Annual Governance Statement 2025/26

1. Introduction, evidence, conclusion and assurance

1.1 The corporate governance framework comprises the systems, processes, culture and values by which the council is directed and controlled. It guides how the council engages with and is accountable to the West Lothian community. The council's governing bodies (full council and committees), individual councillors and members of staff must try to achieve its objectives while acting in the public interest at all times. That involves primary consideration of the benefits for society, which should result in positive outcomes for stakeholders.

1.2 The council, through all of its members, has overall responsibility for good governance arrangements. In practice, the council entrusts those tasks to committees and to appropriate council officers but subject to monitoring and scrutiny arrangements. Those include the provision of evidence-based assurance on the governance framework's effectiveness and completeness.

1.3 The council's Corporate Plan 2023/24 to 2027/28 was adopted in May 2023 (the Corporate Plan). In November 2023 a suite of corporate strategies was approved to deliver the Corporate Plan's objectives and priorities. Those strategies included a Corporate Governance Strategy. It draws together the most significant elements of the corporate governance framework. It supports the values, vision and priorities of the Plan. Its performance will be assessed against its agreed performance indicators and reported to elected members and the public each year.

1.4 The statement is presented in fifteen sections which summarise: relevant responsibilities, roles, controls and activities, and conclusions and assurances, during the reporting year.

1.5 The conclusion and assurance in this statement draws on the evidence found or described in:-

- the internal audit opinion by the Audit Risk & Counter Fraud Manager on the effectiveness of the framework of governance, risk management and control (section 7)
- annual compliance statements and associated stand-alone reports in relation to significant statutory regimes and corporate policies and procedures (section 8)
- the refreshed evidence-based Local Code of Corporate Governance (section 6)
- the progress made in the reporting year on areas of governance concern (section 14)

1.6 Information and conclusions from those sources are summarised in the illustration at the end of this statement.

1.7 It is the conclusion and assurance given in this statement that, in a large and complex organisation, under significant funding and financial pressures, and facing complex and extensive demands, there are inevitably issues on which future work is required. However, based on the sources and evidence described in this statement, the council and the West Lothian community can be assured that the council's corporate governance standards continue to have been substantially met in 2025/26. That assurance was reported in June 2026 to Governance & Risk Committee when this statement was presented for approval. The statement will be included in the council's unaudited accounts and statements when they are published at the end of June 2026 for inspection and objec

2. Political structure and administration

2.1 West Lothian Council has nine electoral wards and thirty-three councillors. At the end of the reporting year there were fifteen SNP members, eleven Labour members, four Conservative members, one Liberal Democrat member, one Reform member, and one Independent member. A minority Labour administration remains in place. Political leadership positions were filled in May and June 2022 after the local government elections. The committee structure in place before the elections continued in place, but with changes to political composition and a reduction in numbers and realignment of the remits of Executive Councillors and their Policy Development & Scrutiny Panels (PDSPs). There has been a high degree of consistency in decision-making arrangements for many years which aids an understanding of governance and decision-making processes. It promotes consistency of approach. Both have positive impacts on scrutiny and performance.

2.2 The political leadership is comprised of the Provost (and Depute), the Council Leader (and Depute), six Executive Councillors (portfolio holders in relation to council services) and chairs and vice-chairs of other committees. The appointments in respect of which Senior councillor payments are made agreed in June 2022. The statutory annual report for 2025/26 on elected members' remuneration, allowances, expenses and training was presented to Council Executive in June 2026.

3. Management structure

3.1 The council's services are managed through its Executive Management Team (EMT) (Chief Executive, three Depute Chief Executives, the Director of Finance & Property Services, and the Head of Corporate Services). Those officers and six other Heads of Service and the Governance Manager form the Corporate Management Team (CMT). The post of Depute Chief Executive (Corporate, Operational and Housing Services) became vacant in July 2025. The Depute Chief Executive Education, Planning, Economic Development and Regeneration was appointed to that post, on an interim basis, with the Head of Education (Primary, Early Years and Resources) appointed, on an interim basis, to the Depute Chief Executive for Education, Planning, Economic Development and Regeneration role, in the same month. An interim appointment was made to the post of Head of Education (Primary, Early Years and Resources) in July 2025. An interim appointment was made in May 2023 to the post of Head of Finance & Property Services (the council's Chief Financial Officer) which post subsequently became vacant due to ill health in October 2024. A new interim appointment was made to that post in the same month. Arrangements to make a permanent appointment were started in December 2024. Following unsuccessful recruitment rounds the post was regraded and re-advertised in as Director of Finance & Property Services in May 2025. A permanent appointment was made by the Senior Officer Appointments Committee in June 2025.

3.2 Each service has a Senior Management Team and other service managers, team leaders and teams within its structure. The service structure, staffing, priorities, outcomes and actions are set out in Service Improvement Plans published and presented to councillors each year for scrutiny. They are aligned with the Corporate Plan.

3.3 The current service management structure can be found here:

https://westlothian.gov.uk/media/2959/Council-Structure-Chart/pdf/Service-Areas-May-2023.pdf?m=638193945461400000

4.4 The council has had a Corporate Transformation Team in place since 2018. It sits apart from service areas. Its work supports outcomes set out in the Performance and Transformation Strategy approved in November 2023. It provides all services with expertise and support in taking forward the transformation of council services and delivery of budget reduction measures. It will continue to play a significant role in delivering on budget savings, transformation projects, and supporting delivery on the Corporate Plan's priorities and objectives.

4.5 Internal cross-service working amongst officers is enabled by a network of boards and working groups. They have defined remits and membership from appropriate service areas and staff grades across the council. Some have representation from partner organisations, such as NHS Lothian and Police Scotland. The structure, remits and membership of the boards and working groups were reviewed in 2023/24. Changes were made with effect from June 2024 to ensure their alignment with and effective support for the outcomes and priorities in the new Corporate Plan. The structure and remits are kept under review. The main officer group dealing with the council's risk, control and governance arrangements is the Corporate Governance Board with a remit tied to the Corporate Governance Strategy.

5. Decision-making and scrutiny arrangements

5.1 The council has a long-established framework of committees, Policy Development and Scrutiny Panels (PDSPs), and working groups set out in its Scheme of Administration. The committee structure is supported by the statutory Scheme of Delegations to Officers. That sets out the authority and responsibilities which officers may exercise without recourse to elected members. That is updated every three months to reflect new and changed delegations agreed by council and its committees. More significant changes are reported separately where required.

5.2 There are two main policy and decision-making committees, Council Executive and Education Executive. Proposed policy decisions are considered before committee decision-making at one of the seven PDSPs. There is one local area committee (LAC) for each ward to help focus ward issues and provide a link from local areas and concerns to the decision-making function at the corporate centre. Scrutiny is carried out through Audit Committee, Governance & Risk Committee, Performance Committee, Education (Quality Assurance) Committee, and West Lothian Leisure Advisory Committee. Except for the last of those, the majority of members on each of these bodies is from outwith the ruling administration political group. The seven PDSPs receive quarterly performance reports for the services in their remits focusing on service performance indicators and financial performance. Full council meets approximately every 8 weeks to deal with reserved matters and political debate and scrutiny.

5.3 Standing Orders for the Regulation of Meetings and the Scheme of Administration can only be changed by full council on notice being given. That helps ensure stability, continuity and careful consideration of proposed changes The Scheme includes information about the political composition of committees and PDSPs. That make-up is determined only by full council at Election Business. Those provisions can become out-of-date and inaccurate as circumstances change, for example, after by-elections or on resignation or death. As, technically, there would have to be notice given on an agenda before those entries could be changed or corrected those provisions were left in the Scheme but with the Scheme amended in January 2025 to state that they can be changed through decisions at Election Business, without formal notice on the agenda. Hybrid meeting arrangements and the live audio-visual webcasting and recording of meetings continued in the reporting period.. Members of the public could observe meetings physically or online.

A library of recordings is available to the public online and can be found here:

West Lothian Council committees - YouTube.

6. Local Code of Corporate Governance

6.1 The council's governance arrangements are monitored, reviewed and reported under a Framework and Guidance called "Delivering Good Governance in Local Government", produced by CIPFA/SOLACE in 2016 (the Framework). The current Local Code of Corporate Governance was adopted in April 2018. Its operation is considered each year by officers and members in approving the annual governance statement. Its contents and operation were reviewed in 2025/26. The Framework has not changed. The Local Code has been an effective tool to gather evidence and demonstrate corporate governance standards. Officers and elected members are familiar with it. Year-on-year progress and comparison are significant. No substantial changes are required or have been recommended

6.2 The Code adopts the seven over-arching principles of the Framework:-

- Behaving with integrity, demonstrating strong commitment to ethical values, respecting the rule of law
- Ensuring openness and comprehensive stakeholder engagement
- Defining outcomes in terms of sustainable economic, social, and environmental benefits
- Determining the interventions necessary to optimise the achievement of the intended outcomes
- Developing the council's capacity, including the capability of its leadership an individuals within it
- Managing risks and performance through robust internal control and strong financial management
- Implementing good practices in transparency, reporting, and audit to deliver effective accountability

6.3 Each of those principles is broken down into sub-principles and then into a hierarchy of separate elements to allow a focused approach to the assembly of evidence for the standards listed against them. A diagram showing the seven principles and their interaction is published on the Council's webpages. It can be found here:

Diagram/pdf/Governance_Principles_Diagram.pdf?m=637402488053170000

A list of the most significant sources of evidence used to assess compliance against the standards is provided.

6.4 The gathered evidence and the product of scrutiny arrangements are used to assess compliance and performance over the year to determine whether the council exceeds, meets or fails to meet the required standards. Areas of concern are picked out, actions are identified and allocated, and progress is monitored through officer oversight and the Governance & Risk Committee.

6.5 The Code is used to inform the drafting and approval of the annual governance statement through the Corporate Governance Board, Corporate Management Team and Governance & Risk Committee. It is reported in detail to that committee when it approves the annual governance statement in June each year. It is then summarised in a report to full council in September, alongside the annual reports by the external auditor and the council's annual accounts. Deficiencies are identified and are translated into actions which are monitored throughout the following reporting year by Corporate Governance Board and Governance & Risk Committee.

6.6 Compliance in 2025/26 with the standards in the Code remains high. Under a red/amber/green assessment system there are no red scores. That has been the case since the current Code was adopted. A small number will require attention in the coming year to avoid them slipping into the red category. There are 240 standards out of 258 assessed as green, representing 93% of the total entries. Comparable figures from previous 5 years for green scores under the same assessment process were 84%, 85%, 86%, 89% and 92% (last year).

7 Annual internal audit opinion

7.1 A significant element in the council's governance arrangements is the system of internal control. That is designed and reviewed to identify risks to the achievement of the council's objectives; to evaluate the likelihood of those risks occurring; to consider the potential impact of the risks; and to manage them effectively. It includes financial regulations and the system of management supervision, delegation and accountability. It is supported by regular information, administrative procedures and segregation of duties. Its key elements include an internal control framework relating to financial processes, procedures and regulations; a comprehensive budgeting and monitoring framework; scrutiny of periodic and annual financial and operational performance reports; performance management information; and project management disciplines.

7.2 Following the review for 2025/26, the conclusion and assurance to members given by the chief audit executive is that the council has a sound framework of governance, risk management and control. That conclusion is based on the internal audit work and counter fraud work undertaken during 2025/26, including follow up work, and had regard to the work of the council's Corporate Governance Board, an officer group which supports the achievement of the highest standards of good governance, and exercises oversight over the council's governance and risk management arrangements. There were no limitations placed on the scope of the internal audit work during the year.

8 Annual Compliance Statements

8.1 The council's Monitoring Officer arranges the production of a suite of annual compliance statements. They sit alongside the Code and feed into this annual governance statement. They deal with compliance with the law, with significant legal and regulatory regimes, and with the council's most important corporate policies and procedures. They are prepared by responsible officers after consultation with Service Managers and Heads of Service. They take into account oversight by external regulatory and inspection bodies. They include conclusions and an assurance of compliance by the relevant senior officer. They are designed to summarise compliance arrangements and bring to the attention of elected members and the public any incidents of non-compliance which are significant to the council's operations. Those may or may not already have been reported elsewhere. The statements identify significant developments, issues of concern and issues to be addressed going forward. .

8.2 A compliance statement was added in 2022/23, in relation to statutory counter terrorism duties. Those are the duty to address radicalisation (known as the “prevent duty”) and the “protect duty”. A new compliance statement covering the area of activity for the Consumer Duty – Head of Planning Economic Development and Regeneration has been added in 2025/26

8.3 The now 15 statements cover the following areas of activity:-

- Anti-Fraud and Corruption – Director of Finance & Property Services
- Best Value Framework - Director of Finance & Property Services
- Councillors’ Code of Conduct - Monitoring Officer
- Counter-Terrorism Duties – Depute Chief Executive (Corporate, Operational and Housing Services)
- Discipline and Grievances - Head of Corporate Services
- Employee Whistleblowing - Head of Corporate Services
- Information Governance – Head of Corporate Services
- Information Security - Head of Corporate Services
- Occupational Health & Safety - Head of Corporate Services
- Procurement - Head of Corporate Services
- Protection of Vulnerable Groups (PVG) - Head of Corporate Services
- Public Sector Equality Duty - Head of Corporate Services
- Regulation of Investigatory Powers (RIPSA) – Depute Chief Executive (Corporate, Operational and Housing Services)
- Breaches of the Law - Monitoring Officer
- Consumer Duty – Head of Planning Economic Development and Regeneration.

8.4 Areas of concern are covered in the compliance statements are reflected in the assessment of evidence in the Local Code of Corporate Governance. They may lead to inclusion in the annual governance statement’s list of governance issues to be addressed in the next reporting year. The statement by the Monitoring Officer is particularly important. The Monitoring Officer holds a statutory post and is responsible for ensuring the council’s compliance with its statutory duties and responsibilities. They are to report on and address any breaches of the law which are significant to the operations of the council.

8.5 The Monitoring Officer secured information from service managers and consulted with the Corporate Management Team, the Chief Solicitor and the Audit, Risk and Counter Fraud Manager. It is the Monitoring Officer’s opinion that there have been no material or significant breaches of the law by the council in 2025/26 which have or will have a material or significant impact on the operations of the council. The Monitoring Officer has certified that the council is complying in all material respects with its statutory obligations.

8.6 The Monitoring Officer did identify a small number of instances where improvements to the council’s compliance with legislation were required. None of those breaches was considered to present significant risk to the continuing operation and effective delivery of council services and control. Not all breaches are material to the council’s operations or its finances. Those issues are described in the annual compliance statement. They concern the council’s homeless accommodation duty, a breach of compliance with Regulations which specify the sanitary accommodation that is to be provided in schools, and a breach of procurement legislation. The causes have been identified and appropriate actions have been where required.

9 Audit Committee

9.1 Audit Committee undertakes a corporate overview of the council's control environment. It evaluates the arrangements in place for securing the economical, efficient and effective management of resources. It considers an annual review of the overall adequacy and effectiveness of the council's control framework. It monitors the independence and effectiveness of the Audit, Risk & Counter Fraud Team.

9.2 The committee deals with reports from the council's external auditor. It considers the External Audit Annual Plan in March each year which informs the council of the audit work to be undertaken in the course of the year by the external auditor. The external auditor's annual reports on the council's accounts, financial statements and best value arrangements are considered by full council in September each year. They are referred to the Governance & Risk Committee and Audit Committee for further scrutiny. Any actions identified are noted and are followed up through periodic reporting to committee on progress or completion.

9.3 Reports are presented and considered in public unless there is clear legal justification for excluding the public

9.4 The committee carries out an annual self-assessment exercise to identify improvements that might be made to the way it operates.

9.5 The Chair of the committee must be appointed from councillors who are not in the ruling administration political group. The committee includes one non-councillor member to bring a different perspective and expertise to the work of the committee. The non-councillor member's appointment was renewed at Council in March 2023. Recruitment to appoint a new member is being undertaken in 2026.

10 Governance & Risk Committee

10.1 Governance & Risk Committee undertakes a corporate overview of the council's corporate governance and risk management arrangements. It develops a culture of good corporate governance and risk awareness. It reviews the council's strategy and systems for the management of risk. It considers regular reports from the Governance Manager and the Audit, Risk & Counter Fraud Manager. Other reports are brought forward by other senior officers as requested by the committee through its work plan. It can consider external reports relevant to its remit.

10.2 The Chair of the committee must be drawn from members who are not in the ruling administration political group. The membership includes a non- councillor member to bring different expertise, experience and perspective to the work of the committee. The appointment was renewed at Council in May 2024, until September 2027

10.3 The committee carries out an annual self-assessment exercise to identify improvements that might be made to the way it operates.

11 Significant officer roles

11.1 Significant officer role descriptions are in the Scheme of Delegations. It was revised and approved in an amended form in February 2023. Those are:

11.2 The Head of Paid Service. This is a statutory role. The duties of the post are: to co-ordinate the discharge of the council's different functions; to determine the number and grades of staff required for the discharge of the council's functions; to organise the council's staff; and to appoint and properly manage the council's staff. They have both a power and a duty to make a statutory report to full council where considered appropriate. The Chief Executive holds this position.

11.3 A Chief Financial Officer. This is a statutory role. It is performed in line with the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2016) and in the CIPFA Financial Management Code (2019). The council's Director of Finance & Property Services holds this position. They operate in accordance with the council's Financial Regulations, Capital Strategy and Treasury Management Plan.

11.4 A Monitoring Officer. This is a statutory role, the function of which is to take action where it appears that a decision by the council may give rise to a contravention of legislation or other rule of law, or maladministration, or other injustice. The Governance Manager holds this position. The council's Chief Solicitor is the Depute Monitoring Officer

11.5 A Chief Social Work Officer. This is a statutory role which has a statutory professional responsibility for the oversight of specified social work functions. The Scheme of Delegations states that in relation to those statutory functions the Chief Social Work Officer's decisions are not subject to change by more senior officers, but are, subject to council or committee decisions, final and binding on the council. An annual report is made to members through full council and to the Scottish Government. The Head of Social Policy holds the position.

11.6 The council is required to operate a professional and objective internal audit service. It sits in the Audit, Risk and Counter Fraud Team. It performs an independent appraisal function which examines and evaluates systems of financial and non-financial control. Internal audit operates in accordance with the Global Internal Audit Standards (GIAS) issued by the Institute of Internal Auditors (IIA). The standards came into effect from 1 April 2025. The organisational status and independence of internal audit required by GIAS is also set out in the Internal Audit Charter. As required by GIAS, Financial Regulations state that the internal audit function is free from interference in determining the scope of internal auditing, performing work, and communicating results. They state that the Audit, Risk and Counter Fraud Manager has the right of direct access to the Chair of the Audit Committee and to the Chief Executive. The Audit, Risk and Counter Fraud Manager reports annually on compliance with GIAS.

11.7 Risk Management is overseen by the Audit, Risk & Counter Fraud Manager. It is embedded at Executive and Corporate Management Team level as well as in service management teams across the council. Management teams monitor, assess and mitigate service risk as a matter of routine at their meetings. The Risk Register is maintained in Ideagen, a database which records risks and their scoring and associated controls and actions. Service areas report on a rota basis to Governance & Risk Committee on their management of risks in their service areas. Risk management is incorporated into the Corporate Governance Strategy.

11.8 The council's counter fraud activities are managed within the Audit, Risk & Counter Fraud Team. The service is operated in accordance with the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption (2014). The unit manages the council's whistleblowing hotline. It also administers the council's participation in the National Fraud Initiative. An annual plan is approved at Audit Committee each year. An annual compliance statement is provided and published each year as part of the evidence informing the annual governance statement.

11.9 The Data Protection Act 2018 and the UK General Data Protection Regulation require the appointment of a Data Protection Officer. A statutory role description was developed and adopted in February 2023 for inclusion in the Scheme of Delegations. The duties include informing and advising the council and its staff of their data protection obligations, providing advice on carrying out data protection impact assessments, and monitoring compliance with relevant council policies and with the law. The Scheme of Delegations reflects the right to have direct access to senior management and elected members when required, and guarantees independence from line management over-ride in relation to the post's statutory duties. The role is assigned to the Systems and Information Manager.

11.10 A Chief Planning Officer. The council must have regard to statutory guidance in designing the role and appointing to it. The statutory guidance indicates that the Chief Planning Officer will be the council's head of its planning profession, and will be the senior officer responsible for the planning service. The Chief Planning Officer is to advise the council about functions conferred by the planning Acts, and, more widely, all other statutory functions where they relate to development. The Head of Service for Head of Planning Economic Development and Regeneration holds that position.

12 External scrutiny

12.1 The external auditor's annual report for 2024/25 was considered at council in September 2025. It was accompanied by a separate themed Best Value Report as part of the Accounts Commission approach to the audit of councils' achievement of their statutory best value duty. The reports were referred on to Audit Committee (on the accounting and financial aspects) and Governance & Risk Committee (on the wider-scope audit work) for further scrutiny. The auditor found appropriate and effective financial management arrangements in place with regular budget monitoring reports to Council Executive. It concluded that the council has a sound approach to medium and longer-term financial planning in place to manage ongoing financial challenges.

12.2 On the wider-scope aspects, concerned with the governance and control framework, the council was found to continue to have effective and appropriate governance arrangements in place that support effective scrutiny and informed decision making. The governance arrangements, as outlined in the annual governance statement within the annual accounts, were found to be appropriate and effective. The auditor also found there to be an effective performance management framework in place with the Council's 2024/25 performance measures being aligned to key priorities and outcomes; and there being regular performance reporting to elected members, and the necessary arrangements for collecting, recording and publishing statutory performance information being in place.

13 Past and current governance issues

13.1 Issues of governance concern are reported to Governance & Risk Committee in December and June each year for monitoring and scrutiny. Progress is considered at the Corporate Governance Board before reports are presented to committee.

13.2 In June 2025 committee considered the remaining governance issues from the previous year. It determined that 7 outstanding issues were to be carried forward for progress and monitoring in 2025/26. Those include an overdue root-and-branch review of the council's relationship with its ALEO, West Lothian Leisure (WLL). There is a requirement in Standing Orders for a triennial review to be carried out. That is based on best practice as reported by the Accounts Commission and the Office of the Scottish Charities Register. Until the root and branch review of that ALEO relationship is concluded, council cannot be assured about WLL's contribution to service delivery and best value, and cannot demonstrate that to be the case. 4 new issues were added. The council has done what it has had to do and what it has been able to do. Of the 11 issues to be progressed and monitored for 2025/26, 4 were fully addressed as at June 2026. Committee was therefore informed that there were 7 outstanding issues to be carried forward for attention in 2026/27. 2 new issues were added.

13.3 The seven being carried forward are as follows:-

- The full (triennial) review of the council's relationship with its ALEO, West Lothian Leisure (WLL) remains incomplete. It is a best practice requirement written into Standing Orders when new constitutional arrangements were put in place for WLL in 2018. Unless the root and branch review of that ALEO relationship is concluded, council cannot be assured about WLL's contribution to service delivery and best value, and cannot demonstrate that to be the case. Stage 1 of the review, assessing WLL's contribution to Best Value, is complete and considered satisfactory. Findings were reported to committee with no adverse comments. As reported to West Lothian Leisure Advisory Committee on 25 November, stage 2 of the review is a strategic options appraisal that will assess four delivery models. A weighted scoring framework based on strategic fit, financial viability, service quality, risk, and other criteria will be applied. Officers from Education Services and Finance & Property Services are progressing the appraisal for reporting to Council Executive in summer 2026.

- Scottish Local Authorities Remuneration Committee (SLARC) - SLARC's report was published in February 2024 and contained 22 recommendations for Scottish Government, COSLA and other bodies to consider and take forward. Recommendations R6 and R11 contained recommendations regarding remuneration for Councillors; recommendations R8 and R9 contained recommendations in respect of the remuneration of the Council Leader; recommendation R10 contained recommendations in regard to the remuneration of the Civic Head. These recommendations were accepted by the Scottish Government in July 2024 and came into effect on 1 April 2025. The council's Scheme of Elected Members Remuneration, Allowances and Expenses, agreed by Council Executive on 25 March 2025, has been updated to reflect these changes. Recommendation R14 recommends that resettlement (severance) payments should be in place for the next election cycle. Scottish Government and COSLA are progressing work to ensure that a partial scheme of severance payments is in place for the Local Government Elections in 2027 with full implementation for 2032.

- Corporate report template and report-writing guidance - Template has been updated. Report-writing guidance had been rewritten and will be further revised to incorporate guidance on the approach to be taken to Consumer Impact assessment and biodiversity checklist. The revised template will be presented to PDSP once approved at EMT

- Misuse of Alcohol, Drugs and Other Substances Policy - A report was presented to Corporate Policy and Resources PDSP on 27 August 2024 confirming plans for a review of the Policy on the Misuse of Alcohol, Drugs and Other Substances and the context for the review; and that the council will continue to function under a moratorium on random testing until the review of the current Policy is concluded by 31 March 2027. The policy continues to be used to undertake with cause testing and an agreed programme of individual random testing is in place to support employees with dependency issues to support rehabilitation at work

- RIPSA Policy and Procedure. The triennial IPCO statutory inspection began in January 2025, review and update of policy and procedure planned for 2025/26 to reflect any changes recommended by the Inspector - The triennial IPCO statutory inspection was undertaken in 2025. The findings were reported to PDSP in August 2025. The inspector did not propose any amendments to the Council's RIPSA policy. The policy and procedures have been circulated to the Corporate Governance Working group for consideration and feedback as to any required revisals. The Governance Manager will separately consult the Chief Solicitor, in their role as Authorising Officer, and the Depute Chief Executive Corporate, Operational and Housing Services, in their role as Senior Responsible Officer to progress the review. Review to be completed following officer attendance at training in June 2026.

- AI – The use of artificial intelligence (AI) offers benefits to the council but carries risks and the need for effective controls and governance procedures. It will be necessary to continue work to identify and address the risk and governance issues it will bring with Policy and Procedures being finalised and adopted. An AI Policy was approved by Council Executive on 3rd February 2026 following consideration by Corporate Governance Board and reporting to Policy and Resources PDSP. Procedures, and their implementation, will continue to be reported to and reviewed by Corporate Governance Board.

- In addition to the normal review, publication and development of guidance undertaken, the cyber attack on the council's education network in May 2025 will result in the need for more detailed scrutiny of arrangements and development of an appropriate action plan. Members of the CIRT continue to meet weekly to oversee actions resulting from the Education cyber-attack in May 2025.

14 Governance issues ahead

14.1 The seven issues outstanding from this current year will be carried forward (see 13.3, above). The following new governance issues will be added. The resulting list will be monitored and reported to Corporate Governance Board as a standing item at its quarterly meetings and bi-annually to Governance & Risk Committee:-

- The Local Government Elections will take place on 6 May 2027. Work will require to be progressed to prepare a full induction programme for new and returning elected members.

- The Equalities and Human Rights Commission (EHRC) has prepared and issued the Equality Act 2010: Draft Code of Practice for services, public functions and associations, 2026 (referred to as the 'Code'). The Code is issued based on the Commissions powers under the Equality Act. It is a statutory Code. It has been approved by the Secretary of State and formally laid before Parliament. The Code does not impose legal obligations, it may, however, be used in evidence in legal proceedings brought under the 2010 Act. Courts and tribunals must consider any part of the Code that appears relevant to any questions arising in such proceedings. If the council, as a provider of services, and exercising public functions, follow the guidance in the Code, it may help to avoid an adverse decision by a court in such proceedings. The council to review its relevant Framework, Strategies, Policies, procedures, and practices in the context of the Code.

14.2 There are two other areas affecting the council's business which carry significant risk and governance implications. These issues are in hand and so will not be included at this stage in the list of governance issues ahead. However, both of them will raise issues to address to ensure that the principles of the corporate governance framework are upheld:-

- A new Local Development Plan is needed to regulate the location, pace and nature of development across West Lothian. It must be progressed in accordance with new legislation and guidance which involve significant innovations, including compatibility with the Scottish Government's own development plan policies in NPF4, and the introduction of local place plans as factors to take into account in finalising the Plan. A special meeting of Council was convened to hear the resubmitted Evidence Report in June 2026

- Funding, financial, economic and social pressures on councils and council services mean that councils across Scotland must look for new and innovative ways of working through transformational change. There is a need to re-invent councils and their relationship with their communities and to consider where it is going to be possible to carry on delivering discretionary (optional, not statutory) services. Work continues nationally through the Improvement Service, COSLA and SOLACE and the council is engaging in that work. Council has agreed that officers are to commence a review of the implications of demographic change for council services, including but not limited to schools, care services and transport, as part of the council's longer term budget strategy. The council's plans for transformational change will carry risk and governance implications. As work progresses, governance issues will have to be identified and resolved to help ensure the success of that work.

15 Conclusion and assurance

In a large and complex organisation, under significant funding and financial pressures, and facing complex and extensive demands, there are inevitably issues on which future work is required. However, based on the sources and evidence described in this statement, the council and the West Lothian community can be assured that the council's corporate governance standards continue to have been substantially met in 2025/26.