

Report Title:	Annual Governance Statement 2018/19 – Progress Report
Contains Confidential or Exempt Information?	Yes - Part II appendix B only – Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
Member reporting:	Councillor Rayner, Lead Member for Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor
Meeting and Date:	Corporate Overview and Scrutiny Panel 27 May 2020
Responsible Officer(s):	Nikki Craig, Head of HR, Corporate Projects and IT
Wards affected:	All

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REPORT SUMMARY

1. The Corporate Overview and Scrutiny Panel reviewed the 2018/19 Annual Governance Statement (AGS) on 30 July 2019. Although formal approval of the AGS was deferred to a later meeting, the Panel requested that update reports on issues identified in the accompanying Action Plan be presented to the Panel at appropriate future meetings.
2. This report provides an update on actions undertaken since spring 2019 on areas identified in the AGS as areas for improvement including:
 - Health and Safety compliance within schools and other council buildings
 - Vision and purpose of the organisation
 - Monitoring officer resources
 - Business continuity plans
 - Public Services Network (PSN) compliance

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Corporate Overview and Scrutiny Panel notes both actions already taken and those planned.

2. BACKGROUND

- 2.1 The Annual Governance statement for 2018/19 identified a number of areas for improvement as corporate issues which were therefore included in the AGS Action Plan (see extract at Appendix A). Each of the areas has since undertaken action to ensure improvement, some of which was reported to the Panel in November 2019 and some of which is detailed in section 3.

3. PROGRESS TO DATE TO ADDRESS ACTIONS IDENTIFIED IN THE ANNUAL GOVERNANCE STATEMENT

Health and Safety

3.1 All Royal Borough buildings including schools and academies have had the following statutory inspections carried out where applicable:

- Fire risk assessment
- Legionella risk assessment
- Asbestos management surveys
- Gas Safety Inspections (Annually)
- Fixed wiring electrical inspections (5 yearly)

3.2 Where the inspections identified high risk items, these have been addressed within the agreed timescales by the Council. Medium and low risk items are considered through a risk assessment process and will be addressed within agreed timescales based on priority.

3.3 Following concerns raised by our insurers regarding the risk rating given to compartmentalisation in buildings i.e. fire doors, a decision was taken to address all fire door concerns highlighted in the fire risk assessments. To date all remedial works in council buildings have been completed and a programme of work has been implemented to complete the work in schools. Three contractors have been appointed and work has commenced. Completion was due by end of June 2020 however has been delayed as the contractors have had to suspend their operations due to the COVID-19 outbreak. Work is expected to resume shortly in accordance with government guidance and completion is anticipated by the end of August 2020.

Vision and purpose of organisation

3.4 Staff and Members have been engaged with to develop a new set of organisation values for the Council which will articulate how the staff and Members in the Council work with each other and support each other. This exercise involved all staff being given the opportunity to attend focus group sessions with members of the corporate leadership team to input their thoughts and feelings on new values as well as discuss the current challenges they are experiencing. This also gave an opportunity to interact with their peers across service areas. Members were also given the opportunity to attend a focus group session. The new draft values were launched in early May 2020 for final consultation and feedback to the managing director, before all staff and Members will be requested to sign up to the values. This is anticipated to be by the summer 2020.

3.5 New initiatives have been launched to increase the opportunity for staff development and progression within the organisation. This includes an increased focus on training and development, with an increased number of staff undertaking professional qualifications in the past year. The middle manager forum has also been launched, which is an opportunity for those at the middle level of the organisation to network across the council and engage with senior leadership. Later in the year, a new council wide mentoring programme will be launched.

Monitoring officer resources

- 3.6 In response to the concerns raised with regard to insufficient Monitoring Officer resources allocated under the shared legal arrangement, there is now an elevated legal support for the Monitoring Officer to handle operational issues. The Monitoring Officer has been able to double her available time to four days a week. This new arrangement will now enable the constraints identified to be addressed but it is important to continue to develop awareness and understanding of the Monitoring Officer role and responsibilities across the organisation.

Business continuity plans

- 3.7 Led by the shared emergency planning team based in West Berkshire, following training workshops for Heads of Service and newly created business continuity liaison officers, each service has completed business impact assessments and rated the priority of their services that are required to keep functioning, dependant on timing and what the 'event' is. This has included all IT applications so that the IT team can ensure their business impact assessment is based on the organisational priorities identified.
- 3.8 The final documents were shared for review by corporate leadership team on 15 March 2020 in advance of a further meeting to refresh overall business continuity plans being arranged. Since that date, the response to covid-19 has taken over and the council has stood up business continuity plans across all services. This has included all services delivering to residents as well as the creation of new services, particularly around community hubs and working with the voluntary sector on supporting those extremely vulnerable and shielding residents. When time permits the completed plans need fully documenting.

Public Services Network

- 3.9 Progress report for PSN is in appendix B.

4. ONGOING ACTIONS

Health and Safety

- 4.1 The Council's Health and Safety Strategy Group comprises the authority's Corporate Leadership Team, Health and Safety Officers and representatives from Property Services. The group meets on a quarterly basis to review all health and safety matters and monitors progress with regards to building compliance. Feedback from the dedicated Building Compliance Group is considered at the meeting. Building compliance generally and the completion of the programme of compartmentalisation works in schools will continue to be monitored through these governance arrangements

Vision and purpose of organisation

- 4.2 Following the agreement and launch of the new values they will feed in to all organisational development work being undertaken including a review of the corporate induction. Early work on a new Corporate Plan was underway but has been suspended during the Covid19 pandemic. It will be continued from the summer onwards and will conclude by the end of the calendar year.

Business continuity plans

- 4.3 Once the council has moved firmly into recovery and ideally by the end of the summer, the joint emergency planning team will have capacity to ensure that

every services' business continuity plan is reviewed, updated, refreshed and also carry out a lessons learned exercise from the response to the covid-19 global pandemic. It is envisaged this will be conclude by the end of the calendar year.

5. FINANCIAL DETAILS / VALUE FOR MONEY

5.1 The financial implications are detailed in appendix B in this report.

6. LEGAL IMPLICATIONS

6.1 Failure to comply with the Health and Safety at Work Act 1974 could lead to employees suing for personal injury or in very serious cases the authority being prosecuted for corporate manslaughter.

7. RISK MANAGEMENT

7.1 Table 1 details the impact of risk and mitigation in relation to the Health and Safety element of the report.

Table 1: Impact of risk and mitigation

Risks	Uncontrolled risk	Controls	Controlled risk
Failure to comply with The Reform Order 2005 (Fire Safety)	Low	<p>Fire risk assessments are completed for all corporate building and schools and reviewed at appropriate intervals.</p> <p>High risk remedial work identified on the assessments have been completed.</p> <p>Medium risk protection work i.e. Fire door replacement works, will be completed once works can resume.</p>	Low
Control of Asbestos Regs (CAR) 2012	High	<p>Asbestos Management surveys have been completed for all corporate buildings and schools.</p> <p>Duty holders have been identified for all buildings.</p> <p>Duty holders and responsible persons have received Asbestos awareness training to</p>	Low

Risks	Uncontrolled risk	Controls	Controlled risk
		<p>enable them to fulfil their duty in accordance with the CAR 2012.</p> <p>Management plans are in place for all buildings.</p>	
Approved Code of Practice L8 (ACOP L8)(Control of Legionella Bacteria in water systems)	Medium	<p>Legionella risk assessments have been completed for all corporate buildings and schools.</p> <p>Duty holders have been identified for all buildings.</p> <p>Duty holders have received training to ensure the written scheme of control is followed.</p> <p>New contractors have been appointed to carry out monthly temperature checks and monitor performance.</p>	Low
Electricity at Work Regs 1989	Medium	<p>All corporate buildings and schools have had fixed wiring testing and inspection completed within the last five years.</p> <p>Remedial work has been completed on any CAT 1 defects identified at the time of inspection.</p> <p>All portable appliances are tested every 18 months.</p>	Low
Gas Safety Regs 1998	Medium	<p>Gas safety inspections are carried out annually / certificates are issued for all premises.</p> <p>Commercial catering appliances gas safety inspections(CP42) are completed annually in all schools and kitchens.</p>	Low
S5 of the Local Government & Housing Act 1989, as	Medium	Monitoring Officer time has been freed up to allow the Monitoring Officer to be more proactive in	Low

Risks	Uncontrolled risk	Controls	Controlled risk
amended by schedule 5, paragraph 24 of the Local Government Act 2000.		assessing areas of concern and intervening to ensure the Council continues to operate legally.	

8. POTENTIAL IMPACTS

- 8.1 Equalities. No impacts identified
- 8.2 Climate change/sustainability. No impacts identified
- 8.3 Data Protection/GDPR. No impacts identified

9. APPENDICES

- 9.1 This report is supported by two appendices:
- Appendix A - Extract from the 2018/19 Annual Governance Statement Action Plan
 - Appendix B – Part II - Public Services Network progress update

10. BACKGROUND DOCUMENTS

- 10.1 This report is supported by one background document:
- The RBWM Annual Governance Statement 2018/19

11. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Rayner	Lead Member for Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor	14/05/20	15/05/20
Duncan Sharkey	Managing Director	12/05/20	12/05/20
Russell O'Keefe	Director of Place	14/05/20	
Adele Taylor	Director of Resources/S151 Officer	14/05/20	18/05/20
Kevin McDaniel	Director of Children's Services	14/05/20	
Hilary Hall	Director Adults, Health and Commissioning	14/05/20	14/05/20
Elaine Browne	Head of Law	14/05/20	18/05/20
Mary Severin	Monitoring Officer	12/05/20	13/05/20
Louisa Dean	Communications	14/05/20	14/05/20
Karen Shepherd	Head of Governance	12/05/20	12/05/20

REPORT HISTORY

Decision type: For information	Urgency item? No	To Follow item? No
Report Authors: Nikki Craig, Head of HR, Corporate Projects and IT		

Appendix A

Extract from Annual Governance Statement 2018/19 Action Plan updated in November 2019

Ref	Area for Improvement	Actions	Owner	Timescale	Improvement outcome
AGS 19.3	Staff reductions have placed a new level of work pressure on particular departments. Whilst there are signs that morale related to working for the Council has improved, we still need to work hard on giving staff a clearer sense of our direction of travel.	<p>Ensure clarity of vision and purpose for the organisation. Develop one team approach.</p> <p>Ensure effective staff and member engagement in change and clear, resourced succession planning processes are developed</p>	<p>Managing director and Corporate leadership team</p> <p>Head of HR, Corporate Projects and IT</p>	<p>March 2020</p> <p>March 2020</p>	Staff have clarity over the vision and purpose of the organisation
19.6	Business continuity plans for the organisation have not been updated for a number of years. This action has been carried forward from 15/16, 16/17 and 17/18.	A new process for the creation and maintenance of BCPs to be put in place utilising the shared emergency planning team.	Emergency Planning	March 2020	<p>Business continuity training and workshops have been rolled out as of September 2019.</p> <p>All areas of the council have appropriate, up to date BCPs in place, accompanied by a robust activation mechanism.</p>

19.8	Surveys have identified some additional works within school and other council buildings to take place in the 2019/20 financial year.	<p>All additional identified H&S works to be completed.</p> <p>Health & Safety Strategy Group meet on a quarterly basis to monitor progress and compliance including feedback from the Building Compliance Group meetings.</p>	<p>Head of HR, Corporate Projects and IT</p> <p>Corporate leadership team</p>	March 2020	The Council is safeguarding its ability to continue to meet its H&S obligations in the future.
AGS 19.10	Limited resources for Monitoring Officer to deliver wider functions of role.	<p>Increase capacity of Monitoring Officer by drawing in wider resources and increasing time allowed in role.</p> <p>Appointment of deputy Monitoring Officer to handle standards has helped but not resolved the issue.</p>	Managing Director	March 2020	Stronger compliance culture.