

# Report

## Cabinet

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### Part 1

Date: 20 December 2017

### 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 review of the first year of the two year Improvement Plan 2016-18.

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**Ward** All

### Summary

- As part of the programme of regulatory activity the Auditor General has issued the council with a second Certificate of Compliance
- This follows an audit of the Improvement Plan Annual Review which covered the period of the first year of the two year Improvement Plan 2016-18.
- This is the second of two certificates that the authority has achieved in 2017-18. The first certificate was considered at Cabinet in November and was issued following an audit of the Improvement Plan 2016-18.
- The Auditor General has determined that the council has met its duties in regard of the Local Government Measure 2009.

**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

**Action by** Cabinet

**Timetable** Immediate

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

## **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. This review covered the period 2016-17 – the first year of the two year Improvement plan 2016-18 – and was considered by cabinet in September.

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 council has addressed the WAO’s comment that more detail regarding national comparative data should be used in its assessment of performance.

## **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
- 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.

## **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**

Not applicable to this report.

## **Wellbeing of Future Generations (Wales) Act 2015**

This certificate relates to the councils duties under the local government measure 2009, the requirements of which align and overlap with the more recent Wellbeing of Future Generations Act 2015.

Wellbeing of Future Generations Act came into force in April 2016 and sets the context for the move towards long term planning of services. The council is working towards embedding the principals of the act into its ways of working. Key documents and processes have been revised so that they incorporate sustainable development and wellbeing principles. 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. The Improvement Plan objectives have been aligned to the Wellbeing objectives which reflect the outcome of public engagement; 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.

## **Background Papers**

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

Dated: 13 December 2017