

**Committee:** Standards Committee

**Date:** 17 June 2014

Agenda item:

8 Wards: All

**Subject:** Annual Governance Statement 2013/14

**Lead officer:** Caroline Holland – Director of Corporate Services

**Lead members:** Peter McCabe- Chair of Standards Committee

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**Recommendations:**

- A. That the Standards Committee agrees the Annual Governance Statement.

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**1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 Merton Council is required to prepare an Annual Governance Statement (AGS) for the year 2013/14. This statement is required in order to comply with Regulation 4(3) of the Accounts and Audit Regulations 2011.

**2. DETAILS**

- 2.1 The purpose of the AGS is to report on the robustness of the Council's governance arrangements. Corporate governance is defined, for the purposes of this report, as:

“ The framework of accountability to users, stakeholders and the wider community, within which organisations take decisions, and lead and control their functions, to achieve objectives. The quality of corporate governance arrangements is a key determinant of the quality of services provided by organisations.”

- 2.2 The AGS is effectively a commentary on how well Merton Council manages itself. In recognition of this, a Corporate Governance Steering Group was established in 2007/08, the first year when the AGS came in to force, in order to oversee and advice on the preparation of the AGS. The current membership of this group is:

Caroline Holland	Director of Corporate Services
Margaret Culleton	Head of Audit & Investigations
Kate Herbert	Head of Policy, Strategy and
Zoe Church	Head of Business Planning
Fiona Thomsen	Head of Shared Legal Services
Julia Regan	Head of Democracy Services
Karin Lane	Head of Information Governance
Adam Viccari	Head of Safety Services

2.3 The Framework consists of six core principles:

**Principle 1** Focussing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area

**Principle 2** Members and officers working together to achieve a common purpose with clearly defined functions and roles

**Principle 3** Promoting values for the authority and demonstrating the values of good

**Principle 4** Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

**Principle 5** Developing the capacity and capability of members and officers to be effective

**Principle 6** Engaging with local people and other stakeholders to ensure robust public accountability

2.4 During 2012, a CIPFA/SOLACE Joint Working Group reviewed the *Delivering Good Governance in Local Government: Framework*, first issued in 2007, to ensure it remains fit for purpose. In December 2012, the Joint Working Group issued an addendum to the framework and a revised guidance note.

2.5 The guidance note highlights a number of developments since the launch of the framework. These areas were covered in the AGS for 2013/14. Recent changes however are detailed below.

### **Transparency**

2.6 The government is committed to increasing transparency across Whitehall and local authorities in order to make data more readily accessible to the citizen and to hold service providers to account. The Department for Communities and Local Government published *The Code of Recommended Practice for Local Authorities on Data Transparency* in September 2011, which is concerned with enshrining the principles of transparency. *The council has met most of the requirements of this code.* A top level structure chart has been published and work is in progress to publish the outstanding data of the council's organisation chart and the new requirements of the 2014 Transparency code.

## **Care Act**

- 2.7 The council will be preparing for the implementation of the Care Act in 2015/16. Part of the preparation in 2014/15 will be to ensure that good governance arrangements are set up. The council will be required to undertake three implementation stocktaking exercises, to ensure that the council is ready to implement their statutory duties under the Care Act from April 2015 and to benchmark against others. Funding will be provided to Local Authorities to support adult social care.

## **Changes to Local Authority governance structures**

- 2.8 Commissioning and Partnerships with other local authorities and sectors are being used more to deliver public services in local authorities. Each partner organisation may have its own governance and accountability structure, its own code of conduct and risk management arrangements. It is important that clear lines of accountability for stakeholders and customers are demonstrated.
- 2.9 A review will be carried out in 2014/15 on the governance arrangements in place for the councils shared services to ensure that requirements such as FOI and the council's code of conduct are followed.

## **Review of effectiveness**

- 2.10 The council has a responsibility for conducting, at least annually, an adequate and effective internal audit of its accounting records and of its system of internal control in accordance with the proper practices in relation to internal control.
- 2.11 An external review was carried out in March 2014 on the effectiveness of internal audit. This review found that the service provided at Merton conformed to the Public Sector Internal Audit Standards.
- 2.12 The review of effectiveness of the system of internal control is informed by the work of the internal auditors. Effectiveness of the system is also conveyed by Directors, Assistant Directors and Heads of Service within the authority that has responsibility for the development and maintenance of the internal control environment. The overall opinion is that the internal control environment is satisfactory.

## **Counter fraud arrangements**

- 2.13 The council currently has a corporate investigation team within the Audit & Investigation service that investigates both welfare and non welfare benefit. From November 2014, the posts within this team will be transferred to the DWP under the Single Fraud Investigation Service. An anti fraud function will then be set up within the Audit & Investigation service to cover corporate fraud investigations.

- 2.14 The Audit & Investigation service has anti fraud policies in place, including strong Whistleblowing arrangements and the Head of Audit & Investigations reports all cases of Whistleblowing on an annual basis to the General Purposes committee

### **3. ALTERNATIVE OPTIONS**

- 3.1 There are no alternative options as the AGS is a statutory requirement, as stated at paragraph 1.1 above.

### **4. CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1 No external consultation has taken place or is planned for this document.

### **4. TIMETABLE**

- 5.1 This report has been prepared to meet the timetable for the approval of the Statement of Accounts.

### **5. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1 There are no specific financial, resource or property implications apart from the need to implement the AGS Improvement Plan, which will be completed within existing resources

### **6. LEGAL AND STATUTORY IMPLICATIONS**

- 6.1 The AGS is a statutory requirement, as stated at paragraph 1.1 above.

### **7. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 7.1 There are no specific human rights, equalities or community cohesion implications, except in so far as this report is wholly concerned with good governance

### **8. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 8.1 There are no specific risk management or health and safety implications other than the assessment of the Council's risk management arrangements in the AGS

### **9. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- 9.1 Appendix I: Annual Governance Statement 2013/14.

### **10. BACKGROUND PAPERS – THE FOLLOWING DOCUMENTS HAVE BEEN RELIED ON IN DRAWING UP THIS REPORT BUT DO NOT FORM PART OF THE REPORT**

- 10.1 CIPFA / SOLACE Delivering Good Governance in Local Government – Framework
- 10.2 CIPFA / SOLACE Delivering Good Governance in Local Government – Guidance Note for Local Authorities 2012
- 10.3 CIPFA Rough Guide to Annual Governance Statement

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