

EAST HERTS COUNCIL

CORPORATE BUSINESS SCRUTINY COMMITTEE – 21 AUGUST 2012

EXECUTIVE – 4 SEPTEMBER 2012

AUDIT COMMITTEE – 19 SEPTEMBER 2012

REPORT BY THE LEADER OF THE COUNCIL

ANNUAL GOVERNANCE STATEMENT 2011/12

WARD(S) AFFECTED: ALL

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**Purpose/Summary of Report**

- This report presents the 2011/12 Annual Governance Statement at Essential Reference Paper 'B' and the 2012/13 Annual Governance Statement Action Plan at Essential Reference Paper 'C'.

<b><u>RECOMMENDATIONS FOR CORPORATE BUSINESS SCRUTINY COMMITTEE: That:</u></b>	
(A)	the proposed Annual Governance Statement and Action Plan be scrutinised; and
(B)	the following comments be submitted to the Executive:
<b><u>RECOMMENDATIONS FOR THE EXECUTIVE: That:</u></b>	
(A)	the comments of the Corporate Business Scrutiny Committee be received; and
(B)	the following comments be submitted to the Audit Committee:
<b><u>RECOMMENDATION FOR AUDIT COMMITTEE: That</u></b>	
(A)	the comments of the Corporate Business Scrutiny Committee and the Executive be received; and
(B)	The Annual Governance Statement 2011/12 and Action Plan

## 1.0 Background

1.1 The Annual Governance Statement is necessary to meet the requirements set out in the Accounts and Audit Regulations 2003 as amended by the Accounts and Audit (Amendment) (England) Regulations 2006.

## 2.0 Report

2.1 The Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, used economically, efficiently and effectively.

2.2 The Council should undertake regular, at least annual, reviews of its governance arrangements by means of an Annual Governance Statement, to ensure continuing compliance with best practice. It is important that such reviews are reported both within the Council, to the Audit Committee and externally with the published accounts, to provide assurance that:

- governance arrangements are adequate and operating effectively in practice, or
- where reviews of the governance arrangements have revealed gaps, action is planned that will ensure effective governance in the future.

2.3 The process of preparing the governance statement should itself add value to the corporate governance and internal controls framework of the Council.

2.4 A governance statement should include the following information:

- an acknowledgement of responsibility for ensuring there is a sound system of governance (incorporating the system of internal control)
- an indication of the level of assurance that the systems and processes that comprise the Council's governance arrangements can provide
- a brief description of the key elements of the governance framework, including reference to group activities where those activities are significant.

- a brief description of the process that had been applied in maintaining and reviewing the effectiveness of the governance arrangements, including some comment on the role of:
  - ◊ the Council
  - ◊ the Executive
  - ◊ the Audit Committee/ overview and scrutiny function/ Standards Committee
  - ◊ Internal Audit
  - ◊ other explicit review/ assurance mechanisms.
- an outline of the actions taken, or proposed, to deal with significant governance issues.

2.5 It is important to recognise that the governance statement covers all significant corporate systems, processes and controls, spanning the whole range of the Council's activities, including in particular those designed to ensure that:

- the authority's policies are implemented in practice.
- high quality services are delivered efficiently and effectively.
- the authority's values and ethical standards are met.
- laws and regulations are complied with.
- required processes are adhered to.
- financial statements and other published performance information are accurate and reliable.
- human, financial, environmental and other resources are managed efficiently and effectively.

2.6 Grant Thornton, the Council's External Auditors, have recently undertaken a Local Government Governance Review. They highlight that to add real value the Annual Governance Statement should:

- have greater status within the council's management and reporting processes as the key document that records the planned and obtained assurances around the achievement of the vision and strategic objectives.
- be owned from the top and used to plan and monitor internal and external assurance gathering throughout the year.
- be fundamentally reviewed each year so that it highlights what is significant and excludes what is not.
- have only significant weaknesses recorded with SMART action planning.
- provide a robust, transparent and honest assessment of the year's governance framework.

- 2.7 The top three issues that would improve governance as identified in the review are:
- Clarity of information and communication
  - Member input and understanding
  - Scrutiny.
- 2.8 The review also refers to Opportunity risk management and specifically those risks around lower funding, reduced capacity and increasing demand. It states that "we believe councils need to rethink their approach to risk management, making some tough decisions about what is tolerable risk".
- 2.9 Those areas of the Annual Governance Statement that are considered to be static have been added to the Constitution as Part 8. The statement outlines the Governance Framework through the six core principles published by CIPFA.
- 2.10 In order to add real value to the Annual Governance Statement officers have considered the current Annual Governance Statement Action Plan, External and Internal Audit reports, Risk registers, Ombudsman reports, 3 C's reports, National Fraud Initiative reports and the Annual Report.
- 2.11 The Audit Committee has monitored the 2011/2012 Annual Governance Statement Action Plan throughout the year. At the Audit Committee on 11 July 2012, it was reported that six significant governance issues remained outstanding and showed their status as "Amber". Two of these issues are now considered to be complete:
- Adequate flexible working arrangements are now considered to be in place.
  - Sufficient progress has been made on health and safety risk assessments to move status forward to "Green".
- The outstanding four issues have been carried forward to the 2012/2013 Action Plan.
- 2.12 Any items that are considered to be significant governance issues that have come to light in the past year have been discussed by the Monitoring Officer, the Chief Finance Officer and the Manager of Corporate Risk and an Annual Governance Statement and 2012/2013 Action Plan that identifies required enhancements to internal control arrangements has been drawn up. The Action Plan will continue to be monitored through Audit Committee.

- 2.13 The static part of the Annual Governance Statement can be found at **Essential Reference Paper 'B'**. This document shows tracked changes made to last year's statement.
- 2.14 The Annual Governance Action Plan 2012/2013 can be found at **Essential Reference Paper 'C'**. The four items brought forward from the 2011/2012 Action Plan are shown as the first four issues out of nine identified.
- 2.15 These documents will be considered by Corporate Business Scrutiny Committee on 21 August 2012 and the Executive on 4 September 2012. Responsibility for approval of the Annual Governance Statement rests with the Audit Committee, as part of the approval of the Annual Accounts. The results of on-going consultations will be reported verbally to each Committee as part of the process.
- 3.0 Implications/Consultations
- 3.1 Consultation documents were sent to the Leader and Executive Members, Chairmen of Committees, Directors and senior managers, Internal Audit and External Audit. In addition, consultation was opened to the public through publication as a "Top Issue" on the Council Website. Corporate Management Team approved the statement and action plan on 14 August 2012.
- 3.2 The Annual Governance Statement and Action Plan will be considered by Corporate Business Scrutiny Committee and the Executive, prior to approval by Audit Committee.
- 3.3 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

Annual Governance Statement 2011/12- Audit Committee 11 July 2012.

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