

# Report

## Audit Committee

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### Part 1

Date: 24<sup>th</sup> May 2018

Item No: Insert item number here

**Subject** Annual Governance Statement 2017/18 – First Draft

**Purpose** To inform and give Members an early opportunity to contribute to the Council's Annual Governance Statement, which will accompany the Annual Statement of Accounts for 2017/18

**Author** Chief Internal Auditor

**Ward** General

**Summary** In order to meet the requirements of the Accounts and Audit (Wales) Regulations 2014, Newport City Council needs to prepare and present an Annual Governance Statement with its Annual Statement of Accounts. This Statement is based on how well the Council meets its own Code of Corporate Governance. A review of Governance is also a requirement of the Local Government Measure.

**Proposal** To review the first draft of the Annual Governance Statement and provide appropriate comments before recommending its presentation alongside the Annual Statement of Accounts 2017/18.

**Action by** The Audit Committee

**Timetable** Immediate

This report was prepared after consultation with:

- Chief Financial Officer
- Monitoring Officer
- Head of People and Business Change
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Please list here those officers and members you have consulted on this report.

**Signed**

## Background

1. In order to meet the requirements of the Accounts and Audit (Wales) Regulations 2014, Newport City Council needs to prepare and present an Annual Governance Statement (AGS) alongside its Annual Statement of Accounts. The AGS is based on the Council's Code of Corporate Governance. A review of Governance is also a requirement of the Local Government Measure.
2. The Council's Code of Corporate Governance sets out its commitment to good Governance, which is consistent with the principles of the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government', was initially approved by Cabinet and then Council in July 2013 with a further update approved by Cabinet in July 2014. A copy of the Code can be obtained from the Head of Finance. The Code will be revised in accordance with 'Delivering Good Governance in Local Government Framework 2016' and 'Delivering Good Governance in Local Government Guidance Notes for Welsh Authorities 2016' in 2017/18. This statement explains how the Council has complied with the CIPFA /SOLACE Framework and Guidance and also meets the requirements of the Accounts and Audit (Wales) Regulations 2014.
3. Newport City Council (the Council) is by nature, a complex organisation which affects the lives of all citizens in the area: As well as providing a diverse range of services, it also works with partner organisations who provide other public services. The Council's aims and priorities reflect these responsibilities.
4. The Council sees Corporate Governance as aiming to do the right things, in the right way, for the right people in a timely, inclusive, open, honest and accountable manner. It comprises the systems and processes, and also the culture and values, by which the Council is directed and controlled and how it accounts to and engages with its citizens.
5. Strong, transparent and responsive governance enables the Council to put citizens first by pursuing its aims and priorities effectively, and by underpinning them with appropriate mechanisms for managing performance and risk. In order to maintain citizens' confidence, these mechanisms must be sound and be seen to be sound.

## Governance Principles

6. The Council operates through a governance framework that brings together its legislative responsibilities and management processes:

Overarching requirements for acting in the public interest

- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- B. Ensuring openness and comprehensive stakeholder engagement

Achieving good governance in the public sector also requires effective arrangements for:

- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits

# Annual Governance Statement

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- D. Determining the interventions necessary to optimise the achievement of the intended outcomes
  - E. Developing the entity's capacity, including the capability of its leadership and the individuals within it
  - F. Managing risks and performance through robust internal control and strong public financial management
  - G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability.
7. The Council's AGS, shown at Appendix 1, is based around these governance principles and demonstrates how it ensures that its business is conducted in accordance with the law and to proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
8. In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions and which includes arrangements for the management of risk.
9. The governance framework comprises the systems and processes, and culture and values, by which the Authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.
10. The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.
11. The governance framework has been in place at the Council for the year 2017/18.

## Financial Summary

12. There are no financial issues related to this report.

	Year 1 (Current) £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
Costs (Income)					
Net Costs (Savings)					

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<b>Net Impact on Budget</b>					
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## Risks

13. If members are not involved in the process of ensuring sound corporate governance the Council could be subject to adverse criticism from the external auditor, currently WAO.

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?

\* Taking account of proposed mitigation measures

## Links to Council Policies and Priorities

14. The Governance framework and arrangements supports all of the Council's priorities and plans.

## Options Available

15. (i) That the Annual Governance Statement be accepted and presented alongside the Annual Statement of Accounts 2017/18, subject to any amendments suggested by the Audit Committee.

## Preferred Option and Why

16. Option (1) as it is requirement of the Local Government Measure

## Comments of Chief Financial Officer

17. I can confirm that I have been consulted on Annual Governance Statement and have no additional comments.

## Comments of Monitoring Officer

18. In accordance with the Accounts and Audit (Wales) Regulations 2014, an Annual Governance Statement must be prepared with the Annual Statement of Accounts, setting out how well the Council complies with its Code of Corporate Governance. The Council's internal governance arrangements are set out in various constitutional framework documents under the umbrella of the Code of Governance. It also reflects legislative requirements and ethical principles of democratic decision-making. Compliance with the Code will ensure that decisions continue to be made lawfully and with propriety and in a fair and transparent manner.

## **Staffing Implications: Comments of Head of People and Business Change**

19. No Human resources or policy implications for this report.

## **Comments of Cabinet Member**

20. Not appropriate.

## **Local issues**

21. No local issues.

## **Scrutiny Committees**

22. Not appropriate

## **Equalities Impact Assessment**

23. Not required.

## **Children and Families (Wales) Measure**

24. Not appropriate.

## **Consultation**

25. Not appropriate:

## **Background Papers**

26. The early draft of the 2017/18 Annual Governance Statement is set out at Appendix 1.

Dated:

## **Appendix 1**

ANNUAL GOVERNANCE STATEMENT 2017/18

DRAFT 1

Andrew Wathan



## ANNUAL GOVERNANCE STATEMENT 2017/18



Newport City

**Our Vision: to be recognised as a high performing Council, ensuring the right services are provided to our communities, our councillors and our staff**



## What is Corporate Governance?

Corporate governance is the system of rules, practices and processes by which an organisation is directed and controlled. Governance comprises the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved.

## What does 'Good' Corporate Governance look like?

Good governance is about the processes for making and implementing decisions. It's not about making 'correct' decisions, but about the best possible process for making those decisions. Ensuring that it is doing the right things, in the right way, for the right people in a timely, inclusive, open, honest and accountable manner. Good governance leads to effective:

- leadership and management;
- performance and risk management;
- stewardship of public money; and
- public engagement and outcomes for our citizens and service users.

## What this statement will tell you

This Statement describes the extent to which Newport City Council has, for the year ended 31 March 2018, complied with the requirements of the Accounts and Audit (Wales) Regulations 2014.

It also describes how the effectiveness of the governance arrangements has been monitored and evaluated during the year and sets out any changes planned for the 2018-19 period.

This Statement has been prepared in accordance with guidance produced by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE); the 'Delivering Good Governance in Local Government Framework 2016' and 'Delivering Good Governance in Local Government Guidance Notes for Welsh Authorities 2016'. It embraces the elements of internal financial control required by the 'Code of Practice on Local Authority Accounting in the United Kingdom'.



## 1 Scope of Responsibility

- 1.1 Newport City Council (the Council) is responsible for ensuring that its business is conducted in accordance with the law and to proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.
- 1.2 The Council also has a duty under the Local Government (Wales) Measure 2009 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to strategic effectiveness, service quality, service availability, fairness, sustainability, efficiency and innovation.
- 1.3 In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions and arrangements for the management of risk.
- 1.4 The Council's financial management arrangements conform to the governance requirements of the 'CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010)'.
- 1.5 The Council's Code of Corporate Governance sets out its commitment to good Governance, which is consistent with the principles of the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government', was initially approved by Cabinet and then Council in July 2013 with a further update approved by Cabinet in July 2014. A copy of the Code can be obtained from the Head of Finance. The Code will be revised in accordance with 'Delivering Good Governance in Local Government Framework 2016' and 'Delivering Good Governance in Local Government Guidance Notes for Welsh Authorities 2016' in 2017/18. This statement explains how the Council has complied with the CIPFA /SOLACE Framework and Guidance and also meets the requirements of the Accounts and Audit (Wales) Regulations 2014.

## 2 The Purpose of the Governance Framework

- 2.1 The governance framework comprises the systems and processes, and culture and values, by which the Council is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.
- 2.2 The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to identify and prioritise the risks to the achievement of

the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

- 2.3 The governance framework has been in place at the Council for the year 2017/18, and up to the date of approval of the statement of accounts.

### 3 The Governance Framework

- 3.1 The Council's Code of Governance will be revised in line with the following principles:

Overarching requirements for acting in the public interest

- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- B. Ensuring openness and comprehensive stakeholder engagement

Achieving good governance in the public sector also requires effective arrangements for:

- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits
- D. Determining the interventions necessary to optimise the achievement of the intended outcomes
- E. Developing the entity's capacity, including the capability of its leadership and the individuals within it
- F. Managing risks and performance through robust internal control and strong public financial management
- G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

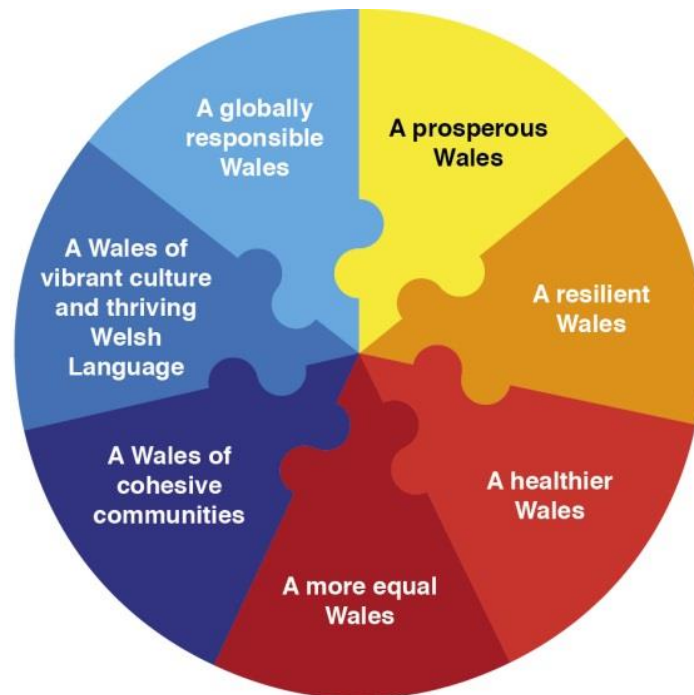
#### **Wellbeing of Future Generations (Wales) Act 2015**

- 3.2 The diagram on the following page brings together the above principles of good governance with the requirements of the Well-being of Future Generations (Wales) Act 2015; it shows sustainability as all-encompassing. The core behaviours of:
- Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law; and
  - Ensuring openness and comprehensive stakeholder engagement

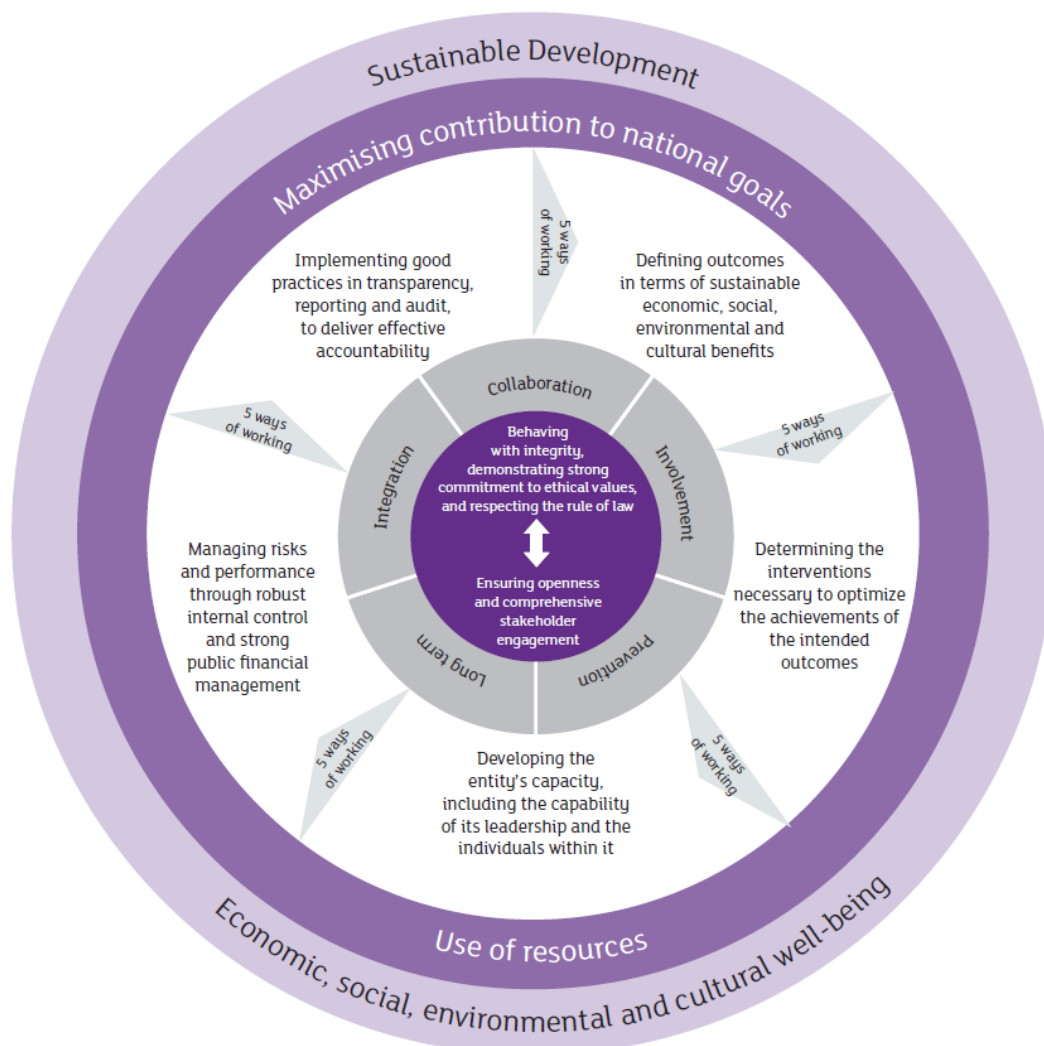
# Annual Governance Statement

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This needs to be applied to the five ways of working outlined in the 2015 Act. These five ways of working have to permeate all segments of delivering outcomes which, in turn, should ensure effective use of resources as the Council maximises its contribution to the economic, social, environmental and cultural well-being of Wales.



## The Three Lines of Defence in effective Risk Management and Control

3.3 Assurance can come from many sources within the Council. The Three Lines of Defence is a concept for helping to identify and understand the different sources of assurance.

By defining these sources into three categories

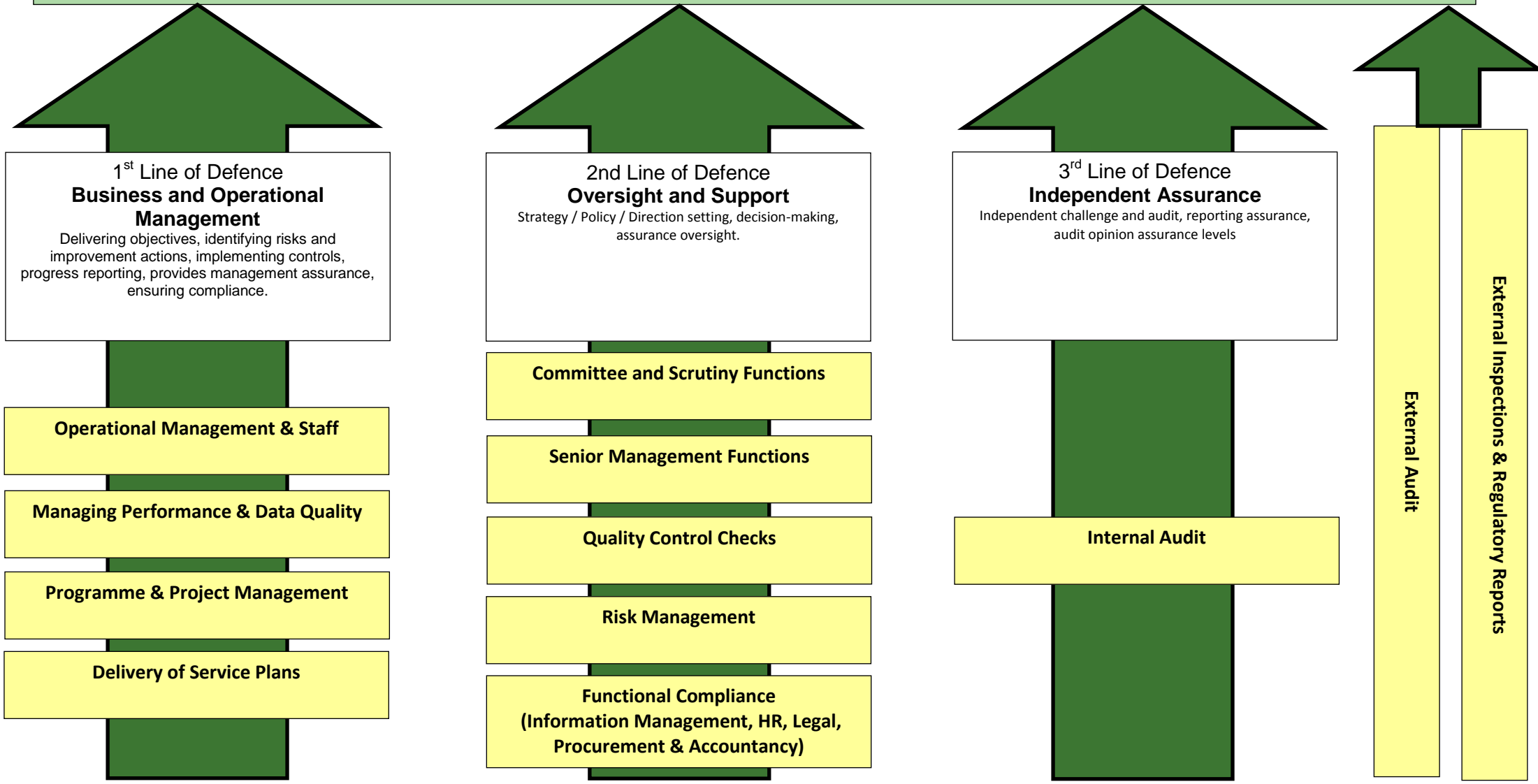
- First Line - functions that own and manage risks e.g. management and supervisory controls;
- Second Line - functions that oversee risks e.g. Governance structures and processes such as Scrutiny Committees and;
- Third Line - functions that provide independent assurance on the management of risks e.g. Internal Audit along with external providers of assurance such as External Audit and External Inspections & Regulatory Reports (e.g. ESTYN).

The model helps the Council understand how each area contributes to the overall level of assurance and how best good governance can be integrated and supported.

# Annual Governance Statement (AGS)

Audit Committee  
(AGS Approval Committee)

Leader, Cabinet Members, Chief Executive, Chief Financial Officer, Monitoring Officer, Corporate Management Team  
(Provides oversight of the 3 lines of defence assurance framework)





## Corporate Plan

- 3.4 The Council's Corporate Plan for 2017 to 2022 "Building on Success – Building a Better Newport" sets out the 5 year vision and direction for the Council.
- 3.5 A new Corporate Plan was agreed by the Council in November 2017, and sets out what the Council would do over the next five years to Build on Success and Build a Better Newport, focussing on jobs and the economy, education and skills, fairness and equality, community safety and cohesion, the environment, transport, culture, and social wellbeing.
- 3.6 The Corporate Plan forms part of the Council's policy framework, and prior to agreement had been through the necessary consultation with scrutiny and members of staff.
- 3.7 Within the Corporate Plan twenty commitments for change, relating to the following four areas have been outlined:
- Resilient communities,
  - A thriving city,
  - Aspirational people,
  - A modernised council.

These are the four themes that will drive our council in the years towards 2022.

- 3.8 Newport City Council's Well-being Objectives are:
- To improve skills, educational outcomes and employment opportunities
  - To promote economic growth and regeneration while protecting the environment
  - To enable people to be healthy, independent and resilient
  - To build cohesive and sustainable communities

## Our Mission: Improving people's lives (why we do what we do)

- 3.9 Newport is forward-thinking in its aspirations for the City and how it can improve outcomes for its citizens. Our mission and values are not a quick fix or knee-jerk reaction to the financial context. Rather, they seek to tackle deep seated challenges and allow us to make the most of the strength of our communities and our staff and build on the improvements and transformations that are already underway.
- 3.10 In summary, aligned with the aspirations set out in the Well-being of Future Generations Act, we believe, 'Improving People's Lives' means:
- Our communities are strong and can look after themselves.
  - We have a strong local economy and local people have the skills they need to find work.
  - Our city and surrounding communities feel safe and they are places where people want to make their lives.

- For citizens that need tailored specialist support we intervene early and work together with people to help stabilise, maintain and improve their lives as quickly as possible.
- Our City Council's key role is a facilitator and enabler, with a focus on prevention.

## **Our values: Improving people's lives (how we do what we do)**

3.11 Our values describe the behaviour we need to embed in everything that we do from service delivery and commissioning, to how we approach decision making and the sort of work environment we create. They are the foundation for the way our organisation operates. They are also the values we seek to encourage among our residents and partners more broadly. Our three values are:

### **BE COURAGEOUS**

This means that we expect our staff, and services to be ambitious and innovative. We expect this to be the case whether services are delivered directly by our council, through regional networks or provided by an external organisation.

### **BE POSITIVE**

As an organisation we are always helpful and constructive, support and enable residents to do more for themselves. We take a pragmatic, glass half-full approach and we approach in relation to the challenges and opportunities facing our city and we approach tasks and decisions with confidence and tenacity.

### **BE RESPONSIBLE**

Being responsible means that we trust staff and all providers who deliver services on our behalf to take responsibility and to be accountable for their actions and the quality of their work.



# Annual Governance Statement

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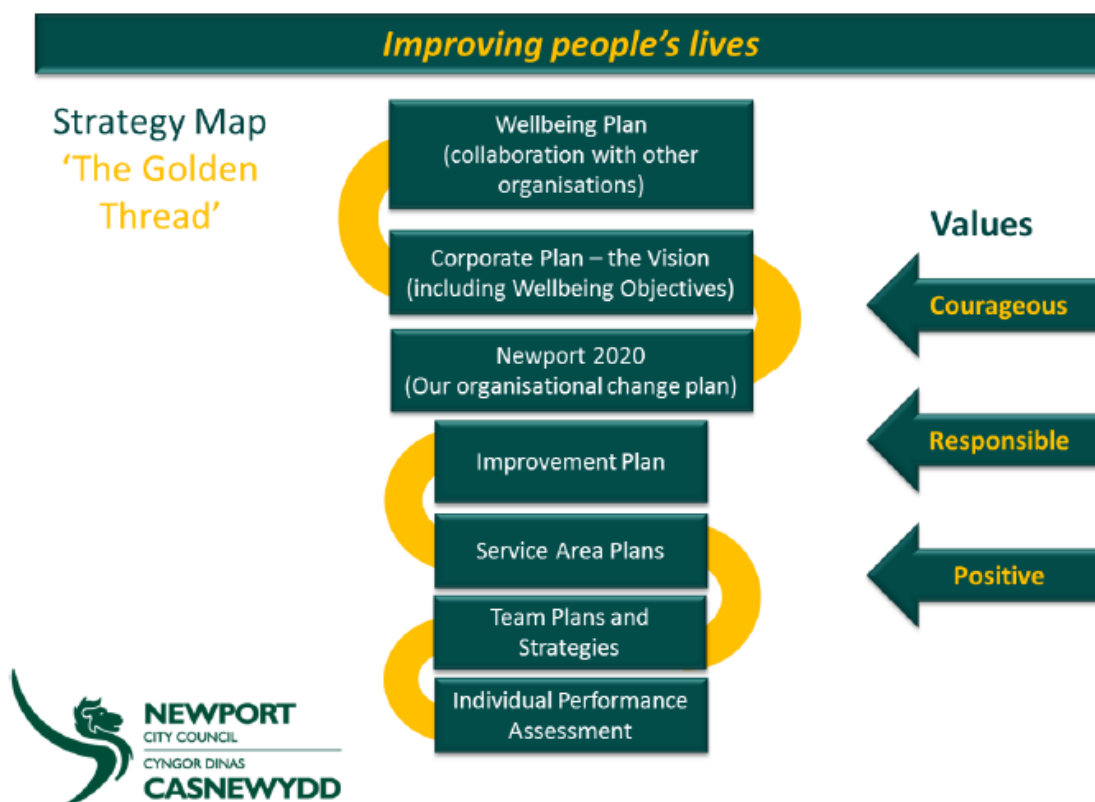
Newport City Council

## Our Organisational Framework



## Delivering the Corporate Plan

- 3.12 The intended outcomes agreed in the plan set the key priorities for the Council. The Wellbeing of Future Generations Act was introduced in 2016 and aims to help create a Wales that we all want to live in, now and in the future. To give current and future generations a good quality of life we need to think about the long term impact of the decisions we make. The council has set its Wellbeing Objectives and they are included in this plan because they form part of the council's vision for the future.
- 3.13 The Corporate Plan should not be viewed in isolation; it makes up part of the strategic planning map or 'golden thread' that integrates the plans and strategies of the council. The Corporate Plan sets the vision and direction for the council and sits below the Wellbeing Plan which is agreed in collaboration with partners. The strategic direction flows down from the Corporate Plan; the actions to deliver the vision flow up from individuals whose every day work contributes to the performance and delivery of the vision.



- 3.14 The Corporate Plan has been produced at a time of significant financial challenge within the public sector, the workforce and budgets must be carefully planned and managed to ensure that we can deliver what we have set out to do; this is done within each service area in their service plans. The Corporate Plan will be


underpinned by the development and delivery of a comprehensive change programme which will align with the time frame of the Corporate Plan. The actions planned by service areas will contribute to the delivery of the Corporate Plan, service plans are set in conjunction with cabinet members and scrutiny committees to ensure oversight and accountability for the delivery of the actions.

- 3.15 The council is also operating at a time of great political and legislative changes, it is important that through risk management and well thought out strategic planning the work of the council continues to provide improved outcomes for citizens and communities. The council also works to ensure compliance with the current legislation and any changes that may occur, in order to do this the council works closely with the Wales Audit Office who are the main regulator for the council.
- 3.16 The plan sets out clearly our priorities and demonstrates our commitment to improving social, economic, environmental and cultural well-being and developing plans through the sustainable development principles – long term, integration, collaboration, involvement and prevention.

## Monitoring the Corporate Plan

- 3.17 An annual statement of progress is presented to members and senior officers and published so that it can be shared with all employees and members of the public to present and open and transparent view of the how the council is working towards its vision and objectives and how further work will be focused to ensure further improvement.
- 3.18 Actions set out in services plans and the improvement plan will contribute to the delivery of the objectives, and these will also be presented to members for challenge and appraisal.
- 3.19 The Wales Audit Office regulates the activities of the council and will provide comment on council's ability and progress in delivering its vision.
- 3.20 The [Improvement Plan](#) is the delivery vehicle for the Corporate Plan. This will be updated in line with the Corporate Plan during 2018/19 and will be continually monitored to ensure the objectives of the Corporate Plan are achieved.

## ONE Newport Public Service Board

- 3.21 The One Newport Public Service Board (PSB) monitors the [Single Integrated Plan](#) (SIP) (Cabinet February 2013) – ‘Feeling good about Newport 2013-17’ which represents the combined strategic planning intent of a partnership of the key public service providers in Newport which includes the Council – for improving the quality of life in terms of the social, economic and environmental well-being of the whole community.
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- 3.22 PSBs were established by the Well-being of Future Generations (Wales) Act 2015 and must work in accordance with the sustainable development principle and achievement of the seven wellbeing goals by:
- assessing the state of the city's economic, social, environmental and cultural wellbeing;
  - setting local objectives that are designed to maximise their contribution within the city to achieving those goals;
  - taking all reasonable steps to meet those objectives.
- 3.23 The PSB considered the results of a partnership evaluation exercise in June 2017 and an action plan for future improvement. The evaluation considered strategic leadership and direction, governance, capacity, engagement, outcomes, merging & collaboration.
- 3.24 The priority themes within the SIP are:
- Economy and Skills;
  - Health and Well-being;
  - Safe and Cohesive.
- 3.25 There are also 2 overarching themes (Tackling Poverty and Vulnerable Groups) that the core themes should consider when developing their plans and priorities.
- 3.26 As part of the joint well-being duty the PSB must prepare and publish an assessment of the state of economic, social, environmental and cultural well-being. In Newport this Local Well-being Assessment was published in May 2017 and are known as Community Well-being Profiles. The Local Well-being Assessment comprises of one overarching Profile for Newport and 20 community level profiles at a ward level.
- 3.27 The PSB must also prepare and publish a Local Well-being Plan setting out its objectives and the steps it will take to meet them. The Plan must say why the PSB feels their objectives will contribute to achieving the national well-being goals and

how it has regard to the Local Well-being Assessment in setting its objectives and steps to take.

- 3.28 The consultation draft of the Local Well-being Plan was presented to the PSB on 21st November 2017. A statutory 12 week consultation period took place from 27th November 2017 to 18th February 2018.
- 3.29 The consultation responses were discussed at the PSB on 13th March 2017 and a number of changes to actions were agreed and proposed at that meeting. These changes have been included in the final Plan which will be formally agreed at the PSB meeting in May 2018 with the current SIP remaining in place until then.
- 3.30 The Council's stakeholders are consulted in regard to determining the priorities needed to realise the vision set out in the Corporate Plan, Improvement Plan, SIP, Well-being Plan and the service-planning process establishes and communicates those priorities and means of achieving them.

## **Risk Management Strategy**

- 3.31 The Council's Risk Management Strategy requires the proactive participation of all those responsible for planning and delivering services in identifying, evaluating and managing significant risks to the Council's priorities, services and major projects. The risks and the controls necessary to manage them are recorded in the respective service plans, and any required improvements to controls are monitored to ensure implementation. One of the requirements of the WFG Act is to use the wellbeing goals and five ways of working to frame risks in short, medium and long term; and steps to manage them.
- 3.32 Processes are in place to ensure the economic, effective and efficient use of resources and for securing continuous improvement in the way that functions are exercised. This is supported by reviews undertaken by the external auditors and inspectors, and co-operating with the Welsh Government and as part of the wider collaborative agenda.
- 3.33 The Chief Executive and the Strategic Directors are accountable for ensuring that the Council Priorities are delivered, and performance against key targets is regularly monitored via the performance management framework, In-Phase.
- 3.34 In order to ensure the successful delivery of services and completion of projects, central guidance and support is provided in respect of procurement and project management.
- 3.35 The Corporate Risk Management Strategy has been reviewed and revised to strengthen existing arrangements and support the delivery of the Corporate Plan. The sustainable development principle of the Wellbeing of Future Generations Act (Wales) 2015 has also been embedded in the process and frames each risk identified in the Corporate Risk Register. Anticipating and preparing for future challenges, trends, threats and opportunities is an essential part of the councils risk strategy and

allows for better preparedness and the incorporation of mitigation into planned activities and policies. This helps the council to take a longer-term strategic approach, and makes present policy more resilient to future uncertainty.

## Decision Making Process

3.36 The Constitution, which can be found on the Council's website, sets out:

- how the Council operates and makes decisions;
- the procedures to ensure that decision-making is transparent and accountable to local people and other stakeholders;
- the key roles of all members and senior officers, including the lead responsibilities for corporate governance of the Leader, the Chief Executive and other designated senior officers;
- a scheme of delegated powers for decision-taking;
- responsibilities for reviewing and agreeing the Council's corporate governance arrangements;
- arrangements for ensuring it is regularly reviewed and updated;
- its related codes and protocols.

3.37 The Council takes its decisions by way of the full Council meeting or the Executive. The Executive comprises the Cabinet working as a collective. Decisions are also taken by individual Cabinet Members and Chief Officers. The Scheme of Delegation and the Terms of Reference which are included in the Constitution, make it clear at which level decisions are taken. Agendas, reports, decision schedules and minutes of all meetings of the Council or the Cabinet are available to the public by way of the Council's website except in exceptional circumstances where reports are not available to the public as they may contain exempt or confidential matters. Any minutes or decisions arising from the consideration of such reports are, however, available to the public via the website. Report and Decision schedules showing decisions taken by individual Cabinet Members are also available to the public via the website except in similar exceptional circumstances.

3.38 Every report considered as part of the decision making process by Members must contain comments by the Council's Monitoring Officer and by the Section 151 Officer and (where there are staffing issues) by the Head of People and Business Change. The report template ensures report authors consider potential risks, equalities, WFG and financial implications of their proposals.

3.39 The Head of Law and Regulation is the designated 'Monitoring Officer' in accordance with the Local Government and Housing Act 1989, and ensures compliance with established policies, procedures, laws and regulations. After appropriate consultation, this officer will report to the full Council in respect of any proposals, decisions or omissions which could be unlawful or which have been subject of an Ombudsman investigation resulting in a finding of maladministration.

- 3.40 The Head of Finance is responsible for the proper administration of the Council's financial affairs, as required by Section 151 of the Local Government Act 1972.
- 3.41 Agendas, reports, decision schedules and minutes of all Committee meetings are available to the public by way of the Council's website except in exceptional circumstances where exempt or confidential matters are discussed.

## Scrutiny Committees

- 3.42 The Council introduced new Scrutiny Committees during 2017/18. Members of the Scrutiny committees review policies and question key decisions made by the council's Cabinet to ensure they are open, accountable, transparent and in the best interests of the local area and its residents.
- 3.43 Scrutiny committees also review the council's achievements against planned targets, issues of local concern and services provided by the council and other public organisations. In Newport City Council there are four Scrutiny committees:
- Overview and Scrutiny Management Committee
  - Performance Scrutiny Committee - Partnerships
  - Performance Scrutiny Committee - People
  - Performance Scrutiny Committee - Place and Corporate
- 3.44 Each Committee is politically balanced and the chairs are allocated in proportion to the number of seats held by political groups.
- 3.45 In line with the Local Government Measure a separate **Democratic Services Committee** was established during 2012/13 along with a Chief Democratic Services Officer; this committee meets quarterly dealing with national consultation exercises, national policy and Members codes and development.
- 3.46 The **Standards Committee**, which includes a majority of independent representatives, advises on and monitors the Member Code of Conduct, the Protocol for Member/Officer Relations, and any other Codes relating to the conduct of Members.
- 3.47 The Education Service is responsible for three statutory committees which challenge, monitor and support the delivery of statutory functions. The committees are made up of Council officers, representative Headteachers and external partners. These committees are the Schools' Forum, the School Admission Forum and the Early Years Development & Childcare Partnership.

## Audit Committee

- 3.48 The Audit Committee considers the work of internal and external auditors and the responses to audit recommendations. It also has responsibility for approving the Annual Statement of Accounts and its associated reports (which include this statement).

- 3.49 The Audit Committee is politically balanced and has appointed an independent chairman; he is not part of the political structure of the Council. Members have reviewed its effectiveness during the year and feel that it makes a positive contribution to the Council's governance arrangements.

## Internal Audit

- 3.50 Internal Audit operate to the standards set out in the Public Sector Internal Audit Standards (PSIAS) and its role and status is set out in the Council's Internal Audit Charter. The Chief Internal Auditor is accountable to the Head of Finance and the Audit Committee.
- 3.51 As required under the PSIAS the Newport City Council Internal Audit team underwent an external quality assessment during 2017/18. The report (issued March 2018) stated that Internal Audit were 'generally compliant' with the PSIAS which was the top grading. An action plan to address any areas of partial or non-compliance with the standards has been drawn up by the Chief Internal Auditor and will be shared with the Audit Committee during 2018/19.
- 3.52 The Chief Internal Auditor reports to the Audit Committee a summary of audit findings for each quarter, and also reports annually an opinion on the overall adequacy and effectiveness of the Council's internal control environment, governance arrangements and risk management processes. The overall opinion for 2017/18 was '**Reasonable**'.

## External Audit & Regulatory Bodies

- 3.53 The Council has an objective and professional relationship with its external auditors and statutory inspectors. The Council is subject to external compliance requirements such as the Wales Audit Office high level risk assessments for its financial systems and information and technology, and the extensive requirements of Public Services Network (PSN) compliance, assessed annually by the Cabinet Office, and Payment Card Industry Data Security Standards (PCI-DSS).

## The Ethical Governance Framework

- 3.54 The ethical governance framework includes:
- codes of conduct for officers and members, which are reviewed, updated and tested for compliance;
  - a protocol governing Member/Officer relations;
  - a whistle-blowing policy widely communicated within the Council and which is regularly reviewed;
  - registers of personal and business interests for Members and Chief Officers;



- an agreed policy and associated corporate procedures for ensuring that complaints about services can be properly made and investigated, and for ensuring that any lessons can be applied; and
- the Strategic Equality Plan and Equality Objectives 2016-2020 (Cabinet February 2016).

3.55 Established anti-fraud, bribery and corruption arrangements provide a deterrent, promote detection, identify a clear pathway for investigation and encourage prevention. These include procedures designed to combat money-laundering, the anti-fraud, bribery and corruption policy and the whistleblowing policy.

3.56 A revised anti-fraud, bribery and corruption policy statement was considered by the Audit Committee in January 2018 and will be taken through Cabinet in 2018/19.

## Information Management & Data Protection

3.57 Local Authorities collect, store, process, share and dispose of a vast amount of information. The Council must meet its statutory responsibilities effectively and protect the personal information it holds throughout its life cycle and invest in security measures to ensure compliance with data and information security standards as outlined in the Digital Strategy 2015-2020.

3.58 Following adoption of the Information Risk Management Policy in 2013 the Council has defined roles and responsibilities for information risk as:

- The Senior Information Risk Owner (SIRO) has high level responsibility for controls relating to information security and the role is undertaken by the Head of Law & Regulation (independent of operational responsibilities);
- Information Asset Owners (IAO's) must effectively manage the information assets that they own;
- The Information Management team are the operational lead on information governance in conjunction with the IT Service;
- The Information Governance Group provides a high level management overview of information governance;
- The Council's Information Risk Register is maintained by the Information Management team to document and manage risks, reported annually.

3.59 The Council is required to meet statutory obligations regarding the handling of data; the Digital Strategy incorporates an Information Risk Management Policy which outlines roles and responsibilities for information risk management. This ensures that



the requirements of legislation, including the Data Protection Act 1998, Environmental Information Regulations 2004 and the Freedom of Information Act 2000 are met and that the risks around information are managed appropriately. The Information Risk Management Policy also formalised the requirement for an Annual Information Risk Report which was reviewed by Scrutiny Committee before being reported to the Cabinet Member for Community & Resources in November 2017.

- 3.60 The Annual Information Risk Report provides an annual assessment of the Council's information governance arrangements and key risks, supported by an action plan. The highest level information risks are escalated in the Corporate Risk Register as appropriate.
- 3.61 General Data Protection Regulation (GDPR) is regulation by which the European Parliament, the European Council and the European Commission intend to strengthen and unify data protection for individuals within the European Union. The GDPR will apply in the UK from 25 May 2018. The government has confirmed that the UK's decision to leave the EU will not affect the commencement of the GDPR. Many of the GDPR's main concepts and principles are much the same as those in the current Data Protection Act (DPA), so if the council complies properly with the existing DPA then most of its approach to compliance will remain valid under GDPR and is the starting point to build from. However, there are new elements and significant enhancements, so the council will have to do some things for the first time and some things differently.

## Human Resources

- 3.62 The Council's recruitment procedures provide equality of employment opportunities. An equality-assessed pay structure to meet the requirements of the Single Status Agreement of 1997 was implemented in April 2015.
- 3.63 In accordance with its statutory responsibilities, the Council has in place a Health and Safety Policy and related procedures.

## Safeguarding

- 3.64 We all share a responsibility, both corporately and individually, to ensure that all children and adults are treated with respect and protected from others who may abuse them.
- 3.65 All Newport City Council employees including voluntary staff members, elected members and contractors, who come into contact with children or vulnerable adults in the course of their work must understand their employee responsibilities and whenever necessary take action to safeguard and promote the welfare of a child or vulnerable adult.
- 3.66 The Council has a Safeguarding Policy Statement (May 2014) and supporting policies which have been reviewed during 2017/18.

- 3.67 Agreed arrangements enable the Council to comply with statutory requirements in respect of child protection and the protection of vulnerable adults. Recruitment procedures help to ensure that Council employees and Members working with children or vulnerable adults are checked for their suitability to do so.

## 4 Review of Effectiveness

- 4.1 The Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the Senior Leadership Team within the Council which has responsibility for the development and maintenance of the governance environment, the Chief Internal Auditor's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.
- 4.2 The governance arrangements continue to be regarded as fit for purpose in accordance with the governance framework.
- 4.3 The processes that have been applied to maintain, review and improve the effectiveness of the governance framework include:
- i. periodic reviews of the Constitution and ethical governance arrangements by the Monitoring Officer;
  - ii. periodic reviews of the financial controls by the Chief Finance Officer;
  - iii. formal risk management and regular on-going review of the processes involved;
  - iv. the Internal Audit function, whose work takes account of identified risks through regular audits of the major systems, establishments and major projects in accordance with the annual internal audit plan, and which includes 'follow-up' work to ensure that Heads of Service implement agreed management actions;
  - v. the work of the Scrutiny Committee and other Committees, including its Standards Committee and Audit Committee;
  - vi. the opinions and recommendations of the Council's external auditors and other inspection and regulatory agencies;
  - vii. regular monitoring of performance against the Improvement Plan and service plans and of key targets, and reporting of this to senior management and members;
  - viii. the outcomes of the Annual Information Risk Report are monitored quarterly by the Information Governance Group
  - ix. progress against the Single Integrated Plan (SIP) is monitored by scrutiny and the PSB twice a year.

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## 5. Principal A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

- 5.1 The Protocol for Member/Officer relations was considered by the Standards Committee in January 2018 with a further review to take place in 2018/19 prior to recommendation of approval to Council.
- 5.2 Following the Local Government elections in May 2017 mandatory training was provided to new Members of the Council along with other training sessions for existing members.

Training Course	Brief Description
Code of Conduct	Mandatory training for new members
Governance	Mandatory training for new members
Licensing Committee	Mandatory training for Licensing Committee members
Planning Committee	Mandatory training for Planning Committee members
Scrutiny Committee Training	Briefing of terms of reference for those on each Scrutiny Committee
Charing Skills Training	Charing skills training for Scrutiny Chairs
Safeguarding	Corporate Safeguarding training for all members
Planning Committee	Section 106 agreements
Scrutiny Committee Training	Questioning skills for Scrutiny Committee members
Treasury Management	Seminar for all members
Wellbeing of Future Generations Act Training	Wellbeing of Future Generations Act Training for all members

- 5.3 In order to monitor all key Council decisions for fairness a 'Fairness Commission' was established which was the first Fairness Commission in Wales. Members of the Fairness Commission were chosen to represent a range of interests, experiences and backgrounds from across the city, including education, trade unions, equality groups, faith communities and the two main political parties in the Council. The Fairness Commission is chaired by an academic from the University of South Wales.

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- 5.4 Reviews of the Council budget proposals have been undertaken by the Fairness Commission.
- 5.5 Induction training for employees covers code of conduct, expected standards of behaviour and the importance of the whistleblowing policy. These documents are also available on the staff intranet.
- 5.6 A revised Whistleblowing Policy was commended in March 2015 and a confidential helpline set up. In 2017/18 2 disclosures were made under the policy. These were both appropriately investigated and acted upon in accordance with the agreed policy.
- 5.7 There were no successful “call-in” challenges to decisions on procedural grounds and no judicial review challenges on grounds of legality during the year.
- 5.8 There were 2 complaints of Member misconduct made to the Ombudsman in 2017/18 involving City Councillor but neither was accepted for investigation. There were no referrals to the Standards Committee and no findings of misconduct or breaches of the Member Code.
- 5.9 The Ombudsman had issued the Council with his Annual letter for 2015/16 which set out information relating to the numbers of complaints of maladministration and misconduct which were referred to his office during this period relating to Newport City Council and its Councillors.
- 5.10 The Number of complaints received in Newport was below the Welsh average, in particular, serious complaints of maladministration. Most of the complaints received by the Ombudsman were discontinued or resolved. There were no findings of maladministration or misconduct during 2017/18. In Newport’s case, whilst the volume of complaints increased this mostly lead to a satisfactory outcome. There were no public interest reports.
- 5.11 Ahead of the implementation of the General Data Protection Regulations in May 2018, during 2017/18 a GDPR Task and Finish group was established with representation from each service area. With the assistance of the group, the council has made progress including in the following areas; awareness raising, communicating privacy information, guidance on consent, incident reporting and identifying the information we hold. Further work is required to complete this work and comply fully with GDPR in common with many other organisations.
- 5.12 All waivers of the Contract Standing Orders and urgent decisions are reported through the Audit Committee quarterly. The Internal Audit team continues to deliver awareness raising sessions on the importance of compliance with these Contract Standing Orders.
- 5.13 The Audit Committee has the power to call in a Head of Service and Cabinet Member to hold them to account for addressing required improvements to the internal control environment within their service area.

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- 5.14 40 Internal Audit opinions were issued in 2017/18. The overall opinion on the adequacy of the internal control environment for 2017/18 was **REASONABLE (in 2016/17 the overall opinion was Reasonable)**.

	2015-16	2016-17	2017-18
Very Good	0	N/A	N/A
Good	9	7	11
Reasonable	17	22	23
Unsatisfactory	8	5	6
Unsound	0	1	0
<b>Total</b>	<b>34</b>	<b>35</b>	<b>40</b>

- 5.15 Management have agreed to implement the action points in order to address the weaknesses identified and Internal Audit will be following this up in 2018/19. 92% of agreed management actions for 2016/17 had been implemented by management.
- 5.16 Reasons why the outcome of some internal audit reviews were deemed to be unsatisfactory were presented to Audit Committee; the Head of Service had been called in to the Audit Committee to provide assurances that appropriate action would be taken to make the necessary improvements.
- 5.17 The audit opinions are about the level of assurance provided regarding the adequacy of the internal control environment, governance arrangements and risk management processes in place within a particular service area or establishment at a particular point in time. They are not a reflection of how well the service is delivered or the establishment is run.

## 6 Principle B: Ensuring openness and comprehensive stakeholder engagement

- 6.1 The Overview and Scrutiny Annual Report for 2016/17 was considered by Council in September 2017.
- 6.2 The Scheme of Delegation sets out responsibilities for decision making. The Council's website includes the Cabinet and Cabinet Member decisions / Member profiles.
- 6.3 The majority of meetings are held in public as shown from Committee agendas and minutes which are then available on the website. The Council now broadcasts Council meetings and Planning Committees live on the internet and is working towards webcasting other formal member meetings. Live tweets are broadcast from Newport Council's Twitter account.

- 6.4 Social media, Twitter and Facebook for example, is increasingly being used to engage local people and communicate the corporate message.
- 6.5 Individual Cabinet Members can make decisions under the scheme of delegation; agendas and decisions for all Cabinet Members are published on the Council's website.
- 6.6 Standing Orders of the Council were amended in July 2017 to include a session for open questions to the Leader of the Council at full Council meetings.
- 6.7 From May 2016 Public Service Board (PSB) papers were published online on the One Newport partner website to ensure transparency, as were agenda and minutes of the Single Integrated Plan Board.
- 6.8 Public engagement and consultation is key to the WFG Act. One of the five ways of working is Involvement - *the importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves*. This is now considered in all Cabinet Member reports through changes in the report template.
- 6.9 As part of Newport City Council's commitment to being open and transparent it publishes its data on the website which the public is free to view and use [www.newport.gov.uk/transparency](http://www.newport.gov.uk/transparency). Examples of open data sets:
- Newport Matters production costs
  - Pupil Numbers
  - Public health funerals
  - Council Pay & Grading
  - Payments to suppliers
  - Councillor allowances & expenses
  - Business rates
  - Freedom of Information

## School Reorganisation Programme

- 6.10 The Council undertook the 2017/18 school reorganisation programme in accordance with the Welsh Government statutory School Organisation Code. The programme included the following proposals:
- 4.1.0 Permanent removal of the Learning Resource Base at Llanwern High School

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- 4.1.1 Expansion of Millbrook Primary School
  - 4.1.2 Expansion of Maes Ebbw School
  - 4.1.3 Establishment of a new primary school on the Glan Llyn development
- 6.11 Each consultation was supported by full stakeholder engagement as outlined in the statutory code. This included the publication of detailed consultation packs and a children and young people summary version, distribution of response forms, drop-in sessions and meetings with the school councils at relevant and local schools. Following each consultation, a consultation report was prepared and published which outlined how the consultation was carried out, who was engaged and the relevant responses. These reports were provided as annexes to the Cabinet Member report which approved moving to the next stage in the process – publication of the statutory notice. The statutory notice is the stage at which legal objections can be lodged against proposals.
- 6.12 No legal objections were lodged in respect of Millbrook Primary School and Maes Ebbw School proposals and thus the final decisions to approve implementation were taken by the Cabinet Member for Education and Skills in accordance with the Council's agreed democratic process.
- 6.13 A single objection was received however in respect of the Llanwern Learning Resource Base proposal and as a result the final decision was taken by the Cabinet, acting as the Local Determination Panel. 15 objections were received in respect of the proposal to establish a new primary school at Glan Llyn and therefore this decision will also shortly be referred to Cabinet, acting as the Local Determination Panel.
- 6.14 The Local Authority works closely with the governing bodies of all schools across Newport and as key stakeholders they are consulted where appropriate on all matters.
- 6.15 The Council has responded to Freedom of Information Act requests within the required 20 days:

	2015-16	2016-17	2017-18
No' of FOI requests	914	1087	1037
No' responded to within 20 days	844	914	916
Percentage of FOIs responded to within 20 days	92%	84% Target 88%	88.3% Target 88%



## 7 Principle C: Defining outcomes in terms of sustainable economic, social, and environmental benefits

- 7.1 The Corporate Plan, as outlined above, was rewritten in 2017, and incorporates the Council's wellbeing objectives as required by the WFG Act. The Plan sets out clearly the Council's priorities and demonstrates its commitment to improving social, economic, environmental and cultural well-being and promoting sustainable development.
- 7.2 The One Newport Local Service Board (LSB) Single Integrated Plan (SIP) (Cabinet February 2013) – 'Feeling good about Newport 2013-17' represents the combined strategic planning intent of a partnership of the key public service providers in Newport which includes the Council – for improving the quality of life in terms of the social, economic and environmental well-being of the whole community. Following the introduction of the WFG Act the [Public Services Board \(PSB\)](#) [link] was established to replace the LSB. No single organisation can meet the total needs of a community, so there is a requirement to plan and deliver services in collaboration with other public and private sector organisations.
- 7.3 The SIP identifies key priorities and programmes that the LSB will work towards achieving over a set period of time. These priorities have been identified as those where the PSB and other key stakeholders must work together to achieve success as outlined above.
- 7.4 The One Newport Local Service Board Single Integrated Plan annual report for 2016/17 was taken to the Public Services Board in June 2017. Progress against the Single Integrated Plan 2017/18 was presented quarterly to the Public Services Board, and also to Scrutiny Committee.
- 7.5 The 2016-2018 Improvement Plan was agreed by Cabinet in April 2016 which stated the 8 improvement objectives and included feedback from scrutiny committee consultation. These are linked to the themes in the Corporate Plan 2012-2017 and are centred around the sustainable economic, social and environmental benefits.
- 7.6 In September 2016 Cabinet received a year-end review outlining the progress made in 2016/17 towards delivery of the current Improvement Plan. It was noted that overall progress was assessed as being "good", with most improvement objectives performing well. In particular, excellent progress had been made against Objective 2, "ensuring people have the right social services to meet their needs". The report also highlighted that this was the sixth consecutive year where the number of informal (stage 1) complaints had decreased since the recording process began in 2011. The overall assessment of progress towards achieving the Improvement Objectives set out in the plan was classed as 'Green – Good.'
- 7.7 In October 2017 Cabinet received a progress report to Q1 on the Improvement Plan 2016-2018; the overall assessment for Q1, of progress towards achieving the Improvement Objectives set out in the plan is classed as 'Green – Good.' meaning that good progress is being made overall. Three objectives were rated as 'Amber –

Acceptable' in quarter 1 and action was to be taken to ensure underperforming measures were addressed in quarter 2. As part of the new scrutiny structure and accountability arrangements in place, for the first time this report had been presented to the Scrutiny Committees for consideration before Cabinet.

7.8 In January 2018 Cabinet received a progress report to Q2 on the Improvement Plan 2016-2018; the overall assessment for Q2, of progress towards achieving the Improvement Objectives set out in the plan is classed as 'Green – Good.' meaning that good progress is being made overall. Two objectives improved from 'Amber – Acceptable' in quarter 1 to 'Green – Good' in Q2:

- Ensuring people have the right social service to meet their needs
- Ensuring people have access to suitable accommodation

However, one measure IP8 'Improving outcomes for youth justice' remained as 'Amber – Acceptable' and reasons were provided for this. Although this was being managed, Members recognised the additional pressure this had caused for the service.

7.9 In April 2018 Cabinet received a progress report to Q3 on the Improvement Plan 2016-2018; the overall assessment of progress towards achieving the Improvement Objectives set out in the plan is classed as 'Green – Good.' IP8 'Improving outcomes for youth justice' remained as Amber – acceptable. Good progress was being made overall.

7.10 The Wales Audit Office issued the Council with Certificate of Compliance following an audit of the Council's Improvement Plan 2016 - 2018 which went to Cabinet in November 2017, confirming the Council had discharged its duties under section 15 (6) to (9) of the Measure and had acted in accordance with Welsh Government guidance sufficiently to discharge its duties.

7.11 In a report to Cabinet in September 2017, [Good governance when determining significant service changes] the WAO provided their findings from a review of the council's governance arrangements when determining significant service changes. This was part of a national review undertaken by Wales Audit Office across all Welsh Councils, and the report detailed the findings for Newport City Council. It was concluded that the Council's governance arrangements for determining significant service change were improving, and it recognised that its vision and change programme needs to be refreshed to strengthen its arrangements further.

7.12 WAO reported that the Council's governance arrangements were clear and well understood, and progress had been made since the Corporate Assessment. Pre-decision scrutiny had increased, and it was positive to note that officers were prepared to put forward a full range of options for discussion by Members. The Council had effective arrangements for stakeholder engagement, although improvements could be made to how the Council then made use of this information. There was also opportunity to improve monitoring of the impact of service change, for example by agreeing monitoring arrangements before changes were agreed. No

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formal recommendations were made as a result of this review. Although it was noted that the Council's governance arrangements could be strengthened by;

- P1 reviewing its change programme so that it is better aligned to its overall vision for service change;
- P2 clearly defining the criteria it will use to decide what is included in its change programme;
- P3 providing support and training to Members to equip them with the appropriate skills to consider future service changes;
- P4 ensuring that the findings from stakeholder engagement and consultation are consistently included in business cases to inform officer and member decision-making; and
- P5 setting out how the impact of proposed changes will be measured and monitored in proposals and business cases

The Council has responded to this by compiling an action plan to address the proposals for improvement that have been identified.

- 7.13 In September 2017, the Annual Improvement Report 2016/17 was presented to Cabinet by officers. This report is compiled each year by the WAO and brings together regulatory reports that have been received throughout the year from the WAO and other regulators such as ESTYN, CSSIW etc. The WAO form an overall opinion of whether the Council is likely to meet its duty to demonstrate continuous improvement by looking at the findings of these reports.
- 7.14 Based on 2016/17 regulatory work the WAO have concluded that the Council is likely to meet its statutory duty to demonstrate continuous improvement in 2017/18. The Cabinet welcomed the news that the Council was continuing to improve, despite the financial, legislative and population growth challenges it was facing.
- 7.15 Progress has been made in ensuring that the Strategic Director's vision of 'Every Child, Every Chance, Every Day' is shared and understood by Education Service staff and schools. This also forms the basis of the foreword to the Education Service Plan which is a public document. This vision links to the Corporate Plan and Medium Term Financial Plan.
- 7.16 The Annual Report of the Director of Social Services was presented to Cabinet in July 2017. This report is an evaluation of 2016/17 performance for Social Services and it sets out the Council's improvement in providing services to people in Newport, who access information, advice and assistance, and those individuals and carers in receipt of care and support. The report sets out to demonstrate how Newport Social Services has responded to the new requirements of the Social Services and Well-being (Wales) Act 2014 and how we have promoted and accounted for the delivery of well-being standards to the citizens of Newport. The Director concluded that the evidence demonstrated the authority was well placed to continue to provide a

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comprehensive range of services that deliver improved wellbeing outcomes for citizens of Newport.

- 7.17 2017/18 service planning incorporated an understanding of customer needs, service area outcomes and improvement priorities, performance management and monitoring, an action plan to achieve the outcomes, an assessment of service related risk, an acknowledgement of regulators' proposals for improvement and an equalities impact assessment.
- 7.18 Newport 2020 was introduced in February 2016 as the Council's organisational change plan and has been used to inform the newly agreed Corporate Plan.
- 7.19 Communication is important to Newport; the Annual Statement of Accounts 2016/17 was taken through the Audit Committee process before being endorsed by Cabinet and Council. All Council decisions, reports and questions asked by Members are available on the website; as are Cabinet Member decisions, Audit Committee reports, Performance Board and the work of the Scrutiny Committees. Headline figures of the Council's financial position were included in the Council tax leaflets distributed with all bills. Financial information, Improvement Plan progress, Council activities, achievements, developments, updates and events were included in Newport Matters which is distributed to every household in the City, is also available on the Council's intranet and website.
- 7.20 Equality Impact Assessments are required by law under the Equality Act 2010. Newport's assessments also examine 'Fairness' and the Welsh language to ensure that the needs of other vulnerable people are considered, as well as the effect on different areas within Newport. A range of these were undertaken during 2017/18 which have been published on the Council's website.
- 7.21 The Public Services Board review includes the monitoring of targets to ensure policies are delivering the agreed outcomes to ensure services are effective, focused on local people and improved quality of life in the City. In terms of measuring the environmental impact of policies, plans and decisions, the Council is working with the Welsh Local Government Association as one of 10 lead authorities for sustainability, and this will also form part of the Wellbeing Assessment and Wellbeing Plan work.

## 8 Principle D: Determining the interventions necessary to optimise the achievement of the intended outcomes

- 8.1 The Local Authority is a partner in the South East Wales Consortium Schools Causing Concern protocol. This Policy forms a part of, and is aligned with, the National Model for School Improvement in relation to the informal support and challenge provided by the Local Authority (LA) to a school prior to any issuing of a warning notice or invocation of formal powers of intervention based on the six grounds for intervention. It also aligns with the Welsh Government (WG) Guidance on Schools Causing Concern (March 2016).
- 8.2 Where the Education Service has concerns with schools' performance it can consider adding additional governors to support and improve the governance arrangements.
- 8.3 To ensure that users receive a high quality of service, service plans were reviewed mid-year and at the end of the year through Scrutiny. The Customer Complaints Policy is available on the website, where the public can also report a problem or concern via the 'Report it' option on the web front page.
- 8.4 Cabinet members hold Heads of Service to account with the achievement of their service plans monitoring objectives and performance.
- 8.5 Regular reporting into Cabinet, Scrutiny and Audit Committee enables the achievement of the Council's objectives to be challenged and appropriate action plans put in place to address any identified issues so that the intended outcomes can be achieved.
- 8.6 Dealing with customer complaints helps Newport to identify and deal with failures in service delivery and look for opportunities to improve. The Council's complaint / compliment procedure is available on the web site. The following table shows the number of complaints received for the past three years:

	2015-16	2016-17	2017-18
Stage 1 Complaints	293	297	
Stage 2 Complaints	34	30	
Complaints to Ombudsman	9	28*	
Customer Feedback / Compliments	128	127	

\* The Ombudsman upheld 1 complaint in part

- 8.7 The Customer Services Strategy includes a target of increasing the number of people using online services. This was monitored by a performance indicator within Streetscene and City Services which was classed as 'Green – Good' for 2017/18.

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- 8.8 And where things are not working as well, the Cabinet recognised the shared role of Cabinet Members, Members and Officers in performance against Improvement targets. The Cabinet also recognised the role of scrutiny in looking at any systematic failures. Newport is learning from its mistakes. The implementation of action plans continued across the board with the Corporate Assessment, Improvement Plan, Estyn Inspections, service plans and internal audit reports.

## **9 Principle E: Developing the entity's capacity, including the capability of its leadership and the individuals within it**

- 9.1 Councillor programmes have been held mainly based on their various roles within the Council. The Democratic Services Committee recognised the Council needed to do more to base the programme on individual needs as identified by Councillors. To this end the Committee agreed to pilot a series of interviews with the Organisation Development team to participate in this pilot.
- 9.2 There is an on-going programme of events and training for Members involved in Planning & Licensing Committees and Sub Committees.
- 9.3 Embedded Appraisal arrangements for Chief Officers are in place, including:-
- Chief Executive's Annual Appraisal;
  - Chief Executive's one to one meetings with Strategic Directors;
  - Executive Directors' one to one meetings with Heads of Service;
  - Appraisal of Chief Officers (Heads of Service).
- 9.4 A new employee performance management system (Clear Review) was launched during 2017. This replaced the annual appraisal system with a platform which will enable ongoing evaluation and encourages all staff to give feedback to colleagues. This ensures that all officers and managers reflect on their objectives and staff are able to link their objectives directly to the organisational goals set within the Corporate Plan. The system also allows continued professional development (CPD) opportunities to be identified which are needed to improve the skill, knowledge and understanding of employees.
- 9.5 Core Skills training is available through Organisational Development aligned to our corporate values with specific training available on topics such as Customer Care, Stress Management and Equality and Diversity.
- 9.6 Management Capacity is being developed through:-
- A mandatory introduction to Management programme for new line managers;
  - Further In-house management development modules for middle managers
  - Aspiring Leaders Programme delivered in partnership with the University of South Wales
- 9.7 Senior Management lead Cabinet Member briefings on a regular basis. Briefings stimulate discussion around the need for Member training. These considerations are followed up with

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Democratic Services, ensuring that an appropriate and timely Members training programme is planned.

- 9.8 Scrutiny is leading a programme of training and support aimed at improving challenge and scrutiny. The Gwent Scrutiny Challenge is being undertaken in partnership with Gwent colleagues and with support from Welsh Government's Scrutiny Development Fund, Wales Audit Office, Welsh Local Government Association and Centre for Public Scrutiny.
- 9.9 Developing the Relationship between Cabinet and Scrutiny was a major focus of both the National Scrutiny Study (WAO 2014) and the Corporate Assessment, highlighting the need to clarify roles and responsibilities of Cabinet and Scrutiny. The WAO concluded that the Council has started to improve its governance arrangements, however, the value of scrutiny is not yet being maximised. Regular meetings have taken place to further develop the relationship between Scrutiny and the Executive.
- 9.10 The scheme of delegation in the constitution sets out the various responsibilities of Members and Officers. This is updated as required via the Democratic Services Committee. Standing Orders and the Constitution were updated to take account of the requirements of the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations in July 2014.
- 9.11 Appropriate and relevant job descriptions were in place for the Chief Executive, Senior Leadership Team (SLT), Monitoring Officer and Head of Finance.
- 9.12 To ensure agreed procedures and all applicable statutes are complied with the Monitoring Officer attends all Council meetings; authors of all scrutiny, Audit Committee, Cabinet, Council reports need to obtain comments from the Monitoring Officer, Chief Finance Officer and the Head of People and Business Change before submission. All reports taken in 2017/18 included such comments.
- 9.13 A protocol on Members / Officers relations is included within the Council's Constitution and this was reviewed by the Standards Committee January 2018 with a further review to take place in 2018/19 prior to recommendation of approval to Council. The Procedure for Dealing with Complaints of Breaches of the Members' Code of Conduct was reviewed in March 2015. A Planning Committee Code of Best Practice and a Licencing Committee Code of Practice area also in place.
- 9.14 There were some 'cosmetic' changes made to the Council Constitution during October 2017 to reformat the document, make it easier to understand and navigate through online. The following was updated;
- Updates to job titles
  - Portfolio updates following the election (e.g. Cabinet Member delegations – which is an executive matter delegated to the Leader)
  - Member allowances update, as approved by Council April 2017
  - Adding role descriptions agreed by Council in April 2017
- 9.15 Remunerating Members - The Members' scheme is now determined by the Independent Remuneration Panel. A report on any discretionary payments is presented to the Council

following consideration by the Democratic Services Committee. The Schedule of Member Remuneration 2016/17 was published on the website.

## **Partnerships / Collaboration Working**

- 9.16 Partnership and Co-operative Principles (Outcome Agreement) is included within the Council's Improvement Plan with its aim being to support the delivery of public sector reform by working collaboratively with our partners to improve outcomes for the City. A single plan for partnership working in Newport is being delivered via the "One Newport" Public Services Board (Single Integrated Plan) – current themes are Economy and Skills, Health and Wellbeing, and Safe and Cohesive Communities.
- 9.17 The establishment of the Education Achievement Service (EAS) for 5 South East Wales Education authorities in 2012 including Newport, has appropriate governance arrangements in place. The EAS Business Plan for 2016-2019 was taken through Scrutiny in March 2016.
- 9.18 Prosiect Gwyrdd is a key partnership Newport is involved in with 5 neighbouring local authorities (Cardiff, Vale of Glamorgan, Caerphilly and Monmouthshire); Newport's Contract Waste Profile was reported to Cabinet March 2012. This partnership is covered by an Inter-Authority Agreement (IAA).
- 9.19 The Gwent Frailty Programme was launched in April 2011. The Frailty Programme is a multi-agency partnership aimed at improving Intermediate Care services in Gwent and spans the Aneurin Bevan Health Board (ABHB), 5 Local Authority partners and a number of voluntary sector organisations.
- 9.20 In One Place obtained Cabinet support in November 2013 to facilitate collaboration between Aneurin Bevan Health Board (ABHB), the five local authorities and Housing Associations within Gwent with the aim of streamlining the process of developing suitable accommodation for people with complex health and social care needs in Gwent.
- 9.21 One Newport Public Services Board (PSB) includes health, police, colleges, local government, housing, third sector and central government; it has a shared strategic purpose detailed in the Single Integrated Plan with terms of reference and the Performance Management Framework. The Public Services Board was created in 2016 following the WFG Act. The terms of reference of the board were reviewed in 2017/18 at the first meeting following a local government election as required by the WFG Act.
- 9.22 The South East Wales Improvement Collaborative (SEWIC) Fostering Group is a working group to develop a marketing strategy, with the objective of creating a unified brand to represent all 10 of the local authorities in South East Wales. It reports to SEWIC Board of Social Services Directors.
- 9.23 In July 2015 Cabinet was informed of the Team around the Cluster which is a collaboration between schools and public services (health, social care, police) designed to meet the needs of vulnerable children. The model had been tested with two pioneer clusters (Llanwern and Newport High) and there had already been significant improvements in the lives of vulnerable children and families and Head Teachers have given their support to this initiative.



- 9.24 In 2016/17 a business case was developed for delivery of IT services as a partnership with the Shared Resource Service (SRS). The SRS is a collaborative ICT provision in South East Wales that comprises Gwent Police Authority, Monmouthshire County Council, Torfaen County Borough Council and Blaenau Gwent County Borough Council. The SRS is underpinned by a Memorandum of Understanding (MoU) that enables a single management structure across the board. Newport CC became a partner of SRS in April 2017.
- 9.25 Newport City Council continues to be part of the Cardiff Capital Region City Deal. With the Leader and Chief Executive attending Joint Cabinet meetings. The Accountable Body, City of Cardiff, will ensure that there is a means of managing financial, legal and governance arrangements of the Cardiff Capital Region.
- 9.26 There is a Council policy on information sharing along with numerous information sharing protocols with our partners. Information sharing is key to joined up service delivery. The Wales Accord on the Sharing of Personal Information (WASPI) was developed as a practical approach to multi agency sharing for the public sector in Wales, and Newport signed up to this in January 2011. The Council is required to meet statutory obligations regarding the handling and sharing of data, in accordance with the Data Protection Act 1998. The Information Sharing Policy has been developed to ensure information is only shared appropriately, safely and compliantly.

## **10 Principle F: Managing risks and performance through robust internal control and strong public financial management**

- 10.1 To ensure the Council continues to meet its statutory duty to demonstrate continuous improvement the monitoring of performance is undertaken through Cabinet, Cabinet Members and Scrutiny Committees.
- 10.2 The year-end Performance Analysis for 2016/17 was taken through Cabinet in October 2017 which showed
- 40% of measures performed better than target.
  - 52% of our service plan measures have performed better than last year.
  - 32% of our service plan measures have performed better than Wales's average.
  - Newport had improved in 52% of the national measures.
- 10.3 Performance management arrangements had been improved with regular monitoring by the Cabinet and Cabinet Members as well at officer level. The Authority had made its targets more difficult to achieve in an effort to push the organisation into improving services.
- 10.4 Mid-Year Performance Analysis for 2017/18 was taken through Cabinet in January 2018. The Council continued to meet its obligation to demonstrate continuous improvement in performance. This was against a back drop of cuts to council budgets, more challenging targets and a set of measures which had changed.
- 68.29% of Service Plan measures are meeting or exceeding their targets

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- 53.57% of the national measures have improved performance when compared to 2016/17 year end
  - 73% of the Improvement Plan measures are meeting or exceeding target
- 10.5 A report was taken through Cabinet in November 2017 regarding pupil performance for Foundation Phase, Key Stage 2 and Key Stage 3 at the end of the academic year 2016/17 for schools in Newport. During the academic year 2016-17 the performance at Foundation Phase, Key Stage 2 and Key Stage 3 improved compared to the previous academic year. At Foundation Phase and at Key Stage 2, performance was better than expected based on the Free School Meal population.
- 10.6 Cabinet were informed of verified pupil performance data at Key Stage 4 and Key Stage 5 in January 2018. The proportion of pupils achieving the Level 2 threshold inclusive of English/Welsh first language and mathematics has declined 57.3% in 2016 to 55.5% in 2017. Although there was a decline, Newport LA was ranked 10th in 2017, an improvement on 15th in 2016.
- 10.7 Every Child Group - This is a monitoring group with senior and middle managers from Central Education and representative Headteacher partners to challenge and support Key Performance Indicators and is held half-termly.
- 10.8 Minutes, Agendas & Reports along with their subsequent decision schedules and questions to Cabinet Members are all available on the web site. Council, Cabinet, Scrutiny and Audit Committee reports are available on the Council's website.
- 10.9 New scrutiny committees were established during 2017 to better represent the Council's structure; Partnerships, People and Place & Corporate. There is also an Overview and Scrutiny Management Committee.
- 10.10 Audit Committee meets regularly and its activities can be seen via the Council's website; it met 6 times in 2017/18. It received
- The Annual Internal Audit Report 2016/17
  - The Annual Internal Audit Plan 2017/18
  - The Draft Annual Internal Audit Plan 2018/19
  - Quarterly updates from Internal Audit re opinions / performance
  - Standing Order 24 (Urgent Decisions) and Waiving of Contract Standing Orders quarterly reports
  - Treasury Management report and updates
  - Corporate Risk Register quarterly updates

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- Draft and Final 2016/17 Financial Statements, including the Annual Governance Statement
- 6 monthly updates on Internal Audit low assurance opinions
- Regulatory Reports Summary and other WAO reports
- A revised Anti-Fraud, Bribery and Corruption Strategy Policy Statement
- Feedback from the Audit Committee self-evaluation exercise

10.11 To enable good, quality information, advice and support to ensure that services are delivered effectively and are what the community wants / needs, a report template has been developed which helps authors to consider relevant issues in report writing and insists that statutory officers are consulted. Minutes, Agendas & Reports along with decision schedules are all available on the website. Legal / Finance / HR officers attend key meetings to respond to questions as required.

## Risk Management

10.12 The Council's Corporate Risk Register was updated and taken through Cabinet in April 2017, with 1 high risk and 7 medium risks presented. A full review of the Risk Register was undertaken and presented to Cabinet in September 2017, this review identified a total of 14 risks; 4 remained from the previous report, 2 risks had been closed and 2 updated, in addition 8 new risks (5 high and 9 medium risks) were identified. The Register was reviewed in January 2018 (5 high and 9 medium risks, no changes); updates were also presented to the Audit Committee during the year.

10.13 Mitigation of risk is incorporated within the risk register, which moves the risk from inherent to residual. The major risks Newport has identified, following the full review of the risk register in September 2017 and an assessment of the current controls or mitigation in place; the top 14 risks facing the Council as at this time were as follows:

	Risk	Risk Assessment	
		September 2017	January 2018
1	Legislative Requirements - Medium	12	12
2	Capacity and capability to meet the councils objectives - Medium	12	12
3	Safeguarding - Medium	8	8
4	Brexit - Medium	9	9
5	In year financial management - Medium	12	12
6	Balancing the Council's Medium Term budget - High	16	16

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7	Increased pressure on demand led services - High	16	16
8	Risk of stability of external suppliers - High	20	20
9	Increasing pressure on existing infrastructure - High	16	16
10	Climate Change - Medium	12	12
11	Increasing demands on IT Services and the modernisation agenda – Medium	6	6
12	Increasing risk of cyber attack - Medium	9	9
13	Asset Management – Carriageways and Buildings - High	20	20
14	Recruitment and retention of specialist professional staff - Medium	12	12

- 10.14 The above figures relate to a likelihood v impact score where the higher the number, the higher the risk.
- 10.15 The Audit Committee felt that managing the risks faced by service areas was an important aspect of the manager's role and should be part of his / her day to day responsibilities. Further work was required to ensure that risk management became fully embedded within Council operations so that it became more of a living document so that operational managers took greater responsibility for owning and dealing with the risks identified in their areas.
- 10.16 A report template for all formal member and scrutiny reports requires authors to consider risk and its management or mitigation when writing reports.
- 10.17 Each Head of Service incorporates the keys risks to their service within operational plans which identified the impact, the likelihood and any mitigation in place to manage those risks.

## Information Governance

- 10.18 The purpose of the Annual Information Risk Report is to provide an assessment of the information governance arrangements for the Council and identify where action is required to address weaknesses and make improvements. The 2016/17 report was received by Scrutiny in July 2017 and reported to the Deputy Leader with the Scrutiny Committee comments in November 2017. The 2017/18 report is currently in draft with the Information Governance Group.
- 10.19 The Annual Information Risk Report forms an important element of information risk management, and includes an action plan. The report highlights the improvements which have been made over the previous 5 years;
- PSN (Public Services Network) compliance maintained;
  - Creation and management of Information Governance Group which meets quarterly;

- Creation of the Information Asset Register
- 699 staff have attended corporate training courses, 534 in Social Services, 32 councillors and 135 in schools;
- New policies have been developed and existing policies updated;
- Information risk register created and managed;
- 298 incidents recorded over the last 5 years. 2 most serious incidents referred to the ICO (Information Commissioners Office) with no action taken against the council;
- Development of Information Sharing Protocols (12) along with Data Disclosure Agreements (9);
- The council's priority IT systems were formally identified for the first time;
- Increased the percentage of laptops used. Wireless facilities have been provided in council and other buildings as part of Newport Community Cloud. Egress Switch solution rolled out to all users. The Xerox Mail solution being rolled out;
- Roll out of Electronic Document Management Solutions (EDMS) in 7 areas of the council. Development and management of a Modern Records facility;
- Met Freedom of Information Requests target in 4 out of 5 years. 7 new data sets published

(Link) [Annual Information Risk Report 2016-17](#)

10.20 The Information Commissioner (ICO) recommends that Councils publish information proactively and the Council has adopted the ICO [publication scheme](#) in this respect. The model publication scheme commits the Council to publishing certain classes of information. It also specifies how the Council should make the information available, any charges, and what we need to tell members of the public about the scheme. This has been updated in line with new requirements to provide sets of electronic data on request.

10.21 Freedom of Information requests are also available through an online form on the Council's website.

## **Financial Stewardship**

10.22 Where value for money of the public pound is concerned, the budget proposals were examined by a joint meeting of Scrutiny Committees and then by the individual committees as part of the budget process. It is intended that the Medium Term Financial Plan (MTFP) will form the basis of some of the Scrutiny Reviews in the coming year. As part of its review process the internal audit team checks to ensure corporate contacts are being utilised.

10.23 There are robust arrangements for effective financial control through the Council's accounting procedures, Financial Regulations and Contract Standing Orders (CSOs), revised May 2016. These include established budget planning procedures, which are subject to risk assessment,

and regular reports to members comparing actual revenue and capital expenditure to annual budgets. Procedures for tendering and contract letting are included in the CSOs. The Council's Treasury Management arrangements follow professional practice and are subject to regular review by the Council's Audit Committee and full Council.

## Procurement Gateway Process

- 10.24 In 2015 NCC introduced a 'Procurement Gateway Process' mandatory to follow if seeking to commission or procure goods, services or works over £4,000 in value. The processes are designed to give a consistent approach to procurement across the Authority and enable senior management to have visibility of the goods and services being purchased by the Council.
- 10.25 The Gateway process was implemented due to major reforms in EU legislation for procurement and the Introduction of the National Procurement Service for Wales (NPS), ensuring compliance and transparency.
- 10.26 The Council needed to ensure that it is in compliance with the new Directives and that it is not purchasing anything that must be sourced via collaborative arrangements such as those by NPS.
- 10.27 For all procurements over £100,000 there is a monthly Gateway Board chaired by the Chief Executive that will approve or reject new Business Cases. The Strategic Procurement Category Managers lead service areas in both the gateway process and submitting business case.

## Thresholds:

- 10.28 Up to £4,000 it is necessary only to demonstrate and record that value for money is being achieved-
- 10.29 From £4,000 to £25,000, requirements should either be sought through the 'Quick Quote' section on [www.sell2wales.gov.uk](http://www.sell2wales.gov.uk) or openly advertised on [www.sell2wales.gov.uk](http://www.sell2wales.gov.uk) .
- 10.30 From £25,000 to £100,000 all requirements must be openly advertised on [www.sell2wales.gov.uk](http://www.sell2wales.gov.uk) and tendered using the Council's electronic eTenderWales tendering system.
- 10.31 Over £100,000 all requirements must be openly advertised on [www.sell2wales.gov.uk](http://www.sell2wales.gov.uk) and tendered using the council's electronic eTenderWales tendering system.

## Medium Term Financial Plan

- 10.32 Regular budget / outturn reports for revenue and capital were presented to and approved by Cabinet during the year. The updated MTFP and budget monitoring reports were presented to and approved by Cabinet in June 2017, July 2017, September 2017, November 2017, December 2017, January 2018 and February 2018. The 2017/18 Budget consultation and MTFP were submitted to Council in February 2017; budget proposals also went through the Learning, Caring and Leisure Scrutiny, Street Scene, Regeneration and Safety Scrutiny, Community Planning and Development Scrutiny. The Council recognises that timely and accurate budget monitoring information is essential for effective decision making purposes. A public consultation exercise was also undertaken to determine the 2017/18 budget proposals.

## **11 Principle G: Implementing good practices in transparency, reporting, and audit to deliver effective accountability**

- 11.1 In April 2016 Cabinet supported the establishment of the Regional Partnership Board following the Social Services and Wellbeing (Wales) Act 2014; the partners being Blaenau Gwent, Caerphilly, Monmouthshire, Newport and Torfaen local authorities, Aneurin Bevan University Health Board, Torfaen Voluntary Alliance, Gwent Association of Voluntary Organisations.
- 11.2 The WAO's review of progress against its Corporate Assessment of Newport and Corporate Assessment follow up recommendations (2015/16) was presented to and accepted by Cabinet in October 2016. It identified 4 proposals for improvement and determined that the Council has made progress against all the recommendations made in the Corporate Assessment follow-up report. Progress reports and updates on the action plan to address the recommendations and proposals for improvement were submitted to Cabinet in April 2017, November 2017 and March 2018.
- 11.3 A review was conducted by WAO of 'Good governance when determining significant services changes' and a report was submitted to Cabinet in September 2017. No recommendations were made as a result of this review and 5 areas were highlighted where the Council's governance could be strengthened. The council responded to this by compiling an action plan to address the proposals for improvement that were identified.

## **12 Action Plan**

- 12.1 When all of the data for 2017/18 has been received this AGS will be updated and an Action Plan to further improve and strengthen the governance arrangements and their effectiveness in future years.

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## 13 Conclusion

13.1 We propose over the coming year to continually monitor and review the projects within each service area to mitigate and manage these risks to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed: .....Date..... 2018

Leader

Signed: .....Date..... 2018

Chief Executive