

## ANNUAL GOVERNANCE STATEMENT 2012/13

### A SCOPE OF RESPONSIBILITY

South Derbyshire District Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act of 1999, to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

Consequently, the Council has formulated a 'Local Code of Corporate Governance', which is consistent with the principles of the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government'. This Code is subject to a half-yearly review and is monitored by the Council's Audit Committee. The latest version of the Code is available at:

[http://www.south-derbys.gov.uk/council\\_and\\_democracy/standards\\_and\\_behaviour/default.asp](http://www.south-derbys.gov.uk/council_and_democracy/standards_and_behaviour/default.asp)

This Annual Governance Statement explains how South Derbyshire District Council has complied with the Local Code of Corporate Governance and also meets the requirements of Regulation 4(2) of the Accounts and Audit Regulations 2003, as amended by the Accounts and Audit (Amendment) (England) Regulations 2006, in relation to the publication of a statement on internal control.

### B THE PURPOSE OF THE GOVERNMENT FRAMEWORK

The Governance Framework comprises:

- The systems and processes, culture and values, by which the Council is directed and controlled.
- The activities through which it accounts to, engages with, and leads the community.

It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate economical, efficient and effective services.

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 the risks to the achievement of the Council's policies, aims and strategic objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, in order to manage them efficiently, effectively and economically.

The Governance Framework detailed in this Statement has been in place at South Derbyshire District Council for the year ended 31st March 2013, up to the date that the Annual Report and Statement of Accounts were approved.

## C THE GOVERNANCE FRAMEWORK AT SOUTH DERBYSHIRE

The key elements of the systems and processes that comprise South Derbyshire District Council's Governance Framework are set out in the following sections.

### Decision Making

The Council operates under a Constitution. This sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. It sets out the individual roles and responsibilities of Members and the three statutory officers (i.e. the Head of Paid service, the Chief Finance Officer and the Monitoring Officer).

The Full Council makes decisions on key policies and sets the budget and levels of local taxation for the Council's services. The Constitution includes the delegation from Full Council down to the Policy Committees and provides a Scheme of Delegation to Officers.

### Policy Making

This is facilitated through 3 policy committees which are responsible for the main service areas of the Council and are:

- Environmental and Development Services
- Housing and Community Services
- Finance and Management

Each Committee is governed by its own Terms of Reference, as laid down in the Constitution. Meetings of these committees are open to the public, except where issues of an exempt nature are being disclosed.

An Overview and Scrutiny Committee has 'call-in' powers to consider the appropriateness of Policy Committee decisions. It also shadows the policy committees, supports policy development and review, together with carrying out external reviews on issues that affect South Derbyshire.

Six Area Forums, a Parish Liaison Meeting and a Flood Liaison Meeting are well established and these meet throughout the year. These forums are designed to improve community involvement in decision-making and provide a continuous link with local residents, parish councils, the voluntary sector and other public bodies.

### Governance and Accountability

The Council designated the Director of Operations as its Monitoring Officer during 2012/13 (*This was changed on 1<sup>st</sup> May 2013 following a Council restructure, with the post of Monitoring Officer being delegated to the Legal and Democratic Services Manager*).

It is the function of the Monitoring Officer to ensure compliance with established policies, procedures, laws and regulations. After consulting with the Head of the Council's Paid Service (the Chief Executive) and Chief Finance Officer, the Monitoring Officer will report to Full Council if they consider that any proposal, decision or omission would give rise to unlawfulness or maladministration.

Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

In addition, the Council operates 2 regulatory committees focusing on Development Control (planning applications and enforcement) and a Licensing and Appeals Committee.

Furthermore, a Standards Committee, which contains independent (of the Council) members, oversees the conduct of elected councillors.

Accountability for the use of public funds and service provision is largely undertaken through the annual publication of a Statement of Accounts, an Annual Report and a Corporate Plan.

### The Local Code of Corporate Governance

The Council has adopted a National Code developed by CIPFA/SOLACE. The Code is subject to regular six monthly reviews by a Senior Officer Group reporting to the Audit Sub-Committee. This helps to inform this Governance Statement.

### Standards of Financial Conduct

Financial management is conducted in accordance with financial management and procedural rules, as set out in Part 4 of the Constitution. The Council has designated the Head of Corporate Services (*the Director of Finance and Corporate Services with effect from 1<sup>st</sup> May 2013*) in accordance with Section 151 of the Local Government Act 1972.

This Officer is responsible for making arrangements for the proper administration of financial affairs in accordance with best professional practice.

The Council's financial management arrangements conform to the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010).

In addition, under the Code of Audit Practice, the Council has a responsibility to ensure that its affairs are managed in accordance with proper standards and to prevent and detect fraud and corruption. The Council has adopted a Fraud and Corruption Strategy.

The financial management system includes:

- A Medium Term Financial Plan linked to Service Plans
- An annual budget cycle incorporating Council approval for revenue and capital budgets, together with a Treasury Management strategy
- Financial Procedure Rules that are reviewed as required
- Process and procedure guidance manuals
- Annual Accounts supporting stewardship responsibilities, which are subjected to external audit and which follow Proper Accounting Practice and International Financial Reporting Standards
- Regular budget monitoring by budget holders through monthly financial monitoring reports
- Identification of financial risks that are regularly reviewed and updated

### Standards of Overall Conduct

Members and Officers of the Council operate under codes of conduct. These codes provide a set of standards of conduct expected of employees at work and for councillors in performing their public duties. In addition, both Members and Officers are required to declare interests and register gifts and hospitality which are valued at over £100.

The codes take into account the requirements of the law and the provisions of official conduct in the appropriate National Conditions of Service (for employees).

The Council Leader and the Chief Executive are the Corporate Governance Champions for Members and Officers respectively, designed to create a climate of openness, support and respect, promoting a strong ethical culture and upholding the values of good governance.

The Standards Committee is responsible for considering written complaints against elected or co-opted Members of both the District Council and the Parishes of South Derbyshire.

### Development of Members and Officers

Members and officers receive a thorough induction tailored to their role in the Council, including when they take on new roles. The Council has adopted an e-induction package for Officers and an induction scheme is undertaken by Members at the beginning of each four year term of office.

Members also have access to regional training courses and seminars organised through the forum of East Midlands Regional Councils.

In addition, on an annual basis, existing and new Members of the Development Control, Standards and Licensing & Appeals Committees must attend training sessions to enable them to continue to sit on these Committees, to ensure that they are fully briefed on all new developments in these areas.

The Council provides a full range of development opportunities for Members with ad-hoc training and briefing sessions.

Details of training are recorded on the Council's HR system. Training records are kept for each individual Member, with evaluation taking place on Member development courses. This enables Members to identify and address their own development needs and is supported by documentation such as the Members' IT Protocol and the Planning Code of Good Practice, along with the Members' Code of Conduct, which enables Members to clearly identify their roles and responsibilities.

### Establishing Council Objectives

These are set out in the Council's Corporate Plan. This is effectively the Council's business/forward plan, set for five years and reviewed on an annual basis. This plan sets out the Council's vision for South Derbyshire, its values and the priorities for delivering services for local communities.

The Sustainable Community Strategy for South Derbyshire (2009-2029) is co-ordinated by The South Derbyshire Partnership. This sets out the District wide priorities across a range of public service providers that include the District Council, County Council, Police, Health Authority and the Voluntary Sector. This plan aims to improve the overall economic, social and environmental wellbeing of South Derbyshire by addressing issues that are important to the local community, business and service providers.

### Compliments and Complaints

The Council has a Corporate Compliments and Complaints Policy. This is used to help identify service improvements from compliments, complaints and compliments received. Information is collated centrally and reported half yearly to the Finance and Management Committee, where performance can be challenged and areas for improvement identified.

Arrangements are also in place for dealing with and monitoring Ombudsman's complaints and reporting annually to Full Council.

The Council also has arrangements in place for whistleblowing to which staff and all those contacting the Council have access. The confidential reporting code is reviewed regularly and widely publicised.

## Organisational Assessment and Performance Review

The Council has in place a range of Key Performance Indicators (KPIs) which it uses to measure performance. Indicators are developed for each of the Council's main priorities in the Corporate Plan, alongside specific indicators in service plans.

In addition to the Annual External Audit placed upon the Council, the main organisational assessment is around Value for Money. This assessment is undertaken by the Council's External Auditors who judge and report on the Council's arrangements for:

- Securing financial resilience
- Challenging and improving value for money

From time-to-time, External Audit also undertakes specific detailed studies on a certain activity or aspect of the Council and make recommendations for improvement where necessary.

## Data Quality

A key element of reporting performance is the information that underpins it, i.e. data quality. This is to ensure that the Council focuses on confirming arrangements for recording and collecting information are robust and that the evidence and management information can be trusted. The Council has adopted a Strategy to govern data quality and its arrangements are subject to regular review, including an annual audit.

## Data Management

During 2012/13, the Council updated its Data Retention Policy and set out its requirements to ensure compliance with Data Protection and Freedom of Information Requirements.

## Business Improvement

To support service delivery, the Council has, through its Strategic Corporate Services Partnership with Northgate Public Services, a dedicated Business Improvement Team (BIT). This is intended to co-ordinate greater efficiency and effectiveness in the use of Council resources and works to an improvement programme which is overseen by a Business Improvement Board.

## Procurement

The BIT also provides a dedicated central procurement unit to ensure that purchasing is legal, ethical and accountable and is carried out in accordance with regulatory and legislative requirements.

## Continuous Service Review

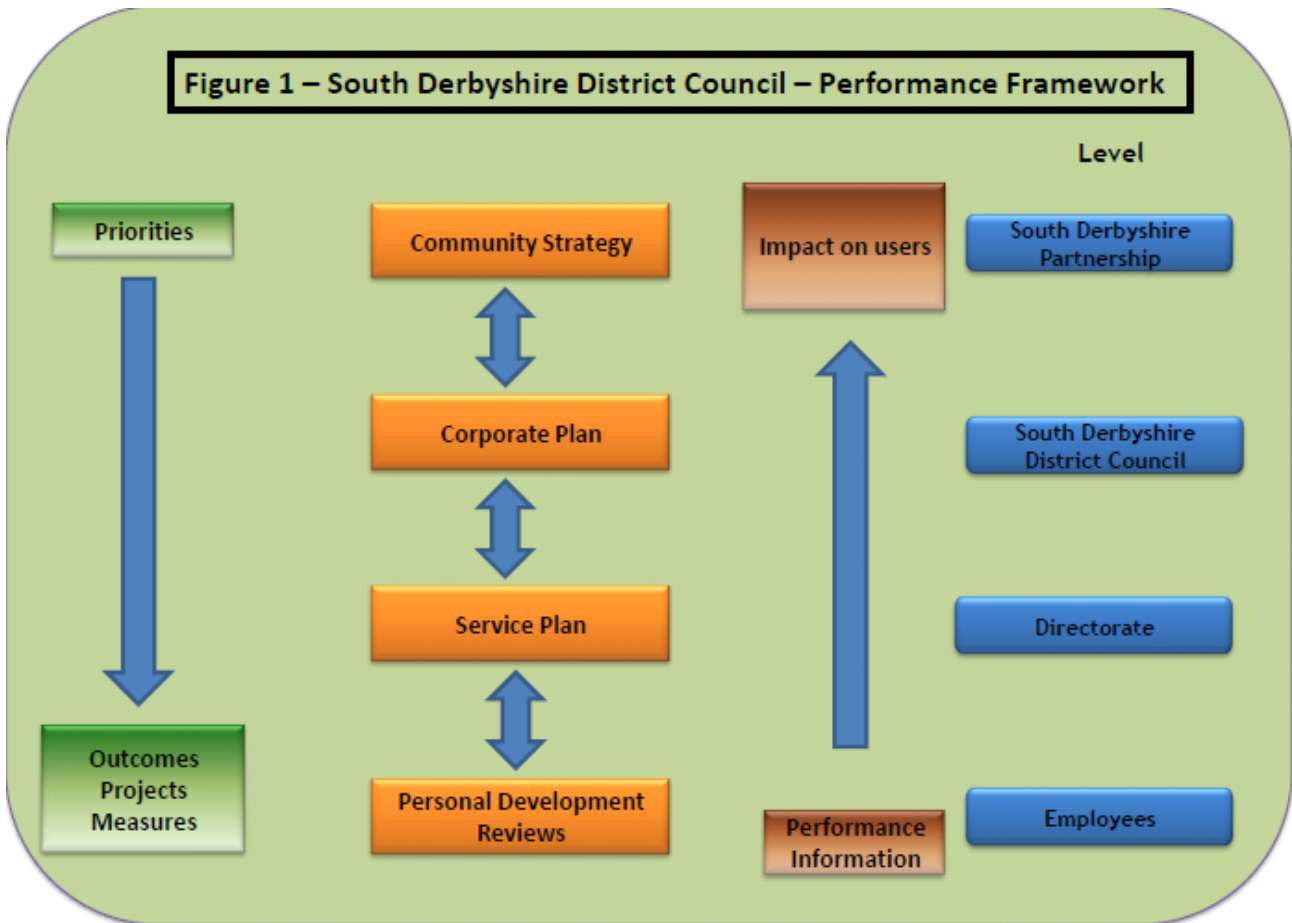
As part of the Strategic Partnership with Northgate, the Council is reviewing every service area in the Council. This is part of a transformation programme which has now been embedded in the Council for some time and is being enhanced through the skills of the private sector partner.

The transformation programme aims to identify efficiency savings and in particular cashable/budget savings without adversely affecting service delivery. This has seen significant changes made in "back office" services, with other services areas being reviewed over a 3-year cycle.

## Managing Performance

The Council's performance framework is largely developed from national requirements in terms of National Indicators and regulatory frameworks, together with local issues that are emerging from the Sustainable Community Strategy. An outline of the framework and its components is shown in Figure 1, below.

**Figure 1 – South Derbyshire District Council – Performance Framework**



The **Community Strategy** sets the long-term vision and community goals for all agencies in South Derbyshire. This was reviewed in 2009 and a new Strategy implemented for the period 2009-2029.

The Council’s **Corporate Plan** describes how the Council provides services to support the Community Strategy and focuses resources on key priorities, together with actions for improvement. This is an integral part of the Council’s Performance Management Framework and the actions set out how key priorities are delivered together with measures of success. The development of the Corporate Plan takes place alongside the development of the Medium Term Financial Plan to ensure that the corporate priorities are fully resourced.

**Service Plans** are the cornerstone of the performance framework and demonstrate how each section of the Council will deliver improvements in line with priorities detailed in the Corporate Plan.

**Performance Development Reviews** provide employees with a clear understanding of how their work is enabling the Council to deliver the priorities detailed in the Corporate Plan, together with identifying their own individual training needs.

### Partnership Working

The Council works in partnership with many other public agencies, including the voluntary sector and private organisations to deliver its services. The extent of these partnerships varies across the Authority.

The Council’s most significant partnerships are the South Derbyshire Partnership and the Safer South Derbyshire Partnership for Derbyshire. These partnerships are properly constituted and Committees are established (comprising representatives of the Council) who monitor and review progress.

The governance arrangements include a constitution and terms of reference. They have annual action plans which are monitored and reported quarterly to the relevant Strategic Boards. The Council receives annual reports on their performance which identifies the outcomes of partnership work and the financial implications of their work undertaken.

## Risk Management

The Council publishes a Risk Management Policy Statement, which sets out the principles, responsibilities and commitment to dealing with risk. Backed-up by a detailed strategy, it is effectively the framework for the management of risk throughout the Council.

The Council, through its service planning process, has a system for identifying and evaluating significant risks. Each service plan contains a risk register and this is developed and maintained by Officers involved in planning and delivering services.

Following a review by Internal Audit, the Council made some changes to its approach to risk management and this is detailed in **Section E**.

In addition, the Council's Corporate and Financial Plans identify and evaluate risk at a more strategic level. Furthermore, evaluation of proposals for new spending and capital investment includes a risk assessment analysis.

The Council's risk management strategy provides a framework to embed risk within services. It also includes guidance for managers in assessing and treating risk. The Strategy is overseen by a Corporate Risk Management Group.

## Internal Audit

Under the Account and Audit Regulations 2003 (as amended) the Council maintains an Internal Audit function, through the Central Midlands Audit Partnership, which operates to the standards set out in the Code of Practice for Internal Audit in Local Government in the UK.

This function provides an independent evaluation on the adequacy of the control environment as a contribution to the proper, economic, efficient and effective use of resources. Internal Audit undertakes annual work plans, agreed with and monitored by Members and Senior Officers. It provides opinions on internal controls in place to manage risks across the Council's diverse activities. Its plans and outputs are monitored and challenged by an Audit Sub-Committee.

Internal audit is the main means by which the Council obtains assurances that systems are operating effectively. Internal Audit is required to issue an Assurance Statement (Annual Report) each year that provides an assessment of the Council's internal control system.

New Public Sector Internal Auditing Standards are being introduced nationally from April 2013; the impact on working arrangements will be reviewed and implemented during 2013/14.

## Health and Safety

The Council has a Health and Safety Policy and an Annual Action Plan that sets out the Council's commitment to health and safety and identifies those positions with responsibility under the policy. There is also a quarterly Employee Health and Safety Committee, where representatives from the trade unions meet with service managers. The Committee monitors policies, work practices and reviews accident statistics.

## The Council's Audit Sub-Committee

Under its terms of reference, the Committee provides independent assurance of the adequacy of the risk management framework and the associated control environment.

It also provides independent scrutiny of the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment. The Sub-Committee also oversee the Authority's corporate governance arrangements in relation to financial matters

### External Scrutiny

Grant Thornton UK is the Council's appointed external auditor. Besides auditing the accounts and financial statements of the Council, they also focus on more strategic performance and financial management arrangements. This includes reviewing arrangements in place for securing value for money.

The Audit Sub-Committee and Officers of the Council meet regularly with the external auditors to discuss planned and ongoing external audit and inspection activity through the Annual Audit Plan.

The Auditors undertake regular reviews each year and issue reports with action plans to aid improvement in specific areas. The Annual Audit Letter summarises the conclusions and significant issues arising out of their audit and other inspections undertaken. The outcome of all inspections and audits are used to plan and improve Council services.

### ICT (Information Communication Technology)

The Council would not be able to operate without an effective ICT infrastructure in place. The Council's ICT Strategy is designed to ensure that the appropriate infrastructure is in place to enable the Council to deliver its services effectively and implement the Council's Corporate Plan.

Therefore, the ICT Strategy is aligned to the strategic objectives of the Council, with technology being used as an enabler of business change to support the Council's priorities. The ICT infrastructure in place enables the Council's service areas to concentrate on delivering their customer and business requirements.

Appropriate safeguards are in place to ensure the integrity of the Council's ICT infrastructure and this subject to an annual audit. In addition, the Council complies with national best practise for security as contained within the Public Services Network (PSN) Code. Under this Code, the Council's ICT security arrangements are tested and reviewed each year by an independent organisation, approved for such work. The latest compliance check was met in March 2013.

During 2012/13, the Council upgraded its disaster recovery arrangements. In addition, major project work was commenced in September 2012 to upgrade the Council's main server infrastructure. This was the beginning of a 12 month project to increase the power and functionality of ICT and to provide enhanced operational facilities, including updated E-mail and Microsoft Office functions.

### Transparency in the Publication of Information

The Council publishes an Annual Pay Policy Statement which details:

- How pay and remuneration for Officers are considered and approved
- The level and elements of pay for the highest paid Officers
- The pay of the lowest paid employees
- The relationship (expressed as a percentage) between the pay of the highest paid Chief Officer and other Officers
- Other aspects of Chief Officers' remuneration including through recruitment, increases, performance related pay and bonuses (where applicable) and any termination payments.

The latest Policy Statement which was published on 31<sup>st</sup> March 2013 can be viewed at:  
[http://www.south-derbys.gov.uk/Images/Pay%20Policy%20Statement%20280312%20V4\\_tcm21-222700.pdf](http://www.south-derbys.gov.uk/Images/Pay%20Policy%20Statement%20280312%20V4_tcm21-222700.pdf)



In addition, the Council also publishes on its web site, on a monthly basis, all payments (excluding those to employees) in excess of £250. This typically shows Council expenditure on goods, supplies and services, together with costs incurred under major contracts.

## **D REVIEWING THE EFFECTIVENESS OF THE GOVERNANCE FRAMEWORK**

The Council has responsibility for conducting, at least annually, a review of the effectiveness of its Governance Framework, including the system of internal control. The review of effectiveness is informed by the work of the Senior Management Team, who has responsibility for the development and maintenance of the governance environment.

This is backed up by Internal Audit reports on the audits conducted through the year, and also by recommendations made by the External Auditors and other review agencies and inspectorates.

As part of an on-going review, the overall framework was strengthened in 2012/13 following a work programme arising out the Governance Statement for the previous year 2011/12. These are detailed in **Section E**.

The overall processes and indicators that have been applied in maintaining and reviewing the effectiveness of internal control during the year 2012/13 are set out below:

### **Overall Corporate Governance**

The Council continued to apply its Local Code of Corporate Governance based on recommended best practice, as developed by CIPFA/SOLACE. This Code sets out the systems by which the Council directs and controls its functions. It was reviewed twice during the year with a work programme, monitored by the Audit Committee, being progressed to maintain and improve overall Governance.

### **The System of Internal Audit**

Internal Audit is responsible for monitoring the quality and effectiveness of internal control. They review all fundamental financial systems each year and all other activities over a five yearly cyclical period. This is based on a risk assessment of each service area.

Internal Audit reports to the Council's Audit Sub-Committee on a quarterly basis. The reporting process requires a report of each audit to be submitted to the relevant service manager.

The report includes recommendations for improvements that are included within an action plan and require agreement or rejection by managers. The process includes reviews of recommendations to ensure that they are acted upon.

Under its terms of reference, the Audit Sub-Committee considers in detail any recommendations that are found to have a potentially "high-risk" impact on the Council's control environment. These are subject to on-going monitoring until all recommended actions have been implemented.

Reports to the Audit Sub-Committee provide an overall assurance rating of each system or service area subject to audit. This includes a statement as to whether there are any possible implications for the Annual Governance Statement. All audits completed during 2012/13 found no material weaknesses which could affect the Governance framework.

External audit express an opinion on the adequacy of internal audit work each year and, where appropriate, rely on their work for assurance.

Furthermore, the Council is required to conduct an annual review of the effectiveness of its system of internal audit. The review is required to ensure that the opinion in the Annual Report of the Audit Manager may be relied upon as a key source of evidence for this Statement.

The Council's Chief Finance Officer, in conjunction with the Head of the Central Midlands Audit Partnership, conducted a review of its effectiveness and the impact upon South Derbyshire. The review was based on a test against several key principles for effective internal audit identified in professional guidance. The review concluded that during 2012/13, the system of internal audit was effective and this was noted by the Audit Committee on 19<sup>th</sup> June 2013.

### Annual Internal Audit Report

Under the Code of Practice for Internal Audit in Local Government in the United Kingdom 2006, the Head of Internal Audit (HIA) provided a written report to those charged with governance. This was considered and noted by the Council's Audit Committee on 19<sup>th</sup> June 2013. The Head of Internal Audit gave an opinion on the overall adequacy and effectiveness of the Council's internal control environment for 2012/13. The opinion is detailed below:

*“Based on the work undertaken during the year, I have reached the overall opinion that **there is an acceptable level of internal control within the Council's systems and procedures.** There were no critical risk recommendations made within any audit reports issued in 2012/13. However, there were 5 significant risk recommendations.*

*There are no adverse implications for the Authority's Annual Governance Statement arising from any of the work that Internal Audit has undertaken in 2012/13. All of the risks raised within the internal audit reports have been accepted. Internal Audit's recommendations, or alternative proposed actions made by Management in response to the risk issue, have been agreed to be implemented in all but 2 cases. In these cases, management has agreed to accept the risk but not to implement any mitigating actions.*

*Full implementation of the agreed actions will realise the benefits of the control improvements detailed in each individual audit report. Internal Audit will follow-up the implementation of its recommendations, or any agreed alternative actions, with the relevant responsible officers, as soon as is practicable, after the target implementation dates. Progress on implementation of audit recommendations will be reported through to the Audit Sub-Committee in future reports on the 2013/14 work of Internal Audit.*

### Basis of the Opinion

*In preparing the overall opinion, I have reviewed all audit activity carried out during 2012/13. Each audit assignment has an individual assurance rating and I have used these (together with the progress with agreed actions) to help form my overall opinion.”*

### Communication

Corporate communication covers the full range of media management, publications, external and internal communications. This is provided by a central team within the Council.

By targeting communication activities, the Council can enhance its reputation and profile at a local and national level. Good corporate communications can encourage people to feel positively about the Council because they are better informed, have higher levels of satisfaction and know they are getting value for money.

The Council's Communications Strategy and Action Plan is reviewed and updated on an annual basis. It is reported to, and considered by, the Council's Finance and Management Committee in June each year.

A series of media campaigns are undertaken by the Council each year. During 2012/13, these focused on:

- Promoting the message that South Derbyshire is a safe place to live and the activities that are happening across the District to promote community cohesion and deter crime and Anti Social Behaviour. Activities included Community Road Shows, Liberation Day and Skate Park Jams.
- Supporting the full range of leisure and cultural activities in the run-up to and during the Olympics. Activities included South Derbyshire Day, Healthier South Derbyshire Day, Festival of Leisure and “Olympicnics” events across the District.
- Promoting the work of the Council in the opportunities it provides for tourism, economic development and job creation across the District. Activities included Business Advice Service, National Walking Festival and completion of the Pipeworks development.
- Communicating the change that is happening to the recycling service over the next year, clearly articulating the vision for the service by managing the short-term messages whilst focusing on the longer-term vision. Activities included Recycling Calendar and planning for the new Recycling Contract.

## Consultation

The Corporate Plan is informed by consultation and is based on the views of stakeholders including local people, voluntary and community groups, together with local businesses. Based on work undertaken in 2011/12 and 2012/13 to develop the Council’s Local Plan for future growth, evidence is now also available through area profiles.

[http://www.south-derbys.gov.uk/planning\\_and\\_building\\_control/planning\\_policy/local\\_development\\_framework/the\\_core\\_strategy/talk\\_to\\_us/default.asp](http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_development_framework/the_core_strategy/talk_to_us/default.asp)

These will be used to inform future consultation.

The Council’s Consultation Strategy aims to coordinate consultation activities between the services within the Council and with key partners, to ensure that residents’ views are used effectively to inform council decision-making. This Strategy is reviewed and updated on an annual basis.

## The Constitution

The Monitoring Officer has a duty to monitor and review the operation of the Constitution to ensure that its aims and principles are given full effect. Major changes to the Constitution have to be approved by Full Council and reflect any changes to the Council’s structure and responsibilities.

In addition, the Overview and Scrutiny Committee has the power to “call in” a decision, which has been made by a policy committee but not yet implemented, to enable them to consider whether the decision is appropriate. No decisions were called in during 2012/13.

The Overview and Scrutiny Committee scrutinises key policy issues, recommending and reporting back actions to the main policy committees. Their annual reports to Full Council set out details of their work and outcomes during the year. The Annual Report for 2012/13 is available at:

<http://south-derbys.cmis.uk.com/south-derbys/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1381/Committee/283/Default.aspx>

## Propriety in the Conduct of Business

For the 2012/13 reporting period, South Derbyshire District Council has not been the subject of a finding of maladministration by the Local Government Ombudsman.

No elected member of South Derbyshire District Council was found to be in breach of the Code of Conduct during 2012/13.

There were 3 reportable accidents (10 in the previous year) under Health & Safety Regulations during 2012/13. Following investigation of each accident, risk assessments were reviewed and updated as appropriate. No enforcement or other action was taken by the Health & Safety Executive.

## Monitoring Performance

The Performance Management framework specifies the performance monitoring regime. A “traffic light” monitoring system is used to highlight areas at risk of not being achieved. During the year, policy committees received quarterly performance monitoring reports and agreed remedial measures where these were necessary. In addition, the Finance and Management Committee received quarterly financial monitoring reports.

## Improving Service Performance

The Council has attained the Gold Award in the prestigious Royal Society for the Prevention of Accidents (RoSPA) Occupational Health and Safety Programme. This is in recognition of an excellent safety record. The Award is only given to those organisations that have demonstrated their commitment to continuous improvement in accident and ill health prevention.

The Council continues to qualify for Investors in People (IIP) accreditation following an independent review. This is a national quality standard for the training and development of employees.

## Value for Money (VFM) Assessment

The External Auditor is required to make a judgement on the Council’s performance in securing value for money. During 2012/13, their opinion was as follows:

*“On the basis of our work, having regard to the guidance on the specified criteria published by the Audit Commission in October 2011, we are satisfied that, in all significant respects, South Derbyshire District Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2012.”*

In addition, the Annual Audit Letter of the External Auditor reports any significant weaknesses in the overall control framework. None were reported in 2012/13. The Audit Letter for 2011/12 is available at:

<http://south-derbys.cmis.uk.com/south-derbys/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1557/Committee/275/Default.aspx>

## **E KEY GOVERNANCE ISSUES FOR SOUTH DERBYSHIRE**

The Council operates within a fast changing environment with constant development in ICT and increasing public expectations. The Council is also facing unprecedented reductions in its core funding from Central Government, together with a major change in the way in which local government is funded, from April 2013.

Consequently, Governance needs to be subject to constant review to take account of changing circumstances. Indeed, issues identified in the corresponding statement for 2011/12 have been addressed in 2012/13, together with other developments to strengthen Governance at the Council; these are summarised below:

### **Implementation of the New Standards Regime for Local Government**

Following the implementation of regulations arising out of the Localism Act 2011, the Council reviewed its arrangements for Standards in June 2012. It was resolved to maintain a Standards Committee, with the appointment of independent persons, whose main responsibility would be to recommend and police the Code of Conduct for Elected Members.

A revised Code of Conduct was also adopted for Members, although it was based largely on the existing Code.

### **Community Rights**

The Localism Act also extended the rights of local communities to become more involved in providing local services and how potential community assets are utilised. The Council adopted a process in December 2012 which allows parish councils, together with local voluntary and community groups, to nominate local land or buildings to be included in lists of community assets. Ultimately, subject to certain conditions, the local group then have the right to purchase the asset for community use.

### **Local Development**

As a recognised growth area, the impact of development on local communities and the services that they receive is a key issue for the Council. During 2012/13, extensive public consultation took place across the District on the Council's preferred growth strategy for South Derbyshire.

The Council's role is to lead and the strategy sets out the amount of new housing considered appropriate for South Derbyshire up to 2028, together with the proposed strategy for future house building and employment.

The responses to the consultation will help us draw up a 'Publication Draft' Plan which will include our proposed vision, strategy, objectives, development site and detailed policies to guide the determination of planning applications. We expect to publish this in 2013 and there will be a statutory six-week consultation period during which time there may be further comment.

All representations received at this stage, along with the Plan will then be submitted to the Secretary of State who will appoint an independent Planning Inspector to convene a Public Examination into the soundness of the Plan.

Following the Examination, the Inspector will issue a report recommending whether changes are needed to the Plan and the Council will then issue a report recommending whether changes are needed. The Council will then proceed to formally adopt the Plan.

In late 2013 we expect to consult on our 'Site and Boundaries' or 'Local Plan Part 2'. This document will set out the detail of smaller development sites and propose any detailed amendments to settlements and Green Belt boundaries.

## Risk Management

Following a review by Internal Audit, the Council allocated responsibility for its corporate risks to a specified officer. In addition, risks are now assessed with regard to a “risk appetite” i.e. how far is the Council willing to accept a risk and the degree to which it is treated. Decisions on individual risks are recorded in risk registers and monitored in service plans.

## Safeguarding

The Council has a role in the local community and in service delivery to help ensure that children and vulnerable adults are kept safe from harm. Following some high profile incidents in recent times elsewhere in the Country, the Council looked closely at its role in 2012/13 and revised its policy, together with guidance for Members and Officers.

The main changes were to bring in a corporate approach to safeguarding with departmental responsibilities assigned and a Member Champion appointed. The Council’s role and work in this area is now overseen by the Council’s Equalities and Fairness Group.

## Training and Development

During 2012/13, the Council approved a set of “management competencies” for its managers and supervisors. These lay down the expected standards and behaviours of Officers in managerial positions, operating in a modern Council. Following recent changes in the Council’s structure and in times of diminishing resources, a new Leadership and Management Development Programme is currently being procured for 2013/14. This is intended to provide managers with the attributes required in order to take the Council forward.

## Procurement

During 2012/13, the Council engaged external support to review its arrangements for the delivery of value for money in major procurement exercises. This focused on the planned capital spend on housing maintenance projects, following the increase in funding the Council obtained on the introduction of self-financing for Council Housing.

Following the review, the Council strengthened its process by introducing more evidenced based whole life costing into projects, together with supplier market analysis. In addition, it was introduced to alternative buying solutions such as E-auctions which are an option in future procurement exercises.

## Work Plan 2013/14

Other areas have been identified that are considered important in maintaining and strengthening Governance at the Council. The developments are summarised below:

- A new Leadership and Development Programme for Officers
- An on-going review of Members Training, in particular through the induction process
- Application of the new Internal Auditing Standards for the Public Sector
- Introduction of E-committees to make greater use of IT in local democracy
- Introducing a policy for developing Neighbourhood Plans in local communities
- Updating the Scheme of Delegation to reflect the Council’s new management structure
- Reviewing the Whistleblowing Policy following new legislation expected in October 2013
- A review of the Corporate Plan

Primarily, these areas have been highlighted from a review of the Local Code of Corporate Governance, audit work during 2012/13, the Council’s improvement programme, together with changes in legislation. The detailed Governance Work Plan is shown **Appendix 1**. The Work Plan will be monitored through the Local Code.

## Council Sign Off

We propose over the coming year to take steps to address the issues identified in the Work Plan to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review. This Annual Governance Statement is signed by the Leader of the Council and the Chief Executive on behalf of South Derbyshire District Council.

Signed: .....  
(Leader of the Council)

Dated: .....

Signed: .....  
(Chief Executive)

Dated: .....

## APPENDIX 1: GOVERNANCE WORK PLAN 2013/14

Work Area	Timescale	Responsible Officer	Action/Comment
Continue to review the Local Code of Corporate Governance and to monitor the Governance Work Plan for the year	½ yearly review	Legal and Democratic Services Manager	Reviews to be held in December 2013 and June 2014
A new Leadership and Development Programme for Managers	Expected to commence in October 2013	Director of Housing and Environmental Services	This will help to provide managers with the attributes required in order to take the Council forward.
On-going review of Members' training and development and in particular, their role and responsibilities as community leaders	March 2014	Legal and Democratic Services Manager	To review the induction process for Members ahead of the next District Council Election
Application of the new Internal Auditing Standards for the Public Sector	March 2014 with a progress report in September 2013	Director of Finance and Corporate Services	The work of the Internal Audit function will need to be tested against the new standards; a new independent review of its effectiveness will be required at the year end.
Introduction of E-Committees	October 2013	Director of Finance and Corporate Services	Committee meetings to be conducted using technology rather than being paper based; Members to use "handheld" equipment to communicate and for Committee work in their role as community leaders.
Development of Neighbourhood Plans for local communities	March 2014	Director of Community and Planning Services	To be reviewed following consultation on second part of proposed Local Plan.
Update the Council's Scheme of Delegation to reflect the Council's new structure	July 2013	Legal and Democratic Services Manager	The existing scheme will be updated following the introduction of the new Council structure in May 2013.
Review of Whistleblowing policy	December 2013	Director of Finance and Corporate Services	A review will be undertaken following expected changes to legislation in October 2013.
A Review of the Corporate Plan, 2009 - 2014	March 2014	Director of Finance and Corporate Services	The current 5-year Plan ends in March 2014. Outcomes and projects to be reviewed.



