

TITEL OF REPORT: ANNUAL GOVERNANCE STATEMENT

REPORT OF THE HEAD OF FINANCE, PERFORMANCE AND ASSET MANAGEMENT

1. SUMMARY

- 1.1 For the Finance, Audit and Risk Committee to receive, critically review, and comment on the draft Annual Governance Statement (AGS) for the year 2012/13. This Statement reviews the financial year 2012/13 and the period between 1st April and the completion of the Statement of Accounts.
- 1.2 For the Committee to note the improvement actions arising from the Annual Governance Statement for 2012/13 for implementation in 2013/14.

2. RECOMMENDATIONS

It is recommended that members of this Committee:

- 2.1 Critically review the draft AGS and supporting documentation in order for it to be finally approved at the same time as the Statement of Accounts (by September 2013);
- 2.2 Agree that progress against the action plan will be reported in September 2013 and March 2014.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To offer members of the Committee the opportunity to assess and consider the statement before it is finally approved.
- 3.2 Reviewing the AGS action plan in the year will provide the Committee with assurances that the Council is improving its governance arrangements.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 There are no alternative options to be considered.

5. FORWARD PLAN

- 5.1 This report does not cover a recommendation on a key decision and has not been referred to in the Forward Plan.

6. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 6.1 The Council's external auditors and the Shared Internal Audit Service have been consulted on the draft Annual Governance Statement. The AGS and the resulting action plan have incorporated relevant findings and recommendations from the Annual Audit letter for the year ended March 2012 that was discussed at the Finance Audit & Risk Committee in December 2012. In addition the AGS refers to assurances provided by internal audit reports completed in 2012/13.

7. BACKGROUND

- 7.1 The Accounts & Audit (England) Regulations 2011, Regulation 4 (3), require the Council to prepare an annual governance statement. The findings of this review of the governance framework must be considered by a Committee. Following the review, the Committee must approve an annual governance statement which is a public report on the extent to which the Council complies with its own code of governance. This includes details of how the effectiveness of the governance arrangements in the year have been monitored and evaluated. It identifies any planned changes in the coming year.
- 7.2 The AGS does not need to be included in the statement of accounts but, once approved, needs to accompany them. The statement is separate from the accounts for the purposes of external audit. The Council will include the 2012/13 AGS as an appendix to the accounts as it did in 2011/12.
- 7.3 The AGS has been compiled as a corporate document and reviewed and agreed by the Senior Management Team.
- 7.4 The review of the effectiveness of the assurance framework has included reviews made by external and internal audit as well as the Finance, Audit and Risk Committee itself. Each Head of Service/Corporate Manager has completed an assurance statement that includes a review of their service risks and risk management practices. These Assurance Statements are available for the Committee to review. The annual Internal Audit report and the review of the effectiveness of the Finance, Audit and Risk Committee report presented at his meeting has been considered in the compilation of the AGS.
- 7.5 The Chairman of the Finance Audit & Risk Committee for the period April 2012 to March 2013 prepared an assurance statement on behalf of the Committee and this is attached at Appendix B.
- 7.6 The final AGS for 2011/12 was approved by the Finance, Audit and Risk Committee at its September 2012 meeting and this was signed by the Leader and Chief Executive. The action plan was monitored by the Committee throughout 2012/13.

8. ISSUES

- 8.1 The arrangement of obtaining assurance statements in the preparation of the AGS provides the Council with an opportunity to review the robustness of its governance and internal control arrangements. It provides an accurate representation of the arrangements that have been in place throughout the year and highlights area where governance can be further reinforced.

- 8.2 The draft AGS for 2012/13 is attached as Appendix A for review before it is finally approved. The AGS is reviewed by the Council's external auditors and will be commented on in their Annual Report to those Charged with Governance that will be presented at the September meeting of this Committee.
- 8.3 Updates on progress on actions will be reported to this Committee twice in the year at the September and March meetings.

9 ACTION PLAN ARISING FROM THE 2012/13 AGS

- 9.1 The following draft improvement actions in Table 1 arise from the review of effectiveness that is summarised in sections 5.2 to 5.5 on the AGS. These have yet to be formally agreed by all the relevant Officers. The final improvement plan will be presented alongside the Final AGS at the September meeting of this Committee:

Table 1: Actions arising from the AGS 2012/13 for implementation in 2013/14

Ref No.	Description	Responsible Officer	Due date
1.0	Complete review of Contract Procurement Rules (originated from AGS 2011/12)	Head of Finance, Performance & Asset Management	July 2013
2.1	Clear guidance to be set out in the Constitution which specifies the procedures for convening meetings, including extraordinary meetings, of all relevant committees. (originated from SIAS audit)	Acting Corporate Legal Manager	July 2013
2.2	Consideration of making a single department responsible for the identification, provision and recording of Member training. (originated from SIAS audit)	Chief Executive	June 2013
3.1	Amendment of Job descriptions to ensure they reflect the Strategic Director's responsibilities under the Contract Procurement Rules. (originated from SIAS audit)	Strategic Directors	July 2013
3.2	Register of sub-delegations to be finalised (originated from SIAS audit)	Acting Corporate Legal Manager	TBA
4.0	Review of Constitution to be completed to make it clearer and more accessible to all. (originated from Assurance Statement)	Acting Corporate Legal Manager	July 2013
5.0	Explore various options to ensure that a replacement payroll system/service is in place before the end of 2014. (originated from risk management processes)	Corporate manager of Human Resources	January 2014

10. LEGAL IMPLICATIONS

- 10.1 The Accounts & Audit (England) Regulations 2011, require the Council to conduct a review at least once in a year of the effectiveness of its system of internal control. This annual review results in the AGS.
- 10.2 The Terms of Reference of this Committee state that it should review the AGS and accompanying assurances before approving it to accompany the statement of accounts.

11. FINANCIAL IMPLICATIONS

- 11.1 The AGS is to accompany the statement of accounts. CIPFA recommends that the AGS is drafted by the end of June. By presenting the draft AGS to this Committee before the audit of the accounts is concluded this gives the Committee time to raise any points that may need to be addressed. Other than this there are no financial implications arising from this report.

12. RISK IMPLICATIONS

- 12.1 The process of assessing the Council's governance arrangement enables any areas of weakness to be identified and improvement actions put in place. This ensures the risk of failing to have adequate governance arrangements is well managed.

13. EQUALITIES IMPLICATIONS

- 13.1 The Equality Act 2010 came into force on the 1st October 2010, a major piece of legislation. The Act also created a new Public Sector Equality Duty, which came into force on the 5th April 2011. There is a General duty, described in 13.2, that public bodies must meet, underpinned by more specific duties which are designed to help meet them.
- 13.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give **due regard** to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 13.3 This formal annual review of the Council's governance framework provides a means to monitor regularly whether the Council is meeting the stated outcomes of its policies, is meeting its commitment to deliver accessible and appropriate services to the community, and complying with the requirements placed on the Council under the Local Government Equality Duty. Financial decisions and larger projects are subject to individual equality analysis.

14. SOCIAL VALUE IMPLICATIONS

- 14.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at paragraphs 13.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 There are no direct human resource implications relating to this matter.

16 APPENDICES

- 16.1 Appendix A –AGS for 2012/13.
- 16.2 Appendix B – Assurance Statement from the Chairman of the Finance, Audit & Risk Committee

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18. BACKGROUND PAPERS

- 18.1 Heads of Service and Corporate Manager's Assurance Statements.
- 18.2 *Delivering Good Governance in Local Government: Framework. Addendum December 2012* The Chartered Institute of Public Finance and Accountancy