

Annual Governance Statement 2023/24

1. INTRODUCTION

The Annual Governance Statement is a point in time assessment of the council's governance framework. It considers information assembled over the course of the previous 12 months to make an evidence-based assessment of the systems, processes, culture and values that feed into our internal control environment and our compliance with them. This document draws the evidence together and provides a valued judgement of our governance environment.

The AGS provides an overview of the council's key governance systems and explains how they are tested and the assurance that can be relied upon to show that these systems and processes operating effectively. The Statement comprises an overview of the key elements of its governance framework and what evidence has been received in order to determine the effectiveness of the arrangements. In addition, the Statement contains an update on the areas for improvement identified last year, together with proposed areas for improvement for the coming year.

2. What is Corporate Governance?

Chorley Council is responsible for ensuring that our business is conducted in accordance with the law, to the highest standards and that there is a sound system of governance (incorporating the system of internal control). Public money must be protected and properly accounted for. We also have a duty under the Local Government Act 1999 to continually review and improve the way we work, while at the same time offering value for money and delivering an efficient and effective service.

To meet this responsibility, we have put in place arrangements for overseeing what we do (this is what we mean by governance). These arrangements are intended to make sure we do the right things, in the right way, for the right people, in a fair, open, honest and accountable way.

Our Governance Framework is based on the CIPFA/SOLACE Framework¹. It promotes and demonstrates our commitment to the principles of good governance and incorporates the council's values that emphasise how we do things at Chorley Council. It is important to note that a robust governance framework only has value if it is complied with and contains sufficient controls to ensure this.

The adopted Local Code of Corporate Governance incorporates and demonstrates how the 7 principles detailed by the CIPFA/SOLACE Framework, and set out below, are complied with.

Good governance means:-

- 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 the 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

Our Local Code was reviewed and updated this year and approved by Governance Committee on 31 March 2023 and can be accessed through this hyperlink [here](#).

3. The Council's Governance Framework

¹ The CIPFA / SOLACE (Chartered Institute of Public Finance and Accountancy / Society of Local Authority Chief Executives and Senior Managers) framework "Delivering Good Governance in Local Government".

The governance framework comprises the systems, processes, culture and values by which we direct and control our activities including those by which we account to, engage with and lead the community. It enables us to monitor how we are achieving our long-term aims and to demonstrate where this has led to improved services that are delivering value for money. The council has responsibility for ensuring that there is a sound system of governance.

The system of internal control is a significant part of the framework and is designed to manage risk to a reasonable level. It cannot remove all risk of failing to achieve our priorities and aims, so it can only offer reasonable protection. It is based on an ongoing process that is designed to:

- Identify and prioritise the risks that could prevent us achieving our aims and objectives
- Assess the likelihood and impact of the risk occurring
- Manage the risks efficiently, effectively and economically.

The local code should enable members to satisfy themselves that council has processes, systems and checks which ensure our objectives are being met lawfully, in accordance with the corporate and medium term financial strategies and in a way that demonstrates value for money. The framework is the basis for the decision-making structures, compliance with it enables members to have sufficient information to test recommendations and to make a reasonable, evidence based decisions.

We must demonstrate our commitment to good governance through honest self-assessment and regularly reviewing how we can be better, using the governance framework to self-identify issues and improvements and take steps to implement them quickly.

Values of good governance

The Council also promotes and demonstrates the values of good governance by upholding high standards of conduct and behaviour. The following strong arrangements are in place to ensure that appropriate standards of behaviour are maintained:

Codes of Conduct (Members and Officers)
Member Officer Protocol
Suite of HR policies
Suite of Counter Fraud Policies

4. How we review the effectiveness of the Governance Framework

This section identifies the structures, committees bodies and officer roles which serve to review the appropriateness of the governance arrangements and their application.

The Council has a responsibility to keep the effectiveness of its governance arrangements under review to ensure continuous improvement. This review is informed by the work of the Governance Committee supported by management, internal and external auditors and other review agencies.

Governance Committee - The Governance Committee provides member oversight and scrutiny of the Council's business controls. The Governance committee undertakes all of the core functions of an audit committee as identified in the relevant CIPFA guidance. An assessment has been undertaken during 2020/21 and this confirmed that the Committee are operating in line with CIPFA's Audit Committees – Practical Guidance for Local Authorities and Police 2018. Looking forward, new guidance has been issued by CIPFA which includes a self-assessment of good practice exercise. It is proposed to work with the Committee this Summer to review how the Committee functions are discharged.

The Governance Committee also has responsibility for consideration of standards complaints under the Council's Code of Conduct for Members and convenes Standards Sub-Committees drawn from the main committee to hear complaints which have warranted investigation.

Shared Services Joint Committee - The Joint Committee monitors service performance of the shared services partnership between South Ribble Borough and Chorley Councils and is a good example of our effective governance of partnerships.

Scrutiny Committee

The Scrutiny Committee have continued to play an active role in the business of the Council, holding the Executive to account and assisting in the development of Policy and feeding into the budget cycle. It was Chaired by a councillor who is member of the opposition party.

The Scrutiny Budget and Performance Panel meets to challenge and comment on the quarterly performance and budget monitoring reports prior to consideration by Cabinet as part of our new rigorous Performance Management Framework.

Member Training

The Council holds the North West Employers Member Development Charter and has a cross-party Member Development Working Group that takes an overview of Member training and development. A Member Personal Development Planning is now embedded with member PDP's being completed.

During the year all Member training was provided a number of different topics and Member briefings held to support member understanding of council business.

Members have also attended a number of external training courses and conferences via the LGA and other providers.

Management Team / Leadership Team

This has been a period of change for both the Senior Management Team and Senior Leadership Team. A new Chief Executive started employment on 1 January 2023 and fulfils the Head of Paid Service role. The Director of Commercial Services and Director of Planning and Development have both left the authority. This has necessitated some temporary arrangements in relation to these roles. The recruitment to the Senior Leadership Team has continued with all Head of Service roles now filled.

Section 151 Officer / Director of Finance

The Director of Finance/ Section 151 Officer is a member of the Senior Management Team.

Statutory Regulation / Monitoring Officer

This role is fulfilled by the Director of Governance who is also a member of the Senior Management Team.

Corporate Governance Group / Officer arrangements

In developing this Annual Governance Statement, the council's senior officers have worked collectively to understand and assess the effectiveness of the implementation of the council's governance framework. This work has been overseen by a Corporate Governance Group comprising:

- Chief Executive
- Deputy Chief Executive (currently vacant)
- Director of Governance (Monitoring Officer)
- Director of Finance S151 Officer
- Director Change and Delivery
- Head of Audit and Risk

The Corporate Governance Group (CGG) have worked with the council's Senior Management Team who have individually produced and collectively reviewed service assurance statements which assess compliance with and understanding of the council's governance framework. This assessment has supported the production of this document.

It is also important to note the ongoing role that a council's senior officers have in ensuring that good governance is enacted in the working of the organisation.

A terms of reference for the CGG are being reviewed to further enhance the governance monitoring and reporting arrangements. These will ensure greater accountability of Heads of Service for their responsibilities to the governance environment. Whilst the Director of Governance will continue to be responsible for maintaining and monitoring the governance framework, the CGG will support the drive for its embedding in the organisation.

Programme Board

A corporate programme board continues to meet quarterly to review and monitor the performance of the Corporate Strategy projects and performance measures ahead of reporting to Cabinet. The board is made up of the Senior Management Team as those accountable for overall programme delivery and ensuring compliance with the Performance Management Framework. The board receive an update report highlighting issues, concerns and risks by exception. The board will discuss issues and identify solutions before cascading directions back to project managers and teams.

Data Security / Information Governance

The Data Protection Officer function is fulfilled by the Director of Governance. The Senior Information Risk Owner is the Director (Customer and Digital).

The Information Security Council consisting of the SIRO, DPO, and Head of ICT, Customer and Digital oversees data security, information governance and compliance. The terms of reference are in the process of being refreshed to ensure clear responsibility lines are established. The ISC will work with the Senior Leadership Team to monitor performance and assess development and training needs.

Organisational Development

The HR Hub has brought together in one place both the OD strategy and wider eLearning opportunities making it easier to manage and identify gaps in staff's knowledge and / or experience but also a framework to address them. Greater use of the system has been developed with Managers able to monitor completion of mandatory training within their teams.

The Personal Development Review process has now run through a complete cycle with the on line system enabling live monitoring of completion of the different stages.

Corporate Complaints / Local Ombudsman

The number of customer complaints processed as stage one complaints *information awaited*

The Council are aware of 5 complaints which were made to the Local Government Ombudsman in the year 2022/23. One of the complaints was upheld in part.

External Audit

The Council receive regular reports on elements of its internal control environment, including performance management, risk management, financial management and governance.

The most recent review undertaken (which is for the period 2021/22) has acknowledged the Council's continued commitment to enhance the governance environment, identifying only improvements that should be made. This is a continuing endorsement of the councils commitment to governance.

Internal Audit and the Head of Audit Opinion

Internal Audit is responsible for providing assurance on the quality and effectiveness of the system of governance and internal control. A risk based Internal Audit Plan is produced. The reporting process for Internal Audit requires a report of each audit to be submitted to the relevant service. This report includes recommendations for improvements that are included within a Management Action Plan and require agreement or rejection by service managers.

The Internal Audit Annual Report contains a statement/ judgement on overall levels of internal control (a view based on the relative significance of the systems reviewed during the year, in the context of the totality of the control environment).

The Annual Internal Audit report contains the following opinion from the Head of Internal Audit:

Based on the work undertaken and evidence available to Internal Audit including other sources of assurance, it is considered that the overall adequacy and effectiveness of the Council's governance, risk management and control processes are **adequate** for the financial year ended 31st March 2023 except for the significant control weaknesses identified during the course of the year including:

Commercial Directorate Procurement review;
Utilities management review;
Open water Management review
General Data Protection regulations – data retention.

5. Governance Environment: Areas to Strengthen

There have been a number of limited assurance Internal Audit reports issued this year. Some of the failings identified could have had very serious consequences for the Council.

A routine Internal Audit of the creditors system highlighted a failure to adhere to financial management procedures in relation to payments to a contractor. Based upon this finding, an audit of the procurement within the directorate was commissioned. This identified significant governance failings in terms of procurements undertaken and compliance with the contract procedure rules and confirmed the failures to provide proper financial management. A comprehensive management action plan was agreed, and its implementation has progressed in year. The actions still require embedding.

A Directorate Development Group has been established. Its purpose is to ensure the failings identified are being proactively addressed. This is intended to be a supportive environment, recognising that whilst the Heads of Service are new to the organisation, they must own the need to improve and lead on embedding the culture of good governance. It will monitor improvement, identify barriers to compliance and seek solutions. It is chaired by the Chief Executive.

One of the more significant issues identified was procedural failing in relation to Information Security. Council policies were not adhered to in relation to systems access. Whilst it should not be concluded that there was anything improper done, the risk of such activity taking place was not adequately considered, controlled or managed.

The Senior Management Team have undertaken works to ensure the extent of this none-compliance is known and further works are being undertaken to improve monitoring arrangements in relation to council system access and external spend. This is not to identify failures in the governance framework as such, but to highlight and understand situations that could lead to a breakdown in control arising.

The improvements to the IT network, systems and software have been delivered in line with the Council's Digital Strategy and have strengthened the council's data security arrangements and made us more resilient. Whilst there is an impact on the wider governance environment, these works were necessary and urgent. They were the foundation actions to provide a solid base for the governance environment. They will enable greater digitisation of processes and control of access to information. This is also an opportunity to redesign processes for use on the new systems to ensure they meet the council's needs and obligations. In the short term there will be challenges for the council, but the longer term benefits will be realised as the new procedures are implemented. An initial piece of work has been undertaken to identify key procedures to be developed using the Microsoft Approval platform. Existing procedures were considered and prioritised. Some are identified in the Action Plan below.

The Service Assurance Statements have identified some additional areas of corporate failure to comply with policies. This is evidence that the governance environment needs to be embedded further with greater emphasis and attention given to the operation of the Governance Framework and compliance with procedures and systems. These areas for improvement are recognised in the actions in the table below.

Statutory Officers are working with the Senior Leadership Team to embed the importance of compliance with the governance framework, attending Directorate Management meetings. The Corporate Governance Group receive reports from Heads of Service detailing where the governance framework is working well and where there are challenges. This provides an opportunity to share good practice but is an on-going review of issues that maybe shared across the organisation.

A strong governance environment, as set out in part 2 above, needs all the elements working together in concert. We are not there yet. Failings continue to be identified, the main area being around compliance. However, we have established ways to resolve the identified issues as we continue to strive to improve.

The following table relates to the action plan from the 2021/22 Annual Governance Statement. The improvements are specific and the table indicates whether the action is completed or outstanding. It will be noted that only one action is being carried forward to next year with all other actions being complete or partially complete.

Theme	Areas for improvement	Suggested improvement	Progress
Process/ System	Failure to identify, monitor and report of fraud risks facing the Authority	To develop the Council's approach to fraud following the assessment of the Council's arrangements against Fighting Fraud and Corruption Locally 2020-2025	Outstanding This work was arranged to be undertaken in conjunction with Preston CC. Unfortunately the allocated officer from PCC was not available to support the review Carried forward to 23/24.
	Failure to have a system in place to ensure key corporate policies are regularly reviewed, version controlled and remain up to date and accurate.	Devise and implement a corporate process to ensure all staff revisit key policies so a good level of awareness is maintained across the organisation	In progress This will be delivered through the Microsoft Approvals platform and the process is in development. Carried forward to 23/24
	Contract Management System	Directors to ensure all contracts are entered onto the corporate CMS in a timely fashion including current "live" contracts.	This has been delayed pending the implementation of the new intranet Carried forward to 23/24
	Risk Management	A range of reports to be developed to allow Directors to challenge data held with GRACE including partnership, project and operational risks.	Completed

	Cyber Security, use of ICT equipment and system access	<p>Once approved, awareness of the contents of the Shared Information Security Framework should be raised using all communication methods.</p> <p>A programme of Cyber security training sessions should be developed and delivered to highlight to all officers and members the risks faced by the council.</p> <p>Align where appropriate all IT forms and processes across the shared council environment.</p>	<p>Completed</p> <p>Carried Forward to 2023/24</p> <p>In progress – key processes have now been identified for development on the Microsoft Approvals platform which will be fully integrated with Council systems. IT are working with staff leads for different processes to ensure the procedure meets the needs of the Council Prioritisation of the key processes has been undertaken to ensure that the highest risk processes are being addressed first.</p>
Staff development	Equality	Once approved, the refreshed equality framework should be rolled out including training and updating of EIAs on website	Completed
	Organisational Development	OD to ensure monitoring reports are issued to Directors on a regular basis. This is to include monitoring of compliance with new HR policies and processes.	Completed
	OD Strategy to be developed (May 22) Mandatory training modules to be completed in full	All Directors to ensure all mandatory training is completed within the agreed timescales.	Whilst there has been progress in relation to this action performance remains below target and remains a priority

			Carried Forward to 2023/24
Corporate	Constitution	Constitution to be reviewed and updated where applicable.	In progress Will be completed in Q2 2023 carried forward to 2023/24
	Business continuity	To put forward a business case for the future management of business continuity to standardize and align process across the two authorities. To establish a forward plan of testing to ensure plans are robust, encompass all council activity and are fit for purpose.	Complete

Following the assessment of our governance environment, no significant failings were identified by the Corporate Governance Group, although as the council have committed to continuous improvement the group have identified areas where it could be enhanced. Although, as stated, last years actions are not being rolled forward into this years' plan, some are being adapted into new actions to reflect in year changes. The table will form the basis for a more detailed action plan for delivery of the improvements. It is intended to report progress against the plan to Governance Committee mid year and year end.

Theme	Areas of identified failings	Suggested improvement
Process/ System	Failure to identify, monitor and report of fraud risks facing the Authority	To develop the Council's approach to fraud following the assessment of the Council's arrangements against Fighting Fraud and Corruption Locally 2020-2025
	Failure to have a system in place to ensure key corporate policies are regularly reviewed, version controlled and remain up to date and accurate.	Devise and implement a corporate process to ensure all staff revisit key policies so a good level of awareness is maintained across the organisation
	Contract Management System	Directors to ensure all contracts are entered onto the corporate CMS in a timely fashion including current "live" contracts.
	Inventories	To improve the quality of the council's asset inventory records to enable accurate insurance cover to be provided

	Cyber Security, use of ICT equipment and system access	A programme of Cyber security training sessions should be developed and delivered to highlight to all officers and members the risks faced by the council.
	IT system access	Review and improve leaver form and process to ensure all relevant teams and points of contact are notified in a timely fashion to action.
Staff development	Performance Development Review	Undertake a review of the PDR process to identify barriers for its use and improvements to the system
	Mandatory training modules to be completed in full	<p>All Directors to ensure all mandatory training is completed within the agreed timescales.</p> <p>Corporate Governance Group to review and hold Directors to Account on below target completion rates.</p> <p>Enhanced training to be provided on</p> <ul style="list-style-type: none"> • Finance • Data Protection/Information Governance • Procurement
Corporate	Constitution	Constitution to be reviewed and updated where applicable. This is to specifically include the Financial Procedure Rules and Scheme of Delegation.
	Business continuity	<p>Business Continuity Plans to be held using the dedicated system and allocated into Category A and B Services.</p> <p>Testing Exercise of the Business Continuity Plans to be undertaken</p>
	Data Security and Information Management	<p>Embed the Information Security Council and processes for owning and monitoring performance.</p> <p>Review existing data security and information policies.</p>

		Establish reporting into Corporate Governance Group.
	Transparency Code	Full review of all obligations and performance to ensure the publication of all mandatory data sets
	Agreed Audit Actions	Improve percentage implementation rates of service management actions agreed with Internal Audit.
	Risk	Define risk management appetite and implement escalation and reporting mechanisms for non-strategic risks
	Procurement	Review and centralise the conflict of interest procedure. Further develop the contract management process to include registration of the contract on the transparency register and align with the decision-making process.

6. Conclusion

The council is fully committed to ensuring that its governance arrangements are and continue to be as robust as possible. As part of that process the council will monitor implementation of all actions set out in our Action Plan.

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Leader of the Council

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Chief Executive

Date:

On behalf of the Members and Senior Officers of Chorley Council.

GLOSSARY

Annual Audit Letter	An External Audit report presented to Council and containing the findings of the Audit Commission's work. It is a requirement of the Code of Practice for Auditors.
Assurance	An evaluated opinion based on evidence and gained from review.
CIPFA	Chartered Institute of Public Finance and Accountancy
Control Environment System of Internal Control	Comprises the organisation's policies, procedures and operations in place to : Establish and monitor the achievement of the organisation's priorities; Identify, assess and manage the risks to achieving the organisation's objectives; Facilitate policy and decision making; Ensure the economical, effective and efficient use of resources; Ensure compliance with policies, legislation and regulations; Safeguard the organisation's assets; Ensure the integrity and reliability of information, accounts and data.
Corporate Governance	Corporate governance is the system by which local authorities direct and control their functions and relate to their communities.
SOLACE	Society of Local Authority Chief Executives