



## **GOVERNANCE AND AUDIT COMMITTEE**

**11.00 AM - FRIDAY, 18 FEBRUARY 2022**

**VIA MICROSOFT TEAMS**

### **PART 1**

1. Declarations of Interest
2. Minutes of Previous Meeting (*Pages 5 - 10*)
3. Audit Wales Work Programme and Timetable - Neath Port Talbot County Borough Council - Quarterly Update: 31 December 2021 (*Pages 11 - 20*)
4. Treasury Management Monitoring Report (*Pages 21 - 28*)
5. Internal Audit Progress Report (*Pages 29 - 46*)
6. Complaints Handling - Review of Effectiveness (*Pages 47 - 74*)
7. Risk Management Update (*Pages 75 - 78*)
8. Draft Annual Report of the Audit Committee 2020-2021 (*Pages 79 - 80*)
9. Urgent Items  
Any urgent items at the discretion of the Chairman pursuant to Section 100B(4)(b) of the Local Government Act 1972.
10. Access to Meetings  
That pursuant to Section 100A(4) and (5) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 12 and 15 of Part 4 of Schedule 12A of the

above Act.

**PART 2**

11. Special Investigations (*Pages 81 - 84*)

**K.Jones**  
**Chief Executive**

**Civic Centre**  
**Port Talbot**

**11<sup>th</sup> February 2022**

**Committee Membership:**

**Chairperson:** Councillor J.D.Morgan

**Vice  
Chairperson:** Councillor L.M.Purcell

**Members:** Councillors H.C.Clarke, O.S.Davies,  
S.E.Freeguard, S.Lynch, J.Miller, R.Mizen,  
S.Renkes, A.J.Richards, R.W.Wood and  
A.N.Woolcock

**Voting Lay  
Member:** J. Jenkins

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## GOVERNANCE AND AUDIT COMMITTEE

(Via Microsoft Teams)

**Members Present:**

**26 November 2021**

**Chairperson:** Councillor J.D.Morgan

**Councillors:** H.C.Clarke, O.S.Davies, S.E.Freeguard,  
J.Miller, R.W.Wood and A.N.Woolcock

**Officers In Attendance:** H.Jones, K.Jones, D.Mulligan, A.O'Donnell, and  
A. Thomas

**Representing Audit Wales:** G.Gillett, J.Morgan

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1. **WELCOME AND ROLL CALL**

The Chair welcomed everyone to the meeting.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

3. **MINUTES OF PREVIOUS MEETING**

It was agreed that the minutes of the 15<sup>th</sup> September 2021, be approved as a true and accurate record.

4. **EXTERNAL REVIEW - ACTION PLAN UPDATE**

The Chief Executive, Karen Jones, provided an update on the external review. Three points were highlighted from the report provided.

On page 15, The Chief Executive noted that the work to bring greater clarity to decision making procedures relating to capital works had not been completed within the anticipated date. However, the Chief

Executive confirmed that work has now been completed and will go before Cabinet on 15<sup>th</sup> December.

The second element outlined on page 17 concerned the spoil tip. There has been quite a lot of progress around options to deal with spoil tip. A public meeting has taken place and it was agreed there would be further public engagement before bringing options reports in front of members. The next report should be before members before the end of the year.

The final element on page 19, related to training. An external trainer was engaged and officers training has been completed. Cabinet Members have also completed the training. After consultation with group leaders, training with the remainder of the members is due to be scheduled as part of the member induction process after the elections in 2022.

Members noted that all other actions in the report had been completed.

Internal Audit would continue to test the decision making procedures as part of their ongoing internal review work.

Resolved: To approve the two recommendations contained within the report.

## 5. **INTERNAL AUDIT CHARTER UPDATE**

Huw Jones, Chief Finance Officer, went through the report. Public Sector Internal Audit Standards require a local authority to have a head of internal audit. Following the retirement of the Head of Finance, this role now needs to be re-designated. There are no operational changes as a result of this re-designation.

Resolved: To approve recommendation contained with the report.

## 6. **INTERNAL AUDIT PROGRESS REPORT**

Anne-Marie O'Donnell went through the report. This report is presented quarterly. There are some changes brought about by staffing issues and effects of COVID-19.

It was confirmed that there are current staff vacancies which will remain whilst a review of staff structure is being undertaken. This financial year work has been curtailed due to a higher than normal level of sickness within the team and also due to the restrictions as a result of COVID-19. Some audits have been deleted completely and others rolled over into the new financial year. The new plan is detailed within the report.

It is inevitable the decision to amend this year's plan will have a knock on effect in 22/23. Officers are content that the audits being rolled forward need to be undertaken. They are high risk areas and link directly into the Council's corporate priorities. In the New Year there will be meetings with the various SMT's across the Council. Until these meetings have taken place it is difficult to quantify the effect of the changes. Similar to the rest of the authority, the effect caused by the pandemic will be ongoing for several years.

Resolved: To approve the recommendation contained within the report.

## **7. REGISTER OF REGULATORS REPORTS & RECOMMENDATIONS**

Caryn Furlow-Harris went through the report. The report provided the committee with their first update on reports received by external regulators. This provides the committee with a process to monitor any external recommendations contained within the reports.

The reports received since April 2021 were listed together with a brief synopsis of each report and confirming no recommendations were contained with the reports.

There have also been two reports published in September. Firstly a national report published by Audit Wales on Regeneration of Town Centres. It contained recommendations for Welsh Government and also two recommendations for local authorities. Officers in the Environment Directorate are now considering the recommendations and a report will be taken to the Regeneration and Sustainable Development Cabinet Board in January which will set out the actions proposed to be taken to address the recommendations.

The second report was received following the Joint Inspection on Child Protection Arrangements. It has a number of findings with a

joint action plan being developed. This will be presented to the Social, Health & Well-Being Cabinet Board in December.

Resolved: To approve recommendation within the report.

## 8. **AUDIT WALES WORK PROGRAMME AND TIMETABLE**

Members noted the report.

## 9. **FINANCIAL SUSTAINABILITY OF LOCAL GOVERNMENT**

A couple of points were brought to members' attention. The report builds on the report published in October 2020.

There are a couple of key themes which are prevalent in all Council's. Additional funding was provided to Council's to mitigate the cost of the pandemic. As a result, the financial position of all Council's has improved. All Councils have increased their levels of reserves. The report also found there were some areas of significant over spend by some Council's and that demand pressures continue to increase.

The report sets out four steps that Councils can do to improve financial sustainability, in relation to financial strategy, reserves, performance against budget and savings delivery

Members noted the report.

## 10. **FINANCIAL SUSTAINABILITY ASSESSMENT**

This local report builds upon work in 2019/2020. The themes identified in the report follows those in the national report and found that the Council is well placed to maintain financial sustainability. Additional welsh funding mitigated immediate impact on financial sustainability.

The report acknowledged that the level of reserves has increased. Also, the Council has a good track record of delivering services within agreed budgets and delivering most of its planned savings.

Members noted the report.



11. **URGENT ITEMS**

There were no urgent items.

12. **ACCESS TO MEETINGS**

**RESOLVED:** that pursuant to Section 100A(4) and (5) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraphs 12, 13 and 14 of Part 4 of Schedule 12A to the above Act.

13. **SPECIAL INVESTIGATIONS**

Members received an update on the private reports issued since the last committee meeting together with details of all current special investigations.

**RESOLVED:** That the report be noted.

**CHAIRPERSON**

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## Audit Wales Work Programme and Timetable – Neath Port Talbot County Borough Council

Quarterly Update: 31 December 2021

### Annual Audit Summary

Description	Timetable	Status
A report summarising completed audit work since the last Annual Audit Summary, which was issued in April 2021	February 2022	Drafting

### Financial Audit work

Description	Scope	Timetable	Status
Audit of the Council's 2020-21 statement of accounts	Audit of the Council's 2020-21 statement of accounts	July 30 2021	Complete

### Performance Audit work

2020-21 Performance Audit Work	Scope	Timetable	Status
Financial Sustainability	A project common to all local councils that will assess financial	Complete Report issued	<u>Final report issued</u>

	sustainability in light of current and anticipated future challenges building on work undertaken during 2019-20.	September 2021	<a href="#">National Summary Report published September 2021</a>
<b>Workforce Planning</b>	Review of workforce planning, impact of Covid and future resilience of the workforce	Complete	Reported workshop in November 2021

<b>2021-22 Performance audit work</b>	<b>Scope</b>	<b>Timetable</b>	<b>Status</b>
<b>Well-being of Future Generations Act (Wales) 2015 (WFG Act) examinations</b>	We will seek to integrate the delivery of our WFG examinations of steps to deliver wellbeing objectives with our other audit work. We will discuss this with the council as we scope and deliver the audit projects listed in this plan.	Ongoing	Ongoing
	We will examine the extent to which the council has acted in accordance with the sustainable development principle in setting its Well-being Objectives.	Ongoing	Ongoing
<b>Improvement reporting audit</b>	Audit of discharge of duty to publish an assessment of performance.	Dec 2021	Complete
<b>Assurance and Risk Assessment</b>	Project to identify the level of audit assurance and/or where further audit work may be required in future years in relation to risks to the Council putting in place proper arrangements to secure value for money in the use of resources.	Ongoing	Ongoing

	<p>At Neath Port Talbot County Borough Council, the project is likely to focus on:</p> <ul style="list-style-type: none"> <li>• financial position</li> <li>• self-assessment arrangements</li> <li>• recovery planning</li> <li>• implications of the Local Government and Elections (Wales) Act</li> <li>• carbon reduction plans</li> <li>• assess the Council's response to its independent investigation and subsequent action plan</li> </ul>		
<p><b>Springing Forward – Examining the building blocks for a sustainable future</b></p>	<p>As the world moves forward, learning from the global pandemic, this review looks at how effectively councils are strengthening their ability to transform, adapt and maintain the delivery of services, including those delivered in partnership with key stakeholders and communities.</p>	<p>Planned for Autumn 2021 onwards to look at two tracers</p> <ul style="list-style-type: none"> <li>• workforce tracers</li> <li>• assets tracers</li> </ul>	<p>Fieldwork complete for workforce and fieldwork ongoing for assets tracer</p>

## Local government national studies planned / in progress

Study	Scope	Timetable	Status	Fieldwork planned at NPT County Borough Council
<b>Direct Payments</b>	Review of how local authorities manage and promote the use of Direct payments	Publication Winter 2021-22	Drawing conclusions mid-October, drafting and publication early 2022	No – work being delivered via Direct Payment Forum and a selection of follow up interviews
<b>Emergency Services</b>	Review of how well emergency	Publication winter 2021-22	Clearance with publication	N / A

	services (blue light) collaborate		end of January 2022	
<b>Follow up on People Sleeping Rough</b>	Review of how local authorities responded to the needs of people sleeping rough during the pandemic following up on the AGWs report of July 2020	N/A	N/A	This work is not progressing in 2021-22
<b>Poverty</b>	Understanding how local authorities ensure they deliver their services to minimise or reduce poverty.	Autumn 2021 - Autumn 2022	Fieldwork	Yes - interview with nominated officer at the council
<b>Social Enterprises</b>	Review of how local authorities are supporting and utilising social enterprises to deliver services	Autumn 2021 - Autumn 2022	Fieldwork	Yes - interview with nominated officer at the council
<b>Community Resilience</b>	Review of how local authorities can build greater resilience in communities	Autumn 2021 - Autumn 2022	Fieldwork	Yes - interview with nominated officer at the council

## Estyn

<b>Estyn planned work 2021-22</b>	<b>Scope</b>	<b>Timetable</b>	<b>Status</b>
<b>Local Government Education Services Inspections</b>	Estyn have worked closely with Directors of Education to review their inspection guidance for local government education services to reflect the experiences of the pandemic. The updated guidance (published on 1 July) will be piloted on the first inspection and feedback will be sought on whether any further refinements need to be made.	LGES inspections to resume from <b>late</b> Autumn term	N/A
<b>Curriculum Reform thematic review</b>	Regional consortia and local authority support for curriculum reform.	Evidence collecting in Sept/Oct - publish in early February	N/A

## Care Inspectorate Wales (CIW)

<b>CIW planned work 2021-22</b>	<b>Scope</b>	<b>Timetable</b>	<b>Status</b>
<b>National Assurance Check 2020-21</b>	CIW has now published all assurance check letters CIW has published its national assurance check report highlighting key findings and recommendations	Published	Complete
<b>Programme 2022-23</b>	CIW will run an annual programme of assurance checks, performance evaluation inspections and risk-based inspections	April 2022- March 2023	Planning

<b>National review</b>	Support for disabled children and their families.	Published	Complete
<b>Follow-up</b>	CIW will be following up on areas for improvement identified in the Assurance Checks or through risk-based inspection activity with individual local authorities where necessary.	ongoing	One follow up risk based inspection has occurred and due to be published.  Two further follow up assurance checks have occurred and due to be published in due course
<b>Inspection</b>	Risk based inspection activity will continue where required.	As required	No inspections are scheduled at this time (up until April 2022)
<b>Development</b>	CIW will continue to develop its approach to inspection and review of local authorities	April 2022	In progress
<b>Deprivation of Liberty Safeguards Annual Monitoring Report for Health and Social Care 2020-21</b>	Annual monitoring report in draft format currently – this is a joint report with Health Inspectorate Wales	December 2021	In progress
<b>Annual meeting with Statutory Directors of Social Services</b>	CIW will meet with all Directors of Social Services	Dec 2021 and Jan 2022	In progress



## Audit Wales national reports and other outputs published since 1 April 2021

Report title	Publication date and link to report
Care Home Commissioning for Older People	<a href="#">December 2021</a>
The Welsh Government's Warm Homes Programme	<a href="#">November 2021</a>
Taking Care of the Carers? How NHS bodies supported staff wellbeing during the COVID-19 pandemic	<a href="#">October 2021</a>
Financial Sustainability of Local Government	<a href="#">September 2021</a>
NHS summarised accounts infographic	<a href="#">September 2021</a>
Picture of Public Services <sup>1</sup>	<a href="#">September 2021</a>
Town Centre Regeneration	<a href="#">September 2021</a>
Student finances	<a href="#">August 2021</a>
NHS finances data-tool 2020-21	<a href="#">June 2021</a>
Rollout of the COVID-19 vaccination programme in Wales	<a href="#">June 2021</a>
Quality governance arrangements at Cwm Taf UHB – follow up	<a href="#">May 2021</a>

<sup>1</sup> Main report published 15 September. Over the following six weeks we published five short sector commentaries: [A picture of local government](#), [A picture of healthcare](#), [A picture of social care](#), [A picture of schools](#), [A picture of higher and further education](#).

<b>Welsh Health Specialised Services Committee governance arrangements</b>	<u>May 2021</u>
<b>At your Discretion - Local Government Discretionary Services</b>	<u>April 2021</u>
<b>Procuring and Supplying PPE for the COVID-19 Pandemic</b>	<u>April 2021</u>

## Audit Wales national reports and other outputs due to be published during 2021-22 (and other work in progress/planned)<sup>2</sup>

<b>Title</b>	<b>Anticipated publication date</b>
<b>Welsh Government accounts commentary</b>	February 2022
<b>Welsh Government setting of well-being objectives</b>	February 2022
<b>Unscheduled care – data tool and commentary</b>	February/March 2022
<b>Collaborative arrangements for managing local public health resources</b>	February 2022
<b>COVID response &amp; recovery / Welsh Government grants management – third sector support</b>	February 2022
<b>NHS waiting times data-tool and planned care commentary</b>	March 2022
<b>Welsh Government workforce</b>	February/March 2022

<sup>2</sup> We will continue to keep our plans under constant review, taking account of the evolving external environment, our audit priorities, the context of our own resourcing and the capacity of audited bodies to engage with us. This includes maintaining some flexibility so that we can respond to developments in Welsh Government policy and areas of possible interest for the new Public Accounts and Public Administration Committee.

Orthopaedic services	March 2022
Curriculum reform	Spring 2022
Equality impact assessment	Spring 2022
Climate change – baseline review	Spring/summer 2022
COVID response & recovery / Welsh Government grants management - other	TBC
Affordable housing	TBC
Broadband infrastructure	TBC
Flood risk management	TBC

## Forthcoming Good Practice Exchange events and publications

Title	Anticipated publication/event date
Post event resources including session recordings for the Springing Forward event on organisational resilience held on 9/12/21	Late January 2022
Direct Payments Event (title TBC)	March 30 2022

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**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**  
**GOVERNANCE AND AUDIT COMMITTEE**  
**REPORT OF THE CHIEF FINANCE OFFICER – HUW JONES**  
**18<sup>th</sup> February 2022**

**Matter for Monitoring**

**Wards Affected - All**

**TREASURY MANAGEMENT MONITORING 2021/22**

**Purpose of Report**

1. This report sets out treasury management action and information for 2021/22.
2. This report is for information, it was also considered by the Cabinet on 9<sup>th</sup> February 2022.

**Rates of Interest**

3. The global outbreak of coronavirus has forced the UK Government to take drastic steps to stem the economic impact and this resulted in the Bank of England reducing the bank base rate.
4. After the Bank of England cut the rate from 0.75% to 0.25% then to 0.10% in March 2020, their Monetary Policy Committee decided in their meeting on 16<sup>th</sup> December 2021, that they will increase the rate back up to 0.25% to help try and hit their 2% inflation target to help sustain growth and employment.

The following table details the changes in bank rate:

<b>Effective Date</b>	<b>Bank Rate</b>
8th January 2009	1.50%
5th February 2009	1.00%
5th March 2009	0.50%
4th August 2016	0.25%
2nd November 2017	0.50%
2 <sup>nd</sup> August 2018	0.75%
11 <sup>th</sup> March 2020	0.25%
19 <sup>th</sup> March 2020	0.10%
16 <sup>th</sup> December 2021	0.25%

5. The following table provides examples of external borrowing costs as provided by the Public Works Loans Board (certainty rate) as at 18<sup>th</sup> January 2022:

	Equal Instalments of Principal		Annuity		Maturity	
	Previous 30Nov21	Current 18Jan22	Previous 30Nov21	Current 18Jan22	Previous 30Nov21	Current 18Jan22
	%	%	%	%	%	%
5-5.5 years	1.25	1.66	1.25	1.66	1.39	1.80
10-10.5 years	1.39	1.80	1.39	1.81	1.64	2.02
20-20.5 years	1.64	2.02	1.65	2.03	1.80	2.19
35-35.5 years	1.80	2.18	1.81	2.19	1.58	2.03
49.5-50 years	1.76	2.17	1.73	2.14	1.37	1.85

### **General Fund Treasury Management Budget**

6. The following table sets out details of the treasury management budget for 2021/22 along with outturn figures for 2020/21. The budget consists of a gross budget for debt charges i.e. repayment of debt principal and interest, and interest returns on investment income.

<b>2020/21 Outturn £'000</b>		<b>2021/22 Original Budget £'000</b>
19,884	Principal and Interest charges	20,083
	<b>Investment Income</b>	
(251)	- Total	(200)
18	- less allocated to other funds	75
<b>(233)</b>	<b>Subtotal Income</b>	<b>(125)</b>
(169)	Contribution from General Reserves	(291)
	Contribution to General Reserves	
(200)	Contribution to/(from) treasury management reserve	
<b>19,282</b>	<b>Net General Fund</b>	<b>19,667</b>

# NB: Other funds include Trust Funds, Social Services Funds, Schools Reserves, Bonds etc.

## Borrowing

7. There has been now new loan agreements entered into since the last quarterly report to Cabinet on 15<sup>th</sup> December 2021.

## Investments

8. The following are a list of investments as at 31<sup>st</sup> December 2021:

<u>Counterparty</u>	<u>Value (£)</u>	<u>Investment type</u>	<u>Investment start</u>	<u>Investment maturity</u>	<u>Interest rate</u>
Aberdeenshire Council	£5,000,000	Fixed	25 <sup>th</sup> January 2021	24 <sup>th</sup> January 2022	0.18%
Derbyshire C.C.	£5,000,000	Fixed	30 <sup>th</sup> April 2021	29 <sup>th</sup> April 2022	0.20%

<u>Counterparty</u>	<u>Value (£)</u>	<u>Investment type</u>	<u>Investment start</u>	<u>Investment maturity</u>	<u>Interest rate</u>
Cambridgeshire C.C.	£5,000,000	Fixed	6 <sup>th</sup> December 2021	6 <sup>th</sup> December 2023	0.40%
East Ayrshire C.C	£5,000,000	Fixed	13 <sup>th</sup> December 2021	13 <sup>th</sup> December 2022	0.45%
North Ayrshire C.C	£5,000,000	Fixed	13 <sup>th</sup> December 2021	13 <sup>th</sup> June 2022	0.08%
Goldman Sachs International Bank	£5,000,000	Fixed	23 <sup>rd</sup> December 2021	17 <sup>th</sup> February 2022	0.165%
Goldman Sachs International Bank	£5,000,000	Fixed	17 <sup>th</sup> August 2021	17 <sup>th</sup> February 2022	0.165%
Santander	£13,000,000	Call Account	N/A	N/A	0.10%

9. Please note – the Council’s investment criteria (appendix 1) allows for a maximum investment for an F1 rated counterparty to be £15m. Santander are currently an F1 rated counterparty – however, the policy also allows for this to be temporarily exceeded in exceptional circumstances.

### **Investment Income**

10. In line with the Council’s Investment Strategy, the 2021/22 original budget target for investment income is £200k, income for the financial year to date totals £95k. Due to the low interest rates at present with base rate at 0.25%, this budget will be constantly reviewed and any unachieved income will be met from the treasury management equalisation reserve at year end.



11. Members should note that the majority of investments are classified as 'specified' i.e. up to 12 months and are currently deposited with Local Authorities Goldman Sachs International Bank and Santander Bank.
12. The Council policy will allow investments up to a maximum of £25m for periods of more than 1 year and up to 5 years, and this will be considered when decisions on investing surplus funds are made. The Council has no such investments.

### **Financial Impact**

13. All relevant financial information is provided in the body of the report.

### **Integrated Impact Assessment**

14. There is no requirement to undertake an Integrated Impact Assessment as this report is for monitoring purposes.

### **Valleys Communities Impacts**

15. No implications

### **Workforce Impacts**

16. There are no workforce impacts arising from this report.

### **Legal Impacts**

17. There are no legal impacts arising from this report.

## **Risk Management**

18. Borrowing and investment decisions are made in line with the Council's Treasury Management Policy. The Council has appointed Link Asset Services to provide support and advice in relation to this policy.

## **Consultation**

19. There is no requirement under the Constitution for external consultation on this item.

## **Recommendation**

20. It is recommended that Members of the Governance and Audit Committee note the contents of this monitoring report.

## **Appendices**

21. Appendix 1 - Specified Investments

## **List of Background Papers**

22. PWLB Notice Number 022/22

## **Officer Contact**

Mr Huw Jones – Chief Finance Officer  
E-mail - [h.jones@npt.gov.uk](mailto:h.jones@npt.gov.uk)

Mr Ross Livingstone – Group Accountant – Capital and Corporate  
E-mail – [r.livingstone@npt.gov.uk](mailto:r.livingstone@npt.gov.uk)

**Specified Investments**

	<b>Minimum 'High' Credit Criteria</b>	<b>Funds Managed</b>	<b>Max Amount</b>	<b>Max Duration</b>
<b>Term deposits</b>				
Term deposits - Debt Management Office	N/A	In-house	Unlimited	1 year
Term deposits – local, police and fire authorities	N/A	In-house	£10m	1 year
Term deposits – Nationalised & Part Nationalised UK banks/Building Societies	Fitch short-term rating F1+, F1	In-house	£20m	1 year
Term deposits – UK banks/Building Societies	Fitch short-term rating F1+	In-house	£20m	1 year
Term deposits – UK banks/Building Societies	Fitch short-term rating F1	In-house	£15m	6 months or 185 days
<b>Callable deposits</b>				
Callable deposits – Debt Management Agency deposit facility	N/A	In-house	Unlimited	
Callable deposits – Nationalised & Part Nationalised UK banks/Building Societies	Fitch short-term rating F1+, F1	In-house	£20m	
Callable deposits – Nationalised & Part Nationalised UK banks/Building Societies	Fitch short-term rating F2	In-house	£10m	
Callable deposits - UK banks/Building Societies	Fitch short-term rating F1+ or F1	In-house	£15m *	
Term deposits – non UK banks	Fitch short-term rating F1+	In-house	£5m	6 months or 185 days

\* Where necessary this limit may be temporarily exceeded with the Authority's bankers only.

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **GOVERNANCE & AUDIT COMMITTEE**

**18<sup>th</sup> February 2022**

#### **Report of the Chief Finance Officer – Huw Jones**

#### **Matters for Information & Decision**

##### **Wards Affected:**

All Wards

#### **Internal Audit Update Report & Revised Audit Plan**

##### **1. Purpose of the Report**

The purpose of this report is to provide details of the internal audit work undertaken since the last Governance & Audit Committee meeting in November 2021.

##### **2. Executive Summary**

Since the last committee meeting in November 2021 the team has been impacted by a considerable number of days lost to sickness. This sickness absence when coupled with absences across the Authority has impacted on the work which had been planned to be undertaken.

Appendix 1 of this report details the formal audit reports issued.

Appendix 2 of this report gives details of progress against the plan

### **3. Background**

One of the terms of reference of this Committee is to 'monitor internal (and) external audit performance'. In order to comply with this requirement to monitor the in-house service, an update is given below outlining internal audit work undertaken since the Governance & Audit Committee meeting held on 26<sup>th</sup> November 2021.

In addition, information is provided for members on the current position regarding staffing issues within the team.

### **4. Staffing Issues**

Since the last committee meeting there have been a total of 26.5 days lost to sickness and 2 members of the team are currently on sick leave. In addition to sickness within the team we have also been impacted by staff absences across the Authority which has impacted on the length of time taken to complete audits.

There is currently one Assistant Auditor post vacant due to the postholder leaving to take up a post in one of the accountancy teams. In light of historic problems in filling vacancies and retaining staff at this grade it is deemed an opportune moment to review the structure of the team. It is therefore intended to leave the post vacant until the review is complete and a decision taken on the how best to ensure the team is appropriately resourced. It is anticipated that no decision will be taken until the new financial year.

### **5. Audit Work Undertaken**

Since the last committee meeting a total of 8 formal reports have been issued in line with normal reporting processes. Three draft reports have been issued and are awaiting agreement with the relevant managers.

### Final Reports Issued

National Fraud Initiative – Council Tax Reduction Scheme Claimants in receipt of occupational pensions

DBS Sample Checks – Non Schools Staff

Authority Bank Reconciliations

Hillside Secure Children’s Home

Vision Impaired West Glamorgan

National Fraud Initiative – Council Tax Reduction Scheme recipients who hold a taxi licence

Primary Schools – Statutory Policies

Primary Schools – Compliance with Travel & Subsistence Policy

### Draft Reports Issued

Integrated Impact Assessments

Mobile Telephones Compliance Usage & Compliance with Policy & Home Telephone Allowances

Review & Monitoring of Part 6 Care & Support Plans

In addition to the audits undertaken staff have continued to provide advice and guidance when requested, attended working parties and provided input in relation to the controls operating within the new Sundry Debtors IT System.

## **6. Lay Member Recruitment Update**

As members are aware the Local Government & Elections (Wales) Act 2021 stipulates that from May 2022 one third of all Governance & Audit Committees must comprise lay members. For this Council that means 4 lay members are required.

Our current lay member, Mrs Joanna Jenkins, agreed to remain on the committee for a further term of 5 years from May 2022 and this was approved by Council in September 2021. At the same meeting members

approved the recruitment of an additional 3 lay members. Following a successful recruitment drive all 3 positions have now been filled and the newly recruited lay members will join the committee in May 2022.

## **7. Financial Implications**

No implications

## **8. Integrated Impact Assessment**

There is no requirement to undertake an Integrated Impact Assessment as this report is for monitoring/information purposes.

## **9. Valleys Communities Impacts**

No implications

## **10. Workforce Impacts**

No implications

## **11. Legal Impacts**

No implications

## **12. Risk Management Impacts**

The work of Internal Audit is key in relation to ensuring compliance with internal controls. This work forms part of the Council's overall risk management arrangements.

## **13. Consultation**

There is no requirement for external consultation on this item

## **14. Appendices**

Appendix 1 – Audit Reports Issued

Appendix 2 – Audit Plan Monitoring



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Appendix 1 – Published Reports

Report Ref	Report Subject & Responsible Head of Service	Report Conclusion	Assurance Rating
R25	NFI – Council Tax Reduction Scheme(CTRS) Claimants to occupational pensions <i>Chief Finance Officer</i>	The NFI reports examined as part of this audit provided details of 747 CTRS claimants who were in receipt of an occupational pension. 744 of the claimants had declared their occupational pension when applying for CTRS. One claimant had failed to declare their pension and their CTRS entitlement was reduced as result of the NFI information and they are currently repaying the £787.67 overpayment. Two claimants’ details have been forwarded to the DWP for further investigation as they are in receipt of benefits paid by DWP which could be impacted if they have not declared their occupational pension to DWP.	Reasonable assurance
R26	DBS Sample Checks Non Schools Staff <i>All Heads of Service</i>	In all cases sampled recruiting managers had complied with the Safe Recruitment Policy in relation to DBS disclosures. All the required documentation was readily available for inspection.	Substantial assurance
R27	Bank Reconciliations <i>Chief Finance Officer</i>	The bank reconciliations reviewed as part of this audit were found to be up to date, fully complete and had been reviewed by a senior officer. Following recent fraudulent cheque encashments against the Authority the reconciliations on the main bank accounts had been moved from monthly to weekly.	Substantial assurance
R28	Hillside Secure Children’s Home	Generally good controls were found to be operating in respect of the budget monitoring of the home and the administrative processes in place. Recommendations were made relating to appropriateness of items purchased from the home’s budget,	Reasonable assurance

Appendix 1 – Published Reports

Report Ref	Report Subject & Responsible Head of Service	Report Conclusion	Assurance Rating
	<i>Head of Children &amp; Young People Services</i>	reclaiming VAT on petty cash purchases, and the retention of backing documentation in relation to income banked. Implementation of the agreed recommendations will further enhance the internal controls currently operating.	
R29	Vision Impaired West Glamorgan <i>Chief Finance Officer</i>	Vision Impaired West Glamorgan is a charity whose purpose is to provide assistance to registered blind and partially sighted people within the areas of the City and County of Swansea and Neath Port Talbot County Borough Council, by making grants of money or providing items, services or facilities. Swansea City Council provide accountancy services to the charity and NPTCBC provide audit services. The financial statements of VIWG have been independently reviewed and examined and were found to be accurate when compared to supporting documentation. The procedures undertaken do not provide all the evidence that would be required in an audit.	Not applicable
R30	NFI – Council Tax Reduction Scheme(CTRS) & Housing Benefit (HB) Claimants who hold a taxi licence <i>Chief Finance Officer</i>	The NFI reports examined provided 87 cases where potentially the claimants had not declared earning from employment as a taxi driver. In 85 cases the earnings had been declared in the other 2 cases benefit was recalculated resulting in CTRS overpayments totalling £141.88 and HB overpayments totally £497.82. Repayment plans are in place and ongoing benefit has been recalculated to take into account the earnings.	Reasonable assurance

Appendix 1 – Published Reports

Report Ref	Report Subject & Responsible Head of Service	Report Conclusion	Assurance Rating
R31	This report number has not been used due to a clerical error.		
R32	Compliance with Statutory Policies – Primary Schools <i>Head of Participation</i>	15 schools unlikely to be audited in the next financial year were contacted and asked to provide evidence that they had all of the required Statutory Policies in place and that they had been agreed by the governing body. 12 schools provided all of the required information, 1 school provided some of the information and 2 schools provided no information. The Headteachers of the schools who have not provided the required information have been contacted by the Audit Manager and asked to provide the information and the reasons for the audit request not being complied with. A verbal update will be provided to members at the committee meeting.	Reasonable assurance
R33	Compliance with Travel & Subsistence Policy <i>Head of Participation</i>	15 schools (not the same sample as report 32) unlikely to be audited in the next financial year were contacted and asked to confirm that they had a governing body approved travel & subsistence policy in place. A sample of school staff was provided to the school and they were asked to provide copies of the required driver declaration forms. No payments were tested as no claims had been made by any of the staff sampled. All schools	Reasonable assurance

Appendix 1 – Published Reports

Report Ref	Report Subject & Responsible Head of Service	Report Conclusion	Assurance Rating
		sampled had the required policy in place and recommendations were made relating to the completion of the driver declaration forms.	

**Risk Categories (With effect from 2021/22)**

Substantial Assurance - testing found good controls to be operating.

Reasonable Assurance - testing found some controls which need enhancing which will be achieved by implementing the agreed recommendations.

Limited Assurance - testing revealed a number of areas where enhancement to existing controls is required. The Head of Service to provide a written response to the Governance & Audit Committee on actions taken to address the issues raised during the audit.

No Assurance - testing revealed areas of significant concern, the Head of Service and or Accountable Manager will attend the next Governance & Audit Committee to provide members with an update on actions taken to address the issues raised during the audit.

Appendix 2 – Audit Plan Monitoring at 5<sup>th</sup> February 2022

Audit Plan Item	Risk Rating	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Primary Schools	M				6 school audits planned and start dates agreed
Procurement Card Transactions – Primary Schools	M	Audit in Progress	Audit complete and report issued		
Statutory Policies – Primary Schools	M				Audit complete and report issued
Driver Declarations – Primary Schools	M				Audit complete and report issued
Secondary Schools	H				1 school audit was due to be undertaken but has been postponed due to Covid pressures within the school.

Appendix 2 – Audit Plan Monitoring at 5<sup>th</sup> February 2022

DBS – School based staff	H	Audit complete and report issued.	Final report issued.		
Schools Unofficial Funds	H	Audit complete and report issued.			
Schools Data Protection Registration	M	Audit complete and report issued.			
Statutory Policies – Secondary Schools	M				Audit in progress, auditor on sick leave
DBS 39 Declarations – Secondary Schools	M				Audit in progress, auditor on sick leave
Education Library Resource Centre	M		Audit in progress	Audit complete and report issued.	
Covid Hardship Fund Grants	H	2 Covid-19 Grant Audits in progress (Free School Meal Payments and Business Start Up) 2 Covid-19 Grant Audits Complete and reports issued (Self	2 audits completed and reports issued.		Fraud Officer providing assistance to the team administering Covid related grants.

Appendix 2 – Audit Plan Monitoring at 5<sup>th</sup> February 2022

		Isolation Support Scheme and Lockdown Discretionary Grant).			
Integrated Impacts Assessments	M		Audit in planning stage.	Audit in progress	Audit complete and draft report issued
Margam Crematorium	M	Audit in planning stage.	Audit complete & draft report being prepared	Audit complete and final report issued	
GDPR/Data Security	M	Audit in progress.	Postponed due to staffing availability		Start date agreed.
Stores – Stocktake Assistance	H	Ongoing.	Ongoing	Ongoing	Ongoing
Environment Grants	M				Unlikely to be undertaken due to staffing issues
Fuel Usage and Control	H			Audit in planning stage	Audit in progress, auditor on sick leave
Drainage	M				Audit start date agreed



Appendix 2 – Audit Plan Monitoring at 5<sup>th</sup> February 2022

Pest Control	M				Audit in progress
Business Support Loans and Grants	M		1 grant audited (Covid grant)		
Crymlyn Burrows Transfer Station	H	Audit in planning stage.	Audit in progress	Audit in progress	Auditor on sick leave
Final Accounts	H	Ongoing.	Ongoing	Ongoing	Ongoing
Council Tax	L	Audit for 2020/21 complete and report waiting to be issued.	Audit complete final report issued		
NNDR Page 41	L				Control Risk Self-Assessment will be undertaken.
Bank Reconciliation	H				Audit complete and report issued
Housing Benefits	L	Audit in progress in relation to 2020/21	Audit complete and final report issued		
Governance Review – Follow Up work	H				Work ongoing
Creditor Payments	L	Audit complete and report issued for			Work being undertaken on

Appendix 2 – Audit Plan Monitoring at 5<sup>th</sup> February 2022

		Creditors Transaction Testing 2020/21.			NFI matches received.
Creditors FIS Checks	H	Ongoing.	Ongoing	Ongoing	Ongoing
Treasury Management	M				Start date agreed
3 <sup>rd</sup> Sector Grants	M				Start date agreed
Hillside Secure Unit	M	Audit in planning stage.	Audit complete and draft report being prepared	Draft report being agreed	Audit complete and report issued
Social Services Grant Certification	M		3 grants certified		
Children's & Adult Services	H		Audit of Monitoring of Child/Young Person Part 6 Care Plan in progress	In progress	Audit complete and draft report issued
Monitoring of External Providers	M				Delayed due to staffing issues
Trem Y Mor Complex Needs Service	M				Start date agreed, auditor on sick leave
Covid Recovery	H		Work commenced	Work ongoing advice being	Work ongoing

Appendix 2 – Audit Plan Monitoring at 5<sup>th</sup> February 2022

				provided via a working party	
Corporate Debt Recovery – Breathing Space Legislation	H				Audit in progress
DBS Compliance – Non Schools	H				Audit complete and report issued
Mobile Phones – usage & controls	M				Audit complete and draft report issued
Special Investigations	N/A	4 investigations in progress	1 report issued. 2 investigations currently ongoing.	1 currently in progress.	1 currently in progress
Advice & Guidance	N/A	Ongoing.	Ongoing	Ongoing	Ongoing
Officer Declarations	M	Audit in progress.	Audit complete & report issued		
Procurement	H				Start date agreed
Fraud	H	Ongoing. National Fraud Initiative work in progress.	Work ongoing, 1 report issued.	2 NFI reports issued	2 NFI reports issued.
Money Laundering	H	Audit in planning stage.	Audit complete, final report issued		

Appendix 2 – Audit Plan Monitoring at 5<sup>th</sup> February 2022

Use of Agency Workers	M	Audit in progress		Audit complete and final report issued	
Banking Administrator	N/A	Ongoing	Ongoing	Ongoing	Ongoing
Attendance at Working Parties	N/A	Ongoing	Ongoing	Ongoing	Ongoing
Servicing Governance & Audit Committee	N/A	Ongoing	Ongoing	Ongoing	Ongoing
Vision Impaired West Glam	L			Audit in progress	Examination complete and report issued
SWTRA Age 4	N/A				No work requested this year
FDI Requests	N/A	Ongoing	Ongoing	Ongoing	Ongoing
Staff Association/Lottery	N/A	Annual Audit Complete and advice ongoing.	Interim audit in progress		Advice & support ongoing
Procurement during initial working from home period	H	Audit in progress	Audit complete and report issued.		



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## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### GOVERNANCE & AUDIT COMMITTEE

18<sup>th</sup> FEBRUARY 2022

#### JOINT REPORT OF

**HEAD OF HUMAN AND ORGANISATIONAL DEVELOPMENT – S  
REES**

and

**HEAD OF LEGAL & DEMOCRATIC SERVICES – C GRIFFITHS**

#### **Matter for Information**

**Wards Affected** – All wards

#### **Complaints Handling**

#### **Purpose of the Report**

To provide the Governance & Audit Committee with information regarding complaints performance to enable the Committee to review and assess the authority's ability to handle complaints effectively.

#### **Background**

The Local Government and Elections (Wales) Act 2021 gives the Governance and Audit Committee a new defined assurance role around complaints. The Committee is therefore asked to review and assess the authority's ability to handle complaints effectively.

Complaints received by the authority are dealt with via one of two complaints processes:

- Social Care complaints follow the statutory Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014.

- All other complaints relating to council service areas are dealt with via the Comments, Compliments and Complaints Policy (copy attached at Appendix 1).

Complaints and compliments provide valuable information about how we are performing and what our customers think about our services. Most people who complain tell us what we have done wrong and how we can do better. We use this feedback to improve our services. An annual report is published which demonstrates the council's commitment to transparency and a positive approach to acknowledging, investigating, responding to and learning from complaints. The latest annual report for the financial year 2020/2021 is available here:

<http://modgov.npt.gov.uk/documents/s74242/Comments%20Compliments%20and%20Complaints%20Annual%20Report%202020-2021.pdf>

In March 2021, the Council's Cabinet approved a revised Comments, Compliments and Complaints Policy for Neath Port Talbot Council, based on a model complaints handling procedure for public service providers in Wales (issued by the Public Services Ombudsman for Wales (PSOW)). A copy of the revised Policy was shared with the PSOW who confirmed the Policy was deemed compliant with the PSOW's principles and model handling complaints policy.

## **Findings**

### **Stage 1 Complaints**

There was a significant reduction in both the number of Stage 1 complaints received across the Council and the number upheld/partially upheld during 2020/2021. 24 upheld/partially upheld of 99 Stage 1 complaints received during 2020/21 compared to 47 upheld/partially upheld of 148 Stage 1 complaints received during 2019/2020. A summary per directorate is provided in Appendix 2.

During the first six months of 2021/2022 (April – Sept) there has been a small increase in the number of complaints received but a small reduction in the number upheld (44 Stage 1 complaints received with 7 upheld / partially upheld compared to 38 received and 9 upheld/ partially upheld for the same period in 2020/2021). Overall number of complaints received still remains low.



Complaints that fall into this category are requests for a service that have not been actioned or properly dealt with. These complaints are handled by the staff and/or manager directly responsible for delivering the service with a response to be provided within 10 working days.

Where the complaint was upheld/partially upheld the lessons learned from the investigation are applied by the relevant service areas to improve service delivery and customer satisfaction going forward. Considering the breadth of dealings across the council, it should be noted that the number of investigated complaints upheld/partially upheld is relatively low with the majority being resolved or not upheld.

## **Stage 2 Complaints**

There were also fewer Stage 2 complaints received across the Council during 2020/21. 14 were received in 2020/2021 compared to 25 in 2019/2020. There was a significant reduction in the number of Stage 2 complaints upheld / partially upheld with just one in 2020/2021 compared to 11 in 2019/2020. A summary per directorate is provided in Appendix 2.

During the first six months of 2021/2022 (April – Sept) 9 Stage 2 complaints have been received with 1 upheld / partially upheld compared to 3 received and zero upheld for the same period in 2020/2021. Whilst the increase is significant in year on year comparable terms, numbers received at stage 2 remain very low.

Complaints that fall within this category is when a complainant is dissatisfied with the outcome of a Stage 1 complaint. The complaint is then formally investigated by the designated complaints officer within the relevant directorate and a response provided within 20 working days. This includes a review of all relevant correspondence and often incorporates discussions with both the complainant and relevant officers from the service department concerned to enable a fuller response to be provided.

At the conclusion of Stage 2, the complainant is made aware of the ability to refer their complaint to another organisation for external consideration e.g. the Public Services Ombudsman for Wales (PSOW). Before agreeing to investigate further, the Ombudsman should normally be satisfied that the matter has already been raised with the Council and

that the Council has had a reasonable opportunity to investigate and respond in accordance with the two stage policy. Where this has not been done, the Ombudsman will usually refer the complaint back to the Council to provide an opportunity to attempt to resolve the complainant's concerns through the Council's own complaints processes first.

## Reporting Processes

Designated complaints officers collate and submit quarterly information provided to them from service areas into the corporate performance management system (CPMS). Quarterly complaints performance reports are produced from the CPMS and reported to Cabinet and Cabinet Boards relating to services within their purview. Due to the COVID-19 pandemic, during 2020/2021, quarterly compliments and complaints performance reports were not reported to Cabinet and Cabinet Boards.

## Public Services Ombudsman for Wales

During 2020/2021, there were 19 complaints made to the Ombudsman for the following service areas.

<b>Service Area</b>	<b>No of Complaints</b>
Adult Social Services	2
Children's' Social Services	4
Complaints Handling	1
Covid-19	1
Education	1
Environment and Environmental Health	1
Finance and Taxation	1
Housing	1
Planning and Building Control	4
Roads and Transport	3
<b>Total</b>	<b>19</b>

There was a decrease from 22 in 2019/2020 and the numbers in the various categories above are similar to the Welsh average overall. When considering complaints per 1,000 residents, the Council is joint lowest in Wales.

A report has now been provided to the Council's Standards Committee to report the same figures and to identify Member Code of Conduct complaints given their remit in overseeing the same. In summary, the number of Code of Conduct complaints decreased slightly in 2020/2021 both in respect of Local Authority elected members and Town/Community Council members. In the Neath Port Talbot locality, the number of Code of Conduct complaints against County Borough Councils is low, there being just 2 and in each case the Ombudsman determined there was no case to answer. In addition, there was a decrease in the number of complaints against community councils (going from 7 to 2), but no further action was taken in respect of these matters and they were either closed after initial consideration, discontinued or withdrawn.

## **Welsh Language Complaints**

The Council's Welsh Language Scheme was superseded by the imposition of the Welsh Language Standards in March 2016. The complaint process for Welsh Language matters operates differently to the way other complaints are handled – the legislative provision stemming from the 2011 Welsh Language Measure. This includes the need to keep a record in relation to each financial year of the number of complaints received relating to our compliance with the standards. Three complaints were received during 2020/2021 (compared to eight during 2019/2020); two via the Welsh Language Commissioner and one direct to the Council. These complaints are detailed in the Welsh Language Standards Annual Report which published in June 2021.

## **Comparing with other local authorities**

It has previously not been possible to quantify the level of complaints received by the Council compared to other local authorities and public bodies as no nationally defined measures were published to benchmark performance. The Public Services Ombudsman for Wales have started collecting information with the introduction of the Public Services Ombudsman (Wales) Act 2019 which gives the Ombudsman new powers which included the launch of a Complaints Standards Authority for Wales. Quarterly complaints data is now collected from all local

authorities in Wales by the PSOW and can be accessed via the link below:

<https://www.ombudsman.wales/published-statistics/>

## **Governance**

The profile of complaints made during the 2020/2021 financial year, their resolution and lessons learned was taken into account when the Council's Annual Governance Statement for 2020/2021 was prepared. No systemic failings were identified by service areas or the designated complaints officers for complaints that were recorded, investigated and concluded in 2020/2021.

## **Improving how we deal with complaints**

Whilst the Governance and Audit Committee can be assured that the complaints process is robust and the Council is responding appropriately to complaints received, there is an ongoing opportunity to improve by:

- Considering and acting upon the valuable information complaints provide the Council about how we are performing and what our customers think about our services. Most people who complain tell us what we have done wrong and how we can do better.
- Ensuring staff are sufficiently trained and aware of procedures. Training has recently been provided (January/February 2022) to staff by the PSOW on the following subject areas:
  - i. **Complaints Training** - These sessions included reference to /awareness raising of the revised Comments, Compliments and Complaints Policy and detailed support on how to maximise the recording of complaints at Stage 1
  - ii. **Complaints Training** – These sessions were bespoke for Social Services staff
  - iii. **Resilience and Managing Difficult Behaviour**
- The Strategic Manager – Policy & Executive Support facilitates a quarterly meeting of the designated complaints officers from across the service directorates to discuss any key issues, share

good practice and to capture any lessons that can be learned to inform service improvement and further reduce the number of complaints received by the authority.

- The designated complaints officers in each service directorate provide advice to their colleagues to ensure appropriate and timely complaint responses for the relevant service area in which they arise.

### **Financial Impact**

There are no financial impacts in respect of this item.

### **Integrated Impact Assessment**

There is no requirement for an integrated impact assessment in respect of this item.

### **Valleys Communities Impacts**

There are no impacts in respect of this item.

### **Workforce impacts**

There are no workforce impacts in respect of this item.

### **Legal Impacts**

To enable the Governance & Audit Committee to discharge the assurance role afforded to the Committee within in the Local Government & Elections (Wales) Act 2021 with regard to the authority's ability to handle complaints effectively.

### **Risk Management**

There are no risk management issues in respect of this item.

### **Consultation**

There is no requirement under the Constitution for external consultation on this item.

### **Recommendation**

It is recommended the Governance & Audit Committee:

1. Note the information presented in this report
2. Review and assess the authority's ability to handle complaints effectively.

3. Make comments / recommendations in relation to the authority's ability to handle complaints effectively

## **Appendices**

- Appendix 1 - Comments, Compliments and Complaints Policy (March 2021)
- Appendix 2 – Complaints Data – Full Year 2020/2021

## **Background Papers**

None

## **Officer Contact**

For further information on this report item, please contact:

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

# **Comments Compliments and Complaints Policy**

**March 2021**

**Mae'r ddogfen hon hefyd ar gael yn  
This document is also available in Welsh**

## Contents

Introduction .....	3
Comments and Compliments .....	3
Complaints .....	3
Defining a Complaint.....	4
When to use this policy .....	4
How to complain .....	5
Stage 1 Complaint: Informal resolution .....	5
Stage 2 Complaint: Formal Investigation.....	6
Welsh Language Complaints .....	7
Dealing with your complaint (Stage 2).....	7
Investigation of Complaints .....	8
What if there is more than one body involved.....	9
Outcome of your complaint .....	9
Putting Things Right.....	9
Learning lessons.....	10
What we expect from you.....	10
If you need further help .....	10
The Public Service Ombudsman for Wales .....	11
Comments Compliment and Complaints Form .....	12



## **Introduction**

Neath Port Talbot Council considers all comments, compliments and complaints received as an invaluable source of information about the services we provide.

Our aims are:

- to make it easy to complain when a service has not been good enough
- to settle complaints to the satisfaction of the public wherever reasonably possible and to fully explain the reasons for the situation where it isn't
- to learn from comments, compliments and complaints to help identify improvements and provide better practice in service delivery; and
- to use comments, compliments and complaints information to monitor the effectiveness of the Council's policies.

## **Comments and Compliments**

Comments and compliments are welcomed and appreciated as they provide an indication of how we are performing. Additionally, suggestions and ideas you provide are important in terms of improving customer care, service quality and staff morale.

Comments may be suggestions as to how services could be improved and these should be considered by the service concerned. They may be views or representations, perhaps adverse, about the Council's policy and provision.

Compliments are particularly appreciated as they provide confirmation that the Council and its employees provide services which meet or exceed expectations.

If you would like to provide any comments or compliments, please use Section E of the Comments, Compliments and Complaints form or email us at [contactus@npt.gov.uk](mailto:contactus@npt.gov.uk)

## **Complaints**

Neath Port Talbot Council is committed to dealing effectively with any concerns or complaints about our services. In this policy the term "complaint" refers to a concern or a complaint.

We aim to clarify any issues you may be unsure about. If possible, we'll put right any mistakes we may have made. We will provide any service you're entitled to which we have failed to deliver. If we did something wrong, we'll apologise and, where possible, try to put things right for you. We aim to learn from our mistakes and use the information we gain from complaints to improve our services.

## **Defining a Complaint**

If you are approaching us to request a service for the first time (e.g. reporting a faulty street light, or requesting an appointment) this policy doesn't apply.

You should first give the relevant service a chance to respond to your request for service.

## **When to use this policy**

If you receive a service or make a request for a service and then are not happy with our response, you will be able to make your complaint known as described below.

Sometimes you may have a statutory right of appeal e.g. against a refusal to grant you planning permission or the decision not to give your child a place in a particular school, so, rather than investigate your complaint, we will explain to you how you can appeal.

Additionally you might be concerned about matters that are not covered by this policy and we will then advise you about how to make your concerns known, examples include:

- [Freedom of Information requests](#)
- [Complaints about Councillors who have breached the code of conduct](#)
- [Insurance matters](#)
- [Parking Penalty Charge notices](#)
- [School complaints](#)
- [Social Services complaints](#)

This policy does not apply to data access issues.

## How to complain

You can make a complaint in any of the following ways:

- Website: [www.npt.gov.uk/1454](http://www.npt.gov.uk/1454)
- Email: [contactus@npt.gov.uk](mailto:contactus@npt.gov.uk)
- Write us a letter and post to:  
Neath Port Talbot Council,  
Civic Centre,  
Port Talbot  
SA12 1PJ
- Phone: 01639 686868 - ask to be transferred to the service your complaint relates to
- Ask for a copy of our [complaints form](#) from the person you are already dealing with. Tell them that you want us to deal with your complaint formally.

You can make a complaint in whatever format (large print, Braille, on tape or disc) or language you wish.

We welcome complaints in Welsh and will deal with Welsh and English complaints to the same standards and timescales.

Complaints forms will be available at all Neath Port Talbot Council public offices. Copies of the Comments Compliments and Complaints Policy and forms are available in English and Welsh and can also be made available in other languages. Formats such as audio, Braille or large print also be provided if required.

### Stage 1 Complaint: Informal resolution

We believe it's best to deal with things straight away.

If you have a concern, please raise it with the person you're dealing with. They will try to resolve it for you there and then. If there are any lessons to learn from addressing your concern, the person you're dealing with will draw them to the attention of the relevant complaints officer.

If the person you're dealing with can't help, they will explain why and you can then ask for a formal investigation.

In most cases, the service / service area will provide a response to your complaint within 10 working days. Where this is not possible before the response deadline, you will be informed in writing of the reason for the delay, together with the date you can expect to receive a full response.

If you are dissatisfied with the service / service area response, you can then ask for a formal investigation.

The Council has the discretion to go straight to a Stage 2 Complaint: Formal Investigation and you will be advised at the earliest opportunity.

## **Stage 2 Complaint: Formal Investigation**

A Stage 2 investigation can be undertaken if you have not received a response at Stage 1, are not happy with the response received or think your complaint has not been considered properly.

At Stage 2 it would be helpful if you could provide some information on the issues with which you remain unhappy, the reasons why you think these issues were not properly addressed at Stage 1 as well as any details of the outcome you are hoping for.

You will receive an acknowledgment of your Stage 2 complaint within 5 working days.

The relevant complaints officer for the service / service area will undertake the investigation which will include a review of all relevant correspondence and often incorporate discussions with yourself and relevant officers from the service /service area concerned to enable a fuller response to be provided.

Usually a response to your complaint will be provided within 20 working days. Where this is not possible you will be informed in writing of the reason for the delay before the response deadline, together with the date you can expect to receive a full response.

When you receive the outcome you will also receive an equalities monitoring form which we ask you to complete and return to us to help us to make sure that no-one is discriminated against when accessing our services and to ensure everyone is treated fairly and equally.

## Welsh Language Complaints

Complaints relating to the Welsh language or to compliance with the Welsh language service delivery and policy standards, as applied to the Council, will be dealt with in the same way as any other complaints received and will be responded to in accordance with the Welsh language standards.

Staff are aware of the requirements of the standards with training sessions provided as part of the induction process and periodic awareness raising campaigns.

Complaints relating to the receipt of an unsatisfactory service, where it is considered the Council has treated the Welsh language less favourably than the English language or where there is a claim of interference with your freedom to use Welsh can also be directed to the Welsh Language Commissioner:

Welsh Language Commissioner  
Market Chambers  
5–7 St Mary Street  
Cardiff  
CF10 1AT

Phone: 0345 6033 221

E-mail: [post@welshlanguagecommissioner.wales](mailto:post@welshlanguagecommissioner.wales)

Complaints received via the Welsh Language Commissioner will be dealt in accordance with the Commissioner's own complaints process.

### Dealing with your complaint (Stage 2)

We will respond to you in the same way as you communicated with us (e.g. if you complained by email in Welsh, we would respond to you by email in Welsh) unless you inform us that you have particular requirements.

We will ask you to tell us how you would like us to communicate with you and establish whether you have any particular requirements – for example, if you need documents in large type.

We will deal with your complaint in an open and honest way and we will make sure that your dealings with us in the future do not suffer just because you have made a complaint.

Normally, we will only be able to look at your complaint if you tell us about it within 6 months. This is because it's better to look into a complaint while the

issues are still fresh in everyone's mind.

In exceptional circumstances, we may look at complaints which are brought to our attention later than this. However, you will have to let us know why you have not been able to bring it to our attention earlier and we will need to have sufficient information about the issue to enable us to consider it properly.

If you are making a complaint on behalf of somebody else, we will need their agreement for you to act on their behalf. This can be done by completing the [Representative Authorisation](#) Section which is part of the Comments Compliments and Complaints Form

## **Investigation of Complaints**

Your complaint will be looked into by the relevant complaints officer for the service / service area and if your complaint is straightforward, the complaints officer will respond to you. However, in certain cases we may appoint an independent investigator.

The person who is investigating your complaint will firstly aim to establish the facts. The extent of the investigation will depend on the complexity of the issues you have raised. In some instances, we may ask to meet with you to discuss your complaint. Occasionally, we might suggest mediation or another method to try to resolve disputes. We'll look at relevant evidence which could include files, notes of conversations, letters, emails or whatever may be relevant to your particular complaint. If necessary, we'll talk to the staff or others involved and look at our policies, any legal entitlement and guidance.

The person looking at your complaint will usually need to see the files we hold relevant to your complaint. If you don't want this to happen, it is important that you tell us. Where it is necessary to disclose your identity to another person in order to investigate the complaint then it is important that you tell us if you do not want this to happen. Depending on the nature of your complaint it may be necessary to obtain your permission to access your personal records. If permission is not provided then we will explain that this will have an effect on the ability to conduct a thorough investigation.

We will set out our understanding of your complaint and ask you to confirm that we are right. It would be helpful if you could tell us what outcome you're hoping for.

If there is a simple solution to your problem, we may ask you if you're happy to accept this. For example, where you asked for a service and we see straight away that you should have had it, we will offer to provide the service rather than investigate.

We will aim to resolve complaints as quickly as possible and expect to deal with the vast majority within 20 working days. If your complaint is more complex, we will:

- Let you know within this time why we think it may take longer to investigate;
- Tell you how long we expect it to take;
- Let you know where we have reached with the investigation; and
- Give you regular updates, including telling you whether any developments might change our original estimate.

## **What if there is more than one body involved**

If your complaint involves more than one body (e.g. a housing association and the Council regarding a noise nuisance) we will work with them to decide who should take the lead in dealing with your complaint and you will then be given the name of that person.

If the complaint is about a body working on our behalf (e.g. a company contracted by the Council), you may wish to raise the matter informally with them first. However, if you want to complain formally, we will look into this ourselves and respond to you.

## **Outcome of your complaint**

If we formally investigate your complaint, we will let you know what we find using the communication method agreed. If necessary, we will produce a longer report. We'll explain how and why we came to our conclusions.

If we find that the service department got it wrong, we'll tell you what went wrong and why it happened.

If we find there is a fault in our systems or the way we do things, we'll tell you what it is and how we plan to change things to stop it happening again.

If we got it wrong, we will always apologise for it.

## **Putting Things Right**

If we didn't provide you with a service you should have had, we'll aim to provide it as soon as practicable if that is possible.

If we didn't do something well, we'll aim to put it right.

If you have lost out as a result of a mistake on our part, we will usually aim to put you back in the position you would have been in if we had got it right.

## **Learning lessons**

We take your complaints seriously and try to learn from any mistakes we've made. Our Senior Management Team and Cabinet/Cabinet Boards consider a summary of all complaints quarterly and a detailed annual complaints report.

We share summary (anonymised) information on complaints received and outcomes with the Public Service Ombudsman for Wales as part of our commitment to accountability and learning.

Where there is a need for significant change, the service / service area will develop an action plan setting out what they will do, who will do it and when we plan to do it.

## **What we expect from you**

In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined. We believe that all complainants have the right to be heard, understood and respected.

However, we also consider that our staff have the same rights. We therefore expect you to be polite and courteous in your dealings with us. We will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence.

We have a separate policy to manage situations when we find that someone's actions are unacceptable.

## **If you need further help**

Our staff will aim to help you make your concerns known. If you need extra assistance, we will try to put you in touch with someone who can help.

If you have a disability which may make it difficult for you to communicate with us please let us know what would help us overcome any barriers you may



face (e.g. large font, more time to respond, different coloured paper)

This complaints policy can be used by everyone but if you are under the age of 18 and need help you can contact the Meic helpline

- Phone 0808 802 3456
- Website [www.meiccymru.org](http://www.meiccymru.org)

or the Children's Commissioner for Wales:

- Phone 0808 801 1000
- Email [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)
- Website [www.childcom.org.uk](http://www.childcom.org.uk)

## **The Public Service Ombudsman for Wales**

If we do not succeed in resolving your complaint, you may complain to the Public Services Ombudsman for Wales.

The Ombudsman is independent of all public bodies and can look into your complaint if you believe that you, or the person on whose behalf you are complaining:

- Have been treated unfairly or received a bad service through some failure on the part of the service provider.
- Have been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman normally expects you to bring your concerns to our attention first and to give us a chance to put things right.

You can contact the Ombudsman by:

- Phone: 0300 790 0203
- Email: [ask@ombudsman.wales](mailto:ask@ombudsman.wales)
- Website: [www.ombudsman.wales](http://www.ombudsman.wales)
- Post: Public Services Ombudsman for Wales  
1 Ffordd yr Hen Gae,  
Pencoed CF35 5LJ

There are also other organisations that consider complaints. We can advise you about such organisations.

## Comments Compliment and Complaints Form

Please Note:

If you are filling this form in on behalf of someone else, please also complete Section B. The person you are complaining on behalf of should complete the Representative Authorisation form (Section C) to confirm that you have the authority to act their behalf.

### Section A: Your details

Name of the department/section/service/person the complaint is about:
---

Title: Mr/Mrs/Miss/Ms (if other please state)	
Last name:	
Forename(s):	
Please indicate which of the following is your preferred method of communication	
Address and postcode:	
Daytime contact number:	
Mobile contact number:	
Email address:	

If our usual way of dealing with complaints makes it difficult for you to use our service, for example if English or Welsh is not your first language or you need to engage with us in a particular way, please tell us so that we can discuss how we can help you.

**Section B: Making a complaint on behalf of someone else:**

Their name in full:	
Their address and postcode:	
What is your relationship to them?	
Why are you making a complaint on their behalf?	

**Section C: Representative Authorisation**

I ..... (please insert full name of complainant)

of.....(please insert full address of complainant)

Confirm that I have authorised:

..... (please insert the full name of the person who is submitting a complaint on your behalf)

to submit a complaint with the Council about

.....  
.....  
.....

and understand that my representative may receive personal information relating to my complaint as part of the Council's response.

**Signed**.....

**Date**.....

## **Section D: About your complaint**

**(Please continue your answers to the following questions on a separate sheet(s) if necessary).**

1. Name of the department/section/service you are complaining about:
  
2. What do you think they did wrong, or failed to do?
  
3. Describe how you personally have suffered or have been affected:
  
4. What do you think should be done to put things right?
  
5. When did you first become aware of the problem?
  
6. Have you already put your concern to the staff responsible for delivering the service? If so, please give brief details of how and when you did so:
  
7. If it is more than six months since you first became aware of the problem, please say why you have not complained before now:

If you have any documents to support your complaint, please attach them with this form.

Signature:

Date:

## Section E: Comment and Compliment Form

Please provide details of your compliment or comment below

Thank you for providing this information.

When completed, please:

- hand in to either Neath or Port Talbot Civic Centre
- post to (for the attention of the service / service area concerned):  
Neath Port Talbot Council  
Civic Centre  
Port Talbot  
SA13 1PJ
- e-mail it back to the officer who sent the information to you.



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

Page  
71

# Performance Indicators

Neath Port Talbot Council

Council Complaints - Full Year 2020-21

## How will we know we are making a difference (01/04/2020 to 31/03/2021)?

PI Title	Actual 18/19	Actual 19/20	Actual 20/21	Target 20/21	Perf. RAG
<b>Council</b>					
PI/511 - Council - % of complaints at stage 1 that were upheld/partly upheld	33.82	31.76	24.24	N/a	N/a
<p>24 upheld/partially upheld of 99 complaints received for 2020/21 compared to 47 of 148 for 2019/20. There has been a significant reduction in both the number of stage 1 complaints received and the number upheld/partially upheld. Where the complaint was upheld/partially upheld the lessons learned from the investigation should be applied by the relevant service areas to improve service delivery and customer satisfaction going forward. A summary breakdown per directorate is provided below:</p> <p>Chief Executive's and Finance and Corporate Services Directorates: The number of complaints for the directorates reduced from 39 in 2019/20 to 32 in 2020/21. Upheld/partly upheld complaints also reduced from 14 in 2019/20 to 11 in 2020/21.</p> <p>Education, Leisure and Lifelong Learning Directorate: 3 stage 1 complaints were received during 2020/21, of which 1 was partly upheld. This compares to 3 received in 2019/20, all 3 were not upheld.</p> <p>Social Service Health and Housing (SSHH) Directorate: There was a significant reduction in the number of complaints received by the directorate from 62 in 2019/20 to 35 in 2020/21. The number of complaints upheld/partly upheld also reduced by 16 from 26 in 2019/20 to 10 in 2020/21. The SSHH Complaints Team work closely with front-line managers, including providing weekly monitoring reports, along with 'upheld' summaries to ensure complaints are managed appropriately.</p> <p>Environment Directorate: The number of complaints for the directorate reduced from 44 in 2019/20 to 29 in 2020/21. Upheld/partly upheld complaints also reduced from 7 in 2019/20 to 2 in 2020/21. 8 complaints for 2020/21 remain open and are yet to be concluded.</p>					
PI/512 - Council - % of complaints at stage 2 that were upheld/partly upheld	19.23	44.00	7.14	N/a	N/a
<p>1 of 14 for 2020/21 compared to 11 of 25 for 2019/20. There were 11 fewer stage 2 complaints received across the Council during 2020/21, compared to the previous year, the number upheld/partially upheld significantly reduced from 11 in 2019/20 to just 1 in 2020/21. A summary breakdown per directorate is provided below:</p> <p>Chief Executive's and Finance and Corporate Services Directorates: There were just two stage 2 complaints during 2020/21, both of which were not upheld. This compares to 2019/20 where 4 stage 2 complaints were received and all 4 were upheld.</p> <p>Education, Leisure and Lifelong Learning Directorate: 3 stage 2 complaints were received during 2020/21, of which one was partly upheld. This compares to 3 received during 2019/20, all 3 were also not upheld.</p> <p>Social Service Health and Housing Directorate: 1 stage 2 complaint was received during 2020/21 which was not upheld. This compares to 2 received during 2019/20, one of which was upheld.</p> <p>Environment Directorate: There were 8 stage 2 complaints during 2020/21, of which none were upheld. This compares to 2019/20 where there were 16 stage 2 complaints of which 6 were upheld.</p>					





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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **GOVERNANCE & AUDIT COMMITTEE**

#### **REPORT OF THE CHIEF FINANCE OFFICER – HUW JONES**

**18<sup>th</sup> FEBRUARY 2022**

#### **Matter for Information**

#### **Wards Affected - All**

#### **2021/22 Risk Management Update**

#### **Purpose of the report**

1. To provide Governance and Audit Committee with an update on the Council's Risk Management processes.
2. The Governance and Audit Committee's Terms of reference sets out their responsibility:
  - Review and assess the risk management, internal control and corporate governance arrangements of the authority;
  - Make reports and recommendations to the authority on the adequacy and effectiveness of those controls.

#### **Background**

3. The Council's Risk Management Policy was approved by Cabinet on 27<sup>th</sup> June 2018. This policy establishes the monitoring and reporting arrangements for risk within the Council.
4. Cabinet reviews and monitors the medium and high operational risks on a six monthly basis.

5. Each directorate management team holds an operational risk register and identify risks that are suitable for inclusion on the Strategic Risk register. The risks are reported to Corporate Directors Group (CDG) who decide if they should be placed on the strategic risk register or remain on the operational risk registers.
6. Corporate Directors Group review and monitor all strategic risks on a quarterly basis. Together with the highest operational risks on the Operational Risk Register. Reporting six monthly to Cabinet on the progress made in controlling and mitigating strategic risks.

### **2021-2022 Risk Management**

7. During 2020-21 the risk registers were not updated on a regular basis due to the Covid-19 pandemic, however the risks arising from the pandemic were managed via the establishment of a Corporate Incident Management Team chaired by the Chief Executive. This team has continued to meet and manage risks during 2021-2022 whilst the Strategic Risk Register has also been updated.
8. The risk policy is currently being reviewed and once agreed by Cabinet will be presented to the Governance and Audit Committee.

### **Integrated Impact Assessment**

9. There is no requirement for an Integrated Impact Assessment as the report is for monitoring purposes only.

### **Valleys Communities Impacts**

10. No Impact.

### **Workforce Impacts**

11. There are no workforce impacts arising from this report.

### **Legal Impacts**

12. There are no legal impacts arising from this report.

## **Risk Management Impact**

13. This report ensures compliance with the approved Risk Management Policy.

## **Consultation**

14. There is no requirement for external consultation on this item.

## **Recommendations**

15. It is recommended that Governance and Audit Committee note the risk management activity.

## **Reason for Proposed Decision**

16. To discharge the Governance & Audit Committee terms of reference with regard to the Councils risk management arrangements.

## **Background Papers**

17. Risk Management Policy – Cabinet 27<sup>th</sup> June 2018

## **Officer Contact**

18. For further information on this report item, please contact:

Huw Jones – Chief Finance Officer  
E-mail: [h.jones@npt.gov.uk](mailto:h.jones@npt.gov.uk)

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Neath Port Talbot County Borough Council

Audit Committee / Governance and Audit Committee – Annual Report 2020-2021

Introduction

This report summarises the work undertaken by the Audit Committee of Neath Port Talbot County Borough Council throughout the 2020-2021 Civic Year (replaced by the Governance & Audit committee from 17 March 2021).

Membership

The members of the Audit Committee were: Councillors Dr D.Morgan, L. Purcell, S.apDafydd (until July 2020), S Freeguard, J Miller, R Wood, O Davies, A Woolcock, A Richards, H Clarke, S Renkes, R Mizen, R L Taylor (from September 2020). and Mrs J Jenkins (Voting Lay Member)

The Committee Chair was Cllr. Dr. Del Morgan, and the Vice Chair was Cllr. Linet Purcell.

Work Programme

The Committee's forward work programme is agreed by members on a rolling basis, although this Committee's work is often driven by statutory requirements or by the dynamic necessities of particular circumstances as they arise.

The Committee met four times remotely via Teams during the year.

Specific Duties and Tasks Undertaken by the Committee

The Committee received and approved the Council's Statement of Accounts for 2019-2020, which included consideration of the Audit Wales Audit of Accounts Report. As part of this process the Committee also received the Annual Governance Statement.

In common with a number of other support services, the Internal Audit team were seconded to assist with the Council's response to the pandemic and the majority of the team worked within the Test, Trace & Protect Service until September 2020. Two staff members remained providing an audit service.

The Committee received the 2019-2020 Internal Audit Annual Report and details of the achievement against the 2019-2020 approved Internal Audit Plan at the September meeting. This was the first committee meeting attended by the Audit Manager following her secondment to manage the Test, Trace & Protect Team.

Due to the secondment of the team, it was not until September that an Internal Audit Plan for 2020-2021 was approved and due to the uncertainty around the pandemic it was agreed that for 2020-2021 a plan would be agreed on a quarterly basis. The various risks associated with regards to delaying audits that were unable to be undertaken due to the pandemic were discussed. Members received assurance that

there was no added risk to the Authority as there were system controls in place in the service areas where audits were delayed and it was intended that the audits would be undertaken as soon as circumstances allowed.

The Committee monitored Internal Audit performance against the quarterly plan. The Audit Manager responded to all questions asked by Members and provided further information at future meetings where appropriate.

The Committee received the draft Internal Audit plan for the period 2021-2022, whereby it was recommended that the historic system of applying a risk rating to completed audits be changed to a more up-to-date assurance rating system, in line with the Public Sector Internal Audit Standards. A Members' discussion around good practice that had been developed through experience was undertaken and the ability for the Committee to call a Head of service or accountable manager to address issues remained unchanged. Officers would look at assigning risk colour ratings to audit reports and the protocol regarding an assurance rating of 'no assurance' was discussed and agreed.

The Committee received regular details of all investigations relating to theft, fraud and malpractice.

The Committee received no formal risk reports during the year as the risk registers were not being physically updated on a regular basis due to the Covid 19 pandemic. The risks arising from the pandemic were managed via the establishment of a Corporate Incident Management Team chaired by the Council's Chief Executive.

The Committee monitored External Audit Performance and received update reports from Audit Wales. The Committee also received a presentation from Audit Wales on their 2020-2021 Audit Plan, the impact of COVID-19 thereon and the Audit Wales Work Programme.

A special meeting was held on 15<sup>th</sup> March 2021 attended by the Chief Executive who presented members with the terms of reference for the external, independent review of governance arrangements which she had commissioned. The review was commissioned following the release of an audio tape featuring comments made by the then Leader. She also gave a commitment to report back to members when the review was complete (during early 2021-2022).

The Committee received Treasury Management Progress Reports in order to fulfill their obligations in relation to the Scrutiny of Treasury Management activity.

The Committee received an update report on the Local Government and Elections (Wales) Bill 2020 and how this would impact the Council and how the proposed changes would affect the role of the Audit Committee. Following royal assent in respect of this Bill, the Audit Committee was replaced by the Governance & Audit Committee from 17 March 2021.

(Cllr. Dr. Del Morgan, Chair)



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