

PLYMOUTH CITY COUNCIL

Subject: Annual Governance Statement 2015/16
Committee: Audit Committee
Date: 30 June 2016
Cabinet Member: Councillor Darcy
CMT Member: Lesa Annear (Strategic Director for Transformation & Change)
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Ref: CRM/MJH
Key Decision: No
Part: I

Purpose of the report:

Regulation 6(1) of the Local Government, England and Wales Accounts and Audit Regulations 2015 requires all relevant bodies to prepare an Annual Governance Statement (AGS)

The purpose of the AGS is to provide evidence of a continuous review of the Council's internal control and risk management processes, to provide assurance as to their effectiveness and to identify action being taken or planned to address any key weaknesses identified.

The Accounts and Audit (Amendment) (England) Regulations 2006 also introduced a requirement to include an annual review of the effectiveness of the internal audit system.

The 2011/12 Code of Practice on Local Authority Accounting also requires that, within the AGS, there should be a statement on whether the Authority's financial management arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government.

This report outlines the process followed in order to produce the AGS for 2015/16 and recommends approval of the Statement prior to signature by the Leader, the Chief Executive and the Assistant Director for Finance (S.151 Officer).

The report also provides an opinion on the effectiveness of the internal audit system for the same period.

The proposed Statement for 2015/16 is attached to the report.

The Co-operative Council Corporate Plan 2013/14-2016/17:

Maintaining sound systems of internal control and risk management enables the council to monitor and review the key risks that may prevent it from achieving its corporate and service objectives.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

None arising specifically from this report.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

The Risk and Opportunity Management Strategy specifically supports the processes which underpin the production of the Annual Governance Statement.

Equality and Diversity

Has an Equality Impact Assessment been undertaken? No.

Recommendations and Reasons for recommended action:

The Audit Committee is recommended to:

- a) Note the processes adopted for the production of the 2015/16 Annual Governance Statement.
- b) Endorse the adequacy and effectiveness of the system of internal audit.
- c) Approve the Annual Governance Statement prior to signature by the Leader, Chief Executive and Assistant Director for Finance (S.151 Officer).

Alternative options considered and rejected:

Not applicable.

Published work / information:

Background papers:

Strategic Risk & Opportunity Register

Title	Part I	Part II	Exemption Paragraph Number						
			1	2	3	4	5	6	7

Sign off: Councillor Darcy

Fin		Leg	DVS2 5916	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member , Strategic Director for Transformation and Change													
Has the Cabinet Member(s) agreed the contents of the report? Yes													

1.0 Introduction

1.1 This report outlines the background to the statutory requirement to produce an Annual Governance Statement (AGS) and describes the process followed in producing the AGS for 2015/16 for publication with the Annual Statement of Accounts.

2.0 The Council's Statutory Responsibility

2.1 Plymouth City 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. Regulation 6(1) of the Local Government, England and Wales Accounts and Audit Regulations 2015 requires all relevant bodies to prepare an Annual Governance Statement.

2.2 There is also a requirement under regulation 5(1) that relevant authorities must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance.

2.3 The 2012/13 Code of Practice on Local Authority Accounting also requires that, within the AGS, there should be a statement on whether the Authority's financial management arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government.

2.4 The purpose of the AGS process is to provide a continuous review of the effectiveness of an organisation's internal control and risk management, in order to give assurance as to their effectiveness and/or to produce a management action plan to address identified weaknesses in either process.

2.5 The AGS is required to be approved at a committee of the Council and this sits most comfortably with Audit Committee, as its terms of reference include both internal control and risk management.

2.6 The proposed Annual Governance Statement for 2015/16 is attached to this report.

3.0 Effective Review and the Control of Risk

3.1 The introduction of new responsibilities and the development of new collaborative structures and ways of working provide challenges for ensuring transparency, demonstrating accountability and, in particular, for managing risk. The statutory responsibility to publish an Annual Governance Statement requires the Council to review its key risks, and to identify and publish the actions that it intends taking to improve or resolve those risks.

3.2 These risks primarily relate to the achievement of the Council's core objectives and strategies and, therefore, the AGS provides an opportunity to formally review governance structures and processes that underpin their delivery.

4.0 Scope of the AGS

4.1 The AGS spans the whole range of local authority activities and includes those controls designed to ensure:

- The authority's policies are put into practice

- The organisation's values are met
- Laws and regulations are complied with
- Required processes are adhered to
- Financial statements and other published information are accurate and reliable
- Governance arrangements are in place for significant partnerships
- Human resources and other resources are managed efficiently and effectively

4.2 In establishing and defining the system of internal control the AGS provides a mechanism by which the authority can maintain, review and keep up to date its control environment. It links internal audit findings, external audit and inspection reports and the risk management process and provides an effective review of the Council's risk management and control mechanisms.

4.3 The Council's control environment is managed through a number of core processes and procedures which are defined within the body of the AGS.

4.4 The AGS has been compiled by carrying out an annual review of the control environment which has involved researching and formally recognising and recording the processes already in place across the Authority.

4.5 Recognising that preparation of the AGS is a wide-ranging and corporate issue that should not be owned by any one department, a Working Group of key officers was established to oversee the process. This Group comprised:

- Head of Assurance
- Audit Manager, Devon Audit Partnership
- Head of Integrated Finance
- Performance and Research Officer
- Head of Legal Services
- Risk Management & Insurance Officer

4.6 The Working Group is responsible for producing the AGS which is then approved by the Corporate Management Team and Cabinet Planning prior to ratification by the Audit Committee.

4.7 The Council's external auditors will consider the arrangements in place to enable preparation of the AGS, including the degree to which the Council recognises and can demonstrate corporate ownership of its governance arrangements.

5.0 The Assurance Gathering Process

5.1 Those with responsibility for signing the AGS need to feel confident that the information used to review the control environment is complete and accurate. The AGS is therefore required to be signed by the most senior officer and most senior member (i.e. the Chief Executive and the Council Leader). It is also signed by the Assistant Director for Finance (S.151 Officer) as the officer responsible for overseeing the production of the AGS.

5.2 Although the production of the AGS is required by the Accounts and Audit Regulations, the responsibility for securing effective internal control does not rest solely with Finance staff.

5.3 Preparation of the AGS has therefore involved a variety of people charged with delivering corporate governance:

- Directors, Heads of Service and managers assigned with the ownership of risk and the delivery of services
- The Chief Financial Officer who is responsible for the accounting control systems and records and the preparation of the statement of accounts
- The Monitoring Officer in meeting his statutory responsibilities
- Elected Members (e.g. through Audit or Scrutiny Committees)
- Others responsible for providing assurance (e.g. Internal Audit and Risk Management)

5.4 The primary source of information which informs the content of the AGS comes from Assurance Questionnaires completed by Directors, Head of Service and other senior managers covering key questions around the internal control and governance framework.

5.5 When completing these questionnaires respondents are asked to review a number of sources where internal control/governance weaknesses may be identified:

- Risks identified in Strategic and Operational Risk Registers
- Issues arising from Internal Audit Reviews completed in 2015/16
- Issues arising from external inspections

6.0 Code of Corporate Governance Self-Assessment/Annual Review

6.1 In accordance with the CIPFA/SOLACE framework document *Good Governance in Local Government*, the Council has adopted a local Code of Corporate Governance which was approved by Audit Committee on 31 March 2008.

6.2 The framework recommends that the Council carries out annually a self-assessment of the extent to which it complies with the six core principles of good governance set out in the Code.

6.3 The format provides in one document a review of both the Code of Corporate Governance and the framework the Council adopts to comply with its key principles, as well as identifying the significant governance issues arising from the review and the mitigating actions in place to manage the risks. It also captures our unique priorities, challenges and achievements, in order to allow the reader to recognise their individual council.

7.0 Review of Internal Audit System

7.1 Continuous review of the effectiveness of the Council's internal audit system is conducted by the Audit Committee whose terms of reference include, specifically, inter alia:

- To agree the annual Internal Audit Plan
- To monitor the progress and performance of Internal Audit
- To consider the Chief Auditor's annual report, and comment annually on the adequacy and effectiveness of internal control systems within the Council

7.2 The Chief Auditor's annual report is being considered at the same time as this report and invites Members to endorse the adequacy and effectiveness of the system of internal audit for the year ending 31 March 2016.

7.3 It is recommended that this endorsement forms part of the Annual Governance Statement for 2015/16.

8.0 Identifying control weaknesses significant for the purpose of the AGS

8.1 Whilst there is no absolute definition of the term, the following indicators (provided by CIPFA) have been used to help in considering whether or not an issue is significant enough to be reported on in the AGS:

- It seriously prejudices or prevents achievement of the principal objective of the authority;
- It has resulted in the need to seek additional funding to allow it to be resolved, or has resulted in significant diversion of resources from another aspect of the business;
- It has led to a material impact on the accounts
- The Audit Committee advises it should be considered significant for this purpose;
- The Head of Devon Audit Partnership reports on it as significant, for this purpose, in the annual opinion on the internal control environment;
- The issue, or its impact, has attracted significant public interest or has seriously damaged the reputation of the organisation;
- The issue has resulted in formal action being undertaken by the Chief Financial Officer and/or the Monitoring Officer

9.0 Conclusion

9.1 The attached AGS identifies the outcome of the review of the effectiveness of Plymouth City Council's governance arrangements, covering internal audit, internal control and risk management systems and also identified significant governance issues together with details of actions being taken to address them.