

DRAFT ANNUAL GOVERNANCE STATEMENT – 2016/17

1.0 INTRODUCTION

- 1.1 As prescribed by the Account and Audit Regulations 2015, regulation 6, the Council is required to produce an Annual Governance Statement (AGS) following an assessment of its governance framework.
- 1.2 The Leader of the Council and the Head of Paid Services (Chief Executive) are required to sign the AGS and be satisfied that the document is supported by reliable evidence. It will be published with the Annual Financial Report and provided to the External Auditor for review.

2.0 THE ANNUAL GOVERNANCE STATEMENT (AGS)

- 2.1 The Statement seeks to demonstrate that the Council's business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for. There is a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 2.2 In compiling the Statement, the Council has regard to its Internal Control arrangements including the outcomes of the annual Good Governance Review, risk registers, any external auditor reports and other management arrangements. It further considers the process applied in maintaining and reviewing the governance framework including the authority itself, the executive, audit/scrutiny committees and other assurance mechanisms.
- 2.3 Whilst the Council maintains high standards of governance and internal control some areas for improvement have been identified by the review process mentioned above, these have been reported in the AGS. An Action Plan has been developed accordingly and this will be monitored by the Council's Executive Management Team and Audit Committee.
- 2.4 Whilst the AGS covers the period 1st April 2016 to 31st March 2017, the document remains open for update until it is approved at the end of August 2017 and can make reference to any significant matters that arise.
- 2.5 The statement has been reviewed by the Executive Management team. The draft AGS for 2016/17 is attached in Appendix 1.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial consequences arising directly from this report.

4. EQUALITIES & DIVERSITY AND ENVIRONMENTAL MATTERS

- 4.1 There are no equalities & diversity or environmental matters associated with this report.

5.0 CRIME & DISORDER IMPLICATIONS

- 5.1 There are no crime and disorder issues arising directly from this report.

6.0 CONCLUSIONS

- 6.1 The Annual Governance Statement reports that the Council has sound levels of internal control and good governance arrangements.
- 6.2 The statement does identify some areas for improvement and these will be managed by the Council's Executive Management Team.

7.0 RECOMMENDATIONS

- 7.1 That the Audit Committee approves the draft Annual Governance Statement for the Financial Year ended 31st March 2017 as reported in Appendix 1.

For Further Information Contact

Alan Bethune
Service Manager – Finance (S151) &
Audit
alan.bethune@nfdc.gov.uk

Grainne O'Rourke
Executive Head – Governance &
Regulation
grainne.orourke@nfdc.gov.uk

Background Papers

Delivering Good Governance in Local
Government Framework 2016

**THE ANNUAL GOVERNANCE STATEMENT
NEW FOREST DISTRICT COUNCIL
2016/17**

1. Scope of Responsibility

New Forest District Council is responsible for ensuring that its business is conducted in accordance with the law, proper standards are adhered to and that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. It 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 best value. In discharging this overall responsibility New Forest District Council is required to have in place proper arrangements for the Governance of the Council's affairs, facilitating the effective exercise of its functions and arrangements for the management of risk.

New Forest District Council has approved and adopted a code of good governance, which is consistent with the principles of the CIPFA/SOLACE Framework "Delivering Good Governance in Local Government". This statement explains how New Forest District Council has complied with the code and also meets the requirements of regulation 13 of the Accounts & Audit Regulations 2015 in relation to the publication of a statement of corporate governance.

2. The Purpose of the Governance Framework

The governance framework comprises the systems and processes, as well as the culture and values, by which the authority is directed and controlled and its activities, through which it accounts to, engages with and leads the community. It enables the authority to monitor the achievements 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 in delivery of policies, achieving 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 materialising and the impact should they be realised, and to manage them efficiently, effectively and economically.

3. The Governance Framework

The good governance framework centres on the following 7 core principles:

A	Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law.
B	Ensuring openness and comprehensive stakeholder engagement.
C	Defining outcomes in terms of sustainable economic, social and environmental benefits.
D	Determining the interventions necessary to optimize the achievement of the intended outcomes.
E	Developing the entity's capacity, including the capability of its leadership and the individuals within it.
F	Managing risks and performance through robust internal control and strong public financial management.
G	Implementing good practices in transparency, reporting and audit to deliver effective accountability.

The Council's Corporate Plan "Delivering for our Communities", sets out the Council's overarching vision, values and strategy and sets out what the Council aims to achieve for the period 2016 - 2020. The Council aims to deliver good quality services that provide value for money and which are aligned to the needs and priorities of the local community.

The Council has in place a delivery plan of corporate plan aims, for which responsibility rested with the Service Managers during 2016/17 to deliver with their teams. The Executive Management Team oversees the performance and progress made against the delivery plan.

The Council is concerned to ensure quality of service delivery and uses a variety of mechanisms to assess this. This helps inform future service delivery.

The Council continually revises its Medium Term forecast according to latest information received around likely funding levels and expenditure increases. The Council's current strong financial position and on-going efficiencies programme (including the development of new income generation), in order to protect the front-line service delivery, underpinned by the healthy General Fund reserve will enable the Council to respond to changes accordingly.

The Council has also developed, over the years, a number of successful joint or collaborative working arrangements with the public and other agencies. This has continued into 2016/17 with the New Forest National Park Authority, the Ringwood Gateway and continued management arrangements for Internal Audit within three Dorset Councils.

The Council's Constitution sets out how the Council operates, including the roles, responsibilities and relationships between Council, the Executive (Cabinet), Audit Committee and other bodies such as the Overview and Scrutiny Panels and Officers in respect of policy and decision-making processes. There is a comprehensive scheme of delegations to officers to ensure timely decision-making. The Constitution also sets out details on Codes of Conduct and key policies such as Financial Regulations and Contract Standing Orders as to Contracts. It is important that the Council operates efficiently and transparently and is accountable to the local people.

The Constitution is reviewed and updated where opportunities for improvement are identified.

The Risk Management Framework is in place to ensure that risks to the Council in achieving its strategic objectives, both at a corporate and service level, are more consciously identified, assessed and managed. It aligns risk with existing arrangements, in particular the performance management framework with an assessment of risk forming part of the Service Planning processes.

In 2016 CIPFA/SOLACE carried out a review of their framework to ensure that it still reflects the environment in which Councils are operating and to also reflect the International framework which had been developed by CIPFA and the International Federation of Accountants (IFAC) in 2014. As a result of their review in April 2016 CIPFA/SOLACE published a new framework document "Delivering Good Governance in Local Government Framework 2016 Edition" with the key focus of governance processes and structures centring on the attainment of sustainable economic, societal and environmental outcomes. Council approved the revised code in April 2017 which follows the recommended text in the CIPFA/SOLACE framework.

4. Review of Effectiveness

The 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 senior officers within the authority who have responsibility for the development and maintenance of the governance environment, the Internal Audit's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

This Council has always maintained a strong internal control environment. It has long established principles on the way its business is conducted enabling good governance and control of risk. Factors that influence the control environment include; integrity, ethics, operating style and the way management and members assign responsibility and authority.

The review concluded:

1. The Constitution and other Council Policies were reviewed and improvements implemented including:
 - Service Risk Registers developed in line with Service restructure
 - Development of the Local Plan
 - Counter Fraud Strategy and Policy
2. Following the review initially conducted in 2015/16, the final appointments to the Council's new Executive and Service Management Team were made during 2016/17. Two adaptations were made within the year to the previously adopted structure, demonstrating the Council's willingness to be flexible and adapt to specific needs and requirements:
 - Due to the important work being undertaken in the Estates & Valuations Team, specifically with regard to income generation strategies being developed, a temporary Service Manager appointment was made in this area utilising existing in-house expertise from within the Legal Team.
 - An opportunity to realise an additional efficiency saving resulted in the 'Service Manager – Compliance & Coast' leaving the authority.
3. The Council's arrangements for financial management and reporting are sound and are well documented. Proposals for expenditure and income are supported by a business case. These are scrutinised initially by EMT and the Service Portfolio Holder prior to inclusion as a formal bid to Cabinet and the Council. The planning process also includes a review of proposals by the relevant Overview and Scrutiny Panels, before final proposals and the council tax levels are considered and approved by the Council each year.
4. Financial monitoring is achieved by regular budgetary control reports to nominated budget holders, Executive Management Team, the relevant Portfolio Holder, and the Cabinet. All elected Members have access to Cabinet Agendas and the financial reports; a process is in place to enable members to request additional, more detailed information and question any financial issues. Strong Overview and Scrutiny arrangements in place with an annual report published to Cabinet.
5. In line with the continuous improvement culture of the Council, it is recognised that all Members and Officers of the Council must have the skills, knowledge and capacity that they need to discharge their responsibilities effectively.
6. Following appointment in April the responsibility of S151 (Chief Financial Officer) was placed with the Service Manager – Finance & Audit. The Executive Head of Governance and Regulation is the Monitoring Officer. All committee reports are reviewed by members of the Executive Management Team, as well as being provided to the Executive Head of Governance and Regulation (who is also the Council's Solicitor), prior to any decisions being made. This safeguards the Council to ensure legal decisions are taken and that decisions consider the Council's corporate priorities and risks.
7. 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). A review of the Council's Financial Regulations has been included on previous Annual Governance Statements. The Council's new Chief Financial Officer, having now been in post for a full 12 month period (a full cycle from budget setting to closedown), will complete this review with a targeted completion date of March 2018.

8. The Performance Management framework ensures strategic monitoring with a focus on organisational and service based indicators reflecting the aims and objectives of the Corporate Plan. Performance indicators are reviewed during the year.
9. The Audit Committee met regularly and training has been provided. Training is available to all members to ensure they are clear in their responsibilities in providing an independent assurance to the Council in relation to the effectiveness of the Council's internal control environment. In accordance with Regulation 6 of the Accounts and Audit (England) Regulations 2015.
10. Internal Audit forms part of the internal control framework. It is a mandatory function whose primary aim is to ensure that the Chief Financial Officer's responsibilities, to maintain proper control over the Council's financial affairs as defined by Section 151 of the Local Government Act 1972, are fully met. The Audit Committee has reviewed and approved the risk based audit plan and progress reports against the audit plan throughout the year. This risk based audit plan was also approved by the Section 151 Officer. The Committee has also received reports and updates from the External Auditor.
11. The Internal Audit team operates to the Standards as set out in the Public Sector Internal Audit Standards. Internal Auditors are trained and have acted independently, objectively and ethically at all times. The Internal Audit Charter was approved during the year.
12. The Principal Auditor's annual opinion report, concluded that whilst Internal Audit are unable to give absolute assurance, the results of the reviews completed during the year have resulted in an overall opinion that:
 - Arrangements are in place to ensure there is an adequate and effective framework of governance, risk management and control in place
 - Systems and internal control arrangements continue to be effective and agreed policies and regulations have been complied with in the majority cases. There have been some weaknesses identified during the year; however recommendations have been made to address these with progress of their implementation monitored. Internal Audit is content that management are implementing the required actions to strengthen controls. These actions have been taken into account whilst forming the overall opinion. Where delay of high priority audit recommendation implementation is identified, these are reported regularly to Audit Committee.
 - Managers are aware of the importance of maintaining internal controls and accept recommendations made by Internal Audit to improve controls
13. Ernst & Young acts as the Council's independent external auditor. The Section 151 Officer and Chair of Audit Committee have responded openly to the External Auditor under the requirements of the International Auditing Standards.
14. There have been no significant governance or internal control issues raised by Senior Management.
15. All organisations, worldwide face increasing cyber related threats. The Council maintains sound standards and continually reviews opportunities to further strengthen these. ICT and Internal Audit will work together to review and develop the ICT Security Policy to include emerging Cyber Security risks.
16. Internal Audit has reported an adequate opinion on the overall control environment; however the following audit areas have received high priority recommendations that have not been resolved promptly:
 - Payment Card Industry Data Security Standard Accreditation
 - Business Continuity- whilst some Services have a Business Continuity plan a stronger Corporate approach is required.

- 17. The Council will need to develop an accurate and up to date partnership register to ensure the terms of reference, the risks of collaborative working and the added value of partnership working is reviewed and suitably documented.
- 18. The Council's access to information policy requires updating in term of roles and responsibilities.
- 19. A review of the Council's publication scheme is required to ensure information available online reflects current policies, working practices, and responsibilities.

5. Significant Governance Issues

Whilst there have been a number of improvements made throughout the year, the Council constantly strives for continuous improvement. The following significant areas will be included in the action plan:

- 1. Completion of the Financial Regulations review
- 2. Implementation of uncompleted high priority audit recommendations
- 3. Review and develop the ICT Security Policy to include emerging Cyber Security risks

6. CERTIFICATION

To the best of our knowledge, governance arrangements, as defined above, have been in place at New Forest District Council for the year ended 31st March 2017 and up to the date of approval of the annual report and statement of accounts.

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

Signed: *Signed:*

Leader of the Council

Chief Executive

Date: *Date:*

Annual Governance Statement 2016/17 Action Plan

Financial Regulations	To review and update Financial Regulations	Financial Services Manager (S151 Officer)	March 2018
Business Continuity Arrangements	To review Business Continuity arrangements	Service Manager (Business Improvement & Customer Services) Civil Contingencies and CCTV Manager	December 2017
Audit Recommendations	Implementation of uncompleted high priority audit recommendations	Relevant Service Managers	September 2017
ICT Security Policy/ Cyber Risk	Review and develop the ICT Security Policy to include emerging Cyber Security risks	ICT Security Manager Principal Auditor	March 2018
Partnerships	To review partnership arrangements to:- develop terms of reference, identify risks in collaborative working, ensure added value of partnership working is explicit, produce accurate and up to date Partnerships Register	Executive Head – Resources	March 2018
Access to Information	To update Roles and Responsibilities	Service Manager (Legal)	December 2017
Publication Scheme	Review and update	Service Manager (Legal)	December 2017