



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Governance & Audit Committee

At: Remotely via Microsoft Teams

On: Wednesday, 12 January 2022

Time: 2.00 pm

Chair: Paula O'Connor

Membership:

Councillors: C Anderson, P M Black, D W Helliwell, T J Hennegan, P R Hood-Williams, O G James, J W Jones, M B Lewis, C E Lloyd, S Pritchard, J A Raynor, L V Walton and T M White

Lay Member: Julie Davies

Watch Online: <https://bit.ly/3GMseah>

Agenda

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Next Meeting: Tuesday, 8 February 2022 at 2.00 pm

Huw Evans

Huw Evans
Head of Democratic Services
Wednesday, 5 January 2022

Contact: Democratic Services: - 636923

Agenda Item 3



City and County of Swansea

Minutes of the **Governance & Audit Committee**

Remotely via Microsoft Teams

Tuesday, 14 December 2021 at 10.00 am

Present: Paula O'Connor (Chair) Presided

Councillor(s)

C Anderson
P R Hood-Williams
S Pritchard

Councillor(s)

P M Black
M B Lewis
J A Raynor

Councillor(s)

D W Helliwell
C E Lloyd
T M White

Lay Member

Julie Davies

Officer(s)

Simon Cockings
Adam Hill
Sarah Lackenby
Jeremy Parkhouse
Richard Rowlands
Ben Smith
Debbie Smith

Chief Auditor
Deputy Chief Executive / Director of Resources
Chief Digital & Transformation Officer
Democratic Services Officer
Strategic Delivery & Performance Manager
Chief Finance Officer / Section 151 Officer
Deputy Chief Legal Officer

Also Present

Justine Morgan Audit Wales

Apologies for Absence

J W Jones and L V Walton

57 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

58 Minutes.

Resolved that the Minutes of the Governance & Audit Committee held on 9 November 2021 be approved as a correct record, subject to the following amendment: -

Minute No.43 – Disclosures of Personal and Prejudicial Interests – Amend paragraph 2) as follows: -

'Julie Davies declared a personal interest in Minute No.46 – Response to the Community Equipment Stores and Community Alarms Service Audit Report 2021/22'.

59 Annual Complaints Report 2020-21.

Sarah Lackenby, Chief Transformation Officer presented a 'for information' report which provided assurance on the complaints handling process and the performance of complaints. The report also highlighted the number of complaints received by the Council and the Public Services Ombudsman Wales (PSOW) during 2020-21.

It was recognised that this was a very challenging year due to Covid-19 which impacted on the number of complaints received and comparisons with the previous year's performance were reported in that context.

It was highlighted that despite the impact of Covid-19, the Council still made some good progress during the year as follows: -

- The Complaints Policies were reviewed to ensure they were in line with the Public Services Ombudsman (Wales) Act 2019;
- The Complaints Team received training directly from the PSOW;
- A new IT system was underway to make the process easier for the public and more efficient for staff with improved reporting functionality. This would be live and staff would be trained for the start of the new financial year.

It was noted that the monitoring of the complaints handling process was added to the Committee terms of reference and the revised terms of reference were presented as part of the Audit Charter report in April 2021.

The report provided details on the following: -

- Corporate stage 1 complaints (informal);
- Corporate stage 2 complaints;
- Social Services complaints;
- Cases reported to the Public Services Ombudsman (Wales);
- Welsh Language complaint.

Appendix A provided the Public Services Ombudsman (Wales) Annual Letter 2020-21.

The Committee discussed the following: -

- The positive performance of Education complaints;
- The development of the IT system to enable much improved monitoring and would allow delegated bodies funded by the Council, to provide their results;
- Assurances being provided regarding actions being implemented and the processes followed, involving Heads of Service / agreeing an action plan / changing working practices / responding to PSOW;
- Confirmation that actions listed in Appendix A had been completed.

The Chair welcomed the report and stated that it was important not to overlap the work of Scrutiny. It was noted that Scrutiny had not discussed Social Services complaints to date but were scheduled to discuss them in March 2022. She added that additional KPI information would be required in future and once the IT system was available, it would provide a much richer source of information.

60 Audit Wales Work Programme and Timetable – City and County of Swansea Council.

Justine Morgan, Audit Wales presented 'for information' the Audit Wales Work Programme and Timetable – City and County of Swansea.

The report detailed the quarterly update and listed the following: -

- Financial Audit Work
- Performance Audit Work
- Local Government National Studies Planned / In Progress
- Estyn
- Care Inspectorate Wales (CIW)
- Audit Wales National Reports and Other Outputs Published Since 1 April 2021
- Audit Wales National Reports and Other Outputs Due to be Published During 2021-22 (and other work in progress / planned)
- Forthcoming Good Practice Exchange Events and Publications

The Chair thanked the Audit Wales representative for providing the report and noted that it was important the Committee was aware of the work programme and timetable in order to further investigate and seek assurance. She also requested that the Audit Wales representative circulates any examples of good practice to the Committee.

The Chair asked that the Action Tracker report / Work Plan be updated to include the quarterly Audit Wales update report and any Audit Wales reports applicable to the Council.

61 Governance & Audit Committee Action Tracker.

The Governance & Audit Committee Action Tracker was reported 'for information'.

A typographical error was noted regarding actions relating to the Committee meeting held on 09/11/2021 which were listed as 11/09/2021 and would be amended prior to the next meeting.

The Chair asked for the following to be added to the Tracker Report: -

- Minute No.46 – Response to the Community Equipment Stores & Community Alarms Service Audit Report 2021/22

'The Chair asked the Internal Audit Section to include a Review of the Performance Management Arrangements" to be included in their follow-up review'.

62 Governance & Audit Committee Work Plan.

The Governance & Audit Committee Work Plan was reported 'for information'.

The Chair asked that the work plan be updated with the following:

- The items listed in the Audit Wales Work Programme and Timetable that are applicable to the Authority, be added to the Work Plan;
- The items listed in Appendix 4 be added to the Work Plan;
- Committee training post May 2022 be included in the Work Plan, subject to dates being agreed by the Democratic Services Committee.

The meeting ended at 10.29 am

Chair

Agenda Item 4



Report of the Head of Cultural Services

Governance and Audit Committee – 12 January 2021

Response to the Grand Theatre Audit Report 2020/21

Purpose:	To provide an update and response to the 2020 internal audit of the Grand theatre.
Report Author:	Tracey McNulty (Head of Cultural Services)
Finance Officer:	Ben Smith
Legal Officer:	Debbie Smith
Access to Services Officer:	Rhian Millar
For Information	

Service response to the internal audit of the Grand Theatre Swansea

1. Introduction

- 1.1 As a result of an internal audit on the Grand theatre Swansea, function completed in December 2020, an assurance level of Moderate was given.
- 1.2 Officers attended the Governance and Audit Committee with an update to the Action Plan at that time, specifically addressing the 1 x High Risk (HR); 6 x Medium Risk (MR) recommendations. All other reported risks were either Low Risk (LR) or Good Practice (GP)
- 1.3 All recommendations are now complete and the updated Action Plan is appended to this report.

2. Integrated Assessment Implications

- 2.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.

- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.1.1 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

2.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

2.1.3 AN IIA screening (Appendix B) has been undertaken which confirms there are no equality and engagement implications associated with this report as it addresses internal processes and risk of non-compliance, with no impact on the relevant protected groups.

3. Financial Implications

3.1 There are no financial implications other than those set out in the body of the report.

4. Legal Implications

4.1 There are no legal implications other than those set out in the body of the report.

Background Papers: None.

Appendices:

Appendix A - Updated Action Plan.

Appendix B - Integrated Impact Assessment Screening Form.

**SWANSEA COUNCIL
MANAGEMENT ACTION PLAN
SWANSEA GRAND THEATRE**

Appendix A

REPORT REF	RECOMMENDATION	CLASS (HR; MR; LR; GP)	AGREED ACTION/ COMMENTS	RESPONSIBILITY FOR IMPLEMENTATION	IMPLEMENTATION DATE	Update to AC 09/06/2021	Update 15/09/2021	Update 17/12/2021
Expenditure – including P-Card Administration and Transactions								
2.1.1 i)	A purchase order must be created before all goods and / or services are procured. <i>(Previous Audit Recommendation)</i>	LR	Agreed	(Theatre Manager) Operations Manager (resources)	Immediate – ongoing	The Interim Theatre Manager held a meeting with all Department Managers on 15th March 2021 and reminded all those with iProcurement responsibility that spending restrictions must be adhered to and that all goods or services must be created on the system before anything can be procured. Also approval is sought from the HoS in advance of each quarter before any	Implemented. Any spend must be approved in advance by HoS.	No Action Required
2.1.1 ii)	Approval for purchases, subject to spending restrictions, should be obtained by the HoS and retained.	LR	Agreed	Strategic Manager Chris Mellor;	Immediate	As per comment above. Each Department manager is to provide the Interim Theatre Manager with a budget plan per quarter and then the approval will be obtained from the HoS. Appreciate that ad-hoc items might be required and approval will be sought individual.	Implemented. All spend must be approved in advance by HoS.	No Action Required
2.1.2	As per Accounting Instruction No. 5, the ESI check must be completed, evidence retained and the result along with the Employment Status Form be submitted to Accounts Payable.	MR	Agreed	Strategic Manager; via Theatre Manager;	April '21	ESI are created for all those self-employed and there is a file on the server that contains all those submitted. Accounts payable will not release payment unless the ESI has been completed. To mitigate any future risks - those that are self-employed will be placed onto Oracle and the checks will be undertaken centrally	Implemented. All suppliers to be set up on the Oracle. AP processes includes confirmation that all checks are in place prior to payments being made.	No Action Required
2.1.4	All P-Card payments must be approved by the cardholder's authorised line manager. <i>(Previous Audit Recommendation)</i>	LR	Agreed	Operations Manager (resources)	Immediate – ongoing	P-Card approvals – each month the Operations Manager (Resources) obtains the receipts from each of the holders and then approval of transactions are provided. Previously if the theatre manager or Operations Manager was out of the office or on leave then no one approves, hence why a couple of transaction have been approved by Finance. During any absence of the Operations Manager (resources), the Operations Finance Manager has been directed to undertake this role.	Implemented. Approval to be passed to Operations Finance Manager if Theatre Manager unavailable.	No Action Required
2.1.5	A VAT receipt should always be requested at the time of purchase. Where a VAT receipt is not available, VAT should not be reclaimed.	LR	Agreed	(Theatre Manager) Operations Manager (resources)	Immediate – ongoing	The approvals for these transactions was completed centrally due absence. The Operations Manager (Resources) has requested all staff to obtain VAT receipts from the supplier.	Implemented. All staff reminded that they must have a VAT receipt. Highlighted on 15th March in meeting with department managers.	No Action Required
2.1.6	A VAT receipt should always be requested at the time of purchase and the VAT shown reclaimed on the P-Card system. <i>(Previous Audit Recommendation)</i>	LR	Agreed	(Theatre Manager) Operations Manager (resources)	Immediate – ongoing	As above; P Card holders have been reminded about this. In addition we have reduced the number of P Cards in the theatre to two, however this has now been reduced to one.	Implemented. All staff reminded that they must have a VAT receipt. Highlighted on 15th March in meeting with department managers.	No Action Required
2.1.7	The Purchasing Card is not intended to replace the use of official orders for standard purchases and is not to be used as a means of bypassing Corporate Procurement rules or Spending Restrictions.	LR	Staff reminded of protocols and policies for P-Cards Agreed	SMT (Theatre Manager) Operations Manager (resources)	Immediate – ongoing	Staff have been reminded of the protocols and that purchases will not be authorised for abuses. Nb. Staff also reminded that some ad-hoc purchasing for maintenance purposes will continue to take place for spot repairs and urgent, unforeseeable need is within the terms of use.	Implemented. Managers reminded in meeting on 15th March.	No Action Required
Income								

2.2.1	It should be ensured that documents are signed as evidence of checks being undertaken when handing in cash for banking.	LR	Agreed	SMT (Theatre Manager) Operations Manager (foh/tech)	April '21 (on easing/reopening)	Noted that during periods of staff absence significantly reducing capacity, some documents have not been countersigned. The Interim Theatre Manager has raised this with individuals and has directed the relevant team members to ensure there remains adequate cover and counter signatories in place.	Cash income significantly reduced and majority of cash income will be via third parties when Theatre reopens. Managers have been reminded of the need to document when cash is transferred between staff.	No Action Required	
2.2.2	The amount of the cash float transferred to and from the Ushers should be recorded. <i>(Previous Audit Recommendation)</i>	LR	Agreed	SMT (Theatre Manager) Operations Manager (foh/tech)	April '21	This was partly complete, as the cash floats are counted and provided to the Customer Service Assistants, who signed verify the amount, but the figure was not recorded separately per signature as it was a fixed sum. Similarly at the end of the interval the balance was aggregated rather than recorded to individuals. This has now been rectified and the system is in place.	Implemented. Column added to the sheet to record this.	No Action Required	
2.2.3	A monthly income management routine should be implemented, reviewing the payment status of all invoices for the Theatre. Action should be taken to chase customers with outstanding debt with the intention of obtaining payment and resolving any disputes that may arise.	MR	Agreed	SMT (Theatre Manager) Operations Manager (resources)	Immediate	A procedure is in place for Accounts Receivable disputes and discussions have taken place reference debts. Several have been referred to Legal. A report from Accounts Receivable is sent to the theatre each month and the Operations Finance Manager reviews and follows up outstanding actions.	Implemented - New routine includes extracting monthly report from the Oracle and following up outstanding payments. Theatre officers also liaise with AR staff.	No Action Required	
Ticket sales and issue of complimentary tickets									
2.3.3	The policy/guidance note for the issuing of complimentary tickets should be reviewed, updated and approved by the current Head of Service. An annual review of the policy should also take place.	MR	Agreed	Policy /Service support officer overseen by the Service Strategic Management team - TMc overall	April '21	The previous policy has been reviewed, and updates need to be ratified. The policy will continuously be reviewed as part of annual budget and service planning.	Partially Implemented. TM updating the complimentary ticket policy. No tickets to be issued until policy is ratified.	Implemented. New Policy agreed by Director and Cabinet Member on 11th November 21. Copy provided to Audit.	
2.3.4	The complimentary ticket form should be reviewed to ensure that it complies with the information required in the updated Complimentary Tickets Guidance.	LR	Agreed	Strategic Manager; via Theatre Manager;	April '21	As above - the form is currently compliant with the previous policy and will be updated accordingly.	Not yet implemented. Form to be updated once the policy is ratified.	Implemented. No Action Required	
Agreements with Ticket Agents									
2.4.1	New agreements should be signed and retained, detailing the 0% commission rate.	LR	Agreed	SMT (Theatre Manager) Operations Manager (resources)	Immediate	A new agreement was sent out to all Ticket Agents on 16th April 2019 outlining the 0%. The new agreement is therefore already in place for all	Implemented. Documentation issued in April 2019 to ticket agents.	No Action Required	
Contractual Agreements									
2.5.1	The current negotiation and approval of contracts process should be reviewed to ensure it meets business needs.	HR	Agreed and currently underway	SMT (Theatre Manager) Operations Manager (resources)	Immediate	HoS is now linked in with managers who review and discuss all implications of contracts and requests for variations. HoS signing off all new contracts at the theatre. Clear role for negotiating and making recommendations is within an updated JDPS for the theatre manager. With all productions, a Gross Profit calculator is created to ensure the best deal. The financial outcome to the theatre is escalated, forecasting audience capacities for approval.	Implemented. Theatre Manager and HoS now involved in the approval of contracts.	No Action Required	
2.5.2	All amendments to contracts should be made prior to the signing of the document. If this is not possible, any amendments should be initialled and dated by both parties as evidence of both parties agreeing to the amendments.	MR	As above	SMT (Theatre Manager) Operations Manager (resources)	Immediate	As above. This process is in place and any contract variation is discussed between those that sign the contract. Amendments are agreed via written correspondence either via email or via the actual contract.	Implemented. All amendments will be approved by HoS.	No Action Required	
2.5.3	Insurance documents should be checked and evidence of the insurance in place should be retained.	MR	Agreed	Strategic Manager and SMT – theatre manager lead –	Immediate	All insurance documents for any Producers coming into the theatre are obtained along with their Risk Assessments and Technical Riders. This is the responsibility of the Technical Team Lead.	Implemented. Insurance details / documents to be received with Risk Assessments etc.	No Action Required	
Room Hire Income									

2.6.1 i)	Booking forms should be completed for all bookings. Regular bookings should be recorded on a signed booking form and reviewed at least on an annual basis to ensure that current charges are reflected and agreed.	MR	Agreed	SMT (Theatre Manager) Operations Manager (foh/tech)	Immediate and latest test at April (post easing)	All long term tenants and hirers, their risk assessments, insurance and hire agreements are obtained and signed. This is the responsibility of the Front of House Managers. Room Hire rates are reviewed annually to see if they are fit for purpose and we review for local comparison and liaise with other similar venues throughout Wales and national theatre networks for comparators.	Implemented. All booking forms uploaded to Artifax.	No Action Required	
2.6.1 ii)	Booking forms should be signed by both parties.	LR	Agreed	SMT (Theatre Manager) Operations Manager (foh/tech)	Immediate	Previous discrepancies arose with customers outside the area without access to scanners etc., meaning email confirmations were used. The rollout of docuSign will assist the procedures to be embedded on reopening.	Implemented.	No Action Required	
2.6.1 iii)	Free booking category should be included on the room hire rates form, clearly indicating what circumstances are acceptable and who can approve free bookings.	LR	Agreed	SMT (Theatre Manager) Operations Manager (foh/tech)	Immediate	There is currently a review in place at the moment and the rates will be amended accordingly.	Implemented. There is now a joint partnership with RCC. Management agreement in place.	New rates card going to Cabinet January '22 along with process for future review. RCC reminded that all bookings need to be entered onto Artifax accompanied by insurance and risk assessments.	
Inventory									
2.7.1	As required in Accounting Instruction (AI) 9, full descriptions of items should be recorded, including make, model and serial number.	LR	Agreed	SMT (Theatre Manager) Operations Manager (foh/tech)	Immediate	This has been completed for all new items coming onto the inventory. The inventory is scheduled to be checked annually during August whilst we are in	Implemented. Inventory check to be undertaken during August (during shut down) with certificate completed at the end of the financial year.	No Action Required	
2.7.3	Inventory Certificates should be completed at the end of each financial year, in accordance with AI 9.	LR	Agreed	SMT (Theatre Manager) Operations Manager (foh/tech)	Immediate	This will be completed by each Manager as part of the Year End Procedure and will be coordinated by the Operations Finance Manager.	Implemented. Inventory check to be undertaken during August (during shut down) with certificate completed when the check has been finalised.	No Action Required	
Petty Cash									
2.10.1	As per Accounting Instruction 6, Petty Cash Claims should be submitted at least on a 3 monthly basis.	GP	Agreed	Theatre manager – SMT Ops manager (resources)	Immediate	The need for Petty Cash has reduced in theatre which resulted in the float being reduced from £400 to £200. Nil claims will be submitted by the designated officers	Implemented. Reduced from £400 to £200. Will be submitted at least every 3 months if possible.	No Action Required	
2.10.3	A VAT receipt should always be requested at the time of purchase, and eligible VAT reclaimed.	LR	Agreed	Theatre manager – SMT Ops manager (resources)	Immediate	The Operations Manager (Resources) has reminded and instructed all staff to obtain VAT receipts from the supplier.	Implemented. All staff reminded that they must have a VAT receipt. Highlighted on 15th March in meeting with dept. Managers.	No Action Required	
Restoration Fund									
2.13.2	The Restoration Fund Constitution should be finalised and approved by the HoS.	LR	Agreed	Ops manager (resources) HoS	Apr-21	The RF Constitution is in line with the Councils Spending Restrictions and the fund is monitored by the Operations Manager (Resources). The fund was set up and approved by Cabinet. Use is approved by HoS and Director.	Not yet implemented. Still in draft form, however, currently adhering to Council spending restrictions.	Implemented. Procedure agreed by Director and Cabinet Member on 11th November 21. Copy provided to Audit.	
Vehicles									
2.14.3	Fuel reports should be requested from CTU and reviewed on a regular basis.	GP	Agreed	SMT (Theatre Manager) Operations Manager (foh/tech)	Immediate	The Interim Theatre Manager has requested that CTU send these reports on a monthly basis via email. We have greatly reduced the use of vehicles by implementing new digital systems and new website.	Implemented. Reports requested from CTU, however, vehicle has not been used much during the pandemic.	No Action Required	

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Cultural Services

Directorate: Place

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here: Improvement to internal practices and procedures as a response to the Audit of the Grand Theatre 2020/21

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?
Please provide details below – either of your activities or your reasons for not undertaking involvement**

This report is to describe and confirm the implementation of the recommendations of Audit in tightening up systems and transparency for transactions.

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?

Yes No

b) Does the initiative consider maximising contribution to each of the seven national well-being goals?

Yes No

c) Does the initiative apply each of the five ways of working?

Yes No

d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?

Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes No If yes, please provide details below

Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

Very minor impact although clearer systems for bookings; accountancy and other back office functions can only improve the overall service to the community.

Outcome of Screening

Q8 Please describe the outcome of your screening below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

The Screening is for a set of actions that will improve the administrative and accountancy function of the Grand theatre, with some improvements in booking systems for groups; financial efficiencies for the Council through VAT claims and clarity on authorisations. There is no front facing impact on customers or partnerships.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Bobby Grey
Job title: Acting Manager Swansea Grand Theatre
Date: 1 June 2021 *original and 20 December no change
Approval by Head of Service:
Name: Tracey McNulty
Position: Head of Cultural Services
Date: 20 December 2021 * as per original; date amended for currency purposes.

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 5



Report of the Director of Social Services

Governance and Audit Committee – 12 January 2022

City and County of Swansea Administered Trust Funds

Purpose:	To inform Governance and Audit Committee of the status of City and County of Swansea Administered Trust Funds.
Policy Framework:	Dependent upon each Trusts Scheme of Administration.
Reason for Decision:	Development of Policy for administration of Trust Funds
Consultation:	Finance, Legal and Access to Services.
Recommendation:	It is recommended that: 1. Governance and Audit note the updated list and status of Trusts.
Report Author:	Spencer Martin
Finance Officer:	Ben Johnson
Legal Officer:	Adrian Jeremiah
Access to Services Officer:	Catherine Window/Rhian Millar

1. Introduction

- 1.1 The City and County of Swansea has responsibility for the finances and administration of a number of external Trust Funds. (20 in total)
- 1.2. The status of a number of the trusts is uncertain, as is the Trusteeship – the Trustees Panel would appear to have influence in part over a majority, but not all, of the Trusts.
- 1.3 The financial administration of the Trusts has been managed in accordance with good practice, however for various reasons many of the Trusts have been dormant for a number of years.

1.4 Trustees Panel received an update report on the Status of the Trusts on 11th November 2021, following an Audit of Trusts undertaken by officers of internal audit during the Summer of 2021

1.5 The results of that Audit and work undertaken with the Trustees Panel form the basis of the report.

2. Trusts administered by The City and County of Swansea

Details of Trusts

Active Trusts & Charities

Name of Fund	Object of the Fund	Estimated Fund Value @ 31/03/21 £	Status	Comments
Welsh Church Act Trust Fund	Grants are awarded to charities, voluntary bodies and organisations with charitable objectives which are based in/or active within the City & County of Swansea.	1,266,684	Active Fund.	Awards made twice annually by Swansea Council Trustee Panel.
Swansea Children's Relief In Need	To help relieve the hardship or distress of children living in the area.	834,990	Active Fund	Makes regular awards as and when needed
Swansea Foundation	To promote the education of persons who are under the age of 25, are in need of financial assistance and are resident in the City & County of Swansea.	183,137	Active Fund.	Awards made annually by Swansea Council Trustee Panel.
Swansea Further Education Trust Fund	The Charity provides post graduate awards to pupils residing in or near the County Borough of Swansea.	132,804	Active Fund.	Awards made annually by Swansea Council Trustee Panel.

T & E Williams Scholarship Fund	To award scholarships to candidates resident for at least two years immediately preceding the date of application for a scholarship, or have attended for two years in an educational establishment, within the area comprising the former Borough of Loughor. If there are no worthy applicants or not a sufficient number of worthy applicants to meet this criterion, then the area of benefit may be extended to cover the areas of the City & County of Swansea.	63,176	Active Fund.	Awards Made annually by Swansea Council Trustee Panel.
Glyn Vivian Lectureship Fund	Grants awarded by Glyn Vivian Art Gallery	23,289	Active Fund	Recently reopened by Swansea Council Trustee Panel. It is intended to disperse the funds to an appropriate cause/causes
Morrison Park Fountain	The provision and maintenance of a fountain in Morrison Park	10,200	Active Fund	Agreed to reopen by Swansea Council Trustee Panel. It is intended to disperse the funds to an appropriate cause/causes
Cwmdonkin House Trust Fund	To promote and carry out moral welfare work amongst girls and women in Swansea and the neighbourhood thereof.	95,056	Active Fund	Agreed to reopen by Swansea Council Trustee Panel in November 2021 and disperse the funds to appropriate cause/causes.

Total		£2,609,336		
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Dormant Trusts

Ynystawe Reading Room	The provision and maintenance of a reading room situated in Ynystawe, Swansea	13,249	Dormant Fund	It is intended to ask the Swansea Council Trustee Panel to reopen this account in 2022 and disperse the funds to appropriate cause/causes.
Royal Artillery Maintenance Fund	The objects of the charity is the provision of maintenance of a WW2 monument situated at Quay Parade Swansea.	9,639	Dormant Fund	This was managed by its own Trustees but these have now almost all passed away. Will be taken over by the Trustee Panel at some point in the future.
Lily Thomas	To relieve either generally or individually persons resident in the area of benefit who are in conditions of need, hardship or distress.	2,028	Dormant Fund	It is intended to ask the Swansea Council Trustee Panel to reopen this account and disperse its funds to appropriate causes. This is proposed for the 2022/23 financial year.
D F Nichol	Relief of the poor in the village of Oystermouth, Swansea	3,019	Dormant Fund	It is intended to ask the Swansea Council Trustee Panel to reopen this account and disperse its funds to appropriate causes. This is proposed for the 2022/23 financial year.
William Turpin	Unknown - Dormant	2,058	Dormant Fund	There is no file held detailing the objects of this Trust. Research

				needs to be carried out.
G M John Bequest	Unknown - Dormant	1,200	Dormant Fund	There is no file held detailing the objects of this Trust. Research needs to be carried out.
St Johns Day Centre	Unknown - Dormant	278	Dormant Fund	There is no file held detailing the objects of this Trust. Research needs to be carried out.
Total		£31,471		

Trusts Administered by External Trustees

Lord Mayor's Charity Fund	Each year the newly inaugurated Lord Mayor chooses a charity or charities to benefit from the funds raised during his/her term of office.	719	Active Fund	Managed by its own Trustees. Awards are made at their discretion
Swansea Workshop for the Blind	The object of the charity is the relief of persons who are blind or partially sighted by the provision for such persons of facilities for employment and vocational training.	402,758	Active Fund	Managed by its own Trustees. It's objectives are to support the employment of blind and disabled individuals at the Suresprung/Community Equipment Store in Morrision. Annual awards are not made.
Glen George Scholarship Fund	The City & County of Swansea shall stand possessed of the Scholarship Fund upon trust to apply the income thereof in perpetuity for the promotion and encouragement of education of pupils from Bishop Gore Comprehensive School.	28,843	Dormant Account	Believed to be the responsibility of the Governors of Bishop Gore School.

Vision Impaired West Glamorgan	To provide assistance to registered blind and partially sighted people within the areas of the City & County of Swansea and Neath Port Talbot, by making grants of money or providing items, services or facilities.	31,330	Active Fund.	Managed by its own Trustees. Awards are made at their discretion
Frank Squires Trust Fund	Advancing the course of education within the County of West Glamorgan and in particular of assisting former pupils of Dan-Y-Graig and St Thomas Junior School to pursue courses of higher education.	5,400	Dormant Fund	Understood to be the responsibility of Governors of Cefn Hengoed Comprehensive School.
TOTAL		£469,050		

3. Status of Trusts

3.1 With regard to the status of the Trusts

- Eight of the Trusts with a combined value totalling £2,609,336 are open and receiving applications under their schedules. The total value of five of these funds will not reduce as Trustees only allocate income/interest. The other three do not have a significant balance to allow generated income to be allocated so these funds will be allocated by the panel until the Trusts are spent out.
- Seven of the Trusts, with a combined value totalling £31,471 are dormant and will be reviewed in time. The balances held by these trusts will not allow a significant income to be generated so it will be proposed that these trusts will allocate their finances until the balance is spent out.
- Five of the Trusts, with a combined value totalling £469,050 are administered by external Trustees, and are not within the scope of the Trustees Panel.

4. Charities Commission Welsh Revitalising Trust - Review of Dormant Trust Funds

- #### 4.1
- The Charities Commission Welsh Revitalising Trust have begun a review of dormant Trust Funds across the Country. They are meeting with Local Authorities and other administrative bodies to encourage the review of said Trusts.

4.2 Officers from the Commission Revitalising Trust met with officers from Swansea Council on the 19th of November 2021 to discuss a number of referenced trusts - Charity Numbers, namely:

- Swansea and South Wales Workshops for the Blind – 532256
- David Fryer Nicholl – 245214
- The Frank Squires Trust Fund – 508215
- The Swansea Foundation - 1086884
- The Lily Thomas Charity Fund - 505022
- Cwmdonkin House Trust – 22239117
- Swansea Children’s Relief in Need Charity – 701418

4.3 The status of the referenced Trusts is thus: DF Nicol and Lily Thomas fund are still dormant, but are scheduled to be reviewed over the next 12 months. The rest are either active, have recently been re-launched or are administered by other bodies (Workshops for the Blind and Frank Squires)

4.4 The Officers of the Revitalising Trusts responded positively and are satisfied with our work to date and our future plans to revitalise the listed Charities – Swansea Council have agreed to review the work in partnership with the Commission in 12 months.

5. Future Workplan

5.1 That the five active Trusts that generate significant income continue allocating funds as is current Practice. These Trusts Are Namely:

- Swansea Welsh Church Act Trust Fund
- Swansea Children’s Relief In Need
- T & E Williams Scholarship Fund
- Swansea Further Education Trust Fund
- Swansea Foundation

5.2 The three smaller active Trusts continue allocating funds until the Trust balances are spent. These Trusts being:

- Glyn Vivian Lectureship Fund
- Morryston Park Fountain
- Cwmdonkin House Trust Fund

5.3 The seven dormant Trusts be reviewed and recommendations be presented to Swansea Council Trustee Panel to reopen these accounts and disperse funds to appropriate causes.

5.4 The external Trust Funds continue operating as current with their Trustees.

6. Financial Implications

6.1 The Trustees have a general duty to maintain the long term financial health of each fund.

7. Legal Implications

- 7.1 Any proposals for the Future of the Trusts must be in accordance with the individual Schemes of Administration and Objects for that Trust and may require clearance from the Charities commission.

8. Integrated Assessment Implications

- 8.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 8.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 8.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

- 8.4 The IIA screening undertaken (appendix 1) demonstrated that there are no equality implications for Swansea Council. This is because the Trust Funds are external to the Council. Each of the Trusts criteria is measured against the standard criteria outlined in each Trusts governing documents and schedule.

The impact of the Trusts are dependent upon a large number of factors, including but not limited to; eligibility under governing documents and schedules and communities of benefit thereof.

The funding is external to Swansea Council so the council's reputation will not be at risk.

Background Papers:

- Schemes of Administration for Various Trusts
- Information from Legal Department.

Appendices - Appendix 1 - IIA

Integrated Impact Assessment Screening Form

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Partnership and Commissioning

Directorate: Social Services

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here:

The Swansea Council Administered Trust Funds

The proposal is to update the Governance and Audit Committee on the Status of the external Trust Funds that are under the Council Administration.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement

The individual Trusts criteria is measured against the appropriate Trust Schedules. The workings of the trust and allocated according to the parameters in the Trusts Schedules, so cannot be altered through consultation or a co-productive approach

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?
 Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
 Yes No
- c) Does the initiative apply each of the five ways of working?
 Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
 Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk <input type="checkbox"/>	Medium risk <input type="checkbox"/>	Low risk <input checked="" type="checkbox"/>
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Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

The Allocations of the individual Trusts can impact upon referenced communities when the schedule of the Trust concerned allows. These decision will be made in line with each Trusts particular schedule, and will take due note of our requirements under equalities legislation

Outcome of Screening

Q8 Please describe the outcome of your screening below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

The Trust Funds are external to the Council. Each of the Trusts criteria is measured against the standard criteria outlined in each Trusts governing documents and schedule.

The impact of the Trusts are dependent upon a large number of factors, including but not limited to; eligibility under governing documents and schedules and communities of benefit thereof,

The funding is external to Swansea Council so the council's reputation will not be at risk.

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Spencer Martin
Job title: Partnership and Commissioning Officer
Date: 3rd December 2021
Approval by Head of Service:
Name: Jane Whitmore
Position: Head of Partnership and Commissioning.
Date: 3rd December 2021

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 6



Report of the Director of Place

Governance & Audit Committee – 12 January 2022

Update Report South West Wales Corporate Joint Committee

Purpose:	To provide the Governance & Audit Committee with an update on the current status and progress in relation to the new SWW Corporate Joint Committee.
Report Author:	Martin Nicholls.
Finance Officer:	Ben Smith.
Legal Officer:	Tracey Meredith.
Access to Services Officer:	Rhian Millar.
For Information	

1. Background

As advised in the previous report to G&A committee on the 12th September the Local Government and Elections (Wales) Act 2021 (“the Act”) provides for the establishment, through regulations, of CJs.

1.1 Establishment Regulations were approved by the Senedd to establish four CJs in Wales including the South West Wales Region –

- Carmarthenshire County Council;
- Neath & Port Talbot County Council;
- Pembrokeshire County Council;
- Swansea Council.

1.2 In addition for the strategic planning functions the CJC would include both Brecon Beacons and Pembrokeshire National Parks.

1.3 Governance will be a key element of CJs and a number of factors must be considered by CJs.

- 1.4 Following the previous Cabinet report approved on the 20th May 2021 work has progressed to develop the principles informing the future CJC structure and governance
- 1.5 As a result of these discussions, a further report was presented to Cabinet on the 16th December (appendix A) which outlined the ways in which the CJC may be constituted in order to meet legislative requirements. The committee will also note that the CJC has already been established by legislation. The purpose of this report is to set out the current proposed arrangements and subject to the first formal meeting of the CJC on the 13th January 2022.
- 1.6 As stated the approved Cabinet report is attached in appendix A so it's not intended to repeat all the detail with the body of this report but the key headings are:
- Outline of the Work streams and relevant legislative requirements where applicable;
 - Operational responsibilities and the proposed approach to appointment of statutory officers across the region and leads for each work stream;
 - The governance of the CJC and any respective sub-committee's and the supporting officer framework;
 - The report also outlines the proposed regional requirements standards committee and scrutiny functions and also for the new governance and audit committee which given the alignment of the latter with this committee is outlined in further detail below.

2. Governance and Audit Functions

- 2.1 The CJC is required to establish a sub-committee to be known as the Governance and Audit Sub-Committee.
- 2.2 The terms of reference of the sub-committee are stated in the CJC Establishment Regulations as:
- (a) review and scrutinise the CJC's financial affairs;
 - (b) make reports and recommendations in relation to the CJC's financial affairs;
 - (c) review and assess the risk management, internal control and corporate governance arrangements of the CJC;
 - (d) make reports and recommendations to the CJC on the adequacy and effectiveness of those arrangements;
 - (e) oversee the CJC's internal and external audit arrangements;
 - (f) review any financial statements prepared by the CJC;
 - (g) exercise such other functions as the CJC may specify.

- 2.3 The CJC Establishment Regulations state that membership of the Governance and Audit Sub-Committee is at least one lay member and at least 2/3rds membership from the Constituent Councils. However this will be subject to change under the LGE Act next year. The Governance and Audit Sub-Committee may not exercise its functions if the membership of the sub-committee contravenes the membership as set out above and therefore the lay member(s) will need to be in place in order to meet as a sub-committee. The draft Guidance provides that it is anticipated that the sub-committee will be required to meet once in every calendar year as a minimum.
- 2.4 The chair of the governance and audit sub-committee must be a lay member.
- 2.5 Accordingly, it is proposed that a Governance and Audit Sub-Committee is established by the CJC comprising of Lay Member(s) to be drawn from constituent Councils Governance and Audit Committees (or externally advertised if this is not possible) and members from each Constituent Council. This will ensure that the Governance and Audit Committee complies with proposed changes to the Local Government (Wales) Measure 2011 to have at least one third lay members. The appointment(s) will be made by the CJC.
- 2.6 A report will be presented to Full Council seeking authority to nominate the Swansea Council Representative(s) to the Governance and Audit Sub-Committee in due course.

3. Key activities and Milestones

- 3.1 The first formal meeting of the CJC is scheduled for the 13th January 2022 where a range of matters will be considered including the governance arrangements, officer support, budget implications and agree the standing orders. This will allow the year one operations to commence with further decisions being made during the course of the first year.
- 3.2 There is also a requirement for a final budget meeting to be held by the end of January 2022 to set the budget for the coming year and the current planned frequency of the meeting after that are intended to be quarterly.
- 3.3 Sub-committee dates are yet to be determined but are intended to be quarterly or as required to support the decision making on the work programme.

4. Legal Implications

- 4.1 There are no direct legal implications arising from the report.

5. Financial Implications

- 5.1 As this is for information there are no direct financial implications arising from the report. Future costs including the formal levy from the CJC will be built into the budget setting round for 22-23 once determined by the CJC in their meeting before the end of January 2022.

6. Integrated Assessment Implications

- 6.1 This is a status report and therefore an assessment is not required.

Background papers: None.

Appendices:

Appendix A – Cabinet Report 16th December 2021



Report of the Leader

Cabinet – 16 December 2021

South West Wales Corporate Joint Committees Update

Purpose:	To update members on the implementation of the South West Wales Corporate Joint Committee pursuant to the Local Government and Elections (Wales) Act 2021 and to seek approval from members where applicable for the City and County of Swansea Council’s (“the Council”) involvement.
Policy Framework:	The South West Wales Corporate Joint Committee Regulations 2021.
Consultation:	Legal, Finance & Access to Services
Recommendation(s):	It is recommended that Cabinet:
1)	Note the current work streams associated with the South West Wales Corporate Joint Committee and the work currently being undertaken by officers to facilitate such work;
2)	Note the allocation of operational responsibilities and the proposals set out in paragraph 3.2 of this report;
3)	Note how it is proposed that the South West Wales Corporate Joint Committee and the various subcommittees are proposed to be established;
4)	Note the proposals for the elected members so referenced at paragraphs 4.4 and 4.5 of this report to sit on the said Corporate Joint Committee and sub-committees.
5)	Delegates authority to the Chief Executive in consultation with the Leader to agree any documents necessary to implement the requirements of this report.

Report Author:	Phil Roberts
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Background

- 1.1 The Local Government and Elections (Wales) Act 2021 (“the LGE Act”) created the framework for a consistent mechanism for regional collaboration between local government, namely Corporate Joint Committees (CJCs). The LGE Act provides for the establishment of CJCs through Regulations (CJC Establishment Regulations).
- 1.2 The CJC will exercise functions relating to strategic development planning and regional transport planning. They will also be able to do things to promote the economic well-being of their areas. In contrast to other joint committee arrangements, CJCs are separate corporate bodies which can employ staff, hold assets and budgets, and undertake functions. The South West Wales CJC will comprise Carmarthenshire County Council, the City and County of Swansea Council, Pembrokeshire County Council and Neath Port Talbot County Borough Council (“the Constituent Councils”). In respect of some functions, both Pembrokeshire National Park and Brecon Beacons National Park will also be members (as set out below).
- 1.3 On the 20th May 2021, a report was presented to Cabinet providing an update to members on the implementation of CJCs, where it was agreed that:
- (a) *delegated authority be granted to the Chief Executive (in consultation with the Leader) to agree an application for grant funding to be made to Welsh Government for funding to establish the South West Wales CJC and to accept any grant offer that maybe made by Welsh Government (whether made to this Council or to a participating authority in the South West Wales CJC);*
 - (b) *delegated authority be granted to the Chief Executive to enter into dialogue with authorities who will comprise the South West Wales CJC to develop proposals for establishing the South West Wales CJC; and*
 - (c) *a report be brought back to members once dialogue has been completed for the South West Wales CJC*
- 1.4 Since the Cabinet meeting officers have been liaising with our neighbouring authorities and have convened a group comprising Chief Executives, Directors of Environment, Finance Directors (S151 Officers) and Monitoring Officers that meets on a fortnightly basis to progress these discussions. Each of these groups have also established working groups in order to progress various matters.

- 1.5 As a result of these discussions, officers are now in a position to present a report to members to highlight ways in which the CJC may be constituted in order to meet legislative requirements. Members will note that the CJC has already been established by legislation. The purpose of this report is to set out the current proposed arrangements.

2. Remit of the CJC

- 2.1 The CJC has prescribed functions related to the preparation of the Regional Transport Plan, Strategic Development Plan and the exercise of Economic Wellbeing powers. These are set out specifically as follows:

- (a) Economic well-being (section 76 of the Local Government and Elections (Wales) Act 2021)
- (b) Transport policies (section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000)
- (c) Strategic development plan (Part 6 of the Planning and Compulsory Purchase Act 2004)

- 2.2 It should be noted that the underlying policy intent in the development of the legislation which underpins the CJC is that a CJC should be treated as a member of the 'local government family' and, where appropriate, should largely be subject to the same powers and duties as local authorities in the way that they operate. Work continues to co-develop the legislative framework including through the recent consultation on the draft Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021. CJCs, as public bodies undertaking public functions, are subject to the necessary public body duties that already exist in legislation. This includes the Sustainable Development and Well-being Duty under the Well-being of Future Generations (Wales) Act 2015 ("the WFG Act") and the duty to prepare and publish a strategy for contributing to the eradication of child poverty in Wales under the Children and Families (Wales) Measure 2010 ("the 2010 Measure").

3. CJC Operational Responsibilities

- 3.1 CJCs will also be required to appoint a number of statutory "executive officers" similar to the roles within principal councils (e.g. Chief Executive, Chief Finance Officer and Monitoring Officer). The intention is for CJCs to be able to directly employ, commission services or have relevant staff loaned from a constituent council to fulfil these roles as the CJC may determine. It is also intended that all executive roles within a CJC will be afforded the same statutory protection and indemnity as statutory officers within principal councils. The provisions in law relating to staffing which apply to principal councils will also apply to CJCs. These include TUPE and staff transfers and Trade Union relations. The CJC Establishment regulations require the CJC to have standing orders relating to employment (e.g. procedures to be determined by the CJC relating to the appointment/dismissal of officers and disciplinary action). Staff employed by the CJC are to be appointed on the same or similar

terms and conditions (including remuneration) as officers appointed to one of the constituent councils undertaking substantially similar or the same responsibilities.

- 3.2 In light of the CJC’s duty to appoint a number of statutory officers and to perform certain functions set out in regulations, as advised by Chief Executives, Leaders are minded to apportion responsibilities initially on the basis set out below:

Function of the CJC	Constituent Authority
Chief Executive	TBC
S151 (Chief Finance Officer)	Carmarthenshire
Monitoring Officer	Neath Port Talbot
Democratic Services function	Neath Port Talbot
Scrutiny Services function	Neath Port Talbot
Governance and Audit function	Pembrokeshire
Human Resources function	Neath Port Talbot
ICT and Data Protection function	Neath Port Talbot
Communications function	Swansea

- 3.3 An agreement will be entered into between the CJC and the authorities for the Constituent Council staff to be made available to the CJC and they will be acting as if CJC staff when carrying out functions for the CJC. The members of staff that are affected will be consulted to seek their agreement to the additional obligations.
- 3.4 Where a conflict of interest arises from any matter being dealt with by the CJC and the Council, the Monitoring Officer will be required to advise the CJC with the Deputy Monitoring Officer advising the Council.
- 3.5 The staff made available to the CJC will be provided at cost, as more particularly described in the Financial Impacts below.
- 3.6 The support services provided will be on an ad-hoc basis as and when support is required, and will be carried out by staff within their normal contracted hours, and Chief Executives of respective authorities will keep such matters under review to address workload pressures. There will need to be consideration as to whether additional remuneration is appropriate. In some instances there will be a need to increase capacity to cater for the additional workload.
- 3.7 The decision regarding appointment of the above staff to the positions within the CJC will be for the CJC to make. Members are asked therefore to note the specific roles for officers. Separate reports will be brought to members in due course to consider any officer indemnities that will be required in this regard.

4. The Governance of the CJC

- 4.1 In order to meet its legislative obligations identified above, the CJC will have decision making processes. These are prescribed in the legislation.
- 4.2 The members of the CJC are:
- (a) the executive leaders of
 - a. The City and County of Swansea
 - b. Carmarthenshire County Council
 - c. Neath Port Talbot County Borough Council
 - d. Pembrokeshire County Council
 - (b) A member of the Brecon Beacons National Park Authority , and
 - (c) A member of the Pembrokeshire Coast National Park Authority
- 4.3 The CJC members are entitled to vote in relation to any matter to be decided by the CJC, except that the Brecon Beacons National Park and Pembrokeshire Coast National Park Authority (together the “NPAs”) members may only vote where the matter to be decided is about strategic planning functions, unless the council members of the CJC choose, with the agreement of both the NPAs, to extend the NPA membership of the CJC to include other functions. At this stage, Leaders do not propose that voting rights be extended to the NPA’s in respect of other areas.
- 4.4 In order to implement the legislative requirements, it will be proposed that the CJC will have four sub committees, with the chair of each sub-committee being drawn from the Constituent Councils and shared between the four authorities. It is currently proposed that the following sub-committees be established, although the decisions as to establishing a sub-committee and membership is for the CJC itself to take:

Sub Committee	Lead Chief Executive	Political Lead
Regional Transport Planning	Swansea	Neath Port Talbot
Economic Well Being – regional economic development	Carmarthenshire	Swansea
Strategic Development Planning	Pembrokeshire	Carmarthen
Economic Well Being- regional energy strategy	Neath Port Talbot	Pembrokeshire

- 4.5 It is proposed that the representatives appointed to each Sub Committee shall be comprised of the Cabinet members of the four Constituent Councils in whose portfolio the work sits. The Sub-Committee then being chaired by the Leader and supported by a chief executive from the authorities mentioned above.

- 4.6 It is also proposed that a Programme Board be established (a decision ultimately for the CJC), made up of officers to support the Chief Executive and members of the CJC. This Programme Board will be the means by which collaboration across the Constituent authorities will take place, informing and supporting the Chief Executive and the CJC and implementing the resultant decisions. It will be chaired by the Chief Executive and will as a minimum comprise Regional Directors of Environment and Regeneration and shall have responsibility for the strategic coordination and direction, authorisation and approval of programmes, projects and initiatives, high level budget management and progress review. Various sub groups of officers will then be established to deliver the operational requirements, with groups set up in respect of Transport, Planning/land use, Economic Wellbeing and Energy.
- 4.7 It should be noted that no member of a CJC shall be entitled to any additional remuneration as a result of membership of the CJC but any expenses incurred in attendance or participation shall be met by Constituent Councils or other authorities of which they are a member.

5. Co-Option

- 5.1 The CJC Establishment Regulations provide for the appointment by CJC members of other persons as members of a sub-committee of the CJC and to participate in other activities of the CJC. The reasons as to why a CJC may co-opt a particular participant are broad and include considerations such as to strengthen the breadth of experience and skills available to the CJC, to enable local input or to provide for local representation and/or to provide specialist expertise on specific issues.
- 5.2 Guidance from Welsh Government states that co-optees may be drawn from a variety of different backgrounds and sectors based on the relevant skills and experience required, for example Further and Higher Education Institutions, Third sector representatives, Business or Sector specific organisations or private individuals with expertise that may be useful to the CJC, for example to give evidence or provide advice. It is expected that CJsCs would work under the same social partnership approach that exists between trade unions and principal councils. CJsCs should consider how they involve trade unions in their work and in the decisions they make. This involvement may be through formal co-option of trade unions or co-option of a trade union representative on to the CJC and / or one or more of its sub-committees (if it elects to have sub-committees) or through less formal arrangements.
- 5.3 Early discussions have already taken place within the constituent councils with regard to the involvement of other potential co-opted members within the CJC, including representatives from the Health Boards, Higher Education colleagues and representatives of the private sector. It is considered desirable to reflect the principles underpinning what is working well within the City Deal into the CJC arrangements. For

members to be aware, a co-opted member is someone who has been appointed to the CJC or its sub-committee and may or may not have voting rights. However, there is also the possibility for advisers, which have no formal status but are merely there to provide advice to the members of the CJC. For example, Health Board Partners will be co-optees with an advisory role.

5.4 The Joint Working Agreement for the Swansea Bay City Deal required the establishment of an Economic Strategy Board (ESB), membership of which had to be agreed by both the UK and Welsh Governments. The Terms of Reference for the ESB state that 'members shall be appointed through an open recruitment and nomination process'. It is considered that the complexity involved in integrating the City Deal and Corporate Joint Committee requirements immediately represents unacceptable risks that the City Deal Programme would be disrupted – just at a point where most of the workstreams have received governmental approval and are moving into delivery. The City Deal and CJC governance structures are very different and it is considered that alignment is an appropriate approach in the first instance. In terms of the arrangements for private sector input to the CJC, it is proposed to invite those participating in the City Deal ESB to form the core of the private sector advisory board for the CJC. However, the membership will need to be expanded to ensure that it is reflective of the considerably broader scope of work associated with the CJC. It is not thought appropriate to involve the private sector advisory board in the development of the strategic development plan because of conflict of interest considerations. The intention is that this board will support the CJC in an advisory capacity only, to support the growth aspirations of the region and to ensure we remain competitive and have access to all available sources of funding.

5.5 Private sector representatives would not sit within the sub committees established but will instead advise the Programme Board. As stated above, private sector representatives may either be co-opted to the CJC or alternatively to act as independent advisors to the CJC. Previous discussions have concluded that private sector involvement should be in an advisory capacity. Whilst the officer groups will remain distinct from the private sector representatives, there remains a need to ensure that private sector representatives cover all topic areas covered by the CJC.

6. Governance and Audit Functions

6.1 The CJC is required to establish a sub-committee to be known as the Governance and Audit Sub-Committee.

6.2 The terms of reference of the sub-committee are stated in the CJC Establishment Regulations as:

- (a) review and scrutinise the CJC's financial affairs;
- (b) make reports and recommendations in relation to the CJC's financial affairs;

- (c) review and assess the risk management, internal control and corporate governance arrangements of the CJC;
- (d) make reports and recommendations to the CJC on the adequacy and effectiveness of those arrangements;
- (e) oversee the CJC's internal and external audit arrangements;
- (f) review any financial statements prepared by the CJC;
- (g) exercise such other functions as the CJC may specify.

6.3 The CJC Establishment Regulations state that membership of the Governance and Audit Sub-Committee is at least one lay member and at least 2/3rds membership from the Constituent Councils. However this will be subject to change under the LGE Act next year. The Governance and Audit Sub-Committee may not exercise its functions if the membership of the sub-committee contravenes the membership as set out above and therefore the lay member(s) will need to be in place in order to meet as a sub-committee. The draft Guidance provides that it is anticipated that the sub-committee will be required to meet once in every calendar year as a minimum.

6.4 The chair of the governance and audit sub-committee must be a lay member.

6.5 Accordingly, it is proposed that a Governance and Audit Sub-Committee is established by the CJC comprising of Lay Member(s) to be drawn from constituent Councils Governance and Audit Committees (or externally advertised if this is not possible) and members from each Constituent Council. This will ensure that the Governance and Audit Committee complies with proposed changes to the Local Government (Wales) Measure 2011 to have at least one third lay members. The appointment(s) will be made by the CJC.

6.6 A report will be presented to Full Council seeking authority to nominate the Swansea Council Representative(s) to the Governance and Audit Sub-Committee in due course.

7. Standards/Ethical Framework

7.1 It will be important that members and co-opted members within a CJC are subject to the same standards of conduct as members of constituent councils. On application of the ethical framework a CJC will be able to adopt its own code of conduct for members. Until this point its members (including co-opted participants from constituent councils) will be subject to the relevant code of conduct of their local authorities. During this time members and co-opted participants from local authorities will be required to register any personal interests they have in the business of the CJC in their relevant principal council's register of interests by providing written notification to their council's Monitoring Officer.

7.2 Work is ongoing to finalise the arrangements in terms of constituting a Standards regime for the CJC.

8. Scrutiny

- 8.1 Working with its Constituent Councils the CJC will be required to put in place appropriate overview and scrutiny arrangements. Draft Welsh Government Guidance states that it is expected that the scrutiny arrangements will be proportionate to the scale of the functions the CJC undertakes.
- 8.2 Scrutiny will be an important part of the democratic accountability of the CJC. It will be important for CJCs to consult on and agree the arrangements with their constituent councils. Welsh Government are currently consulting on requiring a CJC to make arrangements for one or more of its constituent councils to scrutinize the work of the CJC as part of the consultation on the CJC (General)(Wales) Regulations 2022.
- 8.3 In considering the most effective and efficient approach to scrutiny, Constituent Councils and CJCs should give thought to the benefits of a joint overview and scrutiny committee made up of the constituent councils. The clear aim and ambition however must be to create, facilitate and encourage a clear democratic link back to the constituent councils.
- 8.4 CJC members and staff will have a duty to provide information to the scrutiny committee; attend committee meetings if requested to do so; and consider or respond to any report or recommendations made by a committee within the agreed arrangements and which relate to the CJC.
- 8.5 Accordingly it is proposed that a CJC Scrutiny Committee comprising three elected members from each Constituent Council be established to fulfil the Overview and Scrutiny Functions associated with CJCs. A future report will be taken to Full Council to nominate the Swansea elected members to the CJC Overview and Scrutiny Committee.
- 8.6 It will be important that there is no overlap in scrutiny but ultimately members of Swansea Council Scrutiny will still be able to scrutinise the impact of the CJC on the Swansea locality.

9. Constitution

- 9.1 The CJC is required to meet by the end of January 2022 in order to establish its budget for the 2022/2023 financial year.
- 9.2 At this first meeting, the Constitution for the CJC will require approval, which in essence sets out the overarching structure of the CJC and its various sub-committees so that key decisions can be made.

9.3 The purpose of the Constitution is to:

- (a) enable the CJC to provide clear leadership to the community in partnership with citizens, businesses and other organisations, including its constituent councils and public bodies;
- (b) support the active involvement of citizens in the process of CJC decision-making;
- (c) provide a framework for good governance;
- (d) enable decisions to be taken efficiently and effectively;
- (e) create a powerful and effective means of holding decision-makers to public account;
- (f) ensure that no one will review or scrutinise a decision in which they were directly involved;
- (g) ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
- (h) provide a means of improving the delivery of service to the community.

9.4 A draft constitution for the CJC is currently being worked on by legal officers.

10. Integrated Assessment Implications

10.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- **Eliminate** unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 10.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 10.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 10.1.3 An IIA Screening Form has been completed with the agreed outcome that a full IIA report was not required as the setting up of the CJC is underpinned by legislation and that this report is to establish governance arrangements in accordance with legislation.

11. Financial Implications

- 11.1 Regulations do not prescribe any formula basis for funding of CJsCs. It will be for each CJC to decide how the budget requirement will be met by the constituent principal councils (and the National Park Authority in the case of the strategic planning functions). In the absence of unanimous agreement on the amount payable, the regulations provide for the amounts payable by the Constituent Councils and National Park member(s) to be directed by Welsh Ministers.
- 11.2 CJsCs will be the accountable body for the funding provided by constituent councils and/or directly received from any other funding streams. CJsCs will also be able to pay towards expenditure incurred or to be incurred in relation to carrying out their functions as they may determine, and to charge fees relating their specified functions. The Establishment Regulations also enable CJsCs to provide assistance by way of grant or contributions to support functions exercisable by them. The funding from constituent principal councils will be held and managed by CJsCs and it is expected that they will be required to manage the funds under the same financial management arrangements as local government bodies in Wales.
- 11.3 The CJC has an unlimited levy power meaning the financial contributions from respective Councils must be set by 14th February 2022. However, practically this contribution should be set no later than 31st January 2022, with an indicative figure split being considered by the end of December 2021.
- 11.4 Future costs including the formal levy from the CJC will be built into the budget setting round for 2022-2023.

12. Legal Implications

- 12.1 Part 5 of the LGE Act provides for the establishment, through regulations, of CJs and compliance will be had with this and other legislative obligations in the establishment of CJs. In particular the South West Wales Corporate Joint Committee Regulations came into force on 1st April 2021 and set out an initial framework, to include for example, that the CJC should be established and the timeframes for the discharging of specific functions. However, a series of further Regulations are being drafted and consulted on by Welsh Government. The Welsh Government has concluded its consultation on the Corporate Joint Committees (General) (No.2) (Wales) Regulations 2021 which are now in force. The Welsh Government is also currently consulting on draft statutory guidance. A third stage of Regulations will put in place further legislation for the operation of the CJs and its functions, which Welsh Government are currently consulting on. A fourth stage will put in place any remaining provisions which a CJC might need.

Background Papers:

Cabinet Report – 20 May 2021 -

<https://democracy.swansea.gov.uk/documents/s72815/13%20Joint%20working%20report.pdf?LLL=0>

Appendices:

None

Agenda Item 7



Report of the Head of Democratic Services

Governance & Audit Committee – 12 January 2022

Governance & Audit Committee Action Tracker Report

Purpose:	This report details the actions recorded by the Governance & Audit Committee and response to the actions.
Report Author:	Jeremy Parkhouse
Finance Officer:	N/A
Legal Officer:	N/A
Access to Services Officer:	N/A
For Information	

1. Introduction

- 1.1 During the course of Governance & Audit Committee meetings various actions may be decided which are recorded on the minutes of the meetings.
- 1.2 As agreed in 2016/17 an Action Tracker process was put in place to ensure transparency over the outcomes of actions agreed by Committee.
- 1.3 The Action Tracker records the actions agreed by the Governance & Audit Committee and provides an outcome for each action.
- 1.4 The up to date Action Tracker 2021/22 is attached at Appendix 1.
- 1.5 The Action Tracker is regularly updated and any completed actions will be marked 'Completed' and coloured in grey.
- 1.6 The Action Tracker is reported to each Governance & Audit Committee meeting for information.

2. Equality and Engagement Implications

2.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

2.2 There are no equality and engagement implications associated with this report.

3. Financial Implications

3.1 There are no financial implications associated with this report.

4. Legal Implications

4.1 There are no legal implications associated with this report.

Background Papers: None

Appendices:

Appendix 1	Governance & Audit Committee Action Tracker 2021/22 (Closed actions removed).
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Governance & Audit Committee - Action Tracker 2021/2022

Date of Meeting	Minute Ref	Action	Nominated Officer(s)	Status
14/12/21	62	Governance & Audit Committee Work Plan		
		The Chair asked that the work plan be updated with the following: <ul style="list-style-type: none"> The items listed in Appendix 4 be added to the Work Plan. 	Adam Hill / Richard Rowlands / Simon Cockings / Jeremy Parkhouse	Ongoing Draft 2022-2023 Work Plan to be agreed.
14/12/21	61	Governance & Audit Tracker Report		
		A typographical error was noted regarding actions relating to the Committee meeting held on 09/11/2021 which were listed as 11/09/2021 and would be amended prior to the next meeting.	Jeremy Parkhouse	Closed Tracker Report updated.
		The Chair asked for the following to be added to the Tracker Report: - <ul style="list-style-type: none"> Minute No.46 – Response to the Community Equipment Stores & Community Alarms Service Audit Report 2021/22 <p>‘The Chair asked the Internal Audit Section to include a Review of the Performance Management Arrangements’ to be included in their follow-up review’.</p>	Simon Cockings	Ongoing Internal Audit will cover this as part of the follow up work.
14/12/21	60	Audit Wales Work Programme and Timetable – City and County of Swansea Council		
		The Chair requested that the Audit Wales representative circulates any examples of good practice to the Committee.	Justine Morgan – Audit Wales	Ongoing Response circulated with additional information to follow in the New Year.
		The Chair asked that the Action Tracker report / Work Plan be updated to include the quarterly Audit Wales update report and any Audit Wales reports applicable to the Council.	Jeremy Parkhouse / Richard Rowlands	Ongoing Quarterly Audit Wales Work Plan added for 08/03/2022 meeting. Any reports applicable to the Authority be added to the Work Plan when required.

09/11/21	56	Governance & Audit Committee Work Plan		
		The new areas of work of the Committee be incorporated into the work plan.	Adam Hill / Jeremy Parkhouse	Ongoing List of areas of work attached as an appendix to the Work Plan report. To be added to the Work Plan once the Committee dates for 2022-2023 have been agreed.
		Deputy Chief Executive to provide an update report to a future meeting relating to the training requirements for members of the Governance & Audit Committee.	Adam Hill / Jeremy Parkhouse	Ongoing Report to be included on a future agenda.
09/11/21	54	Impact of the Corporate Insolvency and Governance Act 2020		
		To be added to the February agenda as part of the Accounts Receivable report.	Ben Smith / Jeremy Parkhouse	Ongoing Report included on agenda for 08/02/22.
09/11/21	53	Update on Swansea Achieving Better Together		
		The Chair asked that the Deputy Chief Executive for an update on the Workforce Strategy and for a timeline for when it will be in place. The Deputy Chief Executive responded stating that it was currently out for consultation and that he would ensure that it was added as an agenda item to the February 2022 meeting.	Adam Hill	Ongoing Update on Swansea Achieving Better Together Report added to the Work Plan 2021-22 for 12/04/21.
			Adam Hill / Adrian Chard / Jeremy Parkhouse	Ongoing Workforce Strategy report added to the Work Plan for 08/02/2022.
09/11/21	52	Annual Report Corporate Safeguarding 2020-21		
		The Chair asked that Compliance of Safeguarding training be highlighted in the Risk Register.	Simon Jones	Ongoing The item has been formally escalated to the Director of Resources for his P & FM to consider adding to the Resources Directorate risk register.
09/11/21	45	Internal Audit Annual Plan 2021/22 – Monitoring Report for the Period 1 July 2021 to 30 September 2021		
		A full valuation of existing assets at the Glynn Vivian Art Gallery to be carried out. A report to be forwarded to the Chair in due course.	Ben Smith / Simon Cockings	Ongoing Follow up report to be undertaken shortly and the results will be reported as part of the Quarter 3 Monitoring Report to the Committee meeting in February 2022.

12/10/21	40	Auditor General for Wales Review of Town Centre Regeneration		
		Chair / Officer meeting held on 21 October 2021 which further discussed the report and agreed an appropriate way forward.	Richard Rowlands / Jeremy Parkhouse	Closed Actions completed and continued at Minute No.60.
14/09/21	32	Internal Audit Annual Plan 2021/22 Monitoring Report for the Period 1 April 2021 to 30 June 2021		
		Head of Cultural Services to provide the Committee with an update report on the Grand Theatre at the meeting scheduled for 12 January 2022.	Tracey McNulty	Closed Report included on agenda for 12/01/22.
14/09/21	30	Service Centre – Accounts Receivable Update		
		Update report to be provided in February 2022.	Sian Williams / Michelle Davies	Ongoing Report included on agenda for 08/02/22.
14/09/21	29	Absence Management Audit Report 20/21		
		Update report to be provided in February 2022.	Sian Williams / Adrian Chard	Ongoing Report included on agenda for 08/02/22.
13/07/21	17	Audit Wales - Follow Up Review of Corporate Safeguarding Arrangements - Children in Swansea Council		
		<ul style="list-style-type: none"> Future training provision for Councillor School Governors to be provided. 	Helen Morgan-Rees / Adam Hill	Ongoing Update - Safeguarding training is provided for all Councillors as part of their induction and training programme which is managed by Democratic Services. The vast majority of Councillors are also school governors. The safeguarding training offer for governors includes the information provided in the Councillor training but also additional information specific to school contexts and the responsibility of governing bodies. This is a more detailed course with a requirement for all governors to undertake this training on a three yearly cycle. If a Councillor undertakes this training as a governor then it supersedes the Councillor training offer. The training for governors is monitored by the Education Directorate and records provided to Democratic Services as

				needed.
09/06/21	9	Governance & Audit Committee Action Tracker Report		
		The action to track Audit Wales recommendations to remain in the Action Tracker Report.	Chair / Adam Hill / Richard Rowlands	Closed Actions completed and continued at Minute No.60.
19/02/21	41	Overview of the Overall Status of Risk - Quarter 3 2020/21		
		Corporate Directors be requested to attend the Committee on a rotational basis each quarter to outline their Corporate Risks and the governance and risk management controls within their departments.		Ongoing Reports added to the Audit Committee Work Plan 2021-22 as follows:
			Martin Nicholls	• Director of Place – February 2022;
			Adam Hill	• Director of Resources – April 2022.
		The provision of additional risk management training for Officers on Control Measures be highlighted to the Corporate Management Team.	Richard Rowlands	Closed Reminders are issued monthly to risk owners asking them to update their risk(s) and to review their control measures. A link to the training video is also sent monthly to risk owners.
19/01/21	31	Election of the Audit Committee Representative on the Annual Governance Group		
		Councillor L V Walton be elected as the Audit Committee representative on the Governance Group and the appointment be until the end of the current Council term in May 2022 only.	Jeremy Parkhouse / Chair	Ongoing Re-appointment to be added to the Committee Work Plan for 2022-23.
30/06/20	111	ERW Replacement		
		An update be provided regarding future Scrutiny arrangements as a new regional Education model is introduced post April 2021. Cabinet in three constituent Councils have approved a new Joint Committee to replace ERW. The new education region will be named Partneriaeth. It is expected that a final ERW Joint Committee will be held to close accounts.	Phil Roberts / Helen Morgan-Rees	Closed Partneriaeth will replace ERW for Swansea, Carmarthenshire and Pembrokeshire. The draft legal agreement has been approved by each Cabinet as of November 2021. Update – The future scrutiny arrangements for Partneriaeth are confirmed as a joint councillor group within the legal agreement between three Councils. The precise

				<p>arrangements for Partneriaeth scrutiny are detailed in schedule 6 of the legal agreement and can be found at: https://democracy.swansea.gov.uk/documents/s78745/09%20%20of%203%20Appendix%20A%20Draft%20Legal%20Agreement%20Education%20Partnership.pdf?LLL=0</p>
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Agenda Item 8



Report of the Head of Democratic Services

Governance & Audit Committee – 12 January 2022

Governance & Audit Committee – Workplan 2021/22

Purpose:	This report details the Governance & Audit Committee Workplan to May 2022.
Report Author:	Jeremy Parkhouse
Finance Officer:	N/A
Legal Officer:	N/A
Access to Services Officer:	N/A
For Information	

1. Introduction

- 1.1 The Audit Committee's Work Plan to May 2022 is attached at Appendix 1 for information.
- 1.2 The Governance & Audit Committee Work Plan to May 2022 in Terms of Reference Order is attached at Appendix 2.
- 1.3 The Scrutiny Programme Committee Work Plan 2021/22 is attached at Appendix 3.
- 1.4 The Additional Work programme Governance and Audit Committee as a result of the Local Government and Elections Act is attached at Appendix 4.
- 1.5 The Governance & Audit Committee Statement of Purpose is attached for information at Appendix 5.
- 1.6 The dates included for the meetings in 2021/22 were approved at the Council's Annual Meeting on 20 May 2021.

2. Integrated Assessment Implications

- 2.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - Deliver better outcomes for those people who experience socio-economic disadvantage
- 2.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'. Our Integrated Impact Assessment process ensures that we have paid due regard to the above.
- 2.3 There are no impact assessment implications associated with this report.

3. Financial Implications

- 3.1 There are no financial implications associated with this report.

4. Legal Implications

- 4.1 There are no legal implications associated with this report.

Background Papers: None.

Appendices:

Appendix 1 – Governance & Audit Committee Workplan 2021/22.

Appendix 2 - Governance & Audit Committee Work Plan to May 2022
in Terms of Reference Order.

Appendix 3 - Scrutiny Programme Committee Work Plan 2021/22.

Appendix 4 – Additional Work Programme - Governance and Audit
Committee as a result of the Local Government and Elections
Act.

Appendix 5 – Governance & Audit Committee Statement of Purpose.

Governance & Audit Committee Plan

Appendix 1

Terms of Reference	Report Title	Report Summary	Report Author	Date of Meeting
Operational Matters / Key Risks	City and County of Swansea Administered Trust Funds.	The report provides Governance and Audit with the background and status of City and County of Swansea Administered Trust Funds.	Spencer Martin	12 Jan 2022
Internal Audit	Grand Theatre Audit Update Report 2020/21.	An update on progress on the response to the internal audit of the Grand Theatre Swansea, completed in December 2020.	Tracey McNulty	12 Jan 2022
Governance & Assurance	Update Report South West Wales Corporate Joint Committee.	To provide an update on the progress towards setting up the new corporate joint committee for the south west wales region.	Martin Nicholls	12 Jan 2022
Risk Management & Performance	Corporate Risk Overview 2021/22 – Quarter 3.	To report an overview of the status of Corporate Risk in the Council to provide assurance to the Committee that key risks are being managed in accordance with the Council's risk management policy and framework.	Richard Rowlands	8 Feb 2022
Internal Audit	Internal Audit Annual Plan 2021/22 – Quarter 3 Monitoring Report.	This report summarises the audits finalised and work undertaken by the Internal Audit Section in Quarter 3 2021/22.	Simon Cockings	8 Feb 2022

Governance & Audit Committee Plan

Appendix 1

Terms of Reference	Report Title	Report Summary	Report Author	Date of Meeting
Internal Audit	Internal Audit Recommendation Tracking Report - Quarter 3 2021/22.	This report provides committee with the status of the recommendations made in those audits where the follow-up has been undertaken in Q3 2021/22, to allow the Audit Committee to monitor the implementation of recommendations made by Internal Audit.	Simon Cockings	8 Feb 2022
Internal Audit	Service Centre – Accounts Receivable Update.	The Accounts Receivable Internal Audit report was issued in March 2021 with a Moderate rating. The attached report summarises the position and the progress made to date since the last report to the committee in September 2021.	Michelle Davies, Sian Williams	8 Feb 2022
Operational Matters / Key Risks	Update on Internal Control Environment – Director of Place.	Presentation - Update on Internal Control Environment (including a focus on Risk Management and the five highest Risks that Directors are managing).) – Director of Place.	Martin Nicholls	8 Feb 2022
Internal Audit	Absence Management Audit Report 20/21.	The Management of Absence Internal Audit report was issued in March 2021 with a Moderate rating. The attached report summarises the position and the progress made to date.	Adrian Chard, Sian Williams	8 Feb 2022

Governance & Audit Committee Plan

Appendix 1

Terms of Reference	Report Title	Report Summary	Report Author	Date of Meeting
Operational Matters / Key Risks	Workforce Strategy Update.	Progress report	Adrian Chard	8 Feb 2022
External Audit	Audit Wales Work Programme and Timetable – City and County of Swansea Council.	Quarterly Update.	Justine Morgan	8 Mar 2022
Internal Audit	Draft Internal Audit Annual Plan 2022/23.	This report presents the Draft Internal Audit Annual Plan for 2022/23 to the Audit Committee for consideration prior to the final plan coming to committee in April for approval.	Simon Cockings	8 Mar 2022
Internal Audit Page 52	Internal Audit Annual Plan Methodology Report 2022/23.	This report provides a briefing to the Audit Committee on the methodology used to prepare the Internal Audit Annual Plan in advance of the Annual Plan 2022/23 being reported to the Committee for approval on 12 April 2021.	Simon Cockings	8 Mar 2022
Risk Management & Performance	Corporate Risk Overview 2021/22 – Quarter 4.	To report an overview of the status of Corporate Risk in the Council to provide assurance to the Committee that key risks are being managed in accordance with the Council's risk management policy and framework.	Richard Rowlands	12 Apr 2022

Governance & Audit Committee Plan

Appendix 1

Terms of Reference	Report Title	Report Summary	Report Author	Date of Meeting
Internal Audit	Internal Audit Charter 2022/23.	This report outlines the background to the Public Sector Internal Auditing Standards (PSIAS) which were introduced with effect from 1st April 2013 and presents the Internal Audit Charter for final approval by Audit Committee following Corporate Management Team approval.	Simon Cockings	12 Apr 2022
Internal Audit	Internal Audit Strategy & Annual Plan 2022/23.	This report presents the Internal Audit Strategy and Annual Plan for 2022/23 to the Audit Committee for approval.	Simon Cockings	12 Apr 2022
Operational Matters / Key Risks	Swansea Achieving Better Together – Update Report	Six-month update report on progress.	Adam Hill	12 Apr 2022
Operational Matters / Key Risks	Update on Internal Control Environment – Director of Resources.	Presentation - Update on Internal Control Environment (including a focus on Risk Management and the five highest Risks that Directors are managing).– Director of Resources.	Adam Hill	12 Apr 2022

Governance & Audit Committee Workplan 2021/22

Appendix 2

Terms of Reference	9 June 2021	13 July 2021	24 August 2021	14 September 2021	12 October 2021	9 November 2021	14 December 2021	12 January 2022	8 February 2022	8 March 2022	12 April 2022
Training		Draft Governance and Audit Committee Training Programme.									
Governance & Assurance	Election of Chair & Vice Chair	Election of Vice-Chair		Update Report – South West Wales Corporate Joint Committee. Local Government and Elections (Wales) Act 2021 - Change in Membership	Scrutiny Annual Report 2020-21.			Update Report – South West Wales Corporate Joint Committee	Workforce Strategy		
Internal Audit Page 54	IA Quarter 4 Monitoring Report Grand Theatre Audit Report 2020/21 Service Centre – Accounts Receivable Update Employment of Agency Staff	Annual Report of School Audits 2020-21		IA Recommendation Tracking Report – Q1 21/22 IA Quarter 1 Monitoring Report Management of Absence Update Service Centre – Accounts Receivable Update.	Employment of Agency Staff.	Fundamental Audits 2020/21 – Recommendation Tracker Report IA Recommendation Follow-up Report – Q2 2021/22 IA Q 2 Monitoring Report Response to The Community Equipment Service and Community Alarms Service Internal Audit Report.		Grand Theatre Audit Update Report 2020/21	IA Recommendation Tracking Report – Q3 2021/22 IA Q 3 Monitoring Report Management of Absence Update. Service Centre – Accounts Receivable Update.	IA Annual Plan Methodology Report 2022/23 Draft IA Annual Plan 2022/23	IA Charter 2022/23 IA Strategy & Annual Plan 2022/23
Risk Management & Performance				Q1 Risk Monitoring Report		Q2 Risk Monitoring Report			Q3 Risk Monitoring Report		Q4 Risk Monitoring Report
Counter Fraud		Corporate Fraud Annual Report				Corporate Fraud – Six Month Update					
Operational matters / key risks				Update on Internal Control Environment – Director of Education		(Directorate): Internal Control Environment 2021/22 Director of Social Services	Annual Complaints Report 2020-21	City and County of Swansea Administered Trust Fund	Update on Internal Control Environment – Director of Place		Swansea Achieving Better Together – Update Report

Governance & Audit Committee Workplan 2021/22

Appendix 2

						Swansea Achieving Better Together – Update Report					Update on Internal Control Environment – Director of Resources
External Audit		Audit Wales - Follow Up Review of Corporate Safeguarding Arrangements - Children in Swansea Council.	Audit Wales - ISA 260 Report - City And County of Swansea Audit Wales - Financial Sustainability Assessment - City and County of Swansea Council.		Auditor General for Wales Review of Town Centre Regeneration.	Audit Wales - Follow Up - Annual Report Corporate Safeguarding 2020-21	Audit Wales Work Programme and Timetable – City and County of Swansea Council.				
Financial Reporting			Statement of Accounts			Impact of Corporate Insolvency and Governance Act 2020					

Note: Audit Committee Action Tracker Report and Audit Committee Workplan will be included as agenda items at each meeting. An update from WAO will also be on the agenda for each meeting.

Reports Carried Over to 2022-2023 Municipal Year

Terms of Reference	Report Title
Governance & Assurance	Appointment of Committee Member on Annual Governance Group

Scrutiny Programme Committee – Work Plan 2021/22

ACTIVITY	15 Jun 2021	13 Jul 2021	17 Aug 2021	14 Sep 2021	19 Oct 2021	16 Nov 2021
Scrutiny Work Programme					Audit / Scrutiny Relationship – Discussion w/ Chair of Governance & Audit Committee	
Cabinet Member Q & A Sessions						
Specific Cabinet Member / Officer Reports	Scrutiny of Public Services Board	<ul style="list-style-type: none"> Highways and Engineering Infrastructure Repairs and Maintenance 	<ul style="list-style-type: none"> Tourism, Destination Management, and Marketing Business and City Promotion 	<ul style="list-style-type: none"> Energy Policy (incl. Generation, Supply & District Heating) Litter and Community Cleansing 	<ul style="list-style-type: none"> Recovery & Transformation Plan Progress Update Annual Corporate Safeguarding Report 	Delivery of Corporate Priority – Tackling Poverty
Scrutiny Performance Panel Progress Reports		Education	Service Improvement & Finance	Adult Services	Child & Family Services	Development & Regeneration
Pre-decision Scrutiny						
Final Scrutiny Inquiry Reports / Follow Up on Scrutiny Recs.			Follow Up on Tourism Working Group recommendations			
Scrutiny Reports to Council	Scrutiny Dispatches Impact Report		Draft Scrutiny Annual Report 2020/21	Scrutiny Dispatches Impact Report		

ACTIVITY	14 Dec 2021	18 Jan 2022	15 Feb 2022	15 Mar 2022	19 Apr 2022 (to be cancelled)	
Scrutiny Work Programme				Work Programme Review		
Cabinet Member Q & A Sessions		Leader / Economy, Finance & Strategy (focus on COVID response / recovery, Brexit effects / response, Budget, City Centre Regeneration, Developments in Partnership / Regional Working)				
Specific Cabinet Member / Officer Reports	Parking Policy, Control & Enforcement	Scrutiny of Public Services Board, incl. Annual Report	Crime & Disorder Scrutiny - Safer Swansea Community Safety Partnership			
Scrutiny Performance Panel Progress Reports	Natural Environment	Education	Service Improvement & Finance			
Pre-decision Scrutiny	Leasehold Acquisition and Redevelopment FPR7 – 279 Oxford Street/25-27 Princess Way	Covid Recovery and Investment				
Final Scrutiny Inquiry Reports / Follow Up on Scrutiny Recs.				Procurement Inquiry Final Report		
Scrutiny Reports to Council	Scrutiny Dispatches Impact Report			Scrutiny Dispatches Impact Report		

* denotes extra meeting

Additional Work programme Governance and Audit Committee
As a result of the Local Government And Elections Act.

Across all areas of the work programme, consideration and acknowledgement will be given to the views, feedback and assurance from the scrutiny and performance committees that robust overview and scrutiny has taken place of decisions, policies and proposals and the assurance then given to Audit committee when they are reviewing the area of work in relation to Assurance, risk environment, Regulatory compliance and overall governance.

Area of work	Owner	Frequency <i>The frequencies are a guide and additional reviews may take place as and when the committee feel necessary.</i>	Month to present to committee
To review the Council's corporate governance arrangements against the good governance framework	Adam Hill / Richard Rowlands	Every 2 years	See Annual Governance Statement
To review the Council's draft annual Self-Assessment Report,	Richard Rowlands	Annual	September.
To review the Council's draft response to the Panel Performance Assessment Report	Richard Rowlands	Once every 4 years	TBC
To review the Council's draft response to any Auditor General's recommendations arising from a special inspection in respect of the Council's performance requirements	Adam Hill	As and When required	TBC
To review the programme of work from regulators	Richard Rowlands	Annually	TBC

Appendix 4

To review and assess the authority's ability to handle complaints effectively	Sarah Lackenby	Annual	
To review the Annual Governance Statement prior to approval	Richard Rowlands	Annual	May
To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.	Richard Rowlands / Adam Hill	Annual	Possibly covered to a degree in the self-assessment report but too early to say.
To consider the Council's framework of assurance	Richard Rowlands / Adam Hill	Annual	See Internal Audit Assurance Map
To monitor the effective development and operation of risk management	Richard Rowlands	Each meeting	Quarterly Overview of Risk Reports
To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions	Simon Cockings	As and when required	Quarterly Monitoring Reports throughout the year.
To review the assessment of fraud risks and potential harm to the Council from fraud and corruption	Simon Cockings	Every 6 months	Fraud Function Annual Plan – March Fraud Function Annual Report – July Fraud Function Half-Year Update Report - November
To monitor the counter fraud strategy, actions and resources	Simon Cockings	Every 6 Months	Fraud Function Annual Plan – March Fraud Function Annual Report – July

Appendix 4

			Fraud Function Half-Year Update Report - November
To Receive proposals in relation to the appointment of external providers of internal audit services and to make recommendations	Simon Cockings	as and when	n/a
To review the governance and assurance arrangements for significant partnerships or collaborations	Deputy Chief Executive / Richard Rowlands / Relevant Director	Annual / as and when new Partnerships or collaborations are established	June/July
To approve the internal audit charter and resources	Simon Cockings	Annual	Internal Audit Charter Report – April
To consider the Chief Internal Auditor’s annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council’s corporate governance arrangements	Simon Cockings	Annual	Internal Audit Annual Report – May
To consider reports from the Chief Internal Auditor on Internal Audit’s performance during the year including the performance of external providers of internal audit services	Simon Cockings	Every 6 months	Quarterly Monitoring Reports throughout the year.
To consider a report on the effectiveness of internal audit to support the Annual Governance Statement, where required to do so by the Accounts and Audit Regulations	Simon Cockings	Annual	Internal Audit Annual Report – May

To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Chief Internal Auditor. To approve and periodically review safeguards to limit such impairments	Simon Cockings	Annual	Internal Audit Charter Report – April
To receive reports outlining the action taken where the Chief Internal Auditor has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions	Simon Cockings	As and when	Quarterly Monitoring Reports throughout the year.
To consider reports dealing with the management and performance of the providers of internal audit services	Simon Cockings	As and when required	Quarterly Monitoring Reports throughout the year.
To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.	Simon Cockings	Quarterly	Quarterly Monitoring Reports throughout the year.
To contribute to the Quality Assurance and Improvement Programme and in particular the external quality assessment of internal audit that takes place at least once every five year	Simon Cockings	Every 5 Years	Internal Audit Annual Report – May
To consider the external auditor’s annual letter, relevant reports, and to those charged with governance.	Ben Smith	Annual	External Auditor’s annual letter – July

Appendix 4

To review the annual statement of accounts.	Ben Smith	Annual	Report of S151 officer including Statement of Accounts – July
To consider the external auditor’s report to those charged with governance on issues arising from the audit of the accounts	Ben Smith	Annual	External Audit Annual Report - July
To publish an annual report on the work of the committee.	Paula O’Connor	Annual	Draft Audit Committee Annual Report – May

Governance & Audit Committee

Statement of Purpose

The Governance and Audit Committee is a key component of the City and County of Swansea's corporate governance. It provides an independent and high level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.

The purpose of the Governance and Audit Committee is to provide independent assurance of the adequacy of the risk management framework, the internal control environment and the performance assessment of the Council. It provides an independent review of the governance, performance assessment, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

Membership

The Local Government (Wales) Measure 2011 provides that at least one member of the Committee must be a lay member.

Governance, Performance, Risk and Control

- a) To review the Council's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances.
- b) To review the Council's draft annual Self-Assessment Report, and make any appropriate recommendations for changes to the conclusions or actions the Council intends to make.
- c) To review the Council's draft response to the Panel Performance Assessment Report, and make any appropriate recommendations for changes.
- d) To review the Council's draft response to any Auditor General's recommendations arising from a special inspection in respect of the Council's performance requirements and to make any appropriate recommendations for changes.
- e) To review and assess the authority's ability to handle complaints effectively and to make any associated reports and recommendations in relation to the authority's ability to handle complaints effectively.
- f) To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances.
- g) To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- h) To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.
- i) To monitor the effective development and operation of risk management in the Council.
- j) To monitor progress in addressing risk related issues reported to the Committee.
- k) To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- l) To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
- m) To monitor the counter fraud strategy, actions and resources.

- n) To review any proposals in relation to the appointment of external providers of internal audit services and to make recommendations.
- o) To review the governance and assurance arrangements for significant partnerships or collaborations.

Internal Audit

- p) To approve the internal audit charter and resources.
- q) To approve the risk-based internal audit plan, containing internal audit's resource requirements, the approach to using other sources of assurances and any work required to place reliance upon those other sources.
- r) To approve significant interim changes to the risk based internal audit plan and resource requirements.
- s) To make appropriate enquiries of both management and the Chief Internal Auditor to determine if there are any inappropriate scope or resource limitations.
- t) To consider the Chief Internal Auditor's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.
- u) To consider the Chief Internal Auditor's annual report including:
- v) To consider reports from the Chief Internal Auditor on Internal Audit's performance during the year including the performance of external providers of internal audit services. These will include:
- w) To consider a report on the effectiveness of internal audit to support the Annual Governance Statement, where required to do so by the Accounts and Audit Regulations.
- x) To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Chief Internal Auditor. To approve and periodically review safeguards to limit such impairments.
- y) To consider summaries of specific internal audit reports as requested.
- z) To receive reports outlining the action taken where the Chief Internal Auditor has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
- aa) To consider reports dealing with the management and performance of the providers of internal audit services.
- bb) To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.
- cc) To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
- dd) To contribute to the Quality Assurance and Improvement Programme and in particular the external quality assessment of internal audit that takes place at least once every five years.
- ee) To provide free and unfettered access to the Governance and Audit Committee Chair for the Chief Internal Auditor, including the opportunity for a private meeting with the Committee.

External Audit

- ff) To consider the external auditor's annual letter, relevant reports, and to those charged with governance.
- gg) To consider specific reports as agreed with the external auditor.
- hh) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- ii) To commission work from external audit.
- jj) To advise and recommend on the effectiveness of relationships between external audit and other inspector agencies or relevant bodies

Financial Reporting

- kk) To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
- ll) To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Accountability Arrangements

- mm) To report to full Council on a regular basis on the Committee's performance in relation to the terms of reference and the effectiveness of the Committee in meeting its purpose.
- nn) To report to Council on an annual basis and to publish an annual report on the Committee's work, its performance in relation to the Terms of Reference, and its effectiveness in meeting its purpose.
- oo) To raise the profile of probity generally within the Council and to report on matters of concern to the individual Cabinet Member, relevant Scrutiny Committee, Cabinet or to Council as necessary and appropriate.
- pp) To work in synergy with the Scrutiny Committees of the Council and liaise with other Council Committees as and when appropriate to avoid duplication in work programmes.
- qq) To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the Appendix 1 adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions
- rr) To publish an annual report on the work of the committee.

Training and Development

- ss) To attend relevant training sessions including specialist training tailored for Members of the Governance and Audit Committee.

Note: Governance & Audit Committee Statement of Purpose extracted from the Council Constitution (07.09.21).