

No.

GOVERNANCE AND AUDIT COMMITTEE

Minutes of a Hybrid Meeting held on 11th March, 2024.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present: G. Chapman (Chair and Lay Member but unable to fully Chair the meeting due to technical difficulties); N. Ireland (Vice-Chair and Lay Member in the Chair); Councillors P. Drake, E. Goodjohn, M.J. Hooper, J.M. Norman, J. Protheroe and N.J. Wood.

Also present: Councillors G. John (Cabinet Member for Leisure, Sport and Wellbeing), Dr. I.J. Johnson and E. Williams (Cabinet Member for Social Care and Health).

916 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Democratic and Scrutiny Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

917 APOLOGY FOR ABSENCE –

This was received from M. Evans (Lay Member).

918 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 5th February, 2024 be approved as a correct record.

919 DECLARATIONS OF INTEREST –

No declarations of interest were received.

920 AUDIT WALES RECOMMENDATIONS REGARDING GOVERNANCE AND THE PLANNING SERVICE (REF) –

The reference and report as contained within the agenda were presented by the Head of Sustainable Development.

In March 2023 Audit Wales advised the Council that their local audit work for 2023-2024 would be regarding Planning. In July 2023 Audit Wales forwarded their project

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brief, which explained that the review would be focussed on the Planning Service's Governance Arrangements. The project brief was attached as Appendix A to the report.

The review was subsequently undertaken by Audit Wales in July/August 2023 to gain further assurance that there were appropriate arrangements around governance of the Planning service, and that there was value for money in its use of resources.

The report at Appendix B outlined the key findings of this work. The reported stated that the review findings were generally positive, and the key finding was: 'We found that the Planning Service has a positive working culture and effectively supports the Council to deliver its well-being objectives but there are some gaps in governance arrangements which need addressing'.

Other findings included:

- "There was clear alignment between the Planning Service's key actions and the Council's wellbeing objectives,
- There was a positive working culture, good communication and an agile use of resources within the Planning Service,
- There were gaps in the Planning Committee's governance arrangements resulting in a lack of clear procedures to support planning officers and members in their roles, and
- The Council had sufficient arrangements in place to monitor and report on the Planning Service's contribution to the well-being objectives."

Therefore, the following recommendations were made:

- R1: The Council should strengthen its Planning Service's governance arrangements by:
 - Agreeing a Terms of Reference for the Council's Planning Committee to clearly state its purpose, role, and responsibilities. The Council should regularly review the Terms of Reference,
 - Developing a plain language Planning Protocol and include it in the Constitution and on the Planning Service Council webpage so that it was easily accessible to Members and the public. The Council should ensure members and officers understand and act in accordance with the Planning Protocol,
 - Undertaking its planned review of the Scheme of Delegation to ensure the Planning Committee was focussed on the most strategically important planning applications, and
 - Ensuring planning applications submitted by, or on behalf of, the officers in the Planning service and supporting services were considered by the Planning Committee and not under officer delegated powers to safeguard against any perceived conflicts of interest and to promote independence and transparency.
- R2: The Council's Planning Service should clearly present its performance measures and targets in its service plan.

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It was noted that the report had been presented to the Planning Committee on 25th January, with comments made at the meeting relating to the size of agendas for Planning Committee meetings and the number of planning applications determined under officer delegation. The report was also considered by the Environment and Regeneration Scrutiny Committee on 20th February, with that Committee recommending that in terms of developing a detailed plain language planning protocol, for consideration to be given for further engagement activity practically around the benefit of consulting with the Equalities Forum to ensure that the plain language used was fit for purpose.

Mr. G. Chapman (Lay Member) stated that it was important for the Governance and Audit Committee to consider the revised Planning Protocol and Terms of reference once drafted. As the report referred to the Council's governance arrangements, it was proper for the Governance and Audit Committee to be able to review and assess any related documents prior to adoption. In addition, it was important to ensure that the Planning Protocol was robust regarding local Members being able to call-in applications as it was important to ensure that applications of a strategic significance were given priority.

Councillors J. Protheroe and M. Hooper expressed their support for the production of a Planning Protocol and an amended Terms of Reference.

Councillor E. Goodjohn referred to the timelines within the report and he asked if there was any movement that would allow Governance and Audit to consider any revised documentation. In reply, the Head of Sustainable Development advised that Audit Wales was flexible with changing the timelines and they would also be comfortable with more engagement.

Subsequently, it was

RESOLVED – T H A T prior to adoption any proposed terms of reference and planning protocol be considered by the Governance and Audit Committee before approval of Full Council.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

921 CORPORATE RISK REGISTER QUARTER 3 UPDATE (CX) –

The Director of Corporate Resources presented the report, which provided Members with an overview of the Corporate Risk Register for Quarter 3 (April 2023-December 2023) and work underway to refine the Register.

The report also requested that Governance and Audit Committee review and recommend endorsement of the inclusion of the Transition from the Welsh Community Care Information System (WCCIS) risk on the Register via Cabinet.

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The report also requested that Governance and Audit Committee approve and recommend to Cabinet that the Brexit and Covid risks be removed from the Register.

In relation to the addition of WCCIS onto the Risk Register, Councillor M. Hooper queried the process for this to appear on the Register at such a high level when it was more likely that the risk would have evolved over a period of time. In reply, Head of Resource Management and Safeguarding stated that the risk had significantly escalated over a relatively short period of time. with the risk significantly increasing due to the delays being experienced over the past three to four months. The system provider had previously outlined an initial plan which involved the transition of all the 19 organisations onto one system. As there were significant concerns and objections raised across Wales and because there was no consensus, the plan had to be revisited. It meant that a new plan had to go back to Welsh Government. Therefore, due to the change of strategy, the risk had escalated quite quickly.

In terms of project support for WCCIS, the Committee was advised that there was a Regional Digital Lead Officer who possessed a high level of expertise in terms of dealing with procurement projects and implementation of major I.T. systems.

Councillor Protheroe stated that she was content with Brexit and Covid being removed from the Register, but she also highlighted procurement changes that would affect the public sector from October this year needed to be highlighted as a future risk. That would mean policy changes, changes to contract procedures and rules, and also require appropriate training. In reply, the Director stated that procurement would be one of those that would be considered as part of the legislative change risk, and he was aware that Welsh Government had recently published its explanatory document associated with the social partnership legislation. That was something that would be discussed by the Strategic Leadership Team over the next few weeks. Therefore, procurement was something that could be potentially picked up as a future risk and reflected within that section of the Register first.

Councillor Hooper echoed Councillor Protheroe's comments regarding the removal of Brexit and Covid, and he stated that raising awareness of the Risk Register to the public in order to help them understand the broader context of financial implications was something that the Council should consider further. The Director stated that the Council was looking at the overall risk processes in order to make the document more accessible by using plain language. In addition, the Council would look at ways that people could access the document and be part of the conversation around how risks were reported and managed.

Councillor E. Goodjohn offered his support to the removal of Brexit and Covid but asked for further information regarding the impact of the extra £850k provided to support Additional Learning Needs (ALN) cross the Vale. The Director advised that a reply would be sought from colleagues in Learning and Skills, and the ALN risk explored further as part of the Quarter 4 update report.

Subsequently, it was

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RESOLVED –

(1) T H A T the Quarter 3 position of corporate risks (April 2023 – December 2023) outlined in the Risk Summary Report (Annex A), (including the inclusion of the new risk related to the Wales Community Care Information Service and the removal of Brexit and Covid from the Register), be noted.

(2) T H A T Cabinet be advised of the view of the Governance and Audit Committee that in relation to the procurement regulation risk, for that risk to be considered for inclusion on the Register or at least an update on the review to be added when appropriate.

Reasons for decisions

(1) Having regard to the contents of the report and discussions at the meeting.

(2) To ensure Cabinet receives the comments of the Governance and Audit Committee when considering the Quarter 3 risk position.

922 REGIONAL INTERNAL AUDIT SHARED SERVICES (RIASS) PARTNERSHIP 2024 (HRIAS) –

The Regional Internal Audit Shared Service (RIASS) was formed in April 2019 and was hosted by the Vale of Glamorgan.

The initial partnership agreement was signed for three years and extended for two years. At the five year anniversary, April 2024, the partnership needed to be refreshed and the original partners needed to sign a new partnership agreement.

Positive feedback had been received in relation to audit service delivery from all four Partner Section 151 Officers and senior management teams.

The Vale of Glamorgan Council was committed to continuing as host of the Regional Internal Audit Shared Service and taking it forward to achieve its objectives.

Rhondda Cynon Taf (RCT) had given notice that it did not wish to continue with the Shared Service partnership arrangement with effect from April 2024.

Section 151 Officers from other South Wales Unitary Authorities had expressed an interest in joining the Regional Internal Audit Shared Service during 2024/25.

Having considered the report it was

RESOLVED –

(1) T H A T the contents of the report be noted.

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(2) T H A T the Members of the Governance and Audit Committee consider the matters set out in paragraphs 2.3 and 2.4 with reference to Appendix 1 under Part II of the agenda.

Reasons for recommendation

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) To allow the Committee to consider the Part II report.

923 RECOMMENDATION MONITORING (HRIAS) –

A position statement in respect of internal audit high and medium priority recommendations made, implemented and outstanding as of 29th February, 2024 was detailed in Appendix A to the report.

A total of 116 high and medium priority recommendations had been made following the conclusion of audits from the 2023-24 Annual Plan. All had been agreed and to date 53 had been implemented, 62 had a future implementation date and 1 was overdue.

In respect of audits completed prior to this current financial year, there were 5 recommendations overdue, that was the agreed implementation date had passed. Details of these recommendations was set out in Appendix B to the report.

Following the previous Governance and Audit Committee, and discussions about two specific recommendations, the Director of Environment and Housing had been invited to attend the meeting to provide assurances that appropriate action was being taken. These recommendations were made following a Potholes audit and an audit of Ysgol Y Deri and St. Cyres Building Compliance.

The recommendation relating to potholes had now been implemented and was no longer reported within these Appendices. The recommendation in respect of Ysgol Y Deri and St Cyres Building Compliance remained overdue and was included in Appendix B to the report.

One medium priority recommendation, made in an audit undertaken in 2021-22, still had a future target date for implementation. This was detailed in Appendix C to the report. In addition, 11 recommendations made in 2022/23 audits had a future target date and these continued to be monitored.

The monitoring of recommendations was undertaken regularly by Auditors and any undue delays or issues were highlighted to Senior Management and ultimately this Committee.

The high-risk outstanding recommendation included within Table 3 of the report, related to the Ysgol Y Deri & St Cyres Building Compliance audit which was undertaken during 2022/23. That recommendation was one of the outstanding recommendations discussed during the previous Governance and Audit Committee

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and the Director of Environment & Housing had been invited to attend the meeting to provide an update. The Director clarified that issues around building compliance had been referred to the Council's Strategic Leadership Team (SLT) in order to escalate the risk to the appropriate level. The Director provided some context in that there was an anomaly in terms of schools and compliance, as the Council was the employer for most schools under the Health and Safety at Work Act, but the Council did not hold the budgets for repairs and maintenance. Budgets being managed by the schools themselves. The Council had a Service Level Agreement with a number of schools to undertake the inspection works, with the schools then required to undertake and carry out any highlighted repair and maintenance work before the necessary certificates issued. The Director added that, in the case of schools' compliance the Council would write to the Headteacher and Chair of Governors either requesting an up to date compliance certificate, where schools undertake their own compliance inspections, or seeking confirmation that any work required as a result of an inspection had been undertaken. A response from the school would then be required by a set number of days. Quarterly reports would be provided to the Council's SLT to pick up and escalate any outstanding issues.

Subsequently, it was

RESOLVED – T H A T the information provided in respect of the status of the high and medium recommendations made be noted.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

924 UPDATED FORWARD WORK PROGRAMME 2023/24 (HRIAS) –

The Governance and Audit Committee had several core functions and responsibilities within its remit. It received reports and presentations throughout the year to enable it to carry out those core functions and responsibilities effectively and to provide it with confidence in the financial governance of the Authority.

To enable the Committee to provide this assurance and to ensure it was covering its range of responsibilities, a Forward Work Programme (FWP) was presented at each meeting, setting out the reports to be presented at future meetings, for approval or amendment, as necessary.

The updated FWP for 2023/24 was attached at Appendix A to the report, changes had been made to reflect decisions made at previous meetings.

Committee was requested to approve the updated FWP or request changes for future meetings.

Councillor M. Hooper queried progress regarding an update on the finances of the Cardiff Region City Deal. The Head of Finance advised that he had been in discussion with colleagues at Audit Wales and Cardiff Council, and the accounts had yet to be finalised.

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RESOLVED –

- (1) T H A T the Forward Work Programme be noted.
- (2) T H A T the schedule of items for the next meeting on 22nd April, 2024 be endorsed.

Reason for decisions

(1&2) Having regard to the contents of the report and discussions at the meeting.

925 EXCLUSION OF PRESS AND PUBLIC –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

926 REGIONAL INTERNAL AUDIT SHARED SERVICES (RIASS)
PARTNERSHIP 2024 (HRIAS) (EXEMPT INFORMATION – PARAGRAPH 14) –

The Regional Internal Audit Shared Service (RIASS) had been formed in April 2019 and was hosted by the Vale of Glamorgan. The initial partnership agreement was signed for three years and extended for two years. At the five year anniversary, April 2024, the partnership needed to be refreshed and the original partners needed to sign a new partnership agreement.

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Rhondda Cynon Taf (RCT) had given notice that they did not wish to continue with the Shared Service partnership arrangement with effect from April 2024.

Section 151 Officers from other South Wales Unitary Authorities had expressed an interest in joining the Regional Internal Audit Shared Service during 2024/25.

Officers responded to a several queries and comments raised by Committee, and the Committee was in agreement for the partnership agreement to be longer than the 5 years proposed, and so it was recommended that the agreement should be on a continual basis with regular reviews undertaken.

Subsequently, it was

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RESOLVED – T H A T Cabinet considers the recommendation of the Governance and Audit Committee, that the Vale of Glamorgan Council should continue hosting the Shared Service arrangement and that the Council enters into a continual Partnership Agreement with a formal review process built in.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.