

**Wiltshire Council**

**Annual Governance  
Statement 2021/22**

## **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 2020/21 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 2021/22**

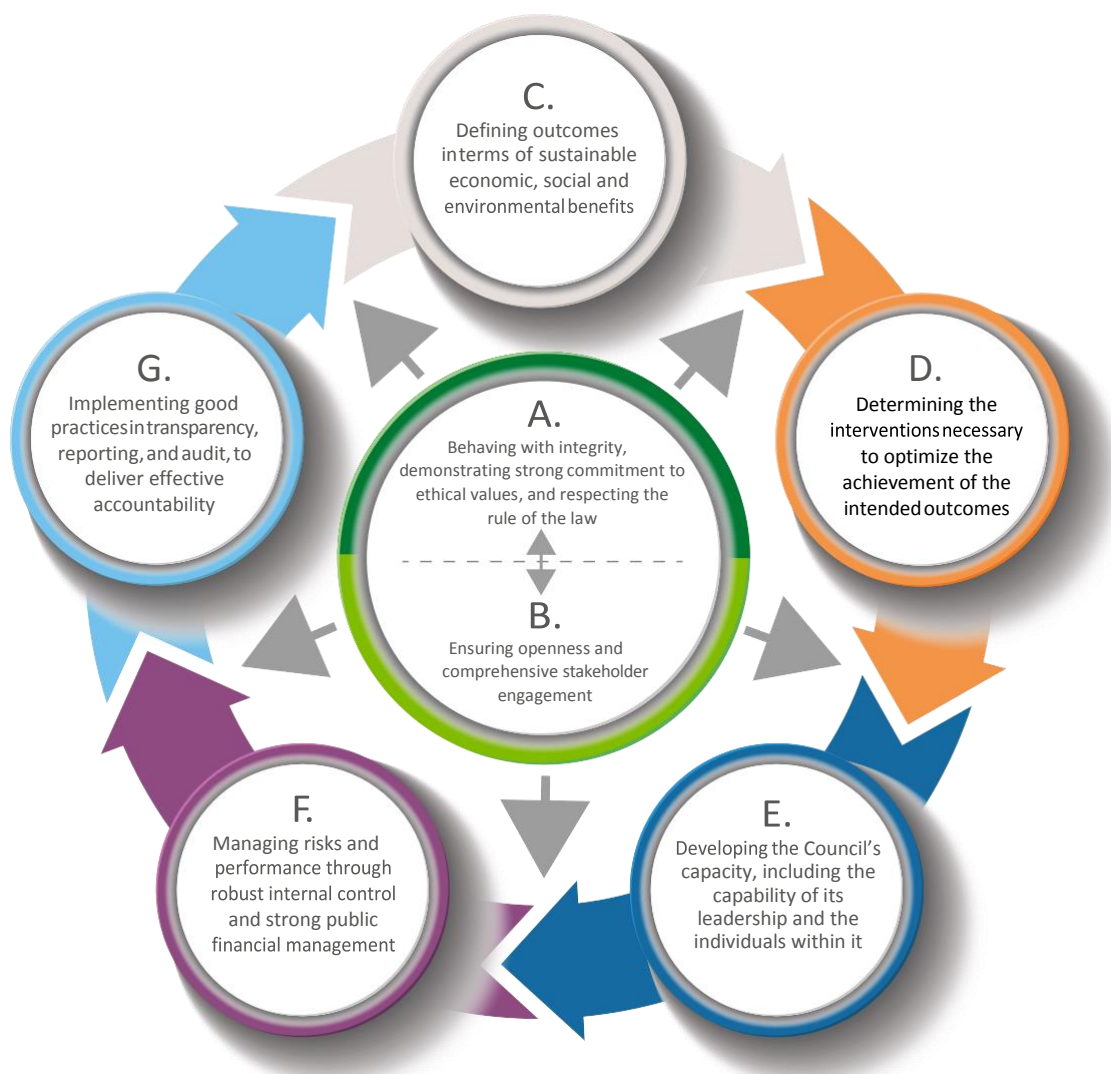
We are satisfied that this statement provides a substantial level of assurance that good governance is in place in Wiltshire Council and that appropriate arrangements are in place to address improvements identified in our review of compliance. Progress on these improvements and on addressing and mitigating 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 2022

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 2021/22 this included the terms of reference for Audit and Governance Committee and Officer Employment Procedure Rules.

The Constitution includes at Part 13 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 web site in accordance with the requirements of the Code of Conduct and underlying legislation. During 2021/22 the Standards Committee began a review of Code, including an assessment of the LGA Model Code which will conclude in 2022/23.

Behaving with integrity

Strong commitment to ethical values

The Council publishes and promotes a recently revised code of conduct for its staff. Alongside this '**Our Identity** - public servants building stronger communities' sets out the type of organisation that the Council needs to be; with 10 elements that provide the blueprint for how staff are expected to lead, work and act in how they deliver services. This includes our brand promise EPIC – Empowering People to Innovate and Collaborate. Our Identity will be embedded throughout the employment lifecycle, forming a key part of the appraisal system to promote ethical awareness amongst the Council's staff.

There is a process for dealing with complaints under the code 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 2021-22, 60 complaints were received; 10 regarding Wiltshire Council members and 50 regarding members of town, parish or city councils. Two complaints were referred for investigation, which are currently ongoing. The number of complaints per year since 2012 has ranged from 27-82.

Ethical considerations are also evident in the Council's [Procurement Strategy](#) where Social Value is a consideration. A task & finish group has been set up to ensure Social Value is at the forefront of all procurement activity, achieving value for money on a whole life basis for the council, communities and the economy, whilst protecting the environment.

**How we can improve**

Review commissioning and procurement approaches to embed industry standard contract management as part of staff job descriptions; deliver policy and training to embed social value across the council; and strengthen our approach to partnership working with the VCS through business planning processes.  
Continue activities to embed all of the elements in Our Identity across the organisation.  
Rollout a Good Conduct Campaign for local councils, including a toolkit, webinar and Good Conduct chart.

## 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 2021/22 there were 1495 requests with 99% responded to within 20 days

**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 2021/22 include Climate Change and Green & Blue Infrastructure strategies, Pharmaceutical Needs Assessment, Bus Service Improvement Plan, Future High Streets Fund Trowbridge and Salisbury, and Future Chippenham. A **media protocol** is in place for councillors and officers.

Wiltshire Council's 18 **Area Boards** involve the local community in decision-making within the agreed scheme of delegation. 72 area board meetings took place predominately online 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 on transport, encompassing highways, cycleways and footway improvements.

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.

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.

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 the work of the Swindon and Wiltshire Local Enterprise Partnership ([SWLEP](#)). The Council has been an active partner in the [Local Resilience Forum](#). Membership of the groups is kept under review as legislation, roles and responsibilities change.

The **Wiltshire Compact** is an agreed set of guidelines and principles to foster good working relationships between the voluntary sector and the public sector.

Emergency and other **officer decisions** taken under the scheme of delegation during the pandemic were enacted with the support of the Leader and published [online](#); with regular reports to Cabinet on the key developments. The emphasis has now switched to 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

Review commissioning and procurement approaches to embed industry standard contract management as part of staff job descriptions; deliver policy and training to embed social value across the council; and strengthen our approach to partnership working with the VCS through business planning processes.

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

Defining outcomes

The [Business Plan](#) 2022-32 was agreed in February 2022 to enable the guiding themes, missions and outcomes set out to be delivered through service plans and by working with partner organisations and local communities.

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 2018, an [action plan](#) was developed and in July 2019 the Overview and Scrutiny Management Committee agreed that further scrutiny was not needed given progress on its recommendations. A further peer review may take place later in 2022/ 23.

**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. Work continues on the upgrade in Melksham and Trowbridge Leisure Centre has had temporary repairs. £25m has been allocated in the capital programme for a new building.

A [Local Development Scheme](#) provides a three year rolling project plan for producing the **local development framework**

Parishes throughout the county can continue to request community asset transfers. A rapid scrutiny task group is meeting to review the current service delegation and asset transfer policy and this was also considered at a conference with Town and parish councils in May. Subject to the review and cabinet consideration of the policy the programme of asset transfer will resume in 2023/24. Significant **service delegation and asset transfer** packages have previously been agreed with Bradford on Avon, Devizes and Chippenham Town Councils, Pewsey Parish Council and Salisbury City Council in previous years. 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 strengths-based professional practice, increasing customer independence and reducing reliance on expensive packages of care. Close working with the NHS during the pandemic has also enabled a multi-professional discharge flow hub to be established. **Families and children** transformation programme has led to the implementation of improved multi-professional early support.

Sustainable economic, social and environmental benefits

**How we can improve**

Regularly report on delivery against outcomes defined in the new Business Plan, including our commercial approach

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

Regular Performance and financial updates are reported to senior officers and councillors, including scrutiny through the **Financial Planning Task Group** which is a task group established by the [Overview and Scrutiny](#) Management Committee.

The council's [annual budget](#) setting process has also seen updates to the Medium Term Financial Strategy and ongoing Capital Programme

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.

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.

Business plans for the Council's **local housing company** and **development company** were agreed by Cabinet in February 2022 by the Council's new shareholder sub committee. This will involve the acquisition of 250 homes over five years and the development of five council owned sites to deliver 116 units. The housing company has acquired 45 properties by the end of 2021/22. The development company business plan is based on development of six sites owned by the Council. The development company has secured planning permission for the first site in February 2022 , has made planning applications for 3 sites and a pre- app for one site. Stone Circle Energy company is dormant. The companies are in the process of recruiting their first members of staff as set out in their business plans with the consequent changes in the resourcing contract that the companies have with the Council.

**How we can improve**

Finalise the governance review of Stone Circle company and shareholding arrangements

Determining and planning interventions

Optimising achievement of intended outcomes

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

Developing capacity

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

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. Following the implementation of a single Chief Executive post, as a focal point of leadership for recovery from the impact of COVID-19, appointments at Tier 1 and Tier 2 of the organisation have been confirmed. Further work continues to ensure ongoing alignment and good succession planning.

A wellbeing survey in July 2021 showed an **improvement in staff engagement** overall (+14% to 84%) since December 2018. As might be expected, moving out of the initial response to the pandemic saw the engagement index score drop very slightly but this is still a very high score and well above the index in the 2018 staff survey (and prior surveys). We have now moved to a 'best of both worlds' hybrid working model to build on previous flexible working arrangements, giving us all the benefits of physical as well as virtual collaboration and have created collaboration spaces and hybrid meeting rooms to help employees get the most of the new ways of working.

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.

The council has evaluated how well we have worked with our civil contingency partners in the response to (and recovery from) the events in south Wiltshire and will be doing the same for the pandemic given the significant implications for the county, council and partners.

Following the introduction of the **apprenticeship levy** the council and maintained schools in Wiltshire have 316 new and upskilling apprentices. All grade D-F posts are considered for apprenticeships when recruited externally. A leadership development programme offers aspiring and developing managers the opportunity to complete accredited qualifications using levy funding. In addition, the council has 4.8% of its staff aged under 25, some of whom are employed as apprentices.

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.

**How we can improve**

Rollout training and awareness on decision making processes

Continue to work with partners to complete a multi-agency evaluation of the response to the pandemic



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

Managing risk and performance

A [risk and performance management policy](#) was [agreed](#) in February 2019 to replace the previously separate Corporate Risk and Corporate Performance Strategies. Both corporate risk and performance management processes were suspended during the two-year pandemic response phase. They were replaced by specific emergency response risk and performance processes that changed and developed as the response continued. These came to an end early in 2022. A new corporate planning phase started at the end of 2021 allowed us to reboot both the corporate risk and performance process reviewing each input and ensuring cleaner links to the council's new business plan. The Audit and Governance Committee will monitor and review the effective development and operation of performance and risk management, receiving progress reports as required.

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 **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 pension scheme.

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 main **changes in risk** in 2021/22 have been the ending of pandemic response specific processes and the reintroduction of the agreed corporate processes. This was an opportunity to review and refine the processes. For example, an additional check was added to the risk process to ensure potential rather than real issues were being captured. Looking ahead the risks associated with reforms in adult social care, reforms to Special Educational Needs and Disabilities funding, inflationary pressures and the consequences of increases in cost of living have been recorded

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.

Robust internal control and strong public financial management

### How we can improve

Review how performance can be communicated to the public to deliver maximum openness and transparency.

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

Assurance and effective accountability

The Council has independent external auditors (Deloitte) and SWAP Internal Audit Services, who provide an internal audit function, Wiltshire being the biggest partner. SWAP's internal audit plan is agreed by the [Audit and Governance Committee](#) and periodic update reports were considered by the Committee throughout 2021/22. Due to the continued changes to ways of working as a result of the response to the COVID-19 pandemic it was agreed by the Committee that the internal audit plan for 2021/22 would continue to be considered on a more flexible basis, due to the changing operations, risks and priorities for the council during the year. As at April 2022, SWAP Internal Audit completed 52 internal audit reviews, to draft and final report including significant high-risk areas e.g. Care Home Alliance and the Good Lives Alliance. SWAP has worked closely with officers and the Audit & Governance Committee to follow up and monitor implementation of actions. SWAP also continued to support the council in the emergency response to the Pandemic during the first few months of the 2021/22 financial year by providing staff into joint teams to deliver the significant COVID-19 Business Grants to the business sector. This work has been carried out by specific members of the SWAP team to ensure no conflict with Internal Audit activity arose during the year. Overall SWAP assessed the Council's control environment as 'reasonable' with no significant issues raised.

The Council has been working with the **External Auditor** and has agreed an approach to evidence the fixed asset accounting disclosures historical balances within the revaluation reserve and capital adjustment account to ensure the 'except for' qualification on these accounts for 2018/19 and 2019/20 is cleared for the accounts for the financial year 2020/21 and to progress the outstanding approval of the 2019/20 accounts which are currently unable to be approved due to a national issue on Infrastructure Asset valuation. Details of the conclusion and opinion can be found in the auditor's ISA 260 reports.

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 remained consistent with the previous year, with 382 in 2021/22 compared to 380 in 20/21, following reductions in previous years (459 in 19/20, 588 in 18/19, 624 in 17/18 and 671 in 16/17). The Council received on 8 August the [Annual Letter](#) of the Local Government and Social Care Ombudsman. There were 35 detailed investigations undertaken by the Ombudsman in the year ending 31 March 2022. The number of complaints upheld by the Ombudsman were 21. This compares with 9 (of 16), 19 (of 37) and 10 (of 19) in the last three years. This is an uphold rate of 60% which is lower than the average rate of 99% for similar authorities. The council has complied with all recommendations and in 10% of upheld cases had already provided a satisfactory remedy before the complaint was considered.

Implementing good practices in transparency and reporting

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

**Overview and Scrutiny**

Overview and Scrutiny has reviewed 80% of the decisions taken by the council's Cabinet and submitted 35 recommendations to improve services, with 67% of eligible members taking part. Reviews have looked at Climate Change, Adoptions and Fostering, Support for Disadvantaged Learners, Housing Related Support and the council's financial planning arrangements. An [Annual Report](#) sets out the year's activity in detail.

**How we can improve**

- Align organisational processes more closely to the outcomes in the Business Plan to ensure a focus on the resources used and outcomes achieved
- Review the Complaints Procedure alongside arrangements to report trends and learning