

# CABINET MEETING

9 JANUARY 2023

## CARMARTHENSHIRE COUNTY COUNCIL'S DRAFT ANNUAL REPORT FOR 2021/22

### Recommendations / key decisions required:

To consider the content of the draft Annual Report.

### Reasons:

- Under the Well-being of Future Generations (Wales) Act 2015 we are required to publish an Annual Report on our Well-being Objectives.
- Under the Local Government and Elections Act (Wales) 2021 we have a duty to report on performance, based, on a self-assessment approach.
- This report aims to meet both these requirements in one document.

Cabinet Decision Required	YES
Council Decision Required	YES

### CABINET MEMBER PORTFOLIO HOLDER:

Cabinet Member for Organisation and Workforce - Cllr Philip Hughes

Directorate <b>Chief Executive's</b> <b>Noelwyn Daniel</b>	Designations:  Head of ICT & Corporate Policy	Tel Nos./ E Mail Addresses:  <a href="mailto:NDaniel@carmarthenshire.gov.uk">NDaniel@carmarthenshire.gov.uk</a>
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# EXECUTIVE SUMMARY

## CABINET MEETING 9 JANUARY 2023

### CARMARTHENSHIRE COUNTY COUNCIL'S DRAFT ANNUAL REPORT FOR 2021/22

- The Annual Report starts with an overview of our COVID-19 response and outlines some key impacts, challenges and learning.
- The Annual Report then looks in turn at each of our 13 Well-being Objectives and assesses the progress and adaptations that have been made during this difficult year.
- Under the Well-being of Future Generations (Wales) Act 2015 we are required to publish an Annual Report on our Well-being Objectives.
- Under the Local Government and Elections Act (Wales) 2021 we have a duty to report on performance-based on a self-assessment approach.

*The Local Government and Elections (Wales) Act 2021 requires that a Council must produce a self-assessment report in respect of each financial year. The report must set out its conclusions on the extent to which it met the performance requirements during that financial year, and any actions it intends to take, or has already taken, to increase the extent to which it is meeting the performance requirements. The performance requirements are the extent to which:*

- *we are exercising our functions effectively.*
- *we are using our resources economically, efficiently and effectively.*
- *our governance is effective for securing the above.*
- We also have a duty to consult on our Performance Assessment (See Appendix 5C)
- This report aims to meet both these requirements in one document.

The self-assessment report must be published within four weeks of it being finalised and approved in accordance with the council's agreed processes.

#### DETAILED REPORT ATTACHED?

#### Yes

1. Council Annual Report
2. Commitment Updates

# IMPLICATIONS

**I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:**

**Signed:** Noelwyn Daniel, Interim Director of Environment & Head of ICT & Corporate Policy

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## 1. Policy, Crime & Disorder and Equalities

### Well-being of Future Generations (Wales) Act 2015

To comply with the Well-being of Future Generations (WbFG) Act 2015, we must (in carrying out sustainable development):	
<ul style="list-style-type: none"> <li>Set and publish well-being objectives</li> <li>Take all reasonable steps to meet those objectives</li> <li>Publish a statement about well-being objectives</li> </ul>	Corporate Strategy update published – June 2019, and further updated in May 2021.
<ul style="list-style-type: none"> <li>Publish an annual report of progress</li> </ul>	This will be accomplished by the enclosed Annual Report

Only when a public body can demonstrate it has taken into account the sustainable development principle in the setting, taking steps and meeting of its well-being objectives will it be compliant with the Act. Public bodies may take other matters into account when making their decisions, but in order to comply with the Act they must take into account the 5 ways of working.

1. Long term
2. Integrated
3. Involving
4. Collaborative
5. Preventative

### Under the Local Government and Elections Act (Wales) 2021

The **Local Government and Elections Wales Act 2021** provides for the establishment of a new and reformed legislative framework for local government elections, democracy, governance and performance. It replaces the Local Government Measure 2009.

The Local Government and Elections (Wales) Act 2021 requires that a Council must produce a self-assessment report in respect of each financial year. The report must set out its conclusions on the extent to which it met the performance requirements during that financial year, and any actions it intends to take, or has already taken, to increase the extent to which it is meeting the performance requirements

The performance requirements are the extent to which:

- we are exercising our functions effectively.
- we are using our resources economically, efficiently and effectively.  
our governance is effective for securing the above.

## 2. Legal

The requirement to publish a forward-looking Improvement Plan by the end of June and an Annual Report by the end of October no longer applies.

- *The Local Government and Elections (Wales) Act 2021 (“the Act”) replaces the current improvement duty for councils set out in the Local Government (Wales) Measure 2009* para 1.2  
*Statutory guidance on the Local Government and Elections (Wales) act 2021*

The new Act sets a duty to report on performance through self-assessment. It provides that a council must produce a self-assessment report in respect of each financial year. The report should be made as soon as reasonably practicable after the financial year to which it relates. However, it is for the council to determine when exactly to do this to best align with its own corporate arrangements. Para 2.28.

The Well-being of Future Generations (Wales) Act 2015 requires that Annual Reports must be published as soon as possible, but no later than March 31<sup>st</sup>

It is up to Carmarthenshire County Council when it publishes its Annual Report on 2021/22 so long as it is before 31 March 2023. Though it should be as soon as reasonably practicable.

The requirement to produce a self-assessment report is one for the full council or its executive (as a council may determine). Councils will be required to involve a wide range of stakeholders and local people in its self-assessment. In addition, involving members from controlling and opposition groups.

Scrutiny committees are a key part of offering constructive challenge to how a council is performing and how it organises itself in the delivery of sustainable services.

*‘Scrutiny committees, as well as internal audit, will be a key part of a council’s self-assessment, and the council should determine and agree how best to involve their scrutiny committees in the self-assessment process itself, not just in considering the outcomes of any self-assessment’.*

This is the first year that we are reporting under the duties of Local Government and Elections (Wales) Act 2021.

[Part 6 of the Act outlines new duties in respect of Performance and Governance of Principal Councils](#) and includes specific duties for the Council:

- Duty to keep performance under review;
- Duty to consult on performance;
- Duty to report on performance – based on self-assessment approach;
- Duty to arrange a panel performance assessment;
- Duty to respond to a panel performance assessment report.

Note: Governance and Audit Committee must receive the Annual Report and its feedback considered. It must also receive a copy of the final published report.

## 3. Finance

Well-being Objective 13b Making Better use of Resources covers financial matters.

# CONSULTATIONS

**I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below**

**Signed:** Noelwyn Daniel, Head of ICT & Corporate Policy

**1. Scrutiny Committee request for pre-determination**

YES

**If yes include the following information: -**

**Scrutiny Committee**

**See note below**

**Date the report was considered:-**

**Scrutiny Committee Outcome/Recommendations:-**

Committee	Date	Agreed Action	Action	Recommendation that Cabinet endorses the report
Corporate, Performance & Resources Scrutiny	19th Oct	N/A	N/A	✓
Governance & Audit Cttee <small>As required by the Local Government and Elections (Wales) Act 2021</small>	21st Oct	Clarity sought on the role of the Committee to fulfil its legislative obligations.  To review other Authorities approaches and seek advice with the WLGA.  A development session be incorporated in the FWP to enable the Committee to add value.	Official guidance is open ended ' <i>it must review the draft report</i> '  Other Councils have been approached and all are finding their own way. Ourselves and other Councils to raise with the WLGA.  Has been included in the FWP for Spring 2023	✓
Place, Sustainability & Climate Change Scrutiny	24th Nov	N/A	N/A	✓
Education Young People & Welsh Language	1st Dec	Wording revision agreed regarding the % of children in care who had to move three times	Change made	✓

Communities, Homes & Regeneration Scrutiny	19th Dec	N/A	N/A	✓
Health & Social Services Scrutiny	21st Dec Meeting Cancelled	N/A	N/A	Cancelled

## 2. Local Member(s)

## 3. Community / Town Council

## 4. Relevant Partners

## 5. Staff Side Representatives and other Organisations

We consulted on our performance as a Council with residents, businesses, staff and Trade Unions (See Appendix 5c). It is important that our self-assessment of performance is as realistic as possible and that we do not 'mark our own papers' but triangulate our assessment between performance data, regulatory findings and our customers views.

The results of the surveys have been analysed and reports have been prepared and proposals for improvement made that will be addressed in business plans.

- Residents Survey results – 2,195 responses
- Staff Survey results – 1,733 responses
- Business Survey results – 36 responses
- Trade Union consultation – 5 responses

**CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED**  
**Yes**

**Annual Report considered.**

## Section 100D Local Government Act, 1972 – Access to Information

### List of Background Papers used in the preparation of this report:

Title of Document	Locations that the papers are available for public inspection
Well-being of Future Generations (Wales) Act 2015.	<a href="#">SPSF2: Individual Public Body Role</a>
Local Government and Elections (Wales) Act 2021.	<a href="#">Part 6 of the Act outlines new duties in respect of Performance and Governance of Principal Councils</a>