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Dear Dafydd

## Arrangements for responding to the Local Government and Elections (Wales) Act 2021

### What we did

We undertook an assessment of the Council's progress in responding to the key requirements of the Local Government and Elections (Wales) Act 2021 (the Act) between April and September 2022. We gathered our evidence through document reviews and interviews. We also drew upon the relevant findings from our other ongoing and recent work at the Council. Our work looked at the arrangements the Council was putting in place in responding to the Local Government and Elections (Wales) Act 2021. The work was not an assessment of the effectiveness of these arrangements.

### What we found

**The Council has agreed a framework for completing its self-assessment of performance and is aiming to produce a final report in October 2022. The Council has not yet confirmed when it will complete its external panel performance assessment, but does not think it will take place in 2022-23**

- The Act requires councils in Wales to complete an annual self-assessment of their performance. Gwynedd Council's self-assessment approach is structured on a framework of seven corporate areas:
  - Corporate Planning
  - Financial Planning
  - Workforce planning (people)
  - Procurement
  - Assets
  - Risk Management
  - Performance management
  
- The Council has agreed a framework for completing its self-assessment and is currently gathering evidence. The Council held a workshop session with its Corporate Governance group in June 2022 to populate its self-assessment framework. The Corporate Governance Group consists of the Chief Executive, the Head of Corporate Support, the Assistant Head of Corporate Support, the Head of Finance, the Head of Legal Services, the Risk and Insurance Co-ordinating Manager, and the Council's Business Support Manager.
- The Council has also begun work on the value for money aspect of its self-assessment process by identifying existing, available information on economy, efficiency, and effectiveness. In future years, the Council plans to identify wider information that it needs to collect to inform its self-assessment. For example, the Head of Finance has reviewed the Chartered Institute of Public Finance and Accountancy (CIPFA) 'VFM Toolkit' with a view of adapting it for use in Gwynedd Council.
- The Council told us that its Corporate Governance Group will lead on the self-assessment work, with input from members of the Scrutiny Forum, Governance and Audit Committee, and Cabinet.
- The Council has not arranged any specific consultation work in relation to this first year of its self-assessment. The Council has told us that its self-assessment of its 2021-22 performance will draw on exiting information from previous consultation work.
- The Council plans to take the final self-assessment report for 2021-22 to Cabinet and full Council later in 2022.
- In future years, the Council intends to include the self-assessment as part of the process it follows to prepare its Annual Performance Report. Historically, this report has usually been presented to full Council in June or July each year. As the Council develops its approach to self-assessment, it also intends to present the self-assessment report to members of the Scrutiny Forum, the Cabinet, the Senior Leadership Team, and the Governance and Audit Committee.
- The Act also requires an external panel performance assessment to be carried out once during the period between two consecutive ordinary elections. The Council told

us that it has not yet made a definitive plan or decision on when the panel assessment will take place. However, it does not anticipate it happening during 2022-23.

### **The Council has established a working group to develop its Public Participation Strategy and is waiting on further guidance from Welsh Government before completing the strategy**

- At the time of our work, the Council was developing its arrangements to ensure public participation continued.
- The Council is keen to wait to receive further guidance from Welsh Government, due in the autumn 2022, to ensure it develops its Public Participation Strategy appropriately. However, in anticipation of receiving this final guidance from the Welsh Government, the Council has created a small working group to start developing its Public Participation Strategy which will cover both internal arrangements and broader consultation.
- The Council is currently forming the Petition Scheme, having established a working group responsible for keeping an overview of the Scheme arrangements. The Council intends to publish its Petitions Scheme before March 2023.

### **The Council has decided to have six lay members and twelve elected members on its Governance and Audit Committee. It has not been able to recruit all the required lay members and is currently advertising two vacant positions**

- The Council in December 2021 approved the recommendation from its Audit Committee to have a new Governance and Audit Committee of 12 co-opted members and six lay members.
- The Council's interview panel in February 2022 interviewed six candidates and recommended four for approval. The Council approved the four recommendations in March 2022. The Council has readvertised the two vacant seats and hopes to confirm the remaining appointments in the autumn of 2022 later in the year.
- The Council held an initial training session for the members of the Governance and Audit Committee for its members in June 2022. This session was based on a programme developed by the Welsh Local Government Association (WLGA). The Council has told us future training will focus on the Welsh Government's statutory guidance as well as CIPFA guidance on the role of audit committees.

### **The North Wales Corporate Joint Committee (NWCJC) met for the first time in January 2022 and the six constituent councils are aiming to transfer the functions of the North Wales Economic Ambition Board to an empowered sub-committee of the NWCJC to streamline governance and avoid duplication between the two bodies**

- The Welsh Government introduced regulations on 17 March 2021 to create four Corporate Joint Committees across Wales. The North Wales Corporate Joint

Committee (NWCJC) was established on 1 April 2021. The initial functions of the NWCJC came into force on 30 June 2022. Gwynedd Council, as the Host Authority for the North Wales Economic Ambition Board (NWEAB), leads on a project to respond to this new procedure, 'Collaborative Working of Principal Councils'.

- The partners involved in the NWCJC are:
  - Conwy County Borough Council
  - Denbighshire County Borough Council
  - Flintshire County Borough Council
  - Gwynedd Council
  - Isle of Anglesey County Council
  - Wrexham County Borough Council
  - Snowdonia National Park Authority
- The six constituent councils agreed the NWCJC should continue the direction established by the NWEAB. In January 2022, a report was presented before the Cabinets/Executive Boards of all six member councils recommending that the functions of the NWEAB be transferred by way of a delegation agreement to an empowered sub-committee of the NWCJC. The proposed model sees an Economic Ambition Board Sub-Committee reporting to the NWCJC. This alteration was proposed to achieve a streamlined governance model and avoid any duplication between the two bodies.
- The Council is currently waiting on guidance and regulations on scrutiny, borrowing powers and VAT status to develop the work of the NWCJC further.

**The Council is already using the Power of General Competence for corporate decisions and projects in the care sector as it provides flexibility, and any future use would be subject to expert legal advice**

- The Council told us it already uses the Power of General Competence for corporate decisions and projects and for work in the care sector. The Council see it as a tool to use where appropriate to create flexibility. It noted that any decision to use the Power would be subject to expert legal advice.
- The Council has created a one-page briefing note provided to Heads of Department on the Power. Head teachers are being briefed on the Power as part of preparing future projects.

Yours sincerely

Alan Hughes

Audit Lead