

## GOVERNANCE AND AUDIT COMMITTEE

<b>Date of Meeting</b>	Monday, 14 March 2022
<b>Report Subject</b>	External Regulation Assurance
<b>Report Author</b>	Chief Executive

### EXECUTIVE SUMMARY

The Council receives regular reports from our external regulators. Under its Terms of Reference, the Governance and Audit Committee ensures that effective systems are in place for setting and monitoring actions in response to these reports.

This report covers the national studies and bespoke local work of Audit Wales (AW) and the work of Care Inspectorate Wales and Estyn in 2021/22.

This summary report gives assurance that the regulatory reports have been considered and responded to.

### RECOMMENDATIONS

1	To be assured by our response to external regulatory reports.
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## REPORT DETAILS

1.00	EXPLAINING THE EXTERNAL REGULATORS AND INSPECTIONS REPORT
1.01	<p>The Local Government (Wales) Measure contains provisions for the work of Governance and audit committees. Statutory guidance made under Section 85 of the Measure was issued in June 2012. That guidance advised that Governance and audit committees should receive and consider reports from external auditors, other regulators and inspectors.</p>
1.02	<p>Since 2014 arrangements have been made for local reports issued by external auditors, regulators and inspectors to be tracked and reported to the Governance and Audit Committee once a year. This is done to assure the Committee that such reports have been considered and responded to.</p> <p>The Council's reporting protocol sets out the arrangements for a tri-partite system as follows:</p> <ul style="list-style-type: none"><li>• Cabinet – makes the Executive response to regulatory reports</li><li>• Overview and Scrutiny – scrutinises the executive response</li><li>• Audit Committee – assures the governance arrangements</li></ul> <p>The protocol is attached at <b>Appendix 2</b>.</p>
1.03	<p>Where reports by an external auditor, other regulator or inspector contain specific local recommendations it is important that they receive proper consideration by both officers and members and are responded to.</p> <p>The responses will, on occasion, require an action plan.</p> <p>It should be noted that there is no requirement to report or respond to recommendations within the AW national study reports, however the Council does respond as good practice under our protocol.</p>
1.04	<p>It is within the Terms of Reference of the Governance and Audit Committee to ensure that effective processes are in place for setting and monitoring proportionate and effective action plans. The Governance and Audit Committee has the responsibility for ensuring that all external regulatory report recommendations issued by external regulators are implemented where accepted.</p>
1.05	<p><b>Appendix 1</b> provides an overview of the reports received from the Audit Wales, Care Inspectorate for Wales and Estyn during 2021/22, and the summary findings and responses from the Council. The status of any actions is shown as follows:</p> <ul style="list-style-type: none"><li>• Green – on track / completed</li><li>• Amber – on track, but within acceptable limits</li><li>• Red – limited progress.</li></ul>

1.06	<p>The Executive response to the following two reports is to be scheduled within the Forward Work Programme for Cabinet and relevant Scrutiny Committees:</p> <ul style="list-style-type: none"> <li>• Commissioning Older People’s Care Home Placements – North Wales Councils and Betsi Cadwaladr University Health Board (June/July 2022)</li> <li>• Care Home Commissioning for Older People ( June/July 2022)</li> </ul> <p>The Executive response to the following report is to be scheduled within the Forward Work Programme for Governance and Audit Committee:</p> <ul style="list-style-type: none"> <li>• Care Inspectorate Wales (CIW) Local Authority - Assurance Check April 2021: Social Services (July 2022)</li> </ul>
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<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
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2.01	None
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<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
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3.01	External reports are considered by Chief Officers and senior managers to determine the actions needed. Cabinet and Overview and Scrutiny Committees perform the roles set out above.
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<b>4.00</b>	<b>RISK MANAGEMENT</b>
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4.01	<p>The work of the external regulators, and the actions in response to their reports provide assurance to the Council that adequate and effective controls are in place to mitigate risks.</p> <p>The Council's protocol in relation to reporting of external assurance reports is attached at <b>Appendix 2</b></p>
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<b>5.00</b>	<b>APPENDICES</b>
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5.01	Appendix 1: External Assurance Report Summary Appendix 2: External Assurance reports protocol
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<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
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6.01	None
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<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<p><b>Contact Officer:</b> Jay Davies, Strategic Performance Advisor  <b>Telephone:</b> 01352 702744  <b>E-mail:</b> <a href="mailto:jay.davies@flintshire.gov.uk">jay.davies@flintshire.gov.uk</a></p>

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
8.01	<p><b>Audit Wales:</b> works to support the Auditor General as the public sector watchdog for Wales. They aim to ensure that the people of Wales know whether public money is being managed wisely and that public bodies in Wales understand how to improve outcomes.</p> <p><b>Care Inspectorate Wales (CIW):</b> The powers and functions of CIW are enabled through legislation. CIW has the powers to review Local Authority social services at a local and national level, to inform the public whether services are up to standard, to promote improvement of services and to help safeguard the interests of vulnerable people who use services and their carers. They provide professional advice to Welsh Ministers and policy makers.</p> <p><b>Estyn:</b> Estyn is the education and training inspectorate for Wales. Estyn is responsible for inspecting primary and secondary schools and nursery schools maintained by, or receiving funding from, local authorities.</p>