

**Wiltshire Council**

**Annual Governance  
Statement 2022/23**

## **Introduction**

Wiltshire Council is a local authority that is responsible for providing services to nearly half a million residents, tens of thousands of varied businesses and over a million visitors per year. It aims to create strong communities, grow the local economy and protect vulnerable people and this approach underlines everything we do. The Council secures funding from national government, local taxation and charges. So, as a public body, it needs to have a strong governance and assurance framework to make certain its business is conducted to the highest standards, ensuring:

- resources are directed in accordance with agreed policy and according to priorities;
- there is sound and inclusive decision making, conducted in accordance with the law and proper standards;
- there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities; and
- public money is safeguarded and properly accounted for, and continuous improvement in the way in which its functions are exercised is secured, having regard to economy, efficiency and effectiveness.

This statement reflects how Wiltshire Council has met those standards in 2022/23 and beyond; as well as the ongoing actions it is taking to maintain and improve its governance arrangements. Evidence of how we have assessed ourselves has been grouped into sections as set out by the Chartered Institute of Public Finance and Accountancy (CIPFA) in its publication 'Delivering Good Governance in Local Government Framework (2016)' and is consistent with the Local Code of Corporate Governance.

## **Approval of the Annual Governance Statement 2022/23**

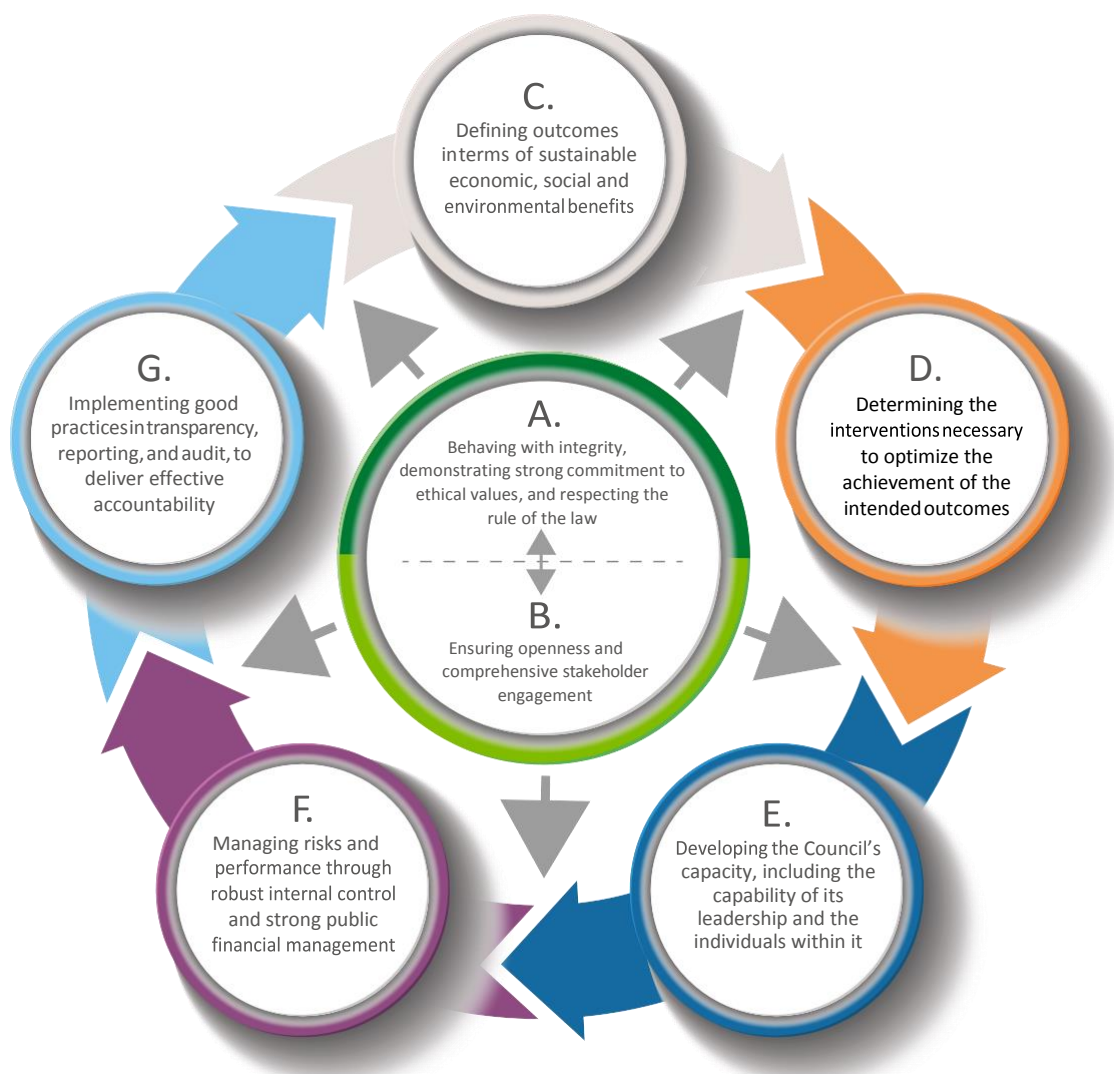
We are satisfied that this statement provides a substantial level of assurance that good governance is in place in Wiltshire Council and that appropriate arrangements are in place to address improvements identified in our review of compliance. Progress on these improvements and on addressing and mitigating the risks will be monitored through the year by senior officers and the Audit and Governance Committee.

Terence Herbert  
Chief Executive

Cllr Richard Clewer  
Leader of Wiltshire Council

September 2023

The Local Code of Corporate Governance provides a means of demonstrating that a sound level of governance is operated. This local code acts as a means of assurance, but also a mechanism for achieving continuous improvement. This approach is consistent with the principles of the CIPFA/SOLACE *Delivering Good Governance in Local Government* framework. The principles are set out below:



The following pages set out a summary of the key governance controls, mapped against the CIPFA principles. These are supported by case studies to help demonstrate where positive improvement action has already been taken, and a note of improvement actions that the Council will take.

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

Respect for the rule of law

The Council's [Constitution](#) provides the framework within which the Council operates. It sets out how decisions are made and the procedures which must be followed to ensure that these are efficient, effective, transparent and accountable. The constitution is kept under review by the Standards Committee who request the Constitution Focus Group to review sections. In 2022/23 this included updating the council's Complaints Procedure and inclusion of terms of reference for the Channel Panel, part of the Prevent duty.

The Constitution includes at Part 12 the **Members' Code of Conduct**, which makes clear the obligation of elected members in promoting and maintaining high standards of conduct and ensuring the principles of public life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership) are adhered to. Pecuniary and non-pecuniary interests are [registered](#) and published on the website in accordance with the requirements of the Code of Conduct and underlying legislation. On 18 October 2022 the council adopted an adapted version of the LGA Model Code, and will be reviewing this further in 2023/24 to assess its operation.

The Council publishes and promotes a code of conduct for its staff alongside **'Our Identity which is a framework, embedded through the employee lifecycle**, that sets out expectations for how staff and managers are expected to lead, work and act to deliver services

There is a process for dealing with complaints under the codes of conduct for unitary, parish, town and city councillors in Wiltshire. This process and its application is set by the Council and reviewed regularly by the Council's **Standards Committee**. Minutes from the meetings of this Committee can be found [online](#). In 2022-23, 36 complaints were received; 7 regarding Wiltshire Council members and 29 regarding members of town, parish or city councils. Four complaints were referred for investigation.

Strong commitment to ethical values

Ethical considerations are also evident in the Council's procurement activity. A Socially Responsible Procurement Policy (SRPP) has been created and adopted. Procurement activity should achieve value for money, support the growth of our local economy, promote fair pay (tackling modern slavery) and support the protection

The Council has launched a 'Positive Conduct, Positive Democracy' campaign, promoting fair and ethical good conduct amongst local council members and clerks in Wiltshire.

Behaving with integrity

**How we can improve**

Review contract management approaches to embed standard contract management activity; deliver policy and training to embed the Socially Responsible Procurement Policy across the Council; and strengthen our approach to working with SMEs and VCS'.

Continue activities to embed all of the elements in Our Identity across the organisation.

## Principle B - Ensuring openness and comprehensive stakeholder engagement

Openness

The Council makes available a range of important information on its website including its strategic aims and ambitions in its published [Business Plan](#) and via its [publication scheme](#). The council has arrangements for dealing with requests under Freedom of Information laws. In 2022/23 there were 1510 requests with 98% responded to within 20 days.

Committee meetings are open to the public, and **agenda papers and minutes** are available on the internet in various formats along with forward work plans/ calendars.

**Public engagement** plays a key part in the decision-making process, across the full range of council services. Key consultations and public engagement campaigns undertaken during 2022/23 include Downton & Redlynch Public Spaces Protection Order, A350 Chippenham Phases 4 & 5, Future High Streets Fund Trowbridge and Salisbury and proposed changes to Hackney carriage licensing zones. A **media protocol** is in place for councillors and officers.

The Council supports a range of partnerships including: the [Health and Wellbeing Board](#), promoting integrated working between the council and the NHS; the [Wiltshire Police and Crime Panel](#) which reviews and scrutinises decisions of the Police and Crime Commissioner (joint committee with Swindon Borough Council); and is exploring integrating the work of the Swindon and Wiltshire Local Enterprise Partnership (**SWLEP**). A council director now chairs the [Local Resilience Forum](#). The council engages the military through various structures to ensure the principles of the Armed Forces Covenant are applied in service provision (which gained legal force in autumn '22). Membership of the groups is kept under review as legislation, roles and responsibilities change.

Wiltshire Council's 18 **Area Boards** involve the local community in decision-making within the agreed scheme of delegation. 71 area board meetings took place, returning to in person meetings, with devolved funding on community grants, youth, health and wellbeing and transport and devolved decision-making powers on community asset transfers. Cabinet has agreed an increased budget and remit for area boards encompassing highways, cycleways and footway improvements.

The **Wiltshire Compact** is an agreed set of guidelines and principles to foster good working relationships between the voluntary sector and the public sector. These guidelines are being refreshed in 2023

The council's [Statement of Community Involvement](#) sets out expectations in preparing Wiltshire's planning policy documents and in considering planning applications. This was approved by Full Council in July 2020 and included temporary arrangements in light of the pandemic. Timely, open, officer decision making is in place with the ability for local councillors to call-in **planning** decisions to committee in response to local concerns. A strategic planning committee oversees particular significant issues.

**Officer decisions** are published [online](#) in some circumstances including when cabinet members delegate implementation of decisions to officers. Increased emphasis is now being placed on ensuring appropriate advice and training is given to officers on requirements for recording and publishing decisions, including those arising from discussion at programme boards.

Engaging with institutional stakeholders

Engaging with citizens and service users

### How we can improve

Develop a renewed framework for working with the Voluntary and Community Sector  
Implement a council-wide system for publishing officer decisions in line with the Openness of Local Government Bodies Regulations 2014  
Review the role and function of Area Boards so that they add maximum value to our place shaping ambitions.

**Principle C - Defining outcomes in terms of sustainable economic, social and environmental benefits**

Defining outcomes

The [Business Plan](#) 2022-32 outlines the guiding themes, missions and outcomes set to be delivered through service plans and by working with partner organisations and local communities. Service delivery plans are refreshed on an annual basis.

The Council receives reports on the combined economic, social and environmental impacts of its policies in the form of various reports including the **Joint Strategic Needs Assessment (JSNA)**. These also inform community led action planning and other schemes.

Following the publication of the report of the Local Government Association's **Peer Review** on Wiltshire Council in 2022, an [action plan](#) was developed and also considered by the Overview and Scrutiny Management Committee. A short follow up visit from the LGA is expected to take place later in 2023.

**Community facilities** have a key role in supporting people to live more active and fulfilled lives. The campus programme has provided sustainable assets for towns that provide a place, facilities and services that help to combat isolation and loneliness and increase the opportunities for social interaction; and in so doing build strong communities. Several campuses have been completed already including Calne in November 2020 and Cricklade in February 2021. New facilities have now opened in Melksham and £25m has been allocated in the capital programme for a new building in Trowbridge, with the preferred site now confirmed as East Wing opposite County Hall.

A [Local Development Scheme](#) provides a three year rolling project plan for producing the **local development framework**. A **refreshed** Local Plan is expected to proceed to examination in public later in 2023.

Parishes throughout the county can continue to request community asset transfers. A rapid scrutiny task group undertook a [review](#) on the service delegation and asset transfer policy and a revised policy was [agreed](#) by Cabinet in September 2022. Significant **service delegation and asset transfer** packages have previously been agreed with Bradford on Avon, Devizes, Chippenham Town Councils and Pewsey Parish Council and Salisbury City Council. A new deal was recently agreed with Trowbridge and further exploratory work is now underway with other interested Town Councils under the new policy. Requirements for the public estate are likely to evolve further in coming years with related opportunities for capital receipts, jobs and housing.

Investment in transformation of **adult social care** has continued with investment in assistive technology; expansion of the shared lives service; the development of Wiltshire Support at Home and the Wiltshire Living Well at Home Service; as well as a pilot on a new approach to transitional safeguarding. The **Families and children transformation** programme has led to the implementation of improved multi-professional early support and the development of a family hub model which is currently being rolled out; the development of an innovative Risk Outside The Home pathway which is now being rolled out in other councils; the launch of the Family Drug and Alcohol Court; a Dads Matter Too project.

Sustainable economic, social and environmental benefits

**How we can improve**

Develop a more clearly articulated strategic narrative of place, using the Local Plan as key spatial narrative.

Create a county-wide strategic partnership board to oversee an Economic Strategy for Wiltshire

**Principle D - Determining the interventions necessary to optimise the achievement of intended outcomes**

Determining and planning interventions

Optimising achievement of intended outcomes

Regular Performance and financial updates are reported to senior officers and councillors, including scrutiny through the **Financial Planning Task Group** and **Overview and Scrutiny Management Committee**.

The Council took part in the Local Government Association's Corporate **Peer Review** in 2022. The report was published in early 2023 and praised organisational culture and governance, scrutiny and recent improvements to the Audit and Governance Committee. An [action plan](#) was developed to deliver the recommendations that has been considered by the Overview and Scrutiny Management Committee. A short follow up visit from the LGA is expected to take place later in 2023.

Oversight of transformational projects is undertaken by the Corporate Leadership Team (CLT) through the Transformation Board, supported with advice from HR and IT. The **transformation board** oversees and assesses the resourcing and priorities for projects and programmes on behalf of the Council that contribute to major transformation and service performance improvement, to deliver on the council's Business Plan priorities. Reports will be provided to the Cabinet via the quarterly performance monitoring on their ongoing work.

The council's [annual budget](#) setting process has also seen updates to the Medium Term Financial Strategy and ongoing Capital Programme. Work is underway on a capital and asset management strategy.

The [Corporate Procurement Strategy](#) provides the framework for the council to obtain value and social capital from all of its bought in goods and services. The strategy focuses on identifying and delivering efficiencies, but not at the expense of quality; and developing and embracing the principles of sustainable procurement.

The procurement strategy is used to encourage the adoption of a mixed economy approach, evaluating on the basis of whole life costings and breaking down barriers to participate in council opportunities. Using transparent processes, the council commits to meeting its obligation to ensure that all of our procurement activity addresses relevant social, economic and environmental standards.

Business plans for the Council's **local housing company** and **development company** were considered by the Shareholder Group (a committee of Cabinet) on 27 June 2023. The business plans build on previous ambitions to acquire 250 homes over five years and develop six council-owned sites. The housing company acquired 41 properties in 2022/23, bringing the total number of properties to 92. Subject to the approval of the Shareholder, the housing company intends to purchase a further 50 properties in the 2023/24 financial year. The development company received planning approval on two sites in 2022/23, securing permission for 61 new units. A third application was submitted for 24 units and is expected to receive approval shortly. The development company intends to submit a further two sites for planning in 2023/24, with the potential to bring 81 new units to market. The company is due to start construction on its first site in Calne, which will create 9 new homes for local residents. The companies hired two direct employees in 2022/23 and, subject to Shareholder approval, intend to hire further employees in the coming year. Stone Circle Energy Company remains dormant.

**How we can improve**

Consider how developing a comprehensive Asset Management and Capital Investment Strategy could support future transformation and place shaping ambitions and inform future budget decisions. Continue to ensure the approach to transformation is embedded and understood across the council. Focus on wider external partnership opportunities that will help take Wiltshire forward

**Principle E - Developing capacity, including the capability of the Council's leadership and the individuals within it**

Developing capacity

Our workforce strategy has been developed to ensure we have a skilled, adaptive and engaged workforce who collaborate with our partners to effectively and efficiently deliver our business plan priorities and our vision of building stronger communities. This strategy has been developed to support us to ensure we have the right people in the right place at the right time with the right skills, capability and behaviours

We have continued to develop the alignment of service responsibilities to roles at the top of the organisation to ensure joined up and effective working. All senior leaders participate in an annual 360 feedback process to support self awareness and development, and this will feed into a wider talent management and succession planning framework launched this year.

The Employee Experience was conducted in early 2023, and focussed on the areas of Employee Engagement, Inclusion and Diversity, and Well-being. Over 97% of the 2,427 respondents understood what was expected of them in their role and wanted to do the best job possible for our communities. Median relationships with colleagues and managers also showed impressive scores of 9 out of 10 indicating positive working relationships. Respondents indicated a Median mental health score of 7 out of 10, and mental health scores were one of the drivers for how likely they would be to recommend us as an employer - we see the mental health of our staff as a priority and continue to develop tools to support those who struggle with it, such as launching Mental Health Advocates, providing resources and counselling. The findings from the survey have provided crucial insights for our services Workforce Strategy Action Plans which are being developed council wide.

The council continues to learn by seeking **best practice** both regionally and nationally and responding to the findings of external inspections such as CQC and Ofsted inspections.

As well as the corporate peer challenge voluntary peer challenges have also been conducted in the areas of planning, libraries and leisure and for special educational needs and disabilities.

Managers complete **annual appraisals** with their staff and use these to discuss behaviours, identify training and development needs, and develop plans to address these needs. Exit interviews also provide the council with learning

As well as the training provided as part of councillor induction a range of learning material is made available to councillors online via the Wiltshire Council **learning portal**, GROW.

We currently have 194 staff active on apprenticeships and, since the introduction of the apprenticeship levy in 2017 have had in total 521 staff start apprenticeships. These range from Level 2 – Level 7. All grade D-F posts are considered for apprenticeships when recruited externally. We have built a successful Leadership & Management apprenticeship programme, we have also started building cohorts of Social Worker and Occupational Therapy apprenticeships to enable us to grow our own staff utilising the levy.

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

**How we can improve**

Rollout training and awareness on decision making processes

Measure the impact of the leadership and development programme and other interventions on retention and promotion.



## Principle F – Managing risks and performance through robust internal controls and strong public financial management

In 2022/23 performance and risk processes returned to the formal arrangements agreed in the [2019 Performance and Risk Management Policy](#), superseding the temporary arrangements that had been put in place during the two-year pandemic response. A redesigned Corporate Performance Scorecard was developed, and an updated Corporate Risk Register integrated Covid-response risks with risks identified through service planning. Both the Performance Scorecard and the Strategic Risk Register have now been reported to Cabinet and Overview and Scrutiny Management Committee for a full financial year. In late 2022/23 the Performance Scorecard measures were collaboratively reviewed by Directors, Cabinet members and Portfolio Holders, resulting in an expanded range of KPIs that provide a broader picture of the Council's performance against its Business Plan objectives. Performance Outcome

The current risk process continues to operate under regular review by the Audit and Governance Committee. Improvements in the robustness of policies and processes are underway, supported by an ongoing internal audit by the South West Audit Partnership, and include a review and update of the Performance and Risk Management Policy. New master risks have been added to the corporate risk register around climate change and an emerging risk on the impact of global financial events has been noted. Both sustained inflationary pressures and staff capacity have been moved from risks to issues.

Wiltshire's section 151 Officer or **Chief Finance Officer** has a statutory duty to ensure that the Council has a strong financial control environment, including an effective and independent Internal Audit function in accordance with the Accounts and Audit Regulations.

The Council is the administering authority for more than 180 employers through the Wiltshire Pension Fund, and the [Pension Committee](#) exercises its responsibilities in relation to investment management where it sets investment policy and appoints and monitors external investment managers. This has included participation in the Brunel Pension Partnership (as agreed by full council). The operation of a separate **Local Pension Board** continues with the purpose of scrutinising the Council as Administrator for the Wiltshire Pension Fund and ensuring the efficient and effective governance of the scheme.

The Senior Information Risk Owner's **(SIRO) Annual Report**, outlines the significant work that has taken place to embed good practice and manage risk to ensure compliance across the council.

Monitoring Officer comments: *"During 2022/23 I have held regular meetings with the Director of Children's Services in her statutory role. In those meetings I have been informed that two decisions have been made to home children in unregistered placements. Unregistered provision is when a child who is being provided with some form of 'care' is living somewhere that is not registered with Ofsted. Together we have developed an escalation and assurance process that clearly shows an audit trail of all options considered by the DCS and her team and consultation with Ofsted and other key internal and external stakeholders. Strong controls are in place to mitigate any risks. The latest position is that the provider delivering the care has applied to Ofsted to become registered. However, as these are examples of unlawful decisions I am reporting them as part of the Annual Governance Statement. I have chosen not to report these in any other forum, as part of my statutory duty, because the circumstances (the unavailability of any other suitable registered accommodation and the fact that the decisions are made by the DCS personally) would not allow any other body, such as Cabinet, to prevent these decisions being taken."*

### How we can improve

Review the corporate assurance framework for performance, risk and service delivery  
Build on the collaborative approach to budget setting, aligning organisational processes more closely to the outcomes in the Business Plan to ensure a focus on the resources used and outcomes to be achieved

**Principle G - Implementing good practices in transparency, reporting and audit to deliver accountability**

The Council complies with reporting requirements such as an [online structure chart](#) and senior salaries and expenses.

The ambitions set out in the **Local Code of Corporate Governance** are reviewed regularly and updates have been provided to the Audit and Governance Committee.

The Council has independent external auditors (Deloitte) and SWAP Internal Audit Services, who provide an internal audit function. SWAP has recently introduced a rolling internal audit plan which enables SWAP's work to be flexible and responsive to the ever-changing risks of a fast-paced organisation. The plan is built with management as the year progresses based on a continuous risk assessment linked to the council's strategic risks. SWAP is providing regular updates to the [Audit and Governance Committee](#), and it is through this process and through regular access to the live rolling plan document that the Council's Corporate Leadership Team and Audit & Governance Committee members are able to assess whether the audit work building through the year provides sufficient coverage of key risks. As part of the 2022/23 annual opinion report SWAP provided a reasonable opinion in respect of the areas reviewed during that year as most were found to be adequately controlled and generally risks are well managed. Some areas require the introduction or improvement of internal controls to ensure the achievement of the Council's objectives including areas identified as significant corporate risks which were Category Management, Procurement Exemptions, Pension Payroll Project, Pension Fund Key controls and ICT Network Boundary Defences. SWAP will be working with the council across the 2023/24 financial year to ensure that these risks are adequately mitigated. During the first half of the year, SWAP's work had been punctuated by the need for demand driven COVID related grant certifications. However, this has very much lessened during the second half of the year.

There is a strong culture operating in the Council of acting to the highest standards. This is rooted in the behaviours expected of councillors and staff and upheld by the senior leaders. Where any resident feels the Council has not acted properly the Council has a **corporate complaints procedure**. The number of complaints received has increased from the previous year, with 437 in 2022/23 compared to 382 in 21/22, following reductions in previous years (380 in 20/21, 459 in 19/20, 588 in 18/19, 624 in 17/18 and 671 in 16/17). **An Annual Complaints Report provides a breakdown of trends in the complaints received and the actions to be taken to address problem areas identified by all council directorates.** *The Council received on X August the [Annual Letter of the Local Government and Social Care Ombudsman](#). There were X detailed investigations undertaken by the Ombudsman in the year ending 31 March 2023. The number of complaints upheld by the Ombudsman were X. This compares with 21 (of 35), 9 (of 16), 19 (of 37) and 10 (of 19) in the last few years. This is an uphold rate of X% which is lower than the average rate of X% for similar authorities. The council has complied with all recommendations and in X% of upheld cases had already provided a satisfactory remedy before the complaint was considered.*

**Overview and Scrutiny**

Overview and Scrutiny has reviewed 73% of the decisions taken by the council's Cabinet, with 65% of eligible members taking part. Reviews have looked at Climate Change, Adoptions and Fostering, NHS Dentistry, the Housing Allocations Policy and the council's financial planning arrangements. An [Annual Report sets](#) out the year's activity in detail. The LGA Peer Review noted '*scrutiny members feel they are able to challenge and influence the policy agenda and there are effective mechanisms in place to co-ordinate activity between Scrutiny and the Cabinet*'.

The Council's external auditors, Deloitte LLP, have been asked for their comments on the draft AGS and these will be reflected in the final draft. The Council continues to work with the **External Auditor** on all aspects of the outstanding Accounts and Audit processes to draw these to conclusion as effectively and efficiently as possible and is considering the options for this. This work will include the final accounts for 2019/20 and the draft and final accounts for the 3 subsequent years and will also include the clearing of the current 'except for' qualification on the balances on the Fixed Asset disclosures pertaining to the Revaluation Reserve and the Capital Adjustment Account. Details of the conclusion and opinion can be found in the auditor's ISA 260 reports.

Monitoring Officer comments: *"I have considered the non-completion of accounts this year by our external auditor. The Council has a legal duty to make the available documentation which supports their audited accounts during the first 10 working days of June each year (Accounts and Audit Regulations 2015). We have been unable to facilitate that this year. This is an historic issue. Once draft accounts for years 2020/21, 2021/22 and 2022/3 are issued in draft the Council will mimic the statutory 10 working day period and provide public access for the relevant documentation. A note has been added to our website making the position clear to residents. However, as this is an example of an unlawful decision, I am reporting that as part of the Annual Governance Statement. I have chosen not to report this in any other forum, as part of my statutory duty, because the circumstances (non-completion of the accounts partly as a result of the actions of our external auditors), would not allow, any other body, such as full Council, to prevent this decision being taken"*

### **How we can improve**

Review how performance can be communicated to the public to deliver maximum openness and transparency, including financial information as part of this.

Assess progress in delivery against the revised statutory guidance on the Best Value duty