



Draft Annual Governance Statement for the year ended 31st March 2022

(this statement remains draft until the 2021/2022 Statement of Accounts have been signed off by the External Auditors)

Wigan Council is committed to the highest standards of corporate governance.

Governance is about how bodies ensure that they do the right things, in the right way, for the right people in a timely, inclusive, open, honest and accountable manner.

It comprises the systems and processes, and culture and values, by which bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities.

A key aspect of governance is the requirement to put into place “effective risk management systems, including systems of internal control”.

This Annual Governance Statement supports the Council’s Statement of Accounts and outlines how it manages its affairs to deliver high quality services and ensure that public money is efficiently and effectively spent

Foreword from the Leader of the Council and the Chief Executive

We both recognise the importance of having good management, effective processes and other appropriate controls in place to enable the Council to deliver services and achieve the best possible outcomes for the people of the Borough.

To ensure the organisation continues to operate as effectively as possible, the Council embraces a governance framework which ensures consistency of purpose across the many services delivered, encourages high standards of performance and conduct and a strong public service ethos. Reductions in Government funding have led to major transformation resulting in changes in staffing levels and in the way that services are provided. Furthermore, despite moving into the recovery phase, the COVID 19 pandemic continues to have a fundamental impact on the Council, and this is being exacerbated by a cost-of-living crisis, fuelled by increasing inflation and energy prices, all of which is likely to continue throughout 2022/2023. It is therefore more important than ever, that we continue to make the best possible use of the public money that we are entrusted with.

Each year the Council is required to produce an Annual Governance Statement (AGS) which describes how our corporate governance arrangements have been working. To help us do this, the Council's Audit, Governance and Standards Committee assisted by Internal Audit undertakes a review of our governance framework and the development of the AGS.

Members of the Strategic Management Team and the Audit, Governance and Standards Committee have considered and challenged the content and significant governance issues identified in the Statement and satisfied themselves that the Statement properly reflects how the Council is run and that appropriate improvement actions had been identified.

The final statement was formally approved by Cabinet on 7th July 2022 where it was recommended for signing by the Leader of the Council and the Chief Executive.

An updated version of the statement was approved by Cabinet on 6th July 2023 to include an additional significant governance issue, pertinent to 2021/22, that was identified during 2022/23. A further update was made in May 2024.



Councillor David Molyneux
Leader



Alison McKenzie-Folan
Chief Executive



1. Introduction

This statement provides an overview of how the Council's governance arrangements operate, including how they are reviewed annually to ensure they remain effective. A summary of significant governance challenges which the Council faces is also given, alongside an explanation of what actions have been taken to bring about required improvements, and what work is still to be done. This provides transparency and gives assurance that the Council is committed to continuously improve the way in which it functions. More detail on particular topics can be accessed by clicking on the hyperlinks which are highlighted and underlined throughout the document.

2. Council Purpose

In April 2019 the council's revised corporate strategy "The Deal 2030" building on the previous "Deal for the Future" was approved by Council and will underpin everything the Council plans to achieve. The previous Deal had fundamentally marked a new relationship between citizen and state, signalling a positive approach for individuals and communities that encouraged self-reliance and independence through an equal partnership. The Deal 2030 continues and strengthens this approach by providing a unifying strategy for the whole of the borough over the next decade built on 10 key priorities.

Each priority within "The Deal 2030" has to be delivered and the Council and its partners will be held accountable on achievement via a number of partnership boards and governing committees. The Council will also produce an annual report which will demonstrate the extent of progress against each of the 10 key priorities.

3. Scope of Responsibility

Wigan Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, that public money is safeguarded and properly accounted for, and used economically, efficiently, and effectively. In discharging this accountability, members and senior officers are responsible for putting in place proper arrangements for the governance of the Council's affairs and the stewardship of the resources at its disposal. To this end the Council has approved and adopted a Local Code of Corporate Governance, which is consistent with and reflects the requirements of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government (2016)*.

The Council is committed to fulfilling its responsibilities in accordance with the highest standards of governance, underpinned by the ethical behaviour of officers and Members.

4. The Governance Framework

The governance framework comprises the systems and processes, the culture and values, by which the Council is directed and controlled and its activities through which it accounts to, engages with, and leads its community. It enables the Council to monitor the achievement of its strategic objectives and to consider whether these objectives have led to the delivery of appropriate, cost-effective services.

The governance framework has been in place at the Council for the year ended 31st March 2022 and up to the date of the approval of the annual report and statement of accounts.

Governance Framework

Principle A Integrity and Values

- A [Constitution](#) setting out how the Council operates; how decisions are made and the procedures that are followed.
- Code of Conduct for Members and local procedures for the investigation of complaints against Members which include the appointment of independent persons. [Members Code of Conduct](#)
- Audit, Governance & Standards Committee responsible for advising the Authority on member conduct issues.
- Employee Code of Conduct, Staff Deal and key staff behaviours – BeWigan and BeWigan Manager
- Register of Interests for Members which is published on the Council's website against each Councillor

Principle B Openness and Engagement

- A Freedom of Information Publication scheme. [Publication Scheme](#)
- Publication of Committee Agendas, Minutes and decisions. [Committees](#)
- [Deal 2030](#) – an informal agreement between the Council and everyone who lives or works here to work together to create a better borough.
- Strategic Partnership Working through –Health and Wellbeing Board, Building Stronger Communities Partnership.
- [Borough Life](#) magazine
- Borough Survey.
- Listening into Action staff communication sessions supported extensive staff communications and support.

Principle C Defining Outcomes

- Our Vision is embedded in service delivery and performance management
- Our corporate strategy, The Deal 2030 which outlines what the future Council will look like and our approach to meeting the challenges. [Deal 2030](#)
- A Locality Plan which describes how we will work with our partners to develop a financially sustainable health care system
- Medium Term Financial Plan and Capital Programme with quarterly financial monitoring reports to Cabinet. [Financial Plan](#)
- Quarterly performance Dashboards to Directorate and Strategic Management Teams [Performance Data](#)

Principle D Making A Difference

- [Deal 2030](#) consultation ‘The Big Listening Project’ consultation helped inform budget decisions as well as the strategy for how the council and public sector partners will work in the future. Further consultation has taken place this year.
- Committee report template includes consideration of Alternative Options
- Investment in transformation programmes to make services more effective/efficient and ensure change is sustainable.
- Social Value Policy which aims to provide a wider benefit to the community from each £1 spent on the delivery of services. [Social Value Policy](#)
- Annual and six monthly performances reports to scrutiny committees

Governance Framework

(cont'd)

Principle E Capacity and Capability

- Roles and responsibilities are clearly defined within the Constitution and the Member Officer Protocol.
- Councillors are supported in their roles through an induction process and on-going programme of training and development
- Mandatory IT and Social Media Training for Members
- MyTime and MyTimeExtra – the staff performance and development process.
- Clear terms and conditions of service are in place and staff are supported by a range of health and well-being policies (expanded due to COVID 19)
- Smart working and making the best use of technology and buildings continues to be key to the way we work.

Principle F Managing Risk and Performance

- An Internal Audit function which conforms with PSIAS and reports regularly to the AG&S Committee
- Risk management framework embedded in policy and planning processes and approved by the AG&S Committee.
- Comprehensive budget framework with clearly defined responsibilities including frequent reporting to the Executive.
- Budget Management Group led by CFO.
- Application of CIPFA FM Code.
- Information Governance Framework supported by corporate oversight.
- Consistent and clear commitment to countering fraud and corruption

Principle G Transparency and Accountability

- Adoption of Local Code of Corporate Governance in line with the CIPFA/SOLACE framework. [Local Code](#)
- An [Audit, Governance and Standards Committee](#) which includes independent membership and oversees the work of Internal and External Audit.
- A scrutiny function which supports and challenges the work of the Executive
- Member and Senior Management ownership and sign off for the Statement of Accounts and Annual Governance Statement
- External Performance Reporting – Corporate Scorecard
- Publication of the Local Government Transparency Code data. [Open Data](#)

How the Council monitors and evaluates the effectiveness of its governance arrangements?

The Council annually reviews the effectiveness of its governance framework including the system of internal control. The key sources of assurance that inform this review are outlined below

<p>Internal Audit</p>	<p>External Auditors</p>	<p>Information Governance</p>	<p>Counter Fraud</p>	<p>Risk Management</p>
<ul style="list-style-type: none"> • Annual Audit Opinion • Internal audit progress reports • PSIAS compliance 	<ul style="list-style-type: none"> • Final accounts audit • VFM conclusion • Grant certification 	<ul style="list-style-type: none"> • Information Governance Annual Report • Information Governance Working Groups 	<ul style="list-style-type: none"> • Whistleblowing arrangements • Annual Fraud Report 	<ul style="list-style-type: none"> • Strategic Risk Register reporting • Directorate Risk Registers • Internal audit reviews
<p>Complaints</p>	<p>External Reviews</p>	<p>Management</p>	<p>Statutory Officers</p>	<p>Committees</p>
<ul style="list-style-type: none"> • Two Stage Corporate Complaints procedure • Ombudsman investigations 	<ul style="list-style-type: none"> • LGA Peer Review • Council of the Year Award (IESE) • Internal Audit Peer Review 	<ul style="list-style-type: none"> • Annual Director and IAO Assurance Statements • Annual Review of Significant Partnerships 	<ul style="list-style-type: none"> • Monitoring Officer - legal assurance and ethics • Chief Finance Officer role compliance 	<ul style="list-style-type: none"> • Scrutiny performance monitoring reports • Annual Standards Report • Audit Chair's Annual Report

5. 2021/2022 Review of Effectiveness

Our review of governance arrangements for 2021/2022 has considered the following assurance outcomes.

Internal Assurances

- Internal Audit re-assessed each component of the enhanced Local Code of Corporate Governance and concluded that *“The Council’s position against its revised local code of corporate governance is consistent with last year though not quite as strong as it has been in previous years due to the impact of the COVID 19 pandemic on planned improvements and services needing time to catch up and adjust to new arrangements. However, it is important to recognise that significant work has been completed during this difficult time and positive actions have been made to maintain a high level of governance during the pandemic and recovery period.”*

*Overall, the position is still considered to be good; therefore, the Internal Audit assurance opinion is **satisfactory**. Given the significant pressure due to the continuing budget cuts, the national economic picture and the COVID 19 pandemic and the associated operational changes the Council has experienced and continues to go through, this is a significant achievement.”*

- The Council’s current strategic risks and associated management arrangements were reappraised by the Audit and Governance Committee in September 2021 (Strategic Risk Framework) and March 2022 (Strategic Risk Register). Throughout the year the effectiveness of these arrangements has been tested as part of the Internal Audit work programme.
- A detailed report and improvement plan assessing the Council against the CIPFA FM Code was approved by the Audit, Governance and Standards Committee in November 2021. The assessment confirmed that *“the Council’s financial management is sound and complies with the overall requirements of the FM Code. Specific improvements are taking place and/or have been recommended that will further enhance the Council’s financial management processes and ensure full compliance with the detailed requirements of the FM Code is achieved.”* It was considered that the Council is well placed and does comply with each principle and supporting standard. The assurance opinion given was High, with a small number of detailed additional actions considered necessary to be fully compliant with the detailed expectations of the FM Code.
- The results of the internal audit work have been reported (as scheduled) to the AGS Committee throughout the year and the annual internal audit opinion on the overall adequacy and effectiveness of the Council’s governance, risk and control; framework was set out in the Annual Internal Audit Report 2021/2022. This report concluded that *“Satisfactory assurance can be given that Wigan Council operates an effective framework of governance, risk management and management control and audit testing has demonstrated controls to be generally working in practice”.*
- The Annual Fraud Report 2021/2022 which provided an update on the counter fraud work undertaken across the Council during 2021/2022 concluded, *“Members can therefore be assured that prevention and detection of fraud, along with promoting high*

standards of conduct are given high priority within the Council's operations and this ensures that fraud and corruption risks are effectively managed."

Public Interest Reports/Section 114 Notices

The governance arrangements and financial resilience of local authorities have recently been highlighted in a number of Public Interest Reports issued to higher tier local authorities by the responsible external auditors. In addition, recent times have also seen a growing number of Authorities issuing Section 114 Notices. Such a notice has to be issued by the Section 151 Officer (following consultation with the Monitoring Officer) to all Council Members if there is a belief that expenditure is likely to exceed incoming resources (after accounting for the use of reserves).

A recent report covering recent Public Interest Reports concluded that not all authorities:-

- exercise appropriate care with public money
- exercise appropriate governance
- have the capability of managing risk, both short and long term

The report further concluded that maintaining sound reserves was vital and a key indicator of sound financial management and should be at the heart of all medium-term financial plans.

It is considered that the Council's Governance Framework and how it monitors its governance arrangements, financial planning and performance will ensure any such issues are identified and mitigated at a very early stage thus safeguarding against the need for a notice to be issued and avoiding the consequences (spending controls) that would inevitably follow.

The above supports the Section 151 Officer's opinion to Council within the budget setting reports on 2nd March 2022 – *"On this basis I am confident to confirm to Members that a Section 114 Notice is not required as the Council remains in a strong financial position."*

External Assurances

External Audit

The Council's external auditor, Mazars, reported their Audit Completion (Year Ended 31st March 2021) to the Audit, Governance and Standards Committee on 2nd December 2021, 13th January 2022, and 10th March 2022. The meeting on 2nd December 2021 delegated authority for the approval of the finalised Audit Completion Report to the Audit Chair. The report on 10th March 2022 confirmed that all outstanding items had been completed but due to a technical national issue in valuing infrastructure assets, the Completion Report could not be signed off. In addition (at the time of writing) formal sign off has yet to be received and the Value For Money work is in progress.

The latest iteration of the Audit Completion Report (March 2022) confirmed that :-

"We anticipate issuing an unqualified opinion, without modification, on the financial statements."

“On the basis of the work completed to date we do not anticipate having significant weaknesses in arrangements to report in relation to the arrangements that the Council has in place to secure economy, efficiency and effectiveness in its use of resources.”

At the time of drafting the AGS the Council's External Auditors have yet to deliver Their Value for Money Opinion from which external assurances can be drawn. The AGS will be updated before approval by Cabinet in July 2022 as appropriate in due course.

6. Significant Contractual Partnerships Assurances

The Statement on Recommended Practice (SORP) 2006 places an additional responsibility on Councils in that their Annual Governance Statement should embrace controls over significant partnerships.

Assurance on the control environment of the Council's significant partnership bodies has been assessed as follows:-

Cityheart - Galleries Development

The Council has appointed City Heart as its Development Partner for the Regeneration of the former Galleries Shopping complex. The project will be the most significant that the Council has undertaken for many years. Governance arrangements have been established together with a comprehensive Development Agreement.

The Governance arrangements are headed by a Development Agreement Project Board supported by a Wigan/Cityheart Programme Board. Both boards are chaired by the Council's Director Economy and Skills supported by the Assistant Director of Finance and are attended by the Managing Director and a Director from Cityheart. Oversight and Coordination and Operational groups led by appropriate senior Council officers report into the boards.

Wigan Metropolitan Development Company

Wigan Metropolitan Development Company is a wholly owned Council Company and provides a variety of business premises to over 250 businesses throughout the Borough. The Council provides a range of professional support services directly to the Company. The company appoints its own independent auditors who have provided a statement of assurance on the financial position of the company.

Leigh Sports Village

Leigh Sports Village is a mixed Leisure / Retail venue which is managed by Leigh Sports Village Company Limited (a wholly owned Council Company). The Council appoint the Chairman, Company Secretary, and three non-Executive Directors of the company. The Council's Director – Resources and Contracts (Deputy Chief Executive) and Assistant Director (Corporate Property, Assets and Greenspaces) sit on the Board. The company appoints its own independent auditors who have provided a statement of assurance on the financial position of the company.

Wigan Borough Clinical Commissioning Group

Wigan Borough Clinical Commissioning Group (WBCCG). is the statutory body responsible for commissioning local health services in Wigan. Together with Wigan Council, plans for a Single Commissioning Function for health and social care are being progressed.

The Council operates a Section 75 partnership agreement with WBCCG under the National Health Service Act 2006 which allows budgets to be pooled between local health and social care organisations. The pooled budget enables a more integrated approach to investment with the aim to deliver a clinically and financially sustainable health and social care system for the locality. The local Section 75 agreement between the Council and WBCCG includes a risk/gain schedule which is essential to protect both partners from any potential financial risk.

The recently announced Health and Care Bill will replace the 10 local CCGs within Greater Manchester (GM) with 1 GM Integrated Care System (ICS). Currently it is envisaged that this change will take effect from 01/07/2022. To mitigate the risks of the new arrangements, the Council has been represented on a number of GM Groups and both the Integrated Commissioning Committee and Health & Wellbeing Board have confirmed that it is the intention of the locality to ensure that our BCF plans are able to continue to deliver the relatively strong performance delivered by our existing plan. The Council's Chief Executive will be Wigan's place-based lead (the accountable person to GM ICS for health). The Council is reviewing the Section 75 arrangements in order to limit the risk to the Council whilst the new construct is embedded.

The WBCCG publishes its own Annual Governance Statement detailing the processes in place by which it provides assurance to stakeholders and the public. Assurance can be taken from the structure and extent of governance processes outlined within the statement and the positive assurance opinions from the CCG's Internal Auditors and also its Chief Officer.

Agilisys

Agilisys is the Council's Managed IT Service Provider. A letter of assurance has been provided by the Agilisys Partnership Director confirming that Agilisys has:-

- Delivered the services within the specified governance framework.
- Continued to support the Partners in delivering their critical services to residents. All services have been delivered within the agreed governance framework, ensuring that processes and systems have been operated to meet the contractual levels of service.
- Delivered a number of key projects, including the incorporation of IHL sites and XN Leisure system into Wigan Council, the continued rollout of Local Full Fibre Network capability, Internet Connection upgrade, Profile Management, Hybrid Meeting rooms, Room and Desk booking, etc.
- Completed the process of re-accreditation of both the ISO9001 (2015) and ISO27001 (2013) Information Security management quality standards.
- Assisted the Authority to maintain their security posture and to ensure ongoing conformity to security standards such as Public Services Network (PSN) and Cyber Essentials+ and the removal of Skype for Business.

- Provided various layers of protective systems from email-filtering, anti-virus protection, internet filtering and multi-factor authentication. With the modern working patterns enforced upon us by the Pandemic these core services have been instrumental in ensuring ongoing protection despite the shift to working from home.
- Completed a large-scale refresh of the laptop estate (led by projects).
- Protected the ICT environment from multiple attacks from multiple geographies, detecting and quarantining 100's of malware items.
- Introduced new technologies and tooling to manage vulnerabilities.

7. Governance Action Plan

A Governance Action Plan, attached at Appendix 1, provides a summary of improvement actions we will be addressing during 2022/2023. We have made good progress in implementing the agreed actions from 2021/2022 and a status position is included within Appendix C of the Review of Corporate Governance. [Review of Corporate Governance](#) All outstanding issues have been carried forward into the 2022/2023 action plan.

8. Significant Governance Issues

Significant governance issues relate to any matters that may impact on the achievement of organisational objectives or fail to meet the principles of good governance. They include areas of significant interest to external inspectorates and those which may be of public concern.

The Council continues to address the significant governance issue raised previously, relating to overspending on Childrens Social Care. Further details are provided at Appendix 2.

9. COVID-19 Challenges Reflection/Impact

Whilst the coronavirus pandemic is not a specific governance issue the operational and financial impact of the crisis and ongoing remedial actions do need to be reported.

This section considers the continuing impact of COVID 19 on the adequacy of governance arrangements and outlines how the Council continues to maintain essential services and also support residents and businesses during this period (including the facilitation of various resident and business support schemes).

Impact on Normal Service Delivery

During the various lockdowns and restrictions, the Council implemented its Emergency Command and Control arrangements which are still in place to ensure the Council is able to react quickly to the ever-changing situation.

Mobile and flexible working has now become business as usual for many Council staff. This transition was achieved relatively early on during the first lockdown where all staff who could work from home were instructed to do so. A "blended" work approach is now being formalised.

For our customers we have worked hard to ensure they feel comfortable in using the new ways of accessing our services and website. The Council has also ensured that the local residents are regularly updated and kept informed.

Council Activity as Part of the National Response to Covid 19 and Associated Governance Issues

From the beginning of the pandemic the Council adopted a Community Resilience Operating Model which was based on its existing Service Delivery Footprint (SDF) structure to provide community welfare support to shielding and other vulnerable residents.

Maintaining front line services, providing COVID 19 regulatory advice and appropriate enforcement activity, facilitation contact tracing together with providing testing and vaccination sites has been a focus for the Council whilst redeploying a significant number of staff to testing and vaccination support.

The Funding and Operational Consequences of Delivering the Council Response

The COVID 19 pandemic has had a significant impact on Council finances, the effects of which are expected to continue through the recovery phase. The financial impact will be due to both unforeseen but necessary, expenditure and significantly reduced income from fees and charges, Council Tax and Business Rates.

The emergency measures that have been taken has allowed the Council to support its residents and businesses throughout these difficult times and to date over £125m has been discharged in financial support to both residents and businesses.

In addition to those schemes specific to business support, there have also been numerous grants paid to the Council to ensure the residents of the borough have been able to access essential financial and other support when it has been needed the most. The schemes are numerous and cover a wide range of support mechanisms.

To offset the additional financial pressures being faced by Local Government, the Government has provided financial support to the Council towards the cost of its responsive services. Additional grant funding was provided in tranches during 2020/21 and this has continued into 2021/22, to allow support to be provided to residents, Service Users and taxpayers.

It is unclear at this stage whether this funding will be sufficient to offset all of the financial pressures the Council will face.

Assessment of the Longer-Term Disruption/Consequences Arising from COVID 19

Although the financial position remains difficult the Council is still in a strong position to be able to manage the impact of the pandemic on its finances. We have now set a budget for the 2022/23 financial year which will continue to keep the Council on a sound financial footing. As the impact of the pandemic on our finances for 2022/23 is not yet known, the assumptions underlying later years in the MTFs will almost certainly need to change, making the "funding gap" for 2022/23 and beyond larger.

Positive Outcomes for the Council

The Council's response to COVID 19 has demonstrated a range of positive outcomes for the Council, viz.:-

- It has been another unprecedented year and yet the Council has managed to not only maintain services but has also continued to react positively and creatively in this difficult time to support its business community and its residents like never before.
- We have demonstrated the ability to respond, adapt, prioritise, manage, and change at pace when needed, something that can be utilised in the future to adapt and deliver change across the Council and its communities.
- The Council's staff have shown the ability to rapidly change mind-set and culture, thereby demonstrating we can deliver services successfully through a virtual front-door and work both flexibly and remotely.
- Management have developed remote communication and support methodologies that have been generally welcomed by staff.
- The pandemic has highlighted the current position regarding the resilience and integrity of our ICT infrastructure, whilst also demonstrating areas to enhance in order to optimise the proposed blended approach to work.

When the crisis concludes, the Council will conduct a review of the lessons to be learned from its overall response.

10. Conclusion

The Council's governance and risk management arrangements enable it to deal openly and effectively with situations such as those highlighted above. The nature of the organisation means that there will always be difficult situations to deal with, but its internal control mechanisms ensure that actions are taken appropriately and promptly, and it is openly accountable for those actions. This is a major strength of the Council and a significant factor in its continued external assessment categorisation.

11. Opinion

After conducting a review of the governance arrangements across the Council and overall compliance with the Council's Local Code of Corporate Governance we are satisfied that Wigan Council's internal control and corporate governance arrangements are adequate and are operating effectively. We are satisfied that the enhancements identified will further improve our governance and internal control arrangements. We will assess their implementation and the effectiveness of dealing with the issues outlined as part of the formal risk management process.

Governance Action Plan 2022/2023**Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law**

Area of Consideration	Action	Owner	Deadline	Priority
My Time/My Time Extra	Further work has been developed on the proposed refresh of the My Time/My Time Extra process and this is being aligned to the new “Big Conversation” to bring to life the Team Wigan Deal. The refreshed approach is due to launch in Summer/Autumn this year. The slight delay is to do some further engagement with staff on the back of the learning generated from working during the pandemic which will ensure the future approach is fit for purpose.	Assistant Director HR and OD	September 2022	Medium
Members Register of Interests	In order to ensure that Members Registers of Interests are kept up to date, they will be refreshed after the elections and if no changes are received, the existing interests recorded will be republished as current	Democratic Services Manager	June 2022	Low
Staff Survey	HR are working with SMT to move away from an annual survey to more regular pulse surveys throughout the year as part of a broader piece of work on engagement, feedback culture. The plan is for the first pulse survey to launch by September as part of the “Big Conversation” for staff.	Assistant Director HR and OD	September 2022	Medium
Customer Complaints	Members Enquires went live on JADU (the new Customer Experience Management system) as planned in June 2021 and this has provided a good insight into how the system works and will help move Complaints onto the platform as planned. Two workshops were held with the Digital Services Team in May and from these, a project plan will be formulated with timescales and any interdependencies	Director Customer and Culture	March 2022	Medium
Annual Complaints Report	For both Children’s and Adults, annual complaints reports are currently being prepared covering 2019/20, 2020/21 and 21/22. These will be presented to the relevant Scrutiny Committee early in the municipal year.	Relevant Directors	August 2022	High

Area of Consideration	Action	Owner	Deadline	Priority
Dignity at Work Policy	The Dignity at Work Policy is now being reviewed as part of a wider piece of work due to a new and bigger focus on inclusion across the workforce.	Assistant Director HR and OD	March 2023	Medium
Procurement Strategy	The Procurement Strategy has not progressed as it is still not known what the landscape is going to look like going forward. However, the Procurement Bill has now been introduced into Parliament with an expected implementation date of 2023 so the Strategy will be updated in line with this.	Strategic Contracts and Procurement Manager	March 2023	Medium
Recruitment Vision and Process	There will be a new vision for what the Council want to achieve in terms of recruitment in the future and a process designed to support this. Visioning sessions to start to shape this are due to take place shortly. The new vision is expected to be co-designed by the end of summer 2022.	Assistant Director HR and OD	September 2022	High
Social Value Policy	Work is ongoing on the Social Value approach and initiatives with GMCA, which will include review of our Social Value Policy.	Assistant Director Legal	December 2022	Medium
Financial Procedure Rules/Contract Procedure Rules	The working group reviewing the Financial Procedure Rules/Contract Procedure Rules is currently on hold and the individual group members have been invited to make recommendations for required updates. The FPR/CPR will also be subject to review through the newly established officer Constitution working group.	Deputy Chief Executive-Director of Resources and Contracts	December 2022	Medium

Ensuring openness and comprehensive stakeholder engagement

Area of Consideration	Action	Owner	Deadline	Priority
Freedom of Information Act publication scheme	The review of the Freedom of Information Act publication scheme has been incorporated into a broader review of the FOI webpages and will be published shortly.	Assistant Director-Legal	July 2022	Low

Area of Consideration	Action	Owner	Deadline	Priority
Publication of Local Government Transparency Code data	Work is ongoing with the Joint Intelligence Unit and Internal Audit to improve accountability and the timeliness of publication for the Transparency Code data. This will also include agreement of how long the data is retained on the open data page.	Director Strategy, Innovation & HWP	September 2022	High
The Deal Webpages	The Programme Office are currently completing a review of the internal and external facing web pages to ensure there is consistency across The Deal information. They will be liaising with services to ensure the information is still relevant and up-to-date and aim to have the work completed by the end of Q1 2022/2023.	Director Strategy, Innovation & HWP	July 2022	Low
Governance Framework for Significant Partnerships	The Governance Framework for Significant Partnerships has been refreshed and a report on the Deal 2030 Partnership Governance will be presented to Audit, Governance and Standards Committee in July.	Director Strategy, Innovation & HWP	July 2022	Medium
Service Delivery Footprint Profiles	The SDF Profiles, which will replace the State of the Borough Report, have been refreshed and will be published on the council webpages in the next few weeks.	Director Strategy, Innovation & HWP	July 2022	Medium
Public Sector Equality Duty Report	The 2021 Public Sector Equality Duty Report was presented to SMT in March 2022 and will be taken to Cabinet for approval in June, prior to publication.	Director Strategy, Innovation & HWP	July 2022	Medium
Equality Strategy	The development process for the Equality Strategy is to be presented to SMT in May 2022. Subject to approval, this will then be a wide engagement piece, codeveloped by the Equality, Diversity and Inclusion Steering Group.	Director Strategy, Innovation & HWP	December 2022	Medium

Defining outcomes in terms of sustainable economic, social, and environmental benefits

Area of Consideraton	Action	Owner	Deadline	Priority
Transformation Reporting	The transformation reporting is being restarted for Q1 2022/23 and will be aligned in terms of both timing and corporate priorities with the performance reporting by the JIU. The template for reporting is being updated so it reflects our recovery priorities and Deal 2030. The reports will initially go to SMT.	Director Strategy, Innovation & HWP	September 2022	High
Performance Reports to Scrutiny Committee	A new approach for the future performance reporting to Scrutiny Committees was approved by SMT on 19 th April and will now be implemented to ensure a robust process is in place for members to scrutinise and challenge performance.	Director Strategy, Innovation & HWP	September 2022	High
Strategic Risk Register	The Strategic Risk Register will return to being reported twice yearly to Audit, Governance and Standards Committee, now that the COVID 19 Risk Register is no longer reported.	Chief Internal Auditor	September 2022	Low
Directorate Registers	Risk The Directorate Risk Registers for Resources and Contracts, Adult Social Care and Health and Children's Services are currently being updated.	Relevant Director	December 2022	Medium

Developing the entity's capacity, including the capability of its leadership and the individuals within it

Area of Consideration	Action	Owner	Deadline	Priority
Talent/Succession Planning	Further work to scope and begin to pilot the Council's talent development approach is due to begin shortly. A pilot Talk Talent session is due to run in Children's services in Summer 2022. The team are also working with the Joint Intelligence Unit to review workforce data dashboards which should support talent and succession planning by providing greater intelligence about current and future workforce needs and any associated gaps.	Assistant Director HR and OD	September 2022	Medium
Members My Time	The Members My Time process will be revised in line with the employee process and My Times' will be carried out in 2022/2023.	Democratic Services Manager	March 2023	Medium

Managing risks and performance through robust internal control and strong public financial management

Area of Consideration	Action	Owner	Deadline	Priority
Annual Report of Scrutiny Committees	There will be a double report (20/21 and 21/22) presented to Council in July.	Democratic Services Manager	July 2022	Medium
Corporate Business Continuity arrangements	The new Critical Incident Management system is being incorporated into the Adults Directorate digital review. Responsibility for the oversight of BCM will be discussed with SMT and the corporate policy updated accordingly.	Director of Public Health	March 2023	Medium

Area of Consideration	Action	Owner	Deadline	Priority
Information Governance Framework	The Information Governance Framework will be reviewed by July 2022 in the first tranche of policy documents to be reviewed by the Information Governance Policy Officer in accordance with a policy schedule which has been agreed by the Information Governance Operational Group.	Assistant Director-Legal	July 2022	Medium
Data Handling and Transfer policy	The Data Handling and Transfer policy will be reviewed as part of the above Policy review.	Assistant Director-Legal	July 2022	Medium
Data Retention	As part of the Record of Processing Activities (RoPA) project, led by the Information Governance Policy officer, a new template retention schedule has been produced for the whole Council. The RoPA project (a 12-18 month project) will ensure that the proposed retention schedule is appropriate for the various services. This will also tie into a review of the Records Management Policy which will be in the second tranche of policy reviews.	Assistant Director-Legal	March 2023	High
Email Management	The email management policy has been reviewed and updated. However the deletion process has not yet been implemented, pending work by IT and Agilisys to exempt Councillors from the process.	Assistant Director-Legal	September 2022	Medium
Data Strategy	The data strategy is completed and has been shared with directorates. The next step is to take it to the Data and Digital Strategy Steering group and SMT for sign off, and then it will be published on the website. Implementation of the strategy is underway in the form of working groups that are delivering on different elements of the strategy.	Director Strategy, Innovation & HWP	July 2022	Medium

Principal G Implementing good practices in transparency, reporting, and audit to deliver effective accountability

Area of Consideration	Action	Owner	Deadline	Priority
Value for Money (VFM) Framework	Internal Audit will facilitate the development of the VFM framework/Statement to clearly evidence how the Council actions, delivers and improves VFM. This will dovetail into the 2023/2024 budget setting process.	Assistant Director Finance	September 2022	Medium

Significant Governance Issues

Childrens Services (Social Care)

During 2020/2021 the Chief Finance Officer (Deputy Chief Executive) established a Budget Management Board that he chairs supported by other senior Finance officers. Its purpose is to review key budget areas to ensure that planned savings are delivered and to also critically review service areas that run at a loss and to oversee the development of savings plans to form part of subsequent years budgets. One of the key themes of this Board is to ensure appropriate actions are taken to deliver the required budget savings and in particular those within Childrens Services. To deliver this process the Deputy Chief Executive and the Assistant Director Finance are also members of the Childrens Services Business Delivery Board.

On 2nd March 2022 the annual; “budget setting/financial efficiencies delivery” report to Council provided an updated position in respect of this key risk area, viz.:-

“The major risk area for the Council’s revenue budget remains within Children’s Social Care and Provider Services. The most significant budget pressure relates to our Looked after Children – in particular, residential placements and independent foster carer costs. This additional cost pressure is being driven by the continued increase in demand for placements alongside additional resource requests to meet complexity of need. This has resulted in a significant increase in the number of placements with external residential placements and Independent Fostering Agency placements. Whilst this rate of increase has slowed down over recent months it does still represent a significant financial risk to the Council.”

The above risks are managed by the Deputy Chief Executive and the Assistant Director Finance (supported by Strategic Finance Mangers) and the Director of Childrens Services through the Childrens Services Business Delivery Board.

OFSTED Childrens Services

Following their inspection of the Children’s Service’s Front Door in 2019 and 2020, Ofsted reported that the required improvements were not being made as quickly as expected. In response, significant changes were made to the Directorate’s senior leadership team.

Ofsted completed a follow up Assurance Visit in November 2020 which reported that a number of issues were outstanding but that some progress had been made which was starting to have an impact on the quality of work. Additionally, no new areas for development were recommended that had not already been identified by the Service.

Building on the progress acknowledged by Ofsted, the Children’s Social Care Quality and Performance Plan was strengthened and steps taken to implement the necessary improvement actions.

In April 2022 the Council’s Childrens homes were all inspected (October 2021-March 2022) with an overall rating for each Home as good.

Position 2022/23

A full Local Authority Childrens Services Inspection was carried out in May 2022 with the final report issued in July 2022. The report concluded that the service requires improvement to be good. However, the report also stated *“Senior leaders now have a more accurate self-assessment of the improvement work required, and have been proactive in responding to those issues that were only identified during the inspection, such as improving the recording of management oversight at the front door. There is now a much clearer focus on delivering long term sustainable change alongside their improvement partners”*

The Ofsted report and accompanying action plan was presented to Children and Young People Scrutiny Committee on 30th August 2022. Following Ofsted’s visit, the Improvement Plan has been refreshed to update the specific recommendations from the report, though much of this work was already planned or underway. The August report showed that there had already been progress made to some of the recommendations in the report since May 2022.

In November 2022, the Achieving Excellence in Children’s Social Care Board was established which replaces The Wigan Deal Board for Children and Young People. The Improvement Plan is governed through this monthly Board. A further progress report was presented to Children and Young People Scrutiny Committee on 7th February 2023 and progress continues to be made with the improvement actions.

Data Loss Major Incident Update

In late January 2020 a system failure in respect of the Northgate Revenues and Benefits system resulted in some loss of data due to an incorrect configuration of a backup policy. The data records represented important sources of evidence for Council Tax, Business Rates and Housing Benefit and the impact of their loss on our ability to evidence processing decisions could have put at risk the Council’s reputation and its finances.

Full technical and non-technical reports about the incident were concluded by ICT and an action plan completed of measures required to prevent future recurrence. These measures have now been fulfilled.

The reporting of this issue within the AGS is now concluded.

Significant Governance Issues - Addendum

Due to the delay in the completion of the Council’s statutory audits in respect of 2020/21 and 2021/22, the following additional significant governance issue, identified in 2022/23 but also pertinent to 2021/22, needs to be disclosed.

Wigan and Leigh Building Services Function

Following an audit of the Council’s building repairs service (WLBS), which examined the operation of the ‘Framework Agreement for Building and Associated Works 2021- 2025’ and also compliance with the Construction (Design and Maintenance) Regulations 2015 (CDM Regulations), Internal Audit concluded that they could not gain any assurance from the review. The review also reported that the Housing Revenue Account (HRA) had been overcharged for housing repairs work undertaken under the framework and that this represented a potential breach of the HRA ringfence.

A breach of the HRA ringfence was confirmed by Kings Counsel and was reported by the S151 Officer to the external auditors. As this amounted to a movement of internal accounting entries, there was no financial loss to the Council. As part of the 2022/23 budget setting process, a transfer was made from the General Fund to the HRA to correct the errors. As the external auditors are satisfied that the breach has been rectified, the Monitoring Officer has determined that the action taken is sufficient.

Position May 2024

A report from the Director of Environment and Director of Place was presented to the Audit, Governance & Standards Committee in March 2024 to provide an update on actions being taken to address the Internal Audit report. This concluded that WLBS are now fully compliant with CDM requirements, and an improved service is being provided to tenants.

Due to the delay in the completion of the Council's statutory audits in respect of 2021/22, the following additional significant governance issue, identified in 2023/24 but also pertinent to 2021/22, needs to be disclosed.

Housing Rent Standard

In March 2024, the Council became aware of a breach of the Rent Standard and reported this to the Regulator of Social Housing.

The breach is due to the Council having incorrectly charged 61 of its properties as affordable rent rather than social rent. Affordable rent tenancies were introduced in 2010 for rented homes funded through the former Homes and Communities Agency (HCA) Affordable Homes Programme 2011-15. Under these schemes the Council was required to convert 323 properties to affordable rent. However, over the period 2019 – 2022, the Council continued to convert properties to affordable rent after the 323 property conversions had been met.

The Rent Standard has also been breached by the practice of not revaluing affordable rent properties when they were relet. Under the Rent Standard, when reletting an affordable rent property, the rent should be compared to the market rent for a similar property and charged at no more than 80% of that figure. There should have been no detriment to tenants from this breach.

The following action is being taken to address this issue and ensure it doesn't happen again.

- A new Rent Policy and Rent Model has been introduced to reflect the Rent Standard and other requirements for how housing rent is calculated and charged.
- A comprehensive forensic audit of individual rent accounts and service charges is being undertaken and any rent errors are being corrected.
- A process for undertaking periodic checks to validate rent charges against the Rent Policy has been established.
- The 61 properties incorrectly charged have had their rent charges amended on the system and have been advised of their new (correct) charges for 2024/25.

- Refunds are being calculated and interest of 8% less a deduction for tax will be applied to the refunds and customers will be advised of how to request a tax refund from HMRC if they are exempt.
- The DWP has been contacted to agree the process for the repayment of any overpaid Universal Credit and account for any overpayment of housing benefit.

Other Issues

A range of issues, involving the Council, has attracted press and public interest during the financial year. Many of these issues have been recognised as significant risks to the Council and are and will be included in the Strategic Risk Register which outlines the mitigating actions along with providing a high level mechanism to monitor the effectiveness of the actions being taken. The subject area of the issues is detailed below, viz.:-

Financial and Service Delivery Issues

The Council's financial position and performance and subsequent impact of this on services has been discussed in both the local press and on social media. A lot of this content has praised the Council's progress to date and its ability to make budget reductions while improving services for residents. There were however a few items which were negative about the impact of the government's cuts on Council services.

The Council's consistent response to these issues is that formal Impact Assessments are performed to analyse the impact of proposed service reductions and other decisions may have on its residents and in particular the more vulnerable members of the community. It has prepared promptly for the financial downturn and addressed all issues in a structured way with the ongoing intention of safeguarding the front-line services it provides to residents and minimising compulsory job losses. This action as part of the Council's financial planning and management processes has been consistently endorsed by the Council's External Auditor.

Conclusion

The Council's governance and risk management arrangements enable it to deal openly and effectively with situations such as those highlighted above. The nature of the organisation means that there will always be difficult situations to deal with, but its internal control mechanisms ensure that actions are taken appropriately and promptly, and it is openly accountable for those actions. This is a major strength of the Council and a significant factor in its continued external assessment categorisation.