

CYNGOR SIR POWYS COUNTY COUNCIL.
CO-ORDINATING COMMITTEE
28 September 2020

REPORT AUTHOR:	Scrutiny Manager and Head of Democratic Services
SUBJECT:	Governance and Audit Committee
REPORT FOR:	Decision

1. Local Government and Elections (Wales) Bill.

- 1.1 The Local Government and Elections (Wales) Bill ("The Bill") was introduced into the Senedd on 18 November 2019. The Bill is currently at Stage 2 consideration by Assembly Committees and a notice of proposed amendments by the Minister was tabled on 7th September, 2020. The draft timetable for the next stages of the Bill is that it is hoped that all the Committee Stages will be completed by the end of this calendar year, and subject to the passing of the Bill by the Senedd it will gain Royal Assent in the New Year.
- 1.2 The Bill proposes amendments to the role and function of the Audit Committee which would become the "Governance and Audit Committee" if the legislation is passed. Set out in Appendix 1 are the current provisions relating to the Audit Committee as determined by the Local Government Measure 2011 together with the amendments proposed by the draft Bill.
- 1.3 None of the amendments proposed by the Minister on 7th September relate to the Sections of the Bill regarding the Governance and Audit Committee. There are a number of new functions proposed for the Governance and Audit Committee relating to the Council's ability to deal with complaints effectively, performance reporting, self assessments and responding to Auditor general's reports - **See Appendix 1.**
- 1.4 The Chair of the Economy, Residents Communities and Governance Scrutiny Committee has asked whether maladministration complaints to the Ombudsman regarding the Council should be considered by his committee. In addition, it is understood that the Head of Transformation and Communications is developing a new corporate dashboard.
- 1.5 It is therefore timely that the Co-ordinating Committee considers the future role of the Audit Committee, taking into account the new functions as well as considering whether there are other performance reports which should also be falling within the remit of this committee such as Ombudsman's maladministration complaints. The Committee is also asked to consider whether changes to the remit of the Audit Committee should be introduced in advance of the legislation coming into force, i.e. from January 2021.
- 1.6 It is important to note that Ombudsman's complaints in this context relate to complaints against the Council for failure or delays in providing a service or maladministration, rather than complaints against Councillors which have a separate legal process and are specifically within the remit of the Council's

Standards Committee. Any report to Audit or elsewhere would be a generic report on the Council's complaints handling process overall rather than detailed information about individual complaints. Members are also reminded that there is a separate complaints process for Social Care.

- 1.7 The current and suggested future reporting regimes for various performance reports are as follows:

Item	Current Reporting Body	Proposed Reporting Body
Maladministration Complaints (Including Ombudsman complaints but excluding Social Care and Code of Conduct complaints)	EMT / SLT / Corporate Information Governance Group	EMT / SLT / Governance and Audit Committee
FOIs	EMT / SLT / Corporate Information Governance Group	EMT / SLT / Governance and Audit Committee
Staff Attendance	EMT / SLT / Employment Committee	EMT / SLT / Employment Committee
Appraisals	EMT / SLT / referred to at Employment Committee	EMT / SLT / formal report to Employment Committee
Mandatory Training	Referred to at employment Committee Corporate Health and Safety Forum / Corporate Safeguarding Committee	EMT / SLT / formal report to Employment Committee
Quarterly Performance	EMT / SLT / Cabinet and Scrutiny Committees	EMT / SLT / Cabinet and Scrutiny Committees
Annual Performance Report	Cabinet and Scrutiny Working Group	Cabinet and Governance and Audit Committee
Panel Performance Assessment (NEW)	N/A	Governance and Audit Committee
Auditor general's recommendations	Audit Committee	Governance and Audit Committee
Internal Auditor's Reports	Internal Audit Working Group	Governance and Audit Committee

- 1.8 It is also worthy of note that the inclusion of the term "Governance" in the title of the Audit Committee will not cause an overlap of roles with other committees that undertake a role in Governance. For example the Economy, Residents, Communities and Governance Scrutiny Committee has "Governance" in its title, but this role is specifically to scrutinise the central departments such as Legal, HR, Finance, Property etc. The Democratic Services Committee also has a governance role in terms of considering the Council's Constitution. It is clear from the Bill that none of these current functions will be affected by the changing role of the Audit Committee.
- 1.9 The Committee is asked to approve the reporting of performance reports as set out in Paragraph 1.7 above.

Relevant Policy (ies):			
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	
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Person(s) To Implement Decision:	Wyn Richards
Date By When Decision To Be Implemented:	2019

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Background Papers used to prepare Report: