

# Report

## Governance and Audit Committee

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### Part 1

Date: July 2022

Item No:

**Subject**     **Audit Wales and Regulatory Bodies Published Reports 2021/22 between October 2021 and March 2022.**

**Purpose**     To present the Council's response to Audit Wales and Regulatory Bodies 6-month update in response to reports published between October and March 2021/22.

**Author**     Head of People, Policy and Transformation

**Ward**        All

**Summary**   In May 2021, the Governance and Audit Committee had updated its Terms of Reference to align with the Local Government & Elections (Wales) Act 2021. In its Terms of Reference one of the Audit Committee's function is to *receive and consider inspection reports from external regulators and inspectors and to make recommendations and where necessary monitor implementation and compliance with agreed action plans.*

The Council has three external regulators: Audit Wales, Care Inspectorate Wales and Estyn each responsible for providing assurance that the Council is fulfilling its statutory duties and providing value to the public. This report covers the regulatory activity undertaken in last six months (October to March) of 2021/22 financial year. Where recommendations have been raised for local authorities to consider, an overview of the Council's action(s) have been included in the report.

**Proposal**   The Governance and Audit Committee is asked to consider the contents of this report of the regulatory activity completed in 2021/22 and the assurances that where recommendations have been raised the Council is taking necessary action.

**Action by**   Corporate Management Team and Heads of Service

**Timetable**   Immediate

This report was prepared after consultation with:

- Corporate Management Team

**Signed**

## Background

In [May 2021](#), the terms of reference for the Governance and Audit Committee (GAC) was updated to align with the Local Government & Elections (Wales) Act 2021. One of the functions outlined in the terms of reference of the Committee is:

*To receive and consider inspection reports from external regulators and inspectors and to make recommendations and, where necessary, monitor implementation and compliance with agreed action plans.*

In June 2021, the Auditor General also requested all Council's Governance and Audit Committees to formally consider all reports of external review bodies – principally: Audit Wales (AW), Estyn, and Care Inspectorate Wales (CIW). This report provides an overview of the reports that have been published by the three regulatory bodies in 2021/22.

GAC was presented a report in November 2021 covering the regulatory bodies reports published for the first 6 months (April to September) of the year. A link to this report can be found [here](#).

This report will provide an overview of the reports published by the three bodies between October 2021 to March 2022.

### Audit Wales

Audit Wales is the statutory external auditor of most of the Welsh public sector and its role is to examine how public bodies manage and spend public money including achieving value in the delivery of their services. Reports produced by AW cover either national (thematic) areas or local studies of the public body.

For the six-month period (October 2021 to March 2022) covered in this report, Audit Wales have published four reports related to the Council's work and local authority activity. The table below provides an overview of the reports and any recommendations for the Council to consider and/or implement.

Audit Report National (Thematic) / Local	Overview	Month Published	Recommendation(s)	NCC Position Statement
<b>Local</b> Audit of the Council's 20/21 Statement of Accounts.	Auditor General gave an unqualified true and fair opinion on the Council's financial statements on 16 <sup>th</sup> November 2021.	November 2021	No recommendations were raised for the Council's consideration.	Not applicable. This was reported to the Governance and Audit Committee in November 2021.
<b>Local</b> Gwent Cremation Committee 20/21 Annual Return.	Auditor General certified the Gwent Cremation Committee's accounting statements.	January 2022	No recommendations were raised for the Council's consideration.	Not Applicable This was reported to the Governance and Audit Committee in January 2022.
<b>Local</b> Improvement Reporting Audit	Audit Wales certificate of the Council's 2020/21 performance in accordance with the Local Government (Wales) Measure 2009.	October 2021	No recommendations were raised for the Council's consideration.  Note: This was the final issue of the certificate following introduction of the Local Government and Elections (Wales) Act.	Not Applicable Certificate of compliance was presented to the Council's Cabinet in November 2021.
<b>National</b>	Audit Wales review of the commissioning of care-	December 2021	No recommendations for NCC to consider.	Not Applicable

Audit Report National (Thematic) / Local	Overview	Month Published	Recommendation(s)	NCC Position Statement
Care Home Commissioning for Older People (North Wales)	home placements for older people in North Wales.		Recommendations primarily aimed at Welsh Government to consider as part of their planned policy reform across Wales and may impact future policy decision making.	Report has been shared with Director of Social Services and Head of Adult Services for information.

There are several national and local reviews that are currently in progress. Once these reports are published, GAC will be informed as necessary. The Audit Wales reviews include:

- **National (Thematic) Reviews** – Building social resilience and self-reliance in citizens and communities / Poverty review / Social enterprises / Springing Forward.
- **Local Reviews** – Newport Intelligence Hub (Evidence Based Decision Making) and Workforce Planning.

### Care Inspectorate Wales

Care Inspectorate Wales (CIW) are the independent regulator of social care and childcare in Wales. CIW are responsible for inspecting and driving improvement of regulated services and local authority social services. CIW also undertake national (thematic) reviews of social care services and inspect social care and childcare services across local authority areas.

Inspection reports of regulated services such as children’s homes and secure accommodation services and residential family centres are not reported and/or made available on the CIW website to protect the privacy of children or people using that service. In 2021/22, there was one national review was published:

CIW Report National (Thematic) / Local	Overview	Month Published	Actions Needed for Local Authorities	NCC Position Statement
<b>National</b> <a href="#">‘Early help, care and support and transition for disabled children in Wales’</a>	<p>The review examined the experiences of disabled children and their families as they encountered social services and received advice, care and support. The review also considered care experiences of disabled children transitioning into Adult services.</p> <p>The review identified 19 key findings for local authorities and Health Boards to consider.</p>	November 2021	The Report identified 17 actions for local authorities to consider and support improvement in the service area. The Council’s Children and Preventative service areas will consider these findings as part of their continuous improvement.	<p>The Council’s Children Service and now its Preventative and Inclusion Service have welcomed the key findings and actions from the report.</p> <p>Newport Council is in a relatively strong position in how we support disabled children, and their families throughout their contact with the Council and its partner services such as Barnardos, Newport Live. Over the last five years, the Council has been improving the service / information provided and supporting young people and their families transition into adulthood.</p> <p>The key findings have identified several national risks / issues which local authorities including Newport are having to tackle such as sustainable, long term residential care and the Welsh Government’s eliminate profit from care policy. The findings and actions are being considered by both service areas as part of their new Corporate Plan and Service Plan development.</p>

## Estyn

Estyn is the independent inspection and advice service on quality and standards in education and training provided in Wales. Estyn inspect quality and standards including all schools, further education, adult community learning, local government education services, teacher education and training, Welsh for adults, work-based learning and others.

Estyn also advise and guide the Welsh Government through thematic reports, commissioned by the Minister for Education and cover a range of sectors and themes. Reports are intended to encourage wider thinking and share effective practice.

For the six month period covered in this report, Estyn have published three thematic reports. The table below provides an overview of the report and any recommendations for the Council to consider and/or implement. To date no school inspection reports have been published by Estyn. Inspection reports and action plans are monitored through the school and the school governors. Inspection reports and action plans are shared with the Education Service and Education Cabinet Member. The Governance and Audit Committee will be provided links to the report for information.

Estyn Report National (Thematic) / Local	Overview	Month Published	NCC Position Statement
<p><b>Thematic Report</b> - <a href="#">Experiences of peer on peer sexual harassment among secondary school pupils in Wales</a></p>	<p>Report considers the incidence of peer on peer sexual harassment in the lives of secondary aged young people. The report summaries the experiences of young people, and the responses from schools, and local authorities in tackling this issue.</p> <p>Three recommendations were made for local authorities to consider:</p> <p>R5 - Work with schools to collect and categorise and analyse all bullying and harassment data correctly and comprehensively. In addition, support schools to analyse this information regularly to identify trends and put restorative arrangements in place.</p> <p>R6 - Plan suitable intervention and support on gender issues at both school and local authority level, regularly evaluating their impact on pupil wellbeing.</p> <p>R7 - Provide school staff with the necessary professional learning to adopt a proactive approach to peer-on-peer sexual harassment, including homophobic, biphobic, and transphobic bullying and harassment.</p>	<p>December 2021</p>	<p>An action plan based on the thematic report recommendations has been developed with a range of local authority officers (Education Safeguarding Coordinator, Teacher Adviser for Healthy Schools, Deputy Chief Education Officer, and Assistant Head of Education for Inclusion).</p> <p>The action plan will be shared with Headteacher's across the city in autumn term. This will also act as a reminder that schools have four specific recommendations from this report which are required to be met in a timely manner.</p> <p>Based on R5, a specific category has been placed within the bullying and harassment reporting &amp; monitoring tool. This is used by all Newport schools and will allow schools and the local authority to specifically recognise and respond to reported cases of peer on peer sexual harassment.</p> <p>R6- The LA holds a termly Attendance and wellbeing forum for all schools. Recent work has been focussed on work with 'Umbrella Cymru/In-Equality' to provide awareness raising and training on supporting transgender young people in schools. Further work is being developed with three secondary schools and two clusters of school to develop inclusive LGBTQ+ practice in schools.</p> <p>R7- An extensive range of professional learning has been planned and delivered to meet this recommendation. This includes multiagency work, specialist support and regular updates / upskilling of Designated Safeguarding Leads. Professional learning is planned on a rolling cycle to ensure new practitioners can access and more experienced practitioners have opportunities for refresher courses.</p>
<p><b>Thematic Report</b> – <a href="#">Welsh Immersion Education</a></p>	<p>A review into early immersion education in Welsh-medium non-maintained settings and schools and in Welsh streams in</p>	<p>February 2022</p>	<p>All of these recommendations have been developed and continue to be refined and embedded.</p>

Estyn Report National (Thematic) / Local	Overview	Month Published	NCC Position Statement
<a href="#">Strategies and approaches to support 3 to 11 year old learners</a>	<p>bilingual schools. The review made four recommendations for regional consortia and local authorities to consider:</p> <p>R2 - plan purposefully to ensure equal opportunities for all learners to access early and late immersion provision</p> <p>R3 - evaluate immersion provision thoroughly, including tracking latecomers' progress consistently over time</p> <p>R4 - strengthen and ensure consistency in the professional learning offer on the principles and methods of immersion education for all practitioners</p>		<p>Newport was the first local authority in Gwent to secure provision for primary and secondary immersion in its schools. This ensures that there are equal opportunities for late arrivals into the Welsh Medium education sector.</p> <p>A protocol is in place to ensure there is clarity around accessing the provisions.</p> <p>The primary and secondary school hosting the immersion units track pupil progress. The local authority and the two host schools evaluate the effectiveness of provision and consider any relevant next steps to strengthen practice.</p> <p>Professional Learning has been acquired by those schools hosting the immersion units. The EAS support immersion and language acquisition principles in their professional learning offer.</p>
<p><b>Thematic Report –</b>  <a href="#">The Curriculum for Wales – How are regional consortia and local authorities supporting schools?</a></p>	<p>A review and evaluation of how regional consortia and local authorities are supporting schools and Pupil Referral Units with the National delivery of the Curriculum for Wales.</p> <p>Particular focus was made on practitioners' understanding of curriculum development and design, and on improving teaching and learning to enable strong curricula in all schools in Wales.</p> <p>There are four recommendations for regional consortia and local authorities to consider.</p> <p>R1 - Improve the quality and impact of the support for leaders to improve teaching and learning in their schools.</p> <p>R2 - Improve the support across all subject disciplines.</p> <p>R3 - Provide practical professional learning opportunities that support leaders and teachers to understand better how they can design and deliver their curriculum.</p> <p>R4 Improve evaluation processes so leaders and officers monitor the impact of support for curriculum reform and teaching.</p>	<p>March 2022</p>	<p>These recommendations are being developed by Newport's partner School Improvement Service 'The Education Achievement Service'. Actions linked to each of these recommendations are embedded into the EAS Business Plan which is monitored by The Joint Executive Group and the Company Board on a quarterly basis.</p> <p>R1- Schools will be supported to develop the conditions for high quality teaching and learning through (for example) The Curriculum for Wales Teaching and Learning Network, The Assessment and Progression Network, the Excellence in Teaching Framework and bespoke support based on individual needs identifies. A range of Professional Learning opportunities will also contribute to this recommendation including; National Development Leadership Programmes, Coaching and Mentoring, 'Teach like a Champion', 'Clarity' by Dr Lynn Sharatt, National Curriculum for Wales Leadership linked to vision, curriculum design, assessment &amp; progression.</p> <p>R2- this will be supported through the work of Lead Network Schools across the region, Practitioner Networks and a Curriculum Design Programme.</p> <p>R3- This is being delivered through Area of Learning Leads Networks, the Curriculum for Wales Design and Development Group and a variety of Curriculum Design Workshops.</p> <p>R4- There are established processes already in place to monitor the impact of support provided for Curriculum Reform and Teaching These are continually being refined and reflected upon to demonstrate impact and next steps.</p>
<p><b>Inspection Report –</b>  <a href="#">St Julian's School</a></p>	<p>St Julian's School is judged to have made sufficient progress in relation to the recommendations following the most recent core inspection.</p> <p>As a result, Her Majesty's Chief Inspector of Education and Training in Wales has removed the school from the list of schools requiring special measures.</p>	<p>November 2021</p>	<p>Newport Local Authority has continued to meet with senior leaders and The Chair of Governors at St Julian's School to ensure that the progress which has been made against the core inspection recommendations have continued to be embedded and refined based on the school's self-evaluation findings. The school continue to collaborate with Cardiff High for elements of support. St Julian School is now in a position to share its own elements of good practice across the region.</p>

Estyn Report National (Thematic) / Local	Overview	Month Published	NCC Position Statement
			<p>The support provided by Cardiff High will be monitored in the following ways:</p> <ul style="list-style-type: none"> <li>• By the Principal School Improvement Partners who will ensure that the support outlined is correctly identified based on the school's self-evaluation.</li> <li>• Through 'Notes of Action' based on St Julian's School engagement levels and impact demonstrated.</li> <li>• By the local authority in EAS / LA Partnership meetings (where school support brokered by the EAS is monitored).</li> </ul> <p>St Julian's School will be monitored at least once through the academic year 2022-23 by the local authority in a School Development Plan Professional Discussion Session.</p>
<p><b>Inspection Report –</b> <a href="#">Lliswerry High School</a></p>	<p>The school is judged to have made sufficient progress in addressing the recommendations from the Section 28 inspection. The school has been removed from the list of schools requiring Estyn review and no further monitoring in relation to this inspection.</p>	<p>December 2021</p>	<p>Newport Local Authority has continued to meet with senior leaders and The Chair of Governors at Lliswerry High School to ensure that the progress which has been made against the core inspection recommendations have continued to be embedded and refined based on the school's self-evaluation findings. The school continues to collaborate with Fitzalan High School for elements of support and share its best practice with schools across the region.</p> <p>The support provided by Fitzalan High will be monitored in the following ways:</p> <ul style="list-style-type: none"> <li>• By the Principal School Improvement Partners who will ensure that the support outlined is correctly identified based on the school's self-evaluation.</li> <li>• Through 'Notes of Action' based on Lliswerry High's School engagement levels and impact demonstrated.</li> <li>• By the local authority in EAS / LA Partnership meetings (where school support brokered by the EAS is monitored).</li> </ul> <p>Lliswerry High School will be monitored at least once through the academic year 2022-23 by the local authority in a School Development Plan Professional Discussion Session.</p>
<p><b>Inspection Report -</b> <a href="#">Bridge Achievement Centre (Pupil Referral Unit)</a></p>	<p>Outcome of the Review was that the Centre has made sufficient progress in relation to the recommendations raised and Estyn have removed the Unit from special measures.</p> <p>Follow up review of the Bridge Achievement Centre that was originally placed in special measures in 2018. Six recommendations were examined in the review and Estyn have deemed the unit to have made excellent progress.</p>	<p>March 2022</p>	<p>Newport Local Authority has continued to meet with the Centre Manager and The Chair of the Management Committee at The Bridge Achievement Centre to ensure that the progress which has been made against the core inspection recommendations have continued to be embedded and refined based on the settings self-evaluation findings. The Bridge Achievement Centre continues to receive support from Ysgol Bryn Derw. A calendar of quality assurance exercises will be reported to the local authority twice a year to ensure the success of the Pupil Referral Unit is sustained over time and any additional support required is recognised as early as possible.</p> <p>The support provided by Ysgol Bryn Derw will be monitored in the following ways:</p> <ul style="list-style-type: none"> <li>• By the Principal School Improvement Partners who will ensure that the support outlined is correctly identified based on the school's self-evaluation.</li> </ul>

Estyn Report National (Thematic) / Local	Overview	Month Published	NCC Position Statement
			<ul style="list-style-type: none"> <li>Through 'Notes of Action' based on The Bridge Achievement Centres engagement levels and impact demonstrated.</li> <li>By the local authority in EAS / LA Partnership meetings (where school support brokered by the EAS is monitored).</li> </ul> <p>The Bridge Achievement Centre I will be monitored at least once through the academic year 2022-23 by the local authority in a School Development Plan Professional Discussion Session.</p>

### Financial Summary

There are no direct costs associated with this report.

### Risks

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?
Recommendations and actions are not implemented by the Council to improve the delivery of services to the public / service users.	M	L	<p>All Regulatory reviews and reports are shared with the relevant Senior Officers and Cabinet Members.</p> <p>Recommendations and Actions are delivered and monitored by the relevant service area(s) with corporate monitoring by People &amp; Business Change.</p>	Corporate Management Team

\*Taking account of proposed mitigation measures

### Links to Council Policies and Priorities

Corporate Plan 2017-22  
Strategic Recovery Aims  
Service Plans 2021/22

### Options Available and considered

- To consider the contents of this report and recommend to Council that the recommendations / actions raised by the regulatory bodies be reported to Governance and Audit Committee in the end of year report with an overview of what the Council has undertaken.
- To request further information or reject the contents of this report.

### Preferred Option and Why

- Option 1 is the preferred option with recommendations raised by the Audit Committee to be considered and reported to Cabinet and Officers in accordance with the Council's Constitution.

## **Comments of Chief Financial Officer**

There are no adverse budgetary impacts directly arising from this report. Any recommendations made by the regulatory bodies in the last six months of the financial year will be met through existing budget provision or, where that is not possible, will be considered as part of the Council's budgetary planning and monitoring cycle.

## **Comments of Monitoring Officer**

There are no specific legal issues arising from the report. In accordance with the Local Government (Wales) Measure 2011, as amended by the Local Government & Elections (Wales) Act 2021, there are a number of statutory functions that the Governance and Audit Committee have to discharge and there are other non-statutory functions that can also be included within the terms of reference of the Committee. One of the additional functions that the Council has previously delegated to this Committee is the responsibility for receiving and considering inspection reports from external regulators and inspectors, making any necessary recommendations and monitoring implementation and compliance with agreed action plans. This also meets the requirements of the Auditor General in terms of ensuring that all reports from external regulators are reported to the Council and there is a process in place for monitoring compliance. The role of the Governance and Audit Committee is to consider this overview report on the regulatory activity undertaken during the past 6 months period and to satisfy itself that appropriate action has been taken to address the issues identified by the regulators. Responsibility for individual actions, as identified in the responses to the specific regulatory reports, is a matter for the relevant officers and Cabinet Members but the Committee needs to be satisfied that robust procedures are in place to identify and monitor those actions.

## **Comments of Head of People, Policy and Transformation**

Newport City Council has a responsibility for ensuring that its services provide value for money to the taxpayer and ensure that we are fulfilling our statutory duties. This report to the Governance & Audit Committee outlines the regulatory activity completed this financial year to date and will provide necessary assurances that our governance, internal control, and risk management processes are operating effectively. Newport Council maintains a strong and ongoing working relationship with its three regulatory bodies and supports their work completed throughout the year.

## **Local issues**

None.

## **Scrutiny Committees**

Not applicable as this report will be presented to the Council's Governance and Audit Committee.

## **Fairness and Equality Impact Assessment:**

- **Wellbeing of Future Generation (Wales) Act**

The regulatory activity completed by the three bodies all consider the Wellbeing of Future Generations Act in its findings and recommendations for the Council. The Council's response also considers the five ways of working (Long term, Collaboration, Preventative, Involvement, Integration) to deliver improvement.

- **Equality Act 2010**

Not applicable as this is an information only report to the Governance and Audit Committee.

- **Socio-economic Duty**

Not applicable as this is an information only report to the Governance and Audit Committee.

- **Welsh Language (Wales) Measure 2011**

All reports published by the three regulatory bodies are available in Welsh and English.

## **Consultation**

Consulted with Director of Social Services, Head of Children Services and Head of Education Services.

## **Background Papers**

[Audit Wales](#)

[Care Inspectorate Wales](#)

[Estyn](#)

Dated: 19<sup>th</sup> July 2022