

1. Scope of Responsibility

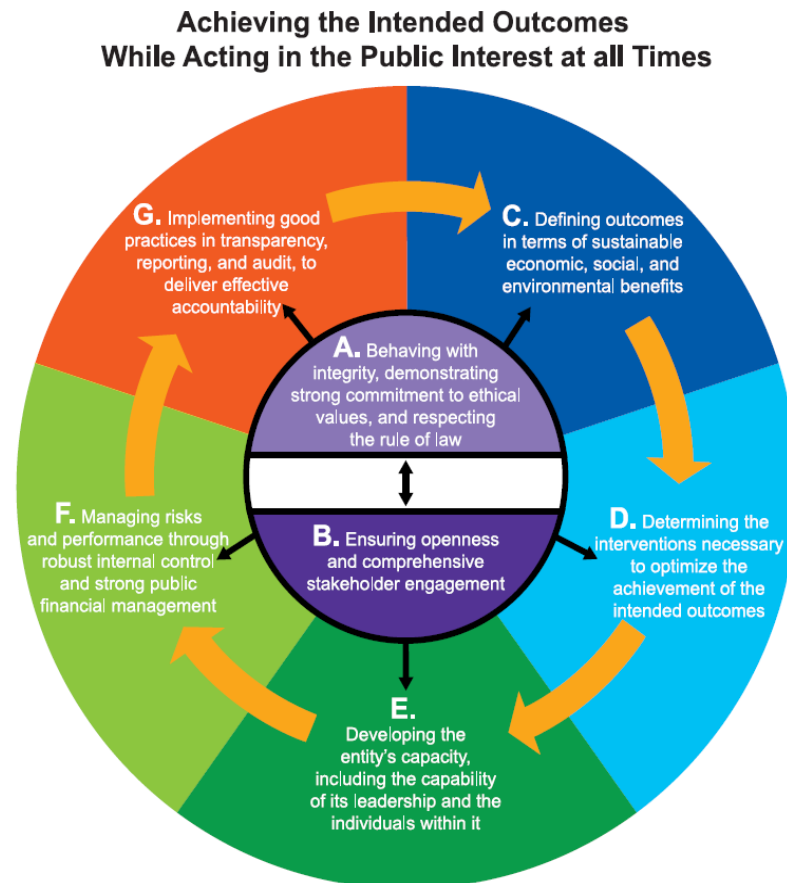
- 1.1 The City and County of Swansea is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Authority also has a duty under the Local Government (Wales) Measure 2009 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 1.2 In discharging this overall responsibility, the City and County of Swansea is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.
- 1.3 The City and County of Swansea adopted a Code of Corporate Governance on 24 August 2017, which is consistent with the principles of the new CIPFA/SOLACE Framework '*Delivering Good Governance in Local Government 2016*'. A copy of the Code can be found on the Council's website.

2. The Purpose of the Governance Framework

- 2.1 The governance framework comprises the systems and processes, culture and values, by which the Authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate services and value for money.
- 2.2 The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies, aims and objectives, to evaluate the likelihood and potential impact of those risks being realised and to manage them efficiently, effectively and economically.
- 2.3 The governance framework has been in place at the City and County of Swansea throughout the year ended 31 March 2023 and up to the date of approval of the Statement of Accounts.

3. The Governance Framework

3.1 The Council has adopted a Code of Corporate Governance based on the “*Delivering Good Governance in Local Government*” framework published by CIPFA and SOLACE in 2016.



3.2 This Statement explains how the Council has complied with the Governance Framework and meets the requirements of the Accounts and Audit (Wales) Regulations 2014 (as amended by the Accounts and Audit (Wales) (Amendment) Regulations 2018). The Council aims to achieve a good standard of governance by adhering to the 7 key principles of the CIPFA/Solace 2016 Guidance.

3.3 The 7 key principles are:

- A) Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
- B) Ensuring openness and comprehensive stakeholder engagement.
- C) Defining outcomes in terms of sustainable economic, social and environmental benefits.
- D) Determining the interventions necessary to optimise the achievement of the intended outcomes.
- E) Developing the entity’s capacity, including the capability of its leadership and the individuals within it.

- F) Managing risks and performance through robust internal control and strong public financial management.
 - G) Implementing good practices in transparency, reporting and audit to deliver effective accountability.
- 3.4 The application of the principles of good governance is summarised below which sets out supporting information for the 7 key principles.
- 3.5 **Note - The issues set out within the Governance Statement have been materially affected by the COVID-19 pandemic. However, it should be noted that the Statutory Governance Chief Officers and CMT continued to maintain corporate grip to ensure that sufficient governance was maintained throughout this unprecedented crisis and during the recovery.**

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Principle A

Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

Sub Principles:

Behaving with Integrity

Demonstrating strong commitment to ethical values

Respecting the rule of law

How we do this:

- The behaviour and expectations of officers/members is set out in the Constitution, Officer and Member Code of Conduct and Protocol.
- The Monitoring Officer provides training on the code of conduct and ensures the highest standards of conduct by the authority, members and officers – including use of Council email protocol.
- The Standards Committee is responsible for monitoring and scrutinising the standards of Members.
- Member led authority principles with training to senior officers and Cabinet members.
- Compliance with a suite of policies/rules set out in the Constitution.
- The Constitution sets out requirements as to gifts and hospitality and there are regular reminders circulated to both officers and members.
- Adoption of Member Dispute Resolution Protocol.
- Officers/members declarations of interest.
- Officer Secondary Employment Policy.

- The Council's appraisal and recruitment system based on competencies, training and objectives underpin personal behaviours with ethical values.
- Commitment to working to promote high standards of performance based on the Nolan principles.
- Adoption of Welsh Government ethical ways of working.
- The Swansea Pledge.
- The Constitution contains comprehensive Procurement and Financial Procedure Rules.

- The Statutory officers and Members ensure compliance with legislative and regulatory requirements via a robust framework including the scheme of delegation, induction training, standing procedures and rules set out in the Constitution.
- Reports to Committees have legal/finance clearance.
- Robust Scrutiny and Call-In function.
- Robust audit challenge.
- External challenge from auditors, Ombudsman and other external agencies.
- The Monitoring Officer ensures the Council complies with statute and reports on any maladministration.
- An effective anti-fraud and corruption framework supported by a suite of policies i.e. whistleblowing.

Principle B

Ensuring openness and comprehensive stakeholder engagement

Sub Principles:

Openness

Engaging comprehensively with institutional stakeholders

Engaging stakeholders effectively, including individual citizens and service users

How we do this:

- The Council is committed to ensuring an open culture evidenced by open meetings and publication of agendas and minutes.
- A Forward Plan showing key decisions to be made by Council and Cabinet is published.
- There is appropriate Consultation and Engagement supporting the decision making process including annual budget consultation, co-production, engagement with trade unions and engagement with Disability and LGBT communities.
- There are Public questions at Council and Cabinet.
- There is engagement with children and young people to meet the requirement of the UNCRC.
- There is pre-decision scrutiny of Cabinet decisions and Call-In procedure
- Corporate risks are published.

- The Council adopts a Team Swansea approach working as a whole Council and effectively engages with stakeholders to ensure successful and sustainable outcomes by:
 - targeting communications;
 - effective use of social media;
 - formal and informal meetings with key stakeholder groups i.e. External auditors, Welsh Government, Health board.
- The Council has an extensive range of partnerships to support the delivery of the Council's objectives including:
 - The Public Services Board.
 - The Safer Swansea Partnership.
- The Council has adopted the Community/Town Council Charter and facilitates the Community/Town Council forum meetings with the 24 Councils.

- The Council has appropriate structures in place to encourage public participation which is used to inform proposals and key decisions including:
 - A Consultation and Engagement Strategy.
 - A Co-production Framework.
 - "Have your Say" consultations on website.
 - The Scrutiny Programme Committee invites stakeholder contributions and participation.
 - A Staff Survey with responses considered by CMT/Senior Management.
 - A Complaints Policy and Annual Report to assess organisational learning and change.
 - The appointment of Councillor Champions who provide a voice for under-represented groups.
 - An Integrated Impact Assessment to assess the equality, socio-economic and sustainability impacts on people with protected characteristics and future generations.

Principle C

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

Sub Principles:

Defining outcomes

Sustainable economic, social and environmental benefits

How we do this:

- The Council has a clear vision which is set out in the Corporate Plan *Delivering a Successful & Sustainable Swansea* which prioritises 6 Well-being Objectives.
- Delivery of the Corporate Plan is monitored through the Council's Performance Management Framework with quarterly and annual performance monitoring by CMT/Cabinet.
- There is an Annual Performance Review.
- Annual Service Plans address the sustainability of service delivery along with key corporate priorities.
- There is monthly Performance and Financial Monitoring meetings held for each Directorate.
- There is a Corporate Risk Management Policy ensuring consistent application of risk registers and terminology and audit scrutiny.

- The Council takes a long term and sustainable view and balances the economic, social and environmental impact of policies and plans by:
 - Medium Term Financial Planning covering 3 financial years approved annually by Council.
 - Refresh of the Corporate Plan annually
 - Annual service planning.
- The Council's Corporate Transformation Plan to modernise and transform the council to meet the longer term challenges and ensure sustainable provision of services.
- There is public and stakeholder engagement.
- Council has passed a motion on tackling the climate emergency and has set a target and means to achieve net zero carbon emissions by 2030, including expanding our fleet of green vehicles, increasing tree cover, installing solar panels and improving energy efficiency.

Principle D

Determining the interventions necessary to optimise the achievement of the intended outcomes

Sub Principles:

Determining interventions

Planning interventions

Optimising achievement of intended outcomes

How we do this:

- The Council ensures that decision makers receive objective and rigorous analysis of options with intended outcomes and risks by:
 - written reports from Officers;
 - report clearance by legal, finance and Access to Services officers;
 - embedding of impact assessment in decision making process;
 - clear option appraisals reflected in reports detailing impact, risk and any best value considerations.
- The results of consultation exercises are fully considered by decision makers with consultation responses set out in report.
- Consultation on budget proposals is extensive and includes roadshows with staff.
- The Council has a Corporate Risk Management Policy.

- The Council has established robust planning and control cycles covering strategic and operational plans, priorities and targets which is achieved through:
 - A timetable for producing and reviewing plans on an annual basis.
 - Working with a consultation and engagement strategy.
 - Quarterly and annual performance monitoring including achievement of national and local performance indicators.
- There is robust Medium Term Financial Planning.
- There is an Annual budget setting process in place including an extensive consultation exercise.

- The Council ensures the Medium Term Financial Strategy integrates and balances service priorities, affordability and other resource constraints by setting out any shortfall in resources and spending requirements in the context of service priorities.
- To ensure that the budget process is all inclusive there is regular engagement with members with robust scrutiny by the Service Improvement & Finance Scrutiny Performance Panel.
- Corporate Transformation Plan.
- The Council ensures the achievement of “social value” through the effective commissioning of service in compliance with CPR’s e.g. Beyond Bricks and Mortar (community benefit clauses in council contracts).

Principle E

Developing the entity's capacity, including the capability of its leadership and the individuals within it.

Sub Principles:

Developing the entity's capacity

Developing the capability of the entity's leadership and other individuals

How we do this:

- The Council aims to ensure that Members and Officers have the right skills, knowledge and mind set to operate efficiently and effectively to achieve intended outcomes by:
 - adopting a comprehensive induction training programme for members and officers;
 - a Councillor Training Programme based on a Training Needs Assessment;
 - annual performance review of staff;
 - adoption of a mentoring scheme.
- Operational capacity is supported by the Transformation & Future Council objective to help tackle rising demand and reducing revenue budget.
- The Organisational Development Strategy aims to develop the right staff with the right skills to work in a sustainable way.
- There is engagement with benchmarking groups such as APSE, CIPFA.
- There is collaborative and partnership working including the Public Service Board, Regional Partnership Board, ERW.

- Effective shared leadership and understanding of roles and objectives is supported by:
 - The Leader and Chief Executive have clearly defined leadership roles.
 - The Chief Executive Appraisal and Remuneration Committee have responsibility for the appraisal of the Chief Executive.
 - There has been member led training with both senior officers and cabinet members.
 - There are regular 1-2-1 meetings with the Leader, Cabinet members, Chief Ex, CMT and Heads of Service.
 - The Transformation and Future Council objective and the Organisational Development Strategy.
- The Constitution sets out the Scheme of Delegation which is regularly reviewed.
- Annual appraisal and performance review.

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Principle F

Managing risks and performance through robust internal control and strong public financial management

Sub Principles:

Managing risk

- Risk management is an integral part of decision making supported by:
- A Corporate Risk Management Policy with clear nominated officer responsibility.
- New risk register application.
- Monthly review of risks by CMT.
- Monthly review of Directorate Risks at PFM meetings.
- The publication of Corporate Risks allowing greater scrutiny.
- The Governance & Audit Committee regular review of risks (see paras 8.34 & 9)

Managing performance

- There are quarterly performance monitoring reports to Cabinet.
- Each Head of Service produces an Annual Service Plan setting out clear objectives and SWOT analysis of their service.
- There are regular reports as to performance indicators and milestones against intended outcomes.
- There is robust scrutiny challenge by pre decision scrutiny, inquiries and Call-In.
- Monthly Directorate Performance and Financial Monitoring meetings.

Robust internal control

- CIA provides independent assurance on the adequacy of internal control through the IA plan approved by the Governance & Audit Committee.
- The Governance and Audit Committee provides independent assurance of the adequacy of the risk management framework, the internal control environment and the performance assessment of the Council.
- The Council is dedicated to tackling fraud and corruption and has an Anti-Fraud and Corruption Policy and Whistleblowing Policy
- The Governance & Audit Committee receives an annual report on the fraud function and Anti-Fraud Plan.
- The Internal Audit Plan is approved by Governance & Audit Committee.

Managing data

- The Council demonstrates effective safeguarding of personal data and information by:
 - The appointment of a Data Protection Officer.
 - The adoption of a Data Protection Policy.
 - An Information Governance Unit and Senior Information Risk Officer.
 - An information asset register
 - The Council is signed up to the Wales Accord for Sharing Personal Information (WASPI).
 - Data Protection training is mandatory.

Strong public financial management

- The Council ensures both long term achievement of outcomes and short term performance through the delivery of the Medium Term Financial Plan.
- Financial management is integrated at all levels of planning and control by:
 - financial implications are included in all decision making reports;
 - there is a specific Corporate risk around Financial Control and MTFP owned by the S151 officer.

How we do this:

Principle G

Implementing good practices in transparency, reporting and audit to deliver effective accountability

Sub Principles:

Implementing good practice in transparency

Implementing good practices in reporting

Assurance and effective accountability

How we do this

- The Council aims to present understandable and transparent reports for both stakeholders and the public which is supported by:-
- - A Report Authors Protocol which ensures consistency in reports.
- A Clear Writing guide for Officers.
- All reports are signed off by Cabinet Member, legal, finance and Access to Services officers.
- The Council has a Publication Scheme which is available on the website.
- Where possible exempt reports are split so that the main report can be heard in public with confidential information being a separate exempt report.
- Publication of delegated decisions.
- Reports are published on the website and agendas are published in the Welsh Language.

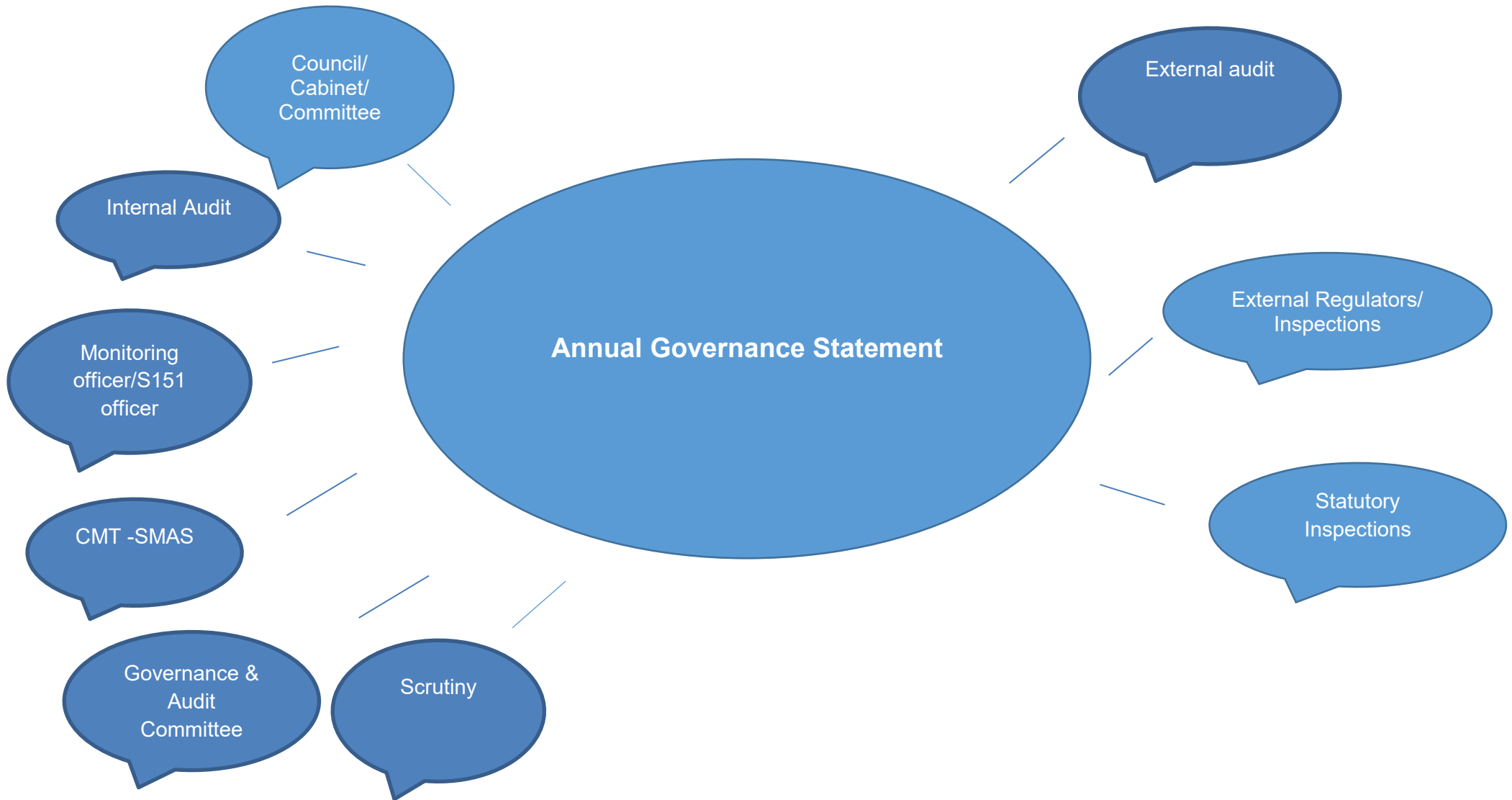
- The Council reports at least annually on performance as evidenced by:
 - Quarterly and annual reports to Cabinet on performance.
 - An annual Review of Performance report setting out how the Council has performed in meeting its Corporate Objectives.
 - The Annual Statement of Accounts audited by external auditor and approved by Council and published demonstrates how the Council has achieved performance, value for money and the stewardship of resources.
- Senior Managers complete Self-Assessment & Management Assurance Statements (SMAS) reflecting performance against governance, risk management and internal control. The SMAS contribute to the Annual Governance Statement.
- The Council have adopted the Code of Corporate Governance based on CIPFA framework.

- Through the assurance mechanisms set out below the Council can demonstrate effective accountability:
- The Internal Audit work plan provides assurance on the council's control mechanisms, risk management and governance arrangements which is monitored by the Governance & Audit Committee.
- All agreed actions from Internal Audit reviews are monitored.
- Reports and plans to implement Audit Wales and Internal Audit recommendations reported (as relevant) to Scrutiny and Governance & Audit Committee.
- Peer Review and inspection from regulatory bodies and external compliance reviews which are reported to CMT/Cabinet and used to improve service delivery.
- There is Scrutiny and audit review of Audit Wales reports and action plans.
- Assurance on risks associated with delivery of services through third parties is achieved by:
 - Commissioning and monitoring arrangements and compliance with Contract Procedure Rules.
 - SMAS reflect risk assessments in relation to partnership/third party working.

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Internal Assurance

External Assurance



4. Review of Effectiveness

4.1 The City and County of Swansea annually reviews the effectiveness of its governance framework including the system of internal control.

- (a) Statements from Corporate Management Team (CMT), Statutory Officers, the Internal Audit Manager and the Audit Committee.
- (b) External organisations i.e. Audit Wales and regulators.
- (c) Core evidence mapped to Council, Cabinet and Committees.

4.2 The following highlights the review of the governance framework in order to compile the Annual Governance Statement and sets out the assurance of CMT, officers and external organisations.

INTERNAL SOURCES OF ASSURANCE

5. Corporate Management Team/SMAS

5.1 The Senior Management Assurance Statements (SMAS) form part of the governance assessment framework. Through the SMAS each Director responds to 15 good governance statements covering:

- Risk Management.
- Partnership/Collaboration governance.
- Compliance with Policies/Rules/Legal & Regulatory requirements.
- Programme and Project Assurance.
- Budget Monitoring.
- Planning and Decision Making.
- Internal Control Environment.
- Fraud & Financial Impropriety.
- Performance Measurement & Management.

5.2 The Directors assess assurance using a 5 point maturity scale for their areas of responsibility ranging from “Not in place” to “Embedded”. Directors are expected to consult with their Heads of Service to support a directorate approach to each statement.

5.3 The assurance statements summarised by 9 categories showed overall in 2022/23 that there were no categories that were deemed as being “Not in place” and 1 (1.4%) with “Limited Application” (Performance Measurement & Management - Performance Reviews). A small number 8 (11.4%) of categories were regarded as showing “Mixed Application”. These categories were: Compliance Improvement (3); Planning and Decision Making - Service Planning (1); Planning and Decision Making - Future Generations & Equality (1); Performance Measurement & Management (1); Performance Measurement & Management - Performance Reviews (3). These will be captured in the significant governance risks for 2022/23 where relevant.

However, 39 (55.7%) demonstrated “Strong Application” and 22 (31.4%) were described as “Embedded.”

- 5.5 The Council established an Annual Governance Group for the purpose of challenging the SMASs and assisting and overseeing the development of the Annual Governance Statement. The Group is chaired by the Interim Director of Corporate Services and members include the Council’s Section 151 Officer and Monitoring Officer, as well as the Strategic Delivery & Performance Manager and a member of the Governance & Audit Committee. The Chief Internal Auditor attends in an advisory capacity. The Annual Governance Group met on 15th March 2023 to review the draft SMAS submitted by each Director. CMT reviewed the draft SMAS and the findings from the Annual Governance Group on 29th March. The Annual Governance Group reviewed the revised SMAS and the draft Annual Governance Statement on 19th April 2023. The Significant Governance Issues for 2023/24 as identified by CMT after reviewing the draft Annual Governance Statement on 26th April 2023 are those set out below.

6. The Monitoring Officer

- 6.1 The Chief Legal Officer is the Monitoring Officer with a specific duty to ensure that the Council, Officers and Members maintain the highest ethical standards of conduct. The Standards Committee has the responsibility for monitoring the ethical standards of conduct and to deal with any breaches of the Code referred to the Committee by the Public Service Ombudsman (PSOW).
- 6.2 During 2022/2023 the Monitoring Officer was notified of 12 complaints relating to members conduct by the PSOW. The PSOW decided not to investigate 11 of those complaints. 1 complaint is being investigated and is still outstanding. In relation to complaints reported to the PSOW the Committee receive regular updates as to the status of complaints. Regular PSOW bulletins are circulated to all councillors as to Code of Conduct issues when issued.
- 6.3 The Local Government and Election (Wales) Act 2021 brought in new duties for Standards Committees and Group Leaders in Wales from May 2022. The Committee considered changes to their Terms of Reference on 9 March 2022 so as to comply with the legislation. Council approved the changes to the terms of reference on 24 May 2022.
- 6.4 The Chair presented the Standards Committee Annual Report 2021/22 to Council on 7 July 2022. The Report reflected the Committee’s view that generally the conduct of members was high..
- 6.5 In February and March 2023 the Standards Committee interviewed the Leader and all Leaders of the Opposition Groups. The discussion with group leaders focused on their new duties under the legislation and how they would meet that duty. The Monitoring Officer is therefore of the view that the Authority is in a good position to comply with the new legislative requirements.

- 6.6 The Monitoring Officer has not had to issue any statutory Section 5 Local Government and Housing Act 1989 reports during 2022/23
- 6.7 Members and co-opted members are required to register their personal interests in any business of the authority and to comply with the rules set out in the Members Code of Conduct. Members must also comply with the rules around Gifts and Hospitality.
- 6.8 All staff are required to disclose any personal interests which actually or potentially conflict with their duties to the council and to register any secondary employment.
- 6.9 Substantial work on the Council Constitution has been progressed with some major amendments being made at the Annual Meeting of Council on 24 May 2022 following the implementation of the Local Government and Elections (Wales) Act 2021. These included a Multi-Location Meeting Policy, a Petition Procedure and an index to the Constitution. Further constitutional changes will be progressed during 2023/24.

7. The S151 Officer

- 7.1 Quarterly **Financial Monitoring Reports** were presented to Cabinet throughout 2022/23. The third quarter report identified a net £8.995m of shortfall in service revenue budgets, almost entirely in relation to the recently accepted 2022/23 pay award together with anticipated costs/loss of income as a result of COVID19 which when combined with a forecast £2.0m shortfall in Council Tax collection leads to a total shortfall of £10.995m. To date the amount actually claimed in relation to COVID related additional costs/loss of income is £9.3m. It is assumed that all the TTP costs will also be recovered and for 2022/23 some additional grant is £3.8m. It is also possible that Council tax losses, or part of them at least, will be met by future WG grant support, but this is yet to be assured. In addition as identified above further mitigation is anticipated from the Apprenticeship/Inflation provision of £3.13m and Contingency fund of £5.457m. Taking account all of these mitigations and including the shortfall in Council Tax collection this results in a net forecast underspend for the council of £1.345m (after contingency and other reserve draws). Ongoing uncertainty over NDR receipts (after a succession of complicated interim relief schemes may likely need to utilise this residual under spend after reserve draws).
- 7.1.1 The current indication is that, for 2022/23, and for 2023/24 there needs to be continued targeted mitigating action and delivery of savings proposals to help reduce the overall overspend or likely future overspends. It looks inevitable major some significant draws from contingency and earmarked reserves will be needed to achieve a fully balanced budget for the year but this was somewhat anticipated throughout the year. Any inroads to net spending will reduce the necessary draw from reserves and preserve the amount of reserves available to carry into 2023/24 and the anticipated need for a repeat

of the mitigation strategy given our biggest cost driver, local government and teacher pay, remains far from resolved, agreed or fully funded.

- 7.2 A verbal **Mid Term Budget Statement 2022/23** was presented to Council in December 2022 given the substantially delayed settlement. The written report on the **Review of Reserves** was presented to Council on 06/10/22, which provided a strategic and focussed assessment of the current year's financial performance and an update on strategic planning assumptions over the next 3 financial years.
- 7.2.1 The conclusion of the Statement was that the Council could potentially struggle to deliver within the overall resources identified to support the budget in 2022/23 and beyond unless the local government settlement was continued to be permanently much enhanced and preferably routinely multi-year (the quantum was duly confirmed much enhanced by March 2022 and pleasingly was a three year settlement albeit heavily front loaded then dropping off significantly). The likely projected outturn was dependent upon the ability of the Council to reduce and restrict ongoing expenditure across all areas, its ability to recover expenditure and lost income from Welsh Government and continued reliance on active capital financing strategies to maximise the short term savings to enable the capital equalisation reserve to be bolstered for the medium to long-term recognising the major future capital commitments already irrevocably made by Council decisions on the size of the capital programme and associated borrowing.
- 7.2.2 The Revenue and Capital Budgets were approved by Council on 02/03/23. They continued to set out an ongoing ambitious programme of approved capital spending plans and future capital spending plans (partly financed by the Swansea Bay City Deal but predominantly by unsupported borrowing now fully externalised at fixed rates for up to 50 years de-risking general fund exposure to future interest rate movements) which would require modest budget savings to be delivered to help facilitate that major capital investment and economic regeneration stimulus. Future capital spending plans of up to a further £50m are nominal only at present and require financing from capital borrowing and revenue headroom to be yet created with only a temporary and interim reserve funding solution. These plans are likely to still be affected by ongoing ripple effects of COVID-19 and much wider economic aftershocks. It remains entirely unclear as to the scale of additional spending, the loss of income, and the funding arrangements for reimbursement in part, or in full, that the Authority faces in responding both locally, with partners, and supporting the national strategic response to COVID-19 and the economic outlook.
- 7.2.3 The impact will be very financially material on the 2022/23 accounts but the prioritisation of the response to COVID-19 and wider economic crises may have impaired our ability to fully prepare the accounts to our normally exceptionally high standards (and timeliness) in line with accounting standards. Any necessary deviation caused will be disclosed separately throughout these accounts.

- 7.3 The **Medium Term Financial Plan 2024/25 – 2026/27** was approved by Council on 02/03/2023. The Plan outlined the range of options around funding faced by the Council over the period, the key reliance on the scale and value of future local government finance settlements and the strategy to be adopted to address the various scenarios as well as the inherent risks to the success of the adopted strategy.
- 7.3.1 All spending and funding assumptions were set before the ongoing economic scale of the repayment of costs incurred during COVID-19 pandemic was fully apparent, exacerbated by the late nature of the UK and Welsh government budget setting processes. Whilst the Authority will consider future spending plans in line with projected funding announcements there is no indication at present that any of the assets of the Authority may be impaired as a result of a need to close facilities and reduce the level of service provision.
- 7.4 Each Corporate Director held monthly **Performance and Financial Monitoring** meetings where Chief Officers and Heads of Service reported on progress in terms of continuous improvement and budgets.
- 7.5 **Audit Wales Annual Audit Summary 2023.** Audit Wales provided their opinion on the financial statements which was an unqualified opinion. Their report outlined their continuing challenges in delivering the audit within their original timetable and deadlines resulting in the accounts not being formally approved until March 2023. Their summary recognised 3 immaterial uncorrected misstatements.
- 7.5.1 The Auditor General certified that the Council had met its remaining Local Government (Wales) Measure 2009 duties for the financial year 2021-22, as saved by an order made under the Local Government and Elections (Wales) Act 2021.
- 7.5.2 Audit Wales reviewed the arrangements the Council has put in place to secure value for money in the use of its resources. Their work was focussed on the Council's arrangements on implementing the Local Government and Elections Act (Wales) 2021, carbon reduction plans and the financial position; the outcome from this work were reported to Governance & Audit Committee on 27th September 2022, 9th February 2023 and 8th March 2023 respectively. Audit Wales also carried out studies across the local government sector to make recommendations for improving value for money.
- 7.6 The Council is the Administering Authority for the City and County of Swansea Pension Fund (the Pension Fund) and Swansea Bay Port Health Authority (SBPHA). The governance arrangements detailed in this Annual Governance Statement apply equally to the Council's responsibilities to the Pension Fund and SBPHA. There are further specific requirements for the Pension Fund which are to produce:
- Investment Strategy Statement.

- Governance Compliance Statement
- Internal Dispute Resolution Process.
- Funding Strategy Statement.
- Administration Strategy Statement.
- A full actuarial valuation to be carried out every third year.
- Communications Strategy Statement.

7.6.1 In 2022/23, the SBPHA reviewed and implemented a revised model of service delivery.

8. Chief Auditors Opinion

8.1 System of internal control are designed to help the Council manage and control the risks which could affect the achievement of the Council's objectives. However it is not possible to eliminate all risks completely.

8.2 As a result, Internal Audit can only provide 'reasonable' assurance that the systems of internal control within the areas of the Council reviewed are operating adequately and effectively.

8.3 The Internal Audit Section awards an assurance level for all audits undertaken.

8.4 The table below provides a summary of the assurance levels awarded to the audits completed in 2022/23:

Audit Assurance Results 2022/23		
Total Number of Audits Finalised	73	
Assurance Level	Number	%
High Assurance	27	37
Substantial Assurance	40	55
Moderate Assurance	6	8

8.5 As can be seen in the table above, the outcome of 67 of the 73 audits completed (92%) was positive with the audits being awarded either a High or Substantial assurance level.

8.6 Six audits received a Moderate level of assurance in the year. A summary of the key issues that result in Moderate assurance ratings being awarded are presented to the Governance & Audit Committee as part of the Chief Auditor's Quarterly Monitoring Reports, together with the outcome of the follow-up reviews undertaken to assure the Committee that action has been taken by management to address the issues identified.

8.7 In total there are 14 audits which are classed as Fundamental audits. The Fundamental audits are the core financial systems that are considered to be so significant to the achievement of the Council's objectives that they are audited either annually or bi-annually. Following the audits completed in

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2022/23, 10 of the 14 Fundamental audits were awarded a High level of assurance and 3 were awarded a Substantial level of assurance (Accounts Payable, Business Rates and Employee Services).

- 8.8 The Fundamental Accounts Receivable audit was awarded a Moderate assurance level in 2022/23, as has also been the case in the previous four financial years. The Governance & Audit Committee has received several updates from the relevant managers within the service in relation to the work that is ongoing to address the issues that have been identified. The Committee will continue to receive updates on this during 2023/24 as required.
- 8.9 It is disappointing that the Accounts Receivable audit received a Moderate assurance rating once again in 2022/23. As detailed in updates provided to the Governance & Audit Committee from the service management, the reasons for the weaknesses identified in this area are primarily in relation to reduced staff resources. As noted in previous annual reports, continuity and maintenance of core grip with changing, and more often diminishing resources was a recognised clear challenge across the Council, and this continued to be the case in 2022/23 and going into 2023/24.
- 8.10 Despite this, as stated previously it should be noted that of the 14 fundamental system audits, 10 have a High assurance level and 3 have a Substantial assurance level. In addition, the results of the work undertaken in 2022/23 shows that 92% of all audits completed in year were awarded either a High or Substantial assurance level. This provides reasonable assurance that the systems of internal control are operating effectively across the Council.
- 8.11 The Internal Audit Team has continued to operate in a very challenging environment throughout 2022/23. Approximately 500 days were lost to sickness absence and vacancies. As a result, approximately 35% of the original 2022/23 Audit Plan had to be deferred. However, I wish to express my gratitude the Internal Audit Team who have worked tirelessly throughout the year to complete as much audit work as possible.
- 8.12 The Audit Plan for 2022/23 contained 131 separate audit activities. As at 31 March 2023, 80 activities (61%) had been completed, with one additional activity (1%) substantially complete with a draft report issued. As a result, 81 activities had been completed to at least draft report stage (62%). An additional 4 activities were in progress at year end (3%). As a result, approximately 65% of the audit activities included in the 2022/23 Audit Plan had either completed or were in progress at year end. The team also successfully completed all of the Fundamental audits. This is a positive result given the resources available in the Team during the year. It is also pleasing to note the overall positive outcomes of the work that has been completed in year as highlighted above.
- 8.13 Throughout the year, a significant amount of effort has continued to be directed at further strengthening the systems of risk management across the

Council. The Governance and Audit Committee has received regular update reports from the Strategic Delivery and Performance Manager outlining the status of key risks from the Corporate Risk Register. The Corporate Management Team and Risk Owners have also reviewed the risk register entries regularly throughout the year to ensure the register is up to date. The new Risk Management System has also been further embedded in the year which has continued to improve the monitoring and control of risks. The introduction of the new Risk Management System has facilitated greater scrutiny of the risk management arrangements in place by the Governance and Audit Committee, and detailed reports from the new system have been presented to the Committee throughout the year.

- 8.14 At the time of writing this opinion, it is unclear as to the scale of additional spending the Council faces, from persistent relatively high inflation across both revenue and capital and demands on our services post pandemic whilst also in the midst of a cost of living crisis. The Director of Finance & Section 151 Officer has advised that his view is that there is adequate assurance of sufficient budget cover for 2023/24, but the future budget outlook remains extremely challenging in real terms. In March 2023, the Leader of the Council set out the Council's intention to continue with utilising the residual part of the locally funded Covid-19 Economic Recovery Fund during 2023/24. This will in part may mitigate the known certainty of the expected significantly reduced real terms Government funding increases in future years. This may also assist with dealing with some, but not all, of the immediate inflationary effects, which means future real terms reductions seem inevitable. However, this is pending formal certification of the final outturn and statement of accounts by the Section 151 Officer and Council.
- 8.15 The work undertaken by the Internal Audit Team in the year did not uncover any significant concerns in relation to governance and overall management control across the areas of the council that were subject to internal audit review. Despite the ongoing period of upheaval and change, officers have continued to adapt speedily and effectively to the move out of the pandemic.
- 8.16 Given the completion rate of the 2022/23 Audit Plan noted previously, and the fact that the Internal Audit Team has completed all of the planned Fundamental audits in year, the Chief Auditor feels that no impairment to the Chief Auditor's opinion is required. Assurance can be provided across a range of Council services as a result of the audits completed and other assurance work undertaken in the year.
- 8.17 In addition, for the reasons set out previously, the Chief Auditor is of the opinion that governance arrangements across the Council have proved to be robust and resilient throughout the continuing period of challenge and change that the Council has faced over the past year in the transition out of the pandemic.

8.18

Chief Auditors Opinion for 2022/23

Based on the programme of audit work undertaken in 2022/23, the Chief Auditor's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and internal control is effective with no significant weaknesses identified in 2022/23 which would have a material impact on the Council's financial affairs or the achievement of its objectives.

9. The Governance & Audit Committee

- 9.1 I am pleased to present this report prepared by the Chief Auditor and Democratic Services that reflects on the work of the Governance & Audit Committee. The report provides an overview of the Governance & Audit Committee's work in the municipal year 2022/23. On 31st May 2022 the Governance & Audit Committee considered the election of Chair for 2022/23 Municipal Year where it was resolved that Paula O'Connor be elected Chair. At the same meeting Councillor P R Hood-Williams was elected Vice-Chair for the 2022/23 Municipal Year.
- 9.2 The full Council agreed that the Governance & Audit Committee would be set at 15 members with one third of those being Lay Members to comply with the requirements of the Local Government and Election (Wales) Act. This resulted in the Council seeking to recruit a further three Lay Members. By May 2022 an additional two new Lay Members were successfully recruited – Mr Phillip Sharman and Mr Gordon Anderson. In March 2023 the Council were successful in appointing the fifth Lay Member Mr David Roberts who will assume his position in April 2023 thus being fully compliant with legislative requirements.
- 9.3 In addition, Cllr Lesley Walton was elected by the Governance & Audit Committee to be the Representative on the Governance Group. This Group ensures that the Annual Governance Statement is complete and accurate and is in harmony with the work of the Governance & Audit Committee. The Annual Governance Statement will be presented together with this Annual Report of the Governance & Audit Committee at the May 2023 meeting.
- 9.4 A formal Training Programme has been in place throughout the year to ensure the Committee Members understand their roles and responsibilities. This also provides a clear understanding of the roles of Performance and Scrutiny.
- 9.5 The Local Government and Election (Wales) Act requires careful coordination between Governance & Audit Committee and the Scrutiny Committee. To aide this, the Work Programme of both Committees are appended to every meeting of the Governance & Audit Committee.

- 9.6 In addition, the Chair of Scrutiny attends the Governance & Audit Committee to present the Annual report. Similarly, the Council's Performance Report was brought to the attention of the Governance & Audit Committee on 14th December 2022 by Cllr Chris Holley, Chair of the Service Improvement & Finance Scrutiny Panel in order to give assurance to the Committee that it had been subject to review and challenge by the Panel.
- 9.7 The Chair has assured the Council that every effort will be made to gain maximum effectiveness in the work of scrutiny and audit in order to avoid stepping outside of the remits of their terms of reference. More recently, on 14th March 2023 the Chair attended the Scrutiny Programme Committee to discuss Governance & Audit Committee and Scrutiny relationships to reinforce and clarify those responsibilities. The terms of reference are reviewed annually in conjunction with the Monitoring Officer to ensure that they reflect the most up to date legislation. The Committee terms of reference forms part of each Agenda as an aide to ensure that Members are sighted of its role.
- 9.8 The Chair would note that the South West Wales Corporate Joint Committee was established early 2022 to meet the requirements of Part 5 of the Local Governance and Elections (Wales) Act 2021. Further insight was given to Members as to the current status and progress of the CJC at the September 2021 Governance & Audit Committee and then in December 2021 the Governance & Audit Committee were informed of progress and next steps being taken in establishing a formal governance framework. At that time, it was envisaged that the status and progress of the work of the CJC would be brought back to the Governance & Audit Committee during the early part of 2022 when consideration would be given to any further changes to Terms of Reference of the Governance & Audit Committee. In March 2023 the Committee received a report on the Governance and Assurance Arrangements of Swansea Council's Strategic Partnerships. One of the Partnerships was the South West Wales Corporate Joint Committee. The Chair confirms that the Governance and Audit Sub Committee of this Partnership met on 11 November 2022 to agree Terms of Reference, but no further meetings have taken place since this date. However, recent notification indicates that a July 2023 is being arranged. As a result, the Terms of Reference for the Council's Governance & Audit Committee will need to be kept under review.
- 9.9 The Governance & Audit Committee have continued to express concern around the absence of the Workforce Strategy and the challenges placed on resources. In February 2022 the Strategic HR&OD Manager confirmed that a proposed Workforce Strategy has been developed for the financial year April 2022-2025. It was also confirmed that the Strategy took into consideration the Council's Corporate Plan "Delivery a Successful and Sustainable Swansea" as well as the provisions of the Well-Being of Future Generations (Wales) Act 2015. The Strategy was launched during 2022.

- 9.10 Subsequently, a key report was presented to the Committee on 17th November 2022 informing the Committee of the Council's Transformation Goals and Strategy. This report noted that the first two phases of Achieving Better Together strategy and goals ended in May 2022 with the development of the council workforce strategy amongst other activities. However, to deal with the challenges ahead the Council declares that "between 2022 and 2027 the Council will deliver at least the same if not better outcomes for our population and improve our efficiency by making significant changes to the way we work and how our services are designed and delivered". The Governance & Audit Committee will receive future updates.
- 9.11 The Committee noted that a number of key staff changes took place during the year including the departure of the Chief Executive and the Deputy Chief Executive/Director of Corporate Services. As a result, Interim arrangements were put in place, but this did not impact on the access that the Chair had to Senior Officers. The Chair has continued to speak regularly to the new Chief Executive and Director of Corporate Services.
- 9.12 The Chair also highlights that the Committee has previously reported on the shortfall in assurances being received around the Council's Risk Management arrangements. However, the Chair has ensured that the Service Directors have attended the Governance & Audit Committee during the year to provide assurance to the Committee that individual functions are exercised effectively, and there is economic, efficient, and effective use of resources and effective governance. The Director of Corporate Services has been reviewing the risk management system with the aim of enhancing the current reporting to the Committee.
- 9.14 The Governance & Audit Committee terms of reference states that the Committee "oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.
- 9.15 In March 2022 the Chief Internal Auditor presented the Draft Internal Audit Plan for 2022/23 and methodology applied. The Chair commented that the Committee was able to support approval of the Plan to Council with the caveat that assurances had been obtained from the Chief Internal Auditor that the Plan was risk based and complied with the Public Sector Internal Audit Standards. The Committee continued to seek further understanding of the scope of the reviews during 2022/23.
- 9.16 The Committee received the 2022/23 Internal Audit Plan and Charter on 8th March 2022 and has received reports regularly during the year from the Chief Internal Auditor. The Chief Internal Auditor explained the staff resource pressures throughout the year and also advised that at the year-end 62% of the plan would be completed which would be sufficient to provide the Head of Internal Audit Opinion. The Chair has expressed her gratitude to the Chief Auditor and his Team in progressing with the plan during a period of unplanned staff absences. During 2022/23 the Chief Auditor reported a number of Moderate Assurance audit reports that resulted in those

Annual Governance Statement 2022/23

responsible attending Governance & Audit Committee to give assurance that appropriate action was being taken where significant weaknesses in control were identified. During the year the Chief Internal Auditor updated the Governance & Audit Committee of those audit assignments that had to be deferred. The final Chief Internal Auditor opinion is due to be presented to the Audit Committee in May 2023.

- 9.17 Audit Wales presented their 2022 Audit Plan to the Governance & Audit Committee on 15th June 2022, and has provided the Committee with regular updates to their work. Their Quarterly update to 30 September 2022 was presented to the December 2022 Committee meeting. Also, the update to 31 December 2022 was presented to the March 2023 Committee meeting. Audit Wales have encountered staffing pressures throughout the year and have kept the Committee and full Council abreast of the situation.
- 9.18 The Committee has repeatedly checked progress with the development of the tracker to give focus to completion of external audit recommendations. Until this tracker is fully developed and put into place the Scrutiny Committee has a role in challenging non implementation of Audit Wales recommendations as well as the Governance & Audit Committee. The Council has also implemented a system whereby they are able to track who was allocated Audit Wales reports for actioning recommendations.
- 9.19 On 13 July 2022 the Committee received the 202/23 Fraud Function Annual Plan. The 2021/22 Anti-Fraud Annual Report was received at the same meeting. In December 2022 the Corporate Counter Fraud Function presented their mid-year update report on progress against the plan. This report identified the Teams limited resources that impacts on their ability to be proactive in certain areas albeit the National Fraud Initiative work is considered proactive.
- 9.20 The Council has continued to face significant challenges during 2022/23. However, Audit Wales has confirmed at the March 2023 meeting that they intend to issue an unqualified opinion on the 2021/22 accounts.
- 9.21 Looking ahead to 2023/24 the Governance & Audit Committee's membership and responsibilities will need to be kept under review to ensure that a Training Programme continues to be in place that reflects the needs of new Councillors and Lay Members. Governance & Audit Committee Members completed an assessment of performance in March 2023 and the outcome of this self-assessment will be considered at the May 2023 meeting. If the self-assessment identifies any additional Member needs, this will be added to the Training Programme.
- 9.22 The Committee's concerns expressed during the 2022/23 Municipal year will be appropriately reflected in the Annual Governance Statement and will include performance against the Transformation Strategy, and the further improvements required to embed the risk management arrangements and enhanced reporting of risk. In addition, for those Moderate or Limited Assurance Internal Audit reports issued during the year the Committee will

seek further updates to ensure all internal audit recommendations have been actioned. Also, the Significant Governance issues noted in the Annual Governance Statement will be considered by the Committee and will include Workforce capacity and capabilities (including Agency use and Sickness), Performance Management review, ICT Disaster Recovery and Procurement.

EXTERNAL SOURCES OF ASSURANCE

10. External Auditors

- 10.1 Audit Wales provided their opinion on the financial statements which was an unqualified opinion. Their report outlined their continuing challenges in delivering the audit within their original timetable and deadlines resulting in the accounts not being formally approved until March 2023. Their summary recognised 3 immaterial uncorrected misstatements. The Auditor General certified that the Council had met its remaining Local Government (Wales) Measure 2009 duties for the financial year 2021-22, as saved by an order made under the Local Government and Elections (Wales) Act 2021.
- 10.2 Audit Wales reviewed the arrangements the Council has put in place to secure value for money in the use of its resources. Their work was focussed on the Council's arrangements on implementing the Local Government and Elections Act (Wales) 2021, carbon reduction plans and the financial position; the outcome from this work were reported to Governance & Audit Committee on 27th September 2022, 9th February 2023 and 8th March 2023 respectively. Audit Wales also carried out studies across the local government sector to make recommendations for improving value for money.
- 10.3 Audit Wales on behalf of the Auditor General for Wales presented the **Audit of Financial Statements Report 2021/22** to Governance & Audit Committee on 8/3/23 and to Council on 30/03/23. The report highlighted any significant issues to those charged with governance that needed to be considered prior to the approval of the financial statements. The Auditor General issued an unqualified audit report for the financial statements. The report concluded that the financial statements for the City & County of Swansea and the City and County of Swansea Pension Fund, (which was presented separately to the Pension Fund Committee on the 16/11/22), gave a true and fair view of the financial position of the Council and had been properly prepared.

11. Statutory external inspections/regulators

- 11.1 Audit Wales, Estyn and CiW recently provided feedback to the Council through a Joint Regulators Assurance and Risk Assessment 2022-23 workshop, which delivered to CMT on 11th January 2023.
- 11.2 At the workshop, Estyn outlined the following assurances on the Council:
- Swansea's education directorate has an ambitious aspiration for all its children and young people.

- Officers work collaboratively and productively with other services and external organisations on many levels.
- The director and officers promote and support a strong and effective culture of self-improvement amongst Swansea schools.
- Learner well-being and welfare is a priority. A wide range of support and interventions for pupils with behavioural and emotional difficulties ensures that learners succeed and remain in education.
- The number of pupils progressing to Year 11 and remaining in school until the end of the academic year is consistently higher than national averages.
- The directorate has a strong culture of self-reflection and they produce swift and precise improvement plans when appropriate.
- There are well-established monitoring and quality assurance processes in place

11.3 Estyn identified what they perceived as risks:

- Concerns over future budgets and the ability to deliver services effectively across the authority and fulfil proposed capital spending plans.
- The new regional partnership arrangement 'Partneriaeth' is at an early stage of implementation and is too soon to judge its effectiveness.
- Two recommendations from local government inspection: review post-16 provision to ensure that it meets the needs of all learners; strengthen Welsh-medium provision across all ages and areas of the local authority

11.4 CiW described the following overarching assurances on the Council:

- Corporate understanding of & support for post –pandemic position.
- Innovative approach to service delivery and planning.
- Stable, experienced senior management team.
- Workforce strategy / planning.
- Quality assurance becoming more embedded.

11.5 CiW outlined the following assurances on childrens social care services:

- Demonstrable compliance in meeting statutory duties, despite ongoing / significant pressures.
- Stable / decreasing CLA population.
- Robust and comprehensive PFM reports.
- Enhanced multi-agency / partnership working.

11.6 The following risks were described by CiW concerning childrens social services:

- Managing increasing scope & complexity of demand.
- Significant, ongoing recruitment & retention challenges.
- Recent use of emergency placements, due to lack of availability.

11.7 CiW outlined the following assurances on adults social care services:

- Re-structuring led to improvement in some key areas of service delivery, including Safeguarding & DoL's teams.
- Strengthened integration / positive relationships with health colleagues.
- Supplementing resource via managed team to help address assessment and reviews.

11.8 The following risks were described by CiW concerning adults social services:

- Ongoing fragile position of Domiciliary Care provider market –growing waiting lists / shrinking capacity.
- Ongoing pressures due to demand in the system.
- Delays in assessments.

11.9 CiW outlined their planned future work for 2022/23 as follows:

- Continue to test and evaluate their revised approach, including assurance checks, improvement checks and PEI's (in conjunction with LAAG and other interested parties).
- Continuous programme of activity from April 2023 –it is anticipated that all 22 Local authorities will have some activity whether that be an assurance check, a performance evaluation inspection and / or involvement in a national thematic review.
- Continue with programme of formal meetings with Heads of Service and also the annual meeting with the Director of Social Services
- National thematic review - to be confirmed.

11.10 Audit Wales listed the following assurances on the Council:

- Stable political landscape with continuity of leadership.
- Council is refreshing much of its corporate framework, including its Corporate Strategy and performance management arrangements to ensure they are aligned to deliver its ambitions, within the constraints of its developing MTFS.
- Council has high levels of reserves which it is using (estimated £30m for 23/24) to help with its financial sustainability over the short to medium term.
- Has historically had a low cost of borrowing on capital that is now being used to deliver its ambitious regeneration priorities.
- Pension Fund has performed well over the last few years.
- Reviewed achieving better together programme and have developed a refreshed Transformation Programme.
- The Council is reviewing its risk management arrangements and has recently reviewed its Corporate Risk Register and identified a number of new corporate risks, such as: homelessness and cost of living

- The Council has a strong grasp of the scale and complexity of the challenge to achieve net zero by 2030 and has ambitions for the county of Swansea to become net zero by 2050.

11.11 The following emerging risks were described by Audit Wales concerning the Council:

- Positive financial settlement for 2023/24 (£31m uplift). However, future financial pressures remain a risk with a saving target of £25m for 2023/24 and significant saving targets for 2024/25 –2026/27.
- High levels of school reserves which will be reduced in 2023/24 as schools have to find savings of £2.9m and also need to cover this year's pay award–potential risk for 2024/25.
- Net Zero plans are not fully costed and do not identify the funding and resources required to deliver all the identified activity.
- Sustainability of some strategic private sector delivery partners such as those in Leisure.
- Challenges in relation to recruitment and retention in particular sectors such as care and senior posts in education.
- Budget proposals principle is minimal compulsory redundancy – although not ruled out in services areas where the greatest savings are required, potential risk around service delivery.
- Significant historical delays in delivering the new ERP solution Oracle Fusion current system will be unsupported from June 2023.
- Ambitious local and regional economic regeneration plans, however the sustainability of private sector support for this remains a risk in the current economic climate.
- Concerns over the progress being made on some of the largest Swansea Bay City deal projects such as “homes as power stations” of particular significance given the cost of living crisis.
- Recently established Corporate Delivery Committees to support Policy development, however some concerns over duplication with Scrutiny.
- Impact on Transformation Programme of current financial crisis.
- Track record - delivering financial savings, delivering on significant projects such as IT; how is the Council assuring itself that it can prioritise and deliver?

11.12 Swansea's Director of Social Services' Annual Report 2021/22 was presented to full Council in October 2022. The report is an opportunity to show how well Swansea is meeting the new statutory requirements under the Social Services and Well-being (Wales) Act 2014, and how we are applying the five ways of working within the Well-being of Future Generations (Wales) Act 2015. The report has to evaluate the local authority's improvement journey to 2021/22, performance within the six National Quality Standards and contributing the wellbeing outcomes for the citizens of Swansea.

11.13 In December 2021, CiW published a National Overview Report of Assurance Checks with Children's and Adult Social Services. This report gives the key finding from the 19 assurance checks carried out across Wales between

September 2020 and July 2021, and sets out the future challenges for social services. Future challenges identified within this report can be summarised as:

- Unprecedented increase in demand for social care.
- Partnership working.
- Recruitment and retention.
- Fragility within domiciliary support services.
- Placement insufficiency within the childcare sector.
- Advocacy.
- Support for Carers.
- Grant funding.

11.14 Care Inspectorate Wales (CiW) hold an annual performance review meetings with each local authority social services. Senior management, cabinet members and senior managers are invited to the meeting to share in feedback from recent inspection activity and to discuss progress against the statutory requirements, improvement priorities and against performance measures. Minutes noting the outcome of the meeting are then sent to the Director of Social Services; the most recent meeting notes are dated 16th December 2021.

11.15 CiW's new approach to assurance and review places the voice of the citizen at the centre, and inspectors gather intelligence on performance from a range of sources ahead of the annual review meeting. Regular meetings are held with Heads of Service, and monthly performance reports are made available. Review work for the year ahead includes: child protection (rapid review), public law outline (joint thematic review), Community Mental health national, alongside Council specific reviews. The latest Annual Meeting with CiW was held on 31st January 2023, with notes yet to be made available.

11.16 CiW has also recently published two national reports: 'Let me flourish' -a national review of early help, care and support and transition for disabled children in Wales (Nov.2021). The report sets out several actions for local authorities including:

- Obtaining and hearing the voice of each disabled children
- Working with parent-carers
- Taking a rights-based approach

11.17 More recently published, a national review of the use of Deprivation of Liberty Safeguards (DoLS) in Wales 2021-22 (Feb.2023). The report notes that Swansea continues to report the highest number of DoLS applications in Wales, but numbers have fallen in 2021-22 when compared to previous years.

11.18 The Welsh Government are working on the regulations and guidance for the implementation of the new Liberty Protection Safeguards (LPS) set to replace DoLS, following recent consultation, with a date yet to be set.

- 11.19 Estyn conducted an inspection of Local Government Inspection Services in June 2022 and published its findings in September 2022. The inspection report noted many strengths and features of Swansea's education services and that officers work collaboratively and productively with other local authority services and external organisations on many levels. Two case studies were requested, one in relation to strong support for school improvement and quality of support in mainstream schools for pupils at risk of disengagement. Two recommendations were made, one to strengthen Welsh-medium provision across all ages and areas of the local authority, and one to review post-16 provision to ensure that it meets the needs of all learners. Audit Wales led the financial element of the inspection and noted that the authority had prioritised funding for education and worked well with schools through the Schools Budget Forum.
- 11.20 The Local Authority has made effective progress in revising its additional learning needs (ALN) strategy – this was a finding of the Estyn inspection, where 'How well does the local authority support schools and providers to implement the ALNET Act 2018' was a local inspection question. Whilst positive progress has been made, it remains too early to fully measure the impact on a wide scale, as the transfer from the SEN system to ALN system continues in a phased approach.
- 11.21 A wholesale review of specialist provision for learners with ALN has begun, however further work is required to conclude this review and implement changes.
- 11.22 Inspection outcomes had been strong in both primary and secondary schools prior to the pandemic. School inspections resumed in 2022 and the use of outcome judgements are no longer in place. Between April 2022 and 1 March 2023, 16 schools were inspected, with 11 of those reports published. Of the 11 reports published, nine schools have no follow-up, one school is in an Estyn Review category, and one school is in a Special Measures category. Schools that are in an Estyn category receive support from the School Improvement Team. Five schools have been invited to submit case studies of effective practice.
- 11.23 There has been a third tier restructure of the Education Senior Leadership Team, which followed the previous second tier review that resulted in a structure of three Head of Service posts.
- 11.24 The Council continues to take appropriate steps to ensure that the new regional partnership with two other local authorities, Partneriaeth, results in an offer that better suits the needs of schools in Swansea; this is still developing.
- 11.25 School reserves continue to be high, although are decreasing. A delivery plan to realise the aims of the 10-year Welsh in Education Strategic Plan has been agreed by Welsh Government, however the needs of learners and local requirements will need to be kept under review.

CORE EVIDENCE

12. Council & Cabinet

- 12.1 The following provide assurance based on reports covering 2022/23. In some instances reports from 2021/22 are reflected in the Annual Governance Statement as the reports for 2022/23 are not yet available.
- 12.2 Council adopted a revised Corporate Plan 2017/22 *Delivering a Successful and Sustainable Swansea* on 25 October 2018. The Corporate Plan for 2017/22 was refreshed and approved at Cabinet on 19th March 2019 and was refreshed again and approved by Cabinet on 19th March 2020. The five year Corporate Plan was rolled forward into 2021/22 and was refreshed and rolled forward for a further year into 2022/23 until after the local government elections. A new 5-year Corporate Plan has been produced for the 2023/28 period, which was adopted at Council on 30th March 2023. The Corporate Plan sets out the Council's values and principles underpinning the delivery of its six well-being objectives and sets out how the Council will monitor progress through quarterly and annual performance monitoring reports and the Annual Review of Performance, which is the Council's annual self-assessment and well-being report.
- 12.3 Performance on delivery of the Council's well-being objectives is monitored quarterly by Cabinet. The reports contain outturn compliance with performance indicators and an overview of performance for each Objective provided by Directors/Heads of Service. The End of Year Performance Monitoring Report for 2021/22 was presented to Cabinet on 21st July 2022. The report showed that 20 out of 40 (50%) of comparable indicators showed improvement or stayed the same compared to the previous year. Continued disruption from COVID-19 meant that performance targets were not set during 2021/22 and any comparisons to previous performance were appropriately contextualized.
- 12.4 The Annual Review of Performance 2021/22 was approved at Council on 2nd March 2023. The Annual Review of Performance 2021/22 meets the statutory requirements to publish an annual self-assessment report and annual well-being report under Part 6 of the Local Government & Elections Act (Wales) 2021 and Well-being of Future Generations (Wales) Act 2015 respectively. The report showed the results of each performance measure for the 6 Objectives set out in the Corporate Plan 2017/22. The results showed that the Council is effectively delivering its functions; that there is a strong application and effective use of resources, although more mixed around workforce planning and performance management, and; a strong application and effectiveness of governance, although more mixed around vision, strategy and performance.
- 12.4.1 The Service Improvement and Finance Scrutiny Performance Panel and the Governance & Audit Committee met to discuss the Annual Review of

Performance 2021/22 on 8th November 2022 and 14th December 2022 respectively. The Governance & Audit Committee proposed the following, which have been implemented or, where relevant, will be implemented in the 2022/23 Review:

- Consider the methods and methodologies for 2022/23 in parts 1, 2 and 3. This will be addressed in the 2022/23 assessment.
- Linking the performance and risk assessments for 2022/23. This will be addressed in the 2022/23 assessment.
- Recognizing improvements that would need to be articulated within the report around stronger analysis. This has been acknowledged within the Review and will be addressed as an ongoing area for improvement starting in 2022/23.
- Correlation between parts 1, 2 and 3, ensuring they are all in harmony prior to the report being presented to Council and if they are not in harmony, outlining the reasons why. The different parts of the assessment are congruent and there is some cross-over between them, although with differing emphasis.
- Ensuring the report is proof read prior to being presented to Council. This has been completed.
- Improving the links between consultation engagement / stakeholder reference. This will be addressed in the 2022/23 assessment.

12.5 The Annual Complaints Report 2021/22 was presented to the Service Improvement and Finance Scrutiny Performance Panel Committee on the 14th March 2023. In addition, the Ombudsman's annual report was presented to Cabinet in September 2022. The Annual Complaints Report reflects the continued emphasis on prompt resolution of complaints and includes compliments about services. Some Ombudsman complaints can carry across different financial years. 76 Ombudsman complaints were closed in 2021-22, ten of which received intervention including: six early resolution / voluntary settlement and four which were upheld. There were 73 Ombudsman complaints in 2020-21, nine of which received early intervention including: five early resolution / voluntary settlement and four which were upheld. There were no s16 Public Interest reports during the year.

12.6 The Governance & Audit Committee Annual Report 2021/22 was presented to Council on 1st September 2022 and outlined the assurance the Committee had gained over control, risk management and governance from various sources over the course of 2021/22. In particular, the report highlighted the work that had been undertaken throughout the year in line with the Committee's terms of reference.

12.7 The Annual Equality Review 2021/22 was reported to Cabinet on 17th November 2022, which highlighted progress against the Council's Equality Objectives. The report highlighted work linked to the core principles i.e. co-production, engagement and embedding of children's rights.

12.8 The Welsh Language Annual Report 2020/21 reflected progress and compliance on the 163 Welsh Language Standards across five categories

with which the Council has to comply. The report contained an overview of activity and how the Council internally promotes the Welsh Language Standards with tools and information. The report concluded that good progress continued to be made on implementing the Welsh language standards during 2020/21 and highlighted some areas to support ongoing development and improvement.

- 12.9 There were a number of key reports presented to Cabinet/Council during 2022/23 including reports relating to Net Zero 2030, UK Prosperity Fund, Digital Strategy, regeneration and capital works amongst others.
- 12.10 The second phase of the Achieving Better Together Programme concluded in May 2022. In November the Cabinet approved a report on the council's transformation strategy and goals and agreed to the development of a new corporate transformation plan. The development and implementation of that plan, which is scheduled for approval by Cabinet in April 2023, will be overseen by a Transformation Delivery Board, chaired by the Cabinet Member for Service Transformation and reporting to Cabinet / CMT three times a year. A formal report on progress against the Corporate Transformation Plan will be presented to Cabinet in April of each year.

13. Committees

- 13.1 The Council's Scrutiny function is carried out by a **Scrutiny Programme Committee**, which delivers an agreed programme of work through Committee meetings and through **Scrutiny Panels and Working Groups** established by the Committee. Through this range of activity, scrutiny councillors make sure the work of the Council is accountable and transparent, effective and efficient, and help the Council to achieve its objectives and drive improvement, by questioning and providing challenge to decision-makers on issues of concern. This covers a wide range of policy, service and performance issues. The Committee is a group of 13 cross-party councillors who organise and manage what Scrutiny will look at each year, and develop a single work programme showing the various topics of focus and activities that will be carried out. The Committee has questioned Cabinet Members on specific portfolio responsibilities and is the statutory Committee for Scrutiny of Swansea Public Services Board and Crime & Disorder Scrutiny. It also co-ordinates pre-decision scrutiny enabling consideration of specific Cabinet reports and views being brought to the attention of Cabinet ahead of decision-making.
- 13.2 Over the last year the work of Scrutiny has included an in-depth scrutiny inquiry examining the issue of Anti-Social Behaviour, with the key question: How can the Council ensure that it is working with its partners to appropriately and effectively tackle Anti-Social Behaviour in Swansea? In order to ensure ongoing monitoring and challenge to key service areas there have been regular meetings of Scrutiny Performance Panels, looking at Education, Adult Services, Child & Family Services, Development & Regeneration, and Climate Change & Nature, as well as one looking at overall Service Improvement & Finance focusing on corporate performance and financial monitoring and

budget scrutiny. One-off Scrutiny Working Groups met to consider the following topics: Road Safety and Co-production, and others are planned including a look at Customer Contact. There has also been collaborative scrutiny with other Local Authorities for topics / issues of shared interest or concern, and models of regional working. Scrutiny activity has continued to be flexible and responsive to organisational pressures following the COVID-19 pandemic, which has affected the delivery of some planned activities. There are also clear processes in place for members of the public to raise issues for scrutiny, or ask questions and contribute views on matters being discussed. A number of public requests were considered over the past year.

- 13.3 Views and recommendations from scrutiny activities are communicated either by reports to Cabinet or letters sent directly to individual Cabinet Members, with responses provided as requested and followed up. The practice of writing 'chair's letters' is well-established way of communicating quickly with Cabinet Members, and letter and responses are monitored to ensure scrutiny is getting a timely response.
- 13.4 The **Scrutiny Annual Report 2021/22** was presented to Council on 1st September 2022. The report reflected on the final year of the 2017-2022 Council term and work carried out, showed how Scrutiny had made a difference and supported continuous improvement for the Scrutiny function. .
- 13.5 Although Scrutiny and Audit have distinctive roles, there are common aims in terms of good governance, improvement in performance and culture, and financial management, and so a regular conversation is held which helps to ensure we are working together effectively. The Chair of the Scrutiny Programme Committee addressed the Governance & Audit Committee on this in October 2022 and the Committee also heard from the Chair of the Governance & Audit Committee, at the Scrutiny Programme Committee in March 2023. This has made sure there is good awareness of each other's work, avoiding duplication and gaps in work programmes, and the ability to refer issues between Committees.
- 13.6 The **Standards Committee** met on 8 occasions during 2022/23 and the **Standards Committee Annual Report 2021/22** was presented to Council on 7 July 2022. The Committee is chaired by an independent person and is responsible for monitoring the ethical standards of the authority and maintaining the highest standards of conduct by elected councillors. The Committee has been updated as to their new duties under the Local Government and Elections (Wales) Act 2021 and has been consulted on both the statutory guidance in relation to the new duty and their new terms of reference. During 2022-2023 the Committee met with the Leader and all political group leaders to discuss with them how they intend to discharge their new duties to ensure the highest ethical standards within their group. Further informal discussions between the Group Leaders, Chair and Vice Chair of the Standards Committee are planned for 2023-2024.

- 13.7 The **Governance & Audit Committee** met on 11 occasions during 2022/23 and followed a structured work-plan, which covered all areas of the Committee's responsibilities with the aim of obtaining assurance over the areas included in its terms of reference. The Committee includes five lay members, one of which is also the Chair of the Committee. The Committee receive all Audit Wales reports once reported to Scrutiny Programme Committee. The Committee may decide to track or prioritise specific proposals or recommendations in addition to the oversight provided by Scrutiny. This arrangement provides additional assurance that the Council responds and puts in place action plans to address any recommendations. The Committee also receives quarterly updates on the overall status of risk within the Council to give assurance that the risk management process is being followed.
- 13.8 The Local Pension Board was established in 2015/16, in compliance with the Public Service Pensions Act 2013. The role of the Board is to assist the Council (and Pension Fund Committee) as Scheme Manager and Administering Authority to secure compliance with LGPS regulations and other legislation relating to the scheme. Terms of Reference for the Board were established and appropriate Board members were appointed. The Board successfully convened meetings on 4 occasions during 2022/23.
- 13.9 The **Pension Fund Committee** establishes and keeps under review policies to be applied by the Council in exercising its obligations duties and discretions as an administering Authority under the Local Government Pension Scheme (LGPS) Regulations. The Committee is Chaired by a Councillor and membership consists of six elected Members, including the Chair, and two co-opted members. The Committee met on 4 occasions during 2022/23, and dealt with all issues relating to investment matters, governance and administration of the Pension Fund. The Chair of the Pension Fund Committee also represents the Council on the Joint Governance Committee (JGC) of the Wales Pension Partnership, a collaborative working arrangement between the 8 local government pension funds in Wales.
- 13.10 The **Democratic Services Committee** reviews the adequacy of provision by the authority of staff, accommodation and other resources to discharge Democratic Services functions. The Committee is chaired by a Councillor and, along with the Chair, membership consists of thirteen Councillors. The Committee met twice during 2022/23 and considered the Timing of Council Meetings survey, reviewed the Councillor Training & Induction Programme 2022, Democratic Services Annual Report 21/22, Councillors Annual Reports and the Draft Independent Remuneration Panel for Wales (IRPW Annual Report 2023/24).
- 13.11 The purpose of the **Corporate Delivery Committees (CDCs)** is to drive the development of policy for consideration and adoption by Cabinet and or Council as appropriate. CDCs are aligned to the Council's function of developing policy and are linked to the corporate objectives. Both CDCs and

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Scrutiny are open to all non-executive Councillors, in developing policy then reviewing its effectiveness.

13.12 The CDCs are chaired by a Councillor and, along with the Chair, membership consists of twelve elected Members. There were five Committees meeting in 2022/23: listed here with examples of both completed work and that in progress:

- **Climate Change** – Nature Recovery Plan, Waste Strategy, Renewable Energy, Sustainable Food Policy and Sustainable Products
- **Economy & Infrastructure** – Residents Rewards App, Tawe Riverside Corridor Strategy & Levelling Up, Local Economic Delivery Plan, Swansea Bay Strategy and Draft Economic Development Strategy Framework.
- **Education & Skills** – Strengthening School Leaders, Attendance & Inclusion, Strengthened and Effective School Governance.
- **Organisational Transformation** –Transformation, Reward & Recognition of staff, Agile Working, Recruitment & Selection, Co-production and Illumination Policy.
- **Safeguarding People & Tackling Poverty** – Swansea Council Volunteering Strategy / Policy, Corporate Debt Policy, Local Area Co-ordination Best Practice Policy / Guide and Social Services Workforce Programme.

Significant Governance Issues

The following table identifies issues that had been identified in 2021/22 during the review of effectiveness, together with the proposed actions to be taken during 2022/23 to address the issues.

Significant Governance Issue linked to Framework	Action to be taken	Update	Status
Lack of workforce capacity, capability and resilience and relying on staff goodwill.	<ul style="list-style-type: none"> • Workforce Strategy approved. Action Plan to be adopted in each service area and the groups to be established to lead and monitor actions. End August 2022. 	<ul style="list-style-type: none"> • The Workforce Strategy was approved by Cabinet in October 2022. • Workforce delivery groups were established to lead and monitor actions, but these will now report through to the Workforce and OD Transformation 	<ul style="list-style-type: none"> • In progress

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		Programme Board	
Performance Reviews, i.e. appraisals system / induction training not fit for purpose.	<ul style="list-style-type: none"> Continue to develop a new appraisal solution to be delivered digitally through the new Oracle Cloud solution in October 2022. Develop Corporate Induction training for delivery in 2022. 	<ul style="list-style-type: none"> The 'Goals and Performance' module in Oracle Fusion is ready to launch in April 2023 upon go-live of the full system. The 'Learn' module in Oracle Fusion is ready to launch in April 2023 upon go-live of the full system and will include a revised mandatory training offer for induction purposes. 	<ul style="list-style-type: none"> Arrangements in place from April 2023
ICT Disaster recovery.	<ul style="list-style-type: none"> Resolve through the move to cloud services, particularly Oracle Cloud in October 2022. National performance issues with WCCIS being addressed nationally through a review of continued viability and a local / regional options appraisal being undertaken in partnership with Health. 	<ul style="list-style-type: none"> Oracle Cloud going live April 2023. Strategy for cloud and new data centre agreed and in implementation. National performance issues with the Welsh Community Care System (WCCIS) now stabilised. Options appraisal and subsequent action plan completed by Health. Migration of corporate system to Azure started. Training on Disaster Recovery response held with 3rd party, 	<ul style="list-style-type: none"> In progress

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		Digital Services and Emergency Planning.	
New - Procurement – Governance around Contracts.	<ul style="list-style-type: none"> • Internal Audit to undertake a review in 2022 on the operation of contracts within CPR and the UK PCR. • Review how advice and support can be given and whether capacity can be increased to assist Schools to consider the full implications from decisions from entering into contract with third parties. • Review the process from sign-off to Contract issued to ensure any risk is removed. • Review Governance arrangements for involvement by commercial services. 	<ul style="list-style-type: none"> • The Funding and Information Team in the Education directorate have led on a review of the Accounting Instructions for Schools and also the School Procurement Guide. • Training on procurement has been provided to all schools on Teams. • Financial training continues to be provided to school leadership staff, governors and admin officers, which includes a section on contracts. • Training is also offered termly on IR35 (HMRC contracting rules for employees). Similar training has also been provided to EDSLTS. • Following the internal audit review undertaken, a schedule of recommendations was recommended for implementation in memo from the Chief Auditor which was 	<ul style="list-style-type: none"> • In progress.

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		approved by the S 151 Officer and Head of Commercial Services in 25/11/22.	
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The following table identifies issues which have been identified during the review of effectiveness, and also highlights any other significant governance issues that need to be considered, together with the proposed actions to be taken during **2023/24** to address the issues.

Significant Governance Issue linked to Framework	Action to be taken
Lack of workforce capacity, capability and resilience and relying on staff goodwill.	<ul style="list-style-type: none"> • Workforce delivery groups lead and monitor actions and report through to the Workforce and OD Transformation Programme Board. • Implement the control measures to mitigate the Corporate risk on workforce recruitment and retention. • Help cater for effective demand management through robust service planning.
Performance Reviews, i.e. appraisals system / induction training not fit for purpose.	<ul style="list-style-type: none"> • Launch 'Goals and Performance' module in Oracle Fusion in April 2023 upon go-live of the full system. • Launch 'Learn' module in Oracle Fusion in April 2023 upon go-live of the full system; include a revised mandatory training offer for induction purposes. • Review mandatory training requirements to release frontline staff from some of the mandatory training; for example, Display Screen Equipment for staff that do not use a computer.
ICT Disaster recovery.	<ul style="list-style-type: none"> • Oracle Cloud going live April 2023. • Complete migration of corporate system to Azure.
Procurement – Governance around Contracts.	<ul style="list-style-type: none"> • Reinforce and rollout the recommendations outlined in the Chief Auditors Procurement Memo approved on the 25/11/22.

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will

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address the need for improvements that were identified in our review of effectiveness. **We will review progress during the course of the year at Corporate Management Team / Leadership Team and will monitor their implementation and operation as part of our next six monthly and annual review.**

Signed Interim Chief Executive

Date

Signed..... Leader

Date