

Report

Cabinet

Part 1

Date: 1st December 2016

Item No:

Subject **Wales Audit Office Second Certificate of Compliance**

Purpose To present Cabinet with the Second Certificate of Compliance issued by the Wales Audit Office (WAO) following an audit of the council's Improvement Plan Annual Review 2015-16.

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Ward All

Summary As part of the programme of regulatory activity the Auditor General has issued the council with a Certificate of Compliance following an audit of the Improvement Plan Annual Review 2015-16. This is the second of two certificates that the authority has achieved in 2016-17. The first certificate was considered at Cabinet in June and was issued following an audit of the Improvement Plan 2016-18.

Proposal Cabinet is requested to

- Note the positive outcome of the second Certificate of Compliance in relation to the council's Improvement Plan Annual Review 2015-16

Action by Cabinet

Timetable Immediate

- This report was prepared after consultation with:
- Chief Executive
- Strategic Directors
- Heads of Service

Signed

Background

As part of the programme of regulatory activity the Auditor General has issued the council with a Certificate of Compliance following an audit of the Improvement Plan Annual Review 2015-16

This is the second of two certificates that the authority has achieved in 2016-17, the first certificate was considered at Cabinet in June and was issued following an audit of the Improvement Plan 2016-18.

Through this second Certificate the Auditor General for Wales certifies that:

“...As a result of my audit, I believe that the Council has discharged its duties under sections 15(2), (3), (8) and (9) of the Measure and has acted in accordance with Welsh Government guidance sufficiently to discharge its duties.”

The WAO have also included a letter to highlight an area where they believe there is scope for improvement, the WAO would encourage the council to include more detail regarding national comparative data in its assessment of performance.

New performance management software has been implemented in 2016/17, national comparative data has been imported into the system and has been included in Improvement Plan reporting.

Financial Summary

The financial implications of actions and projects identified by this and other regulatory work will be reported and considered in the normal way, in accordance with the council's financial plans and regulations.

Risks

As with the financial implications above, each individual action and wider Improvement Planning agenda will consider risk management practices and policy

Links to Council Policies and Priorities

The Improvement Plan, Review and associated regulatory work all contribute to the council's key plans

Options Available and considered

- A) To note the positive Certificate of Compliance from the Auditor General for Wales in respect of the audit of the Improvement Plan Annual Review 2014-15
- B) To disregard the Certificate

Preferred Option and Why

Preferred option is (A) The Certificate of Compliance is positive and confirms that the council has discharged its duties under the Local Government Measure 2009 with regards to Improvement Planning and Review

Comments of Chief Financial Officer

There are no direct financial implications arising from this report.

Comments of Monitoring Officer

There are no legal implications arising from the Report. The WAO Certificate of Compliance confirms that the Council has discharged its statutory duties in respect of improvement reporting in accordance with the requirements of the Local Government Measure 2009.

Comments of Head of People and Business Change

There are no direct staffing implications arising from this report. The certificate verifies that the Council has met its obligation of demonstrating continuous improvement under the Local Government Measure 2009, this is an on-going aim for the council and this also contributes to the Sustainable Development Principle of the Wellbeing of Future Generations (Wales) Act 2015.

Comments of Cabinet Member

The Chair of Cabinet has been consulted and has agreed that this report goes forward to Cabinet for consideration

Local issues

None

Scrutiny Committees

Scrutiny committees receive performance management cabinet reports for information.

Equalities Impact Assessment and the Equalities Act 2010

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and

foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Children and Families (Wales) Measure

Although no targeted consultation takes place specifically aimed at children and young people, consultation on planning applications and appeals is open to all of our citizens regardless of their age. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Wellbeing of Future Generations (Wales) Act 2015

The guidance on the Act is clear – it requires public bodies to maximise their contribution to improving the wellbeing of Wales. The Act provides a framework for better decision making by ensuring public bodies take account of the **long term**, focus on **prevention**, take an **integrated** and **collaborative** approach, and **involve** people in policy making and planning and delivery of services.

The Act places a duty on the public sector to:

- Adopt the Sustainable Development Principle
- Work towards 7 national wellbeing goals
- Focus work on future generations
- Take a central role in the establishment and scrutiny of a Public Services Board (PSB)
- Take a central role in the development of a Wellbeing Plan based on a long term needs assessment
- Respond to a new accountability framework including reporting and review by the Auditor General Wales

The Act has implications for how the local authority will work in future and Part 2 of the Act places an individual wellbeing duty on public bodies. Key areas where change needs to happen include:

- Corporate Planning
- Risk Management
- Workforce Planning
- Performance Management
- Financial Planning
- Procurement
- Assets

The Wellbeing of Future Generations Act 2015 which came into force in April 2016 sets the context for the move towards long term planning of services. A programme of training for senior management and elected members is underway so that the wide-ranging and transformational implications of the Act are understood and can be embedded in the Council's ways of working.

Key documents and processes have been revised so that they incorporate sustainable development and wellbeing principles. Over the last three years extensive public engagement has been undertaken in

relation to setting service delivery priorities and identifying which services matter most to people, and contribute to their wellbeing. This will continue to inform future planning.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

None

Background Papers

Cabinet Report: Wales Audit Office Certificate of Compliance (11/07/16)

Dated: December 2016