

The Draft Annual Governance Statement 2014- 2015

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SUMMARY

1. The Committee received an update on preparation of the Annual Governance Statement (AGS) for 2014/15 at its meeting on 17th March 2015. Steady progress has been made to deliver the key components feeding into the draft AGS, which has included collecting cross-council assurance statements and reflecting progress in Internal Audit reviews of key processes. Currently, the Council is on schedule to publish the AGS alongside the Statement of Accounts in September 2015.
2. During March and April, all Deputy Directors and Heads of Service submitted governance assurance statements. The review process has highlighted a number of governance issues that are outlined in the attached draft AGS (Appendix A).
3. A full draft 2014-15 AGS is attached for comment.

REASON FOR REPORT

4. This briefing provides the Audit Committee with a progress update and presents a draft 2014-15 AGS for comment.

RECOMMENDATION

5. **Members are invited to review the production of the draft 2014-15 AGS and offer comments on the process.**
6. **At this stage the AGS is draft and subject to possible amendment. The Committee will be invited to adopt the AGS once it is signed and agreed by the Leader of the Council and the Chief Executive, for publication alongside the annual accounts in September 2015.**

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PART I – MEMBERS, PUBLIC & PRESS

London Borough of Hillingdon

Annual Governance Statement 2014-15

1 Scope of Responsibility

The London Borough of Hillingdon (LBH) is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. LBH 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.

In discharging this overall responsibility, LBH is responsible for putting in place proper arrangements for the governance of its affairs and facilitating the effective exercise of its functions that include arrangements for the management of risk.

LBH follows an approach to corporate governance, which is consistent with the principles of the CIPFA / SOLACE Framework *'Delivering Good Governance in Local Government'*. The authority's constitution is on its website at www.Hillingdon.gov.uk. This statement explains how the authority has met the requirements of Regulation 4(3) of the Accounts and Audit Regulations 2011 in relation to the publication of an Annual Governance Statement.

2 The Purpose of the Governance Framework

The governance framework comprises the systems, processes, culture and values by which the authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can, therefore, only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of LBH's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The governance framework has been in place at LBH for the year ended 31 March 2015 and up to the date of approval of the Statement of Accounts.

3 The Governance Framework

LBH has brought together the underlying set of statutory obligations, management systems and principles of good governance to establish a formal governance framework. The key elements outlined below demonstrate how Hillingdon maintains effective internal controls and an effective governance system.

- 1 **The London Borough of Hillingdon's Constitution**, sets out how the authority operates, how decisions are made, and the procedures that are followed to ensure that they are efficient, transparent and accountable to local people. The constitution is regularly reviewed at full Council meetings and also more comprehensively on an annual basis at each AGM, as required.

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- 2 Part 2 of the constitution outlines the **roles and responsibilities** of the Executive, Non-executive, Mayor, Overview and Scrutiny committees, Standards committee and officer functions. There is an ethical framework governing the conduct of members and co-opted members, introduced by the Localism Act 2011, which came into force on 1st July 2012. The governance arrangements for Hillingdon comprise:
- A structure of the Leader of the Council, a Cabinet and Policy Overview and Scrutiny Committees
 - A Corporate Management Team
 - Senior Management Teams
 - The Audit Committee, led by an independent chairman
 - Standards Committee and a Code of Conduct for Members and Co-opted Members
- 3 Part 2, article 7 of the Constitution sets out the '**Cabinet Scheme of Delegations**'. This governs the allocation of responsibilities and the discharge of executive functions by the Leader, the Cabinet and individual Cabinet members. This is regularly updated to reflect changes to Cabinet Member portfolio responsibilities in line with business priorities and Director's responsibilities. Executive decision-making is transparent and undertaken in accordance with regulations and the law, with flexibility for urgent decisions. Cabinet meetings are open to the public and media to attend and report on.
- 4 Part 2, articles 6 and 8 (including Part 4,E) set out how the Council's non-executive decisions by Members are taken. **Policy Overview and Scrutiny Committees** undertake regular monitoring of services, performance and the budget and an annual programme of major Member-led service reviews involving witness testimony aimed at influencing executive policy. Statutory scrutiny of health and police bodies is undertaken annually. Regulatory decisions on planning, licensing and related matters are undertaken judiciously by experienced and trained Elected Councillors, in accordance with the Council's high ethical standards. A new Major Applications Planning Committee established in 2013 has strengthened the way the Council determines major developments and commercial / business applications.
- 5 Part 2, article 8 also sets out how the Authority works with its partners in Hillingdon through the **Health and Wellbeing Board**, which is chaired by the Leader of the Council and meets the requirements of the Health and Social Care Act 2012. The Health and Wellbeing Board seeks to improve the quality of life of the local population and provide high-level collaboration between the Council, NHS and other agencies to develop and oversee the strategy and commissioning of local health services.
- 6 Part 3 of the Constitution sets out the '**Scheme of Delegations to Officers**'. This governs the responsibility allocated to officers of LBH to perform the authority's activities. These include the Chief Executive, Borough Solicitor and Head of Democratic Services and the schemes are regularly updated when required to reflect the changes to Director's responsibilities in line with business priorities. Within this, each Directorate has individual Schemes of Delegations, setting out how Directors' responsibilities are sub-delegated.
- 7 Part 5 of the Constitution sets out formal '**Codes of Conduct**' governing the behaviour and actions of all elected Council members and Council officers. A 'Code of Conduct for Members and Co-opted Members' was adopted in July 2012. The code ensures that councillors conduct themselves appropriately to fulfil their duties and that any allegations of misconduct are investigated. There is a separate 'Code of Conduct for Employees', which applies to all Council officers and is part of their contract of employment. The authority regularly reviews the code and guidance to ensure these requirements reflect changes to the Council structure. A revised Code of Conduct for Officers and Protocol for Member / Officer

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Relations were approved by full Council in February 2015.

- 8 The Council, as opposed to adopting a Code of Corporate Governance, ensures that Hillingdon's governance structure, decision making process and areas of responsibility are covered in the Council's Constitution and schemes of delegation.
- 9 **A Member training programme** is devised for each municipal year. Training for all Members on the revised Code of Conduct took place after the local elections (May 2014), delivered by the Borough Solicitor and Head of Democratic Services. Complaints about alleged breaches of the Code are handled in accordance with the requirements of the Localism Act 2011. A Whips Protocol has been introduced as part of the new framework and complainants are now expected to use it first, with complaints only to be escalated to the Monitoring Officer and Standards Committee if they cannot be resolved through this process. The Council has also put in place an induction and training programme for Members along with specific training on scrutiny, planning and licensing rules. Specific training for members of the Audit Committee is planned to be addressed during 2015/16.
- 10 **Member 'Register of Interests'** records the interests of elected members of the London Borough of Hillingdon. There is a separate 'Related Parties' register that members and senior officers are required to complete each year declaring the relationship and nature of any related party transactions, which the authority has entered into.
- 11 **A Member / Officer Protocol** to govern and regulate the relationship between the London Borough of Hillingdon's elected members and appointed officers. This has been developed in consultation with the political leadership, all Council members and officers and was revised and re-adopted by Council in February 2015.
- 12 **A formal whistle-blowing policy**, which is based on the Public Interest Disclosure Act 1998, allows Council staff and contractors working for the authority to raise complaints regarding any behaviour or activity within the authority, ranging from unlawful conduct to possible fraud or corruption. The Monitoring Officer has overall responsibility for maintaining and operating the policy, along with reporting on outcomes to the Standards Committee. An Internal Audit review in September 2014 identified some areas requiring improvements relating to the process surrounding the recording of whistle-blowing allegations to ensure the right officers are promptly notified and sufficient records are maintained. Work is ongoing to strengthen arrangements in this area.
- 13 **The London Borough of Hillingdon** has set out its vision of 'Putting Our Residents First' and established four priority themes for delivering efficient, effective and value for money services. The priority themes are; 'Our People, 'Our Heritage, 'Our Environment' and 'Sound Financial Management'. The delivery of these priorities will be achieved through a combination of strategic management programmes, which include: the Hillingdon Improvement Programme, Business Improvement Delivery programme and the financial and service planning process (Medium Term Financial Forecast).
- 14 **The Hillingdon Improvement Programme (HIP)** is Hillingdon's strategic improvement programme which aims to deliver excellence as set out in the Council vision – 'Putting Our Residents First'. The HIP Vision is to build a more customer focused organisation, to modernise business processes and to free up resources to provide improved services for our residents. HIP has helped to change the culture of the organisation and to improve the services delivered to residents. This can be evidenced through the high satisfaction rates received from residents about customer care, waste and recycling services, libraries, our primary and secondary schools and how well they feel informed, through regular feedback. HIP is consistently trying to improve Hillingdon by continuing to deliver a range of innovative projects, drive forward major cultural change and enhance Hillingdon's reputation. The

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programme is led by the Leader of the Council, and the Chief Executive and Corporate Director for Administration is the programme director. Cabinet members and directors are also responsible for specific HIP projects.

- 15 **The Business Improvement Delivery (BID)** programme is a key part of HIP and has been designed to fundamentally transform the way the Council operates. Through the programme, savings of £12.8 million were delivered in 2014-15 taking total savings over the last five years to over £80 million. The BID programme delivery and expenditure is overseen by the Leader of the Council, and the Deputy Chief Executive and Corporate Director of Residents Services.
- 16 **The Medium Term Financial Forecast (MTFF)** process is the system of service, financial and annual budget planning. This runs from the preceding March to February with a robust challenge process involving Members and Corporate Directors. Monthly reports on key financial issues are produced and communicated through the finance management team.
- 17 **Hillingdon Partners** aims to bring together the local public, private, voluntary and community sector organisations to improve the quality of life for all those who live in, work in and visit Hillingdon. The Partnership works to promote the interests of Hillingdon beyond the borough's boundaries with external organisations, regional bodies and central government. The Partnership has agreed 9 priority areas for the focus of its work, with actions to address local priorities delivered through theme groups.
- 18 **A Joint Strategic Needs Assessment (JSNA)** outlines the current and future health and wellbeing needs of the population over the short-term (three to five years) and informs service planning, commissioning strategies and links to strategic plans such as Hillingdon's Joint Health and Wellbeing Strategy. The JSNA is 'live' and can be accessed via the Council's website and as such is updated throughout the year rather than refreshed annually.
- 19 **An Independently Chaired Audit Committee** operates to oversee the financial reporting, provide scrutiny of the financial and non-financial systems, and provide assurance on the effectiveness of risk management procedures and the control environment. The Audit Committee has been set up with terms of reference generally consistent with CIPFA's 'Audit Committees – Practical Guidance for Local Authorities 2005'. During 2014/15, the Audit Committee continued to function effectively, whilst a replacement Chairman was appointed.
- 20 The **Performance Management Framework** is a Council-wide framework requiring service areas and teams to set annual plans, targets, identify risk and report performance against Council priorities. Performance is monitored on a regular basis through a combination of reporting against service targets and performance scorecards, the results of which are regularly presented to Senior Management Teams and reported quarterly to the Corporate Management Team. An ongoing Internal Audit of the Performance Management Framework is continuing into 2015-16 including a review of the effectiveness of the PADA process.
- 21 The London Borough of Hillingdon has established an effective **risk management system**, including:
 - **A corporate risk management framework** outlining the, roles, responsibilities and processes for capturing, reporting and taking action to mitigate key corporate and directorate risks. Directorate and corporate risk registers enable the identification, quantification and management of risks to delivering the Council's objectives. Group risk registers are regularly updated, reviewed by each Senior Management Team and the most significant risks are elevated to the Corporate Risk Register. The framework is reviewed annually. During 2014/15 Internal Audit highlighted a number of areas for further improvement including a gap in the identification of lower level, operational risks that may not be considered as much of a high priority as the group and strategic risks.

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- **A Corporate Risk Management Group (CRMG)**, chaired by the Corporate Director of Finance, reviews the corporate and group risk registers on a quarterly basis and advises the Cabinet and Corporate Management Team on the significant risks. The risk reporting arrangements are reported quarterly to the Audit Committee. Where appropriate, the Medium Term Financial Forecast (MTFF) embraces the potential financial impact of significant risks.
 - **Risk management training** is provided via an e-learning training package and accessible for all staff and forms part of the induction programme for key new staff. Options for wider training for senior managers in the areas of risk will be considered during 2015-16.
- 22 The Council acknowledges that there is a need for robust and effective risk management processes and procedures that will help to mitigate against the potential increases in insurance costs as a result of the hardening of the insurance market. Awareness within services of insurance risks and improving performance as a result of claims will be revisited as part of the tendering of a new insurance services contract during 2015.
- 23 **Occupational Health and Safety Services** provide advice and support to the Corporate Safety Forum, Group Health and Safety Advisors and managers regarding health and safety issues. The Corporate Safety Forum assists in ensuring a consistent approach to health and safety management is adopted throughout the Council. It reviews health and safety performance across the Council and discusses matters of topical and strategic interest that have corporate health and safety consequences.
- 24 A Council-wide officer group, the **Hillingdon Information Assurance Group (HIAG)**, chaired by the Senior Information Risk Owner on behalf of the Corporate Management team, meets every two months to review progress on the agreed information governance work plan. Policies, procedures and guidelines for staff are updated regularly, mandatory data protection training has been rolled out to all staff, briefings have been delivered to Elected Members and where identified, learning from cases has been implemented.
- 25 The London Borough of Hillingdon has an **Anti-Fraud and Anti-Corruption Strategy** approved by Cabinet and communicated to all staff. It is underpinned by and refers to the full range of policies and procedures supporting corporate governance arrangements such as Codes of Conduct, Standing Orders, Register of interests and whistle-blowing. Work is underway to implement a new strategy by September 2015, which will ensure that all staff are made aware of their responsibilities and the procedures for reporting fraud or corruption.
- 26 **The Committee Standing Orders** (Part 4B), Procurement & Contract Standing Orders (Part 4H) & Scheme of Delegation to Officers (Part 3) are incorporated in the Constitution and reviewed annually. The Scheme of Delegation specific to each directorate is available on the Hillingdon's internal web pages: 'Horizon'.
- 27 The London Borough of Hillingdon **monitors legislative changes**, considers implications and opportunities and ensures that the authority is substantially compliant with laws and regulations. The Policy Team leads on briefing the Corporate Management Team on upcoming changes and agreeing actions, reporting to Cabinet on specific issues as required. Legal Services review Member and Cabinet decisions for legal compliance.
- 28 **Hillingdon's training and development programme** enables staff and senior officers to access and complete a wide range of learning and development opportunities through the internal Learning & Development pages on 'Horizon' to ensure they have the skills,

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knowledge & behaviours to deliver the Council's priorities. This includes induction programmes, e-learning packages and a range of vocational development courses under the Qualifications and Credit Framework. In addition, the Hillingdon Academy is now well established as a leadership programme aimed at providing the Council's future leaders. The Council also offers staff the opportunity to achieve professional qualifications and meet their continuing professional development (CPD) requirements.

- 29 The **Performance and Development Appraisal (PADA)** process requires all officers and senior managers to record employee's key objectives and tasks, set targets for when these must be delivered and identify staff learning and development needs. There are competency frameworks for staff, managers, senior officers and Directors, with descriptors outlining the performance that is expected at each level. Performance reviews are completed on a bi-annual basis against the relevant competency framework and PADA guidance is available to support both staff and managers through the process. An ongoing internal Audit is reviewing the links between learning and development needs identified in the PADA and the delivery of training.
- 30 Hillingdon has a set of **consultation/engagement standards** that demonstrate a commitment for building strong relationships with residents, visitors and businesses throughout the borough. The standards set out Hillingdon's commitment to engage, consult and respond to the views of local communities. The standards also support Hillingdon's commitment to transparency and the need for sharing information with residents. Resident and stakeholder feedback supports and informs corporate intelligence, which drives business planning, policy and decision making including commissioning and procurement of services. An annual customer engagement plan is in place covering all Council services to align customer engagement to support the delivery of Council priorities
- 31 **Hillingdon's Pride of Place** initiative encourages residents to contribute their ideas on neighbourhood improvements so that they can feel PROUD to live in Hillingdon. The aim is to raise civic pride by showing how residents can make a real difference and contribute directly to a range of activities and specific projects to improve their local area. The initiative brings together other successful programmes such as 'Street Champions' and 'Chrysalis', and gives residents the opportunity to meet informally with their ward councillors and discuss improvements directly with Council officers through a variety of community engagement events across the borough.
- 32 The Council has in place a well-established **Petition Scheme**, including e-Petitions. This is widely used by people in the borough to submit their views on local matters directly to decision-makers. The scheme was reviewed and revised by the Council in May 2013.

4 **Review of Effectiveness**

The London Borough of Hillingdon has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of executive managers within the authority who have responsibility for the development and maintenance of the governance environment, the Head of Internal Audit's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

Overall the review of effectiveness concluded that internal control systems have been in place for the financial year ended 31 March 2015 and, except where identified in sections 3 and 5 the management and control systems are operating effectively in accordance with good practice.

The review has been informed by a range of management information and improvement action, including:

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- 1 A comprehensive annual programme of scrutiny and review by the Policy Overview and Scrutiny Committees and the Audit Committee.
- 2 The role and responsibilities of the Corporate Director of Finance, detailed in the Finance scheme of Delegations. As a key member of the Corporate Management Team leadership, his role is to act as, and exercise the functions of, the “Chief Finance Officer” meaning the officer designated under section 151 of the Local Government Act 1972. As such he is actively involved in all material business decisions to safeguard public money and sound financial management on behalf of the authority.
- 3 The work of the external auditors as reported in their annual audit letter.
- 4 The work of Internal Audit service, which develops its annual work plan after an assessment of risk. The Head of Audit reported regularly during the year to both the Corporate Management Team and the Audit Committee and has provided a reasonable level of assurance on the internal control environment in 2014-15.
- 5 Assurance Statements were received from all Deputy Directors and Heads of Service covering the financial year 2014-15. Statements provide confirmation that the control environment is operating effectively to safeguard the delivery of services and that control issues other than those identified in Section 5 have been raised and are being dealt with appropriately.
- 6 The London Borough of Hillingdon has continued to maintain effective financial management throughout the financial year, with unallocated reserves increasing to **[£40.4] - TBC** million by 31 March 2015.
- 7 The London Borough of Hillingdon has a clear commitment to a capable and fit for purpose procurement function. Working to a Category Management approach, Procurement ensures a best value approach to expenditure commitment. By engaging with directorates, Procurement supports the delivery of financial and service level requirements to meet the wider corporate objectives with a ‘Resident First’ approach.

5 Significant Governance Issues

The London Borough of Hillingdon has implemented a range of improvement actions, as part of its overall continuous improvement programme, to strengthen governance arrangements and control systems.

All internal control issues reported in the 2013-14 AGS and in previous years have been resolved, except that:

5.1 . The historical weaknesses in the monitoring and control of some construction projects led to new processes and procedures, including ‘Gateway Sign Offs’ being implemented with guidance from Internal Audit. This has been reflected across all Asset Management functions including Housing and Facilities Management. The restructure of Asset Management is underway.

5.2 The inadequate controls in place to scrutinise elements of the servicing and boiler replacement programme of works for HRA properties are being addressed during the Asset Management restructure. Poor practice has been addressed resulting in a new approach to the boiler servicing/replacement programme and ongoing monitoring is in place.

5.3 Systems and processes are being developed to bring improved value for money, probity and

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transparency, and better control of resources in Housing Repairs. This work continues and additional changes will be implemented to further increase productivity, value for money and to enhance customer service.

5.4 Good progress has been made in improving services following the Ofsted Inspection in December 2013. Service planning now embeds all actions in the “getting to good” plan with new approaches and stronger management of services leading to improvement, e.g. in reductions of social worker caseloads. Regular reporting to senior management and through overview and scrutiny ensures that this work remains a high priority and focus of attention across the Authority.

5.5 Following an Internal Audit review which was published in May 2014, a number of control issues were identified with regards the data reporting and accuracy of housing rent arrears during 2013-14. Significant delays were also highlighted in the setting up of some rent accounts. The Internal Audit follow up review in March 2015 concluded that all high and medium priority risks have been implemented with a much stronger control environment created.

Following a review of the effectiveness of the system of internal control, the following governance issues have been identified in 2014-15:

5.6 There is a need for a stronger, school-led, school improvement approach in Hillingdon. There are currently 20 schools out of 97 (including special schools) judged by Ofsted as “requiring improvement” including Academy schools. The Council is working closely with all schools to ensure all children in Hillingdon receive a “good” or better education by undertaking targeted reviews of schools, issuing warning notices to community schools which are a cause for concern, notifying the Regional Schools Commissioner and Ofsted where the Local Authority has concerns about an Academy School and undertaking thematic audits to share common themes for further improvement. A programme of follow-up, targeted reviews to check the progress community schools have made to address concerns is being undertaken to ensure schools improve.

5.7 An Internal Audit Assurance Report on the Council's Corporate Anti-Fraud and Anti-Corruption arrangements identified a number of governance issues requiring improvement. Positive action has been proposed by senior management and work is ongoing to strengthen the Council's arrangements in this area

5.8 Effective information governance remains a high priority for the local authority. Whilst, there have been a small number of Data Protection breaches during 2014/15 these have been quickly identified and addressed in line with expected procedures. During 2014/15, a programme of refresher data protection training has been rolled out to all staff to ensure standards in information governance remain high and key policies and guidelines have been reviewed. An internal audit has identified further to be undertaken during 2015/16 to embed the principles of data protection.

5.9 The need to continually review and transform services to drive improvements and efficiencies continues especially in light of the new government's proposed austerity measures. Hillingdon's successful BID programme has delivered significant savings to date and will be applied further over coming years. There is a need therefore to constantly review and update policies and procedures to take account of changes, for example in the areas of roles and responsibilities, scheme of delegations, succession plans and structure charts.

Fran Beasley
Chief Executive
01 September 2015

Cllr Ray Puddifoot MBE
Leader of the Council
01 September 2015

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