

Cyngor Sir CEREDIGION County Council

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| REPORT TO: | Governance and Audit Committee |
| DATE: | 27/09/2023 |
| LOCATION: | Remotely by Video Conference |
| TITLE: | Ceredigion County Council Responses to Regulator & Inspectorate Reports |
| PURPOSE OF REPORT: | To provide the Governance and Audit Committee with the Council's responses to Regulator and Inspectorate Reports |
| For: | Decision |

Introduction

This Report sets out the Council's responses regarding Regulator and Inspectorate Reports and progress made regarding proposals and recommendations.

This Report has 2 parts:

- a) Council tracker of Regulator/Inspectorate proposals for improvement and recommendations; and*
- b) Other Council related matters.*

Current Position

a) Council tracker of Regulator/Inspectorate proposals for improvement and recommendations

- Council Management Response Forms 2020-2021 & 2021-2022 Update:
 - Appendix 1 - Audit Wales – Equality Impact Assessments: More than a tick box exercise?
 - Appendix 2 - Audit Wales – Springing Forward – Review of Strategic Workforce Management
 - Audit Wales – 'Raising our Game' Tackling Fraud in Wales – update due 2024
- Council Management Response Forms 2022-23:
 - Appendix 3 - Audit Wales – Cracks in the Foundations – Building Safety in Wales
 - Appendix 4 - Audit Wales - Planning Service follow up review
 - Appendix 5 - Setting of Well-being Objectives

b) Other Council related matters

RECOMMENDATIONS: To consider the Council's responses to Regulator and Inspectorate Reports

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

Appendices:

- Appendix 1** Audit Wales – Equality Impact Assessments: More than a tick box exercise?
- Appendix 2** Audit Wales – Springing Forward – Review of Strategic Workforce Management
- Appendix 3** Audit Wales – Cracks in the Foundations – Building Safety in Wales
- Appendix 4** Audit Wales - Planning Service follow up review
- Appendix 5** Setting of Well-being Objectives

Contact Name: Elin Prysor

Designation: Corporate Lead Officer: Legal & Governance & Monitoring Officer

Date of Report: 06/09/2023

Council Response Form

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

Council: Ceredigion County Council

Report title: Equality Impact Assessments: more than a tick box exercise?

Issue date: September 2022

Document reference:

| Ref | Recommendation | Council action planned in response to recommendation issued by Audit Wales | Target date for completion of actions | Responsible officer |
|-----|--|---|---------------------------------------|---------------------|
| R1 | <p>Clarifying the scope of the duty to impact assess policies and practices</p> <p>There is scope for confusion about which type of policies and practices must be subject to an assessment for their impact on the public sector equality duty. The Welsh Government should clarify its interpretation of the duty, including whether and how it expects public bodies to apply any</p> | Not applicable as this recommendation is for Welsh Government, not the Local Authority. | | |

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| | test of proportionality and relevance. | | | |
| R2 | <p>Building a picture of what good integrated impact assessment looks like</p> <p>Many public bodies carry out integrated impact assessments that include consideration of the PSED alongside other duties. But practice is inconsistent and often involved collating multiple assessments in one place, rather than being truly integrated, to help maximise the intended benefits of integrated impact assessments, the Welsh Government should work with key stakeholders with an interest in the areas commonly covered by integrated impact assessments and those with lived experiences, to share learning and work towards a shared understanding of what good looks like for an integrated impact assessment.</p> | Not applicable as this recommendation is for Welsh Government, not the Local Authority. | | |

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| R3 | <p>Applying the equality duties to collaborative public bodies and partnerships</p> <p>The public sector landscape has changed since the introduction of the PSED and the Welsh specific duties, with an increasing focus on collaborative planning and delivery. The Welsh Government should review whether it needs to update the Wales specific regulations to cover a wider range of collaborative and partnership arrangements. These include public services boards, regional partnership boards and other service specific partnerships.</p> | <p>Not applicable as this recommendation is for Welsh Government, not the Local Authority.</p> | | |
| R4 | <p>Reviewing public bodies' current approach for conducting EIAs</p> <p>While there are examples of good practice related to distinct stages of the EIA process, all public bodies have lessons to learn about their overall approach. Public bodies</p> | <p>Our current IIA template is structured around the seven National Well-being goals. The equalities section is completed as part of the goal to create a 'more equal Wales'.</p> <p>We have reviewed our IIA tool and used the findings from the Audit Wales report and Welsh Government's review of their guidance to inform the process. As a result, the format of the template has been revised and</p> | March 2024 | Alun Williams |

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| | <p>should review their overall approach to EIAs considering the findings of this report and the detailed guidance available from the EHRC and the Practice Hub. We recognise that developments in response to our other recommendations and the Welsh Government’s review of the PSED Wales specific regulations may have implications for current guidance in due course.</p> | <p>additional guidance tips and background information have been included in order to ease the process of completing the IIA.</p> <p>The revised IIA tool will be presented for Scrutiny at the beginning of September before going to Cabinet in October.</p> <p>Ceredigion County Council has joined the Equality and Human Rights Exchange network and refers regularly to the Practice Hub to ensure continued improvement of our practice.</p> | | |

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 |

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| | <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 Dec 2023.</p> <p>March 2023 – drafting and approval of Strategic Workforce Plan 2022 – 2027 Workforce Plan 2023 -2028 completed July 2023. Cabinet consideration in Sept 2023.</p> <p>March 2023 – Skills competency framework development and assessment Included in Strategic Workforce Plan. Revised target date March 2024</p> | |
| R2 | Benchmarking | <ul style="list-style-type: none"> The Council will review its current benchmarking measures and use of | March 2023 | Geraint Edwards |

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| | The Council should undertake more routine workforce benchmarking to strengthen its business planning and self-assessment arrangements | data to inform the preparation of plans and provide a framework for improving future self-assessment arrangements. | Working with regional LAs to identify sector-wide benchmarking. Revised target date December 2023. | |

Council Response Form

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

Council: Ceredigion County Council

Report title: 'Cracks in the Foundations' – Building Safety in Wales

Issue date: August 2023

Document reference:

| Ref | Recommendation | Council action planned in response to recommendation issued by Audit Wales | Target date for completion of actions | Responsible officer |
|-----|--|---|---------------------------------------|---------------------|
| R1 | <p>The Welsh Government should provide greater clarity on the implementation and expectations of the Building Safety Act to ensure local authorities are able to deliver their new responsibilities and duties. This should include:</p> <ul style="list-style-type: none"> • clarifying the detailed requirements for competency and registration to enable local authorities to plan for these changes; | Not applicable as this recommendation is for Welsh Government, not the Local Authority. | N/A | N/A |

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| | <ul style="list-style-type: none"> • a specific timetable for development and adoption of Welsh guidance to ensure local authorities and others can deliver their duties; and • the Welsh Government should work with key stakeholders, such as LABC Cymru, to support understanding and implementation when guidance is issued. | | | |
| R2 | The Welsh Government should ensure that it has sufficient resources to deliver the legislative and policy changes for Building Safety to reduce implementation risks. | Not applicable as this recommendation is for Welsh Government, not the Local Authority. | N/A | N/A |
| R3 | The Welsh Government should review the mixed market approach to building control and conclude whether it | Not applicable as this recommendation is for Welsh Government, not the Local Authority. | N/A | N/A |

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|-----------|--|--|---------------------------------------|---------------------|
| | <p>continues to be appropriate and effective in keeping buildings in Wales safe. This should:</p> <ul style="list-style-type: none"> • assess the status quo against potential changes, such as the model of delivery in Scotland; • be framed around a SWOT analysis of costs, benefits, threats, and risks; • draw on existing research to identify good practice; <p>and</p> <ul style="list-style-type: none"> • be published and agree a way forward. | | | |
| R4 | <p>The Welsh Government should increase its oversight and management of the building control sector to ensure there is a robust assurance system in place for building control and safety by:</p> <ul style="list-style-type: none"> • creating a national performance framework with clear | <p>Not applicable as this recommendation is for Welsh Government, not the Local Authority.</p> | N/A | N/A |

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| | <p>service standards to promote consistency of service.</p> <p>This should also include outcome measures to monitor performance and an evaluation and reporting framework for scrutiny.</p> <ul style="list-style-type: none"> • developing a national building safety workforce plan to address the most significant risks facing the sector. This should include regular data collection and publication, as well as coverage of priorities, such as: <ul style="list-style-type: none"> - a greater focus on trainees to mitigate succession risks; - establishing aligned, national job roles matched to competency levels; - increasing the diversity of the sector to ensure it reflects modern Wales; and | | | |

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| | <p>- specific funding to enable surveyors to obtain and maintain competence should also be considered.</p> <ul style="list-style-type: none"> • the Welsh Government should explore with the further education sector how best to provide building control training in Wales to support succession planning, skills development, and competency. | | | |
| R5 | <p>Local authorities should develop local action plans that articulate a clear vision for building control to be able to plan effectively to implement the requirements of the Act.</p> <p>The Plans should:</p> <ul style="list-style-type: none"> • be based on an assessment of local risks and include mitigation actions; • set out how building control services will be resourced to deliver all their statutory responsibilities; | | | |

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| | <ul style="list-style-type: none"> • illustrate the key role of building control in ensuring safe buildings and be linked to well-being objectives and other corporate objectives; and • include outcome measures that are focused on all building control services, not just dangerous structures. | | | |
| R6 | <p>Local authorities should urgently review their financial management of building control and ensure they are fully complying with Regulations. This should include:</p> <ul style="list-style-type: none"> • establishing a timetable of regular fee reviews to ensure charges reflect the cost of services and comply with the Regulations; • annually reporting and publishing financial performance in line with the Regulations; | | | |

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| | <ul style="list-style-type: none"> • ensuring relevant staff are provided with training to ensure they apply the Regulations and interpret financial reporting correctly; and • revise fees to ensure services are charged for in accordance with the Regulations. | | | |
| R7 | <p>Local authorities should work with partners to make better use of limited resources by exploring the potential for collaboration and regionalisation to strengthen resilience through a cost benefit analysis of partnering with neighbouring authorities, establishing joint ventures and/or adopting a regional model where beneficial.</p> | | | |
| R8 | <p>Local authorities should review risk management processes to ensure that risks are systematically</p> | <p>The Council conducts a 3-yearly review of its Risk Management Policy, Strategy and Framework to ensure they are up to date and reflect best practice. The latest review was</p> | December 2023 | Rob Starr |

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| | identified, recorded, assessed, mitigated and subject to regular evaluation and scrutiny. | <p>recently conducted and the updated drafts of the Policy, Strategy and Framework are being consulted on with key stakeholders between July and August, before going through the democratic process in the autumn. The Risk Management Policy and Strategy provides a comprehensive framework and process designed to support Members and Officers in ensuring that the Council is able to discharge its risk management responsibilities fully. This includes a standard approach to identifying, assessing and responding to risks. The Corporate Risk Register is evaluated on an ongoing basis by Leadership Group and quarterly by the Governance and Audit Committee. The updated documents include strengthened monitoring of service risks, clarification of roles and responsibilities and further guidance on the escalation/de-escalation of risks. Ceredigion County Council recognises that a proactive approach to risk management is a vital aspect to achieving its vision and improving</p> | | |

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| | | <p>the well-being of its communities and residents.</p> <p>Action: Publish updated Risk Management Policy, Strategy and Framework.</p> | | |

Organisational response

Report title: Planning Service Follow-up Review – Ceredigion County Council

Completion date: June 2023

Document reference: 3660A2023

| 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 | Progress the partially met and not met recommendations in our 2021 Planning Services report in order that they are fully addressed and culturally embedded within the Council. | <p>The Council will re-establish a Task and Finish Group (T&F group) to review actions and new recommendations raised in the report.</p> <p>The T&F Group will be supported by officers from the Development Management team, the Planning Policy team, Legal & Governance Services and Democratic Services.</p> | End of March 2024 | CLO Economy and Regeneration |
| R2 | Develop and implement a formal arrangement to review and approve the material planning reasons provided by local ward Members when calling a planning application into the Development Management Committee to ensure Members and staff are safeguarded and that the Committee focusses its time on more strategically important applications. | <p>The T&F group to review the current arrangements for considering requests for applications to be reported to the Development Management Committee (DMC).</p> <p>The review will consider the number, type of applications and reasons given by Members for requesting applications are considered by the DMC and the subsequent nature of discussion at the DMC.</p> <p>The T&F Group will be supported by officers from the Development Management team, the Planning Policy team, Legal & Governance Services and Democratic Services.</p> | End of March 2024 | CLO Economy and Regeneration |

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|----|--|---|-------------------|------------------------------|
| R3 | <p>Review the Site Inspection Panel practices and procedures to safeguard against any perception of pre-determination by a small group of Committee</p> <p>Members to ensure:</p> <ul style="list-style-type: none"> • all Committee Members are invited to site visits; • site visits are by exception, comply with Site Inspection Protocols and are used economically to ensure an efficient and proportionate use of resources; and • site visits are identified in advance of Development Management Committee meetings in line with the Welsh Government Development Management Manual. | <p>The T&F group) to review the Site Inspection Panel (SIP) arrangements.</p> <p>The review will consider the number and type of applications being referred to SIP, the nature of the visit and subsequent discussion at DMC.</p> <p>The T&F Group will be supported by officers from the Development Management team (DM), Legal & Governance Services (L&G) and Democratic Services (DS).</p> | End of March 2024 | CLO Economy and Regeneration |
| R4 | <p>Repurpose the way the Cooling Off Group works in practice so that it upholds its intended purpose as a learning and educational forum for Members to receive further information on local and national planning policies to support Development Management Committee decision-making. This will safeguard Members and officers against any perception of pre-determination by a small group of Committee Members.</p> | <p>The T&F group to review the current Cooling Off arrangement.</p> <p>The review will consider the number and type of applications referred to the cooling off group, the effectiveness of Cooling Off Group meetings and subsequent decision making.</p> <p>The T&F Group will be supported by officers from the Development Management team, the Planning Policy team, Legal & Governance Services and Democratic Services.</p> | End of March 2024 | CLO Economy and Regeneration |

Organisational response

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Report title: Setting of well-being objectives

Completion date: [TBC]

Document reference: [3624A2023](#)

| 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>The Council should build on the progress it has made in applying the sustainable development principle in the setting of its well-being objectives by:</p> <ul style="list-style-type: none"> exploring new ways of drawing on the full diversity of its population to inform and deliver its WBO. ensuring that its refreshed MTFS shows how it will resource the delivery of its new WBO over the short, medium and longer term and to reflect any potential future financial risks to deliver them. | <p>Refresh of our stakeholder list that we use when arranging all engagement and consultation exercises.</p> <p>Targeted work with the Ceredigion Disability Forum, LGBTQ+ groups and BAME groups in order to improve relationships and regular communication. (Also included in the Draft Strategic Equality Plan 2024-2028).</p> <p>Run a Stakeholder Survey to gain the views of our population on how the Council is delivering its Corporate Well-being Objectives and how we measure our progress.</p> <p>The MTFS has been considered by Corporate Resources Scrutiny Committee and will be considered by Cabinet and Council in September 2023. The MTFS will <i>'outline the risks to the delivery of these Corporate Well-Being Objectives whilst also setting out how the Council's resources will be utilised to manage and mitigate these risks over the short to medium term.'</i></p> | <p>December 2023</p> <p>Ongoing</p> <p>September 2023</p> <p>September 2023</p> | <p>Diana Davies</p> <p>Diana Davies</p> <p>Diana Davies</p> <p>Duncan Hall</p> |

- ensuring its evolving performance management arrangements identify the most appropriate outcome measures and provide effective monitoring, reporting and scrutiny of the progress being made on delivering its WBO.

Performance and Research Team to work with Corporate Lead Officers and Corporate Managers to develop and identify additional outcome focused measures to demonstrate progress in delivering the Corporate Well-being Objectives.

Develop a Corporate Well-being Objectives Dashboard to monitor, report and scrutinise the progress being made on delivering the objectives. The Dashboards to be presented, monitored, and scrutinised at Performance Board meetings.

Update Business Planning Guidance for 2024/25 to provide further support for setting performance measures, in particular outcome based measures

Ongoing/March 2024

Diana Davies

September 2023

Diana Davies

March 2024

Diana Davies