

**THE ANNUAL GOVERNANCE STATEMENTS 2015/16 – REVIEW AND APPROVAL**  
**REPORT BY SARAH GOBEY, CHIEF FINANCIAL OFFICER**

**1.0 SUMMARY**

1.1 To review and agree the Annual Governance Statements for 2015/16.

**2.0 BACKGROUND**

2.1 Corporate governance is everyone's business and can be defined as:

*“How local government bodies ensure that they are doing 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 cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities.” - CIPFA/SOLACE*

2.2 In late 2007 CIPFA/SOLACE published a framework and guidance on delivering good governance in local government. It is built on the six core principles set out in the Good Governance Standard for Public Services that were themselves developed from earlier work by Cadbury and Nolan.

2.3 The following are the six core principles in relation to local government as set out in the framework:

- focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area
- members and officers working together to achieve a common purpose with clearly defined functions and roles
- promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
- taking informed and transparent decisions which are subject to effective scrutiny and managing risk
- developing the capacity and capability of members and officers to be effective
- engaging with local people and other stakeholders to ensure robust public accountability

## **2.0 BACKGROUND**

- 2.4 The 2007 framework is more comprehensive than the previous ones and requires the production of a Code of Corporate Governance. This was agreed by the former Constitution and Audit Committee in Adur and the former Governance and Audit Committee in Worthing and approved by both Councils in July 2008. In addition to having a code of corporate governance; the Accounts and Audit Regulations requires every local authority to produce an Annual Governance Statement.
- 2.5 The Annual Governance Statement is a comment on the totality of good corporate governance, and it is a statutory requirement for this statement to be published annually. The Accounts and Audit Regulations required the publication of the Annual Governance Statement, following consideration of the Statement of Internal Control. The Council's Head of Internal Audit (from Mazars) will provide a written annual report to those charged with governance timed to support the annual governance statement. The Annual Governance Statement must be approved before the Statement of Accounts is approved.
- 2.6 The Code of Practice on Local Authority Accounting suggests that it is best practice to have the Annual Governance Statement published with Statement of Accounts.

## **3.0 ANNUAL GOVERNANCE STATEMENTS 2015/16**

- 3.1 These are key corporate documents and the most senior member and the most senior officer (Leader and Chief Executive) have joint responsibility as signatories for its accuracy and completeness. The Leader of the each Council and the Chief Executive as signatories of the respective Annual Governance Statements need to ensure that they accurately reflect the governance framework for which they are responsible. The guidance advises that it should be owned by all senior officers and members of the authority and that it is essential that there is buy in at the top level of the organisation.
- 3.2 In order to achieve this they are likely to rely on many sources of assurance, such as:
- ◆ directors and managers;
  - ◆ the responsible financial officer;
  - ◆ the monitoring officer;
  - ◆ members;
  - ◆ the head of internal audit;
  - ◆ performance and risk management;
  - ◆ third parties, e.g. partnerships;
  - ◆ external audit and other review agencies

### 3.0 ANNUAL GOVERNANCE STATEMENTS 2015/16

- 3.3 The rough guide to preparing the Annual Governance Statement shows “*the need for a review body in the process, such as an audit committee or scrutiny role who should be charged with critically reviewing the AGS and its supporting documentation*”. The constitution indicates that this function should be dealt with by this Committee, and this is seen as the most satisfactory means of meeting the requirements for a critical review of the Annual Governance Statement.
- 3.4 There is no definitive way of producing the Annual Governance Statement. Professional guidance indicates that at the centre of the review process should be a corporate group who will be given ultimate responsibility for drafting the statement, evaluating assurances and the supporting evidence. This group should review whether or not there is consistency with existing policies and the authorities’ governance framework.
- 3.5 An officer working group are responsible for ensuring that the Annual Governance Statements accurately reflect the governance arrangements of the two Councils. The membership of the group comprises of:
- Monitoring Officer
  - Section 151 Officer
  - Head of Organisational Development
  - Head of Wellbeing
  - Democratic Services Manager
  - Head of Business and Technical Services
- 3.6 A reference group of Councillors is used to give feedback on the preparation of the draft statement:
- the Leader of both Councils
  - the Chair of the Joint Overview and Scrutiny Committee
  - the Chair and Members of the Joint Governance Committee
- 3.7 As part of the review process, each of the Councillors referred to in paragraph 3.6 above were written to in May 2015 seeking feedback on issues which may have a bearing on the completion of the review of the Annual Governance Statement. No responses have been received as part of the 2015 review process.
- 3.8 During the year the Officer’s Governance Working Group has reviewed the action plan which was agreed last year and to make recommendations to Officers on issues required to improve or strengthen the Council’s Governance Framework. The outcome of the review is shown in attached Governance Action Plan Progress Report as set out in the attached Appendix B. The traffic light system of reporting has been used to identify progress on dealing with the actions, and identifying any new action to take forward.

### **3.0 ANNUAL GOVERNANCE STATEMENTS 2015/16**

- 3.9 This review by the Officers Group has sought to classify as RED any issues which are deemed to be Significant Issues requiring attention and which need to be declared on the face of the Annual Governance Statement for 2015/16. The following has been classified as red:

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- 3.10 The Monitoring Officer has raised a number of concerns regarding the Housing Solutions Service. This has highlighted a number of issues requiring disclosure in the Annual Governance Report.

### **4.0 INTERNAL AUDIT ANNUAL REPORT 2015/16**

- 4.1 Each year the Head of Internal Audit (from Mazars who provide the Councils Internal Audit Service) produces an Internal Audit Annual Report which summarises the work that Internal Audit has undertaken during the previous financial year and the control environment key themes which have been identified across the authority. The purpose of this report is to provide an annual assurance statement on the adequacy and effectiveness of the Authority's systems of governance, risk management and internal control. A report is produced separately for Adur District Council and Worthing Borough Council.

- 4.2 For 2015/16 the Head of Internal Audit's Internal Audit Annual reports state that from the Internal Audit work undertaken in 2015/16, it is the Head of Internal Audit's opinion that they can provide Satisfactory Assurance that the system of internal control in place at both Adur District and Worthing Borough Councils for the year ended 31<sup>st</sup> March 2016 accords with proper practice, except for the control environment issues as documented in Appendix 1 to that report (See separate report on this agenda). The assurance is broken down further between financial and non-financial systems where the Head of Internal Audit has commented as follows: "Our overall opinion is that internal controls within financial and operational systems operating throughout the year are fundamentally sound."

- 4.3 For the 2015/16 Internal Audit Annual Report, the Head of Internal is also required to give an opinion on Information Technology Governance and in his report has stated "In our opinion the information technology governance of the Councils is adequate to support the organisation's strategies and objectives".

- 4.4 The following are extracts from the Head of Internal Audit's (Mazars) Internal Audit Annual Report.

"We have noted improvement in Adur District Council's control environment during the audit year. During the 2015/16 year, some 25 (78.1%) of internal audit projects were rated 'Satisfactory assurance' compared with 31 (67.4%) in the prior year. No 'Full assurance' opinion was issued in 2015/16 compared to one in 2014/15. We have issued one 'Nil assurance' opinion in 2015/16, compared to none in 2014/15. We issued 6 reports (18.8%) with 'limited assurance' opinions compared with 14 (30.4%) in the previous year.

## **4.0 INTERNAL AUDIT ANNUAL REPORT 2015/16**

We have noted improvement in Worthing Borough Council's control environment during the audit year. During the 2015/16 year, some 24 (80%) of internal audit projects were rated 'Satisfactory assurance' compared with 29 (65.9%) in the prior year. No 'Full assurance' opinion was issued in 2015/16 compared to one in 2014/15. We are pleased to report that we have not issued any 'Nil assurance' opinions in 2015/16. We issued 6 (20%) reports with 'limited assurance' opinions compared with 14 (31.8%) in the previous year.

Key themes arising from the internal audit work across the Councils relate to:

- The continued lack of IT Disaster Recovery Plans which was identified in the 2011/12 Annual Audit Report and since, although it is acknowledged that this is being worked on.
- Further procurement and contract issues, including non-compliance with Council Contract Standing Orders.

Your officers suggest that the above items are significant and should be incorporated into the Annual Governance Statements.

## **5.0 LEGAL IMPLICATIONS**

- 5.1 Paragraph 6 of the Accounts and Audit Regulations 2015 sets out the legal requirements for each authority to produce an Annual Governance Statement (AGS). The Annual Governance Statement is a comment on the totality of good corporate governance, and it is a requirement for this statement to be published alongside the statutory annual statement of accounts. The draft Annual Governance Statement for Adur District Council is attached to this report as Appendix C, and for Worthing at Appendix D. There is no longer a requirement to approve a separate AGS for the Joint Committee which no longer has a separate Statement of Accounts.
- 5.2 The Head of Legal Services in her role as the Council's Monitoring Officer has been closely involved in the preparation, review and publication of the Action Plan and the draft Annual Governance Statement.

## **6.0 FINANCIAL IMPLICATIONS**

- 6.1 There are no direct costs or other financial implications involved with the production of these statements.
- 6.2 The Chief Financial Officer in her role as the Council's S.151 Officer has been closely involved in the preparation, review and publication of the Action Plan and the draft Annual Governance Statement.

## **7.0 RECOMMENDATION**

7.1 The Joint Governance Committee is asked to:

- (a) note the evidence of compliance with the Code of Corporate Governance and the Action Plan produced to deal with any issues arising from these requirements as set out in Appendix A.
- (b) approve the Annual Governance Statements for each Council as set out in Appendix B and C to this report.

### **Local Government Act 1972**

**Background Papers:** Delivering Good Governance in Local Government  
Framework & Guidance Notes for English Authorities;  
CIPFA/SOLACE 2007  
Accounts and Audit Regulations 2011  
Accounts and Audit Regulations 2015

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## **SCHEDULE OF OTHER MATTERS**

### **1.0 COUNCIL PRIORITY**

1.1 Matter considered and no issues identified

### **2.0 SPECIFIC ACTION PLANS**

2.1 An Action Plan dealing with issues emanating from the review of the Annual Governance Statement is contained in the report

### **3.0 SUSTAINABILITY ISSUES**

3.1 Matter considered and no issues identified

### **4.0 EQUALITY ISSUES**

4.1 Matter considered and no issues identified

### **5.0 COMMUNITY SAFETY ISSUES (SECTION 17)**

5.1 Matter considered and no issues identified

### **6.0 HUMAN RIGHTS ISSUES**

6.1 Matter considered and no issues identified

### **7.0 REPUTATION**

7.1 Matter considered and no issues identified

### **8.0 CONSULTATIONS**

8.1 Matter considered and no issues identified

### **9.0 RISK ASSESSMENT**

9.1 Specific issues and requirements are detailed in the attached Action Plan

### **10.0 HEALTH & SAFETY ISSUES**

10.1 Matter considered and no issues identified

### **11.0 PROCUREMENT STRATEGY**

11.1 Matter considered and no issues identified

### **12.0 PARTNERSHIP WORKING**

12.1 Specific issues and requirements are detailed in the report and action plan attached.

1. Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area

Action Code	Title	Description	Assigned To	Due Date	Latest Note	Performance Status
G07/13	Measuring Value for money	Decide how value for money is to be measured and make sure that the authorities have the information needed to review value for money and performance effectively.	Paul Brewer	Ongoing	<p>VFM opinion audit judgement reviewed on an annual basis and opinion is positive.</p> <p>A number of services are regionally benchmarked and others nationally e.g. Adur Homes, Fraud, Leisure. Cost comparisons with other Councils undertaken.</p> <p>VFM measured as part of procurement.</p> <p>The performance dashboard includes information on internal process and financial results measures.</p>	Progressing well(Green)
G08/13	Environmental Impact	Measure the environmental impact of policies, plans and decisions.	Paul Brewer/ Steve Spinner	Ongoing	<p>The Council has committed to Your Energy Sussex which will manage the roll out of energy efficiency measures including solar PV technology and new boilers within Adur Homes improving the environmental impact of our Housing Stock.</p> <p>The Council is currently undertaking feasibility work on the roll out of further solar panels on corporate buildings. This has been delayed due to the changes to the Feed In Tariffs (energy subsidy) and now requires reappraisal.</p> <p>A new sustainability officer is currently being recruited to. There has been a fundamental review of the role to broaden the remit of the work being undertaken.</p>	Being closely monitored(Amber)



2. Members and Officers working together to achieve a common purpose with clearly defined functions and roles

Action Code	Title	Description	Assigned To	Due Date	Latest Note	Performance Status
G09/13	Roles/responsibilities of Members and senior officers	<p>1) Set out a clear statement of the respective roles and responsibilities of the executive, the executive members individually and the authorities approach towards putting this into practice.</p> <p>2) Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and senior officers.</p>	Tina Favier / Julia Smith	Ongoing	<p>Executive delegations have been agreed. Constitution sets out the roles of Members. Joint Committee Agreement and Constitution sets out responsibilities of the Councils and their individual and joint committees.</p> <p>Scheme of delegations to officers has been redrafted to clarify executive and non-executive functions and take account of the new officer structure. A record of the amendments is being reviewed by the Joint Governance Committee in June 2016.</p>	Progressing well(Green)
G10/13	Scheme of Delegation	Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the authorities, taking account of relevant legislation, and ensure that it is monitored and updated when required.	Susan Sale	Ongoing	Scheme of delegations has been revised and a record of the amendments is being reviewed by the Joint Governance Committee in June 2016.	Progressing well(Green)
G16/13	Process for communicating the vision, strategic plans, priorities and targets	Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms and in consultation with the local community and other key stakeholders. That they are clearly articulated and disseminated.	Neil Hopkins	Ongoing	<p>A vision has been produced and agreed by the Councils called 'Catching the Wave'. A communications workstream for 'Catching the Wave' was set up to increase capacity to effectively communicate the vision effectively externally and internally. The Council receives 6 months reports on progress in implementing the actions arising from these priorities.</p> <p>The communication capacity of the Councils has subsequently been further strengthened through the appointment of a Head of Communications, who is now preparing a new Communications/Engagement strategy for the organisation</p>	Being closely monitored(Amber)

2. Members and Officers working together to achieve a common purpose with clearly defined functions and roles

Action Code	Title	Description	Assigned To	Due Date	Latest Note	Performance Status
G17/13	Partnership protocols and governance	1) When working in partnership ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authorities.	Tina Favier	Ongoing	As part of the review of member development and the role of members on Outside Bodies, guidance & support is provided to Members e.g. representation on South Downs Leisure Trust Board; Worthing Homes Board.	Progressing well(Green)
		2) When working in partnership: (a)ensure that there is clarity about the legal status of the partnership; (b) ensure that representatives or organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions.	Tina Favier	Ongoing	The terms of reference of the Local Strategic Partnership and the Partnerships that support the LSP have recently been reviewed and updated to ensure consistency and to make connections with other key strategic partnerships e.g. Safer West Sussex; GBEB; West Sx Health & Wellbeing Partnership.	Progressing well(Green)

### 3. Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour

Action Code	Title	Description	Assigned To	Due Date	Latest Note	Performance Status
G19/13	Standards of conduct and behaviour	Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the authority, its partners and the community are defined and communicated through codes of conduct and protocols.	Susan Sale	Ongoing	The Councils each have an up to date Code of Conduct for Members and an Officers Code of Conduct.  The Code of Conduct is due to be reviewed in 2016/17.	Progressing well(Green)
G21/13	Shared values	Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners.	Gill Frost	Ongoing	The Organisational Development Team has been set up. PDR process has been revamped with clear links to the core competencies and behaviours.  A new talent management programme set up 'unboxed' to develop staff. The first 20 staff are took part in the programme in 2015/16 which has been assessed as successful. Round 2 is to be launched later this year.	Progressing well(Green)
G22/13	Systems and processes conform to appropriate ethical standards	Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice.	Susan Sale / Sarah Gobey	Ongoing	Financial Standing Orders were approved in April, 2014. The Constitution has been revised and approved, A review of Contract Standing Orders was undertaken and approved in June 2015.  The Contract Standing Orders are due to be reviewed again at the Joint Governance Committee in September 2016 for any changes resulting from audit recommendations	Progressing well(Green)
G57/13	Information Security	Ensure policies, procedures & training is in place to meet statutory obligations & high standards of practice in information governance and security.	Paul Brewer	Ongoing	A suite of IS Policies, procedures, training & guidance is now in place. A system for monitoring IS breaches has been established..  The policies are due for review in 2016/17.	Progressing well(Green)

#### 4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

Action Code	Title	Description	Assigned To	Due Date	Latest Note	Performance Status
G29/13	Effective Audit Committees	Maintain an effective audit committee (or equivalent) which is independent of the executive and scrutiny functions or make other appropriate arrangements for the discharge of the functions of such a committee.	Sarah Gobey	Ongoing	Effective audit scrutiny in place. Councillors can attend training. Continuing developing knowledge and skills of the Councillors.  A review of the effectiveness of the Audit Committee is due to be considered by the Joint Governance Committee in September 2016.	Progressing well(Green)
G33/13	Whistle-blowing	Ensure that up-to-date arrangements are in place for whistle-blowing to which staff and all those contracting with the authority have access.	Susan Sale	Ongoing	Whistleblowing policy has been renewed. Policy to be reviewed annually.	Being closely monitored(Amber)
G52/13	Refresh Standing orders with relation to Contracts	To review and refresh the contract regulations.	Sarah Gobey/ Susan Sale	Ongoing	Refreshed Standing Orders recommended to Council for approval at JGC July 2015.  Training continues to be rolled out to all officers involved in procuring items of £5k or more from September onwards.	Progressing well(Green)
G53/13	Refresh Financial Regulations	To review and refresh the financial regulations.	Sarah Gobey	Ongoing	Revised financial regulations were approved by Joint Governance and Audit Committee in March 2014 and subsequently approved by both Councils in April.  A review is planned for 2016/17 to incorporate any new audit recommendations.	Being closely monitored(Amber)
G54/13	Contract Management	To review and refresh the guidance and training offered to staff with responsibility for significant contracts and ensure all officers with responsibility for significant contract have the knowledge and skills to perform their duty adequately.	Sarah Gobey; Steve Spinner	Ongoing	Following the roll out of the Contract Standing Orders training sessions to all staff involved with delivering contracts, mandatory contract management training is now being delivered to all relevant staff.  Training providers have been contacted to provide a course outline and training programme.  However, a couple of recent internal audit reports indicate that there are still pockets of poor practice.	Needs attention (Red)
G55/13	Project Management	To ensure projects are carried out in a timely manner, within budget and achieve their stated objectives/ outcomes.	Paul Brewer	Ongoing	The Councils Leadership Team is reviewing all key Projects/Risks/Actions on a monthly basis and work is currently underway to make the report to the CLT more of a 'live' document.  A new training framework is being developed by the Head of Digital and Design	Being closely monitored(Amber)

4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

Action Code	Title	Description	Assigned To	Due Date	Latest Note	Performance Status
G56/13	Review procurement guidance	To review and refresh the detailed guidance for procurement.	Sarah Gobey	31-Mar-2014	<p>A Corporate Procurement Working Group is now meeting and this forms part of their action plan. Mandatory standing order training has been completed for all managers responsible for procuring goods and services.</p> <p>A new procurement intranet page is active and contains a matrix to help staff use the correct method of procurement.</p> <p>A procurement portal for letting contracts has been implemented.</p> <p>A procurement strategy is in draft form and will be presented to Joint Strategic Committee for approval by September 2016.</p>	Being closely monitored(Amber)
G58/13	Compliance with priority 1 audit recommendations	Ensure all important audit recommendations are implemented within agreed timescales.	Sarah Gobey	Ongoing	<p>Head of Internal Audit is now reporting to Management Team to raise profile of issues. List of outstanding recommendations is being circulated to Heads of Service for review and action.</p> <p>Heads of Service not responding to audit queries are now being asked to attend JGC.</p> <p>A new audit recommendation tracking system has been developed with assistance from the digital team. This will enable better tracking of audit recommendations in the future.</p>	Progressing well(Green)

5. Developing the capacity and capability of members and officers to be effective

Action Code	Title	Description	Assigned To	Due Date	Latest Note	Performance Status
G38(M)/13	Assess skills required by Members	Assess the skills required by members and make a commitment to develop those skills to enable roles to be carried out effectively.	Tina Favier / Susan Sale	Ongoing	Evaluation of the effectiveness of member training currently being completed for discussion between Head of Wellbeing and Leaders (as portfolio holders for Member Services). A revised training plan is currently being considered.  Member training includes skills in areas of chairmanship, standards. Planning, licensing and finance.	Progressing well(Green)
G38(O)/13	Assess skills required by Officers	Assess the skills required by officers and make a commitment to develop those skills to enable roles to be carried out effectively.	Gill Frost	Ongoing	The PDR process for 2016 has been revised with a pilot being undertaken in Housing. All 2015/16 PDRs will be completed by the end of June 2016. The Organisational Development team has been looking at: - Individual performance management - Managers training package - Learning, development and growth - Leadership capacity - Digital capability programme for all staff - Core customer service training package	Progressing well(Green)
G40/13	Reviewing the performance of the Executive and individual Members	Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan which might, for example, aim to address any training or development needs.	Tina Favier / Dave Briggs	Ongoing	No progress. Executive is subject to review by JOSOC and is subject to challenge by elected Members at Full Council.  There is no formal process for carrying out performance and development reviews for Members.	Being closely monitored(Amber)
G41/13	Engage community to participate in work of the authority	Ensure that effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority.	Neil Hopkins/ Tina Favier	31-Mar-2014	Two key themes of the Catching the Wave vision are 'Cultivating Enterprising Communities' and 'Becoming Adaptive Councils' - to actively promote and lead community enterprise and civic social entrepreneurs. The Director for communities leads on this work.  Alongside this, the communication capacity of the Councils, both internally and externally, has been strengthened through the appointment of a Head of Communications, who is preparing a new Communications/Engagement strategy for the organisation. The new Communications team is currently being recruited to, full details can be found in G16/13 above.  The Councils also have a joint Members/Officers/Youth Council Community Engagement Task Group which over sees community engagement work. This has currently been put on hold pending a decision by senior leadership officers and the Leader of the Council.	Being closely monitored(Amber)

5. Developing the capacity and capability of members and officers to be effective

Action Code	Title	Description	Assigned To	Due Date	Latest Note	Performance Status
G42(M)/13	Career structures - Members	Ensure that career structures are in place for members to encourage participation and development.	Tina Favier / Julia smith	31-Mar-2014	Review of Members training is ongoing. Once report prepared, Democratic Services is to share it with Chief Executive and Leaders of ADC & WBC to determine the future direction of Member training and whether or not the Councils should continue with a career pathway for elected Members.	Being closely monitored(Amber)
G42(O)/13	Career structures - Officers	Ensure that career structures are in place for officers to encourage participation and development.	Gill Frost / Becky Cooke	Ongoing	The Organisational Development team has been rolling out: <ul style="list-style-type: none"> <li>- Individual performance management</li> <li>- A talent management programme</li> <li>- Learning, development and growth</li> <li>- Leadership capacity</li> <li>- Managers training package</li> <li>- Developing core competencies for recruitment and development.</li> </ul>	Progressing well(Green)
G50/13	Continue staff engagement and consultation	<p>Renew in light of cultures and behaviours a clear policy on how staff and their representatives are consulted and involved in decision making.</p> <p>Develop and maintain a clear policy on how staff and their representatives will be engaged with in times of change, i.e. changing the way a service is delivered, cuts.</p>	Neil Hopkins / Gill Frost	Ongoing	<p>A vision has been produced and agreed by the Councils called 'Catching the Wave'. This set the Councils priorities for the short to medium term.</p> <p>A series of Staff events have been and are continuing to be held as part of this programme.</p> <p>Additionally, an established programme of meetings with UNISON is in place at least 6 times per annum (JONG). Where necessary business groups of JONG are formed to look at specific issues and to report back to JONG e.g. Terms &amp; Conditions Working Group.</p> <p>The communication capacity of the Councils has also been further strengthened through the appointment of a Head of Communications, who is now preparing a new Communications/Engagement strategy for the organisation, both internally as well as externally.</p>	Progressing well(Green)

## 6. Engaging with local people and other stakeholders to ensure robust public accountability

Action Code	Title	Description	Assigned To	Due Date	Latest Note	Performance Status
G43/13	Stakeholder relationships	<p>1) Make clear to stakeholders, all staff and the community who in the council is accountable to whom and for what.</p> <p>2) Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required.</p>	Sarah Gobey / Tina Favier	Ongoing	<p>The Catching the Wave Programme Board includes a 'Partners and Partnerships' workstream to review our partnership and stakeholder relationship working and to seek to align this working with the new vision.</p> <p>Mapping work has been undertaken with over 300 partnerships identified. Work on classifying &amp; better understanding these partnerships is now underway. This will include identification of partnership gaps &amp; opportunities. The mapping work will identify key stakeholders &amp; the relationship they have with the Councils.</p>	Being closely monitored(Amber)
G44/13	Scrutiny annual report	Produce an annual report on the activity of the scrutiny function.	Mark Lowe/ Dave Briggs	Ongoing	Report on 2014/15 JOSC Annual report was prepared for JOSC and presented on 16 <sup>th</sup> July 2015.	Action complete(Green)
G47/13	Performance Monitoring and Reporting	Report quarterly the progress on performance, including risks.	Mark Lowe / Dave Briggs	Ongoing	<p>A new performance dashboard introduced in April 2014 is being reported on a regular basis to Councils Leadership Team. A revised Dashboard is now currently being developed using interactive Performance software providing infographics/Dashboards for rolling out in the summer 2015 and incorporating monthly 'Flash reporting'.</p> <p>A new way of monitoring Risks is being developed using new interactive tools (Trello Boards) and was introduced in summer 2015.</p>	Action progressing well (Green)
G48/13	Open and accessible authority	Ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.	Paul Brewer / Dave Briggs	Ongoing	The Open Data section has been created on the website. Government have now published a new Code of Practice for Local Authorities on Data Transparency which was implemented with effect from 1 <sup>st</sup> April 2014. This data is being kept up to date.	Being closely monitored(Amber)



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## **ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT**

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### ***SCOPE OF RESPONSIBILITY***

Adur District Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

The Council has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework Delivering Good Governance in Local Government. A copy of the code is on our website at [www.adur.gov.uk](http://www.adur.gov.uk) or [www.adur-worthing.gov.uk](http://www.adur-worthing.gov.uk) or can be obtained from the Council. This statement explains how Adur District Council has complied with the code and also meets the requirements of regulation 6 of the Accounts and Audit Regulations 2015 in relation to the publication of a statement on internal control.

### ***THE PURPOSE OF THE GOVERNANCE FRAMEWORK***

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

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The governance framework has been in place at the Council for the financial year ended 31<sup>st</sup> March 2016 and up to the date of approval of the statement of accounts.

### ***THE GOVERNANCE FRAMEWORK***

The key elements of the systems and processes that comprise the Council's governance arrangements include arrangements for:

- identifying and communicating the authority's vision of its purpose and intended outcomes for citizens and service users;
- reviewing the authority's vision and its implications for the authority's governance arrangements;
- translating the vision into objectives for the authority and its partnerships;

# ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE GOVERNANCE FRAMEWORK***

- measuring the quality of services for users, for ensuring they are delivered in accordance with the authority's objectives and for ensuring that they represent the best use of resources and value for money;
- defining and documenting the roles and responsibilities of the executive, non-executive, scrutiny and officer functions, with clear delegation arrangements and protocols for effective communication in respect of the authority and partnership arrangements;
- developing, communicating and embedding codes of conduct, defining the standards of behaviour for members and staff;
- reviewing the effectiveness of the authority's decision-making framework, including delegation arrangements, decision making in partnerships and robustness of data quality;
- reviewing the effectiveness of the framework for identifying and managing risks and demonstrating clear accountability;
- ensuring effective counter-fraud and anti-corruption arrangements are developed and maintained;
- ensuring effective management of change and transformation;
- ensuring the authority's financial management arrangements conform with the governance requirements of the *CIPFA Statement on the Role of the Chief Financial Officer in Local Government* (2010) and, where they do not, explain why and how they deliver the same impact;
- ensuring the authority's assurance arrangements conform with the governance requirements of the *CIPFA Statement on the Role of the Head of Internal Audit* (2010) and, where they do not, explain why and how they deliver the same impact;
- ensuring effective arrangements are in place for the discharge of the monitoring officer function;
- ensuring effective arrangements are in place for the discharge of the head of paid service function;
- undertaking the core functions of an audit committee, as identified in CIPFA's *Audit Committees: Practical Guidance for Local Authorities*;
- ensuring compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful;
- whistleblowing and for receiving and investigating complaints from the public;
- identifying the development needs of members and senior officers in relation to their strategic roles, supported by appropriate training;
- establishing clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation;

# ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT

## **THE GOVERNANCE FRAMEWORK**

- enhancing the accountability for service delivery and effectiveness of other public service providers;
- incorporating good governance arrangements in respect of partnerships and other joint working as identified by the Audit Commission's report on the governance of partnerships, and reflecting these in the authority's overall governance arrangements.

The operation of this authority's governance framework is described in the section below.

## **THE OPERATION OF THE GOVERNANCE FRAMEWORK**

The governance framework gives Managers/Directors/Members, in a number of ways, the confidence/evidence/ certainty that what needs to be done is being done. The chart below provides a high level overview of the Council's key responsibilities, how they are met and the means by which assurance is delivered.

<b>WHAT WE NEED TO DO</b>					
Focusing on the purpose of the Authority; deliver outcomes for the Community and create and implement a vision for the local area.	Working together to achieve a common purpose with clearly defined functions and roles	Promote values for the authority and demonstrate the values of good governance through upholding high standards of conduct and behaviour	Take informed and transparent decisions which are subject to effective scrutiny and managing risk	Develop the capacity and capability of members and officers to be effective	Engage with local people and other stakeholders to ensure robust public accountability.

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<ul style="list-style-type: none"> <li>• Organisational goals</li> <li>• Service planning</li> <li>• Performance Management</li> <li>• Strategies</li> </ul>	<ul style="list-style-type: none"> <li>• The Constitution</li> <li>• The Monitoring Officer</li> <li>• Section 151 Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Codes of conduct</li> <li>• Financial management and MTFP</li> <li>• Bribery Act 2010 policy guidance</li> <li>• Whistleblowing Policy</li> <li>• HR Policies &amp; procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Freedom of information requests</li> <li>• Complaints procedure</li> <li>• Reports considered by legal and finance experts</li> <li>• Equality impact assessments</li> <li>• Corporate risk register</li> </ul>	<ul style="list-style-type: none"> <li>• Robust interview and selection process</li> <li>• Training and development</li> <li>• Workforce planning</li> <li>• Succession planning</li> <li>• Performance development reviews</li> <li>• Talent management</li> </ul>	<ul style="list-style-type: none"> <li>• Community and engagement policy</li> <li>• Consultations</li> <li>• Terms of reference for partnerships</li> </ul>

# ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **HOW WE KNOW WHAT NEEDS TO BE DONE IS BEING DONE**

Joint Governance Committee function and self-assessment;  
Corporate Governance Group; Scrutiny Reviews;  
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Review of compliance with corporate governance controls;  
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Inspections and recommendations made by external agencies.

The following sections look at how the Council delivers governance principles in more detail:

#### **1. FOCUSING ON THE PURPOSE OF THE AUTHORITY AND ON OUTCOMES FOR THE COMMUNITY AND CREATING AND IMPLEMENTING A VISION FOR THE LOCAL AREA**

##### ***Joint Corporate Priorities***

The Councils have agreed three priorities which set out its aspirations for the town.

- **Supporting Wealth Generators**
- **Cultivating Enterprising Communities**
- **Becoming an adaptive Council**

Further details of how these priorities will be achieved are included in a programme of work called 'Surf's Up' which can be found on the internet <http://www.adur-worthing.gov.uk/large-files/surfs-up/surfs-up-spreads.pdf>.

##### ***Service planning and performance management***

In order to secure these outcomes for residents and service users, the Council needs to respond to some tough challenges. Through partnership working and efficiency savings the Council has made significant savings over the past five years and needs to find a further £2.4m by 2020/21 in a climate of reducing funding from Central Government and rising demand for many of the Councils services. This means that it is important that, whilst we focus on achieving the organisational goal and aspirations, we continue to plan services in detail on an annual basis, focusing on challenges over the coming year but also considering the medium term horizon.

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# **ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT**

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## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **2. MEMBERS AND OFFICERS WORKING TOGETHER TO ACHIEVE A COMMON PURPOSE WITH CLEARLY DEFINED FUNCTIONS AND ROLES.**

#### ***The Constitution***

The constitution sets out the how the Council operates; the roles and responsibilities of members, officers and the scrutiny and review functions; how decisions are made; and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. Although there is no longer a statutory requirement, this Council continues with this arrangement internally and is in the process of updating the constitution to ensure it reflects current practice. As well as working together as a single organisation and with our neighbour Worthing borough Council, members and officers continue to improve their working relations with other organisations, both locally and sub-nationally, to achieve a common purpose of improved efficiency and effectiveness.

#### ***The Monitoring Officer***

The Monitoring Officer is a statutory function and ensures that the Council, its officers, and its elected members, maintain the highest standards of conduct in all they do. The Monitoring Officer ensures that the Council is compliant with laws and regulations, as well as internal policies and procedures. She is also responsible for matters relating to the conduct of Councillors and Officers, and for monitoring and reviewing the operation of the Council's Constitution.

#### ***Section 151 Officer***

Whilst all Council Members and Officers have a general financial responsibility, the s151 of the Local Government Act 1972 specifies that one Officer in particular must be responsible for the financial administration of the organisation and that this Officer must be CCAB qualified. This is typically the highest ranking qualified finance officer and in this Council this is Sarah Gobey, who is also the Chief Financial Officer.

#### ***Codes of conduct***

Codes of Conduct exist for both staff and members.

All Councillors have to keep to a Code of Conduct to ensure that they maintain the high ethical standards the public expect from them. If a complainant reveals that a potential breach of this Code has taken place, Adur District Council or Worthing Borough Council may refer the allegations for investigation or decide to take other action.

On joining the Council, Officers are provided with a contract outlining the terms and conditions of their appointment. All staff must declare any financial interests, gifts or hospitality on a public register. Additionally, members are expected to declare any interests at the start of every meeting that they attend in accordance with Standing Orders. Members and officers are required to comply with approved policies.

# ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **3. PROMOTING THE VALUES FOR THE AUTHORITY AND DEMONSTRATING THE VALUES OF GOOD GOVERNANCE THROUGH UPHOLDING HIGH STANDARDS OF CONDUCT AND BEHAVIOUR**

#### ***Financial management***

The Chief Financial Officer is responsible for leading the promotion and delivery of good financial management so that public money is safeguarded at all times, ensuring that budgets are agreed in advance and are robust, that value for money is provided by our services, and that the finance function is fit for purpose. She advises on financial matters to both the Executive and full Council and is actively involved in ensuring that the authority's strategic objectives are delivered sustainably in line with long term financial goals. The s151 Officer together with finance team ensure that new policies or service proposals are costed, financially appraised, fully financed and identifies the key assumptions and financial risks that face the council.

Financial Regulations were revised in 2013/14 by the s151 Officer so that the Council can meet all of its responsibilities under various laws. They set the framework on how we manage our financial dealings and are part of our Constitution. They also set the financial standards that will ensure consistency of approach and the controls needed to minimise risks. The s151 Officer has a statutory duty to report any unlawful financial activity or failure to set or keep to a balanced budget. She also has a number of statutory powers in order to allow this role to be carried out, such as the right to insist that the local authority makes sufficient financial provision for the cost of internal audit.

#### ***Anti-fraud, bribery and corruption***

The Council is committed to protecting any funds and property to which it has been entrusted and expects the highest standards of conduct from Members and Officers regarding the administration of financial affairs.

The Councils have a Corporate Anti-Fraud Team which acts to minimise the risk of fraud, bribery, corruption and dishonesty and recommends procedures for dealing with actual or expected fraud.

Guidance and policies for staff on the Bribery Act 2010 and the Prevention of Money Laundering are found on the intranet.

#### ***Whistleblowing***

The Council is committed to achieving the highest possible standards of openness and accountability in all of its practices. The Council's Whistleblowing policy (revised in 2014) <http://awintranet/media/media,125134,en.pdf> sets out the options and associated procedures for Council staff to raise concerns about potentially illegal, unethical or immoral practice and summarises expectations around handling the matter.

#### ***Joint Governance Committee***

As its name suggests, the Joint Governance Committee has the responsibility for receiving many reports that deal with issues that are key to good governance. The Committee undertakes the core functions of an Audit Committee identified in CIPFA's practical guidance. The group has an agreed set of terms of reference, which sets out their roles and responsibilities of its members.

# ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **4. TAKING INFORMED AND TRANSPARENT DECISIONS WHICH ARE SUBJECT TO EFFECTIVE SCRUTINY AND MANAGING RISK**

#### ***Transparency***

The Council and its decisions are open and accessible to the community, service users, partners and its staff. The Freedom of Information Act 2000 (FoI) gives anyone the right to ask for any information held by a public authority, which includes this Council, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.

All reports requiring a decision are considered by appropriately qualified legal, and finance staff with expertise in the particular function area before they are progressed to the relevant

Committee or group. This Council wants to ensure that equality considerations are embedded in the decision-making and applied to everything the Council does. To meet this responsibility, equality impact assessments are carried out on all major council services, functions, projects and policies in order to better understand whether they impact on people who are protected under the Equality Act 2010 in order to genuinely influence decision making.

#### ***Risk management***

All significant risks (defined as something that may result in failure in service delivery, significant financial loss, non-achievement of key objectives, damage to health, legal action or reputational damage) must be logged on a Corporate Risk Register, profiled (as high/medium/low), and mitigating measures/assurances must be put in place.

#### ***Effective scrutiny***

The Council operates Joint Overview and Scrutiny Committee (JOSC) governed by its own terms of reference. It is important that JOSC acts effectively as one of their key tasks is to review and challenge the policy decisions that are taken by Executive or the Joint Strategic Committee. Topics that are chosen to be 'scrutinised' are looked at in depth by a cross party panel of Councillors. They assess how the Council is performing and see whether they are providing the best possible, cost effective service for people in the city. The JOSC's findings are reported to the Joint Strategic Committee or Executive and may result in changes to the way in which services are delivered.

#### ***Complaints***

There is a clear and transparent complaints procedure for dealing with complaints. The Council operates a three-stage complaints procedure and promises to acknowledge complaints within 5 working days and respond fully within 10 working days for first-stage complaints, and 15 working days for second-stage complaints. If complainants remain dissatisfied they have the right to refer the matter to the Local Government Ombudsman.

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# **ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT**

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## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **5. DEVELOPING THE CAPACITY AND CAPABILITY OF MEMBERS AND OFFICERS TO BE EFFECTIVE**

#### ***Recruitment and induction***

The Council operates a robust interview and selection process to ensure that Officers are only appointed if they have the right levels of skills and experience to effectively fulfil their role. If working with children and/or vulnerable adults they will be subject to an enhanced criminal records check prior to appointment. New Officers receive induction which provides information about how the organisation works, policies and health and safety. Newly elected Councillors are required to attend an induction which includes information on: roles and responsibilities; political management and decision-making; financial management and processes; health and safety; information governance; and safeguarding.

#### ***Training and development***

All Officers are required to complete a number of mandatory e-learning courses including health and safety, equalities and diversity, financial rules, and information governance. Officers and Members have access to a range of IS, technical, soft skills and job specific training courses. Compulsory training is provided for Members who sit on the following committees: Governance and Standards Committee, Licensing Committee, and the Planning Committee. Other member-led training is available to Councillors through Democratic Services and Learning and Development. The package of support available gives Members the opportunity to build on existing skills and knowledge in order to carry out their roles effectively.

#### ***Performance monitoring***

All Officers receive regular one to ones with their Manager in order to monitor workload and performance and Managers are required to carry out a performance development review on an annual basis, which seeks to identify future training and development needs. Services consider workforce plans as part of the annual business planning process. Our service plans paint a picture of what we want to achieve; workforce planning helps to establish the nature of the workforce needed to deliver that vision, and produce a plan to fill the gaps. This helps to ensure we have the right people, with the right skills, in the right jobs, at the right time.

### **6. ENGAGING WITH LOCAL PEOPLE AND OTHER STAKEHOLDERS TO ENSURE ROBUST PUBLIC ACCOUNTABILITY**

#### ***Engagement and communication***

It is recognised that people need information about what decisions are being taken locally, and how public money is being spent in order to hold the council to account for the services they provide. The views of customers are at the heart of the council's service delivery arrangements. Adur District Council has developed a Community and Engagement Policy, which reflects the council's ambition to enable and empower communities to shape the places within which they live and work, influence formal decision making and make informed choices around the services they receive.



# ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **6. ENGAGING WITH LOCAL PEOPLE AND OTHER STAKEHOLDERS TO ENSURE ROBUST PUBLIC ACCOUNTABILITY**

To be effective this policy aims to inspire and support a genuine two-way dialogue with all sections of the community and other stakeholders. There are a number of ways people can get involved and connect with the council. Current consultations can be found on the Councils website at [www.adur-worthing.gov.uk](http://www.adur-worthing.gov.uk). Local people have the option to engage in a dialogue through: social media sites (including Facebook and twitter), petition schemes, neighbourhood forums, council meetings (open to the public), their local Councillor and through the citizens panel.

#### ***Consultations***

The council keeps a forward plan of planned consultations. Internally, a consultation toolkit has been developed to guide council staff through the consultation process. The agreed process ensures that engagement activity is relevant, accessible, transparent and responsive. To increase awareness, consultations are proactively promoted. A list of current consultations, as well as a list of past consultations explaining how the council has used public feedback is available on the council website.

#### ***Partnership working***

In addition to the partnership between Adur and Worthing (<http://www.adur-worthing.gov.uk/about-the-councils/partnership-working/>), this Council is involved in a number of different partnerships, at different levels – each with their own set of terms of reference for effective joint working.

## ***REVIEW OF EFFECTIVENESS***

Adur District Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the executive managers within the Council who have responsibility for the development and maintenance of the governance environment, the Head of Internal Audit's annual report, and also by comments made by relevant stakeholders, the external auditors and other review agencies and inspectorates.

The Council has procedures in place to ensure the maintenance and review of the effectiveness of the governance framework, which includes reports to and reviews by the following:

- the Joint Strategic Committee, Executives, the Joint Governance Committee, the Joint Overview and Scrutiny Committee, the Standards Committee.
- internal and external audit
- other explicit review/assurance mechanisms.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Joint Governance Committee, and a plan to address weaknesses and ensure continuous improvement of the system is in place.

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## **ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT**

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### ***SIGNIFICANT GOVERNANCE ISSUES***

There are two significant governance issues either identified by red status on the Governance Action Plan or from the Internal Audit Annual Report or via a report from the Monitoring Officer;

i) Procurement and contract management procedures and processes:

The Council identified the need to improve its future procurement and contract management arrangements following an in depth review of contact procedures and contract management arrangements. Actions are being taken to remedy the situation by way of:

- A programme of training on contract standing orders and contract management;
- A major review of contract management; and
- A corporate review of procurement.

ii) Lack of an ICT Disaster Recovery Plan.

The Council identified this as a key priority following an in-depth review of an IT failure. To address this, the Council has engaged consultants to support the production of a new ICT Disaster Recovery Plan

iii) Housing Solutions procedures and processes;

The Council identified the need to improve its management of the Housing Solutions Service following an in depth review of processes and procedures by the Legal team and Internal Audit. An internal Corporate Governance Team was convened, chaired by the Chief Executive and actions are being taken to improve the service by way of:

- A programme of training on the legislative framework for the Housing Solutions Team;
- A major review of all processes and procedures.
- A review of the staffing and management of the service.

### ***OTHER ISSUES***

The Governance Action Plan has been updated to deal with any issues brought forward from the 2015 review together with any issues which have been identified during the current review.

The governance requirements in the Statement on the Role of the Chief Financial Officer in Public Services are that the Chief Financial Officer should be professionally qualified, report directly to the Chief Executive and be a member of the leadership team, with a status at least equivalent to other members. The position within Adur and Worthing Councils does not wholly conform to the above statement. The Section 151 Officer does not report directly to the Chief Executive, but reports to one of the Directors in line with the reporting requirements for all Heads of Service. The Section 151 Officer is not a member of the Council's Corporate Leadership Team and does not have the same status as the other members, but has full access to the Chief Executive and the Corporate Leadership Team where necessary.

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## ADUR DISTRICT COUNCIL ANNUAL GOVERNANCE STATEMENT

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### ***PROPOSED ACTION***

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed: \_\_\_\_\_

Councillor Neil Parkin  
Leader of the Council  
Adur District Council



Dated:

Signed: \_\_\_\_\_

Alex Bailey  
Chief Executive of  
Adur & Worthing Councils



Dated:

## **WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT**

### ***SCOPE OF RESPONSIBILITY***

Worthing Borough Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

The Council has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework Delivering Good Governance in Local Government. A copy of the code is on our website at [www.adur.gov.uk](http://www.adur.gov.uk) or [www.adur-worthing.gov.uk](http://www.adur-worthing.gov.uk) or can be obtained from the Council. This statement explains how Adur District Council has complied with the code and also meets the requirements of regulation 6 of the Accounts and Audit Regulations 2015 in relation to the publication of a statement on internal control.

### ***THE PURPOSE OF THE GOVERNANCE FRAMEWORK***

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

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

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### ***THE GOVERNANCE FRAMEWORK***

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# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE GOVERNANCE FRAMEWORK***

- measuring the quality of services for users, for ensuring they are delivered in accordance with the authority's objectives and for ensuring that they represent the best use of resources and value for money;
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# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## **THE GOVERNANCE FRAMEWORK**

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# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

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In order to secure these outcomes for residents and service users, the Council needs to respond to some tough challenges. Through partnership working and efficiency savings the Council has made significant savings over the past five years and needs to find a further £4.4m by 2019/20 in a climate of reducing funding from Central Government and rising demand for many of the Councils services. This means that it is important that, whilst we focus on achieving the organisational goal and aspirations, we continue to plan services in detail on an annual basis, focusing on challenges over the coming year but also considering the medium term horizon.

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# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **2. MEMBERS AND OFFICERS WORKING TOGETHER TO ACHIEVE A COMMON PURPOSE WITH CLEARLY DEFINED FUNCTIONS AND ROLES**

#### ***The Constitution***

The constitution sets out the how the Council operates; the roles and responsibilities of members, officers and the scrutiny and review functions; how decisions are made; and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. Although there is no longer a statutory requirement, this Council continues with this arrangement internally and is in the process of updating the constitution to ensure it reflects current practice. As well as working together as a single organisation and with our neighbour Adur District Council, members and officers continue to improve their working relations with other organisations, both locally and sub-nationally, to achieve a common purpose of improved efficiency and effectiveness.

#### ***The Monitoring Officer***

The Monitoring Officer is a statutory function and ensures that the Council, its officers, and its elected members, maintain the highest standards of conduct in all they do. The Monitoring Officer ensures that the Council is compliant with laws and regulations, as well as internal policies and procedures. She is also responsible for matters relating to the conduct of Councillors and Officers, and for monitoring and reviewing the operation of the Council's Constitution.

- ***Section 151 Officer***

Whilst all Council Members and Officers have a general financial responsibility, the s151 of the Local Government Act 1972 specifies that one Officer in particular must be responsible for the financial administration of the organisation and that this Officer must be CCAB qualified. This is typically the highest ranking qualified finance officer and in this Council this is Sarah Gobey, who is also the Chief Financial Officer.

#### ***Codes of conduct***

Codes of Conduct exist for both staff and members.

All Councillors have to keep to a Code of Conduct to ensure that they maintain the high ethical standards the public expect from them. If a complainant reveals that a potential breach of this Code has taken place, Adur District Council or Worthing Borough Council may refer the allegations for investigation or decide to take other action.

On joining the Council, Officers are provided with a contract outlining the terms and conditions of their appointment. All staff must declare any financial interests, gifts or hospitality on a public register. Additionally, members are expected to declare any interests at the start of every meeting that they attend in accordance with Standing Orders. Members and officers are required to comply with approved policies.



# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **2. MEMBERS AND OFFICERS WORKING TOGETHER TO ACHIEVE A COMMON PURPOSE WITH CLEARLY DEFINED FUNCTIONS AND ROLES**

#### ***Financial management***

The Head of Finance and s151 Officer is responsible for leading the promotion and delivery of good financial management so that public money is safeguarded at all times, ensuring that budgets are agreed in advance and are robust, that value for money is provided by our services, and that the finance function is fit for purpose. She advises on financial matters to both the Executive and full Council and is actively involved in ensuring that the authority's strategic objectives are delivered sustainably in line with long term financial goals. The s151 Officer together with finance staff ensure that new policies or service proposals are costed, financially appraised, fully financed and identifies the key assumptions and financial risks that face the council.

### **3. PROMOTING THE VALUES FOR THE AUTHORITY AND DEMONSTRATING THE VALUES OF GOOD GOVERNANCE THROUGH UPHOLDING HIGH STANDARDS OF CONDUCT AND BEHAVIOUR**

#### ***Financial management***

Financial Regulations were revised in 2013/14 by the s151 Officer so that the Council can meet all of its responsibilities under various laws. They set the framework on how we manage our financial dealings and are part of our Constitution. They also set the financial standards that will ensure consistency of approach and the controls needed to minimise risks. The s151 Officer has a statutory duty to report any unlawful financial activity or failure to set or keep to a balanced budget. She also has a number of statutory powers in order to allow this role to be carried out, such as the right to insist that the local authority makes sufficient financial provision for the cost of internal audit.

#### ***Anti-fraud, bribery and corruption***

The Council is committed to protecting any funds and property to which it has been entrusted and expects the highest standards of conduct from Members and Officers regarding the administration of financial affairs.

The Councils have a Corporate Anti-Fraud Team which acts to minimise the risk of fraud, bribery, corruption and dishonesty and recommends procedures for dealing with actual or expected fraud.

Guidance and policies for staff on the Bribery Act 2010 and the Prevention of Money Laundering are found on the intranet.

# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **3. PROMOTING THE VALUES FOR THE AUTHORITY AND DEMONSTRATING THE VALUES OF GOOD GOVERNANCE THROUGH UPHOLDING HIGH STANDARDS OF CONDUCT AND BEHAVIOUR**

#### ***Whistleblowing***

The Council is committed to achieving the highest possible standards of openness and accountability in all of its practices. The Council's Whistleblowing policy (revised in 2014) <http://awintranet/media/media,125134,en.pdf> sets out the options and associated procedures for Council staff to raise concerns about potentially illegal, unethical or immoral practice and summarises expectations around handling the matter.

#### ***Joint Governance Committee***

As its name suggests, the Joint Governance Committee has the responsibility for receiving many reports that deal with issues that are key to good governance. The Committee undertakes the core functions of an Audit Committee identified in CIPFA's practical guidance. The group has an agreed set of terms of reference, which sets out their roles and responsibilities of its members.

### **4. TAKING INFORMED AND TRANSPARENT DECISIONS WHICH ARE SUBJECT TO EFFECTIVE SCRUTINY AND MANAGING RISK**

#### ***Transparency***

The Council and its decisions are open and accessible to the community, service users, partners and its staff. The Freedom of Information Act 2000 (Fol) gives anyone the right to ask for any information held by a public authority, which includes this Council, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.

All reports requiring a decision are considered by appropriately qualified legal, and finance staff with expertise in the particular function area before they are progressed to the relevant Committee or group. This Council wants to ensure that equality considerations are embedded in the decision-making and applied to everything the Council does. To meet this responsibility, equality impact assessments are carried out on all major council services, functions, projects and policies in order to better understand whether they impact on people who are protected under the Equality Act 2010 in order to genuinely influence decision making.

#### ***Risk management***

All significant risks (defined as something that may result in failure in service delivery, significant financial loss, non-achievement of key objectives, damage to health, legal action or reputational damage) must be logged on a Corporate Risk Register, profiled (as high/medium/low), and mitigating measures/assurances must be put in place.

# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **4. TAKING INFORMED AND TRANSPARENT DECISIONS WHICH ARE SUBJECT TO EFFECTIVE SCRUTINY AND MANAGING RISK**

#### ***Effective scrutiny***

The Council operates Joint Overview and Scrutiny Committee (JOSC) governed by its own terms of reference. It is important that JOSC acts effectively as one of their key tasks is to review and challenge the policy decisions that are taken by Executive or the Joint Strategic Committee. Topics that are chosen to be 'scrutinised' are looked at in depth by a cross party panel of Councillors. They assess how the Council is performing and see whether they are providing the best possible, cost effective service for people in the city. The JOSC's findings are reported to the Joint Strategic Committee or Executive and may result in changes to the way in which services are delivered.

#### ***Complaints***

There is a clear and transparent complaints procedure for dealing with complaints. The Council operates a three-stage complaints procedure and promises to acknowledge complaints within 5 working days and respond fully within 10 working days for first-stage complaints, and 15 working days for second-stage complaints. If complainants remain dissatisfied they have the right to refer the matter to the Local Government Ombudsman.

### **5. DEVELOPING THE CAPACITY AND CAPABILITY OF MEMBERS AND OFFICERS TO BE EFFECTIVE**

#### ***Recruitment and induction***

The Council operates a robust interview and selection process to ensure that Officers are only appointed if they have the right levels of skills and experience to effectively fulfil their role. If working with children and/or vulnerable adults they will be subject to an enhanced criminal records check prior to appointment. New Officers receive induction which provides information about how the organisation works, policies and health and safety. Newly elected Councillors are required to attend an induction which includes information on: roles and responsibilities; political management and decision-making; financial management and processes; health and safety; information governance; and safeguarding.

#### ***Training and development***

All Officers are required to complete a number of mandatory e-learning courses including health and safety, equalities and diversity, financial rules, and information governance. Officers and Members have access to a range of IS, technical, soft skills and job specific training courses. Compulsory training is provided for Members who sit on the following committees: Governance and Audit and Standards Committee, Licensing Committee, and the Planning Committee. Other member-led training is available to Councillors through Democratic Services and Learning and Development. The package of support available gives Members the opportunity to build on existing skills and knowledge in order to carry out their roles effectively.

# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **5. DEVELOPING THE CAPACITY AND CAPABILITY OF MEMBERS AND OFFICERS TO BE EFFECTIVE**

#### ***Performance monitoring***

All Officers receive regular one to ones with their Manager in order to monitor workload and performance and Managers are required to carry out a performance development review on an annual basis, which seeks to identify future training and development needs. Services consider workforce plans as part of the annual business planning process. Our service plans paint a picture of what we want to achieve; workforce planning helps to establish the nature of the workforce needed to deliver that vision, and produce a plan to fill the gaps. This helps to ensure we have the right people, with the right skills, in the right jobs, at the right time.

### **6. ENGAGING WITH LOCAL PEOPLE AND OTHER STAKEHOLDERS TO ENSURE ROBUST PUBLIC ACCOUNTABILITY**

#### ***Engagement and communication***

It is recognised that people need information about what decisions are being taken locally, and how public money is being spent in order to hold the council to account for the services they provide. The views of customers are at the heart of the council's service delivery arrangements. Adur District Council has developed a Community and Engagement Policy, which reflects the council's ambition to enable and empower communities to shape the places within which they live and work, influence formal decision making and make informed choices around the services they receive.

#### ***Engagement and communication***

To be effective this policy aims to inspire and support a genuine two-way dialogue with all sections of the community and other stakeholders. There are a number of ways people can get involved and connect with the council. Current consultations can be found on the Council's website at [www.adur-worthing.gov.uk](http://www.adur-worthing.gov.uk). Local people have the option to engage in a dialogue through: social media sites (including Facebook and twitter), petition schemes, neighbourhood forums, council meetings (open to the public), their local Councillor and through the citizens panel.

#### ***Consultations***

The council keeps a forward plan of planned consultations. Internally, a consultation toolkit has been developed to guide council staff through the consultation process. The agreed process ensures that engagement activity is relevant, accessible, transparent and responsive. To increase awareness, consultations are proactively promoted. A list of current consultations, as well as a list of past consultations explaining how the council has used public feedback is available on the council website.

# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***THE OPERATION OF THE GOVERNANCE FRAMEWORK***

### **6. ENGAGING WITH LOCAL PEOPLE AND OTHER STAKEHOLDERS TO ENSURE ROBUST PUBLIC ACCOUNTABILITY**

#### ***Partnership working***

In addition to the partnership between Adur and Worthing (<http://www.adur-worthing.gov.uk/about-the-councils/partnership-working/>), this Council is involved in a number of different partnerships, at different levels – each with their own set of terms of reference for effective joint working.

## ***REVIEW OF EFFECTIVENESS***

Adur District Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the executive managers within the Council who have responsibility for the development and maintenance of the governance environment, the Head of Internal Audit's annual report, and also by comments made by relevant stakeholders, the external auditors and other review agencies and inspectorates.

The Council has procedures in place to ensure the maintenance and review of the effectiveness of the governance framework, which includes reports to and reviews by the following:

- the Joint Strategic Committee, Executives, the Joint Governance Committee, the Joint Overview and Scrutiny Committee, the Standards Committee
- internal and external audit
- other explicit review/assurance mechanisms.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Joint Governance Committee, and a plan to address weaknesses and ensure continuous improvement of the system is in place.

## ***SIGNIFICANT GOVERNANCE ISSUES***

There are two significant governance issues either identified by red status on the Governance Action Plan or from the Internal Audit Annual Report or via a report from the Monitoring Officer;

### **i) Procurement and contract management procedures and processes:**

The Council identified the need to improve its future procurement and contract management arrangements following an in depth review of contact procedures and contract management arrangements. Actions are being taken to remedy the situation by way of:

- A programme of training on contract standing orders and contract management;
- A major review of contract management; and
- A corporate review of procurement.

# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

## ***SIGNIFICANT GOVERNANCE ISSUES***

- ii) Lack of an ICT Disaster Recovery Plan.

The Council identified this as a key priority following an in-depth review of an IT failure. To address this, the Council has engaged consultants to support the production of a new ICT Disaster Recovery Plan

- iii) Housing Solutions procedures and processes;

The Council identified the need to improve its management of the Housing Solutions Service following an in depth review of processes and procedures by the Legal team and Internal Audit. An internal Corporate Governance Team was convened, chaired by the Chief Executive and actions are being taken to improve the service by way of:

- A programme of training on the legislative framework for the Housing Solutions Team;
- A major review of all processes and procedures
- A review of the staffing and management of the service.

## ***OTHER ISSUES***

The Governance Action Plan has been updated to deal with any issues brought forward from the 2015 review together with any issues which have been identified during the current review.

The governance requirements in the Statement on the Role of the Chief Financial Officer in Public Services are that the Chief Financial Officer should be professionally qualified, report directly to the Chief Executive and be a member of the leadership team, with a status at least equivalent to other members. The position within Adur and Worthing Councils does not wholly conform to the above statement. The Section 151 Officer does not report directly to the Chief Executive, but reports to one of the Directors in line with the reporting requirements for all Heads of Service. The Section 151 Officer is not a member of the Council's Corporate Leadership Team and does not have the same status as the other members, but has full access to the Chief Executive and the Corporate Leadership Team where necessary.

## ***PROPOSED ACTION***

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

# WORTHING BOROUGH COUNCIL ANNUAL GOVERNANCE STATEMENT

Signed: \_\_\_\_\_

Councillor Daniel Humphreys  
Leader of the Council  
Worthing Borough Council



Dated:

Signed: \_\_\_\_\_

Alex Bailey  
Chief Executive of  
Adur & Worthing Councils



Dated: