that certain accommodations be made for physical presence. The same needs are likely to apply to observers. Particular care will be needed to be taken to take account of the needs of one-off participants, especially if they are members of the public rather than employed officers of the authority or regular meeting participants who are (for example) elected councillors.

Multi-location meetings where some or most participants are present in a single location can pose challenges around accessibility and involvement. Those present in a committee room will need to be able to participate on the same footing as those participating in other locations. This may be difficult where certain participants may be able to hear, but not see, other participants. For

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

these kinds of meetings, there is a risk that those not physically present in a room play less of a part in discussion. These people may end up being “forgotten” by those who are physically present. For a Chair, following the visual cues of those in the same room, and those joining from other locations, is likely to be a challenge. This will need to be thought about, particularly where the Chair themselves is joining a meeting from another location.

Multi-location meeting platforms

Multi-location meetings require additional technology and this has implications for an authority's capacity to procure and use this technology effectively. Finding and using the right platform is an important part of making meetings accessible and transparent, and the business of relevant authorities more accountable to the public.

This guidance does not recommend any specific product. Relevant authorities have made, and will make, their own arrangements in line with their IT and procurement policies. It may be, for example, that relevant authorities wish to explore joint procurement opportunities. It will be useful for relevant authorities procuring to understand how the market for these products evolved, and the need to keep in touch with other relevant authorities to exchange experiences.

Specifically, any product, or combination of products, should provide:

- the ability for participants to be able to see and hear each other, and the facility for outbound and inbound video and audio to be switched on and off either by a participant themselves or potentially also for a meeting organiser
- the ability for participants to be named / labelled so that others can easily identify them
- the ability for participants and observers to be able to join via mobile, or tablet, without losing significant functionality
- the ability to provide for simultaneous translation. Relevant authorities should ensure that they use a meeting platform which provides for simultaneous translation and that members are comfortable with its use. Principal councils

will need to decide whether to broadcast a feed in English, in Welsh, or in both

- the ability to both record and broadcast the meeting and for participants and observers to know when recording and broadcasting is taking place
- the ability to caption or subtitle, either live (which may be partially or fully automated) or through editing after the meeting has taken place;
- a “chat” facility (the use of which we discuss in [support during meetings](#), visible only to meeting participants, and which can be turned off by the meeting organiser if necessary
- sufficient security measures to ensure that the meeting cannot be accessed by unauthorised persons, and to ensure that unauthorised persons can be ejected from the meeting where necessary
- a user interface which is intuitive and easily understood

Other factors will include:

- where and how meetings will be broadcast for example, on the council’s own website or on Facebook Live or YouTube, or in some other way (covered in separate guidance). It is not recommended that principal councils effect the broadcast requirement by granting public access to online meeting platforms themselves. Broadcast arrangements are dealt with in separate guidance, but again, the needs of the public as observers will be especially important
- arrangements where joint meetings are held between relevant authorities which, by default, use different platforms
- arrangements for when difficulties with technology emerge, or other circumstances might make it impossible to broadcast a meeting (set out in [supporting participants to be able to take an active part in the meeting](#))
- provision for electronic voting

Relevant authorities may wish to consult participants and observers to ensure that IT arrangements work for them, and that the technology means that multi-location meetings are as accessible as they could be.

Notices, agendas, reports and providing for exempt

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

matters

Alongside multi-location meetings, relevant authorities will need to continue to issue notice of the convening of meetings, and make arrangements for the publication of agendas and reports, online. There are both issues and opportunities associated with this.

Transparency around the work programmes of bodies covered by these rules. Agendas and papers are usually expected to be published 3 clear working days in advance of meetings (and the detail of notice requirements are covered in more detail in the section below), but relevant authorities may wish to consider how the interests of transparency and accessibility can be served by earlier notification of proposed agenda items through more accessible and visible work programmes and through attention being given to the visibility and accuracy of a schedule of forthcoming decisions (which in the case of a principal council executive will be the Forward Plan)

Arrangements to ensure that those viewing a broadcast can be easily signposted to the agenda, reports and (in the case of recorded meetings) the minutes, and to any relevant background documentation.

Full detail of notice requirements for meetings (and other formal requirements for the publication of agendas, reports and minutes) can now be found:

- for local authority executives, at the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001 as amended by the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2021
- for other meetings of relevant authorities, amendments made to Part 5A and schedule 12 of the Local Government Act 1972

The principal object of these amendments to the existing legal framework is to remove the requirement for the production of hard copy paperwork relating to

formal meetings (except for a couple of specific purposes), and to require relevant authorities to make formal information available electronically, on their website.

The new arrangements can be summarised as follows.

Notice of meetings

Public notice of all meetings must be published on the relevant authority's website at least three clear days before the meeting (at the time it is convened, if it is convened at shorter notice)

Notice must include details of how to access the meeting if it is being held by remote means only, and the place in which the meeting is held if it is partly or wholly taking place physically.

Notice requirements also apply where a formal meeting is taking place which is not open to the public. Here, notification is required of the time of the meeting, the fact that it is being held by remote means, and that it is not open to the public

Usually notice of meetings would be provided on an authority's website; relevant authorities may also make arrangements for notifications to be sent to members, and interested people via subscription, automatically on the uploading of agenda papers. Authorities may also make use of social media to highlight the publication of notice (although notification on social media will not constitute notice for the purposes of the Regulations).

Agendas and reports

The agenda and reports for public meetings (including late reports) must be published on the website of the authority.

Paper agendas do need to be made available to members of the public

attending meetings held partly physically.

For principal councils only; recording of decisions by the executive collectively or individually, as well as the recording of business carried out in other meetings of principal councils. This requires that the names of who attended the meeting be recorded alongside apologies, declarations of interest and decisions made. This must be published within 7 working days of the meeting taking place. In the interests of clarity this does not require that a member's or members' signatures are required to be recorded (as has been the case previously). The information referred to above must be published on relevant authorities' websites.

Background papers relating to meetings of relevant authorities must now be proactively published on a website, not merely be available (although, exceptionally, if it is impractical to do this, they must be open for public inspection). This is an important change; it involves the automatic placement in the public domain of specified documents which may previously have only been, in practice, published on application. Councils will therefore need to think carefully about how background papers are identified, produced and prepared for publication.

The transaction of paperless business generally. Multi-location meetings are likely to be paperless. Regulations now specify that formal information relating to meetings be published on an authority's website, with the requirement of hard copy material being on public deposit having been removed.

There may be people who cannot access the information published electronically; principal councils must put in place facilities for members of the public who would not otherwise be able to do so, to access the documents.

Exempt matters

Bodies covered by the legislation will need to be able to consider exempt matters in private. Exempt matters are things which a relevant authority is allowed not to publish because they are confidential. This may be for a range of

reasons, which are set out in schedule 12A of the Local Government Act 1972. Agendas with exempt items on the agenda are often divided into a Part I held in public and a Part II held in private.

A separate call on the online platform, separate from the call used for broadcast, should be set up for those participating in a meeting by remote means. This reduces the risk that exempt material may be inadvertently made public through being broadcast. The original, public, call can be left open and can continue to broadcast (with an appropriate slide to notify viewers that the committee or body is in private session), so the Chair and other participants can return to formally close the meeting, or further business. This will allow relevant authorities to make clear to observers what is happening, and why.

Information provided to participants covering exempt matters should be dealt with in the same way as it would be for physical meetings. Bearing in mind that information will now be managed electronically by default under the notice and agenda arrangements highlighted above, relevant authorities may want to ensure that more prominent warnings be placed on exempt material, or whether a different colour can be applied to the background of such material to reflect the fact that, in hard copy, exempt material is usually printed on different colour paper for this reason. In doing so, relevant authorities will need to think about the accessibility needs of participants (around colour contrasts, for example).

Innovation in how agendas and paperwork are produced and presented

The removal of the general requirement to provide information in hard copy by default invites the possibility for more innovation and creativity. This is not innovation for its own sake, but innovation designed to better engage the public in the work of relevant authorities. Local people will be able to follow and track the way that discussions are had, and decisions made, entirely online. The removal of hard copy notices will allow relevant authorities to experiment with the use of technology to make navigating the decision-making process, in particular, easier.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

Relevant authorities may wish to consider how information might be made more accessible through creative use of committee content management systems to present information differently for example, by moving away from the production of “agenda report packs” as a single PDF and towards the use of more accessible files, and file formats, which help both councillors, other meeting participants and members of the public to engage in formal business. This may include thinking about the way that minutes are drafted and presented, providing links to the substantive reports discussed, and also with the relevant section of the recording or broadcast of the meeting.

Hard copy archiving

Relevant authorities should however consider the needs of archiving. It is common practice that councils (and other relevant authorities) retain and bind, or otherwise store for historical purposes, hard copies of the records of formal proceedings of the authority. There is an obligation that formal information be retained for a period of 6 years although it is considered good practice to do so in perpetuity.

Archiving is likely to be possible and necessary for electronic documentation agendas, reports, minutes, background papers and other information important for researchers, historians or others to understand how decisions have come to be made. Relevant authorities will need to think about how they build systems to make sure that material produced predominantly, or entirely, electronically will be archived.

Meeting attendance

Multi-location meetings provide additional challenges in terms of meeting attendance. It is important for the integrity of voting procedures and attendance records that expectations and procedures are clear.

Meeting arrangements and/or the meetings policy should make clear when a

participant is considered to be “present”. There are a variety of circumstances in which this might become an issue for example, in the taking of votes. Meeting arrangements may not engage with the detail of these issues (and others) because not all circumstances can be anticipated in advance. Local determination is important here.

Instead, the Monitoring Officer and/or governance officer in attendance at a meeting should be able to use agreed principles to provide a Chair with consistent advice over whether a participant should or should not be regarded as “present”.

This is particularly important for the taking of votes but is also relevant for participation in meetings more generally. It is likely also to have salience if the need to determine if a member has been present at a meeting is relevant for the purpose of determining whether they have attended a council meeting in the past six months (s85, Local Government Act 1972).

Particular circumstances might include:

- connection problems: the connection may drop, making it difficult for some participants to follow debate and discussion. It may also disrupt a broadcast feed. A loss of connection may not be immediately apparent to others present. Certain committees or bodies may resolve matters through a general expression of consent rather than a roll call vote, meaning that some participants may lose the opportunity to express disagreement under these circumstances
- participants in meetings joining by remote means by video may seek to disable video to stabilise their connection or because they have been temporarily interrupted by events at their location it may be unclear whether some participants are present or not. Relevant authorities will need to think about whether the requirement to be both seen and heard, for most meetings, allows for brief, temporary interruption like this
- where a participant is in the “waiting room” on an online platform. Here, participants will probably not be considered “present” as they cannot be seen and heard by others, cannot see and hear others (other than through a

broadcast stream) and can play no active part in the meeting. The same may apply to participants who are only watching the broadcast feed as an observer

This list is provided as an illustration; individual authorities will need to make the decisions on these points that are right for them, and which they are confident both meet the needs of the law and the needs and expectations of local people in how local democracy is transacted.

Relevant authorities may decide that an officer could check to ensure ongoing presence at a meeting by requiring members to confirm their presence in the meeting chat at the beginning of each substantive item, as we suggested in [support during meetings](#). This could also provide a way to check presence in advance of a vote, as we suggest in [the taking of votes](#).

The withdrawal of members with a prejudicial interest

Where a participant has declared a prejudicial interest in an item they will be required to leave the meeting for the duration of the relevant item. The nature of an interest and whether or not it is prejudicial will be for an authority and its Monitoring Officer to decide.

For a physical meeting it is usual practice for a participant declaring such an interest to leave the room entirely while discussion is underway, as the mere act of ongoing presence of that individual could be seen as influencing the authority's action.

Where a participant is joining by remote means, and has declared a prejudicial interest, they should leave or be removed for the duration of consideration of that item. Other participants should however be aware that the participant will be able to observe the broadcast of the meeting while outside. Relevant authorities may seek to include in their policies and meeting arrangements a requirement that participants with prejudicial interests undertake not to observe a broadcast for the reasons set out above, although we note that there is no definitive way to

police this requirement and it may be seen as overly restrictive.

Once the matter has been concluded the clerk or support officer to the committee should immediately notify the relevant participant so that they can re-join the meeting, and the meeting should not continue until they have re-joined (otherwise they should be marked as not present for any further items).

Support during meetings

Support and advice will usually need to be provided to the participants of multi-location meetings, usually relating to matters of procedure. Participants (especially the Chair of the meeting) will need to find an appropriate way to seek and obtain this advice to ensure the smooth running of the meeting.

Online platforms used by relevant authorities to convene multi-location meetings will usually have a chat function. The chat function will provide a useful way for advice to be shared and the business of the meeting to be managed, but its use can be open to misunderstanding.

Meeting policies should explain how this function will be used and the status in terms of meeting records. Some relevant authorities may think it sensible to ban use of the chat function outright, either in all meetings or in some, specified, meetings.

Pros of chat functions

Allows advice to be given by governance officers without disrupting the meeting.

Allows the Chair to “cue up” and acknowledge requests by committee members to contribute without disrupting the flow of questioning.

Allows members to generally express assent or agreement with another participant, or with a proposal to resolve a given issue, in a manner which gives

the Chair confidence to proceed (although the fact that consent has been given in this way would need to be verbally acknowledged by the Chair in the interests of transparency).

Allows the Chair or clerk to check whether a particular member is still “present”, as we outline in [the taking of votes](#).

Cons of chat functions

Can be seen as undermining the transparency of the meeting.

Can risk participants becoming distracted.

Risk that participants use the chat for personal communication, and that this communication becomes inadvertently visible to other participants and to the public.

Risk that chat will involve conversation about the matters under discussion without that discussion being visible to others, or recorded properly. Multi-location meetings policies may need to decide on the status of material recorded in the chat, and whether it can be used by the clerk to assist in the preparation of minutes.

Risk that the chat becomes a place for general chit-chat

The chat function will usually need to be limited to participants and the governance officer but participants should treat conversations in chat as if they are happening in public.

Participants may decide to use WhatsApp or other messaging platforms to communicate over the course of the meeting. These platforms are not in the control of the authority; care should be taken in how they are used. For example, in the case of principal councils, if used within a political group, certain uses of WhatsApp could be seen as coming into conflict with the ban on the use of political management (whipping) at scrutiny committees.

Officer support arrangements

Different meetings will require different kinds of support from governance officers, and others. In the short term, as relevant authorities adapt to multi-location meetings (and, in particular, adapt to meetings where some may join through remote means and some physically) it may be necessary to think about the need for additional support. In due course, familiarity and confidence with new systems (and training and development for both officers and participants) will reduce this need.

Multi-location meeting policies will need to specify the kind, and level, of support necessary for specific meetings, and the circumstances where support can be provided by remote means and where officers might need to be physically present.

Supporting participants to be able to take an active part in the meeting

Meetings viewed live and available to view later maybe watched by a large audience and carefully scrutinised by the public including via social media. It is important that these meetings demonstrate good governance and high standards of conduct.

Meeting policies will need to take account of the need for good conduct and high standards of behaviour. These policies will need to be drafted to closely align with other constitutional provisions on these matters, such as the Code of Conduct.

Principles of good conduct apply to meetings of any kind. However, there will be some issues that are especially relevant for multi-location meetings.

The issues below are especially important:

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- people being clear about their roles and the roles that others are playing, either as participants or observers. We cover more on this in the section below;
- recognising that meeting remotely (and where some, but not all, participants are remote attendees) requires a different approach to the agenda and to behaviour than a meeting in person
- the need to think carefully about and plan for how everyone involved in the meeting will be able to actively contribute
- having a clear focus on the actual outcome of the meeting

Participants are likely to understand that formal meetings can often be “performative” people in a formal meeting behave differently from the way that they would otherwise behave, even if there is no audience. People’s physical presence in the same space has a significant impact on behaviour. Behaviour which might seem normal when everyone is in the council chamber, heckling, applause, the raising of points of order and so on, may feel odd and unusual when all or most people are joining through remote means. Participants in multi-location meetings during 2020 have talked about the “atmosphere” of multi-location meetings being different.

Behaviours in different types of meetings are likely to differ. Decision-making committees will look and feel different to audit or oversight committees, which will feel different from a principal council’s planning and licensing committees. Understanding these differing behaviours will help to inform how multi-location meeting policies are developed, and how they connect to policies around conduct and standards.

This is not just about conduct and behaviour in the narrow sense of the word, but about a shift in mindset about how much work it is possible to do in a multi-location meeting, and how multi-location meetings might help us to plan and carry out work differently.

Research carried out by the Centre for Governance and Scrutiny in 2020, and further evidence carried out in preparation for the production of this guidance, highlights the need for a shift in mindset associated with meetings where people

join from multiple locations.

- It may be necessary to plan to do less. Meetings where some or all participants join through remote means can run as smoothly as in-person meetings, but not everyone is equally familiar with and comfortable with what remains a new way of working. Planning work programmes accordingly will be important.
- Invest in preparation. Later in this guidance we highlight how Chairs may need to carry out planning to understand better what other participants might want to get out of a meeting. This is probably a good habit for all meetings, but will be especially relevant for multi-location ones.

Behaviour, and expectations, around meetings and how business is carried out in those meetings are crucially important in making those meetings effective. Participants in multi-location meetings and others involved in managing and supporting these meetings will have become adept at organising such meetings during the pandemic. The drafting of meeting arrangements and policies provides an opportunity to reflect on how an understanding of behavioural factors needs to be woven into these systems as they reach maturity.

Positive behaviours are also about confidence, which will come from participants being properly supported to play an active and productive role in the meetings in which they are due to take part. Relevant authorities will already have a sense of the support needs of meeting participants, but establishing permanent arrangements for multi-location meetings provides an opportunity to revisit those existing assumptions.

Some of the relevant issues are listed below. These are reproduced, in an amended form, from WLGA guidance issued in early 2020.

- Ensuring that participants have access to appropriate equipment. As a default a desktop PC or laptop with access to a stable broadband connection will be the best way to engage. Participants will need a camera (if they don't have a laptop with an integrated camera) and ideally should use headphones to avoid background noise. Relevant authorities should provide

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

participants who are members of the authority with appropriate equipment if they do not have access to it;

- ensuring that participants can troubleshoot basic technical problems before or during a meeting, ensuring that they know how to mute and unmute themselves, to activate and disable video, to check their internet connection and so on. There may also be a need to ensure that ICT staff or others are on hand to deal with more serious technical issues
- ensuring that participants know how to use the raise, and lower, hand feature, as well as etiquette around muting and unmuting when speaking the “raise hand” feature may not be usable for those joining on mobile or on a tablet and alternatives may therefore need to be available
- use of the chat function, WhatsApp or other messaging platforms. This is covered in more detail in [support during meetings](#)
- ensuring that names displayed are consistent and accurate, with the role of the individual clearly identified: e.g. “Cllr John Williams Committee Member” instead of “John’s iPhone” or “jw10881”
- ensuring that equipment being used has enough charge or is plugged into the mains
- ensuring that participants can view papers easily (we discussed the preparation and presentation of paperwork in more detail in [notices, agendas, reports and providing for exempt matters](#); this may include (for example) advice being given to participants on the window snapping function on a [Windows device](#)
- the need for participants to check the environment around them before joining a meeting checking lighting (recognising the daytime lighting conditions may change over the course of a meeting), background (ensuring that backgrounds are relatively neutral and do not involve the inadvertent display of personal information, the council may provide a corporate background or participants may choose to blur their background) and any visual distractions or noise, with mobiles and onscreen notifications set to silent
- the need to check personal appearance, formal attire is probably not required but members should probably wear the kind of clothing they would wear if physically present at a meeting

- arrangements for preparation, joining the meeting 15 minutes before it is due to start and checking audio and video arrangements
- participants assuming that, for a meeting that is planned to be broadcast, the meeting is being recorded and broadcast for the total time they are on the call

Supporting observers (including the public) to access and participate in the meeting

While the potential for bigger audiences provides new opportunities for participation, multi-location meetings must ensure arrangements are made for the public to participate via questions and presentations, for example. The presentation of multi-location meetings should also take into account public presence as an audience in new ways.

The broadcast of meetings will make them more accessible generally but councils will still need to think of the needs of both observers and participants. This may include:

- the physical layout of rooms, which will be affected by the requirements around visibility of those joining through remote means
- how participants joining through remote means will be displayed on a screen or screens in a physical location

Ensuring that observers (including the public) feel welcome

Councils have found over the course of 2020 that the universal use of multi-location meetings has resulted in a significant increase in the number of people viewing meetings.

Generally speaking meetings of relevant authorities will be meetings taking place in public rather than “public meetings”. Members of the public will not have

an automatic right to address committees or other bodies although provision may be made in the constitution for them to do so, in which case observers can become participants.

There will be instances where those people who would otherwise be observers will need to join a meeting as an active participant. This may include:

- those presenting petitions or deputations
- those asking public questions
- people giving evidence (for example, to scrutiny committees)
- applicants on regulatory matters (planning and licensing)
- parties to quasi-judicial matters

Where individuals are members of the public the Chair or an officer will need to make arrangements to ensure that they can join to participate and that they are supported in doing so.

Meeting policies may need to make particular provision for this.

Making sure that members of the public feel supported when participating through remote means

At a physical meeting, an officer might have an opportunity to speak quietly to a person beforehand to allay any nerves, and to ensure that a person is satisfied with the experience after they have contributed. In a multi-location meeting these “soft” opportunities for conversation and reassurance may not naturally exist. Individuals may find themselves, joining from their own home, on a public call with 50 strangers, being expected to contribute coherently, and then removed from the call without ceremony when the item reaches its conclusion. Clearly, this is not ideal. Relevant authorities may wish to explore how members of the public joining meetings in this way can be best supported.

Formal meetings which are also public meetings

It is common for some types of authorities to convene formal meetings which are designed to actively involve the public in proceedings.

These meetings might legally be formal meetings but they may have a different character and atmosphere. Relevant authorities should not avoid holding these kinds of meetings because they think that managing them as multi-location meetings will be complex. This also goes for meetings held in places in the community other than an authority's normal premises, where the presence of technology for broadcast and display may not be immediately present.

Meeting arrangements may make particular reference to and provision for these kinds of meetings.

Providing for protest and dissent

Relevant authorities may also need to consider how opportunities for public protest and dissent might be provided for in multi-location meetings.

Protest can be inconvenient (and disruptive), but it also reflects a vital public right. Where relevant authorities propose to carry out business by way of multi-location meetings as the norm, and particularly where little to no business for certain bodies may be carried out in person, this feature of the local democratic landscape could be at risk; meeting arrangements should take account of this factor. It will not be appropriate for an authority to decide that it will convene a meeting entirely remotely (with no business being carried out in person) if the principal reason for doing so is because it will eliminate the risk of embarrassment to the authority of a visible, public protest in the vicinity of the meeting.

It is, however, proper for a council to decide that it will convene all meetings so that they can only be accessed through remote means, as long as the

accessibility and equality implications of this decision are understood, and as long as the discretion of the authority to make exceptions to these arrangements in particular cases is not fettered.

We noted in [taking different approaches for meetings](#) the need to make physical arrangements for certain meetings, even those where most participants may be joining through remote means. This may also provide the opportunity for public protest, which could take place in a public gallery, and made visible to those participating through remote means.

This would allow for a protest to be streamed into a meeting otherwise taking place in multiple locations, and could ensure that people protesting in this way feel that their voice has been heard.

Supporting broadcast by members of the public

Members of the public or the press may wish to film for immediate or future broadcast some or all of a meeting.

In the case of multi-location meetings where most or all participants are in the same location, this may involve the separate recording of a broadcast stream for editing and broadcast later.

For meetings where some or all participants attend physically, with physical arrangements made for observers, members of the public and members of the press may wish to use their own equipment for recording and broadcast.

Relevant authorities may wish to engage with the local press, and to invite views from the public, as to how their meeting arrangements and policies should take account of the requirement to provide access for this purpose. The way that this works is likely to be different from how councils may have supported this activity when meetings were “all-physical”. This may involve:

- ensuring that the layout of a room is designed to support video recording (by

providing a space from which people might film proceedings without visual obstruction, for example)

- ensuring that amplification arrangements in a committee room allow proceedings to be adequately recorded by an external microphone, or providing a way for members of the public carrying out recording to take the broadcast audio feed, where relevant
- arrangements for shots of the room which include members of the public and others in the audience. Committee meetings occur in public and those attending do not have an automatic expectation of privacy or the right to object to recording, but there may be circumstances in which councils want to think about how they will ensure that those carrying out recording are focusing on the formal proceedings
- authorities will have to comply with UK data protection legislation and their own data protection policies in relation to the processing of any recording of meetings that are made. Data protection can be a complex area of law, and it is recommended that the authority consults its data protection officer to ensure compliance
- arrangements for video and audio recording of the recorder's own narrative and of two-way interviews with participants within the committee room; members of the press in particular may want to film interviews, pieces to camera and establishing shots of the space in which the meeting takes place, and arrangements should be in place to support this before and after the meeting, and to ensure that those attending are aware that this may be happening

This is not an exhaustive list.

Chairing meetings

Chairing a multi-location meeting is very different to chairing a face-to-face meeting. Chairs will need to be supported to carry out their role in specific ways. The job of the Chair will be a particular challenge where a meeting is being carried out in a physical space with only some participants joining through remote means.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

The following general principles for chairing meetings in this context are reproduced and amended, from WLGA guidance issued in spring 2020, and incorporate guidance produced by the Centre for Governance and Scrutiny for both English and Welsh councils at the same time.

Chairs have a particular responsibility to prepare for the meeting, probably in a more planned and directed way than might be necessary for a physical meeting. This may involve the Chair consulting with officers, and other committee members, to determine:

- what the meeting is about, and the possible purpose and outcomes for every item on that meeting's agenda
- what information and paperwork will need to be made available in order for these outcomes to be delivered
- where councillors or other meeting participants will want to contribute and where and how public participation might need to be facilitated
- where these people might need particular support in order to participate in the way that they want

Chairs will also need to engage with all participants (which may include external witnesses and members of the public or others with a role to play) to ensure that their role and means of involvement are well understood. This is covered in more detail in [supporting observers \(including the public\) to access and participate in the meeting](#).

Chairs should:

- think about the accessibility of the meeting to the public, and whether there are any things they can do that will ensure that public observers are welcomed and that business is explained in a way that is understandable, including the operation of the multi-location meeting itself
- ensure that they are prepared for the meeting in a logistical sense by being aware of which members and other participants may be joining by remote means. If the Chair themselves is joining by remote means while some other participants are present in a committee room particular steps will need to be

taken to prepare, which are set out **in taking different approaches for meetings**

- ensure before the start of the meeting that everyone is able to access the meeting, and that everyone is able to both see and hear each other (where the law requires it for specific meetings) or hear each other (for other formal meetings)
- provide a reminder of meeting arrangements and policies, particularly relating to conduct and behaviour, including some of the material set out in **supporting participants to be able to take an active part in the meeting**. This may (depending on the meeting) involve advice on voting arrangements
- at the beginning of the meeting, introduce themselves, the committee, officers present and other participants to ensure that those watching or listening to a broadcast are aware who is who
- to avoid people speaking over each other or long silences, ask each member in turn for their contribution to an item, based on an understanding of what members wish to contribute (as we explore further in **supporting participants to be able to take an active part in the meeting**)
- check occasionally through the meeting that no one has been ‘lost’ due to technical issues, and provide support to councillors experiencing challenges in this Chairs may need the support of support officers
- pay more attention than usual to framing the meeting with reminders of the purpose of each agenda item and summarising decisions and actions for each item and again at the end of the meeting
- check at the end of each agenda item that all members are content that they have been able to contribute, and ensure that agreed voting arrangements are followed where relevant

The “balance” between individuals in a room, and those joining by remote means, will have a significant effect on how business will be transacted. This links back to the points we made in the earlier section on conduct and behaviour. Chairs and their support officers are likely to need to know ahead of time which members to attend physically and which may join by remote means. For meetings with a mix of arrangements, particularly if the Chair themselves will be joining by remote means, planning is likely to be necessary. This may include:

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

- understanding the motivations and objectives of individual participants on specific agendas items, and having a sense of what they may want to say and ask
- identifying how a support officer or other member may bring their attention to a member wishing to make a comment through remote means or in the committee room (it will otherwise be challenging for a Chair to maintain awareness of those in the room as well as those joining remotely)
- planning debate to be themed or otherwise structured rather than inviting comments generally, to ensure that all participants have an opportunity to contribute
- briefing witnesses on expectations
- ensuring that reports reflect the above sets of circumstances

This kind of planning will benefit any meeting, not just those with a mix of in-person and remote attendance.

The taking of votes

Multi-location meetings provide additional challenges in terms of capturing votes. Chosen options will depend on the chosen platform and local preferences.

Participants in a formal meeting may decide to do something through general consent, or through a recorded vote. Immediately before the vote the Chair will need to determine that all members of the body continue to be “present”, as we set out in [meeting attendance](#).

There are a number of different options when it comes to recording votes:

- a verbal roll call of those participants entitled to vote (“voters”). Particularly for full Councils, this process has been found to be the most rigorous but can be very time consuming, especially if amendments to motions are put to the vote
- using the ‘raise hand’ function, although this is subject to misinterpretation and human error

- responses via the chat
- dedicated voting software incorporated into the platform

The authority will want to ensure that:

- all voters have the same opportunity to vote
- all voters vote through the same process. In some council chambers, facilities for the taking and recording of votes may be present, but those joining through remote means may not be able to participate in the use of this in-situ technology. Relevant authorities with this technology will need to think carefully about whether, and how, such facilities might extend into the remote space, or how systems used for remote voting might extend into the physical space
- a suitable record of the vote is captured by the appropriate officer and is confirmed in a way that is understandable to those observing the meeting

Bodies reaching resolutions without a vote

It is common that committees or other bodies may resolve to take certain action without a vote being recorded. In person, the Chair is able to get a sense of whether consensus exists by looking around the room. Those present have the opportunity to object and to press for a vote, depending on the authority's standing orders.

Where participants are joining through remote means (and particularly where some members join through remote means and some are present physically) the Chair will need to take special care to ensure that consent is present to move on without a vote.

Training, peer support and good practice sharing

The arrangements for multi-location meetings will continue to evolve. This makes it particularly important to ensure that councillors and officers have

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

access to good quality training, peer support and good practice sharing.

Those participating in multi-location meetings and those expecting to participate should be offered initial, and top-up, training, development and support to ensure an understanding of these issues. This is not the same as training to support the technical use of ICT equipment.

This document may not be fully accessible.

For more information refer to our [accessibility statement](#).

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/statutory-and-non-statutory-guidance-democracy-within-principal-councils-contents> for the latest version.

Get [information on copyright](#).

This page is intentionally left blank

14th March 2024 Governance and Audit Committee Forward Work Programme

Standing Items:

Regulatory & Inspectorate Reports & Council Responses
 Internal Audit Progress Reports
 AGS Progress Report
 Corporate Risk Register
 Forward Work Programme
 GAC Meeting Actions Log
 Complaints Reports
 Performance Reports

Additional items for consideration

11 June 2024	Governance & Audit Committee Annual Report 2023-24 Internal Audit Progress Report – Q4 Internal Audit Management Actions Report Internal Audit Annual Report Internal Audit Annual Counter Fraud Report 2023-2024 Internal Audit National Fraud Initiative Self-Assessment WG Statutory guidance update – AGS Corporate Risk Register – Q4	Katy Sinnett-Jones Alex Jenkins Alex Jenkins Alex Jenkins Alex Jenkins Alex Jenkins Elin Prysor Alun Williams
25 September 2024	Self-Assessment of good practice and evaluating effectiveness of Governance and Audit Committee Internal Audit Progress Report – Q1 Internal Audit Self-Assessment 2023-2024 Corporate Risk Register – Q1 Annual Compliments, Complaints and FOI Report Ceredigion County Council Draft Self-Assessment Mid-term Report on Property, Plant and Equipment valuations	Katy Sinnett-Jones Alex Jenkins Alex Jenkins Alun Williams Marie-Neige Hadfield Rob Starr Duncan Hall
28 November 2024	Annual Financial Statement only (to include AGS)	Duncan Hall
29 January 2025	Annual Governance Statement 2023-24 Governance Framework Internal Audit Progress Report – Q2 Internal Audit Management Actions Report Internal Audit Charter Internal Audit National Fraud Initiative Self-Appraisal Corporate Risk Register – Q2	Katy Sinnett-Jones Katy Sinnett-Jones Alex Jenkins Alex Jenkins Alex Jenkins Alex Jenkins Alun Williams
26 March 2025	Draft Annual Governance Statement 2024-25 Corporate Governance Framework Review Internal Audit Progress Report – Q3 Internal Audit Strategy and Plan 2024-2025 Internal Audit Report – Governance Framework Review 2023/2024	Katy Sinnett-Jones Katy Sinnett-Jones Alex Jenkins Alex Jenkins Alex Jenkins

	Internal Audit National Fraud Initiative Self-Assessment	Alex Jenkins
	Corporate Risk Register – Q3	Alun Williams