2017/18

HALTON BOROUGH COUNCIL - ANNUAL GOVERNANCE STATEMENT



What is Governance?

Governance is about how we ensure that we are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. Good governance leads to:

- effective leadership
- good management
- good performance
- good stewardship of public money
- good public engagement, and
- good outcomes for our citizens and service users.

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

Halton Borough Council acknowledges its responsibility for ensuring that there is a sound system of governance. The Council has developed a Local Code of Corporate Governance that defines the principles that underpin the governance of the organisation. The Local Code forms part of the Council Constitution and can be accessed on the Council's website.

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 economically, efficiently and effectively;
- Has effective arrangements for the management of risk;
- Secures continuous improvements in the way that it operates.

What is the Annual Governance Statement?

The Council is required by the Accounts & Audit (England) Regulations 2015 to prepare and publish an annual governance statement. This is a public document that reports on the extent to which the Council complies with its own code of governance.

In this document the Council:

- Acknowledges its responsibility for ensuring that there is a sound system of governance;
- Summarises the key elements of the governance framework and the roles of those responsible for the development and maintenance of the governance environment;
- Describes how the Council has monitored and evaluated the effectiveness of its governance arrangements in the year, and on any planned changes in the coming period;
- Provides details of how the Council has responded to any issue(s) identified in last year's governance statement;
- Reports on any significant governance issues identified from this review and provides a commitment to addressing them.

The annual governance statement reports on the governance framework that has been in place at Halton Borough Council for the year ended 31 March 2018 and up to the date of approval of the statement of accounts.

How has the Annual Governance Statement been prepared?

The initial review of the Council's governance framework was carried out by a group of officers. This group comprised:

• The Strategic Director - Enterprise, Community & Resources

This post is designated as the Council's Statutory Scrutiny Officer as required under Section 31 of the Local Democracy, Economic Development and Construction Act 2009.

This role involves promoting and supporting the Council's Overview and Scrutiny Committees.

• The Operational Director - Legal and Democratic Services

This post is designated as the Council's Monitoring Officer under section 5 of the Local Government and Housing Act 1989, as amended by paragraph 24 of schedule 5 Local Government Act 2000.

The Monitoring Officer is responsible for ensuring that that the Council acts and operates within the law.

• The Operational Director - Finance

This post is designated as the s151 Officer appointed under the 1972 Local Government Act.

The Operational Director – Finance is the Council's Chief Financial Officer and carries overall responsibility for the financial administration of the Council.

• The Divisional Manager - Audit, Procurement & Operational Finance

This post is responsible for the Council's internal audit arrangements, including the development of the internal audit strategy and annual plan and providing an annual audit opinion on the Council's governance, risk management and control processes.

In preparing the annual governance statement the Council has:

- Reviewed the Council's existing governance arrangements against its Local Code of Corporate Governance;
- Identified any areas where the Local Code of Corporate Governance needs to be updated to reflect changes in the Council's governance arrangements and best practice guidance;
- Assessed the effectiveness of the Council's governance arrangements and highlighted any planned changes in the coming period.

Management Team, which is chaired by the Chief Executive, has also reviewed the annual governance statement and considered the significant governance issues facing the Council.

The Business Efficiency Board, which is designated as the Council's Audit Committee, provides assurance to the Council on the effectiveness of its governance arrangements, risk management framework and internal control environment. As part of this role the Board reviews and approves the annual governance statement.

What are the key elements of the Council's Governance Framework?

The Council aims to achieve good standards of governance by adhering to the following key principles set out in the best practice guidance 'Delivering Good Governance in Local Government: Framework 2016':

- Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law;
- Ensuring openness and comprehensive stakeholder engagement;
- Defining outcomes in terms of sustainable economic, social and environmental benefits;
- Determining the interventions necessary to optimise the achievement of the intended outcomes;
- Developing the Council's capacity, including capability of its leadership and the individuals within it;
- Managing risks and performance through robust internal control and strong public financial management;
- Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

The following pages provide a summary of key elements of the Council's governance framework and how they relate to these principles.

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

SUPPORTING PRINCIPLES

- Behaving with integrity
- Demonstrating strong commitment to ethical values
- · Respecting the rule of law

- The Council has a Constitution that sets out how the Council operates, how decisions are made and the procedures that are followed to ensure that these are efficient, proportionate, transparent and accountable. The Constitution was reviewed and updated in May 2017.
- The Council has a Standards Committee with co-opted independent members. The role of the Committee is to promote high standards of member conduct. No matters were brought to the attention of the Monitoring Officer during the year which required formal investigation.
- Elected members follow a Code of Conduct to ensure high standards in the way they undertake their duties. The Monitoring Officer provides training to new elected members on the Code of Conduct.
- Officer behaviour is governed by the Employees' Code of Conduct. All new employees attending the corporate induction process were made aware of the Code.
- Roles and responsibilities relating to the Council's executive and non-executive functions are defined in the Council's Constitution. Decisions and actions taken during the year were made in accordance with these arrangements providing clear accountability.
- The Council takes fraud, corruption and maladministration seriously and has established a suite of
 policies and processes which aim to prevent or deal with such occurrences. Key elements of the
 suite of policies and processes were updated during the year and approved by the Business
 Efficiency Board. The Board also received an annual report on the Council's counter fraud and
 corruption arrangements.
- A corporate complaints procedure operated throughout the year to receive and respond to any complaints received.
- Arrangements exist to ensure that members and officers are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders. These include:
 - Registers of disclosable pecuniary interests were maintained
 - Registers of gifts and hospitality were maintained
 - Opportunities to declare disclosable pecuniary interests and disclosable other interests were provided at the start of meetings
- The Operational Director Legal and Democratic Services provided legal advice to the Council as the Council's Monitoring Officer. One of the key functions of that role is to ensure the lawfulness and fairness of decision-making.

Ensuring openness and comprehensive stakeholder engagement

SUPPORTING PRINCIPLES

- Openness
- Engaging comprehensively with institutional stakeholders
- Engaging with individual citizens and service users effectively

- Information on the Council's performance, finances and the democratic running of the Council is routinely published on the Council's website. The Council also fully complies with the reporting requirements of the Local Government Transparency Code 2015.
- The Council engages with key partners and institutional stakeholders in various ways. Formal partnerships include the Health and Wellbeing Board, the Safer Halton Partnership and the Children's Trust. The Council's management team also holds a joint monthly meeting with the management team of Halton Clinical Commissioning Group.
- The Care and Quality Commission (CQC) completed a Local System Review (LSR) of Health and Social Care in Halton in 2017. The Council worked collaboratively with its statutory partners, and with support from Social Care Institute for Excellence, to develop an associated Action Plan to respond to the issues highlighted within the report.
- The Health and Wellbeing Board provides a key forum for public accountability of the NHS, Adult Social Care, Children's Services, Public Health and other commissioned services relating to the wider determinants of health in Halton. During the year the Terms of Reference for the Board were updated and its membership widened to include GP Federations.
- Engagement with citizens and service users is carried out using a variety of methods, including a range of survey techniques (online, paper, face to face) and sampling techniques. The Council also uses qualitative techniques, such as focus and discussion groups. During 2017/18 the Council consulted on a range of issues, which included:
 - Widnes Market opening days and times
 - Social care assessment feedback
 - The Direct Payments scheme
 - Intermediate care
 - The visitor economy (attractions that people visit in Halton)
 - Children's Centre timetable
 - Halton Direct Link (Contact Centre / One Stop Shop)
 - Food expenditure, eating habits and affordability of eating
- In setting its budget the Council listens to the views of the public and the experience of elected members through their ward work. Individual consultations took place in respect of specific budget proposals and equality impact assessments were completed where necessary.

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

SUPPORTING PRINCIPLES

- · Defining outcomes
- Sustainable economic, social and environmental benefits

- The long-term vision for Halton is set out in the Council's Corporate Plan, which defines the Council's priorities and how it hopes to achieve them. It also explains the Council's values and principles.
- The Council's Corporate Planning Framework provides the means by which the Council's activities are developed and monitored. Quarterly performance monitoring reports were produced during the year recording progress against key business plan objectives and targets. These were reported to the Council's Management Team, to the Executive Board and to the Policy and Performance Boards.
- Directorate and Departmental Business Plans were produced for 2017/18 that described key developments and emerging issues relating to each department of the Council. The plans formally set out key objectives, milestones and measures for each business area.
- The Executive Board approved the Council's Medium Term Financial Strategy at its meeting on 16 November 2017. The Strategy had the following objectives:
 - Deliver a balanced and sustainable budget
 - Prioritise spending towards the Council's five priority areas
 - Avoid excessive Council Tax rises
 - Achieve significant cashable efficiency gains
 - Protect essential front line services
 - Deliver improved procurement
- The Council routinely publishes information on the Council's vision, strategy, plans, finances and performance on its website and in the Council newspaper that is distributed to all households in the borough.

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

SUPPORTING PRINCIPLES

- Determining interventions
- Planning interventions
- Optimising achievement of intended outcomes

- The Council's Corporate Planning Framework in operation during the year provided the means by which the Council's activities were developed and monitored.
- There is a well-established overview and scrutiny framework with six Policy and Performance Boards (PPBs) aligned to the Council's six corporate plan priorities. Throughout the year they held the Executive to account, scrutinised performance and developed policy proposals for consideration by the Executive.
- Quarterly performance monitoring reports were produced throughout the year recording progress against key business plan objectives and targets. These reports were presented to the Council's Management Team, to the Executive Board and to the Policy and Performance Boards.
- The Council operates a corporate complaints procedure and specific complaints procedures for Adult Social Care, Children's Social Care, schools and complaints relating to elected members. These procedures allow the Council to identify areas where things may have gone wrong and to put them right and prevent them from happening again.
- The Council aims to ensure that the purchase or commissioning of goods, services or works required to deliver services is acquired under Best Value terms. The Council's procurement activity is undertaken in line with the Council's Procurement Strategy and within clearly defined rules set out in Procurement Standing Orders.
- The Council's internal audit team carries out a comprehensive programme of audits each year reviewing the Council's front line and support services. The implementation of recommendations arising from this work assists the Council in identifying and managing risks that may impact on the achievement of outcomes.
- A second road crossing over the River Mersey was a long held aspiration of the Council. After successful lobbying over many years a project to deliver a new six-lane toll bridge between Runcorn and Widnes was approved by Government in 2010. In October 2017 the new Mersey Gateway crossing opened on schedule. This has relieved the congested Silver Jubilee Bridge and removed constraints on local and regional development by providing a much improved transport infrastructure.

Developing the Council's capacity, including capability of its leadership and the individuals within it

SUPPORTING PRINCIPLES

- Developing capacity
- Developing leadership
- Developing the capability of individuals

- The Council retained the NW Charter for Elected Member Development Exemplar Level status.
- Newly elected members attend a two-day induction programme with follow-up mentoring.
- Elected members were also provided with the opportunity for an annual review to identify their development requirements, which are set out in a Member Action Plan.
- A comprehensive elected member development programme provided a wide range of learning and development opportunities.
- Members of the Business Efficiency Board received regular training throughout the year to assist them in their role as the Council's Audit Committee.
- The Council's Organisational Development Strategy (2016 2020), includes an Organisational Development Charter. The Strategy confirms the Council's commitment to the ethos that, by underpinning everything the Council does, its workforce will be part of the solution to providing excellent services.
- The Council operates ongoing processes to identify the personal development needs of employees. The information gained from these processes is used to inform the design of the corporate training programme and to source specialised professional training.
- The Council's Learning & Development Team offers continuous leadership development through its accreditation with the Institute for Leadership & Management (ILM). Specific qualifications have been delivered during 2017/18, such as Level 3, Level 5 and Level 7 in Leadership and Management and Level 3 in Coaching. As a result, 51 employees continue to develop specific skills and knowledge regarding leadership and gain recognised qualifications.
- The Council provides 1-1 coaching to support leaders, managers and employees to maximise potential and enhance performance. During 2017/18, 13 leaders have taken advantage of 1-1 coaching to focus on improving their leadership capabilities.
- The Council offer its employees the opportunity to apply for funding to support their academic development that is linked to the Council's priorities thereby increasing individual capacity and supporting succession planning. During 2017/18, the Council supported 19 employees to gain a variety of academic qualifications, such as Masters Degrees, BA Degrees and Diplomas.

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

SUPPORTING PRINCIPLES

- Managing risk
- Managing performance
- Robust Internal Control
- · Managing data
- Strong Public Financial Management

- The Council provides decision-makers with full and timely access to relevant information. The
 executive report template requires information to be provided explaining the policy, financial and risk
 implications of decisions, as well as implications for each of the corporate priorities and any equality
 and diversity implications.
- The Council has embedded risk management arrangements. Directorate and corporate risk registers outline the key risks faced by the Council, including their impact and likelihood, along with the relevant mitigating controls and actions. The risk registers are also used to inform the internal audit planning process.
- The Council has a well-established Audit Committee (the Business Efficiency Board), which met regularly during 2017/18. The Board has clearly defined responsibilities and provides oversight and challenge in regard to the Council's governance, risk management, audit, procurement and counter fraud and corruption arrangements.
- The Council has a Head of Internal Audit and a continuous internal audit service, which was assessed during the year as conforming to the Public Sector Internal Audit Standards. Internal audit plays a key role in reviewing and improving the effectiveness of the Council's risk management, governance and control arrangements.
- During 2017/18 the Council commenced an extensive project to ensure that it was in a position to comply with the General Data Protection Regulations (GDPR). This included engaging with all departments of the Council, providing a series of awareness raising sessions for key officers and regular updates to all staff and elected members.
- The Council's External Auditor provided an unqualified opinion on the 2016/17 accounts and reported their findings to the Business Efficiency Board in September 2017. They also completed a review of the overall control environment relevant to the preparation of the Council's financial statements and concluded that their work had identified no material weaknesses.
- Despite significant funding reductions and increasing demand for services the Council managed to set a balanced budget for 2018/19 via a robust process led by the Members' Budget Working Group. Outturn spending was marginally higher than the 2017/18 revenue budget, primarily due to continuing pressures within Children's and Adult Social Care. The position was monitored throughout the year through reports to Management Team, the relevant Policy and Performance Boards and Executive Board.

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

SUPPORTING PRINCIPLES

- Implementing good practice in transparency
- Implementing good practice in reporting
- Assurance and effective accountability

- The Council fully complies with the Local Government Transparency Code 2015 and publishes a
 wide range of information on its website. This includes details of meetings, minutes and agendas,
 policies and plans, the Council Constitution, the Statement of Accounts, details of members'
 allowances and expenses, details of senior staff pay, contract awards, and details of land and
 building assets.
- The Council operates clear and effective processes for dealing with Freedom of Information (FOI) requests and Subject Access Requests (SAR).
- All Council meetings are open and can be attended by members of the public with the exception of those where confidential or personal matters may be disclosed.
- The Council's external auditor provides an annual assessment on how well the Council is managing and using its resources to deliver value for money and better and sustainable outcomes for local people. In September 2017, the external auditor concluded that the Council had proper arrangements in all significant respects to ensure it delivered value for money in its use of resources.
- The Council has developed robust procedures to respond positively to the findings and recommendations of external auditors and statutory inspectors. Action plans are developed in response to external inspections and their implementation monitored.
- The Council has established various ongoing arrangements that provide effective assurance. These include the work of internal audit, the Council's risk and performance management arrangements, the work of the Information Governance Group, the work of the Policy and Performance Boards and the work of the Standards Committee.
- The Council operates a whistleblowing procedure and has well-publicised arrangements for employees and the wider community to raise any concerns.

What are the roles of those responsible for developing and maintaining the Governance Framework?

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- Approves the Corporate Plan
- Approves the Constitution
- Approves the policy and budgetary framework

Executive Board

- The main decision-making body of the Council
- Comprises ten members who have responsibility for particular portfolios

Business Efficiency Board

- Designated as the Council's Audit Committee
- Provides assurance to the Council on the effectiveness of its governance arrangements, risk management framework, procurement strategy and internal control environment.

Standards Committee

- Promotes high standards of member conduct
- Assists members and co-opted members to observe the Council's Member Code of Conduct

Policy & Performance Boards

- There are six Policy & Performance Boards aligned to the Council's six Corporate Plan priorities
- They hold the Executive to account, scrutinise performance and develop policy proposals for consideration by the Executive

Management Team

Implements the policy and budgetary framework set by the Council and provides advice to the Executive Board and the Council on the development of future policy and budgetary issues

Internal Audit

- Provides assurance over the Council's governance, risk management and control framework
- Delivers an annual programme of audits
- Makes recommendations for improvements in the management of risk and value for money

Managers

- Responsible for maintaining and developing the Council's governance and control framework
- Contribute to the effective corporate management and governance of the Council

How does the Council monitor and evaluate the effectiveness of its governance arrangements?

The Council annually reviews the effectiveness of its governance framework including the system of internal control. The key sources of assurance that inform this review are outlined below:

Internal Audit

- Annual opinion report
- Internal audit reports

Complaints

- Corporate complaints procedure
- Ombudsman investigations

External Audit

- Financial statements audit
- Value For Money conclusion

External Reviews

 External reviews from various regulators and inspectorates

Information Governance

 Information Governance Annual Report

Monitoring Officer

 Legal and Regulatory Assurance

Counter Fraud Arrangements

- Whistleblowing arrangements
- Annual report on Fraud and Corruption

Section 151 Officer

 Financial Controls Assurance

Risk Management

 Corporate Risk Register Progress Reports

Overview & Scrutiny

- Performance monitoring
- Policy development and review

How has the Council addressed the governance issues from 2016/17?

The 2016/17 annual governance statement contained two key governance issues. Details of these issues and how they were addressed are provided below:

What the issue was:

Funding

The Council continued to face significant funding reductions whilst facing increasing demand for Council services. It was forecast that the Council would need to identify £10m in savings to be able to set a balanced budget for 2018/19.

In light of these financial pressures, a key challenge for the Council was to maintain capacity and robust governance arrangements so that it could continue to deliver its corporate objectives and strategic priorities in 2018/19 and beyond.

What we did:

Despite significant funding constraints and increasing demand for services, resulting in the need to make significant budget savings, the Council managed to set a balanced budget for 2018/19.

Throughout 2017/18, reports to Management Team, Policy and Performance Boards and Executive Board highlighted forecasts that by year-end spending may have been up to £3.5m above budget. Action was therefore implemented across the Council to restrict spending wherever possible to absolutely essential items only. This resulted in actual spending being only £1m above budget by year-end.

Given the Council's challenging financial position during the year, it has been essential to maintain sufficient capacity within support services such as Finance, Legal, ICT, Administration, Property and HR to ensure that correct procedures continue to be followed and that adequate control is maintained over the Council's financial and non-financial resources.

This has also assisted with supporting a robust governance framework and enabled the Council to continue to deliver its corporate objectives and strategic priorities. During 2017/18 a prime example was the delivery, on schedule, of the Mersey Gateway bridge project, along with the remainder of the approved Capital Programme.

What the issue was:

<u>Liverpool City Region</u> <u>Combined Authority</u>

The Mayoral Combined Authority adopted its revised Constitution that put in place the governance arrangements required to deliver its original powers and duties, together with its new powers and duties which have arisen through the Devolution Deal.

It was recognised that it would be important for Halton's Members and Officers to be fully conversant with those powers and duties to ensure that Halton benefits from being within the LCR arrangements.

It was also recognised that it would be important to ensure that the Council retained the capacity to fulfil its role within the LCR, which may in turn mean reviewing some of its own priorities.

What we did:

The Council has continued to take a proactive role with the Liverpool City Region Mayoral Combined Authority. It has Elected Member representation on all key bodies and officer representation on all key advisory groups. The Leader of the Council holds the LCR Portfolio for "Energy and Renewables" and the Chief Executive is the Lead Chief Executive on a number of key issues.

When necessary, reports have been taken to Halton's Policy and Performance Boards in relation to LCR policy matters to ensure that Halton's interests are reflected within these areas. Examples include reports on the LCR's work on the visitor economy and culture and inward investment.

What the issue was: What we did:

Cyber Resilience

The Council recognised that cyber-attacks were becoming both more frequent and more sophisticated and that the impact of a cyber-attack could be significant in terms of potential disruption to the delivery of vital services. A cyber-attack could also result in substantial response costs, reputational harm, and potential litigation and fines should there be any resulting data breaches.

The Council acknowledged that an increasingly important element of its governance arrangements is the framework of standards, processes and activities that, collectively, secure the organisation against cyber risk. The Council therefore committed to continue to review and strengthen its IT governance framework in response to the rapidly evolving risks in this area.

As part of the legislative compliance requirements under the Public Services Network Security compliance plan, the Council's ICT provision, its networks and physical security measures are externally audited for compliance on an annual basis.

In response to the well-publicised email based attacks across the world the Council has commissioned its external security auditors to carry out regular social engineering attacks. The purpose of these attacks is to gauge the levels of training required for the user base and to establish the time requirements for the removal of the attack once implemented.

Technology based security can and will block the vast majority of the thousands of attacks the Council receives per day. However, social engineering, by its very nature, is directed toward the user who will click on a suspect email and enter key security identifiers such as their user name and password. It is acknowledged that no technical solution can defeat this kind of attack vector. Technology will limit the impact of any successful attack but user training remains a key factor.

Users within the Council are constantly reminded of the dangers of such attacks through email correspondence initiated by the IT Service Desk. Key IT policies and user guidelines are regularly updated and published. All policies are available to all employees with a links embedded on all user desktop screens to the HBC ICT Policies and ICT Security Policies.

What are the significant governance issues from 2017/18?

The review of the effectiveness of the Council's governance framework has identified the following significant issues to be addressed during 2018/19.

Issue	Lead Officer	Timescale
Funding The Council continues to face significant funding reductions whilst demand for Council services is increasing. The Medium Term Financial Strategy forecasts that the Council will need to identify £9m of budget savings in order to set a balanced budget for 2019/20. In light of these financial pressures, a key challenge for the Council is to maintain sufficient front-line and support service capacity and robust governance arrangements in order to continue to deliver its corporate objectives and strategic priorities for 2019/20 and beyond.	Strategic Director – Enterprise, Community & Resources	Ongoing
Liverpool City Region Combined Authority It will remain important for the Council to ensure that it continues to play a proactive role within the City Region. It will need to review and influence LCR policy ensuring that Halton's interests are well represented. It will also need to review, comment and decide on its position in relation to any further developing devolution 'asks' of City Region as they emerge. It will remain important to be fully engaged in the development of future LCR policies.	Chief Executive	Ongoing

Issue	Lead Officer	Timescale
Local Code of Corporate Governance The Council recognises that the guidance document 'Delivering Good Governance in Local Government: Framework 2016' defines the principles that should underpin the governance of each local government organisation. In producing the 2017/18 annual governance statement the Council has reviewed its governance arrangements against the core and sub-principles contained within that Framework. This process has identified the need for the Council to update its Local Code of Corporate Governance to better demonstrate that its governance structures comply with the core and sub-principles contained in the Framework. The Council's Local Code of Corporate Governance forms part of the Council Constitution. It will therefore be updated as part of the 2018/19 review of the Constitution.		March 2019

Certification

We have been advised on the implications of the review of the effectiveness of the governance framework by the Business Efficiency Board. The review provides good overall assurance that the Council's arrangements continue to be regarded as fit for purpose in accordance with the governance framework.

Specific opportunities to maintain or develop the Council's governance arrangements have been identified through this review. We pledge our commitment to addressing these issues over the coming year and we will monitor their implementation and operation as part of our next annual review.

Signed on behalf of Halton Borough Council:

David Parr - Chief Executive

Rob Polhill - Leader of the Council