

GOVERNANCE AND AUDIT COMMITTEE

21/10/2022

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

Recommendations / key decisions required:

1. To consider the content of the draft Council Annual Report for the period 2021/22.

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.

Relevant scrutiny committee to be consulted:

Corporate, Performance and Resources	19.10.22
Governance and Audit Cttee.	21.10.22
Communities, Homes and Regen	16.11.22
Place, Sustainability and Climate Change	24.11.22
Health and Social Services	29.11.22
Education Young People & Welsh Language	01.12.22

Cabinet Decision Required YES
Council Decision Required YES

CABINET MEMBER PORTFOLIO HOLDER:

Cabinet Member for Organisation and Workforce - Cllr Philip Hughes

Directorate Chief Executive's Noelwyn Daniel Report Author Gwyneth Ayers & Robert James	Designations: Interim Director of Environment & Head of ICT & Corporate Policy Corporate Policy, Performance & Partnership Manager Strategic Performance Manager	Tel Nos./ E Mail Addresses: NDaniel@carmarthenshire.gov.uk GAyers@carmarthenshire.gov.uk RNJames@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY
Governance and Audit Committee
21/10/2022

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

BRIEF SUMMARY OF PURPOSE OF REPORT

- 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.
- Appendices
 1. a) Statutory Requirements
b) How our Well-being Objectives contribute to the national Well-being Goals
 2. Success measures for our Well-being Objectives
 3. National Survey for Wales 2021/22 – Carmarthenshire results
 4. Regulatory reports issued during 2021/22
 5. The extent to which we meet 'performance requirements'
 - a. Departmental analysis
 - b. The Council's response to the COVID-19 pandemic-unplanned transformation
 - c. Consultation on 'performance requirements'
- 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.

DETAILED REPORT ATTACHED?

Yes

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
YES	YES	YES	NONE	NONE	NONE	NONE

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"> Set and publish well-being objectives Take all reasonable steps to meet those objectives Publish a statement about well-being objectives 	Corporate Strategy update published – June 2019, and further updated in May 2021.
<ul style="list-style-type: none"> Publish an annual report of progress 	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 31 March.

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’.

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

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

Involving the council’s governance and audit committee

Para 2.40 The council must make a draft of its self-assessment report available to its governance and audit committee. The committee must review the draft report and may make recommendations for changes to the conclusions or action the council intends to take.

Para 2.41 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 the recommendation and the reasons why the council did not make the change.

Extract from Statutory Guidance paras 2.40+2.41

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

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

1. Local Member(s)- N/A
2. Community / Town Council – N/A
3. Relevant Partners – N/A
4. Staff Side Representatives and other Organisations

All Departments have been consulted and have had the opportunity to provide comments on their performance and progress.

As part of the duty to consult on performance a mini-residents survey, staff survey, Trade Unions survey and business survey has been conducted. The summary findings are presented as part of this final annual report (See Appendix 5c) and further detailed reports and action plans will be prepared in response to the findings.

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

CABINET PORTFOLIO HOLDER(S) AWARE/CONSULTED YES	Cllr. Philip Hughes as Cabinet Member with responsibility for performance management has the overall lead for the report however it references the work of all Cabinet portfolio holders
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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.	https://gov.wales/well-being-of-future-generations-wales
Local Government and Elections (Wales) Act 2021.	Part 6 of the Act outlines new duties in respect of Performance and Governance of Principal Councils