

Draft Action Plan in Response to the Report in The Public Interest – WNC Response

Action	WNC Response	Accountability
<p>R1.1 and 9.2 Review external loan policy/process, to ensure:</p> <ul style="list-style-type: none"> • the process is documented for both Officers and Councillors in respect of information presented to Cabinet for any decisions. The process will include monitoring how any monies that have been loaned are used and compared against the original reason for the loan through reference to the business case. Any deviation from the agreed use will be reported through to management and Cabinet. • it is fully documented to reflect the necessary use of external resources to ensure full disclosure following due diligence work, based on more recent experiences. This links to 1.1 above. (R3.2 and 7.2) • the documented process includes detail on what information must be presented to Cabinet to ensure full transparency of all activity surrounding the loan and will include due diligence reports, and any recommendations made by external legal or professional advisors. This is linked to 1.1 and 3 above. (R4.2) • information regarding the structure and ownership of any organisation must be included with the Cabinet reports as supporting information where decisions are required. (R6.2) <p>R1.4 A comprehensive process will be documented to detail what should be included in reports to Cabinet with respect to loan decisions. This will include:</p> <ul style="list-style-type: none"> • a review of Finance Business Case requirements to ensure this information must be included with the Cabinet reports as supporting information where decisions are required. (R5.2) • the considerations to be made where a request for additional monies over and above the original amount are to be agreed. (1.4) • what due diligence should include and the level of information in relation to personal/business interests and also those of third parties. This information will be included in the business case presented to Cabinet in the first instance to assist the decision-making process for Councillors. (R7.3) 	<p>WNC has adopted new financial procedures rules, but these and associated procedures will be reviewed in respect of loan agreements, land disposals and sale of land for development.</p>	<p>Executive Director: Finance</p>

<p>R1.5 Full training on Cabinet decisions will be given to Councillors on the information they should expect to be presented to ensure openness and transparency when asked to make decisions on variations to loan values.</p> <p>R8.3 Additional training will be provided to officers to ensure they understand how to process additional information and ensure they know how to pause processes if required.</p> <p>R10.1 Review Constitution – note that there is no legal obligation to tender land disposals under section 123 Local Government Act 1972. However, in such cases a professionally qualified valuer (or more than one) should provide a valuation report. The Council is unable to take into consideration ethical or moral considerations in determining what is best consideration (Regina v Somerset County Council Ex Parte Fewings and Others: CA 22 Mar 1995 R v Lancashire CC ex p Telegraph Service Stations, The Times, June 25 1988).</p> <p>R10.3 A process for the sale of land for development will be developed for Officers to follow. The process for Cabinet reports for Councillors could, where appropriate, include a section for the sale of land.</p> <p>R10.2 Review of Asset Disposals strategy, policies and processes.</p>		
<p>R4.1, 5.1, 6.1, 7.1 and 8.2 Review Cabinet Report and decision making process.</p> <p>R1.2 Review the policy and process in respect of Member concerns raised at Cabinet meetings and associated feedback to Cabinet and Members raising concerns.</p> <p>R1.6 Concerns raised as part of the Cabinet decision process will be recorded and addressed by management. Follow up and actions on the issues raised will be supplied to members once resolved.</p> <p>R2.2 As part of the process to be documented for Cabinet members in respect of decision making, the delegated powers will be recorded per decision and will be updated to show what work has been undertaken, the actual results against expected results and the reason for any deviation from the agreed actions.</p>	<p>WNC has adopted a new Constitution which will be supplemented by arrangements to ensure that the decisions and deliberations of Cabinet are as transparent and as comprehensive as possible.</p>	<p>Director of Legal and Democratic</p>

R1.3 and 9.3 Review the function and effectiveness of Overview and Scrutiny.	WNC has adopted new arrangements for overview and scrutiny and intends to review their effectiveness in light of their operation.	Director of Legal and Democratic
R2.1 Review constitution and delegations (Legal and Financial).	WNC has adopted a new Constitution which will be kept under review.	Executive Director: Finance and Director of Legal and Democratic
8R.1 and 9.1 Review of Officer / Member Protocol to ensure roles and expectations are clear.	WNC has adopted a new Officer / Member Protocol which will be kept under review.	Director of Legal and Democratic