

Meeting of:	Cabinet		
Date of Meeting:	Thursday, 07 July 2022		
Relevant Scrutiny Committee:	All Scrutiny Committees		
Report Title:	Vale of Glamorgan Council: Annual Performance Calendar 2022/23		
Purpose of Report:	To present the Vale of Glamorgan Annual Performance Calendar for 2022/23, which outlines the key plans/reports that will be subject to consideration by Members throughout the year. The report also outlines how the Council will involve Members in shaping the approach, key plans and reports aligned to the performance management framework annual calendar to enable the Council to meet the new performance requirements (Part 6 section 89-93) of the Local Government & Elections (Wales) Act 2021 (LG&E) and contribute to the national goals of the Well-being of Future Generations (Wales) Act 2015 (WBFG).		
Report Owner:	Executive Leader and Cabinet Member for Performance & Resources		
Responsible Officer:	Tom Bowring, Director of Corporate Resources		
Elected Member and Officer Consultation:	Elected Members play a key role in enabling the Council to assess whether it is achieving its Well-being Objectives, delivering value for money and enhancing citizen well-being. In recognition of the importance of this role, the report outlines how we will involve Members in shaping our performance management framework's annual calendar of activities. Following Cabinet's consideration, this report will be considered by all elected Members via Scrutiny Committees and Governance & Audit Committee and Cabinet with their views informing changes that will seek to further enhance the existing corporate approach and arrangements.		
Policy Framework:	This is a matter for Executive decision by Cabinet.		

Agenda Item: 6



Executive Summary:

- The report presents the Vale of Glamorgan Annual Performance Calendar for 2022/23 which outlines the key plans and reports that will be subject to consideration by Members throughout the year. The report also outlines how we propose to engage with the new cohort of elected Members in shaping the processes, key plans and reports aligned to the Annual Performance Calendar to enable us to meet the new performance requirements of the Local Government & Elections (Wales) Act 2021 (LG&E) and contribute to the national goals of the Well-being of Future Generations (Wales) Act 2015 (WBFG).
- The timeline for producing the Council's first self-assessment report under the new performance provisions of the LG&E Act aligns with our existing performance management arrangements and will enable us to bring together key performance and governance related insights throughout the year into a summary judgement on how well we are meeting the performance requirements. This report will be published in November 2022 with copies provided to the Auditor General for Wales, Her Majesty's Chief Inspector of Education and Training in Wales ('Estyn') and Welsh Government Ministers in line with the statutory guidance.
- Appendix A proposes an approach to engaging with Members on the Council's Performance Management Framework through the Annual Performance Calendar of activities in order to develop their skills and knowledge and strengthen their involvement in shaping and refining the key plans, reports and processes that will support them in their key role of assessing whether the Council is achieving its Well-being Objectives, delivering value for money and improving the well-being of its citizens. The outputs of the engagement work will also be used by officers to shape the development including format, content and presentation of Council plans, reports and data insights to better support Members in their roles. This has been informed by feedback previously received from elected Members, notably around the production and scrutiny of service plans.
- Cabinet Members are asked to consider and endorse the Annual Performance Calendar for 2022/23 and the proposed approach to engaging with Members in-year to shape and refine the Performance Calendar as proposed in **Appendix A** and refer the report to all Scrutiny Committees and the Governance & Audit Committee with any views being referred back to Cabinet via recommendation. Should Scrutiny Committee make no further comments, Cabinet would consider the Annual Performance Calendar for 2022/23 as agreed.

Recommendations

- 1. That Cabinet consider and endorse the Vale of Glamorgan Annual Performance Calendar 2022/23 and the proposed approach to engaging with Members in-year to shape and refine the Annual Performance Calendar and associated processes, plans and reports to enable us to meet the new performance requirements.
- 2. That Cabinet refers the report to all Scrutiny Committees and the Governance and Audit Committee for their consideration, with any views being referred back to Cabinet. Should Scrutiny Committee make no further comments, Cabinet would consider the Annual Performance Calendar for 2022/23 as agreed.

Reasons for Recommendations

- 1. To ensure the Council fully discharges its duties under both the Well-being of Future Generations (Wales) Act 2015 (WBFG) and the Local Government & Elections (Wales) Act 2021 (LG&E Act) to publish annual well-being objectives, keep performance under review and consult and report on our performance through an annual self-assessment relating to the previous financial year.
- 2. To ensure all Scrutiny Committees and the Governance and Audit Committee (section 114 of the Local Government & Elections (Wales) Act 2021) have oversight of the Annual Performance Calendar and their views inform the Council's approach to meeting the new performance requirements.

1. Background

- 1.1 The LG&E Act which came into effect from 1st April, 2021, places new duties on all Welsh Local Authorities. The new performance and governance provisions in the LG&E Act are framed within the wider sustainable development duties of the WBFG Act and align to the Socio-economic Duty (which came into effect on 31st March, 2021) and our audit, regulatory and partnership arrangements.
- 1.2 The new performance framework requires the Council to keep performance under review, consult and report on our performance through self-assessment, and arrange and respond to a panel performance assessment once in every electoral cycle. These duties have informed the development of our Annual Delivery Plan for 2022/23 and the development of new performance management arrangements, with work ongoing to embed them.
- 1.3 The recent local authority elections in May 2022, the first under the LG&E Act, presents us with an opportunity to engage with a new cohort of elected Members to shape the Council's Annual Performance Calendar, particularly in developing the format, content and presentation of key plans, performance reports and the annual self-assessment of performance to enable effective challenge and oversight in line with their roles and responsibilities.
- **1.4** This approach will help to further strengthen existing performance arrangements to enable us to meet the new performance requirements.

2. Key Issues for Consideration

The Local Government & Elections (Wales) Act 2021: Part 6 Performance and Governance of Principal Council provisions

2.1 Part 6 of the L G & E Act places duties on Principal Councils as described below:

Duty to keep performance under review (section 89)

2.2 Requires a Council to keep under review the extent to which it is fulfilling the 'performance requirements' that is, the extent to which it is exercising its functions effectively, using its resources economically, efficiently and effectively; and has effective governance in place for securing the above.

Duty to consult on performance (section 90)

2.3 A Council must consult a range of people at least once in each financial year about the extent to which the Council is meeting the performance requirements. The statutory consultees are local people; other persons carrying on a business in the Council's area; the staff of the Council; and every trade union recognised by the Council.

Duty to report on performance (section 91)

A Council must produce and publish a self-assessment report in respect of each financial year. The report must set out its conclusions on the extent to which it met the performance requirements during that year, and any actions it intends to take, or has already taken, to increase the extent to which it is meeting the performance requirements. Councils are required to share a draft of the report with the newly-named Governance and Audit Committee. The Governance and Audit Committee in reviewing the draft report may recommend changes to it. Where a council decides against making changes as recommended, it must give reasons for its decision in the report. The Council must publish and send the report to the Auditor General for Wales, to Her Majesty's Chief Inspector of Education and Training in Wales ('Estyn') and Welsh Government Ministers.

Duty to arrange a panel assessment of performance (section 92)

2.5 A Council must arrange for a panel to undertake an assessment, at least once during the period between two consecutive ordinary elections of Councillors to the Council, of the extent to which the Council is meeting its performance requirements. The provision to establish a panel process provides an opportunity to seek external insights (other than from auditors, regulators or inspectors) on how the Council is meeting the performance requirements. The only requirement on timing is that arrangements must enable the Council to publish a panel performance assessment report at least six months before the date of the next ordinary election. The panel assessment will consult with the same list of consultees specified in section 89 and will report its conclusions, sending a copy to the Council, Auditor general for Wales, Estyn and Welsh Government Ministers.

Duty to respond to a panel performance assessment report (section 93)

2.6 A Council must prepare a response to each panel performance assessment report, setting out the extent to which it accepts the conclusions in the report, the extent to which it intends to follow any recommendation in the report, and

- any actions the Council intends to take to increase the extent to which it is meeting the performance requirements. The report must be shared with the Members of the panel, Governance & Audit Committee, Auditor General for Wales, Estyn and Welsh government Ministers and published at least four months before the next election of Councillors to the Council is due to take place.
- 2.7 The LG&E Act also describes the duties and responsibilities of the Auditor General for Wales powers to conduct a special inspection (and the responses of principal councils and Welsh Government Ministers) and the powers for intervention by Welsh Ministers where Ministers consider that it is likely that the Council is not, meeting the performance requirements (section 94). The purpose of a special inspection is to support a Council in meeting, or increasing the extent to which it is meeting, the performance requirements.
- 2.8 These new performance duties informed the development of our Annual Delivery Plan for 2021/22 published in April 2021 and will inform our self-assessment of performance for that period to be published in November 2022. It has also informed the development and embedding of new performance management arrangements, which seek to further enhance our approach to self-reflection, and taking action to improve.

Indicative timetable for producing and reporting the Vale of Glamorgan Annual Self - Assessment

- 2.9 The timeline for producing the Council's first self-assessment report under the new performance provisions of the LG&E Act aligns with our existing performance management arrangements and will enable us to bring together key performance and governance related insights throughout the year into a summary judgement on how well we are meeting the performance requirements. The self-assessment findings will be published in November 2022 with copies provided to the Auditor General for Wales, Her Majesty's Chief Inspector of Education and Training in Wales ('Estyn') and Welsh Government Ministers in line with the statutory guidance.
- **2.10** Outlined below is an indicative timetable for producing and publishing the Council's Self-Assessment Report in 2022.

Month/Year	FOR PRODUCING AND REPORTING THE ANNUAL SELF-ASSESSMENT FOR THE PERIOD 2021/22 Related tasks		
	Related tasks		
January 2022			
February			
March	End of year performance data collection and audit for the 2021/22 period.		
April			
May	Self-Assessment preparatory work, including development of approach, format, content and presentation.		
June	Directorate Self-Assessments produced followed by internal peer challenge of the findings.		
Luke	Self-Assessment Report drafted by the Corporate Performance Team and Strategic Leadership Team.		
July	Consideration by Cabinet of the draft Annual Self-Assessment Report and referral to all Scrutiny Committees and Governance & Audit Committee for consideration (after the summer recess).		
August	Public and staff consultation processes undertaken on how we have performed in delivering our Annual Delivery Plan priorities from 2021/22. This would also seek the views of the Council's Partners, business community and Trade Unions.		
Ü	Consideration of consultation findings and changes to the Annual Self-Assessment report by the Strategic Leadership Team.		
September	Consideration of Cabinet's reference of the draft Annual Self-Assessment Report by Scrutiny Committees and Governance & Audit Committee. Consideration by Business Cabinet of Scrutiny Committee views, findings of the consultation		
	exercise and changes to the draft Annual Self-Assessment Report.		
October	Final draft Self-Assessment Report presented to Cabinet and the Governance & Audit Committee for approval.		
	Annual Self-Assessment Report considered by Full Council, including agreement of any		
	recommendations made by the Governance & Audit Committee and actions to be taken in response.		
	Formal publication of Self-Assessment Report with copies sent to Audit Wales, Estyn and Welsh		
November	Government.		
	Findings of the Self-Assessment Report inform development of the 2023/24 Annual Delivery Plan priorities and Service Plans for the same period.		
	Cabinet approves draft Annual Delivery Plan 2023/24 for consultation (6 weeks).		
December			
January 2023			
February	Post-consultation Annual Delivery Plan considered by Business Cabinet.		
,	Annual Delivery Plan considered by Corporate Performance & Resources Scrutiny Committee,		
March	Governance & Audit Committee, Cabinet and Full Council.		
	Publication of the Annual Delivery Plan 2023/24 and Service Plans for the same period.		

2.11 The Annual Performance Calendar at **Appendix A** outlines how elected Members will be involved in the self-assessment process and also proposes additional opportunities to engage with Members in shaping the approach, format, content and presentation of the self-assessment report including the following:

The Annual Performance Calendar 2022/23

- Directorate level self-assessment findings will be subject to internal peer 'critical friend' challenge in June 2022, involving relevant Cabinet Members and Scrutiny Committee Chairs (in line with respective portfolios and Scrutiny Committee remits).
- All Scrutiny Committees and the Governance & Audit Committee will be consulted on the draft self-assessment findings in September as part of a comprehensive engagement programme to inform the final report.
- Cabinet and Governance and Audit Committee Members will consider a post consultation self-assessment report with further consideration by Full Council to endorse the final report for publication.
- Member workshops (involving the reinstated Member Working Group and all elected Members) will be undertaken in July 2022 to help shape the Council's selfassessment process including the format, content and presentation of the selfassessment findings. This will also be used to identify future opportunities for Members involvement in the self-assessment process.
- 2.12 The Vale of Glamorgan Council has a strong performance culture and is well placed to respond to the new performance duties within our current performance processes. In developing our performance arrangements for 2022/23, we have considered the requirements of the Act and have taken action to strengthen our existing performance management arrangements. This has included increasing opportunities for performance challenge internally and externally as well as developing our internal 'insight' which, draws together performance, data and customer perception information (annual consultation calendar) throughout the year alongside governance related insights (internal and external audit work programme) to inform decisions. Taking this approach will enable us to demonstrate a robust evidence base for the annual self-assessment conclusions whilst driving continuous improvement through our enhanced performance management arrangements. Consequently, the Annual Performance Calendar will be a means of meeting the new performance duties.
- 2.13 The Council's Annual Performance Calendar for 2022/23 (Appendix A) outlines the timeframes for producing key plans and reports that Members can expect to consider in-year. It also shows how everything links together, that is, quarterly performance and risk review and reporting, the annual Self-Assessment process and reporting, the Annual Delivery Plan, Service Plans and improvement targets, all which will enable us to bring together related insights throughout the year into a summary judgement about how well we are meeting our Well-being Objectives and the performance requirements overall.
- **2.14** Elected Members play a key role in assessing whether the Council is achieving its Well-being Objectives, delivering value for money and improving the well-being of Vale of Glamorgan citizens. In recognition of the importance of this role, we have always engaged with Members in refining our performance management approach and in tailoring the performance information and other data insights

- we provide to support their 'critical friend' challenge role in relation to Council performance.
- 2.15 For a number of years, a Member Working Group comprising Scrutiny Committee Chairs and Vice Chairs, Group Leaders and key officers have played a key role in developing and strengthening the Council's Performance Management Framework and associated annual calendar of activities. It is proposed that this group is reinstated to continue this work. In addition, more opportunities to get involved in this work will be extended to all elected Members in order to ensure their views inform improvements in our performance arrangements and effectively support them in undertaking their roles.
- 2.16 This year, the new performance requirements and a new cohort of Members presents us with an opportunity to review existing performance arrangements within the Council's Annual Performance Calendar with a view to further strengthening how they work together to support effective challenge and continuous improvement. In line with this approach, a series of Member workshops are proposed throughout the year (Annual Performance Calendar, Appendix A) to complement a comprehensive Member Development Programme. Invites will be extended all elected Members so as to be as inclusive as possible as well the Member Working Group who will lead on this work. These sessions will cover all the key plans and reports aligned to the Council's Annual Performance Calendar. Research has recently been undertaken looking at elected Member involvement in performance management activities across Welsh, English and Scottish local authorities and the findings will be used to inform this work. The outputs of the workshops will be used to shape and strengthen Member involvement in the Annual Performance Calendar and will also be used by Council Officers to shape the approaches taken in developing key Council plans, reports and data insights, including their format, content and presentation to better support Members in their roles.
- 2.17 This work will form part of an annual rolling programme of collaborative work with Members to further strengthen our approach to meeting the performance requirements, informed by regular and ongoing internal self-reflection as described above and through learning from external audit findings, identified best practice and from public sector colleagues across Wales.
- 2.18 Cabinet Members are asked to consider and endorse the Annual Performance Calendar for 2022/23 and the proposed approach to engaging with Members in-year to shape the Performance Calendar as proposed in **Appendix A** and refer the report to all Scrutiny Committees and the Governance & Audit Committee with any views being referred back to Cabinet via recommendation, as required.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

3.1 Performance Management is an intrinsic part of corporate governance and integrated business planning which underpins the delivery of the Council's Wellbeing Objectives and associated commitments in its Corporate and Annual Delivery Plan. The Council's Annual Performance Calendar is our key means of

- demonstrating how we are meeting the new performance requirements whilst contributing to the national well-being goals.
- 3.2 The Council's key plans and performance reports associated with the delivery of our Well-being Objectives have been structured around the WBFG Act's sustainable development principle to enable us to better evidence our contribution to the Goals.
- 3.3 The five ways of working are a key consideration in our corporate Performance Management Framework ensuring that we continue to focus on working differently and in an inclusive way to challenge why, what and how we respond to our key performance challenges.

4. Climate Change and Nature Implications

- 4.1 There are no direct climate change and nature related implications associated with this report. The Corporate Plan and Annual Delivery Plan incorporate our key commitments which aim to have a positive impact on climate change and nature overall. However, failure to deliver on these commitments could impact negatively on achievement of our Well-being Objectives and in turn our contribution to the national goals and on any external regulatory assessments of the Council.
- 4.2 The climate change and nature implications related to the Council's activities are outlined in Project Zero (our Climate Change/carbon reduction programme) and identifies the mitigating actions we intend to take to minimise the adverse consequences of our activities. It also includes key measures and targets that are monitored and regularly reported to all stakeholders to enable us to demonstrate and track progress towards achieving our key climate change and nature related commitments enroute to achieving net zero carbon status by 2030.

5. Resources and Legal Considerations

Financial

5.1 There are no additional budgetary implications arising from this report, as proposed Member engagement work on the Annual Performance Calendar will be supported by colleagues from the Policy and Business Transformation Service.

Employment

5.2 There are no direct workforce related implications associated with this report as proposed Member engagement work on the Annual Performance Calendar will be supported by colleagues from the Policy and Business Transformation Service.

Legal (Including Equalities)

5.3 The Council's Annual Performance Calendar is the key means by which we will demonstrate how we are meeting the new performance requirements and contributing to the national well-being goals of the WBFG and the LG & EAct .

5.4 Failure to meet the performance requirements will have a negative impact on any future external regulatory assessments and could result in a special inspection by the Auditor General for Wales if deemed that the Council is not meeting the performance requirements.

6. Background Papers

Cabinet Report: <u>Vale of Glamorgan Annual Report 2020/21</u> (including summary of the <u>Part 6 performance provisions and an indicative timetable for producing and publishing</u> the Annual Self-Assessment in 2022).

Cabinet Report: <u>Statutory Guidance: Part 6, Chapter 1, Local Government and Elections</u> (Wales) Act 2021

Annual Performance Calendar Plans/Report					
Annual Self-Assessment		Annual Delivery Plan (ADP)		Member Workshop	
Service Plans		Target Setting			
ADP Quarterly		Corporate Risk Register			
Performance Reporting		Reporting			

Vale of Glamorgan Annual Performance Calendar 2022/23			
Month/Year	Plan/Reports	Audience	How members can get involved
April 2022			
May 2022			
June 2022	Internal Peer Challenge of Directorate Self - Assessment 2021/22	Panel comprising: Presenting Director Peer Director Chief Executive Cabinet Member(s) with portfolio Relevant Scrutiny Chair(s)	
July 2022	Annual Self-Assessment	Member Workshop	Member workshops in July 2022 to inform the Council's annual self-assessment process including the format, content and presentation of the self-assessment report.
	Q4/ End of Year Annual Delivery Plan (ADP) Performance Report 2021/22	 Strategic Leadership Team (SLT) Scrutiny Committees Cabinet 	Member challenge (via scrutiny Committees) of progress in delivering ADP commitments.
	Q4/ End of Year Corporate Risk Register Report 2021/22	 Insight Board SLT Governance & Audit Committee (GAC) Cabinet Scrutiny Committees (via hyperlink in quarterly performance report) 	Member challenge (via Scrutiny and Governance & Audit Committee) of progress in managing corporate risks (including identification of new and emerging risks.)
August 2022	Annual Self-Assessment Report 2021/22 (pre-consultation draft)	• SLT	
September 2022	Q1 ADP Performance Report 2022/23	SLTScrutiny CommitteesCabinet	Member challenge (via Scrutiny Committees) of progress in delivering ADP commitments.
	ADP Performance Monitoring	Member Workshop	Member workshops in September 2022 to further strengthen our approach to monitoring progress of the ADP including format, content, presentation and timing of performance reports.
	Q1 Corporate Risk Register Report 2022/23	 Insight Board SLT GAC Cabinet Scrutiny Committees (via hyperlink in quarterly performance report) 	Member challenge (via Scrutiny and Governance & Audit Committee) of progress in managing corporate risks (including identification of new and emerging risks.)
	Annual Self-Assessment Report 2021/22 (pre-consultation draft)	Cabinet	Cabinet challenge of draft self- assessment findings (pre- consultation draft)

Vale of Glamorgan Annual Performance Calendar 2022/23			
Month/Year	Plan/Reports	Audience	How members can get involved
	Draft Annual Self- Assessment Report 2021/22 (consultation)	Scrutiny CommitteesGAC	Scrutiny challenge of draft self- assessment findings (consultation draft)
October	Consideration of consultation findings and changes to the draft Annual Self-Assessment Report 2021/22	SLT Business Cabinet	Cabinet challenge of self- assessment engagement findings (post consultation draft)
	Annual Self-Assessment Report 2021/22 approval (post-consultation draft)	CabinetGACCabinet	Cabinet and GAC challenge and approval of final draft self-assessment findings and improvement areas.
	ADP 2023/24 actions identified (pre-consultation draft)	SLTSchools' engagementInternal staff engagement	
	Annual Delivery Plan	Member Workshop	Member workshops in October 2022 to develop the Annual Delivery Plan 2023/24, informed by the annual self-assessment draft findings.
November 2022	Annual Self-Assessment 2021/22 Approval (post-consultation draft)	Full Council	
	ADP 2023/24 (pre- consultation draft)	SLT Cabinet	Member challenge of proposed ADP commitments as aligned to our Well-being objectives.
December 2022	Q2 ADP Performance Report 2022/23	SLTScrutiny CommitteesCabinet	Member challenge (via Scrutiny Committees) of progress in delivering ADP commitments.
	Service Plans	Member Workshop	Member workshops in December 2022 on Service Plans, including format, content and presentation of the plans.
	Q2 Corporate Risk Register Report 2022/23	 Insight Board SLT GAC Cabinet Scrutiny Committees (via hyperlink in quarterly performance report) 	Member challenge (via Scrutiny and Governance & Audit Committee) of progress in managing corporate risks (including identification of new and emerging risks.)
	Draft ADP 2023/24 (consultation)	All scrutiny Committees	Member challenge of proposed ADP commitments as aligned to our Well-being objectives.
January 2023	ADP 2023/24 (post-consultation draft)	• SLT	
	Review of the Corporate Performance Measures Framework (CPMF) and target setting for 2023/24	 SLT Cabinet Member(s) with portfolio Member Working Group 	Member challenge of proposed CPMF as aligned to our Well-being Objectives.
February 2023	ADP 2023/24 (post-consultation draft)	Business Cabinet	Member challenge of proposed ADP commitments as aligned to our Well-being objectives.
	Target Setting	Member Workshop	Member workshops in February 2023 on performance target setting including format, content and presentation of the CPMF and proposed targets.

	Vale of Glamorgan Annual Performance Calendar 2022/23			
Month/Year	Plan/Reports	Audience	How members can get involved	
	ADP 2023/24 approval (post-consultation draft)	CPR scrutiny CommitteeCabinet	Member challenge of proposed ADP commitments as aligned to our Well-being objectives.	
	Service Plans 2023/24 challenge	Director Cabinet Member(s) with portfolio	Member challenge of proposed annual Service Plan priorities as aligned to our Well-being objectives and ADP commitments.	
March 2023	ADP 2023/24 approval (post-consultation draft)	Full Council	Member challenge of proposed ADP commitments as aligned to our Well-being objectives.	
	Service Plans 2023/24 challenge/approval	Scrutiny CommitteesCabinet	Member challenge (via Scrutiny Committees) of proposed annual Service Plan priorities as aligned to our Well-being Objectives and ADP commitments reflecting new approach co-designed by elected members.	
	Approval of proposed performance targets for CPMF 2023/24	Scrutiny CommitteesCabinet	Member challenge of proposed annual service performance targets as aligned to our well-being Objectives and ADP commitments.	
	Q3 ADP Performance Report 2022/23	SLTScrutiny CommitteesCabinet	Member challenge (via Scrutiny Committees) of progress in delivering our ADP commitments.	
	Q3 Corporate Risk Register Report 2022/23	 Insight Board SLT GAC Cabinet Scrutiny Committees (via hyperlink in quarterly performance report) 	Member challenge of progress in managing corporate risks (including identification of new and emerging risks.)	