

PERTH AND KINROSS COUNCIL**Scrutiny Committee****12 June 2013****ANNUAL GOVERNANCE STATEMENT****Report by Head of Legal Services****PURPOSE OF REPORT**

The Annual Governance Statement is a key document in providing an assurance to the public about the way the Council is run. It is therefore important that governance issues are identified systematically and comprehensively and reported in a transparent manner. It is also important that these issues are reported to senior management and the relevant Committee to fulfil the requirements of the governance framework, namely openness, transparency and integrity.

1. BACKGROUND / MAIN ISSUES

The Annual Governance Statement explains how Perth & Kinross Council complies with national standards for good corporate governance and meets the requirements of relevant legislation and current good practice. It is required to be signed and published along with the Annual Financial Statement.

2. SIGNIFICANT GOVERNANCE ISSUES

Within the statement the key section details any 'Significant Governance Issues' that have been identified during the year. These are governance issues that have been identified as being common to most Council Services or such that they would have a significant impact on the Council.

They are identified using the following methods: -

2.1 Self Assessment Forms (based on Cipfa/Solace Good Practice Guidance)

These forms are issued each year to Services and individual officers to complete. Evidence is requested to ensure that governance issues have been complied with and the recipients are asked to make a judgement as to full compliance with each governance point.

2.2 How Good is our Council

This self assessment exercise is reviewed and any improvement action noted.

2.2.1 Internal and External Reports

The following reports are reviewed and any improvement actions noted: -

- Service BMIP's
- Annual Performance Reports
- Internal Audit Reports
- External Reports
- External Inspection Reports

Committee Agendas are also scrutinised and each report scanned and any improvement action noted.

In addition the Risk Register is scanned for any Blue or Red risks indicating a failure in control.

3. ISSUES

During the preparation of the statement in 2010/11 & 2011/12 it was felt that there were other possible sources of information which might usefully contribute to the list of Significant Governance Issues.

This might include reports to other groups in the Council such as Member / Officer groups, EOT, CMG, CRG, etc.

It is recognised that access to these reports can be restricted and there might, therefore, be issues related to confidentiality if such reports were to be considered. The Executive Officer Team therefore review the draft Annual Governance Statement and make any changes to it that they think are necessary, including reasons for these changes and approve it before submission to Committee.

4. CONCLUSION AND RECOMMENDATION(S)

The Scrutiny Committee is asked to;

- (a) Discuss and approve the 2012-2013 Annual Governance Statement.

Author(s)

Name	Designation	Contact Details
Pamela Dickson	Complaints & Governance Officer	Council Buildings, 2 High Street Perth PH1 5PH Ext. 475527

Approved

Name	Designation	Signature
Ian Innes	Head of Legal Services	
Date 28 May 2013		

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Council Text Phone Number 01738 442573

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

The undernoted table should be completed for all reports. Where the answer is 'yes', the relevant section(s) should also be completed

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	None
Corporate Plan	None
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	None
Risk	None
Consultation	
Internal	Yes
External	Yes
Communication	
Communications Plan	None

2. Consultation

Internal

- 2.1 Staff from each Service have been consulted to assist in the preparation of this statement.

External

- 2.2 Staff from a number of external organisations have provided information to enable the Statement's completion.

3. BACKGROUND PAPERS

Please refer to Section 2 of the report for this information.

4. APPENDICES

The 2012-2013 Annual Governance Report is attached as Appendix A

ANNUAL GOVERNANCE STATEMENT 2012/13

1. Scope of Responsibility

- 1.1 Perth & Kinross Council has to ensure that it conducts its business in accordance with the law and proper standards. It must ensure that public money is safeguarded, properly accounted for, and used appropriately. The Council has a legal duty to keep accounts and to follow proper accounting practices.
- 1.2 To fulfil these duties, the Council has to put in place arrangements for the governance of its affairs, including arrangements for the management of risk.
- 1.3 This statement explains the way Perth & Kinross Council complies with national standards for good corporate governance and meets the requirements of relevant legislation and current good practice.
- 1.4 Perth & Kinross Council's Local Code of Corporate Governance can be found on the Council's [website](#) or a copy can be obtained from the Head of Legal Services at Perth & Kinross Council, 2 High Street, Perth, PH1 5PH.
- 1.5 This statement must also cover the six organisations that are included in the Council's Group Accounts.

For Live Active Ltd and Horsecross Ltd, reliance has been placed upon the unaudited financial statements of the companies. In addition assurance has been placed on internal control information taken from the Council's contract with Live Active Ltd, and the Service Agreement with Horsecross.

For Tayside Joint Police Board, Tayside Contracts Joint Committee and Tayside Valuation Joint Board, reliance has been placed upon each organisation's Annual Governance Statement.

For Tayside Fire & Rescue Board, its individual Statement of Internal Financial Control has been reviewed. These, together with written assurances, provide comfort that no material weaknesses have been identified within their internal financial control systems.

2. The Governance Framework

- 2.1 The governance framework enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.
- 2.2 It is made up of the systems and processes, cultures and values by which the Council is directed and controlled. It also includes the way in which the Council accounts to, engages with and leads the community.

- 2.3 The governance framework is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable assurance of effectiveness. It is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood and impact of those risks being realised, and to manage them efficiently, effectively and economically.

3. Perth & Kinross Council's Structure

- 3.1 Perth & Kinross Council is made up of 41 councillors who are elected by the residents they represent. The Council has 13 committees each with specific remits. The Council and its committees meet to consider business regularly according to a published schedule.
- 3.2 The Chief Executive is the Head of Paid Service for the Council. The Council's officers are formed into four Services, led by the Chief Executive and three Executive Directors. Two of the Executive Directors also act as Depute Chief Executive. Each Service is split into functional areas led by Heads of Service.

4. Perth & Kinross Council's Governance Framework

- 4.1 The Council's Scheme of Administration set out the role of committees in decision-making and the delegated decision-making powers of individual officers. The Chief Executive or any Executive Director is able to make any urgent decision provided all such decisions outwith their normal delegated powers are reported to the next available meeting of the Council or relevant Committee.
- 4.2 The Chief Executive and Executive Directors meet regularly as the Executive Officer Team. Individual Services have their own Service Management Teams. Depute Directors and Heads of Service also meet as the Corporate Management Group which has a key role in the development and implementation of Council strategy and policy.
- 4.3 The Council's objectives and priorities are set out in its Corporate Plan for 2013-18 which was approved by Council on 27 February 2013. It sets out a vision and describes how the Council will achieve the outcomes contained in the Single Outcome Agreement with the Scottish Government. Outcomes and performance indicators within the Single Outcome Agreement are monitored every month by exception by the Executive Officer Team.
- 4.4 The Council works to deliver services with other public sector organisations in the area in the Perth and Kinross Community Planning Partnership. Its objectives are set out in the Community Plan which relates to the Community Planning Partnership's Single Outcome Agreement. The Council's performance monitoring arrangements are linked to those of the Community Planning Partnership.

- 4.5 The Council has set out areas of corporate improvement activity around people, process and culture in its Corporate Improvement Plan for 2013–18 which was approved by the Council on 27 February 2013. Corporate improvement actions are led and monitored by the Corporate Management Group and its sub-groups.
- 4.6 Individual Service Plans (Business Management & Improvement Plans) set out detailed actions and outcomes for each Service and include performance indicators.
- 4.7 Monthly training sessions, by means of delayed opening, are held to update staff about Council policies and procedures and key legislation. All new employees undergo a compulsory induction programme that covers key roles and procedures. There is an annual employee review and development process. Regular Team briefings are held and on-line training courses are available. This ensures that policies and procedures are communicated throughout the Council.
- 4.8 The Council maintains a register of Corporate Business Risks which are monitored by the Executive Officer Team on a monthly basis via the Performance and Risk Report. Similarly, Service risks are identified and managed within each Service. The risks associated with each major project undertaken by the Council are identified and managed through appropriate project management arrangements and reports are produced for each project deemed to be of high risk or of a value greater than £500,000 and submitted on a monthly basis to a sub-group of the Corporate Management Group.
- 4.9 The Council has a programme of Best Value Reviews, which are designed to ensure continuous improvement in the economy, efficiency and effectiveness of services. The annual service planning process ensures that Services meet the needs of customers, and that targets for quality improvements are set and monitored.
- 4.10 Annual budgets are set by the Council, and each budget is allocated to a named budget holder. The responsibilities of budget holders in financial management are included in the Council's Financial Regulations and training has been provided to budget holders. Budgets are monitored regularly. The Council's financial performance is monitored regularly by the Executive Officer Team and the Strategic Policy & Resources Committee.
- 4.11 The Council publishes an Annual Report on its performance against the objectives set out within the Corporate Plan. The Council also publishes an “at-a-glance” [scorecard](#) on its website showing the Council's performance against its Single Outcome Agreement targets. Service Plans, which include performance indicators, flow from the Corporate Plan priorities, and feed into the targets contained within Team Plans. Service Management Teams regularly review the performance of their Service and the Executive Officer Team monitors performance each month on an exception basis. Service performance is reported to the Executive Officer Team and then to relevant committees, every six months.

- 4.12 Performance is also discussed on a regular basis between the Chief Executive and each Executive Director as part of the annual appraisal process. This process is replicated at Service level.
- 4.13 The Council has a published process for dealing with complaints from members of the public. There are also appropriate arrangements for employees to report concerns about possible wrong-doing in the Council and particular arrangements for them to report concerns about fraud or corruption.
- 4.14 The Council has a strategy for engaging with communities and has agreed a Statement of Intent with its Community Planning Partners to support a co-ordinated approach to community engagement. The Council continues to embed its locality planning approach by broadening its opportunities to engage more widely by developing locality leadership models.
- 4.15 The Council's Chief Financial Officer is a key member of the senior management team and helps to develop and implement strategy and to resource and deliver the Council's strategic objectives sustainably and in the public interest. The Chief Financial Officer is 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 aligned with the Council's financial strategy.
- 4.16 The Council's Internal Audit team reports directly to senior management on the adequacy of system controls and, where necessary, makes recommendations for improvement. A report is produced following each completed audit and is discussed with the appropriate level of management within the Council. Each report contains a Management Action Plan that details the action agreed for each audit finding, the priority, accountable manager and agreed implementation date. Audit reports are considered by the Audit Committee.
- 4.17 A risk-based internal audit plan is prepared annually in a process which reviews all the significant activities and systems that contribute to the achievement of the Council's objectives. Audits are prioritised based on the resources available and a combination of the significance of the activity or system in relation to the Council's objectives; the likely consequences of a failure of control; the degree of change in the activity or system; the assessed strength of the internal controls in place.
- 4.18 The Council has arrangements in place for the management of information risk including an information security policy and standards. This area continues to be developed to ensure that the Council has in place the correct protective measures and training to ensure against breaches of the Data Protection Act.
- 4.19 The Council is a partner in the Tayside Procurement Consortium with Dundee and Angus Councils. The aims of this consortium include maximising efficiency and collaboration and delivering and demonstrating real cash savings across the public sector. The Council continues to embed a robust contract

governance system to enable the Council to successfully monitor and manage its major contracts and to help resolve any disputes.

5. Review of Effectiveness

- 5.1 The Council has a responsibility for conducting, at least annually, a review of the effectiveness of its governance framework. This review is informed by the work of the Executive Officer Team, senior managers and the internal auditors who have a responsibility for the development and maintenance of the governance environment. Comments made by external auditors and other agencies and inspectorates are also taken into account.
- 5.2 The Council is responsible for ensuring that its financial management is adequate and effective and that there is a sound system of internal control that is regularly reviewed. As such, it agrees the Financial Regulations, which form an integral part of the Corporate Rules. It also approves and sets the Annual Budget, which provides the framework for budget setting and good budgetary control.
- 5.3 The Strategic Policy & Resources Committee receives regular financial monitoring information as part of the budgetary control framework.
- 5.4 The Scrutiny Committee and the Strategic Policy & Resources Committee perform the overview and scrutiny role in relation to all matters pertaining to the governance of the Council, including review of the Corporate Rules, its political arrangements and rules of procedure. The Audit Committee approves the annual audit plan and receives the annual audit report.
- 5.5 Internal Audit completed and issued 12 planned audits during the period covered by this statement.
- 5.6 The Council's Corporate Governance arrangements include clearly defined roles and responsibilities for all Chief Officers and statutory officers, including the Chief Executive, the Chief Social Worker, the Monitoring Officer and the Section 95 Officer (Chief Financial Officer).
- 5.7 The Council's corporate rules include Standing Orders and Financial Regulations. All proposals of a significant nature are assessed for legality and financial impact prior to a decision being made. Mechanisms are in place to ensure that the Council implements new legislation.
- 5.8 The Council has designated the Executive Director (Environment) as the Senior Information Risk Officer and an information security management forum meets on a regular basis.

6. Significant Governance Issues

- 6.1 The Annual Internal Audit report for 2012/13, notes that reasonable reliance can be placed on the Council's systems of internal control for 2012/13, subject

to management implementation of the agreed actions detailed in Internal Audit reports and summarised within section 2 of the report.

- 6.2 The exceptions and reservations highlighted have been, or will be, addressed through the actions set out below. However, the areas highlighted are not considered to affect the acceptable level of assurance.

Issue No	Issue Identified	Source of Evidence	Action
1	Further improvement in the provision of internal audit services is required.	Self Assessment Exercise & Audit Scotland May 2013.	Internal Audit will complete its approved 2013-2014 audit plan and provide evidence of improved working practices to the Audit Committee by April 2014.
2	The Information Management system requires further development	Executive Officer Team	A review of the Information Management Strategy will be completed by the end of 2013 and progress of the related actions monitored by the Policy and Governance Group.

Issue No	Issue Removed	Source Of Evidence	Reason for Removal
1	Further improvement between workforce planning, asset management and medium term financial planning is required.	Corporate Workforce Plan 2013-18	An action plan has been developed and is being monitored by the Corporate Management Group responsible for the strategic direction, development, prioritisation, monitoring and review of this plan.
2	The Contract Governance structure within the Council requires further development	Executive Officer Team	The Strategic Investment Board now monitors all capital projects and meets on a monthly basis.

- 6.3 The Governance Framework has been in place for the financial year ended 31 March 2013 and up to the date of approval of the Annual Report and statement of accounts. Procedures are in place to ensure that there is continuous improvement.

6.4 It is our view that as far as possible the Council has established an acceptable level of internal control, risk management and corporate governance framework on which it will develop and improve.

Signed:

Bernadette Malone
Chief Executive

Perth & Kinross Council

Date:

Ian Miller
Leader of the Council

Perth & Kinross Council

Date:

