

ANNUAL GOVERNANCE STATEMENT 2019/20

1 Introduction

- 1.1 Good governance is key to the success of Perth & Kinross Council. It supports better informed decision-making, the efficient use and management of our resources, high quality performance, greater scrutiny and accountability, resulting in better outcomes for the communities we serve.
- 1.2 The purpose of the Annual Governance Statement is to give assurance to the people of Perth & Kinross, our Elected Members, staff, partner agencies and other stakeholders that our governance arrangements are effective and our system of internal control is robust.

2 Scope of Responsibility

- 2.1 As a public body, the Council must act in the public interest at all times. It must behave with integrity, conduct its business in accordance with the rule of the law and demonstrate a strong commitment to ethical values. We must demonstrate and ensure that public money is used economically, efficiently, and effectively to deliver sustainable outcomes for the people of Perth & Kinross
- 2.2 The Local Government in Scotland Act 2003 also places a specific duty on the Council to make arrangements to secure best value and ensure continuous improvement in terms of the services it delivers to our communities.
- 2.3 A comprehensive and robust governance framework is integral to the Council's ability to discharge these responsibilities and deliver good outcomes. The Annual Governance Statement seeks to provide assurance that our governance framework is appropriate, adequate and effective in enabling the Council to deliver good outcomes and manage risk.
- 2.4 As well as providing assurance as to the effectiveness of the governance arrangements in place for the Council, this Annual Governance Statement also covers the six organisations that are included in the Council's Group Accounts.
- Live Active Leisure Limited (subsidiary)
 - Horsecross Arts Limited (subsidiary)
 - Culture Perth & Kinross Limited (subsidiary)
 - Tayside Valuation Joint Board (associate)
 - Tayside Contracts (associate)
 - Perth & Kinross Integrated Joint Board (joint venture)

3 The purpose of the Governance Framework

- 3.1 Our governance framework comprises the rules, resources, systems, processes, culture and values designed to help us achieve our strategic objectives and provide effective, good quality services in the most cost effective way possible. A crucial part of the governance framework is the system of internal control which is designed to manage the risk of a failure to the achievement of our intended outcomes.
- 3.3 The Council manages risk through a continuous process of identification, assessment, evaluation, prioritisation and mitigation. We evaluate risk on the basis of likelihood and impact in both financial and non-financial terms. We do however need to mitigate and manage risk proportionately; recognising that risk can never be eliminated completely and that only reasonable assurance can ever be given.
- 3.4 The purpose of the governance framework, therefore, is to ensure that we are using all of our resources effectively to deliver good outcomes for our communities and to provide assurance that we are indeed doing the right things, for the right people at the right time in an open, honest and accountable way.

4 Our Governance Framework

4.1 We recognise that the following are fundamental elements of good governance within public sector organisations:-

- Leadership, Culture & Values
- Vision, direction & purpose
- Stakeholder Engagement
- Organisational Development
- Effective Decision Making
- Internal Controls
- Scrutiny & Accountability

4.2 These fundamental elements of our governance framework reflect and seek to embed the principles of good governance within the International Framework: Delivering Good Governance in the Public Sector developed by CIPFA and the International Federation of Accountants, now incorporated into the 2016 CIPFA Framework for Delivering Good Governance in Local Government, namely :

- Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law
- Defining outcomes in terms of sustainable economic, social and environmental benefits
- Ensuring openness and comprehensive stakeholder engagement
- Developing the entity's capacity, including the capability of its leadership and the individuals within it
- Determining the interventions necessary to optimise the achievement of the intended outcomes
- 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

4.3 Our governance arrangements are underpinned by the fundamental principles and the requirements of legislation and legislative best practice. They can be summarised as follows:

- Our vision is the achievement of the shared priorities and intended outcomes for the citizens of Perth & Kinross defined in our [Local Outcome Improvement Plan](#) and our [Corporate Plan](#). Building Ambition: Our Transformation Strategy together with our Revenue budget for 2019/20 our Capital Programme, our Housing Investment Programme, and other strategic documents provide the necessary direction to the organisation to enable it to deliver on its vision and achieve its purpose.
- There is effective communication between Members and Management through Leaders Meetings, Convenors meetings, Member Officer Working Groups and all-member briefings where appropriate. There are also regular pre agenda discussions in respect of each scheduled Council and Committee meeting.
- There are effective arrangement in place for the discharge of the following functions:
 - Head of Paid Service
 - Monitoring Officer
 - Chief Finance Officer
 - Chief Social Work Officer
 - Data Protection Officer
- Our culture and values are reflected in everything we do as an organisation. They are determined by our decision-making and behaviours and are reflected in our key corporate and community documents and strategies, our Local Code of Corporate Governance, Elected Member and Employee Codes of Conduct, Whistleblowing and anti-fraud and corruption policies, Elected Member Register of Interests,

Gifts & Hospitality Policy and in our suite of policies, processes and procedures ensuring that as a Council we respect the rule of law, behave with integrity, promote a culture of good governance and demonstrate a strong commitment to ethical values.

- We recognise the importance of good stakeholder engagement in redesigning and reshaping public services and we will continue to actively engage with our communities, partners and other stakeholders to ensure that our services best meet their needs. 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. Our approach to consultations is based on the [National Standards for Community Engagement](#) and we have established a wide range of [consultation processes and procedures](#). The Community Empowerment (S) Act 2015 provides a framework for improving the quality of engagement and participation which will be reflected in our [Local Outcome Improvement Plan](#).
- We recognise that in an increasingly complex and financially challenging public sector landscape we have to be able to adapt and evolve our services and workforce to continue delivering cost efficient, high quality services. Our people remain are our most valuable asset and as an organisation we will secure the best outcomes for our communities by investing in the development of our workforce and of our leaders to ensure that they have the right skills and have sufficient capacity to deliver. Our approach is outlined Corporate Workforce Plan – Developing Talent and our “Learn, Innovate Grow” philosophy is being embedded across the organisation to create a highly motivated, skilled and agile workforce. There is a programme of leadership development in place for our managers and a comprehensive induction programme is in place for Elected Members. An ongoing training programme will be developed in consultation with Members to ensure that it meets their needs going forward.
- The Council’s Scheme of Administration sets out the role of committees in decision-making and the delegated decision-making powers of individual officers. The committees, boards and panels we have established ensure proper democratic engagement and provide an appropriate mechanism for effective decision making and accountability. As a local authority, the extent of our decision-making powers are determined by statute and regulation. Our report template is designed to ensure that legal and financial checks are carried out before a report is presented for decision. It also provides that appropriate internal and external consultations and where relevant, options appraisals, ensure that decision makers are appropriately informed to determine the best course of action in the circumstances.
- The Council has developed and implemented a suite of policies, procedures and management processes to ensure that there are appropriate **internal controls** in place in respect of:-
 - Workforce Management
 - Financial management
 - Officer /Member relations
 - Performance Management
 - Change & Improvement
 - Workforce Planning
 - Risk Management
 - Procurement
 - Major Investment Project Management
 - Health & Safety
 - Information Management
 - Information Security
 - Civil Contingencies & Business Continuity
 - Anti- Fraud & Corruption
 - Conflicts of interests
 - Gifts & Hospitality
 - Whistle-blowing and reporting concerns
 - Complaints handling
 - Funding External bodies / ALEO’s

- As a public body we must be open, transparent and accountable for our decisions, actions and performance. Our management and democratic structures and processes are designed to facilitate effective decision making and the proper scrutiny of those decisions and their impact in terms of performance and the achievement of our intended outcomes.
- The Council has set a three year budget (years 2/3 provisional). Each budget is allocated to a named budget holder. Budgets are monitored regularly by Service Management Teams and overall financial performance is monitored regularly by the Executive Officer Team. The Strategic Policy & Resources Committee receives regular financial monitoring information as part of the budgetary control framework and provides the required political scrutiny of our financial management and performance.
- Capital spend is monitored by Senior Management through the Strategic Investment & Improvement Board and reported regularly to the Executive Officer Team and the Strategic Policy & Resources Committee as part of the budgetary control framework. The Capital Programme Office monitors project milestones.
- The annual service planning process ensures that Services meet the needs of customers, and that targets for quality improvements are set and monitored. Individual Business Management & Improvement Plans set out detailed actions and outcomes for each Service and include performance indicators. Service performance is reported regularly to the Executive Officer Team and publicly through the Council's themed committees and the Scrutiny committee. Financial performance is publicly reported through the Strategic Policy & Resources Committee and relevant service committees.
- The Council publishes an [Annual Performance Report](#) on its performance against the objectives set out within the Corporate Plan and Local Outcome Improvement Plan.
- The Council's Transformation Programme is scrutinised by Service Management Teams, the Executive Officer Team and the Modernising Governance Member Officer Working Group. Progress is reported regularly to the Council's Strategic Policy & Resources Committee.
- The Council has a published process for dealing with the following and annually reports on performance in this respect of these areas: -
 - complaints from members of the public;
 - requests for access information under the Freedom of Information legislation
 - access information under the Data Protection legislation

5 COVID-19 Pandemic Governance Arrangements

5.1 In light of the COVID-19 pandemic, the Council implemented effective and appropriate civil contingencies arrangements. These have ensured: -

- a clear decision-making framework utilising emergency powers in accordance with the Council's Scheme of Administration;
- appropriate political oversight through an Elected Member Sounding Board;
- an effective operational command structure to deliver essential services and key activities to protect the health and wellbeing of our communities during this time;
- adequate and effective risk management at both a strategic and operational level of existing, new and emerging risks;
- openness and transparency by the recording and reporting of decisions taken by the Chief Executive in exercise of her emergency powers.

5.1 Opportunities to further enhance and improve the internal controls to support the delivery of better outcomes for our communities have been recognised during this period. It is understood, however, that whilst improvement actions can be identified, the focus of the Council will be on maintaining essential

services and managing the response and the recovery work that will be required to minimise the impact of COVID -19 on the communities of Perth and Kinross.

- 5.2 Planning has commenced for recovery and renewal in line with the published Scottish Government framework and a key part of that will be ensuring appropriate governance arrangements are in place.

6 Governance Assurance Process

- 6.1 The Council normally utilises a robust process of gathering assurance information from Service Management Teams which concludes with Certificates of Assurance being signed by each Director and the Depute Chief Executive/ Chief Operating Officer.

- 6.2 Due to the implementation of contingency measures related to the coronavirus pandemic, it was agreed with the Council's External Auditors that this process would be disproportionate in the current situation.

- 6.3 Instead, in keeping with advice from CIPFA, it was felt essential to gain assurance from Service Management Teams that governance during the implementation and operation of these contingency measures was subject to adequate and effective controls.

- 6.4 In discussion with the External Auditors, it was agreed that, based on the work they have done during the year, reliance could be placed on the evidence from 2018-19 and assurance that there have been no significant changes to governance arrangements during the year.

- 6.5 Reliance has also been placed on such external evidence as is available from 2019-20. This particularly includes the Council's Best Value Assurance Report published by Audit Scotland in August 2019. Note was also taken of the Joint Inspection Report of Strategic Planning in Adult Care by Health Improvement Scotland and the Care Inspectorate, inspection reports from the Care Inspectorate and Education Scotland relating to specific Council establishments, and from the National Records of Scotland regarding registration in the Council.

- 6.6 Corporate assurance has also been provided as regards the adequacy of the internal controls from the following Officers:

- Chief Finance Officer (S 95 Officer)
- Head of Legal & Governance Services /Monitoring Officer
- Chief Internal Auditor
- Corporate Procurement Manager
- Information Governance Manager
- Corporate IT Manager
- Corporate Procurement Manager
- Corporate HR Manager

- 6.7 For Arms Length External Organisations, reliance has been placed upon:

- unaudited financial statements of the companies (audited accounts will be scrutinised when available);
- assurance self-assessment evaluations
- terms and conditions of Service Level Agreements
- quarterly contract monitoring meetings with Service;
- performance information and financial monitoring reports to Service; and
- presentations to Scrutiny Committee

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

- 6.9 For Perth & Kinross Integrated Joint Board, reliance has been placed on their own Annual Governance Statement.
- 6.10 The draft Annual Governance Statement is usually considered by the Executive Officer Team, Corporate Management group and the Council's Scrutiny Committee prior to inclusion within the final draft Annual Accounts. This year, given the civil contingencies arrangements which are in place, the draft Annual Governance Statement will be considered by Gold Command and and Full Council.
- 6.11 The Annual Governance Statement is considered by the Audit Committee as part of the Annual Accounts.

7 2018/19 Governance Statement : Improvement update

- 7.1 The 2018/19 AGS identified the following areas for further review and/or improvement:-
- Communication and engagement
 - Performance management
 - Community empowerment
 - Information governance
 - Workforce planning
 - Arm's Length External Organisations
 - Integrated Joint Board – relationship governance
- 7.2 It has not been possible to obtain information about progress in these areas. Progress will be scrutinised by Service Management Teams and the appropriate Council Committees as and when possible.

8 Effectiveness of Governance Arrangements for 2019/20

- 8.1 Based on the assurance process outlined above, in terms of effectiveness, the Council's governance arrangements continue to be regarded as fit for purpose in accordance with the governance framework., subject to the areas identified for review or improvement set out in section 9 below.
- 8.2 Our financial management arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2015)
- 8.3 Our assurance arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Head of Internal Audit (2010)
- 8.4 The Council has designated the Depute Chief Executive (Chief Operating Officer) as the Senior Information Risk Owner with the Head of Legal & Governance Services as Depute. Our information security measures have been reviewed in 2019/20 to ensure continuing compliance with the Public Service Network (PSN) requirements.
- 8.5 The Chief Internal Auditor is the Council's nominated Money Laundering Reporting Officer. There has been no relevant activity in respect of Council and its group during the year.
- 8.6 We have structures in place which support constructive challenge and effective scrutiny to our system of internal control and our broader governance arrangements. In particular;-
- Scrutiny Committee
 - Strategic Policy & Resources Committee
 - Audit Committee
 - Themed Committees
 - Executive Officer Team
 - Corporate Management Group
 - Strategic Improvement & Investment Board
 - Policy & Governance Group

- External Audit (presently KPMG)

- 8.7 In addition, the Council has implemented temporary arrangements for the COVID-19 pandemic with appropriate governance arrangements.

9 Opinion of the Chief Internal Auditor

- 9.1 Audit activity and performance will be detailed in the Annual Report by the Chief Internal Auditor for the year 2019/20 when it is presented to the Council's Audit Committee. The draft report contains the Chief Internal Auditor's opinion in respect of the effectiveness of the governance arrangements in place, as follows: -

"In the Chief Internal Auditor's opinion, reasonable reliance can be placed on the Council's risk management and governance arrangements, and systems of internal control for 2019/20, subject to management implementation of the agreed actions detailed in Internal Audit reports."

10 Areas for review /continued improvement action

- 10.1 The Council's identified priorities for the foreseeable future are on recovery and renewal from, and any further response necessary to, the COVID-19 pandemic and its consequences for the people, communities, organisation and business in the area. This will include the adoption of sound governance arrangements appropriate to the circumstances.
- 10.2 Areas previously identified as requiring ongoing monitoring/review or further improvement action will continue to be scrutinised by Service Management Teams and the relevant Council Committees as and when appropriate.

STATEMENT

The Council is legally required to review of the effectiveness of its governance arrangements and to publish an Annual Governance Statement, with its Annual Accounts. The Council's Governance Framework has been in place for the majority of the financial year ending 31 March 2020, but appropriate temporary arrangements were implemented to take account of the COVID-19 pandemic. These contingency arrangements continue to operate and therefore it has not been possible to undertake the usual comprehensive review of our corporate governance arrangements. In accordance with guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA) however, the Council has reviewed the effectiveness of the existing governance framework and in particular, the internal controls.

The review of the effectiveness of the Council's system of internal control and overall governance framework has been informed by different sources assessing risk and providing assurance :-

- Executive Officer Team
- Service Management Teams
- Chief Finance Officer
- Monitoring Officer
- Chief Internal Auditor/ Internal Audit
- Policy & Governance Group
- External Audit
- External agencies and inspectorates.

The Chief Internal Auditor has provided assurance for the year 2019/20 and an Internal Audit plan will be developed for 2020/21 which that will focus on areas which have been identified as corporate or service specific risks in relation to core business and any additional risks which have arisen as a result of the COVID-19 pandemic.

Each Director, who has responsibility within the Scheme of Delegation for the development and maintenance of the system of internal control, have reviewed the current governance arrangements and internal controls within their service area and provided assurance that these are effective.

The Chief Finance Officer has provided assurance that the financial arrangements in place conform to the relevant CIPFA requirements and that our expenditure is lawful. The Monitoring Officer has provided assurance that our governance arrangements ensure compliance with relevant laws, regulations, internal policies and procedures.

We are satisfied that our governance arrangements and in particular, our system of internal control, continue to be regarded as fit for purpose in accordance with the governance framework; any identified improvement actions will continue to be delivered through existing improvement plans and change programmes to avoid duplication of effort.

We have been reassured by the way in which this Council has adapted to the challenges presented by the COVID-19 pandemic. Our governance framework and understanding of key risks have not only ensured that essential services have been maintained but that innovative arrangements could be implemented to meet new and emerging needs as these arose. As we move from emergency response measures to supporting our communities to recover from the impact of COVID-19, our governance framework will continue to be reviewed and adapted where necessary to ensure that we can build back an even stronger Perth and Kinross.

Signed:

Signed:

Karen Reid, Chief Executive
Date

Murray Lyle, Leader of the Council
Date