



DRAFT

ANNUAL GOVERNANCE

STATEMENT

2022/2023

CONTENTS

[CONTENTS 2](#_Toc136354003)

[INTRODUCTION 4](#_Toc136354004)

[WHAT IS CORPORATE GOVERNANCE? 4](#_Toc136354005)

[THE PRINCIPLES OF GOOD GOVERNANCE 5](#_Toc136354006)

[HOW THE COUNCIL WORKS 5](#_Toc136354007)

[THE ROLE OF THE CHIEF FINANCIAL OFFICER IN ASHFIELD DISTRICT COUNCIL 8](#_Toc136354008)

[THE ROLE OF THE MONITORING OFFICER IN ASHFIELD DISTRICT COUNCIL 11](#_Toc136354009)

[HOW DOES THE COUNCIL REVIEW THE EFFECTIVENESS OF ITS GOVERNANCE FRAMEWORK? 12](#_Toc136354010)

[HOW DO WE KNOW OUR ARRANGEMENTS ARE WORKING? 12](#_Toc136354011)

[INTERNAL AUDIT OPINION 2022/23 13](#_Toc136354012)

[PROGRESS REGARDING IMPROVEMENT ACTIONS IDENTIFIED IN 2022/2023 14](#_Toc136354013)

[PROGRESS REGARDING SIGNIFICANT ISSUES IDENTIFIED IN 2022/2023 15](#_Toc136354014)

[IMPROVEMENT ACTIONS 19](#_Toc136354015)

[SIGNIFICANT GOVERNANCE ISSUES 21](#_Toc136354016)

[APPENDIX 1 – THE GOVERNANCE FRAMEWORK AND REVIEW OF EFFECTIVENESS PUTTING THE PRINCIPLES INTO EFFECT 25](#_Toc136354017)

[PRINCIPLE A - BEHAVING WITH INTEGRITY, DEMONSTRATING STRONG COMMITMENT TO ETHICAL VALUES, AND RESPECTING THE RULE OF LAW 25](#_Toc136354018)

[PRINCIPLE B - ENSURING OPENNESS AND COMPREHENSIVE STAKEHOLDER ENGAGEMENT 28](#_Toc136354019)

[PRINCIPLE C - DEFINING OUTCOMES IN TERMS OF SUSTAINABLE ECONOMIC, SOCIAL, AND ENVIRONMENTAL BENEFITS 30](#_Toc136354020)

[PRINCIPLE D - DETERMINING THE INTERVENTIONS NECESSARY TO OPTIMISE THE ACHIEVEMENT OF THE INTENDED OUTCOMES 32](#_Toc136354021)

[PRINCIPLE E - DEVELOPING THE ENTITY’S CAPACITY, INCLUDING THE CAPABILITY OF ITS LEADERSHIP AND THE INDIVIDUALS WITHIN IT 33](#_Toc136354022)

[PRINCIPLE F - MANAGING RISKS AND PERFORMANCE THROUGH ROBUST INTERNAL CONTROL AND STRONG PUBLIC FINANCIAL MANAGEMENT 34](#_Toc136354023)

[PRINCIPLE G - IMPLEMENTING GOOD PRACTICES IN TRANSPARENCY, REPORTING, AND AUDIT TO DELIVER EFFECTIVE ACCOUNTABILITY 36](#_Toc136354024)

INTRODUCTION

Ashfield District Council is responsible for ensuring that its business is conducted in accordance with the law and proper accounting standards and that public money is safeguarded, properly accounted for and used economically, efficiently and effectively.

As part of the arrangements for preparing the Annual Statement of Accounts, the Council is required by law to undertake an annual review of the effectiveness of its system of internal control and produce an Annual Governance Statement. Good practice requires that such a statement should extend beyond a narrow focus on financial controls to cover the way in which the Council determines what its local community wants and needs; decides how those requirements are to be met; and ensures that it delivers what is required without wasting public money.

WHAT IS CORPORATE GOVERNANCE?

Corporate governance is part of the overall control framework and contributes to the Council’s robust governance arrangements.

Good corporate governance ensures organisations are doing the right things in the correct manner in an open, honest, inclusive and accountable way. Good governance leads to good management, performance and outcomes. It ensures the Council delivers the visions and priorities set out in its Corporate Plan.

Ashfield District Council is committed to good corporate governance. The Council has a framework of policies and procedures in place which collectively make up its governance arrangements.

The Council has adopted a Local Code of Corporate Governance which sets out the Council’s arrangements and is based on the guidance “Delivering Good Governance in Local Government” published by CIPFA (the Chartered Institute of Public Finance and Accountancy) and SOLACE (the Society of Local Authority Chief Executives) in 2016. The CIPFA/SOLACE guidance identifies seven core principles and various sub principles.

The seven core principles are detailed on page 4 and are also used as the framework for assessing the effectiveness of the Council’s governance arrangements.

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

Operates in a lawful, open, inclusive and honest manner

Makes sure that public money is safeguarded, properly accounted for and used efficiently, effectively and economically

Has effective arrangements for the management of risks

Secures continuous improvements in the way that it operates.

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

A key part of the governance framework is the system of internal control: this is designed to manage the risk of failure to achieve policies, aims and objectives to a level which the Council has determined as acceptable. The effectiveness of internal control is subject to regular review by both external and internal audit and the Annual Report of Internal Audit for 2022/23 provides an opinion on the effectiveness of the internal control system over the year ending 31st March 2023.

THE PRINCIPLES OF GOOD GOVERNANCE

The Council aims to achieve good standards of governance by:

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 entity’s capacity, including the capability of its leadership and the individuals within it

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

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

HOW THE COUNCIL WORKS

The Council consists of 35 elected Councillors. The way the Council operates is prescribed by its Constitution which sets out the roles and responsibilities of the Council, Cabinet, Committees, Panels and other Groups and specifies the powers and duties that are delegated to those bodies and to individual Councillors and Officers. The Constitution is subject to regular review and is updated to ensure compliance with legal and regulatory requirements and conformance to recognised good practice.

The Council has determined that a Cabinet made up of the Leader and Executive Lead Members should have the power to discharge all Executive functions. The role of the Council and its Regulatory Committees (such as Planning and Licensing Committees) is set out in the Constitution. The Council has also established a Principal Select Committee and two Select Committees to carry out its Scrutiny function with the power to review decisions made. The Audit Committee provides assurance as to the adequacy of the Council’s risk management framework and control environment and scrutinises the Council’s financial performance and reporting.

The Standards and Personnel Appeals Committee has been established to promote and maintain high standards of conduct by Members and Officers.

During 2022 the Local Government Association supported the Chief Executive in carrying out a Decision - Making Accountability (DMA) Review. DMA is a methodology which supports organisational design. DMA is used to identify efficient and cost-effective organisational structures for the future.

It is a robust, proven framework to help diagnose and design healthy management hierarchies. The DMA review took into account the Council’s 5 year Strategic Direction and new streams of work including Devolution, Climate Change, Physical Regeneration projects such as Towns Fund, UK Shared Prosperity Fund (UKSPF) and Levelling Up, and changes to Social Housing Regulations. The DMA review identified how the Council can maximise its ability and organisational structures to deliver these ambitious projects. The DMA review also provided an opportunity to align functions and to improve synergy between service areas.

The DMA Review informed a review of senior management structures and the Chief Executive implemented a revised structure during late 2022 / early 2023. The roles of the Directors were revised and renamed Executive Directors. The roles of third tier managers were also revised and are now consistently entitled Assistant Directors and collectively now referred to as Corporate Leadership Team (CLT).

During 2022/2023 the management of the Council was the responsibility of the Chief Executive (Head of Paid Service) supported by the Strategic Leadership Team (SLT) (formerly Corporate Leadership Team).

SLT comprises four Executive Directors (formerly Directors) for Governance, Operations, Transformation and Place, each reporting directly to the Chief Executive.

Each Executive Director deputises in the absence of the Chief Executive according to delegations of responsibility from the Chief Executive. The Executive Director, Governance is also the Monitoring Officer. The Corporate Resources Director is the appointed Chief Financial Officer (Section 151 Officer) and is also a member of SLT.

The Strategic Direction for the Council was reviewed and updated in March 2022. The Council’s vision and ambition for the District are clearly identified in a set of Corporate Priorities which are presented in the Corporate Plan which supports the development of annual service plans for all individual services. A new Corporate Plan was adopted in 2019 and was revised in July 2020 to take account of the pandemic. The Corporate Plan was refreshed and approved at Cabinet on 29 June 2021 and also on 21 June 2022. A robust project management approach is in place to ensure successful delivery of the Corporate Plan through programme and project management. The Council has established a Performance Management Framework: clear performance targets are set for each Service and performance achieved is subject to regular monitoring using objective performance indicators.

Service Performance is monitored regularly by the Chief Executive at Performance Boards. Employees receive an annual Personal Development Review linked to a competency framework.

A Budget and Policy Framework has been established to ensure that budget and policy decisions are taken in an appropriate manner and the Medium-Term Financial Strategy (MTFS) – supported by robust budgeting and budgetary control arrangements - ensures that the Council’s financial position is sustainable and that a balanced budget is set each year.

The Council’s Risk Strategy sets out the way in which risks are identified, evaluated and managed. Risk Registers are maintained and reviewed by SLT, Cabinet and Audit Committee to ensure that appropriate and timely action is taken to deal with the risks that have been identified. The Corporate Risk Strategy, Risk Register and Risk Appetite Framework were approved at Audit Committee and Cabinet in March 2022 and a further update was reported to Cabinet in June 2022 and February 2023. The Central Midlands Audit Partnership (CMAP), on behalf of the Council, carries out a programme of audits annually to provide assurance about the effectiveness of risk management, control and governance processes. A Fraud Risk Register is in place to identify and mitigate against potentially fraudulent activities the Council may be the victim of and was extensively reviewed and updated during 2022/23. The Fraud Risk Register is monitored on a quarterly basis; there are no high-level fraud risks identified.

THE ROLE OF THE CHIEF FINANCIAL OFFICER IN ASHFIELD DISTRICT COUNCIL

CIPFA published a Statement in 2010 on the ‘Role of the Chief Financial Officer in Local Government’. It identifies the five key principles that define the core activities and behaviours of the role and the organisational arrangements to support them. The table below explains how the Council’s arrangements comply with the statement.

Key Principle

The CFO in a public service organisation is a key member of the Leadership Team, helping it to develop and implement strategy and to resource and deliver the organisation’s strategic objectives sustainably and in the public interest.

Council’s Arrangements

* The Roles and Responsibilities of the Strategic Leadership Team (SLT) are set out in job descriptions. These were updated as part of the DMA review undertaken in 2022/23. A new job description was put in place for the Corporate Resources Director (formerly Corporate Finance Manager) and Section 151 Officer (CRD) role in February 2023.
* The CRD reports to the Executive Director, Transformation and is also a member of the SLT. Monthly meetings also take place between the Chief Executive and CRD.
* An up-to-date scheme of delegation exists; for financial year 2022/23 this was confirmed by Annual Council in May 2022 and for 2023/24 at the Annual Council in May 2023.
* The Authority’s governance arrangements allow the CRD to bring influence to bear on all material business decisions, and has direct access to all SLT members, the Audit Committee, CMAP (internal audit partners) and External Audit.
* The CRD manages the Finance Team (which also includes Treasury Management, Creditors, Rent Accounting and Insurance functions, Strategic Procurement, Commercial Development and Anti-Fraud). It is considered that such responsibilities still enable the role to have a clear focus on financial management particularly since the introduction of the Chief Accountant post in March 2018. Through the DMA process the role of Chief Accountant has been renamed Financial Services Manager (FSM).
* SLT receive regular updates on the MTFS, budget monitoring and year end outturn. The CRD ensures that their knowledge and awareness of financial issues is up to date through regular briefings. Three of the four Principal Accountants have each been allocated specific Directorates in order to provide direct support and challenge when necessary. One Principal Accountant has responsibility for Capital and Treasury Management. The four Principal Accountants report directly to the FSM.
* By having the above measures in place, the CRD is able to contribute to the effective leadership and corporate management of the Council. The CRD leads the development of the MTFS and annual budget process to ensure financial sustainability.

Key Principle

The CFO in a public service organisation must be actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and alignment with the organisation’s financial strategy.

Council’s Arrangements

* The Council has a medium term business and financial planning process to deliver the Council’s strategic objectives, including an MTFS, an annual budget process and regular and timely monitoring of budget performance.
* Professional advice on decisions which have financial implications is provided by the Finance Team and is included in every report. In addition, accountants work with budget holders in advance of major decisions to ensure that the financial implications are accurate and well understood.
* The CRD assesses the adequacy of reserves and a reserves policy was introduced as part of the Financial Regulations update in May 2018. The latest review informed the assurance given in the 2023/24 Annual Budget and Council Tax Setting report to Council on 2 March 2023.
* Timely, accurate and impartial information is provided to decision makers, which helps to ensure effective stewardship of public money and that the Council achieves the objectives it has set out in its Corporate Plan.
* The Council maintains a prudential financial framework which is reported on three times each year, to ensure that its commitments remain within its available resources.
* An appropriate accounting system is in place, and through this system regular financial monitoring reports are produced for Officers and Members. The Council will be implementing a new core financial system from February 2023 which is expects to be fully operational by no later than March 2024.

Key Principle

The CFO in a public service organisation must lead the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.

Council’s Arrangements

* The CRD is responsible for ensuring that appropriate advice is given on all financial matters, for keeping financial records, and for maintaining an effective system of financial control.
* Systems and processes for financial administration, financial control and protection of the Council’s resources are well designed. Such arrangements are subject to independent risk based auditing
* by Internal Audit. The Council’s Internal Audit arrangements are provided by Central Midlands Audit Partnership. The Monitoring Officer is responsible for ensuring an effective Internal Audit function is in place.
* The Annual Governance Statement includes all the Council’s significant governance issues.
* Annual accounts are published on a timely basis and are presented by the CRD to Cabinet, Audit Committee and senior officers.
* The Council has an Audit Committee. Comprehensive Member training took place following the May 2019 District Council elections. Treasury Management training was provided by Link Asset (Treasury Management Advisors) in January 2022 and in June 2021 some of the Audit Committee Members attended virtual Audit Committee training provided by Mazars, the Council’s External Auditors. Audit Committee and related training will be provided to Members following the District Elections in May 2023.
* The Council has received positive Value for Money conclusions/ reports since 2009/2010.
* Financial competencies are embedded in person specifications and staff appraisals.
* The Finance Team lead initiatives to improve non-financial managers’ understanding of finance.
* Financial training is provided for elected Members as required. Financial Management training was rolled out to Members and relevant Officers after the May 2019 elections. Key financial updates have been provided to Members linked to the setting of the 2023/2024 Budget. Local Government Finance training was provided to all Members on 15 May 2023 following the District Council elections.
* An independent Financial Health Check was carried out by the Local Government Associations (LGA) in 2022/2023 which concluded that the Council “is well managed financially.”

Key Principle

The CFO must lead and direct a finance function that is resourced to be fit for purpose.

Council’s Arrangements

* The Finance function has the resources, expertise and systems to perform its role effectively. As part of implementation of the new Core Finance system, additional temporary resource has been made available to the team to ensure a successful implementation. Additional project management and technical resource has also been made available to the digital services team to support an effective implementation. Ensuring the required expertise is in place will also require constant review in light of the innovative projects which are being explored.
* All the Finance staff within the Council report via the FSM to the CRD.

Key Principle

The CFO must be professionally qualified and suitably experienced.

Council’s Arrangements

* The CRD is a CIMA qualified accountant (2002) with over 20 years post-qualification Local Government experience who has previously undertaken the role of Deputy Section 151 Officer at this Council. The CRD has been S151 Officer at this Council for 5 years.
* He has wide ranging senior local government finance experience, gained from employment at two other authorities, including the role of Director of Service Finance for a period of 5 years and Chief Finance Manager for a period of 6 years.
* His role is well understood by Members and Officers throughout the Council.

THE ROLE OF THE MONITORING OFFICER IN ASHFIELD DISTRICT COUNCIL

The Council is required to ensure it has in place effective arrangements for the discharge of the statutory Monitoring Officer Function.

The Constitution sets out the statutory role and functions of the Monitoring Officer and recognises that the Council must ensure the Monitoring Officer has access to sufficient resources in order to undertake the role.

The Executive Director, Governance is appointed by Council to be the Monitoring Officer. The Executive Director, Governance has 14 years experience of acting as the Monitoring Officer for the Council and is a qualified Solicitor with 24 years post-qualification experience in Local Government. The Monitoring Officer is a member of SLT and is directly line managed by the Chief Executive.

The Executive Director, Governance has sufficient resources available including suitable Deputy Monitoring Officer provision. The Monitoring Officer and Deputies attend appropriate training each year.

The Monitoring Officer is responsible for ensuring an effective Internal Audit function is in place and is lead Chief Officer for both the Audit Committee and Standards and Personnel Appeals Committee.

HOW DOES THE COUNCIL REVIEW THE EFFECTIVENESS OF ITS GOVERNANCE FRAMEWORK?

The initial review of the effectiveness of the Council’s governance framework was conducted by the Council’s Executive Director, Governance (Monitoring Officer).

To inform the initial review process:

* The Corporate Leadership Team carried out a Corporate Assurance Assessment
* Each Director provided a Statement of Assurance
* The Council’s Chief Financial Officer (S151 Officer) was consulted
* The Constitution review, performance reporting and risk management arrangements were taken into account
* The findings reported by External Audit and other external review bodies were considered
* The work of Internal Audit and other internal assurance providers were also considered.
* The results of the review work were formulated into a draft Governance Statement during March and April 2023. The SLT reviewed the draft Governance Statement and considered whether the improvements proposed represented an appropriate and proportionate response to the significant governance issues identified.

The draft Governance Statement, modified to reflect the views of SLT, was then considered by Members of the Council’s Audit Committee. The Executive Director, Governance (Monitoring Officer) then finalised the Annual Governance Statement in readiness for the close of accounts. A draft Statement of Accounts (including the Annual Governance Statement) will be completed by the end of May 2023. The Annual Governance Statement will be considered for formal approval as part of the Statement of Accounts by the Council’s Audit Committee at its meeting in July 2023.

HOW DO WE KNOW OUR ARRANGEMENTS ARE WORKING?

Review of Effectiveness 2022/23

* The Council has assessed itself against the key criteria for good corporate governance by undertaking a Corporate Assurance Assessment. A score of 93%, or “good” was recorded. The Council will continue to work on identified areas to ensure further improvements are made. Ongoing improvements and significant issues are recorded later in this statement.
* Key changes, developments and achievements during 2022/2023 have been reviewed against our Corporate Plan and Local Code of Corporate Governance to assess compliance and a brief summary is set out in Appendix 1.
* The current Local Code of Corporate Governance was reviewed and approved by Audit Committee in November 2022.
* The Council has assessed whether the key areas identified in the 2022/2023 Annual Governance Statement have been delivered and an update is set out on pages 12–17.
* The CIPFA Financial Management Code requires the Council to carry out a self- assessment against the requirements of this Code. An introductory report was presented to the Audit Committee in July 2021 and the self-assessment was presented to the Audit Committee in October 2021. The self-assessment demonstrated that the Council has processes in place to comply with each of the 6 Principles (Organisational Leadership, Accountability, Transparency, Standards, Assurance, Sustainability). An action plan was put in place to strengthen the compliance position further. The self-assessment and action plan will be reviewed and reported to Audit Committee in Autumn 2023.
* As a result of the review work undertaken the Council’s governance arrangements are deemed to be good and are fit for purpose.

INTERNAL AUDIT OPINION 2022/23

Central Midlands Audit Partnership (CMAP), who provide internal audit services to the Council, has provided its opinion for 2022/23. Based on the work undertaken during the year, CMAP is able to give an opinion that the Council has a “satisfactory system of internal control” (the highest level of assurance opinion which can be given).

Their full report will be presented to the Council’s Audit Committee in July 2023.

An external assessment of conformance with the Public Sector Internal Audit Standards (PSIAS) was carried out during September 2022. The overall assessment concluded that CMAP “generally conforms with the Public Sector Internal Audit Standards”. CMAP compare favourably with peer groups in the local government and private sector. A report regarding the PSIAS was presented to Audit Committee in November 2022.

PROGRESS REGARDING IMPROVEMENT ACTIONS IDENTIFIED IN 2022/2023

|  |  |
| --- | --- |
| **Improvement Actions 2022/23** | **Progress Made During 2022/2023** |
| **Digital Transformation Programme** | **ONGOING**  Remains ongoing as per rolling Digital Services Transformation (DST) Road Map and Programme Implementation Plan.  Recognising increasing importance of DST in supporting delivery of customer experience and corporate priorities, a dedicated Assistant Director-Digital role has been added to the Establishment and recruitment is taking place during May/June 2023. |
| **Review and Refresh the People Strategy** | **MARCH 2023 – REVISED COMPLETION MARCH 2024**  Refreshed People Strategy remains work in progress. Review of recruitment is ongoing. Audit and action plan developed. 2023/24 will see implementation of action plan.  2022 Employee Survey completed. Outcomes being integrated into existing forums and work programmes. |
| **Review and refresh the Council’s statements on Equalities Framework and Objectives** | **COMPLETED** |
| **Social Housing White Paper** | **COMPLETED** |
| **Customer / Resident surveys** | **MARCH 2023 – REVISED COMPLETION MARCH 2024**  Completed for tenant engagement/tenant satisfaction measures.  Wider engagement/satisfaction survey being reviewed as a  cross-Council task and finish group. |

PROGRESS REGARDING SIGNIFICANT ISSUES IDENTIFIED IN 2022/2023

Financial Sustainability

Significant Issues 2022/2023

There remains significant uncertainty about the level of Central Government funding from 2022/2023 linked to the implementation of the Fair Funding Review, potential changes to retained business rates levels, the proposed business rates reset, New Homes Bonus funding and post COVID-19 financial recovery. Every Local Authority faces this uncertainty.

The MTFS update approved by Council in March 2021 reflects the priorities as set out in the Corporate Plan and both may require refinement once the future financial landscape becomes clearer.

A new MTFS will be produced in the Autumn and will reflect the Autumn 2021 Spending Round announcement.

The Council does have robust reserves which will assist in transitioning to revised levels of central government funding whilst at the same time identifying and implementing ‘Options for Change’ to assist with addressing the Council’s future financial challenges. The Council’s General Reserve at the 31st March 2021 was £7.877m; £6.527m above the minimum required balance as set out in the Council’s Constitution.

Progress Made During 2022/2023

In the Local Government Finance Settlement for 2023/2024 the Government confirmed that the implementation of Local Government Finance Reform would not now take place until 2025/2026. The 2023/2024 Settlement provided a one year settlement with high level funding indications for 2024/2025. This included confirmation that the newly introduced Funding Guarantee was for 2023/2024 only and no commitment was given in respect of New Homes Bonus other than Local Authorities would receive confirmation of the way forward during 2023/2024.

As a consequence of the above medium to longer term financial planning remains a challenge for the Council (and all other Councils).

An update to the Medium Term Financial Strategy was produced and approved by Council in March 2023 as part of the Annual Budget and Council Tax Setting Report, however, further updates to this will be required once greater clarity about the future level of Central Government funding becomes clearer.

The Council has robust reserves which will assist in transitioning to revised levels of central government funding whilst at the same time identifying and implementing ‘Options for Change’ to assist with addressing the Council’s estimated future financial challenges.

The Council’s General Reserve at the 31 March 2023 was £9.234m; £231k greater than in 2022/23. The Council’s Earmarked Reserves at the 31 March 2023 were £18.596m.

Data Matching and National Fraud Initiative

Significant Issues 2022/2023

The Council must continue to develop and embed its corporate approach to anti- fraud (including data matching).

The Anti-Fraud Officer Working Group will continue to deliver the action plan which was developed to better meet the Government’s functional standard.

The Council will consider how it can create greater operational resilience and improve capacity to identify and deal with suspected fraudulent activity.

Progress Made During 2022/2023

Progress in relation to this work stream continues.

In order to ensure the Council takes a corporate approach to dealing with fraud and corruption, the Anti-Fraud and Corruption Strategy Group meets on a

quarterly basis. The work of the Anti-Fraud and Corruption Strategy Group includes a quarterly review of the Fraud Risk Register. There are no high level risks.

To ensure appropriate operational resilience and resource levels the Council’s arrangements regarding Anti- Fraud, including Data Matching, were considered as part of the Decision Making Accountability work undertaken by the Local Government Association during 2022/2023. The responsibility for Anti-Fraud will, following a transition and handover period, be moving to the Corporate Resources Director’s remit to enable operational resources to be allocated to lead on the workstream.

Local Plan

Significant Issues 2022/2023

Although the work undertaken by Ashfield has been delivered to timescales, the Council has, following consultation on the draft local plan during 2021/2022, sought further clarification from the Government as to emerging policy and guidance. Given the intended overhaul of the planning system identified in the Levelling Up and Regeneration Bill and the continuing lack of clarity in relation to the green belt and approach to housing numbers, it is clear that some further understanding of policy intention is required.

A new Local Plan Timetable will be developed once further clarity is received.

Progress Made During 2022/2023

The Council has agreed to progress the Local Plan which will provide for certainty of housing for 10 years. Given the direction of travel by Government in relation to the green belt and in acknowledgement of local opposition to two new settlements

it has been agreed to progress the Local Plan without the two new settlements originally proposed. Work has progressed on the evidence base and a meeting

held with the Planning Inspectorate. A new Local Plan Development Scheme will be finalised in June 2023 with the new administration. It is expected that a draft plan will be consulted on it autumn 2023.

Planning Appeals

Significant Issues 2022/2023

Following Internal Audit work during the year a risk was identified relating to the planning appeal overturn level which will continue to be monitored during 2022/23. The appeal overturn rate was 8.16% in May 2022. Department for Levelling Up, Housing and Communities requirements specifies that at 10% a Council’s Planning process may be placed in special measures. A process has been agreed to provide quarterly updates to the Leadership Team when the percentage is over 8%. Member training is being provided as an ongoing process.

Progress Made During 2022/2023

Officers have regularly reported to the Leadership Team on the appeals risk. Member training will be provided to all new members in May 2023. The position last reported in March was 8.5%.

Towns Fund

Significant Issues 2022/2023

The £3.6 billion Towns Fund is part of the Government’s plan for levelling up the UK economy. Towns across England are working with the Government to address

growth constraints and to ensure there is a course of recovery from the impact of the COVID-19 Pandemic. The overarching aims of the Towns Fund are to drive the sustainable economic regeneration of towns to deliver long term economic and productivity growth.

To access the funding, towns were invited to develop and submit a Town Investment Plan detailing how and where they would spend Towns Fund money, and the impacts that this would have on the local economy, for local people and local businesses. Kirkby in Ashfield and Sutton in Ashfield were both invited to be part of the Town Deal. In June 2021, the Government announced that £62.6 million has been awarded to the two towns, as part of the Government’s Towns Fund.

The next step in the process was to develop robust business cases for the suite of projects making up the Kirkby in Ashfield and Sutton in Ashfield Town Investment Plan followed by delivery of projects over the next 5 years.

Governance processes are in place as part of the Business Case Development stage which will then transition into the delivery stage over the length of the programme.

Progress Made During 2022/2023

The funding is being managed as part of the Council’s Regeneration Programme with comprehensive project and financial management processes in place.

This includes the Local Assurance Framework developed from D2N2’s funding programme. The framework is being used to locally assure the business cases for each of the projects. The flagship project of the programme - the ADMC (Automated Distribution and Manufacturing Centre) is also being reviewed by DLUHC (Department for Levelling Up, Communities and Housing) due to its high value (£20m Towns Fund).

An internal audit process review was undertaken on the programme during February/ March 2023.

Six monthly monitoring returns are submitted to DLUHC.

The Levelling Up Funds Local Authority Assurance Framework sets out the annual cycle of assurance for grant recipients and the Chief Finance Officer is required to submit an assurance letter annually to confirm that the framework is being adhered to.

IMPROVEMENT ACTIONS

As part of the Council’s drive to continuously improve its existing governance framework to meet changing conditions, the following actions have been identified to take place during 2023/2024:

|  |  |  |
| --- | --- | --- |
| **Improvement Action for 2023/2024** | **Lead Officer(s)** | **Target Date** |
| **Digital Transformation Programme**  Remains ongoing as per rolling Digital Services Transformation (DST) Road Map and Programme Implementation Plan. | Executive Director, Transformation & Assistant Director, Digital | **Ongoing** |
| **Review and Refresh the People Strategy**   * Refreshed People Strategy remains work in progress. * Review of recruitment is ongoing. Audit and action plan developed. 2023/24 will see implementation of action plan. * 2022 Employee Survey completed. Outcomes being integrated into existing forums and work programmes | Executive Director, Transformation & Executive Director, Governance | **March 2024** |
| **New Corporate Plan 2023-2027** | Chief Executive | **September**  **2023** |
| **Review of Communication and Engagement Strategy and Protocols** | Assistant Director- Policy and Performance | **March 2024** |
| **Housing Peer Challenge Key Actions**   * Increase tenant involvement in decision making at an operational and strategic level. * Optimise use of Member Scrutiny to evidence regulatory standards are being met. | Executive Director, Operations & Assistant Director, Democracy | **March 2024** |
| **Customer / Resident surveys**  Wider engagement/satisfaction survey being  reviewed as a cross-Council task and finish group. | Assistant Director, Policy and Performance | **March 2024** |
| **Culture and Governance Review**  This includes a review of:   * The role and effectiveness of Audit Committee * Members’ Code of Conduct and associated policies and procedures   An Action Plan will be developed in conjunction with the relevant Committee following the reviews. | Executive Director, Governance | **March 2024** |

SIGNIFICANT GOVERNANCE ISSUES

While the effectiveness review and other developments during the year demonstrate that corporate governance arrangements and the internal control framework are fit for purpose and effective, as part of continuing efforts to improve governance arrangements the following significant governance issues have been identified for improvement during 2023/2024.

|  |  |  |
| --- | --- | --- |
| **Key Improvement Area for 2023/2024** | **Lead Officer(s)** | **Target Date** |
| **Financial Sustainability**  There remains significant uncertainty about the level of Central Government funding from 2023/24 linked to the implementation of Local Government Finance Reform which the Government has confirmed will not be until 2025/26 at the earliest. Every Local Authority faces this uncertainty.  The MTFS update approved by Council in March 2023 as part of the 2023/24 Annual Budget and Council Tax Setting Report reflects the priorities as set out in the Corporate Plan and may require refinement once the future financial landscape becomes clearer.  An MTFS update will be produced in the Autumn/Winter 2023/24 and will reflect the Autumn 2023 Spending Round announcement and any financial implications arising from the new Corporate Plan which will be prepared following the District Council Elections in May 2023.  The Council does have robust reserves which will assist in transitioning to revised levels of central government funding whilst at the same time identifying and implementing ‘Options for Change’ to assist with addressing the Council’s future financial challenges. The Council’s General Reserve at the 31st March 2023 was £9.234m; £7.884m above the minimum required balance as set out in the Council’s Constitution. | Corporate Resources Director (Section 151 Officer) | **Ongoing** |

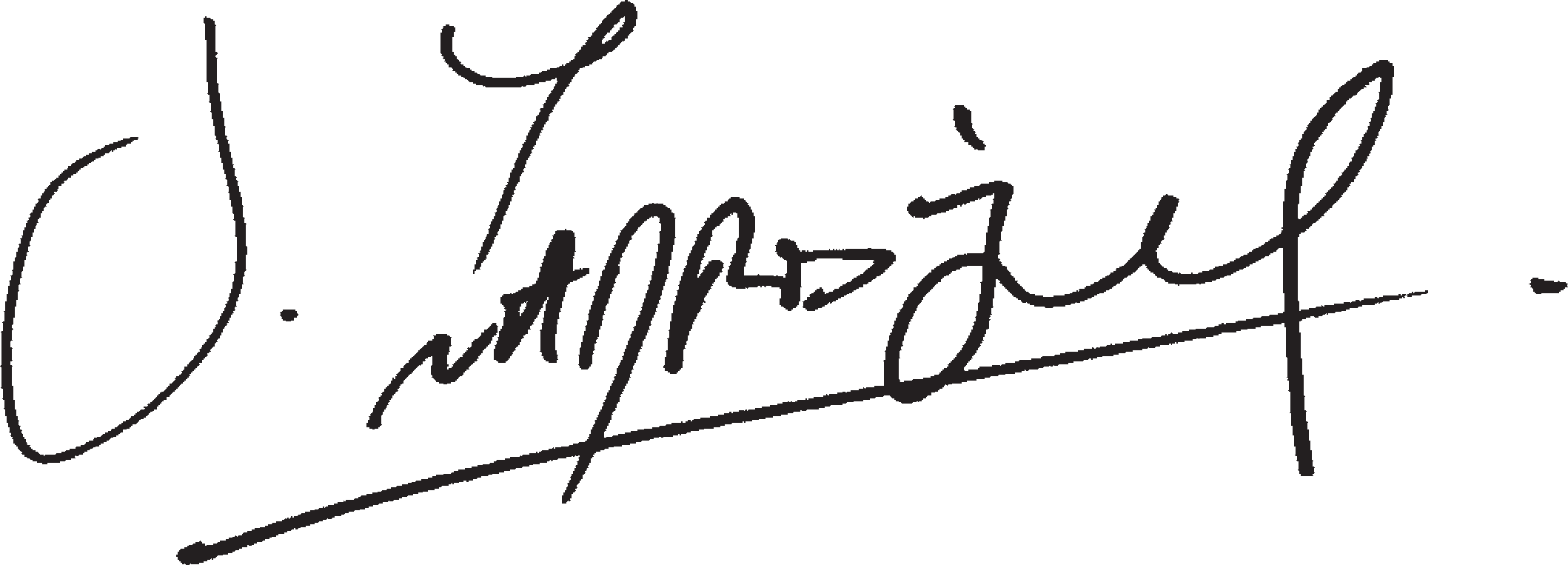
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| **Key Improvement Area for 2023/2024** | **Lead Officer(s)** | **Target Date** |
| **Anti-Fraud and Data Matching and National Fraud Initiative**  The Council must continue to develop and embed its corporate approach to anti-fraud (including data matching).  Realignment of the function will enable the Council to create greater operational resilience and improve capacity to identify and deal with suspected fraudulent activity.  The Anti-Fraud Officer Working Group will continue to develop and deliver an action plan to better meet the Government’s functional standard. | Corporate Resources Director (Section 151 Officer) | **Ongoing** |
| **Local Plan**  The Council has agreed to progress the Local Plan which will provide for certainty of housing for 10 years. Given the direction of travel by Government in relation to the green belt and in acknowledgement of local opposition to two new settlements it has been agreed to progress the Local Plan without the two new settlements originally proposed.  Work has progressed on the evidence base and a meeting held with the Planning Inspectorate.  A new Local Plan Development Scheme will be finalised in June 2023 with the new administration.  It is expected that a draft plan will be consulted on in autumn 2023. | Executive Director, Place & Assistant Director, Planning | **Ongoing** |
| **Planning Appeals**  Following Internal Audit work during the 2021/22 a risk was identified relating to the planning appeal overturn level which was monitored during 2022/23.  Department for Levelling Up, Housing and Communities requirements specifies that at 10% a Council’s Planning process may be placed in special measures. A process has been agreed to provide quarterly updates to the Leadership Team when the percentage is over 8%. Officers have regularly reported to the leadership team on the appeals risk during 2022/23.  Member training will be provided to all new members in May 2023. The position reported in March 2023 was 8.5%.  Monitoring and reporting will continue. | Director of Place and Communities and Assistant Director, Planning and Regulatory Services | **Ongoing** |

|  |  |  |
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| **Key Improvement Area for 2023/2024** | **Lead Officer(s)** | **Target Date** |
| **Regeneration Funding**  **c.£76m plus match and co-funding**   * Towns Fund * Future High Streets Fund * Levelling Up Fund * UK Shared Prosperity Fund   This includes the Local Assurance Framework developed from D2N2’s funding programme.  The flagship project of the programme - the ADMC (Automated Distribution and Manufacturing Centre) is being reviewed by DLUHC (Department for Levelling Up, Communities and Housing) due to its high value (£20m Towns Fund).  Six monthly monitoring returns are submitted to DLUHC for each of the four funds.  The Levelling Up Funds Local Authority Assurance Framework sets out the annual cycle of assurance for grant recipients and the Chief Finance Officer is required to submit an assurance letter annually to confirm that the framework is being adhered to.  Reports are taken to the Discover Ashfield (DA) Board every six weeks and to the Council’s Strategic Leadership Team and Leadership team, as well as bi-monthly to the internal Regeneration Board.  The DA Board acts as the Town Deal Board (for Towns Fund) and as the local partnership group for the UK Shared Prosperity Fund. | Executive Director, Place & Assistant Director, Regeneration | **Ongoing** |

The review of the Council’s governance arrangements demonstrates that these are fit for purpose but to ensure continuous improvement, areas have been identified which require further work.

We propose over the coming year as set out above to further enhance the Council’s governance arrangements and will monitor their implementation as part of our annual review.

Signature of Theresa Hodgkinson, Chief Executive of Ashfield District CouncilTheresa Hodgkinson, Chief Executive



Councillor Jason Zadrozny, Leader of the Council

APPENDIX 1 – THE GOVERNANCE FRAMEWORK AND REVIEW OF EFFECTIVENESS PUTTING THE PRINCIPLES INTO EFFECT

PRINCIPLE A - BEHAVING WITH INTEGRITY, DEMONSTRATING STRONG COMMITMENT TO ETHICAL VALUES, AND RESPECTING THE RULE OF LAW

How Does the Council Achieve This?

The Council set out its Purpose in the Corporate Plan 2019-2023 which are:

* The Council exists to serve the communities and residents of Ashfield
* We will provide good quality, value for money services
* We will act strategically and plan for the future, working with others to bring about sustainable improvements in people’s lives

The Council’s values, as set out in the new Corporate Plan are:

* People Focussed
* Honest
* Proud
* Ambitious

The Council has identified the following priorities:

* Health and Happiness
* Homes and Housing
* Economic Growth and Place
* Cleaner and Greener
* Safer and Stronger
* Innovate and Improve

The Key Projects, Programmes and Initiatives set out in the Corporate Plan reflect these values and priorities and the Council’s Budget and Performance frameworks monitor how the Council performs against them. The Corporate Plan has been refreshed at regular intervals during the last 4 years.

Councillors and Officers are both guided by codes of conduct which have been agreed by Council. The Officer Code was updated in May 2023 and has been well communicated and understood throughout the organisation.

The Members’ Code of Conduct was reviewed during 2020/21 by the Standards and Personnel Appeals Committee.

The revised Code was adopted at the Council AGM in May 2021. The new Code incorporates elements of the Local Government Association’s Model Code. The Council’s Standards and Personnel Appeals Committee takes an active lead role in upholding standards and investigating any complaints made against Members. A number of complaints have been received during the year.

Members and Officers are required to complete Register of Interests forms and to disclose gifts and hospitality.

Members and Officers are reminded about this requirement at least annually. The Members’ Gifts and Hospitality Register is published and refreshed guidance was issued following a review by the Standards and Personnel Appeals Committee. The Committee also receives an update regarding any declarations of gifts and hospitality at each meeting.

The Chief Executive, the Strategic Leadership Team, and senior officers continually lead by example and promote the Council’s priorities and values.

The Chief Executive personally addresses colleagues on key matters such as budgets and key organisational change issues. The Chief Executive speaks to senior and middle managers as part of the Corporate Leadership Team / Extended Leadership Team, allowing two- way dialogue on all key issues. An all-staff conference was held during in December 2022.

The Employee Survey was carried out during 2022. The results of the Employee Survey had extremely positive outcomes with upwards trends across the majority of themed areas. 80% of those who responded said they are proud to work for the Council. Areas for improvement

highlighted by the Employee Survey will be channelled via the Cross Council Working Together Group.

The Constitution is regularly updated and a review is carried out annually.

A suite of Anti-Fraud and Corruption Policies and Procedures are in place which were reviewed in February 2020 and March 2022 by the Audit Committee. A “Governance” hub is available on the intranet and the Council’s website which contains links to these policies and a wider range of governance documents, such as the Constitution.

The Anti-Fraud and Corruption Officer Working Group with clear terms of reference meets quarterly to oversee the Council’s approach to fraud and corruption and reports to SLT and Audit Committee. The Fraud Risk Register is reviewed at each meeting of the Working Group and there are currently no high level fraud risks.

The Council’s Whistleblowing Policy is reviewed annually, and the Audit Committee and the Standards and Personnel Appeals Committee receive reports regarding the way complaints received under the policy have been dealt with.

The Council has adopted a Modern Slavery and Human Trafficking Transparency Statement and Policy Statement which are reviewed annually. At its meeting in November 2019, the Council agreed to adopt the Co-operative Party’s Charter against Modern Slavery ensuring that the Council’s procurement practices do not support slavery. The Council adopted a Domestic Abuse Policy and a Hate Crime Policy in November 2022 and in February 2023 the Cabinet approved an Anti-Social Behaviour Policy.

A number of Council services are provided externally and these are reviewed with strong partner engagement and contract management.

Each of the statutory officers is able to operate with the appropriate

independence; the organisational culture respects and supports their integrity and provides the staffing arrangements to support their work.

A Member/Officer Protocol informs the relationship between Officers and Members.

PRINCIPLE B - ENSURING OPENNESS AND COMPREHENSIVE STAKEHOLDER ENGAGEMENT

How does the Council achieve this?

The Council operates in an open and transparent way, and takes the vast

majority of its decisions in public meetings at Council, Cabinet and Committees. The Constitution encourages debate around key decisions and Council meetings include the scope for questions from Councillors and members of the public.

The Council consults widely with internal and external stakeholders on key policy changes in accordance with its agreed policies. The Cabinet approved the Community Engagement Strategy in July 2020.

The Council has a well-developed approach to working with partners to achieve Corporate Plan outcomes. Co- location with the DWP and police partners has provided a positive impact leading to better ways of dealing with complex cases. Officers and the police hold bi-weekly Neighbourhood Tasking meetings.

A wide variety of communication methods are used to seek the views of different stakeholders. The Council’s magazine “Ashfield Matters” is produced four times a year. The Council continues to develop its use of social media channels such as Facebook, Twitter and YouTube, to promote Council campaigns, provide information

to residents and businesses, deal with customer enquiries and engage with local communities. The Council’s accessible Website was launched in Autumn 2020.

Ashfield 24/7, the digital platform for residents to access the Council, was launched in February 2022.

Senior Managers continue to meet with the Trade Unions on a regular basis to actively engage and consult on employee related issues.

The Place Enhancement Programme continues to develop ways to improve the public perception of the District and promote the area. As part of this

Programme, the Discover Ashfield Board, which is independently chaired by a local business leader, meets regularly. The Board was responsible for creating and launching the “Discover Ashfield” brand. A “Discover Ashfield – New Narrative” was approved at Cabinet in December 2022.

Considerable engagement and consultation has taken place with partners and stakeholders in relation to the development of the schemes for the Future High Streets Fund and the Towns Fund.

Discover Ashfield acts as the Town Deal Board and provides oversight of the project programme including signing off business cases before submission to Government for approval of funding.

The public was extensively consulted during 2021 regarding the draft Local Plan and the Hucknall Town Centre Masterplan during 2022.

Regeneration officers have created a Business Support Directory.

The Tenant Satisfaction Survey was carried out during 2022 to establish a base line position of tenant perception of housing services, ahead of such a survey becoming a regulatory requirement in 2023/24.

This resulted in an action plan created by the cross-Council Tenant Satisfaction Measures working group

PRINCIPLE C - DEFINING OUTCOMES IN TERMS OF SUSTAINABLE ECONOMIC, SOCIAL, AND ENVIRONMENTAL BENEFITS

How does the Council achieve this?

The Corporate Plan sets out clearly the outcomes to which the Council is committed. It continually checks the deliverability of these outcomes against the available resources and for this purpose both the Corporate Plan and the Medium Term Financial Plan are reviewed.

The Council’s performance indicators and its Corporate Scorecard and Place Scorecard are considered regularly by senior management, Overview and Scrutiny Committee and Cabinet.

Comprehensive and regular dialogue, on priorities, performance and financial

planning take place between the Cabinet and SLT, with the result that the Council is able to shape its ambitions around the resources available to it, and its partners. Long-term impacts of decisions are forecast using the Council’s Weighted Benefit Model for individual projects, and the Medium Term Financial Strategy for the whole of the Council’s services; the MTFS was updated and approved by Council in March 2023. The Treasury Management Strategy and Related Policy Statements were approved at Audit Committee and Cabinet in February 2023. The Council’s updated Capital Strategy, Commercial Property and Investment Strategy and Commercial Property Indicators were approved at Audit Committee and Cabinet in February 2023 before approval at Council in March 2023. The LGA carried out an independent financial health check during December 2021 which was very positive and demonstrated the Council has robust policies and processes in place; the report was published as part of a report to Cabinet in February 2022 and Council in March 2022.

The Council’s Corporate and Fraud Risks are identified and recorded in registers and regularly monitored through CLT, Cabinet and Audit Committee. The Corporate Risk Strategy, Risk Register and Risk Appetite Framework were approved at Audit Committee and Cabinet in March 2022.

The Council’s Risk Management processes received a reasonable assurance during a recent internal audit review.

In accordance with the Council’s Social Value Policy, from January 2021 to December 2022, social and local economic value of over £1.7m, local employment with a value of over £1.3m (the equivalent of 48 jobs) and over £300k of local spend has been delivered. The new Kirkby Leisure Centre has delivered a social and local economic value of £12.76m, with 91.44% of waste being diverted from landfill; 32% of spend was within a 30 miles radius and 22% within a 10 miles radius; 95% of spend was with SME organisations. The improvement works at Hucknall Leisure Centre to date have generated £9,448 of social and local economic value with 57% of spend being within a 10 miles radius and 99.84% of waste has been diverted from landfill.

The updated Social Value Policy was approved by Cabinet in February 2023.

During 2020/2021 the Council also adopted the Ashfield Health and Wellbeing Partnership Strategy 2021-25 and the Environmental Charter.

PRINCIPLE D - DETERMINING THE INTERVENTIONS NECESSARY TO OPTIMISE THE ACHIEVEMENT OF THE INTENDED OUTCOMES

How Does the Council Achieve This?

The Council’s interventions which aim to achieve its Corporate Plan objectives are planned through a number of Programme Boards or are monitored as a regular agenda item at directorate management team meetings. The current programme boards are:-



* Regeneration
* Commercial Investment Working Group
* Digital and Service Transformation
* Discover Ashfield
* Health and Well Being
* Efficiency (assets, procurement and restructures)
* Social Housing Regulatory Board

Where relevant, Project Boards sit underneath these boards, working specifically on key projects.

The programme boards consider the merits of a range of projects for achieving the aims of the Corporate Plan. They employ the Council’s Weighted Benefit Model to assess the impact against key priorities, and the affordability of the intervention.

The Strategic Leadership Team considers the priority order for new projects, and their affordability in the context of the Medium Term Financial Strategy.

PRINCIPLE E - DEVELOPING THE ENTITY’S CAPACITY, INCLUDING THE CAPABILITY OF ITS LEADERSHIP AND THE INDIVIDUALS WITHIN IT

How does the Council achieve this?

The Leader and Chief Executive have clearly defined roles. Regular meetings between senior managers and Executive Lead Members allow for timely discussion of emerging policies and issues, and overviews of strategic developments such as the budget and MTFS.

Comprehensive training programmes are in place for officers and Members; this Learning and Development programme is shared between Ashfield and Mansfield as part of the Human Resources Shared Service. Working between the two organisations gives valuable insights into different approaches to organisational management and development. A whole staff conference took place in December 2022 and staff recognition awards were held in January 2023.

The Leadership Development Framework was reviewed as part of the implementation of the Decision-Making Accountability Review and subsequent structure and role review for SLT and CLT.

The Members’ Development Strategy was revised by the Standards and Personnel Appeals Committee in December 2021.

Mandatory training has been identified and incorporated into the Code of Conduct.

A comprehensive Member Induction programme to ensure new and returning Members are well equipped for their roles as Councillors was developed by the Standards and Personnel Appeals Committee for implementation in May 2023.

The Council has a People Strategy in place which is currently under review. A review of recruitment and retention has been undertaken and an action plan developed to ensure the Council is able to recruit and retain staff. A recent internal audit review of People Management arrangements reported a reasonable level of assurance.

The digital and service transformation (DST) programme retains an iterative, strategic and operational approach, realigning priority projects to the changing and developing needs of the Council and its residents and is being integrated into the ongoing service reviews, hybrid working and asset rationalisation programmes underpinned by enhanced customer experience and driving efficiencies through use of technology. 24/7 access to services has been enhanced by the launch of the customer portal and rapid expansion of online payments and 2-way engagement with services. By March 2023, the DST programme had enabled almost £3 million of efficiencies directly supporting a sustainable medium term financial strategy.

PRINCIPLE F - MANAGING RISKS AND PERFORMANCE THROUGH ROBUST INTERNAL CONTROL AND STRONG PUBLIC FINANCIAL MANAGEMENT

How does the Council achieve this?

The Council’s Corporate Risk Register is regularly updated and considered by Cabinet and the Audit Committee. The Anti-Fraud and Corruption Working Group monitors the Fraud Risk Register quarterly and reports to the Audit Committee annually.

Risk Management informs service planning and project planning and is a specific consideration when new capital projects are being developed. The Corporate Risk Register is aligned to the Corporate Plan and its priorities.

The Council has well-developed Emergency Planning processes and procedures and contributes to regional training events and Local Resilience Forum Sub-Groups. Each service has a Business Continuity Plan and a Critical Function Plan (if appropriate). The

Council’s Business Continuity and Emergency Planning procedures have been successfully implemented and improved as a result of the pandemic.

The Council has a mature performance management system and reporting, developed over a number of years and reflecting all of the Council’s key performance areas. This is summarised in a Corporate Scorecard which is scrutinised quarterly. Data accuracy is regularly audited. A revised Data Quality Strategy was approved in May 2022.

The Council has a good track record of setting robust budgets and spending within the approved budget. The Council’s finances have been guided by a well- developed and communicated MTFS for several years. This MTFS is informed by regional and national expertise and the latest iteration is informed by resource modelling from Local Government Futures (LG Futures). By setting and implementing annual savings plans, the Council has been able to consistently deliver within its net approved budget. The Council has achieved unqualified accounts and a positive Value For Money assessment throughout this period. The LGA’s Financial Health check provided assurance regarding the Council’s financial arrangements.

Financial Health and Resilience and Payment Card internal audits confirmed a reasonable level of assurance.

The Commercial Investment Plan and Capital Strategy which includes due diligence and risk mitigation processes was updated and approved at Cabinet and Council in February and March 2023 respectively.

Internal Control is achieved by a wide range of processes working successfully, and CMAP’s assessment of internal control can be found earlier in this document. The Council’s Data Management arrangements are updated regularly in line with Government guidelines and best practice and these are subject to regular detailed audits. Implementation of GDPR was successfully managed through the Project Management Framework and continues to be developed in line with new guidance and advice from the Information Commissioner.

In line with the Social Housing White Paper an action plan was devised and reported to Cabinet during 2021/22 and 2022/23. The reports outlined progress and requirements to ensure that risks and performance were enhanced and presented for regular scrutiny by the ‘responsible body’ of the Council. A composite ‘compliance’ risk was also added to the Corporate Risk Register. The social housing function was also benchmarked against other providers on a national basis by Housemark, comparing performance and cost. Housemark provided a benchmarking report and presented it to CLT and Housing DMT. An action plan was then devised in order to investigate the small number of service indicators which fell below the median.

PRINCIPLE G - IMPLEMENTING GOOD PRACTICES IN TRANSPARENCY, REPORTING, AND AUDIT TO DELIVER EFFECTIVE ACCOUNTABILITY

How does the Council achieve this?

The Council’s decision making is transparent; the Forward Plan of Key Decisions is accessible and is reviewed on a weekly basis by SLT. Decisions are readily available through the Council’s website on the user-friendly “modern. gov” system. A recent audit report looking at delegated decision making gave assurance that the Council’s processes and procedures are sound.

The budget and performance are subject to reports at least quarterly.

The Council’s Pay Policy Statement and Gender Pay Gap have been published.

The Annual Governance Statement and Corporate Assurance Checklist are updated annually.

In line with the Regulator of Social Housing’s expectation of tenant ‘co- regulation’ of the Housing Services, the social housing service produced a tenant annual report which provided benchmarked performance and cost data to tenants. Data and policy reviews were also presented, discussed and refreshed with various tenant groups.

The department also produced a self- assessment against the Social Housing Ombudsman code which was approved by Cabinet and published on the Council’s website.

Audit recommendations are owned by management and are largely acted upon in a timely manner. There are a number of processes in placed for monitoring recommendations including through CMAP reminders, reports through SLT and Performance Boards.

The Council’s Corporate Complaints Strategy and Procedures were reviewed and updated during 2021/22.

The Council is working towards publishing its Housing Peer Challenge which took place in late 2022/23. All points have been accepted ahead of this with an action plan being drawn up.