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Review of Council's strategic approach to re-shaping services

Vale of Glamorgan Council

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This document was produced by Steve Barry (Wales Audit Office) and Vivien Holland of Grant Thornton UK LLP.

Contents

Summary report

Summary

1. With the prospect of significant on-going financial pressures, more local authorities are considering the possibility of making major changes to methods of service delivery in order to achieve the required savings and ultimately long term financial sustainability.
2. The Vale of Glamorgan Council (the Council) has already developed and established a number of alternative forms of service delivery: including sub-contracted services (Leisure); and Shared Services (Regulatory services with Bridgend and Cardiff Councils). A recent review identified weaknesses in the arrangements for managing and monitoring the leisure contract and the Council is now acting in respect of the proposals for improvement arising from that review.
3. The Council is also developing a corporate approach to the consideration and implementation of alternative models of service delivery, with the drafting of a strategy on how services could be re-shaped in order to achieve efficiencies. Entitled ‘Reshaping Service – A New Change Programme for the Council’ the strategy was agreed by Cabinet on 28 January 2015.
4. The purpose of this review is to provide the Council with insight of the arrangements that need to be in place for successful implementation of alternative models of service delivery.
5. The review involved a high level assessment of the Council’s mandate for considering, and strategic arrangements for developing, alternative models of service delivery. We have not examined how these arrangements will be delivered by individual services.
6. Our approach comprised a desktop review of Council documents and research on examples of success and best practice models in other councils, including English authorities and guidance documents. We have also conducted a number of interviews with key stakeholders to develop our findings.
7. At the time of conducting this review, the first stage of the Council's change programme was being completed. The Council had not yet had the opportunity to implement many of the necessary arrangements that are considered best practice and which will be required in the later stages of the programme.
8. From our review, we concluded that: **The Council's Reshaping Services Strategy conforms to good practice and demonstrates that it is following the right processes to achieve transformation.**
9. We came to this conclusion because the Council:
   - is in the process of developing a corporate vision to underpin its approach to adopting alternative methods of service delivery;
   - is following the correct processes to achieve transformation, but still needs to undertake a number of steps before selecting a provider and equipping staff to deal with new arrangements; and
   - has not yet developed processes to effectively review the delivery of the service.

Proposals for improvement

P1	The Council should continue to gather and learn from experiences of other authorities.
P2	The Council should ensure that staff resource is adequately assessed and relevant skills in place before selecting any alternative model.
P3	The Council should consider developing its criteria for selecting alternative models of service delivery to ensure that models are selected according to corporate objectives, which will assist in helping the Council defining an agreed vision for the future.
P4	The Council should consider the use of best practice frameworks for business case reviews and partnership working to add strength to its Reshaping Services Strategy as it moves to the next stage of transformation.
P5	The Council should consider referring to BS11000 to strengthen its ability to enter into and ensure the management and governance of all of its partnerships are robust.

Detailed report

The Council's Reshaping Services Strategy conforms to good practice and demonstrates that it is following the right processes to achieve transformation

10. The Council has drafted a strategy entitled 'Reshaping Service – A New Change Programme for the Council' (the Strategy). This was agreed by Cabinet on 28 January 2015. This is the first stage of a programme to 'consider alternative delivery models for services across the Council' which is 'essential to mitigate the impact of cuts and assist in continuing to provide priority services.'

11. The Strategy refers to the need for the Council to ensure 'value for money' (VFM) and has included a baseline assessment of the ability of each service area to achieve VFM.

The Council is in the process of developing a suitable corporate vision to underpin its approach to adopting alternative methods of service delivery

12. The Council has not yet articulated a clear vision of what it will look like in 3-5 years' time. Such a vision would influence selection of alternative methods of delivering services. At this stage the Council has deliberately left its options open to enable each service to select the best model for its purposes. The intention is to move to a clearer vision later in the year and use the early experiences to help formulate that vision. The future vision could be framed around the following:

- the Council's appetite for growth;
- the level of control the Council would like to retain over its services;
- the level of risk that the Council will tolerate in the delivery of each service; and
- the type of relationship that the Council would like, and believes it is able to have, with its partners.

13. The Council has recognised that the Corporate Plan 2013-17 would benefit from being refreshed and aligned to the Reshaping Services Strategy to assist this visioning process and its impact on the selection of alternative service delivery models across the Council. We note from our interviews that there are differing views on how the Council might look in future. There is a risk that if these differences are not resolved by an overarching corporate vision, then sub-optimal decisions may be made at an individual service level when selecting alternative service delivery models.

14. The Council is keen to explore any option that will help it become more agile, the range of options could be rationalised at this stage and help move the Council towards greater clarity. The Council intends to undertake an initial assessment for each service prior to deciding upon a particular model, rather than declare a precise 'vision' of the type of council it intends to be.

The Council is following the correct processes to achieve transformation, but still needs to undertake a number of steps before selecting a provider and equipping staff to deal with new arrangements

15. The Council has begun a process to identify examples from other authorities to benefit from any lessons learned and good practice, as its own working experience is quite limited. When considering these examples, it should note that each authority has its own specific set of circumstances and requirements, which may differ from others, and therefore the outcome may be different. The Council has also consulted its stakeholders and a number are represented on the programme board for alternative models which supports transparency of decision making.

16. The Council's services have not yet developed individual business cases, considering the options for service delivery against the selected corporate criteria, to ensure they are in a position to either select a provider or equip staff to deal with the new arrangements. The Council could also strengthen its scoring mechanism to make the business case development more robust and aligned to corporate objectives. A good practice framework for assessing business cases should be followed and developed to ensure completeness of the process, such as the Office of Government Commerce (OGC) Five Case model.

17. If the Council decides that a particular service is to be traded commercially through a limited company, it should consider performing market analysis to ascertain the likely demand and threat posed by existing suppliers.

18. If a joint venture or outsourcing arrangement is identified as the preferred option for a service or services, the Council will need to carry out vendor due diligence to assure itself that the company providing the best value for money is selected and that both parties have aligned goals. The Council should consider following the principles of BS11000, the British Standard for Collaborative Working Relationships, which set out eight key steps to follow to help ensure that the Council's objectives are realised through the partnership.

19. The Council has plans in place to identify resource levels. It should ensure that all resource-related strategies such as Workforce and IT are updated in line with the Corporate Plan and Reshaping Services Strategy.

20. The Council has not yet ensured that its staff are adequately skilled to meet the requirements of the chosen delivery vehicle for each service. For example having sufficient commercial skills if a trading company is set up or contract management expertise if a joint venture or outsourced partnership is chosen. Any skills gaps should be identified such as through a capacity and skills audit and addressed in advance of the start of the partnership.

21. The Council will need to identify the key risks are in relation to each service and rate the risks according to the corporate appetite, for example the risk of not being able to attract suitably skilled staff. This should be documented in the programme risk register.

The Council has not yet developed processes to effectively review the delivery of the service

22. The Council has not yet undertaken the various stages required to ensure that it will be able to monitor and measure the delivery of an alternative form of service delivery. For example, suitably skilled staff will be required to manage any contract or be responsible for the delivery of the service if in another vehicle e.g. trading company. This is an essential requirement for successful contract management. The principles of BS11000, as noted above, will assist in ensuring that the Council is able to act as an effective corporate client and realise the benefits it requires from the partnership.

23. The Council has not yet reviewed its criteria for assessing alternative models to ensure that these are measured against its corporate objectives and vision.

24. A strong governance framework will be required to underpin all the partnerships that the Council enters into including risk management, scheme of delegation, board governance processes and management reporting on the progress of the vehicle against targets. If there are several partnerships, the Council may consider setting up a Partnership Board to manage all of them.

25. The Strategy makes sufficient provision for engaging directly with service users of potential outsourced services. However, individual service areas will need to design and implement their own plans to ensure that service users' views are fully considered. Public engagement will be a critical part of managing the future reshaping of the Council.

Appendix 1

Presentation on Alternative Models of Service Delivery: February 2015

Why consider alternative service delivery models?

- The financial climate is placing an increased pressure on council finances and the generation of savings
- Alternative Service Delivery Models offer an opportunity to:
  - make service improvements
  - introduce new commercial skills
  - manage the risk to the Council from changing markets for some services
  - retain control where this is needed

Why consider alternative service delivery models?

In our experience of councils, the following are typical considerations:

- Finance – what will it cost and when will returns be achieved?
- Quality – what will happen to this if services are provided through another vehicle?
- Risk – what is the risk appetite and which vehicles meet it?
- Value for money – is this still achievable through innovation and creativity rather than pure focus on who delivers services?
- Partnership working – can working with others increase quality and decrease cost? how easy is it to bring it back in house if required?

Common objectives we have seen explicitly stated by councils include:

- Protection of staff welfare
- Integration of services with other public bodies
- Access to greater commercial skills to make profits
- Free up resource to focus on other areas

Alternative service delivery models

General principles

	Key features	Financial	Quality	Risk	Control	Key success factors
LA Trading Co	• Creation of a wholly owned company • Greater freedoms • Risk and reward relatively low/slower to achieve • Preferred cultural fit • Typical for Catering, Building Control, HR	• Potential to reduce costs but likely to take 2+ years to drive change • Savings approximately 10 to 15% after 2 years	• Potential to improve quality but is dependant on creating cultural change in organisation	• Limited risk if providing services solely to Council • Greater risk exposure as services are traded to different bodies	• High level of control retained	• Appropriate business planning process needed • Some cultural change needed to increase viability of service
JV/Public	• Establishment of venture jointly owned with other public bodies • Council retains less control but shared risk and greater opportunities • Cultural fit better than private • Typical for Highways	• Ability to drive cost efficiencies is dependence on skill set and sector knowledge of JV • Savings approximately 10 to 15% after 18 months	• Potential to improve quality but is dependant on maturity of organisation	• Limited risk if providing services solely to Council • Greater risk exposure as services are traded to different bodies • Some risk of contract creep • May not be of interest to vendors	• Low to medium level of control retained depending on split	• Appropriate business planning process needed • Vendor due diligence critical to selection process • Some contract / relationship management effort required

Alternative service delivery models

	Key features	Financial	Quality	Risk	Control	Key success factors
Mutual	• Staff form their own entity • Opportunity for staff to control the service • Potential for extra funding sources • Efficiencies slower to achieve • Typical for traded services	• Potential to reduce costs and increase commerciality but not in the short term • No return for the Council	• Potential to improve quality but is dependant on creating cultural change in organisation	• Limited risk if providing services solely to Council • Greater risk exposure as services are traded to different bodies	• Low level of control retained	• Strong business case required including market analysis • Cultural change required for staff
Trust	• Establishment of separate entity for non statutory services • Typical where the council has an expensive asset which is transferred over • New funding streams and tax benefits possible • Typical for Leisure	• Potential to reduce costs and increase commerciality dependent on who manages the trust	• Potential to improve but is dependent on the culture of commerciality within the trust's management	• Limited control over operations and output • Tax exemptions may not survive the lifetime of the Trust • May not be politically acceptable • Staff may be on less beneficial t&cs	• Arm's length control - Board representation determines the exact level	• Strong governance arrangements needed • Clarity of objective – making profit, free up resource, or both? • Understanding of the rationale of the Trust • Understand the implications if brought back in house

Alternative service delivery models

	Key features	Financial	Quality	Risk	Control	Key success factors
JV/Private	• Establishment of JV owned with private sector provider • Element of profit share • Benefit from their expertise • Cultural fit not as strong as for public partners • Typical for Finance, Housing Repairs	• Cost reduction can be significant (typically 10 to 20%) and investment if mature partner • Typical timescales to achieving efficiencies 12-18 months	• Quality likely to remain same but some contract risks	• May not be of interest to vendors • Limited risk if providing services solely to Council • Greater risk exposure as services are traded to other bodies • Significant risk of contract creep	• Low level of control retained	• Vendor due diligence critical to selection process • Significant contract / relationship management effort required and clear sanctions for underperformance
Outsourcing	• Contract for services with private sector • Services and staff are transferred across to vendor • Cultural fit least of all options • Typical for Finance, IT, Waste, Highways	• Cost reduction is most significant- typical opportunity to reduce costs by 15% to 20% • Key savings through staff costs • Typical timescales to achieving efficiencies 6-18 months	• Quality likely to improve as contractor will be experienced in the delivery of the service as long as contract management on behalf of the council is robust	• May not be of interest to vendors • Poorly specified service will lead to poorly delivered service	• Loss of direct control of service	• Understanding of own requirements and capabilities at outset • Understanding of ability and appetite to work collaboratively • Thorough vendor due diligence needed • Clear definition of roles with vendor • Strong contract management required and clear sanctions for underperformance

Alternative service delivery models

	Key features	Financial	Quality	Risk	Control	Key success factors
Shared Services	• Informal collaboration with other public bodies e.g. Councils and Police for specific services • Managed by SLA not contract so greater flexibility • Cultural fit is strong • Typical for back office services (Finance, IT,HR), Revenues and Benefits, Regulatory Services and Customer Services • Common in district councils where they may benefit from scale economies	• Potential to reduce costs through scale economies but not significantly as staff t&cs remain unchanged and processes may not be the most efficient	• Quality likely to remain same	• IT investment remains the responsibility of the Council • Opportunity for scale economies reduced without the backing of experienced vendor	• High level of control is retained	• Good relationship with neighbouring Councils/other bodies with a strong level of trust • Clear roles and responsibilities • Alignment of strategic objectives across all parties • Ability to compromise as members' needs change over time

Risks and Rewards

The greatest savings are typically achieved through partnership working with the private sector through a JV or even more through outsourcing because:

- they are experts in their field
- they have the scale economies
- they bring latest technology

Councils' partnerships with the private sector sometimes fail. This is due a lack of:

- market testing
- supplier due diligence
- contract management
- partnership working throughout the lifetime of the contract

Summary of legal and taxation factors for consideration

- **legal compliance** – ensuring that legislation and statutory guidance is followed in relation to local government trading. In the case of social care, there are statutory requirements which may necessitate officers being retained within the Council's direct employment. A vires audit may need to be performed to review all relevant functions and assess the classification of services (being statutory/discretionary). This is particularly important in the case of trusts
- **ensuring that EU procurement rules are adhered to** - this is a particular risk for trusts due to new directives relating to charitable trusts. If a LATC is created, the Council can take advantage of Teckal exemption in relation to procurement which is advantageous. However, it is difficult for a Teckal company to have charitable status due to control requirements
- **compliance with VAT rules** – in particular the consideration of the structure of the vehicle to avoid unnecessary costs. Regard must be given to the set-up, for example a multiple company set up may be better than a single company to take advantage of tax efficiencies
- **consideration of tax implications** - trust structures are generally more burdensome for ongoing tax compliance requirements which makes them a less attractive option than trading companies
- **consideration of employment tax implications** – staff will need to be transferred to whatever company is created which brings cost and responsibility implications in set up and ongoing administration. The new company has responsibility for all staff related tax issues including ensuring that all employees are registered for PAYE. Careful consideration is also required in relation to employment law, in particular TUPE transfers as there is a risk of breaking its rules. Some employees may wish to stay in the Council's pension scheme, the additional costs of which will need to be taken into account

Examples of ASDMs – A JV arrangement using 50:50 deadlocked LLP as the corporate form

Example 3: 'Forest Holidays' 50:50 limited liability partnership

The Forestry Commission (FC) recognised that their holiday business had a greater potential and would benefit from external investment and holiday sector expertise, so in 2004-2005 they undertook a selection process to find an experienced partner to run Forest Holidays (FH) and to invest in existing and new sites. The objective was to develop a first class holiday business and to set Forest Holidays apart from its competitors. Following the competitive process, a JV entity was formed with the Camping and Caravanning Club to which the FC granted 75 year leases of the sites, the FH brand and business and a first, exclusive, opportunity to search for and develop further sites across the 1 million hectares of the FC's estate.

The FC chose a JV arrangement as not only was it contributing assets and a going concern, it had a great deal to offer to the future development of the FH business. The FC manages most of the land surrounding the existing FH camp and cabin sites and, as the largest landowner in Great Britain, is key in supporting the future expansion of the business. A 50:50 deadlocked LLP was chosen as the corporate form of the JV following careful consideration of the existing form of the two JV partners, the desired governance and management arrangements for FH, as well as the treatment of future revenues and investors.

Source: Partnerships UK plc and Forest Holidays

Overview of alternative service delivery models

Examples include:

- Shropshire Council are setting up a wholly owned company to provide services to the Council and other private/public sector bodies
- Cheshire East Council have established a Development Company for managing surplus Council assets
- Cornwall Council have a number of LA companies. Most recently they have established a company with British Telecom to deliver IT, purchase transactions and payroll/HR services
- Swindon Council have set up two trading companies, delivering council services such as street cleaning and transport services

Case studies

Barnet London Borough Council – outsourcing and joint ventures with the private sector

Barnet LBC has set out a clear model for its 'Commissioning Council'. The council has recently signed contracts in excess of £360 million. The council estimates that the contracts will generate savings of £165 million over ten years. By setting up contracts as a joint venture, the council has more control over the business allowing it to ensure that services are based in Barnet and that staffing is kept at a similar level.

The first contract is a support and customer services organisation contract with Capita. The new organisation provides back office services including customer services, human resources, finance and payroll, IT, revenues and benefits, estates, corporate procurement and commercial services. It involves a significant transfer of staff to Capita and also secures £8 million of investment in back office technology.

The second contract establishes a joint venture between the council and Capita to provide development and regulatory services (DRS) in the borough. These services include: building control; land charges; planning (development management); strategic planning and regeneration; highways services; environmental health; trading standards and licensing; and cemetery and crematorium services.

Case studies

Greenwich Leisure

Greenwich Council set up Greenwich Leisure 15 years ago. In 1993, Greenwich Council needed to find a new way to run its leisure centres because of public spending cuts and set up this ground breaking model.

Since then, significant growth has taken place membership has gone from about 7,000 to nearly 450,000. In 1996, they began expanding outside Greenwich and now run all kinds of community services and spaces across the UK. It has taken the decision to widen its market and deliver services across the UK but its ethos was to develop this for the benefit of the community rather than purely revenue-driven.

Their aim is to make community services and spaces better for everyone. That means providing access to quality community leisure and fitness facilities - and more - at a price everyone can afford. They manage over 115 facilities and this is growing.

It is a charitable social enterprise, meaning that all surpluses are returned to the community. They are the first leisure operator in the UK to be awarded both the Social Enterprise Mark and the Prime Minister's Big Society Award. Their vision:

We seek to be recognised as:

- The Country's leading inclusive sport, leisure and cultural service provider
- The Country's leading public service social enterprise delivering social and environmental values and ethics
- The service provider of choice for our client partners, customers and communities.

Case studies

Buckinghamshire Care

Buckinghamshire Care is a wholly owned trading company of Buckinghamshire County Council . It was launched in 2013 to provide services designed to offer choice, inclusion, independence and support opportunities for both individuals and their communities, as the Council believed that it had the necessary skills and capacity to make it successful compared to other options.

It helps support adults both at home, through re-ablement and laundry services, and in the community through day opportunities centres, supported employment schemes and respite services.

It also supports those with a learning disability and or those requiring mental health and well-being support, adults living with autism, people with sensory, physical and cognitive impairments and older adults including those with dementia and other long-term complex conditions. The team extends to more than 250 people.

The approach and ethos is based on the vision, mission and values which were developed by the Buckinghamshire Care team.

Its vision is to *create opportunities which positively impact every person and community*

Its mission is to do this by *building a sustainable organisation which provides innovative, safe, integrated services delivered by skilled, flexible and passionate people*

Case studies

Sunderland City Council

Over the last three years, Sunderland City Council and Beckwiths Community Interest Company have established an innovative partnership delivering improved outcomes for vulnerable people and the citizens of Sunderland. The partnership, established in 2007, brought together the resources and management skills of the City Council and Beckwiths, a local not-for-profit organisation, to reduce inequalities for disabled adults within Sunderland and promote social inclusion by providing real employment and volunteering opportunities for disabled adults. The Council stated that:

It was identified that the aims and objectives of Beckwiths were broadly in line with the council's strategic priorities, delivering efficient and effective services to vulnerable people. Specifically, both organisations aimed to create sustainable opportunities for disabled people to access employment in a supportive environment. It was therefore recognised that an innovative partnership approach between us could realise huge benefits to the citizens of Sunderland.

The work that the CIC has taken on has grown over the period of the company and has further growth plans.

Service Birmingham (Birmingham City Council)

Service Birmingham, created in April 2006, is a joint venture providing ICT and business transformation services to Birmingham City Council. This was created as part of the response by the Council to its funding pressures and forms part of the transformation agenda that it continues to follow. This has delivered significant savings over the period but there have been challenges during this time concerning the delivery outcomes and the Council has had to review its ability to manage its partnership effectively.

Capita and Birmingham City Council are partners in the joint venture, with Capita owning 68% and Birmingham 32%. The £474m contract is a 10 year deal with an option to extend by a further five years. Service Birmingham's key partners include Axon who support the business transformation programme.

Acivico (Birmingham City Council)

In 2012, Birmingham City Council set up an urban design and building and consultancy services into a special purpose vehicle called Acivico, a wholly owned company of the council. As well as providing ongoing services to the council, Acivico was structured to allow other councils to transfer services into the company structure as subsidiaries

Aim was to identify alternative proposals for innovative service delivery that would transform the business; protect the public sector ethos; and respond to the fiscal challenges facing the city council. The Council identified a number of financial advantages including cost reduction and the generation of 'target surpluses' to be returned to the council from the company's profits.

Key objective was to grow its business and maximise income. Achievement of this objective is based on a five-year exclusivity agreement for council work and expanding service provision to other public sector organisations

Acivico has now been running successfully for 2 years but it has yet to deliver the efficiency savings hoped for by the Council

Streetwise (Rushcliffe Borough Council)

In 2014, Rushcliffe Borough Council set up a Teckal trading company, Streetwise. Streetwise is Rushcliffe's grounds maintenance and cleansing service. Based in Nottingham, they also carry out work across the East Midlands. They clean and maintain the borough for the Council and have taken this expertise to branch out to offer new services to businesses including schools, parishes, sports clubs or voluntary organisations. It has not been trading long enough to determine its success, but it is gaining contracts from the local area and is increasing its reach across wider parts of the county.

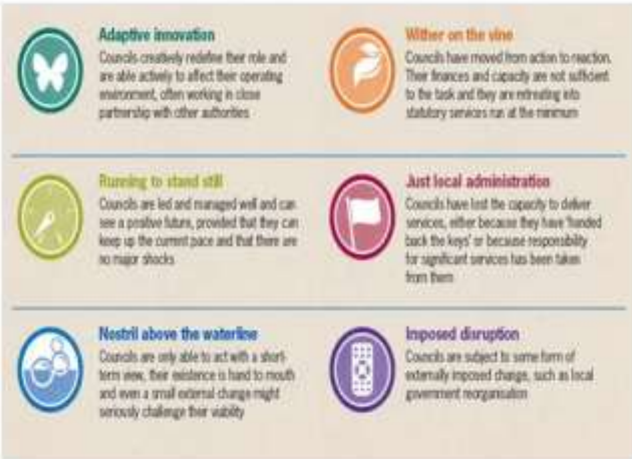
The rationale for setting up this company was to reflect the ethos of the Council which is one of strong social values and community enablement. The company has not been trading long enough to establish its success, but it is now considering working more closely with small local businesses to further its social enterprise approach and support this community by developing a 'franchise' style model to enable small businesses to benefit from the reputation and infrastructure that the Council is able to provide.

Wellingborough/Norse JV

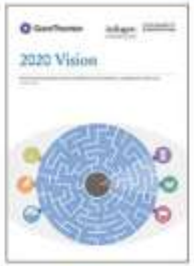
In 2012 Wellingborough DC entered into a JV with Norse in order to make savings and improve service delivery. The profit share is 50/50 and has remained at this level throughout the partnership. The JV company provides facilities management, trade waste, grounds maintenance and street cleansing services and has seen the number of contracts rise significantly since it began trading. The company has benefited from the experience and scale economies provided by Norse, which is a wholly owned trading company of Norfolk County Council and has been trading for a number of years, during which time it has built up a large portfolio of contracts and joint ventures. The profit share means that only half of surpluses are returned to Welllingborough, but the success of the venture means that this may be more beneficial than trading as a wholly-owned entity.

2020 Vision: Exploring finance and policy futures for English local government

- 2020 Vision analyses the current political and economic context and explores the range of potential future policies and outcomes that English Local Governments will need to adopt and strive towards as they seek to adapt and overcome current challenges.
- We have developed a set of five possible scenarios based on our analysis, tested them with senior local government figures and considered a number of international case studies. The scenarios are described opposite.



2020 Vision is a meaningful and influential debate on the future role of Local Government



Failed and successful bids for shared services: London Boroughs of Richmond and Wandsworth and Royal Borough of Kingston

A shared services deal designed to share staff and operations in chosen service areas, intended to save between £5m and £8m a year between two boroughs has collapsed after four months of planning amid disputes over governance. Eight weeks later one partner is replaced and there is a credible foundation for a successful shared services partnership.

Key facts and how did this happen?

- Failed bid was between Richmond and Kingston, the so-far-successful bid is between Richmond and Wandsworth.
- What is everyone trying to achieve? – Significant savings (between £5m-£10m) by sharing staffing structures across a range of services and management.
- Why did the first break down? – amongst other reasons; governance - the inability to agree on "a single, joint management approach which works effectively for both authorities"
- What was the difference between the two bids? – According to Richmond's Leader – agreement has been reached "quite easily since we found we had a similar view of how these things should be accomplished and about having a single leadership team"
- What is the so what? – Compatibility across the full spectrum of issues is essential when considering shared services or mergers. Whilst there will always be issues in acting such large service transformation programmes; it is essential that the initial investment in both human and financial resource is a sound one.

Grant Thornton

An instinct for growth™

Wales Audit Office
24 Cathedral Road
Cardiff CF11 9LJ

Tel: 029 2032 0500
Fax: 029 2032 0600
Textphone: 029 2032 0660

E-mail: info@wao.gov.uk
Website: www.wao.gov.uk

Swyddfa Archwilio Cymru
24 Heol y Gadeirlan
Caerdydd CF11 9LJ

Ffôn: 029 2032 0500
Ffacs: 029 2032 0600
Ffôn Testun: 029 2032 0660

E-bost: info@wao.gov.uk
Gwefan: www.wao.gov.uk