

Annual Governance Statement

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Royal Borough
of Windsor &
Maidenhead

Supplementary Accounting Statements

Annual Governance Statement 2022/23

Scope of Responsibility

1. The Royal Borough of Windsor and Maidenhead ('the Council') is responsible for ensuring that its business is conducted in accordance with the law, proper standards and that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. The 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.
2. This statement summarises the outcome of the Council's review of the governance arrangements that have been in place during 2022/23.
3. The Council is responsible for ensuring that there is a sound system of governance which incorporates the system of internal control. The local code of governance is underpinned by the seven principles of good governance set out in the CIPFA/SOLACE publication 'Delivering Good Governance in Local Government: Framework 2016'.
4. The Local Code of Governance framework comprises a collection of systems, policies, procedures, rules, processes, behaviours and values by which the Council is controlled and governed. The Framework has been reviewed during the current financial year.
5. The effectiveness of key elements of the governance framework are assessed throughout the year by the Statutory Governance Officer Group, Senior Leadership Team (SLT), Corporate Leadership Team (CLT), the Audit and Governance Committee, Internal Audit and other Officers and Members as required. The review of effectiveness is informed by the work of senior officers who have responsibility for the development and maintenance of the governance environment, the Head of Internal Audit's annual report, and from comments received from external auditors and other review agencies and inspectorates.
6. This Annual Governance Statement (AGS) explains how the Council has complied with its Code of Corporate Governance and also meets the requirements of regulation 6(1)(b) of the Accounts and Audit Regulations 2015.

The purpose of the governance framework

7. The governance framework comprises the systems, processes, culture and values by which the Council is managed and controlled. The framework also sets out how the Council accounts to, engages with and leads the community.
8. The governance framework enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate and cost-effective services.
9. 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 as an individual's failure to comply with policies and procedures, even when provided with comprehensive training on them, can never be entirely eliminated.
10. The system of internal control is based on an ongoing process designed to
 - a) identify the risks to the achievement of the Council's policies, aims and objectives;

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- b) evaluate the likelihood and impact of the risks should they be realised; and
- c) identify and implement measures to reduce the likelihood of the risks being realised and to manage them efficiently, effectively and economically.

The governance framework

In 2016 CIPFA/SOLACE issued revised best practice guidance for Delivering Good Governance in Local Government. The framework sets out seven principles that should underpin the governance of each Local Authority as:

- A. Behaving with integrity, demonstrating a strong commitment to ethical values, and respecting the rule of law.
- B. Ensuring openness and comprehensive stakeholder engagement.

In addition to the overarching requirements for acting in the public interest in principles A and B, achieving good governance in the public sector also requires effective arrangements for:

- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits.
- D. Determining the interventions necessary to optimise 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.

This has now been supplemented by work done by the Centre for Governance and Scrutiny through the "Governance Risk and Resilience Framework" 2021 which give authorities a method of strength testing their governance control environment against the CIPFA principles.

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.

In 2022/23 this review was led by the Statutory Governance Officers Group comprising the Chief Executive, Monitoring Officer, s151 Officer, Head of Legal, Head of Finance, Head of Governance, and Assistant Director SWAP Internal Audit Services with input from other officers as relevant. The review was informed by the work of:

- The Chief Executive, Directors and Monitoring Officer (and Deputies) who have responsibility for the development and maintenance of the governance environment. This was through a process of consulting on a draft Annual Governance Statement.
- The Assistant Director SWAP Internal Audit Services annual report and opinion, and by comments made by the external auditors and other review agencies and inspectorates.
- The Council's external auditor.
- The Council's Section 151 Officer who has statutory responsibility for ensuring the proper management of the Council's financial affairs.
- The Council's Overview & Scrutiny Panels and Audit and Governance Committee
- The CIPFA review of Financial Governance undertaken in July 2019
- LGA Peer Review undertaken in January 2022 with follow up in October 2022.

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The Statutory Governance Officers Group meets regularly to discuss corporate governance arrangements and issues, and to reflect on recurring themes and spheres of activity relating to Council improvement. References in this document referring to the statutory officers will also include reference to the deputy positions. The Group has reviewed and updated the Local Code of Corporate Governance to ensure it reflects the 2016 CIPFA/SOLACE guidance in respect of delivering good governance. The revised document was published following review by the Corporate Overview and Scrutiny Panel on 27 May 2020.

The review this year has been undertaken in line with the Centre for Governance and Scrutiny's Risk and Resilience framework which is underpinned by the CIPFA Good Governance Principles resulting in the areas for action be identified in the action plan below.

Findings

The findings of this review are outlined under points below:

Behaving with integrity

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

All Council employees and Members must conduct themselves in accordance with the terms of the Officers' Code of Conduct and Members' Code of Conduct (part 7C and 7A of the Constitution). On joining the Council officers are provided with a contract outlining the terms and conditions of their appointment. All staff must sign a code of conduct and declare any financial interests, gifts or hospitality on a register.

All Members have attended training on the Code of Conduct. A new Code has been adopted this year by Council and training has been made compulsory.

The Member Standards Panel advises the Council on the Code of Conduct for Members and promotes high standards of conduct by Members. The Committee's terms of reference are set out in Part 6 of the Constitution. Records of the Committee's meetings and decisions are available online.

On becoming a Member of the Royal Borough, all Councillors are required to sign a declaration of acceptance of office which includes an undertaking to observe the code of conduct and the Nolan Principles.

Members are required to register details of Disclosable Pecuniary Interests and a series of interests defined by the Code of Member Conduct. Declarations are required to be completed within 28 days of becoming a Member (or being re-elected or reappointed) in the Authority's Register of Members' Interests.

Complaints in relation to the Member Code have decreased this year.

Demonstrating strong commitment to ethical values

The governance function of the Council is growing in robustness with a focus on ethical values. The appointment of two Deputy Monitoring Officers and a new Independent Person has strengthened this function, together with the legal service being brought in house. A new Code of Conduct has been developed by the LGA for adoption on a national basis. This was considered by full Council in April 2021 and a new code adopted, which was followed by additional training. Guidance and support has been provided to Members across all groups in relation to the application of the Code.

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The Monitoring Officer reports annually to the Member Standards Panel on the operation of the Code of Conduct and other associated ethical issues through their annual report and reports on any issues that trigger the Section 5 duty.

Member behaviour was an issue identified by the Peer Review Team and work was undertaken to address those issues resulting in less complaints for the current year.

The Section 151 Officer was the Executive Director for Resources (until March) and was responsible for financial administration and financial probity and prudence in decision making. Since that time the s151 role has been filled on an interim basis by the Head of Finance. Both roles are defined within Part 5B of the Constitution.

The Assistant Director (SWAP) is responsible for providing assurance on internal controls, governance and risk management arrangements and ensuring that there are adequate mechanisms in place for the investigation and reporting of fraud. A new delivery partner (South West Audit Partnership) has been appointed since April 2022.

The Council is committed to protecting any funds and property to which it has been entrusted and expects the highest standards of conduct from Members and officers regarding the administration of financial affairs. The Corporate Policy on the Prevention and Detection of Fraud and Corruption (updated Feb 2021) conforms to legislative requirements and sets out steps to minimise the risk of fraud, bribery, corruption and dishonesty and procedures for dealing with actual or expected fraud.

The Council is committed to achieving the highest possible standards of openness and accountability in all its practices. The Council's Whistleblowing Policy (updated March 2019) sets out the options and associated procedures for Council staff to raise concerns about potentially illegal, unethical or immoral practice and summarises expectations around handling the matter.

Members and officers are required to comply with approved policies.

Respecting the rule of law

The Monitoring Officer was the Director, Law and Strategy and Public Health until March 2023. The Monitoring Officer role is being filled on an interim basis by the Head of Law and Governance.

All reports prepared for Cabinet require legal advice to be sought prior to their submission, and all reports to Cabinet or Cabinet Members must incorporate comments from both the Section 151 Officer and Monitoring Officer (or their deputies) before they are submitted for consideration. The reports are also considered at a Leaders Board meeting before the public meeting.

The scheme of delegations to officers, to committees and to Cabinet members ensures that decisions are not ultra vires whilst allowing the Council to exercise its powers in a convenient way.

The Action Plan for the 2020/21 AGS identified that better guidance, controls and instructions to officers were needed to ensure that all decision making complied with the scheme of delegation in the Constitution. Guidance documentation on decision making has been revised and updated and issued to all members of the Corporate Leadership Team for wider dissemination. Training for key officers and Members on roles and responsibilities has been delivered. A new process in relation to delegated decision making has been introduced following an audit of delegated decision making and this has resulted in more decisions being recorded.

The Council seeks to comply with both the specific requirements of legislation and the general responsibilities placed on it by the common law and public law, bringing the key principles of good administrative law into processes and decision making.

The Council has not been subject to any successful judicial reviews of its decisions.

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In particular, the process around equality impact assessments (EQIAs) has been strengthened through work on Equality, Diversity and Inclusion, and the Inequalities Project.

The control environment relating to procurement has been further embedded, focusing on more scrutiny on contracts procured outside the standing orders and those needing re-procurement having been initially procured during the Covid 19 pandemic. This has in large part been resolved.

Attention following an audit of contract management has turned to strengthening the contract register and how contracts are managed within RBWM.

B: Ensuring openness and comprehensive stakeholder engagement.

Openness

It is recognised that people need information about the decisions the Council has taken into account that impact the services they provide. The views of customers are at the heart of the Council's service delivery arrangements. The Council uses a number of methods to communicate the Council's objectives and achievements to local people, including:

- 'Around the Royal Borough' – a newsletter sent to all residents and weekly online residents newsletter and other service specific newsletters.
- The Council Website
- Social Media including Facebook and Twitter including some service specific accounts
- The annual online Council Tax leaflet
- E newsletter to parishes

The RBWM website is accessible to a wide audience, with relevant and regularly updated news articles online.

The council also has a number of user forums, including the Learning Disability Partnership Board, and the Children in Care Council, which it uses to engage with people it supports, residents, businesses and other stakeholders to enable them to inform the development and delivery of council services.

Copies of the agendas, documents, minutes and decisions of all Committees, Cabinet and Council are available promptly online and an interactive online calendar of future meetings enables public attendance where appropriate.

All public meetings are live streamed via the Council's e-democracy channel on YouTube. This has ensured more transparent decision making.

The Council has a dedicated webpage for consultations where details of current consultations can be located and is seeking to support wider consultation through the use of a dedicated engagement platform, Engagement HQ.

The Council operates a clear and transparent policy and procedure for dealing with complaints about the Council's services and reports on complaints received and lessons learnt.

RBWM publishes data under the Government's Transparency Code including Council spending, Council contracts and senior salaries.

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The Council's Publication scheme details the different classes of information which RBWM routinely makes available, and the Freedom of Information webpage provides guidance for the public about what information is available to them and how they can access it, including via Freedom of Information (FOI), Environmental Information and Subject Access Requests. RBWM publishes all responses to FOI requests.

RBWM's commitment to transparency, as detailed above, enables the public to assess this and they can then use the complaints policy and the consultation process to feed back their views.

The Corporate Plan, developed with partners, outlines how RBWM commits to work in the public interest. This takes an evidence-based approach and has now been approved.

New performance indicators and metrics have been developed to support the corporate plan and will lead to greater accountability. A new performance framework has been developed and is able to be accessed through the newly launched "Citizens Portal", that gives enhanced visibility over all of the data being collected and monitored.

A Resident's Survey has been conducted to baseline some of the "Council Trusted to Deliver" metrics, this has allowed the Council to understand and report on levels of satisfaction with Council services and the way that the Council and area are perceived. This has been supplemented by the Inequalities Project, which has focussed on areas where needs are not met optimally at the current time and allows the Council to understand its own performance better.

Engaging comprehensively with institutional stakeholders

Partnerships are about the Council coming together with the right organisations to deliver improved outcomes for local people. The Council is involved in many different partnerships at different levels, each with their own set of terms of reference for effective joint working which is set out in the Council's Partnership Protocol. The Communications Strategy 2019/20 outlines how RBWM communicates with all sections of the community, employees and stakeholders.

RBWM proactively engages with the community in order to seek out their views, actively listen to them and support them to respond. There are a range of ways in which people can be involved in shaping decisions. These are inclusive and meet individual needs. RBWM also supports a number of groups to provide views to the Council including a Youth Council and the Disability and Inclusion Forum.

A consultation framework has been developed so that there is a consistency of approach across all of RBWM.

This seeks to ensure that the Consultation that is presented to the public engages with the target communities and seeks a full set of responses which can be used to inform the Council's decision making. The consultation portal 'Engagement HQ' is used by RBWM for both public and internal consultations.

There is a list of open and closed consultations available on the website and purpose of each consultation is described so it is possible to take part in those that are open.

This includes statutory consultations, surveys which can be completed online or paper questionnaires plus telephone and accessible format options, focus groups, face to face interviews, workshops and consultation/discussion events.

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A budget consultation was undertaken during December 2022 and January 2023. It was open to the public and promoted through social media, print media, business, voluntary and charity sector networks.

Key stakeholders and residents were consulted on the Corporate Plan.

All communications are branded to ensure that they are easily recognised, and the information can be translated into different languages and alternative formats as required.

The constitution allows public speaking at Cabinet and other committees, and for public questions to be heard at Full Council.

The pandemic has encouraged the public to attend meetings online in increasing numbers. These can also be viewed on demand through the council's e democracy channel on YouTube. New audio visual equipment has been installed in the Council Chamber to enable a good quality of broadcasting online and improve functionality in the Chamber.

The Petitions Scheme is available online.

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

During 2021/22 the Council developed its new Corporate Plan and following consultation with Members, stakeholders and residents the plan was approved in November 2021.

The corporate plan sets out an overarching vision of 'Creating a sustainable borough of innovation and opportunity' and is framed around three key objectives:

- **Thriving Communities:** Where families and individuals are empowered to achieve their ambitions and fulfil their potential.
- **Inspiring Places:** Supporting the borough's future prosperity and sustainability.
- **A Council trusted to deliver its promises.**

The plan sets out the following priorities, which respond to evidence on the key challenges within the borough and the priorities of our residents:

- Taking action to tackle climate change and its consequences and improving our natural environment: the council has declared a Climate Emergency, and this priority sets out the actions we will drive forward as a council – and collectively – to reduce emissions, protect our natural environment and to adapt to climate impacts.
- Quality infrastructure that connects neighbourhoods and businesses and allows them to prosper this recognises the need to invest in new infrastructure to support the borough's future prosperity and sustainability, including digital, low carbon, transport and community infrastructure.
- A ladder of housing opportunity, to support better life chances for all: this recognises the challenges faced by many residents due to the lack of affordable housing in the borough. Helping more residents into affordable, sustainable homes, is a key part of our strategy to reduce inequality.

The Plan is supported by a new performance management framework.

Defining outcomes

The Citizens' Portal is a public dashboard, which provides information about the council's performance.

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The portal enables the public to view the council's performance and progress against the goals for 2021-26. It has been developed to improve transparency and accountability. Performance is tracked against each of the 50 goals in the Plan, as part of the performance management framework.

The Citizens' Portal provides easy access to a wide range of information. It is structured around the three objectives and 50 goals in the Corporate Plan. A selection of metrics and / or milestones have been included under each goal, to enable the public to view our progress.

The portal is focused on the outcomes the Council wants to achieve in the borough and presents data showing progress and performance on the delivery of key programmes – from electric vehicle charging points, to rates of childhood obesity.

Performance data is used by services to manage at a service level but also to improve performance across the whole Council through the Performance and Risk Management Board, an officer working group.

Performance Reports are considered by the Corporate Overview and Scrutiny Panel and supported by the Policy and Performance Team. The Panel can refer issues to either of the other two Overview and Scrutiny Panels. This allows the Panels to drill down into detail on outcomes to understand and challenge performance across the authority.

Sustainable economic, social and environmental benefits

As identified above the Council approved a five-year plan in November 2021.

The plan sets out the following priorities, which respond to evidence on the key challenges within the borough and the priorities of our residents:

- Taking action to tackle climate change and its consequences and improving our natural environment: the council has declared a Climate Emergency, and this priority sets out the actions we will drive forward as a council – and collectively – to reduce emissions, protect our natural environment and to adapt to climate impacts.
- Quality infrastructure that connects neighbourhoods and businesses and allows them to prosper this recognises the need to invest in new infrastructure to support the borough's future prosperity and sustainability, including digital, low carbon, transport and community infrastructure.
- A ladder of housing opportunity, to support better life chances for all: this recognises the challenges faced by many residents due to the lack of affordable housing in the borough. Helping more residents into affordable, sustainable homes, is a key part of our strategy to reduce inequality.

These are defined by a set of measured outcomes and performance indicators through the Performance Management Framework.

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

Determining interventions

The Corporate Plan has been developed through a data driven approach, and wide community and stakeholder engagement and is supported through a new Performance Management

The Strategy and Performance Team provides RBWM with the evidence it needs to inform decisions affecting commissioning and operational service delivery, such as population analysis, demand

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forecasting and needs assessments, as well as enabling the organisation to manage performance, engage with citizens and service users and maintain key business intelligence systems.

Subsequent to the Plan's adoption, new arrangements were agreed by Cabinet on 20 December 2021 in relation to how performance against the Corporate Plan is reported. These arrangements include the establishment of a new public-facing online "Citizens' Portal", and agreement that the Corporate Overview & Scrutiny Panel takes primary responsibility for Member Scrutiny of the council's performance, receiving routine reports identifying areas of progress and areas of concern.

Planning interventions

Article 12 of the Constitution defines the responsibilities for decision making and the principles in accordance with which decisions must be made.

All reports are reviewed and signed off by the S151 Officer and the Monitoring Officer (or their deputies) to ensure the financial impact of any decision is properly recognised before that decision is taken, and the Council's decisions are lawful.

All agendas, minutes and decisions taken by Cabinet members are available to the public through RBWM's website.

The online committee management system which ensures easily accessible and good quality information is always available about decisions and Member meetings, this also ensures that the committee process is efficiently managed.

Reports to Cabinet are considered at a Leaders Board before the formal Cabinet meeting. This allows members of the Cabinet and the senior officers to review the quality of reports and ensure they are easy for the public to understand before they are formally submitted to a Cabinet meeting.

The Overview and Scrutiny Panels play a key role to inform and challenge decisions carried out within each service. Each Overview and Scrutiny Panel has its own terms of reference, and these are set out in the Constitution.

Scrutiny members have been trained this year on good scrutiny practice.

All relevant papers can be found on RBWM's Committee Management Information System (ModernGov).

RBWM intranet pages provide officers and councillors with access to information about decision making.

Decision-making reports require an Equality Impact Assessment to be completed and, where appropriate, a Data Protection Impact Assessment.

Optimising achievement of intended outcomes

The new Performance Management Framework focuses on measuring outcomes

Subsequent to the Corporate Plan's adoption, new arrangements were agreed by Cabinet on 20 December 2021 in relation to how performance against the Corporate Plan is reported. These arrangements include the establishment of a new public-facing online "Citizens' Portal", and agreement that the Corporate Overview & Scrutiny Panel takes primary responsibility for Member Scrutiny of the council's performance, receiving routine reports identifying areas of progress and areas of concern.

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The Citizens' Portal was launched in April 2022 as a public-facing online dashboard setting out performance indicators and activities to show progress against the 50 goals in the Corporate Plan as part of the council's commitment to transparency and accountability. The Portal represents a substantial step forward in how the council shares performance information and will continue to be developed over time, with more information across the whole portal and particularly in relation to "A council trusted to deliver" goals.

Following the launch of the Portal, the Strategy, Policy & Performance Team has worked closely with relevant Corporate Plan goal owners to establish target trajectories and tolerance thresholds for performance indicators featured on the Portal. Target trajectories and tolerance thresholds are the key enablers for RAG (Red, Amber, Green) statuses to be determined. Confirmed target trajectories and tolerance thresholds were applied to the Citizens' Portal from 1 July 2022.

E. Developing the entity's capacity, including the capability of its leadership and the individuals within it

Developing the entity's capacity

RBWM operates a robust interview and selection process to ensure that Officers are only appointed if they have the right levels of skills and experience to effectively fulfil their role. If working with children and/or vulnerable adults they will be subject to an enhanced Disclosure and Barring Service (DBS) check prior to appointment. New officers must attend an induction meeting, which provides information about how the organisation works and managers must complete an induction checklist.

All Officers complete a number of mandatory e-learning courses on an annual basis including health and safety, equalities and diversity and information governance. Officers and Members have access to a range of IT, technical, soft skills and job specific training courses.

Employees' annual training and development needs are identified through the performance management process. In addition to a comprehensive induction programme, there are a number of internal training courses available to employees, covering a wide range of topics and issues. Each service area completes an annual Training Needs Analysis to identify individual officer development.

All Officers receive regular one to ones with their Manager in order to monitor workload and performance. Opportunities are provided for identifying future training and development needs, and to track progress against objectives. The effectiveness of individual performance monitoring is tracked in a number of ways, including by asking staff about it as part of regular staff satisfaction surveys.

RBWM has developed an online 'Members' Hub' which is a dedicated area containing documents, news, training and forms. The hub can be accessed from Members' corporate iPads.

A LGA Peer Review was conducted in January 2022 with a subsequent action plan developed. A follow up review was conducted in October 2022.

Developing the capability of the entity's leadership and other individuals

The law and Constitution clearly define the responsibilities of key Member and officer roles.

Part 3 of the Constitution sets out powers delegated to Cabinet Members and Officers. Chief Officers are in turn responsible for authorising delegations to their officers. All delegations are updated when roles or structures change.

The protocol on Member/officer relations contained within Part 7 of the Constitution further defines the day-to-day roles and responsibilities of officers and Members. Following elections in May 2019

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all Members were offered a comprehensive Induction and there are regular briefing and development sessions throughout their term of office.

Newly elected Councillor induction includes information on roles and responsibilities, political management and decision-making, financial management and processes, health and safety, information governance, data protection, the Members' Code of Conduct and safeguarding.

Compulsory training is provided for Members who sit on the Licensing Panel, Appeals Panel and the Development Management Committees. The Council has developed an online 'Members' Hub' which is a dedicated area containing documents, news, training and forms. The hub can be accessed from Members' corporate iPads.

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

Managing risk

The Council has Finance Procedure Rules which are updated on a rolling basis. They set the framework on how the Council manages its financial arrangements and form part of the Council's Constitution. They also set the financial standards that will ensure consistency of approach and the controls needed to minimise risks.

They are available to staff with accompanying guidance, and these are reviewed at least annually to ensure they remain fit for purpose and adhere to best practice.

RBWM has a corporate risk management system that records both strategic and service risks and the assigned owners. A Strategic Risk Report is formally considered on a quarterly basis by the Directors Team where they consider current and emerging risks.

Risks are identified within any reports submitted for decision making.

RBWM has an adopted Risk Management Strategy, and this is regularly reviewed and refreshed and considered at Audit and Governance Committee.

The risk management framework has been reviewed as part of the Internal Audit work done this year.

Managing performance

The Council's performance management framework has 42 different measures aligned to the strategic objectives in the Council Plan 2017-21, 22 of which are key measures reported to Cabinet bi-annually. The Overview and Scrutiny Panels have oversight of the relevant key measures reported to Cabinet as well as a range of other performance measures relating to the Council's strategic priorities.

As part of the development of the Corporate Plan a new performance management framework has been developed to link our new outcome based approach to tracking performance and delivery more closely.

Robust internal control

The Council has Finance Procedure Rules which are updated on a rolling basis. They set the framework on how the Council manages its financial arrangements and form part of the Council's Constitution. They also set the financial standards that will ensure consistency of approach and the controls needed to minimise risks.

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Work has been undertaken in the way which contracts are procured and then managed. Further work is recommended this year on the Procurement Toolkit with officers to embed good practice.

A review of the Property Company governance has been undertaken (supported by the Statutory Governance Officer Group) and reported on to Members. This has resulted in an Action Plan, which is monitored by Corporate Overview and Scrutiny Panel. This is included in the AGS Action Plan as a governance issue for completeness rather than detailed monitoring.

It has been agreed that a Shareholder Panel will be introduced for the Councils Property Company "RBWM Property Company Ltd" to strengthen the Council's oversight as shareholder of the Company. The Shareholder Panel will be the formal mechanism by which the Council will scrutinise company performance, risk, delivery and direction of travel and will also provide a forum for the Property Company to formally raise any issues with the Council.

Further work is planned this year in respect of the Council's other Teckel companies.

Managing data

RBWM's Publication scheme details the different classes of information which RBWM routinely makes available and the 'Transparency' webpage which provides guidance for the public about what information is available to them and how they can access it. The Council also has a webpage for Freedom of Information (FOI), Environmental Information and Subject Access Requests. We also publish all responses to FOI requests.

The Council has appointed a SIRO (Head of HR, Corporate Projects and IT) to manage information risks and the Council is focused on PSN compliance.

In relation to GDPR, link officers identified for each service area have been provided with ongoing support to ensure all documents including service area Information Asset Registers (IAR) and Registers of Processing Activity (RoPA) are regularly reviewed, monitored and kept up to date.

Strong public financial management

Financial management arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (April 2016). The Chief Financial Officer was the Executive Director for Resources until March and is now the Head of Finance.

The s151 Officer is responsible for leading the promotion and delivery of good financial management so that public money is always safeguarded, ensuring that budgets are agreed in advance and are robust, that value for money is provided by council services, and that the finance function is fit for purpose. The s151 Officer advises on financial matters to both the Cabinet and full Council and should be actively involved in ensuring that the authority's strategic objectives are delivered sustainably in line with long term financial goals. The s151 Officer together with finance staff should ensure that new policies or service proposals are accompanied by a full financial appraisal which is properly costed, fully funded and identifies the key assumptions and financial risks that face the Council.

The s151 Officer has a statutory duty to report any unlawful financial activity or failure to set or maintain a balanced budget. The s151 Officer also has a number of statutory powers in order to allow this role to be carried out: e.g. Under Section 25 of the Local Government Act 2003 the S151 officer is required to state in the budget report their view on the robustness of estimates for the coming year, the medium-term financial strategy, and the adequacy of proposed reserves and balances. Under Section 114 of the Local Government Finance Act 1988 the chief financial officer has the power to issue a Section 114 notice (S114) if they judge that the council is unable to set or achieve a balanced budget.

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The Council has Financial Regulations which provide a framework to identify financial responsibilities and the financial limits assigned to individual Officers. These also outline the responsibilities in relation to partnerships and commissioning arrangements. The Financial Regulations are kept under regular review.

Training for all budget holders on financial processes of compliance for approving spend and monitoring have been held; further training will be provided throughout the financial year on relevant topics to ensure that financial best practice is core to the way the organisation operates. A suite of online finance training videos has been introduced.

An officer Capital Review Board was introduced during 2020/21 to provide more oversight and challenge around the capital programme as well as consider the council's capital strategy and this is working effectively.

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

Implementing good practice in transparency

The Council and its decisions are open and accessible to the community, service users, partners and its staff. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 give anyone the right to ask for any information held by the Council except where an exemption or exception can be lawfully applied to such information.

All reports requiring a decision must be considered by appropriately qualified legal and finance staff with expertise in the particular function area before they are progressed to the relevant committee/forum. The Council is committed to its equality responsibilities. To meet these responsibilities, equality impact assessments are undertaken where appropriate. EQIAs are a systematic way of taking equal opportunities into consideration when making a decision and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups.

The Action Plan for the 2020/21 AGS identified that better guidance, controls and instructions to officers were needed to ensure that all decision making complied with the scheme of delegation in the Constitution and this is complete.

Guidance documentation on decision making has been revised and updated and issued to all members of the Corporate Leadership Team for wider dissemination.

Following the issuing of updated guidance on decision making to all relevant officers and a joint Member/CLT workshop on officer/Member roles and responsibilities, there has been a clear improvement in the application of governance procedures.

This has included regular review of the Forward Plan, ensuring sign-off of reports by statutory officers and an increased use of officer decision forms. Ongoing Member peer support via the LGA has also been provided to political groups.

Implementing good practices in reporting

All reports are checked by the statutory officers or their staff prior to submission and seen by Directors Team. Reports are on a standard template. Delegated decisions are recorded with reasons.

The Forward Plan is available on the website.

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Oversight is provided through the Overview and Scrutiny Panels.

Assurance and effective accountability

RBWM's values focus on accountability and the work leading to the development of those values has been important in driving forward the culture of the Council in the past year. For the forthcoming year we need to do more work in embedding those values and this is reflected in the Action Plan.

The Local Government Act 2000 requires a local authority acting under Executive arrangements to have one or more Overview and Scrutiny Panels. In 2021/22 the Council operated four Overview and Scrutiny Panels. These panels support the work of the Cabinet and the Council as a whole. They may make reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery. Following a recommendation from the LGA Peer Review, full Council agreed in May 2022 to amend the committee structure to three Panels to align with the Directorates and Corporate Plan.

The Overview and Scrutiny Panels also monitor the decisions of the Cabinet. They can 'call-in' a decision which has been made by the Cabinet but not yet implemented. This enables the Panel to consider whether the decision is appropriate. It may recommend that the Cabinet reconsider the decision. The Panels may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy. Details of the Council's Overview and Scrutiny Panels can be located on the Council's website.

Induction, training and support is provided to individual Members and whole committees to support them in their policy development and holding-to-account roles.

In 2022/23 scrutiny in RBWM was supported by officers within Democratic Services and the Democratic Services Team Manager is the Statutory Scrutiny Officer. Work will be undertaken as part of the AGS Action Plan to develop the role of other officers in the Council to support Overview and Scrutiny more effectively. A dedicated Scrutiny Officer has been placed in post.

The Head of Finance, Executive Director of Resources and Internal Audit meet with the external auditors on a regular basis to discuss audit activity and ensure that appropriate support is being provided.

The Audit and Governance Committee has undertaken the key functions required of it by Chartered Institute of Public Finance's (CIPFA) guidance on the role of audit committees.

The Audit and Governance Committee role and purpose is set out in Articles of the constitution.

The Committee has a close working relationship with the internal and external auditors.

The Committee met 5 times during the 2022/23 financial year, in public.

Their work has included receiving internal audit and counter fraud progress reports, including detail of all limited assurance reviews and the extent to which remedial recommendations have been implemented.

The Council is required to publish the unaudited Statement of Accounts for the financial year ending 31 March 2023 by 31 May 2023. The Council has not yet published the draft Statement of Accounts for 2022/23 nor commenced the period for the exercise of public inspection.

The Council will publish a draft set of accounts as soon as reasonably practicable, following which the period for the exercise of public inspection will commence. The delay has arisen due to the continued inherent complexity and disclosure requirements of Local Government financial reporting, and the increased assurance work that auditors are required to carry out nationally with respect to asset valuations.

Supplementary Accounting Statements

Also, the limited availability of the staff members critical to the production of these statements throughout the statement preparation period has contributed to the delay.

A further notice will be published in due course setting out the public inspection period as soon as the draft 2022/23 Statement of Accounts have been finalized for a period of public inspection prior to external audit. The Internal Audit Plan is regularly reported to Committee.

Head of Internal Audit Opinion

The Head of Internal Audit's overall audit opinion on the internal control environment (framework of governance, risk management and internal control) is;

Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives.

The Head of Internal Audit Annual Report provides a summary of the activity used to support this opinion.

External Audit

There is a national issue that is well recognised in terms of the availability of external audit resources. The 2019/20 accounts were signed off on 1st March 2023 following rejection of a number of objections to the accounts that were considered as well as a national issue around the valuation of infrastructure assets.

The accounts for 2020/21 have already been prepared and it is anticipated they will be signed off by the autumn of 2023. The draft accounts for 2021/22 were published on 31st July 2022 and external audit will start upon completion of the 2020/21 accounts audit. This is expected to be concluded by the end of December 2023. There have been a number of objections to both the 2020/21 and 2021/22 accounts, and these will need to be resolved prior to the sign off of these accounts.

ACTION PLAN

Subject	Action (s)	Responsible Officer	Target completion date

Supplementary Accounting Statements

<p>A. Behaving with integrity, demonstrating a strong commitment to ethical values, and respecting the rule of law.</p>	<ol style="list-style-type: none"> 1. Training of the O&S Panels with LGA and CfGS . 2. Review of Code of Conduct Assessment Processes 3. Launch of Procurement Toolkit 	<p>Head of Law & Governance(A1,2)</p> <p>Head of Law & Governance (A4)</p> <p>Head of Finance (A3)</p>	<p>December 2023 (A1)</p> <p>Completed</p> <p>Completed – due to be republished mid-July due to changes in thresholds (national Legislation)</p>
<p>B. Ensuring openness and comprehensive stakeholder engagement</p>	<ol style="list-style-type: none"> 1. Adoption of a new Engagement Approach 	<p>Head of Strategy (B1)</p>	<p>August 2023 (B1)</p>
<p>C. Defining outcomes in terms of sustainable economic, social, and environmental benefits.</p>	<ol style="list-style-type: none"> 1. Embedding new Performance Management Framework. 	<p>Head of Strategy (C1&2)</p>	<p>Complete subject to revision in February 2024 following agreement of new Corporate Plan</p>
<p>D. Determining the interventions necessary to optimise the achievement of the intended outcomes.</p>	<ol style="list-style-type: none"> 1. Embedding new Performance Management Framework. 2. Introduction of Regular Review of Performance by the Corporate O&S Panel 	<p>Head of Strategy (D1)</p> <p>Head of Law & Governance (D2)</p>	<p>August 2023 (D1)</p> <p>January 2024</p>
<p>E. Developing the entity's capacity, including the capability of its leadership and the individuals within it.</p>	<ol style="list-style-type: none"> 1. Further development of Induction Programme for New Members 2. Development of the Scrutiny function with Members. 	<p>Head of Law & Governance (E1)</p> <p>Head of Law & Governance (E3)</p>	<p>completed</p> <p>Dec 2023 (E2)</p>

Supplementary Accounting Statements

F. Managing risks and performance through robust internal control and strong public financial management.	1. Embedding new Performance Management Framework.	Head of Strategy (F1)	August 2023 (F1)
	2. Review of Risk Management	Head of Finance (F2)	July 2023 (F2)
	3. Review of Council's Governance of the Property Company and establishment of a Shareholder Panel	Executive Director (Place) (F3) & Head of Law & Governance (F3)	September 2023 (F3)
	4. Review of procurement and contract management	Head of Finance(F4)	October 2023 (F4)
G. Implementing good practices in transparency, reporting, and audit, to deliver effective accountability.	1. Further development of the Scrutiny function with Members.	Head of Law & Governance (G1)	Dec 2023 (G1)

CONCLUSION

Although the Council has improved many elements its governance system in the past year, the Head of Internal Audit's opinion clearly shows that significant improvements are required.

In the past year we have strengthened our governance foundations and culture to help us make better decisions for our communities and whilst we have made considerable steps forward, we know that there is work yet to do, however the outcome of the Peer Review demonstrated that we are on the right path. It is important that over the coming years efforts are made to further develop the culture of the organisation to operate these systems consistently.

The Appointment of a new Internal Auditor has introduced a new level of scrutiny which has allowed the Council to identify gaps and weaknesses in its governance arrangements and we look forward to working closely with the internal auditor to continue to identify weaknesses and resolve those already identified.

The Action Plan will help us address those areas that will support our new culture to embed the key principles of good governance at the heart of our organisations making it more accountable.

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements, including procurement reviews, embedding performance management, developing the leadership capacity of the organisation and a comprehensive induction programme for Members.

We are satisfied that these steps will address the need for proper governance arrangements to be in place. We will undertake ongoing monitoring of the implementation of any improvements that were identified in our review of effectiveness and as part of our next annual review.

Supplementary Accounting Statements

Cllr J Tisi
Chairman, Audit and Governance Committee

Signed:
Date:

Stephen Evans
Chief Executive

Signed:
Date:

Cllr Werner
Leader of the Council

Signed:
Date:

DRAFT