

Open Report on behalf of Pete Moore, Executive Director – Finance and Public Protection

Report to:	Audit Committee
Date:	20 July 2015
Subject:	Review of Governance Framework & Development of Annual Governance Statement 2015

Summary:

The Council is required to reflect on how well the Council's governance framework has operated during the year and identify any governance issues that we need to draw to the attention of Lincolnshire's residents.

Good governance underpins everything we do as a Council and how we deliver services often comes under close scrutiny.

A 'good' Annual Governance Statement is an open and honest self-assessment of how well we have run our business across all activities - with a clear statement of the actions being taken or required to address any areas of concern.

The Audit Committee oversees the development of the Annual Governance Statement and recommends its approval to the Council.

This paper provides the Committee with the opportunity to review the contents of the draft statement - ensuring that it accurately reflects the Committee's understanding of the Council's governance and assurance arrangements. This is a key activity in the Committee's terms of reference.

Recommendation(s):

That the Committee considers the contents of the Annual Governance Statement 2015, and:

1. agree that it accurately reflects how the Council is run;
2. that the statement includes the significant governance issues / key risks it would have expected to be published;
3. identify any changes it wishes to make to the statement.

Background

What do we mean by Governance?

1 Governance is about how local authorities ensure that they are:

‘doing the right things, in the right way, for the right people, in an open, honest, inclusive and timely manner’

2 It is comprised of systems, processes and culture and values, by which the Council is directed and controlled and through which they account to, engage with, and where appropriate, lead their communities.

"If management is about running the business – governance is about seeing that it is run properly"¹

What is the Governance Framework?

3 Each local authority operates through a governance framework which brings together an underlying set of legislative requirements, governance principles and management processes. It ensures that the Council's business is conducted in a legal and proper way – ensuring that public money is properly used - economically, efficiently and effectively.

4 In December 2012, CIPFA² issued ‘Delivering Good Governance in a Local Government Framework’ with associated guidance. These set out best practice to be followed for developing and maintaining a local code of governance – including the publication of an annual governance statement.

5 It defines six core principals by which a Council can test out their governance arrangements. These are:

- Focussing 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 accountability

¹ Robert Tricker. An expert in Corporate Governance.

² The Chartered Institute of Public Finance and Accountancy

Annual Review of our Governance Framework

6. The annual review and development of the Annual Governance Statement is undertaken by the Governance Group in consultation with the Executive Directors. The Council's Governance Group comprising of:
 - Monitoring Officer - Executive Director – Environment and Economy
 - Section 151 Officer - Executive Director – Finance and Public Protection
 - County Finance Officer
 - Audit and Risk Manager (Head of Internal Audit)
 - Chief Legal Officer
7. The sources of information used to develop the Governance Statement include:
 - The assurance arrangements of the Council, particularly each Directors Combined Assurance Status reports.
 - Head of Internal Audit annual audit opinion (Annual Report 2015)
 - Council's Strategic Risk Register and risk management arrangements
 - External Audit Annual Audit Letter
 - Ombudsman investigations
 - Complaints and lessons learnt
 - Comments of the Corporate Management Board

Governance Issues

- 8 As a result of our annual review we have identified the following areas where further work is required to improve systems or monitor how the key risks facing the Council are being managed. These are:
 - Financial challenges ahead
 - Financial control environment
 - Information Governance
 - Governance arrangements of the Council
 - Risk Culture
- 9 These areas are highlighted because of the need for the Council to be realistic and open about those functions and activities which require, or are likely to require, support (including but not limited to financial support) over the next year in order to ensure that they are working effectively and efficiently. This in turn should ensure that any future problems in those areas are averted or at the very least minimised. They also represent some of the key areas that will help us deliver our Business Plan.
- 10 The draft Annual Governance Statement can be found in Appendix A. It is presented to the Committee for your consideration and 'challenge' of the contents eg:
 - Does it accurately reflect the Committee's understanding of how the Council is run?

- Reflecting on evidence presented to the Committee during the year and other relevant information are the significant governance / key risks those that the committee expected to see published? Are there any surprises / gaps?

Note: Recognising that the statement is a reflective / backward look at the Council from April 2014 to March 2015 but does need to be contemporary at the time of publication.

- 11 Our governance framework and annual review covers all activities of the Council including Fire and Rescue and Pensions.

Conclusion

- 12 The Council has a strong control environment which is demonstrated by the realistic and open assessment of its functions and activities.
- 13 Officers have identified a number of governance issues to be included in the Annual Governance Statement. The Audit Committee is asked to independently review and approve these for 'realism'.
- 14 The final Annual Governance Statement will be presented to the Committee in September for approval.

Consultation

a) Policy Proofing Actions Required

n/a

Appendices

These are listed below and attached at the back of the report	
Appendix A	Lincolnshire County Council - Annual Governance Statement 31 March 2015

Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Local Code of Governance	Audit Committee minutes and papers

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