AUDIT COMMITTEE

24 SEPTEMBER 2015

ANNUAL GOVERNANCE STATEMENT 2014/15

REPORT OF CORPORATE GOVERNANCE GROUP

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RECENT REFERENCES:

AUD117 - Annual Governance Statement and Corporate Risk Monitoring Update – 22 June 2015

EXECUTIVE SUMMARY:

The Annual Governance Statement was considered by the Audit Committee in June 2015 and approved for publication with the draft pre-audited Statement of Accounts.

In accordance with the statutory requirements, final audited accounts are to be published by 30 September and are being considered on this agenda.

The Annual Governance Statement to be published alongside the accounts in the Annual Financial Report has been updated and is being presented for the Audit Committee's further consideration and approval.

RECOMMENDATIONS:

1. That the Audit Committee approves the Annual Governance Statement.

2 AUD127

AUDIT COMMITTEE

24 SEPTEMBER 2015

ANNUAL GOVERNANCE STATEMENT 2014/15

REPORT OF CORPORATE GOVERNANCE GROUP

1 <u>Introduction</u>

- 1.1 The Annual Government Statement (AGS) has been updated since the Audit Committee considered the first draft at its June meeting, and reflects the changes arising from the discussion by the Audit Committee, the review by External Auditors and management updates.
- 1.2 The details of the changes made to the AGS are provided below and the fully updated Statement is appended.
- 2 Updates to the AGS
- 2.1 The Audit Committee considered the AGS for the financial year 2014/15 in June (report AUD117, 22 June refers) and requested that the following comments be added to the September version.

Issue

Asset Management

Action to be taken

Reference to resolving the future use of the Old Depot be included

Issue

Consultation and Engagement

Action to be taken

To delete the words "to aid their understanding of" and replace them with "to aid their input to", to give emphasis that the Council was consulting rather than putting forward its own view.

- 2.2 At the request of the Chief Finance Officer, confirmation should be given that the Council's financial management arrangements conform to the governance requirements of the CIPFA 'Statement on the Role of the Chief Financial Officer in Local Government (2010)'. This additional sentence has been added to the last paragraph on page 7 of the Statement.
- 2.3 The Council's external auditors, Ernst and Young, will review the Council's Annual Governance Statement and will have the opportunity to raise any comments at the Audit Committee.

3 AUD127

2.4 The opportunity has also been taken to update the Progress/Comments section on Silver Hill to reflect the latest position.

From: Henderson had proposed revisions to the consented scheme to improve design and commercial prospects. Cabinet approval to the next stage was given under the Development Agreement on 6 August 2014. These received planning approval in December 2014.

Following the outcome of the Judicial Review, which quashed the 6 August Cabinet decision, the Council and Henderson are considering the options available to them. Submissions made by Henderson under the Development Agreement are to be considered by Members in June 2015

The Council must ensure that it continues to act in accordance with its obligations under the Development Agreement. Failure to do so may have serious financial implications for the Council.

A significant risk of external legal challenge or reputational risk remains, depending on the options the Council takes.

The uncertainty over future options for Silver Hill may have significant impact upon the extent to which other major schemes can progress, until that uncertainty is removed.

To: At their meetings in July 2015 Council and Cabinet gave careful consideration to the issues relating to the Silver Hill development. Members agreed to progress with the Silver Hill scheme on the basis of reverting to the approved 2009 design with which the developer was willing to proceed. In accordance with those resolutions work is now progressing to enable the outstanding conditions to be met and for the scheme to become 'unconditional', following which the CPO will be utilised as necessary to assemble land in preparation for a start on site early in 2016.

The possibility of legal challenge to this process remains significant based on the public statements of objectors.

3 Approval

3.1 The updated Annual Governance Statement is appended and the Audit Committee are asked to confirm their endorsement of this, prior to it being signed by the Chief Executive and Leader of the Council.

OTHER CONSIDERATIONS

- 4 COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO):
- 4.1 Good Corporate Governance supports the achievement of the objectives of the Community Strategy and Portfolio Plans.
- 5 Resource Implications:
- 5.1 There are no direct implications.

4 AUD127

5. Risk Management Issues

- 5.1 The effectiveness of Corporate Governance within the Council is a principal ingredient to the organisation's objective of being an effective Community Leader. The efficacy of the governance arrangements directly affects the Council's ability to deliver its contribution to the objectives within the Community Strategy and Portfolio Plans.
- 5.2 As a result, the actions and controls in implementing Corporate Governance is a key control and in the Council's arrangements to manage all its risks.

BACKGROUND DOCUMENTS:

None.

APPENDICES:

Appendix A: Updated Annual Governance Statement 2014/15

ANNUAL GOVERNANCE STATEMENT 2014/15

1. Scope of Responsibility

Winchester City 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, and used economically, efficiently and effectively. Winchester City 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, Winchester City Council is responsible for putting in place proper arrangements for the governance of its affairs and facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

Winchester City 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*.

This Statement explains how Winchester City Council has complied with the Code and also meets the requirements of regulation 4(2) of the Accounts and Audit Regulations 2003 as amended by the Accounts and Audit (Amendment) (England) Regulations 2006 in relation to the review of its system of internal control in accordance with best practice, and that the review be reported in an Annual Governance Statement.

2. The Purpose of the Governance Framework

The purpose of the governance framework is to ensure that the authority directs and controls its activities in a way that meets standards of good governance and is accountable to the community. It does this by putting in place an organisational culture and values which drive a responsible approach to the management of public resources, supported by appropriate systems and processes, and ensuring that these work effectively. It works with the Council's Performance Management Framework to ensure that the Council has in place strategic objectives reflecting the needs of the community and is monitoring the achievement of these objectives through 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 Winchester City 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 Winchester City Council for the year ended 31 March 2015 and up to the date of approval of the Statement of Accounts for the 2014/15 financial year.

3. The Governance Framework

The core principles of good governance are:-

- Focusing on the purpose of the authority and on outcomes for the local 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 managed 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.

The Council's Performance Management Framework translates the needs of the community and requirements of Government, into cost effective local services designed to deliver the shared vision for the District (economic prosperity, a high quality environment and active communities) and meet statutory requirements.

The Council engages with its communities through a number of mechanisms, including community planning, consultation events, surveys and campaigns relating to specific initiatives. Building on the views expressed and evidence of needs and future trends, the Council has worked with partner organisations to agree a shared vision and set of aims and outcomes for the District that is documented in the Winchester District Community Strategy 2010 – 2020, as revised at Cabinet on 4 December 2013 (Report CAB2533 refers).

The Council's Community Strategy is supplemented by more detailed information on the key projects and programmes of work that the authority will be delivering during the year – with actions to achieve priority outcomes set out in the Portfolio Plans. More detailed business and service plans are drawn up by Council Teams, with targets set for individual members of staff through the annual appraisal process. This process also looks at the development and training needs of staff, with a programme of training then put in place to meet these needs.

Progress against Portfolio Plans and budgets is monitored regularly by the Corporate Management Team, the Performance Management Team, Senior Managers and Portfolio Holders. The Overview and Scrutiny Committee receives reports focusing on delivery of key projects and programmes of work and drawing attention to other areas where progress is exceeding, or falling short of targets. Portfolio Holders also monitor progress in delivery.

The Council has an officer Performance Management Team to monitor and direct monthly financial performance, service performance, progress on key corporate projects and risk management and to oversee the implementation of recommendations from Internal Audit reports.

The Council publishes an Annual Financial Report (incorporating the Statement of Accounts) annually within the statutory timescales. The Annual Financial Report incorporates the full requirements of best practice guidance in relation to corporate governance, risk management and internal control.

The Council is subject to independent audit by Ernst and Young and receives an Annual Audit Letter reporting on findings. The Council supplements this work with the Southern Internal Audit Partnership and ad hoc external peer reviews. The Audit Committee undertakes the core functions as identified in CIPFA's *Audit Committees – Practical Guidance for Local Authorities*.

The Council's Constitution explains existing policy making and delegation procedures and the matters which must be dealt with by the full Council. It documents the role and responsibilities of Cabinet, portfolio holders, each committee and Members and officers. The Council has approved a protocol governing relationships between Members and Officers as part of its Constitution and has adopted codes of conduct for both Officers and Members which facilitate the promotion, communication and embedding of proper standards of behaviour. Officers have job descriptions and there are clearly defined schemes of delegation, all of which are reviewed from time to time.

The Council's Constitution incorporates clear guidelines to ensure that business is dealt with in an open manner except in circumstances when issues should be kept confidential. Meetings are open to the public except where personal or confidential matters are being discussed. All Cabinet /committee agendas, minutes and portfolio holder decisions are published promptly on the Council's website. In addition, senior officers of the Council can make some decisions under delegated authority. The over-arching policy of the Council is decided by the full Council. The Overview and Scrutiny Committee and Audit Committee hold Portfolio Holders to account for delivery of the Council's policy framework within the agreed budget, and protocols are in place for any departure from this to be properly examined.

Staff awareness training has been undertaken to ensure that the Council complies adequately with the provisions of the Data Protection and Freedom of Information Acts, and Equality requirements.

The Council has appointed the Chief Finance Officer as the Section 151 officer with the statutory responsibility for the proper administration of the Council's financial affairs. CIPFA/SOLACE advise that the Chief Finance Officer should report directly to the Chief Executive and be a member of the 'Leadership Team', of equal status to other members. The Chief Finance Officer became a member of the Corporate Management Team with effect from 1 April 2013. The Council's financial management arrangements conform to the governance requirements of the CIPFA 'Statement on the Role of the Chief Financial Officer in Local Government (2010)'.

The Chief Finance Officer is also a member of the Council's Performance Management Team alongside the Chief Executive, Corporate Directors and Assistant Directors.

The Council has appointed the Chief Operating Officer as the statutory "Monitoring Officer" and has procedures to ensure that the Monitoring Officer is aware of any issues which may have legal implications.

All Cabinet reports are reviewed by the Chief Finance Officer and Monitoring Officer. All reports to Cabinet are required to demonstrate how the matter links to the Council's Community Strategy and Portfolio Plans, and highlight resource implications. Officers are also asked to draw out risk, equality, sustainability, management and legal issues as appropriate. Similar procedures are in place for the Scrutiny and Regulatory Committees.

The Council has whistle-blowing and anti-fraud and corruption policies. It has a formal complaints procedure and seeks to address and learn from complaints. The Council's Standards Committee deals with complaints relating to the conduct of Members.

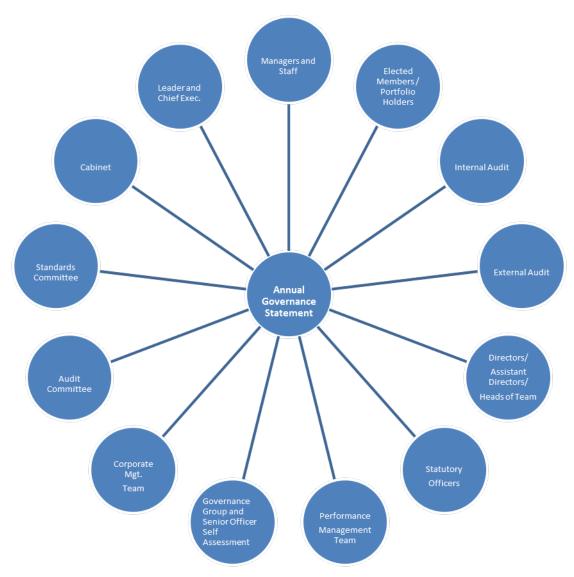
Members' induction training is undertaken after each election. Members receive regular updates and training on developments in local government.

4. Review of Effectiveness

Winchester City Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control.

The process that has been applied in maintaining and reviewing the effectiveness of the governance arrangements includes wide input:-

INPUTS TO THE ANNUAL GOVERNANCE STATEMENT



- Managers and staff have responsibility for the development and maintenance of a sound governance environment.
- Elected members are collectively responsible for the governance of the Council and the full Council is responsible for agreeing the Constitution, policy framework and budget.
- Southern Internal Audit Partnership's remit includes the Council's entire control environment. The Head of the Southern Internal Audit Partnership takes account of the Council's assurance and monitoring mechanisms, including risk management arrangements, for achieving the Council's objectives. The Internal Audit Plan is based on the Corporate Risks Register and identifies Internal Audit's contribution to the review of the effectiveness of the control environment. The process includes reports to the Audit Committee on progress of audits. Regular summaries are also produced of the outcome of each audit, together

with reviews of whether agreed recommendations have been implemented. Internal Audit provides an annual opinion on the internal control environment and issues that should be included in this Statement.

Part of this review process is an annual review report by the Head of Southern Internal Audit Partnership of the effectiveness of the Council's internal audit function. In the light of feedback we have concluded that internal audit is an effective part of the Council's governance arrangements.

- **External Audit** provides an Annual Audit Letter, which includes a review of the Council's Annual Governance Statement and internal controls.
- Corporate Directors, Assistant Directors and Heads of Teams complete annual statements of assurance and implement action plans identified as a part of this process.
- The Monitoring Officer has a duty to monitor and review the operation of the Constitution to ensure its aims and principles are followed. He also reviews this Statement. Amendments to the Constitution are considered by Cabinet, the Leader, The Overview and Scrutiny Committee, the Standards Committee, the regulatory committees and Council from time to time as required to reflect managerial and operational changes.
- An officer **Performance Management Team** is responsible for deploying risk management across the Council and the risk assessment of emerging issues, in addition to monitoring progress against Business Plans and budgets.
- An officer Governance Group co-ordinates the preparation of this statement and recommends the statement to the Corporate Management Team. The Group monitors compliance in the risk management arrangements and keeps the self-assessment of governance based on the Code of Corporate Governance under review.
- The Corporate Management Team reviews this statement and regularly deals with setting policy for risk management. It has a role in setting the culture and values, agreeing the Governance Framework, and implementing the framework throughout all its work.
- The Audit Committee monitors the internal control environment through receipt of audit reports and this Statement, and keeps an overview of arrangements for risk management. It also approves this Statement and the Statement of Accounts.
- The Cabinet manages risk in making operational and governance decisions together with proposing and implementing the policy framework, budget and key strategies.
- The Leader and Chief Executive review and sign this Statement on behalf of the Council.

5. Current Issues

There are a number of issues identified which significantly impact on the 2014/15 and / or future financial years. The Council has also stated how it plans to address them and the following plans have been integrated into the Council's performance management arrangements.

Issue	Action to be taken	Progress / Comments
Asset	Maintain an up to date Asset	The new Depot has been completed
Management	Management Plan and	which has released the old site for
	ensure that financial aspects	redevelopment. Both Abbey Mill and
Also Corporate	of the Council's fixed assets	Avalon House, no longer needed for
Risk for 15/16	are appropriately	occupation by the Council, have been
	incorporated into the	upgraded and let to River Cottage
	financial planning process,	(Abbey Mill), and Southern Health NHS
	taking account the possible	Trust (Avalon House) The Council has
	impact of the current economic situation and of	also contracted to purchase County Council land near the Winchester station
	opportunities to encourage	which together with the adjacent City
	regeneration through the	Council car park will provide an
	use of the Council's property	opportunity for a major redevelopment
	portfolio.	upon which public consultation is
	'	underway.
		-
		The Council's Capital Strategy was
		revised in September 2014 and an
		updated capital programme was
		approved by Council in February 2015.
		The updated Asset Management Plan will be brought forward in Spring 2016;
		in the meantime, annual updates are
		prepared which reflect the recent
		decisions on the Council's programme
		of major projects. The annual review of
		the Capital Strategy and Programme
		reflects these updates to the AMP. The
		uncertainty over future options for Silver
		Hill may have significant impact upon
		the extent to which other major schemes
		can progress, until that uncertainty is
		removed.
		Full Council have requested that a
		further Revised Budget and Capital
		Programme be brought forward as early
		as practicable to reflect decisions made
		on the Silver Hill project.

Issue	Action to be taken	Progress / Comments
Setting and	Continued improvement in	The Silver Hill scheme continues to
achieving	consultation on Council	affect the Council's budget and
priorities within	priorities/budget, and of	planning. The 2015/16 budget was
the context of	links between corporate	approved by Council in February 2015
reducing	planning, and Medium Term	taking into account the potential
resources for	Financial Strategy.	immediate impact of the Silver Hill
local	The Finance and	judgement. However, planning is
government.	Organisational Development	underway to enable a revised budget to
	Portfolio Plan for 2014/15	be brought forward as soon as
Also Corporate	set out the key actions	practicably possible.
Risk for 15/16	which include:	
	-Strengthen the financial	The Council's corporate planning
	resilience of the Council by	processes provide a clear link between
	building further on the	the Community Strategy and day-to-day
	principles established in the	activities, with the Portfolio Plans setting
	Asset Management Plan;	out what the Council seeks to deliver
	-Develop a savings and	each year. These form the basis for our
	income plan to balance the	budget. As resources continue to be
	medium term forecast deficit	squeezed, so the Council will continue
	position; and	to set priorities and plan to deliver what
	- Develop the Council's	can be afforded.
	Treasury Management	
	Strategy to support the	Officers are investigating opportunities
	Council's increased capital	for increasing the Council's income as
	spending requirements, with	well as the scale for fees and charges.
	an acceptable level of risk.	This work will shortly be reviewed by
		Members. Work is also commencing,
		led by the Assistant Directors, to
		fundamentally review the Council's
		business with the aim of addressing the
		medium term forecast deficit position.
		The Treasury Management Strategy
		was approved by Council in February
		2015.

Issue	Action to be taken	Progress / Comments
Partnership	Continue to develop	A number of delivery partnerships are in
arrangements	partnership arrangements	place to help realise priority outcomes,
	where there is an efficiency	for example the Community Safety
Also Corporate	or improvement led case for	Partnership, Health & Wellbeing
Risk for 15/16	doing so.	Partnership, and Housing Forum.
		The Council continues to develop a range of partnership and shared services projects including: - Housing services
		- Fully Integrated Merger of Museums services – Cultural Trust handover occurred on 1 November 2014.
		Shared services already in place include IT, Revenues, Environmental Services, Internal Audit, Treasury Management Services and Learning and Development.
		The recommendations of a recent Internal Audit report on risk management are being implemented.

Issue	Action to be taken	Progress / Comments
Capacity	Ensure capacity to deliver	A framework has been established to
, ,	priorities.	monitor progress and manage
Also Corporate		resources in relation to the effective
Risk for 15/16	More effective use of officer	delivery of corporate projects. This
	capacity through agile	comprises of monthly meetings with
	working.	Cabinet Members, the Programme
	Effective Flexible Resource Management to achieve target savings. Developing a robust approach to Programme Management.	Management Group and the Performance Management Team. The use of project teams supported by the Major Project's team utilising resources from across the Council and utilising external resources/ expertise as required has helped to support the delivery of major corporate projects. Local Partnerships were engaged to support a review of how our approach to
		programme management can further be improved, and key recommendations from this will be implemented. The uncertainty over future options for Silver Hill may have significant impact upon the extent to which other major schemes can progress, until that uncertainty is removed.
		The 1-team approach to staff deployment continues to assist with directing staff resource to priority areas.
		The Major Projects Team is supporting the prioritisation of resources for the Council's significant projects.
		A need for more strategic finance capacity has been identified and a review of the structure of the Financial Services team has commenced.
		Additional resources have been agreed in the Legal and Estates teams to support these priorities.
		A revised Workforce Plan and People Strategy are currently being developed and will be reported to Personnel Committee later in 2015.

Issue	Action to be taken	Progress / Comments
Silver Hill	To work with the Council's	At their meetings in July 2015 Council
	development partner	and Cabinet gave careful consideration
Also Corporate	Henderson to progress the	to the issues relating to the Silver Hill
Risk for 15/16	scheme.	development. Members agreed to
		progress with the Silver Hill scheme on
		the basis of reverting to the approved
		2009 design with which the developer
		was willing to proceed. In accordance
		with those resolutions work is now
		progressing to enable the outstanding
		conditions to be met and for the scheme
		to become 'unconditional', following
		which the CPO will be utilised as
		necessary to assemble land in
		preparation for a start on site early in
		2016.
		The possibility of legal challenge to this
		process remains significant based on
		the public statements of objectors.
Changes to	To input into the Local	The Commission published its
Governance	Government Boundary	recommendations for comment in
Arrangements	Commission review to	February. We are now awaiting the
Also Corporate	reflect the Council's	Commission's final recommendation (30
Risk for 15/16	aspiration for its future	June 2015). Following the outcome, the
	governance arrangements	Council will need to make decisions on
	and to continue to	how to adapt its own Governance
	implement the Council's	arrangements for 2016 onwards and
	own improvements to its	The Overview and Scrutiny Committee
	decision making	has also asked for a review of its
	arrangements.	scrutiny arrangements. Consideration
		will also be given as to whether a Community Governance Review is
		needed for any consequential impact
		upon parishes of the Commission's
		decisions.

Issue	Action to be taken	Progress / Comments
Performance and Risk Management	Respond appropriately to recommendations included in recent Internal Audit report on Performance and Risk Management.	Portfolio Plans for 2015/16 were adopted by Council on 7 January 2015 after consideration by Cabinet on 3 December and The Overview and Scrutiny Committee on 8 December (report CAB2633 refers). A revised set of performance metrics based on key areas of the Council's business are now reported as part of a quarterly dashboard Performance Management Team Risk workshops took place with senior managers and risk owners during December to support the updating of operational, project and partnership risks on Covalent. Members attended a Risk training session in January, following requests from Audit Committee for a focus on the Council's approach to risk. This was followed up in June by a Member workshop that focussed on the Council's risk appetite. The Corporate Risk Policy has been reviewed and was discussed by Cabinet and Audit Committee in June.

Issue	Action to be taken	Progress / Comments
Recruitment and Retention	Analyse the workforce profile and monitor trends to develop a revised Workforce Strategy and detailed plans to ensure that the Council has the right people with the right skills at the right time.	Work is on going to review and refresh the People Strategy and Workforce Strategy and to ensure they are able to meet future needs. They will also assist with identifying any issues in specific areas of the Council's work. Both will be reported for consideration and approval at a future meeting of Personnel Committee.
		A review of the Pay and Reward profile of the Council is underway to establish the current position within the employment market and assessing future requirements before a report setting out the Council's Pay and Reward Strategy is presented to Cabinet and Personnel Committee for consideration.
Consultation and engagement	Seek to embed best practice of consultation and engagement across all areas of the Council including engaging with residents to aid their input into to the Council's major	Programme and project Management arrangements implemented over the last year will provide reassurance that communication is embedded in each project plan and project management training to be delivered to key staff in Spring 2015 will support this.
	projects.	Consultation methods and approaches are being reviewed to take into account best practice depending upon the type and nature of the project.
		The 'Engage' website is being revised to provide best practise guidance to officers on consultation and engagement and training on e-surveys and how to deliver effective consultation is being developed.
		The Station Approach consultation carried out in May 2015 was undertaken to reflect this approach of engaging early in the process with residents and stakeholders.

Issue	Action to be taken	Progress / Comments
River Park Leisure Centre	Decision on way forward to be sought from Members – Autumn 2015	Further technical and financial work is being undertaken to inform decision making on the possible options. On going condition survey work is being undertaken on the existing Leisure Centre.
		Further decisions need to be taken to resolve the future use of the Old Depot site.
City Offices	Decision on way forward to be sought from Members – Autumn 2015	Technical work is being undertaken to inform future decisions on improvements to City Offices.
Procurement and Contract Management	Cabinet to consider, with advice from Audit Committee and The Overview and Scrutiny Committee, improvements to procurement and contract management – Autumn 2015.	Cabinet and other Committees to consider report from Independent Reviewer on Silver Hill, alongside other advice on programme management, procurement and contract management. Detailed recommendations will follow from recommendations which are accepted.

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 during the year and as part of our next annual review.

Signed:	Signed:
Simon Eden	Councillor S. Godfrey
Chief Executive	Leader of the Council
Winchester City Council	Winchester City Council
Dated:	Dated: