2018/19

HALTON BOROUGH COUNCIL - ANNUAL GOVERNANCE STATEMENT



What is Governance?

Governance is about how we ensure that we are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. Good governance leads to:

- effective leadership
- good management
- good performance
- good stewardship of public money
- good public engagement, and
- good outcomes for our citizens and service users.

The governance framework comprises the culture, values, systems and processes by which an organisation is directed and controlled. The framework brings together an underlying set of legislative requirements, good practice principles and management processes.

Halton Borough Council acknowledges its responsibility for ensuring that there is a sound system of governance. The Council has developed a Local Code of Corporate Governance that defines the principles that underpin the governance of the organisation. The Local Code forms part of the Council Constitution and can be accessed on the Council's website.

The Council's governance framework aims to ensure that in conducting its business it:

- Operates in a lawful, open, inclusive and honest manner;
- Makes sure that public money is safeguarded, properly accounted for and used economically, efficiently and effectively;
- Has effective arrangements for the management of risk;
- Secures continuous improvements in the way that it operates.

What is the Annual Governance Statement?

The Council is required by the Accounts & Audit (England) Regulations 2015 to prepare and publish an annual governance statement. This is a public document that reports on the extent to which the Council complies with its own code of governance.

In this document the Council:

- Acknowledges its responsibility for ensuring that there is a sound system of governance;
- Summarises the key elements of the governance framework and the roles of those responsible for the development and maintenance of the governance environment;
- Describes how the Council has monitored and evaluated the effectiveness of its governance arrangements in the year, and on any planned changes in the coming period;
- Provides details of how the Council has responded to any issue(s) identified in last year's governance statement;
- Reports on any significant governance issues identified from this review and provides a commitment to addressing them.

The annual governance statement reports on the governance framework that has been in place at Halton Borough Council for the year ended 31 March 2019 and up to the date of approval of the statement of accounts.

How has the Annual Governance Statement been prepared?

The initial review of the Council's governance framework was carried out by a group of officers. This group comprised:

• The Strategic Director - Enterprise, Community & Resources

This post is designated as the Council's Statutory Scrutiny Officer as required under Section 31 of the Local Democracy, Economic Development and Construction Act 2009.

This role involves promoting and supporting the Council's Overview and Scrutiny Committees.

• The Operational Director - Legal and Democratic Services

This post is designated as the Council's Monitoring Officer under section 5 of the Local Government and Housing Act 1989, as amended by paragraph 24 of schedule 5 Local Government Act 2000.

The Monitoring Officer is responsible for ensuring that that the Council acts and operates within the law.

• The Operational Director – Finance

This post is designated as the s151 Officer appointed under the 1972 Local Government Act.

The Operational Director – Finance is the Council's Chief Financial Officer and carries overall responsibility for the financial administration of the Council.

• The Divisional Manager - Audit, Procurement & Operational Finance

This post is responsible for the Council's internal audit arrangements, including the development of the internal audit strategy and annual plan and providing an annual audit opinion on the Council's governance, risk management and control processes.

In preparing the annual governance statement the Council has:

- Reviewed the Council's existing governance arrangements against its Local Code of Corporate Governance;
- Considered any areas where the Local Code of Corporate Governance needs to be updated to reflect changes in the Council's governance arrangements and best practice guidance;
- Assessed the effectiveness of the Council's governance arrangements and highlighted any planned changes in the coming period.

Management Team, which is chaired by the Chief Executive, has also reviewed the annual governance statement and considered the significant governance issues facing the Council.

The Business Efficiency Board, which is designated as the Council's Audit Committee, provides assurance to the Council on the effectiveness of its governance arrangements, risk management framework and internal control environment. As part of this role the Board reviews and approves the annual governance statement.

What are the key elements of the Council's Governance Framework?

The Council aims to achieve good standards of governance by adhering to the following key principles set out in the best practice guidance 'Delivering Good Governance in Local Government: Framework 2016':

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

The following pages provide a summary of key elements of the Council's governance framework and how they relate to these principles.

Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

SUPPORTING PRINCIPLES

- · Behaving with integrity
- Demonstrating strong commitment to ethical values
- Respecting the rule of law

- The Council has a Constitution that sets out how the Council operates, how decisions are made and the procedures that are followed to ensure that these are efficient, proportionate, transparent and accountable. The Constitution was reviewed and updated in May 2018.
- The Council has a Standards Committee with co-opted independent members. The role of the Committee is to promote high standards of member conduct. No matters were brought to the attention of the Monitoring Officer during the year which required formal investigation.
- Elected members follow a Code of Conduct to ensure high standards in the way they undertake their duties. The Monitoring Officer provides training to new elected members on the Code of Conduct.
- Officer behaviour is governed by the Employees' Code of Conduct. All new employees attending the corporate induction process were made aware of the Code.
- Roles and responsibilities relating to the Council's executive and non-executive functions are defined in the Council's Constitution. Decisions and actions taken during the year were made in accordance with these arrangements providing clear accountability.
- The Council takes fraud, corruption and maladministration seriously and has established a suite of
 policies and processes which aim to prevent or deal with such occurrences. On 26 September 2018
 the Business Efficiency Board received an annual report summarising the operation of the Council's
 counter fraud and corruption arrangements.
- A corporate complaints procedure operated throughout the year to receive and respond to any complaints received.
- Arrangements exist to ensure that members and officers are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders. These include:
 - Registers of disclosable pecuniary interests were maintained
 - Registers of gifts and hospitality were maintained
 - Opportunities to declare disclosable pecuniary interests and disclosable other interests were provided at the start of meetings
- The Operational Director Legal and Democratic Services provided legal advice to the Council as the Council's Monitoring Officer. One of the key functions of that role is to ensure the lawfulness and fairness of decision-making.

Ensuring openness and comprehensive stakeholder engagement

SUPPORTING PRINCIPLES

- Openness
- Engaging comprehensively with institutional stakeholders
- Engaging with individual citizens and service users effectively

- Information on the Council's performance, finances and the democratic running of the Council is routinely published on the Council's website. The Council also fully complies with the reporting requirements of the Local Government Transparency Code 2015.
- The Council engages with key partners and institutional stakeholders in various ways. Formal partnerships include the Health and Wellbeing Board, the Safer Halton Partnership and the Halton Children's Trust. The Council's Management Team also holds a joint monthly meeting with the management team of Halton Clinical Commissioning Group (CCG).
- The Health and Wellbeing Board provides a key forum for public accountability of the NHS, Adult Social Care, Children's Services, Public Health and other commissioned services relating to the wider determinants of health in Halton.
- During 2018/19 work has taken place to update the Joint Working Agreement with the CCG. A Pooled Budget, including the Better Care Fund, exists as part of the agreement which is used to fund expenditure on delivering care and support services for adults with complex needs. This helps ensure that the resources available to both Health and Social Care are effectively used in the delivery of personalised, responsive and holistic care to those most in need.
- Engagement with citizens and service users is carried out using a variety of methods, including a range of survey techniques (online, paper, face to face) and sampling techniques. The Council also uses qualitative techniques, such as focus and discussion groups. During 2018/19 the Council consulted on a range of issues, which included:
 - Runcorn mainline station
- School meals
- How people like to find out about adult social care
- Dog control orders
- Child play
- In setting its budget the Council listens to the views of the public and the experience of elected members through their ward work. Individual consultations took place in respect of specific budget proposals and equality impact assessments were completed where necessary.

Defining outcomes in terms of sustainable economic, social and environmental benefits

SUPPORTING PRINCIPLES

- Defining outcomes
- Sustainable economic, social and environmental benefits

- The long-term vision for Halton is set out in the Council's Corporate Plan, which defines the Council's priorities and how it hopes to achieve them. It also explains the Council's values and principles.
- The Council's Corporate Planning Framework provides the means by which the Council's activities
 are developed and monitored. Quarterly performance monitoring reports were produced during the
 year recording progress against key business plan objectives and targets. These were reported to the
 Council's Management Team, to the Executive Board and to the Policy and Performance Boards.
- Directorate and Departmental Business Plans were produced for 2018/19 that described key developments and emerging issues relating to each department of the Council. The plans formally set out key objectives, milestones and measures for each business area.
- The Executive Board approved the Council's Medium Term Financial Strategy (MTFS) at its meeting on 15 November 2018. The MTFS represents the "finance guidelines" that form part of the medium term corporate planning process. These guidelines identify the financial constraints which the Council will face in delivering its key objectives, and are an important influence on the development of the Corporate Plan, Service Plans and Strategies.
- The Council routinely publishes information on the Council's vision, strategy, plans, finances and performance on its website and in the Council newspaper that is distributed to all households in the borough.

Determining the interventions necessary to optimise the achievement of the intended outcomes

SUPPORTING PRINCIPLES

- Determining interventions
- Planning interventions
- Optimising achievement of intended outcomes

- The Council's Corporate Planning Framework in operation during the year provided the means by which the Council's activities were developed and monitored.
- There is a well-established overview and scrutiny framework with six Policy and Performance Boards (PPBs) aligned to the Council's six corporate plan priorities. Throughout the year they held the Executive to account, scrutinised performance and developed policy proposals for consideration by the Executive.
- Quarterly performance monitoring reports were produced throughout the year recording progress against key business plan objectives and targets. These reports were presented to the Council's Management Team, to the Executive Board and to the Policy and Performance Boards.
- The Council operates a corporate complaints procedure and specific complaints procedures for Adult Social Care, Children's Social Care, schools and complaints relating to elected members. These procedures allow the Council to identify areas where things may have gone wrong and to put them right and prevent them from happening again.
- The Council aims to ensure that the purchase or commissioning of goods, services or works required to deliver services is acquired under Best Value terms. The Council's procurement activity is undertaken in line with the Council's Procurement Strategy and within clearly defined rules set out in Procurement Standing Orders.
- The Council's internal audit team carries out a comprehensive programme of audits each year reviewing the Council's front line and support services. The implementation of recommendations arising from this work assists the Council in identifying and managing risks that may impact on the achievement of outcomes.

Developing the Council's capacity, including capability of its leadership and the individuals within it

SUPPORTING PRINCIPLES

- · Developing capacity
- Developing leadership
- Developing the capability of individuals

- The Council retained the NW Charter for Elected Member Development Exemplar Level status. Newly
 elected members attend a two-day induction programme with follow-up mentoring. Elected members
 were also provided with the opportunity for an annual review to identify their development
 requirements, which are set out in a Member Action Plan.
- A comprehensive elected member development programme provided a wide range of learning and development opportunities.
- Members of the Business Efficiency Board received regular training throughout the year to assist them in their role as the Council's Audit Committee.
- The Council's Organisational Development Strategy (2016 2020), includes an Organisational Development Charter. The Strategy confirms the Council's commitment to the ethos that its workforce will be part of the solution to providing excellent services.
- The Council operates ongoing processes to identify the personal development needs of employees. The information gained from these processes is used to inform the design of the corporate training programme and to source specialised professional training.
- The Council's Learning & Development Team offers continuous leadership development through its accreditation with ILM (City & Guilds). Specific qualifications have been delivered during 2018/19, such as Level 3 in Leadership and Management and Level 3 in Coaching. As a result, 19 employees continue to develop skills and knowledge regarding leadership and gain recognised qualifications.
- The Council has introduced Leadership and Management Masterclasses during 2018/19 to ensure continuous development of those employees that don't require a recognised leadership qualification, but have identified specific learning needs to ensure contemporary approaches are utilised.
- The Council offer its employees the opportunity to apply for funding to support their academic development that is linked to the Council's priorities thereby increasing individual capacity and supporting succession planning. During 2018/19, the Council supported 26 employees to gain a variety of academic qualifications, such as Masters Degrees, BA Degrees and Diplomas.
- The Council is maximising the Apprenticeship Levy by commissioning 10 Masters in Business Administration (MBA) qualifications to employees that will support leadership succession planning as identified in the Organisational Development Strategy.

Managing risks and performance through robust internal control and strong public financial management

SUPPORTING PRINCIPLES

- Managing risk
- Managing performance
- Robust Internal Control
- Managing data
- Strong Public Financial Management

- The Council provides decision-makers with full and timely access to relevant information. The
 executive report template requires information to be provided explaining the policy, financial and risk
 implications of decisions, as well as implications for each of the corporate priorities and any equality
 and diversity implications.
- The Council has embedded risk management arrangements. Directorate and corporate risk registers
 outline the key risks faced by the Council, including their impact and likelihood, along with the relevant
 mitigating controls and actions. The risk registers are also used to inform the internal audit planning
 process and are regularly reviewed by the Business Efficiency Board.
- The Council has a well-established Audit Committee (the Business Efficiency Board), which met regularly during 2018/19. The Board has clearly defined responsibilities and provides oversight and challenge in regard to the Council's governance, risk management, audit, procurement and counter fraud and corruption arrangements.
- The Council has a Head of Internal Audit and a continuous internal audit service, which was assessed
 during the year as conforming to the Public Sector Internal Audit Standards. Internal audit plays a key
 role in reviewing and improving the effectiveness of the Council's risk management, governance and
 control arrangements.
- The Council's External Auditor provided an unqualified opinion on the 2017/18 accounts and reported their findings to the Business Efficiency Board in September 2018. They also completed a review of the overall control environment relevant to the preparation of the Council's financial statements and concluded that their work had identified no material weaknesses.
- Despite significant funding reductions and increasing demand for services the Council managed to set
 a balanced budget for 2019/20 via a robust process led by the Members' Budget Working Group.
 Outturn spending was higher than the 2018/19 revenue budget, primarily due to continuing pressures
 within Childrens Services and Community & Environment. The position was monitored throughout the
 year through reports to Management Team, the relevant Policy and Performance Boards and
 Executive Board. Effective action was taken to mitigate the level of overspend.

Implementing good practices in transparency, reporting, and audit to deliver effective accountability

SUPPORTING PRINCIPLES

- Implementing good practice transparency
- Implementing good practice in reporting
- Assurance and effective accountability

- The Council fully complies with the Local Government Transparency Code 2015 and publishes a wide range of information on its website. This includes details of meetings, minutes and agendas, policies and plans, the Council Constitution, the Statement of Accounts, details of members' allowances and expenses (including the outcome of the independent triennial review of the Members' Allowance Scheme which took place during the year), details of senior staff pay, contract awards, and details of land and building assets.
- The Council operates clear and effective processes for dealing with Freedom of Information (FOI) reguests and Subject Access Requests (SAR).
- All Council meetings are open and can be attended by members of the public with the exception of those where confidential or personal matters may be disclosed.
- The Council's external auditor provides an annual assessment on how well the Council is managing and using its resources to deliver value for money and better and sustainable outcomes for local people. In September 2018, the external auditor concluded that the Council had proper arrangements in all significant respects to ensure it delivered value for money in its use of resources.
- The Council has developed robust procedures to respond positively to the findings and recommendations of external auditors and statutory inspectors. Action plans are developed in response to external inspections and their implementation monitored.
- The Council has established various ongoing arrangements that provide effective assurance. These
 include the work of internal audit, the Council's risk and performance management arrangements, the
 work of the Information Governance Group, the work of the Policy and Performance Boards and the
 work of the Standards Committee.
- The Council operates a whistleblowing procedure and has well-publicised arrangements for employees and the wider community to raise any concerns.

What are the roles of those responsible for developing and maintaining the Governance Framework?

Council	 Approves the Corporate Plan Approves the Constitution Approves the policy and budgetary framework
Executive Board	 The main decision-making body of the Council Comprises ten members who have responsibility for particular portfolios
Business Efficiency Board	 Designated as the Council's Audit Committee Provides assurance to the Council on the effectiveness of its governance arrangements, risk management framework, procurement strategy and internal control environment.
Standards Committee	 Promotes high standards of member conduct Assists members and co-opted members to observe the Council's Member Code of Conduct
Policy & Performance Boards	 There are six Policy & Performance Boards aligned to the Council's six Corporate Plan priorities They hold the Executive to account, scrutinise performance and develop policy proposals for consideration by the Executive
Management Team	- Implements the policy and budgetary framework set by the Council and provides advice to the Executive Board and the Council on the development of future policy and budgetary issues
Internal Audit	 Provides assurance over the Council's governance, risk management and control framework Delivers an annual programme of audits Makes recommendations for improvements in the management of risk and value for money
	- Responsible for maintaining and developing the Council's governance and control framework

Managers

- Responsible for maintaining and developing the Council's governance and control framework
- Contribute to the effective corporate management and governance of the Council

How does the Council monitor and evaluate the effectiveness of its governance arrangements?

The Council annually reviews the effectiveness of its governance framework including the system of internal control. The key sources of assurance that inform this review are outlined below:

Internal Audit

- Annual opinion report
- Internal audit reports

Complaints

- Corporate complaints procedure
- Ombudsman investigations

External Audit

- Financial statements audit
- Value For Money conclusion

External Reviews

 External reviews from various regulators and inspectorates

Information Governance

 Information Governance Annual Report

Monitoring Officer

 Legal and Regulatory Assurance

Counter Fraud Arrangements

- Whistleblowing arrangements
- Annual report on Fraud and Corruption

Section 151 Officer

 Financial Controls Assurance

Risk Management

 Corporate Risk Register Progress Reports

Overview & Scrutiny

- Performance monitoring
- Policy development and review

How has the Council addressed the governance issues from 2017/18?

The 2017/18 annual governance statement contained three key governance issues. Details of these issues and how they were addressed are provided below:

What the issue was:

Funding

The Council continued to face significant funding reductions whilst demand for Council services is increasing. The Medium Term Financial Strategy forecasted that the Council needed to identify £9m of budget savings in order to set a balanced budget for 2019/20.

In light of these financial pressures, it was recognised that a key challenge for the Council was to maintain sufficient front-line and support service capacity and robust governance arrangements in order to continue to deliver its corporate objectives and strategic priorities for 2019/20 and beyond.

What we did:

Despite significant funding constraints and increasing demand for services, resulting in the need to make significant budget savings, the Council managed to set a balanced budget for 2019/20.

Throughout 2018/19, reports to Management Team, Policy and Performance Boards and Executive Board highlighted forecasts that by year-end spending may have been up to £4.2m above budget. Action was therefore implemented across the Council to restrict spending wherever possible to absolutely essential items only. This resulted in actual spending being only £2.4m above budget by year-end.

Given the Council's challenging financial position during the year, it has been essential to maintain sufficient capacity within support services such as Finance, Legal, ICT, Administration, Property and HR to ensure that correct procedures continue to be followed and that adequate control is maintained over the Council's financial and non-financial resources.

This has also assisted with supporting a robust governance framework and enabled the Council to continue to deliver its corporate objectives and strategic priorities.

What the issue was:

<u>Liverpool City Region</u> Combined Authority

The Council recognised that it needed to continue to play a proactive role within the City Region in order to review and influence LCR policy to ensure that Halton's interests are well represented.

It was also acknowledged that the Council needed to review, comment and decide on its position in relation to any further developing devolution 'asks' of the City Region as they emerge. The Council recognised that it remained important to be fully engaged in the development of future LCR policies.

What we did:

The Council continues to play a proactive role within the Liverpool City Region. The Leader sits on the Combined Authority and the Council has three representatives on both the Transport Committee and the Scrutiny Committee. Members are supported by officers and regular briefings are provided by officers on the respective agendas of those committees. The Council is also represented at Member and Officer level at the more informal meetings of the Combined Authority. Attendance by both members and officers is good. The Council continues to attract resources from the Combined Authority to support, in particular, its regeneration, transport and learning and skills objectives.

What the issue was:

Local Code of Corporate Governance

The Council recognises that the guidance document 'Delivering Good Governance in Local Government: Framework 2016' defines the principles that should underpin the governance of each local government organisation.

The production of the 2017/18 annual governance statement identified the need for the Council to update its Local Code of Corporate Governance to better demonstrate that its governance structures comply with the core and sub-principles contained in the Framework.

What we did:

During the 2018/19 the Council's Local Code of Corporate Governance was reviewed and updated to better align with the core and sub-principles contained in that the guidance document 'Delivering Good Governance in Local Government: Framework 2016'.

The Local Code of Corporate Governance forms part of the Council Constitution which is reviewed annually. On 14 March 2019, Executive Board considered the proposed changes to the Constitution and recommended to Council that they be approved. Formal approval of the changes to the Constitution was subsequently made by the Council on 17 May 2019.

What are the governance issues for 2019/20?

The following Action Plan sets out key areas of focus for the Council in maintaining and developing its governance arrangements to meet the challenges ahead.

Issue	Lead Officer	Timescale
The Council continues to face significant funding reductions whilst demand for Council services is increasing. Forecasting the Council's funding for over the medium term from 2021/22 onwards is extremely difficult. This is due to the uncertain impact of a number of national funding and other changes, including: the Public Sector Spending Review, Local Government Fair Funding Review, 75% Business Rates Retention, Business Rates Baseline Reset and the Social Care Green Paper. Government reported the provisional Local Government Finance Settlement in December 2019 which as expected detailed additional grant funding for social care services together with a small uplift to the general Settlement Funding Assessment. Together with the utilisation of reserve funding this has resulted in a 2020/21 budget gap of approximately £4.4m. Proposed budget savings will be presented to Council in March 2020 to provide a balanced budget position.	Strategic Director – Enterprise, Community & Resources	Ongoing
The Council recognises that maintenance of effective governance arrangements is critically important in an era of financial pressures, increasing demand for services and rapid change. A key challenge for the Council is therefore to maintain both sufficient front-line and support service capacity and robust governance arrangements in order to continue to deliver its corporate objectives and strategic priorities for 2020/21 and beyond.		

Issue	Lead Officer	Timescale
Peer Review The Council invited the Local Government Association to undertake a Corporate Peer Challenge of the Council in September 2019. The process involved a small team of senior local government officers and councillors spending time at the Council as peers to provide challenge and share learning. The focus of the Peer Challenge was on improvement. The core components of the Peer Challenge examined the Council's: • Understanding of its local context and place and how that informs a clear vision and set of priorities; • Leadership through its elected members, officers and partnerships with external stakeholders; • Financial planning and viability; • Organisational leadership and governance; • Organisational capacity to deliver the Council's priorities; The feedback report issued following the Peer Review was positive and noted that the Council's achievements have been and continue to be significant. However, the report also recognised the challenges faced by the Council in terms of increasing service demand and the difficult financial context. The report contained eleven recommendations aimed to help the Council develop so that it can continue to operate and deliver in a sustainable way. In response to the report the Council is developing an action plan setting out how the issues raised will be addressed.	Strategic Director – Enterprise, Community & Resources	Ongoing

Issue	Lead Officer	Timescale
Corporate Priorities The Council is reviewing both its Corporate Plan and priorities with support and challenge from the Local Government Association. It is doing this in the light of the financial challenges it continues to face. It will test whether its existing Corporate Plan is still fit for purpose and whether it still reflects the political priorities of the Council.	Chief Executive	March 2020
Ward Boundary Review The Local Government Boundary Commission for England has recently undertaken an Electoral Review of the Council. The review was triggered by the fact that the electorate in the Farnworth Ward in Widnes is 33% higher than the average electorate across each of the wards in the Borough. Significant divergence in the size of one ward from the average electorate in other wards of the Borough is one of the Commission's criteria that triggers a review.	Strategic Director – Enterprise, Community & Resources	May 2020
Following consultation with the public, the Commission recommended that the Council should consist of 54 councillors - a reduction from the current 56. It also recommended that the 54 councillors should represent 18 wards rather than the current 21. The Commission proposed that there would be nine wards in Runcorn and nine wards in Widnes with each ward having three members representing it.		
These new arrangements have now been approved by Parliament. This means that all 54 Council seats will be contested in an election that will take place on 7 May 2020 based on the new boundaries.		

Certification

We have been advised on the implications of the review of the effectiveness of the governance framework by the Business Efficiency Board. The review provides good overall assurance that the Council's arrangements continue to be regarded as fit for purpose in accordance with the governance framework.

Specific opportunities to maintain or develop the Council's governance arrangements have been identified through this review. We pledge our commitment to addressing these issues over the coming year and we will monitor their implementation and operation as part of our next annual review.

Signed on behalf of Halton Borough Council:

David Parr - Chief Executive

Rob Polhill - Leader of the Council