

## ANNUAL GOVERNANCE STATEMENT 2022/23

### 1. Background

1.1 Further to the Accounts and Audit (England) Regulations 2015, the Council is required to produce an Annual Governance Statement (to be published with its financial statements) which sets out its arrangements for delivering good governance within the framework of sound internal controls.

1.2 The Annual Governance Statement (AGS) is a corporate document involving a variety of people charged with developing and delivering good governance including:

- the Leader of the Council and the Chief Executive (Head of Paid Service) as signatories.
- Chief Officers, Heads of Service and relevant managers assigned with the ownership of risks and the delivery of services.
- the Chief Officer - Finance and Trading who is responsible for the administration of the Council's financial affairs under Section 151 of the Local Government Act 1972.
- the Monitoring Officer in meeting statutory responsibilities of ensuring the legality of Council business.
- the Council's Internal Audit function, in particular the Annual Audit Opinion.
- Members (for example, through the committees such as the Governance, Audit, Scrutiny and Advisory Committees).
- Others, responsible for providing assurance, in particular Grant Thornton, in their role as the Council's External Auditor.

1.3 Thus the AGS is owned by all Senior Officers and Members of the Council, because governance itself relies on all Officers and Members. A shared approach was taken in compiling the AGS with the objective of engaging all managers integrally involved in the delivery of services covering the whole authority within the process and also encouraging a high degree of reflection and corporate learning. This increases the statement's significance and encourages managers to objectively assess their responsibilities.

1.4 The system of corporate governance highlighted in the AGS, together with the system of internal control, is reviewed continually throughout the year as part of routine governance and managerial processes; examples being the authority's performance management and risk management frameworks.

1.5 Although corporately owned, the AGS requires internal control assessments and assurance statements from individual Heads of Service and relevant managers, Chief Officers, the Internal Audit Manager, the Head of Paid Service, the Monitoring Officer and the Section 151 Officer, all of which are obtained as part of this process.

## **2. Scope of Responsibility**

2.1 Sevenoaks District Council (the Council) is responsible for ensuring that its business is conducted in accordance with the law, proper standards, good governance and that public money is safeguarded from waste, extravagance or misappropriation. The Council seeks to ensure that its expenditure and activities are transparent and properly accounted for. Under the Local Government Act 1999 the Council has a duty to make proper arrangements to secure continuous improvement in the way in which it carries out its functions, having regard to ensuring economy, efficiency, effectiveness and fairness in the exercise of its responsibilities. In discharging this overall responsibility, to ensure its business is conducted in accordance with the law, proper standards and delivering continuous improvements. Sevenoaks District Council is also responsible for ensuring that there is a system of corporate governance which facilitates the effective and principled exercise of the Council's functions, and which includes arrangements for the effective management of risk. The Council seeks to conduct these responsibilities within the framework of high quality service provision to enhance and facilitate community wellbeing and engagement.

2.2 The roles of the Chief Executive (as Head of Paid Service), the Section 151 Officer and the Monitoring Officer are defined within Part 13 of the Council's Constitution. The Executive Role of Members is defined within Part 4 of the Council's Constitution.

2.3 Officers and Members are expected to conduct themselves in a proper manner in accordance with the Constitution and both are expected to declare interests that may impact on the objectivity of the Council's decision making process. These interests are held on a register and are reviewed on a regular basis by the Monitoring Officer.

2.4 Sevenoaks District Council has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA / SOLACE Framework Delivering Good Governance in Local Government. This statement explains how Sevenoaks District Council has implemented both the code and the requirements of the Accounts and Audit (England) Regulations 2015 in relation to the publication of an Annual Governance Statement. This was last adopted by the Audit Committee on 18 July 2019.

### **3. The Purpose of the Governance Framework**

3.1 The governance framework comprises the systems and processes, culture and values, by which the Council informs, directs, manages and monitors its operations, and its activities through which it accounts to, engages with and empowers the community. It enables the authority to evaluate the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

3.2 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 policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and to assess the impact should they be realised, and to manage them efficiently, effectively and economically. It also seeks to maximise available opportunities in achieving good value for money and delivering objectives and priorities.

3.3 The governance framework has been in place at Sevenoaks District Council for the year ended 31 March 2023 and up to the date of approval of this document.

### **4. The Governance Framework**

4.1 The following represent the key elements of the Council's governance framework:

- The Council's vision and promises are set out in its Council Plan which was approved by Council on 20 November 2018. The Council Plan sets out the actions that the Council has committed to undertake to deliver on its promises.
- The Council Plan promises are subject to considerable Member review and challenge by Cabinet, or the appropriate Advisory/Scrutiny Committee and ultimately by the full Council. The governance arrangements put in place on 10 May 2022 operated well during the year. The arrangements continue to include an Audit Committee, whose terms of reference is consistent with CIPFA standards. The promises and priorities within the Council Plan are also cascaded to individuals within the Council through Service Plans and individual action plans via the staff appraisal process.
- Policy and decision-making is facilitated through reports from officers to Cabinet and Council. Each Cabinet Member has responsibility for a specific portfolio and will take decisions on matters relevant to that portfolio. Each portfolio also has an Advisory Committee, which will consider officer reports in advance of them being considered by Cabinet and provide their recommendations on the policy direction or decision making of the Cabinet or

Council. The Scrutiny Committee has the opportunity to ‘call-in’ the decisions of Cabinet and to recommend changes to decisions or policies.

- The Council’s Constitution specifies the roles and responsibilities of Members and Officers and the financial and procedural rules for the efficient and effective discharge of the Council’s business.
- Implementation of established policies, procedures, laws and regulations and good practice is achieved through:

#### a) Internal Audit

The Council’s Internal Audit service is provided in partnership with Dartford Borough Council.

During 2022/23, the Internal Audit Team worked to deliver the annual audit plan approved by the Audit Committee in March 2022. The service has provided regular updates to Members on the outcomes of audit work, progress on implemented audit actions, and also updates regarding progress against our Quality Assurance and Improvement Plan.

Internal audit has issued one limited assurance audit report in the 2022/23 audit plan to date. This was for Corporate Landlord Liabilities and one high priority action is currently outstanding.

Individual audit reports continue to be issued and distributed to relevant Chief Officers, with copies to the Chief Executive and Section 151 Officer.

A full independent external quality assessment was completed in 2020/21.

The outcomes, along with actions, were reported to the Audit Committee. These outcomes from the External Quality Assessment were used to create an audit strategy and action plan.

The Audit Committee, as those charged with governance, will provide continued oversight and direction as required. As such, the operation of the service will also be monitored by the Strategic Management Team, and the Section 151 Officer.

#### b) External Audit

The external audit service is provided by Grant Thornton. The External Auditor’s reports are sent to management and Members (via the Audit Committee). Recommendations and comments are considered and discussed with timely actions taken to address agreed recommendations.

In the value for money assessment for 2021/22, no significant weaknesses in arrangements were identified. The audit of the financial statements for 2021/22 has not yet commenced but the opinion on the 2020/21 financial statements is that they gave a true and fair view.

#### c) Financial Management

The Section 151 Officer is required to give Members an opinion on the robustness of the budget estimates and the adequacy of reserves. Assurance on these factors is included in the Annual Budget Report to Council.

A robust budgetary control system is in place and regular monitoring reports are produced for the Strategic Management Team, Heads of Service and relevant managers, Cabinet and the Finance and Investment Advisory Committee. The Finance Team conduct monthly client liaison meetings with responsible budget holders.

#### d) Performance Management

Monitoring of progress towards the achievement of the Council's promises and objectives is undertaken through the Council's performance management system. Performance is monitored monthly and enhanced with commentaries from Heads of Service and Managers where performance is behind target. Strategic information is regularly reported to the Strategic Management Team, Cabinet, Scrutiny Committee and Advisory Committees.

#### e) Arrangements for Partnerships

The Council enhances value for money in service delivery through innovative and cost-effective partnership working but will also end partnerships that no longer provide value for money or meet policy objectives. The Council engages in extensive discussion and planning to develop efficient working arrangements while protecting quality of services. Decisions to enter into partnership working are supported by a detailed business case and cost-benefit analysis, and are subject to scrutiny and approval by Members. The Council has partnerships in place for the delivery of services including Licensing, Revenues and Benefits and Internal Audit.

#### f) Arrangements for Council Owned Companies

Governance arrangements for the Council owned companies were agreed by Council as part of the set up process. Those arrangements have continued to be followed during the year.

The Companies accounts are separately audited, and the Council produces group accounts which incorporate the companies.

#### g) Risk Management

The Council's Risk Management Strategy was updated and approved by the Audit Committee on 25 January 2022.

Strategic risks are aligned to the Council's promises and objectives and are actively monitored and updated throughout the year. In 2022/23 the strategic risk

register was reviewed and updated, and was reported to Strategic Management Team and the Audit Committee.

#### h) Relationships and Ethics

Good co-operative relationships exist between the Council and its external auditors and inspectors, and between officers and Members. Relationships between officers and Members are guided by a protocol embedded in the Councils Constitution. The Council has clear Codes of Conduct for Members and Officers embedded within its Constitution, underpinned by a culture of integrity and ethical behaviour. Member conduct is scrutinised by the Standards Committee.

#### i) Service Delivery by Trained and Experienced People

The Council has a robust recruitment policy and relevant procedures in place. The Council holds Platinum status in the Investors in People (IiP) scheme, re-conferred by an external inspection regime in February 2023. The Council was the first local authority nationally to achieve this standard. Staff appraisals take place annually and are aligned to the values, behaviours and objectives of the Council. Training and development plans are part of the appraisal process and are used to identify any training needs over the year. As part of the ongoing commitment to develop and nurture staff the Council continued to design, deliver and develop bespoke training courses over the year through the ‘Sevenoaks Learning Hub’ which is available to all staff and consists of a variety of courses.

#### j) Monitoring Officer

The Council’s Monitoring Officer oversees compliance with laws and statutory obligations. The Monitoring Officer reports to the Council’s Standards Committee.

#### k) Counter Fraud and Corruption

The Council has a Counter Fraud and Corruption Strategy and a Whistle Blowing Policy. The Council also has a Counter Fraud Team and a ‘fraud hotline’, available to both staff and members of the public, which allows individuals to report anonymously any suspected cases of fraud and corruption. As part of fraud risk management, all staff and Members are required to complete annual declarations of interests. The risks of fraud and corruption are assessed within the strategic risk register and appropriate measures put in place to mitigate these risks. There were no disclosures or internal investigations during the year.

The Counter Fraud and Corruption Strategy and Whistle Blowing Policy were both updated and then reviewed by the Audit Committee in 2020/21.

### **5. Role of the Section 151 Officer**

5.1 Section 151 of the Local Government Act 1972 requires that the Council appoint an individual officer to be responsible and accountable for the administration of its financial affairs. The Scheme of Delegation held within Part

13 of Sevenoaks District Council's Constitution assigned this responsibility to the Deputy Chief Executive and Chief Officer - Finance and Trading during 2022/23.

5.2 CIPFA has issued a Statement on the Role of the Chief Financial Officer in Local Government. This details the governance arrangements and delegated responsibilities considered necessary to facilitate the role of the Section 151 Officer. The Council has considered this Statement, and believes that, during the financial year 2022/23, it has complied fully with the governance requirements of the Statement. The Council's Financial Procedure Rules, codified within Appendices D and E of the Constitution ensure that all the appropriate responsibilities are delegated and reserved to the Section 151 Officer as the Statement recommends.

## **6. Review of Effectiveness**

6.1 Sevenoaks District Council has responsibility for conducting, at least annually, a review of the effectiveness of the system of internal control. The review is informed by the outcome of the work of the Council's internal audit service during the year and by Chief Officers who have responsibility for the development and maintenance of the internal control environment. It also considers comments made by the external auditors and other external review agencies and inspectorates.

6.2 The External Auditor has concluded that, for 2021/22, no significant weaknesses effective arrangements were identified as part of the value for money assessment. The audit of the financial statements for 2021/22 has not yet commenced but the opinion on the 2020/21 financial statements is that they gave a true and fair view.

6.3 Internal audit reports are available to the Audit Committee upon request, and the outcomes of audit work are reported regularly. Each year the Committee receive the Annual Internal Audit Report, which includes the Annual Opinion on the Council's governance, risk management and control arrangements. The opinion for 2022/23 is that they are managed effectively with reasonable assurance.

6.4 The Head of Paid Service and Section 151 Officer and the Monitoring Officer periodically review the Constitution, procedures for internal financial control and application of the relevant Codes of Conduct.

6.5 There were no significant governance issues raised in last year's AGS.

6.6 It should be noted that one potential governance issue have been raised through the AGS process regarding Sencio Community Leisure ceasing to trade. It is also recognised that operational risk management arrangements are due to be reviewed. Details are included in **Table 2 below**.

## Certification

Signed:

Signed:

Dr. Pav Ramewal

Cllr Julia Thornton

Chief Executive

Leader of the Council

Date:

Date:

## Issues Identified

**Table 1: Significant Governance Issues raised in the previous (2021/22) AGS.**

Identified from	Issue	Description	Responsible Officer(s)
None			

**Table 2: Governance Issues raised in the current (2022/23) AGS.**

Identified from	Issue	Description	Responsible Officer(s)
Sencio Community Leisure ceasing to trade	Potential governance issues linked to Sencio Community Leisure ceasing to trade.	Council on 04/04/23 resolved that: an investigation by its Internal Auditors, be agreed to: report lessons to the Council to inform the Council's contractual relationship and governance with a future long term provider.	Audit Manager
Audit Manager	Operational risk management arrangements are due to be reviewed.	Review of Operational risk management arrangements.	Audit Manager