

WARWICK DISTRICT COUNCIL**ANNUAL GOVERNANCE STATEMENT 2021/22****1 Introduction**

- 1.1 The Accounts and Audit Regulations 2015 require the Council to prepare an annual governance statement.
- 1.2 Governance is about how an organisation is directed and controlled to achieve its objectives. It therefore comprises the systems, structures, and values that an organisation has in place to achieve those objectives. Good governance requires that objectives be achieved not only efficiently and effectively but also ethically and in compliance with laws and recognised standards of conduct.
- 1.3 Good governance comprises robust systems and sound structures together with effective leadership and high standards of behaviour.
- 1.4 In short, governance is "Doing the right things, in the right way."

2 The Purpose of the Annual Governance Statement

- 2.1 This Statement provides a summarised account of how Warwick District Council's management arrangements are set up to meet the principles of good governance set out in the Council's Constitution and how assurance is obtained that these are both effective and appropriate. It is written to provide the reader with a clear and straightforward assessment of how the governance framework has operated over the past financial year (but also up to the time of approval of the financial statements) and to identify any weaknesses or gaps in our arrangements that need to be addressed.
- 2.2 The format and scope of this Statement follows that prescribed by the Chartered Institute of Public Finance and Accountancy (CIPFA).

3 The Council's Governance Framework

- 3.1 Warwick District Council must operate in accordance with the law and appropriate standards and ensure that public money is safeguarded, properly accounted for, and used economically, efficiently, and effectively.
- 3.2 Warwick District Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised.
- 3.3 In discharging these responsibilities Warwick District Council is responsible for putting in place suitable governance arrangements, including provisions for the management of risk.
- 3.4 The governance framework comprises the systems and processes, culture, and values by which the authority is directed and controlled as well as its activities through which it accounts to, engages with, and leads its communities. It enables the authority to monitor the achievement of its strategic objectives

and to consider whether those objectives have led to the delivery of appropriate services and value for money.

- 3.5 The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve aims and objectives and can therefore provide only reasonable, not absolute, assurance of effectiveness.
- 3.6 Warwick District Council has approved and adopted a Local Code of Corporate Governance that is consistent with the principles of the latest CIPFA/SOLACE¹ Framework for Delivering Good Governance in Local Government (2016).
- 3.7 The Council's corporate strategy is set out in its Fit for the Future (FFF) programme which draws together a shared vision, setting out the Council's objectives and priorities for the district and how these are to be achieved. The FFF programme is the key planning instrument for the Council. In February 2020 the Council adopted a new Business Strategy. The Strategy is based around five themes and is used to identify and prioritise the work programme up to 2023. Officers have commenced work on a revised Business Strategy in readiness for discussions with the new administration to be elected in May 2023.
- 3.8 Delivery of the Council's change programme is through the Service Area Plans in which the corporate objectives are translated into more specific aims and objectives. These are then fed down into individual performance development reviews through the Council's performance appraisal system. These include agreed expectations and, where appropriate, service standards against which service quality and improvement can be judged. Performance is monitored by individual services and made available to all Councillors through the Business Improvement Portal.
- 3.9 This said effective performance management oversight has not been fully resolved, and the range and content of performance data that councillors receive is under review as part of the Service Area Planning Process. Training is also being investigated to have a briefing for Councillors on improved access to the data and scrutiny of it.
- 3.10 Warwick District Council's Constitution establishes the roles and responsibilities for members of the Cabinet, Finance & Audit (F&A) Scrutiny Committee, Overview & Scrutiny (O&S) Committee and Standards Committee, together with officer functions. It should be noted, however, that the Committee arrangements changed from May 2022 with the establishment of a new Audit & Standards Committee to replace F&A with elements of F&A's remit moving to O&S. It includes details of delegation arrangements, the Councillors' Code of Conduct, and protocols for councillor/officer relations. The Constitution is kept under review to ensure that it continues to be fit for purpose. The Council has adopted a Standards regime pursuant to the Localism Act 2011 and appointed a Standards Committee. Conduct of officers is governed through the Employee Code of Conduct and through the values and behaviours which are part of the Council's individual performance appraisal system.

¹ Chartered Institute of Public Finance & Accountancy / Society of Local Authority Chief Executives
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- 3.11 The Constitution contains procedures, rules and financial regulations that define clearly how decisions are taken and where authority lies for decisions. The statutory roles of Head of Paid Service, Monitoring Officer and Chief Financial Officer are described together with their contributions to provide robust assurance on governance and that expenditure is lawful and in line with approved budgets and procedures. The influence and oversight exerted by these posts is backed by post-holders' membership (whether permanent or 'as required') of the Senior Leadership Team² (SLT).
- 3.12 In 2010 CIPFA published a statement on the Role of the Chief Financial Officer (CFO) in local government, setting out core principles and standards relating to the role of the CFO and how it fits into the organisation's governance arrangements.
- 3.13 A specific statement is required to be reported in the Annual Governance Statement on whether the authority's financial management arrangements conform to the governance requirements of the CIPFA Statement.
- 3.14 The governance requirements in the CIPFA Statement are that the CFO should be professionally qualified, report directly to the Chief Executive and be a member of the Leadership Team³, with a status at least equivalent to other members. The Statement requires that if different organisational arrangements are adopted the reasons should be explained publicly in the Council's Annual Governance Report, together with how these deliver the same impact.
- 3.15 The Council's financial management arrangements conform to the CIPFA Statement other than in just one specific aspect:
- Head of Finance having responsibility for Asset Management.
- 3.16 With regard to asset management, responsibility for this comes under the post of Head of Assets. As with all heads of services, the Head of Assets is part of the Senior Leadership Team.
- 3.17 The Cabinet provides the strategic direction for the Council, ensuring that the Council's priorities are established and that corporate objectives are set and achieved.
- 3.18 The primary counterbalances to the Cabinet are the Finance & Audit Scrutiny (now Audit & Standards) and the Overview & Scrutiny Committees. The roles of these committees include the opportunity to provide a robust challenge to the Cabinet.
- 3.19 The Finance & Audit/Audit & Standards Scrutiny Committee monitors the performance of the Council, fulfilling the core functions of a typical 'audit committee' in respect of External Audit, Internal Audit and Risk Management. The Committee seeks assurance from the relevant Cabinet councillor (Portfolio Holder) and/or senior manager when it has concerns or queries in respect of matters relating to particular service areas.

² The Senior Leadership Team comprises heads of services together with the Chief Executive, Deputy Chief Executive and Programme Director for Climate Change.

³ In the Council's case, this is the Senior Leadership Team.

- 3.20 'Task and Finish' Groups, comprising solely councillors, are appointed by the Scrutiny Committees to examine various issues in detail. These Groups report back to their respective Scrutiny Committees with recommendations on improvements which are, when approved, taken forward.
- 3.21 The Council has a formal complaints procedure which allows the public or other stakeholders to make a complaint regarding the service received from the Council or the conduct of councillors. The Standards Committee has responsibility for overseeing the investigation of complaints against councillors.
- 3.22 The Council has policies to help safeguard the organisation and its staff when making decisions. An Anti-Fraud and Corruption Strategy and set of Policies and Procedures, including a Fraud Response Plan, Whistleblowing Policy and Procedure, Money Laundering Policy and Procedure and Bribery Act 2010 Policy and Procedure, have been developed and communicated to all staff via the intranet and as part of the Staff Induction process. The Anti-Fraud and Corruption Strategy and the Whistleblowing Policy are reviewed by councillors annually.
- 3.23 The Council has embedded Risk Management throughout its arrangements with the Significant Business Risk Register (in effect, the Council's corporate and strategic risk register) being reviewed and updated each quarter, firstly by the Senior Leadership Team and then by the Finance & Audit/ Audit & Standards Scrutiny Committee before being considered by the Cabinet who assumes overall responsibility for it.
- 3.24 Council services are delivered by staff with the appropriate skills, training, and level of experience. Job Descriptions and Person Specifications are in place for all posts and together with a rigorous recruitment and selection process this helps to ensure that the best candidates are appointed into each position. A significant commitment has also been made towards retaining good staff, by offering numerous 'work friendly' schemes and where possible encouraging succession planning and promotion from within. This ensures that valuable skills and experience are retained and passed on, rather than being lost. Training needs are identified through the performance appraisal system.
- 3.25 The individual performance appraisal system has been operated in the Council for several years, having been reviewed and subsequently refined on several occasions. Staff are measured against operational objectives that derive from the Business Strategy. The performance appraisal system also identifies learning and developmental needs to ensure that appropriate training is made available to staff to ensure that they can undertake their role effectively and have the opportunity to develop.
- 3.26 Programme Advisory Boards (PABs) have further developed in the year with one for each Portfolio Area. The PABs act in an advisory capacity, or providing guidance, in developing the projects/policies of Warwick District Council and in doing so, enabling backbench members to have greater involvement in shaping the executive decisions of the Council, particularly on services, key projects and programmes (but not day to day operations). This also helps to utilise the skills, knowledge, and talent of all Councillors in a more effective way. There is further development work to ensure a more consistent approach

of the PABs and a report is anticipated to come forward from the Leader of the Council in the new Municipal year.

- 3.27 The Council has also established a joint advisory group of Councillors and a Joint Cabinet Committee with Stratford-on-Avon District Council in respect of the South Warwickshire Local Plan. The latter had its first meeting in April 2021. This will continue despite the decision by both sets of Members not to proceed with the merger proposals.
- 3.28 The two Scrutiny Committees have continued to reflect and develop their core areas of work. They have revised how they select areas for scrutiny, having developed and tested a method for selecting areas to look at. This was considered for formal adoption at the scrutiny meetings in April 2021.
- 3.29 The Council strives to be open and accessible to the community. All Council committee meetings are open to the public except where confidential matters are discussed. All agendas and minutes are placed on-line, along with the Council's policies and strategies. Councillors are encouraged to ask questions on reports in advance of the committee meetings and, unless they are on confidential matters, these and the answers are then made available to the public on the Council's website along with the agenda and papers. All Council meetings that are held in the Council Chamber, such as the meetings of the Council's Cabinet, are recorded and broadcast via YouTube. When identifying the priorities and objectives for Council strategies, the views of stakeholders and the wider community are sought through a number of consultation mechanisms and are taken into account.
- 3.30 There are terms of reference and constitutions set up for key partnerships which ensure that partners act lawfully throughout the decision-making process. Key partnerships include the Coventry and Warwickshire Local Enterprise Partnership and South Warwickshire Crime and Disorder Partnership. Warwick District Council also works closely with several other councils and operate shared services for Building Control, Business Rates, Corporate Fraud and Legal Services.
- 3.31 At the end of 2019, the Council introduced the position of Performance Management Officer. Part of the role is to monitor the information published on the website to ensure it meets the 2015 Local Government Transparency Code. The Council strives to publish information that is accessible and understandable to Councillors and the public and continues to seek to make improvements in this. An example of this is achievement of the required Website Content Accessibility Guidelines (WCAG).
- 3.32 Also, the Council's Scrutiny Committees looked at various areas of Council decision-making and service delivery, with their annual reports submitted to Council. This included a Task & Finish Group that looked at Equality and Diversity, with an emphasis on race. The resultant recommendations, having been considered by both the Cabinet and the Employment Committee, were passed to the Transformation PAB for consideration.
- 3.33 As a key element of the governance framework, Internal Audit reviews are undertaken each year on a range of activities including one covering a specific aspect of governance.

4 Review of Effectiveness

- 4.1 Warwick District Council is required legally to conduct an annual review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of managers within the authority who have responsibility for the development and maintenance of the governance environment, the Audit & Risk Manager's annual report, annual service assurance statements completed by heads of services and by the findings and reports issued by the external auditors and other review agencies and inspectorates.
- 4.2 More information on the arrangements that provide this assurance is set out below.
- 4.3 The Council's Monitoring Officer (also Deputy Chief Executive) has responsibility for overseeing the implementation and operation of the Code of Corporate Governance, maintaining and updating the Code in the light of latest guidance on best practice, contemplating any changes that may be necessary to maintain it and ensure its effectiveness. All reports to Cabinet, Committees and Council are seen by the Monitoring Officer to ensure compliance with legal requirements.
- 4.4 The Council's Section 151 Officer has responsibility for the proper administration of the Council's finances. This includes responsibility for maintaining and reviewing the Code of Financial Practice and Code of Procurement Practice to ensure they remain fit for purpose and submitting any additions or changes necessary to the full Council for approval. An updated Code of Procurement Practice was agreed by Council in December 2018. The Section 151 Officer is also responsible for reporting any significant breaches of the Codes to the Cabinet and/or the Council. All reports to Cabinet, Committees and Council are seen by appropriate staff within the Finance Department to ensure compliance with financial requirements.
- 4.5 The CIPFA Statement on the Role of the Head of Internal Audit in Public Service Organisations requires the head of internal audit to give an opinion annually to the Authority on its risk management, governance, and control environment and that this should be used as a primary source of evidence for the annual governance statement. In regard to this, the Audit and Risk Manager's Annual Report and Opinion for 2021/22 has concluded that, in overall terms, the Council has an effective internal control and governance environment. This statement is based, however, on those audits that were able to be completed - the inability to complete three planned ICT audits inevitably qualifies this assurance.
- 4.6 In addition to the above, the Council has conducted a formal review of its internal control environment and collated evidence and assurance from a variety of sources. This has included assurances, set out on "service assurance statements", from heads of services on the effectiveness of the internal control environment. The Statements did not reveal any issues of significant concern.
- 4.7 The work of the Council's Internal Audit function is governed by the UK Public Sector Internal Audit Standards (PSIAS). The PSIAS are mandatory for all internal auditors working in the UK public sector. The Standards require an external and independent assessment at least every five years of the

performance of public sector internal audit units and their conformance with the PSIAS. In Warwick District Council's case a review was undertaken in 2020/21. Some areas for improvement were identified with the principal one being that the service should undertake a more risk-based approach, particularly in regard to compilation of the Audit Plan. An essential element of the assessment is to confirm that the annual audit opinion issued by Internal Audit may be relied upon as a key source of evidence and assurance and this was found to be the case. The findings of this review together with an action plan to address the issues raised were reported to the Finance and Audit Scrutiny Committee in March 2021 with an updated report in December 2021.

- 4.8 Grant Thornton was appointed as the Council's External Auditor for five years from 2018/19 to 2022/23 and is responsible for reviewing the Council's Statements of Accounts. In addition to reviewing the 2021/22 Statement of Accounts, Grant Thornton issued a formal opinion on the Council's arrangements for securing Value for Money, concluding that the Council had made proper arrangements in all significant respects to secure economy, efficiency, and effectiveness in its use of resources.

5 The Impact of the Coronavirus Pandemic

- 5.1 The pandemic is revealing many issues the Council will need to reflect on as the business returns to a 'normalised state'. It is already clear that the possibilities provided by new technology and an appetite for flexible working need to be fully harnessed to improve factors such as: work/life balance; equality, diversity, and inclusion; environmental impact; and health and well-being of both officers and Members.
- 5.2 A consequence for the Council of the pandemic has been the reduction in income from sources such as parking charges, planning fees and rent and service charges. Whilst it is not the remit of the Annual Governance Statement to go into the detail of the impact, there will be issues of financial governance to reflect upon which must cover management, monitoring, review, and scrutiny.
- 5.3 In order to help to mitigate the financial impacts of the pandemic upon local authorities, the Government has issued various ring-fenced and non-ring-fenced grants. Whilst this significantly assisted the Council's finances in 2020/21 and 2021/22, it did not fully compensate for the financial losses. The Council's finances are still experiencing after-shocks because of the pandemic.
- 5.4 The on-going financial implications continue to be assessed by officers and be reported to members to help to inform the decision-making process.

6 Update on Joint Working and Merger with Stratford-on-Avon District Council

- 6.1 During 2020/21 the international accountancy and consultancy firm, Deloitte, was commissioned to undertake a review of the financial and non-financial benefits of integration between Warwick District Council and Stratford-on-Avon District Council, up to and including the possibility of a full merger between the organisations.

- 6.2 The principal recommendation from Deloitte was that to achieve the maximum potential financial and non-financial benefits for the residents of South Warwickshire a full merger of the two councils should be considered. (The report can be viewed by clicking on the following link: [Deloitte Report.](#))
- 6.3 In December 2021 both Councils committed to seeking a full merger to create a new single statutory council for South Warwickshire by April 2024.
- 6.4 By the end of the 2021/22 financial year, the following progress towards a merger of the two councils had been made:
- A public consultation exercise on the proposals had been undertaken.
 - Approval for the merger had been sought from the Secretary of State.
 - Operational integration between the two authorities was well advanced with all heads of services being joint appointments and some services being either jointly provided or provided from one authority to both.
 - In relation to joint contracts and arrangements, the Waste Management Contract had been procured jointly.
 - A detailed paper on preparing a Local Plan for South Warwickshire had been agreed.
 - Several key policies had been aligned, including:
 - Joint Organisational Change Policy Statement
 - Joint Redeployment Policy and Procedure
 - Joint Redundancy Policy and Procedure.
- 6.5 However, following a meeting between Council Leaders and Chief Executives on 14 April 2022, the Leader of Stratford on Avon District Council wrote to the Secretary of State to request a delay pending further due diligence to be completed on Milverton Homes, a company set up and wholly-owned by Warwick District Council. Conversely, the Leader of Warwick District Council considered that ongoing due diligence should not prevent the service integration progressing as planned and felt that delaying the merger would create further uncertainty for residents seeking assurances about local services as well as greater uncertainty for staff, especially those facing redundancy. The Leader of Warwick District Council felt that further delay would result in trust being undermined, making it untenable for the two authorities to further integrate services or merge.
- 6.6 Consequently, the Leaders of both authorities concluded that the proposed merger could not go ahead as planned. It was felt that there was a significant difference between the approaches and ambitions of the two councils that were irreconcilable and that a joint request should now be made to the Government to cancel the merger process.
- 6.7 Some of the joint working arrangements already put in place are planned to continue, such as legal services and business rates collection. Others, however, including the Joint Management Team and the service integration programme, have ended.
- 6.8 Throughout the timeline of the merger a communications and engagement plan ensured that there was constant interaction with staff and managers. This was achieved through joint Chief Executive briefings, service managers' forums, team talks and links with the employee consultation group, Staff Voice, as well as with the principal union, Unison. The emphasis on both the benefits of the merger and the impact if proposals didn't proceed were key to

this communication. It is acknowledged, however, that feedback throughout this period was mixed - between understanding the rationale for the merger and the opportunities it would provide and significant concern over losing the Warwick identity. It is recognised that staff trust across the Council has been impacted adversely. Clearly this can have implications for governance and therefore, immediately following the decision to cancel the merger, the process began to rebuild trust. This started off as Chief Executive-led meetings with service managers, their teams and comprehensive communication activities. It is recognised, however, that much more work is needed, and a strategy will be drawn up to deliver this.

7 Significant Governance Issues

- 7.1 Performance management continues to be an issue, in particular the range and content of performance data that councillors receive. When resolved, Councillors will need to be trained to enable them to access the information and scrutinise it effectively.
- 7.2 The new Overview and Scrutiny and Audit and Standards Committee s will present challenges in terms of clarity of role. Councillors will need to be trained on the operation of the new Overview and Scrutiny and Audit and Standards Committee s to enable them to participate more confidently.
- 7.3 Staff morale has been impacted adversely as a result of the merger process. A strategy to improve staff morale is required.

8 Certification

- 8.1 The governance framework has been in place at Warwick District Council for the year ended 31 March 2022 and up to the date of approval of the annual statement of accounts.

Signed:



Councillor Andrew Day
Leader of the Council



Christopher Elliott
Chief Executive

Dated:

9 May 2022

9 May 2022