

## **2020/21 Annual Governance Statement**

### **1. SCOPE OF RESPONSIBILITY**

The Council is responsible for ensuring that its business, and that of its owned companies, 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. We also have a duty to continually review and improve the way in which functions are exercised.

We have put in place a local Code of Corporate Governance and a framework intended to make sure we do the right things, in the right way, for the right people. The Code is in line with the 2016 Framework issued by CIPFA and remains up to date. This Statement explains how the Council has complied with its Code in 2020/21.

### **2. THE PURPOSE OF THE GOVERNANCE FRAMEWORK**

The governance framework comprises the systems and processes, culture and values that direct and control our activities and through which we account to, engage with, and lead the community. The framework enables us to monitor the achievement of strategic objectives and priorities and to consider whether they have led to the achievement of appropriate, cost-effective outcomes.

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 and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness.

The governance framework has been in place at the Council for the year ended 31st March 2021 and up to the date of approval of the Statement of Accounts.

### **3. THE GOVERNANCE FRAMEWORK**

- 3.1 The City Plan sets out the vision for the City until 2030. The intentions of the vision are set out as part of a Dynamic, Healthy and Vibrant City. The City Plan sets out explicitly the Council's planned key actions and performance targets for the future.
- 3.2 The annual strategic planning process, engagement and participation with residents, needs analysis and demographic information ensure the Council's vision remains relevant and meets the needs of local communities. There are annual reviews of the local Code of Corporate Governance to ensure that it is up to date and effective.

- 3.3 Arrangements are in place to measure the quality of services, to ensure they are delivered in line with our objectives and priorities and for ensuring that they provide value for money. There are performance management arrangements in place including regular reporting to the Chief Officer's Group and Scrutiny. Services are delivered by suitably qualified / trained / experienced staff and all posts have detailed job profiles / descriptions.
- 3.4 The roles and responsibilities of Council members and employees are clearly documented. The Council's [Constitution](#) sets out how the Council operates. It incorporates a delegation scheme, indicates responsibilities for functions and sets out how decisions are made. The Council's wholly owned companies have similar arrangements that set out how they will be governed.
- 3.5 The Constitution includes Rules of Procedure and a scheme of delegation which clearly define how decisions are taken and we have various Codes and Protocols that set out standards of behaviour for members and staff. Directorates have established delegation schemes, although these require regular updating to reflect ongoing organisational changes.
- 3.6 During the year a system of scrutiny was in place allowing the scrutiny function to:
- review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
  - make reports and/or recommendations to the full Council and/or the executive and/or any joint or area committee in connection with the discharge of any functions;
  - consider any matter affecting the area or its inhabitants;
  - exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the executive and/or area committees;
  - consider Local Petitions and Councillor Calls for Action for matters within their terms of reference; and
  - consider regular reports on the Council's performance against the City Plan.
- 3.7 A range of financial and human resources policies and procedures are in place. Appropriate project management standards and Business Continuity Plans are in place, which have been subject to ongoing review throughout the Covid 19 pandemic. There are comprehensive budgeting systems in place and a robust system of budgetary control, including formal quarterly and annual financial reports, which indicate financial performance against forecasts. There are clearly defined capital expenditure guidelines in place and procedures are in place to ensure that the Dedicated Schools Grant is properly allocated to and used by schools in line with the terms of grant given by the Secretary of State under section 14 of the Education Act 2002.

3.8 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). The Executive Director of Corporate Services is designated Chief Finance Officer and fulfils this role through the following:

- Attendance at meetings of the Chief Officer Group, helping it to develop and implement strategy and to resource and deliver the Council's strategic objectives sustainably and in the public interest;
- Involvement in all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered;
- Alignment of medium term business and financial planning processes;
- Leading the promotion and delivery of good financial management by the whole organisation so that public money is safeguarded and used appropriately, economically, efficiently and effectively; and
- Ensuring that the finance function is resourced to be fit for purpose.

3.9 The Council has an Audit and Governance Committee which, as well as approving the Council's Statement of Accounts, undertakes an assurance and advisory role to:

- consider the effectiveness of the Council's corporate governance arrangements, risk management arrangements, the control environment and associated anti-fraud and corruption arrangements and seek assurance that action is being taken on risk-related issues identified by auditors and inspectors;
- be satisfied that the Council's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it;
- receive and consider (but not direct) internal audit's strategy, plan and monitor performance;
- receive and consider the external audit plan;
- review a summary of internal audits, the main issues arising, and seek assurance that action has been taken where necessary;
- receive and consider the annual report of internal audit;
- consider the reports of external audit and inspection agencies, including the Annual Audit Letter;
- ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted;
- review the external auditor's opinions and reports to members, and monitor management action in response to the issues raised by external audit;
- review the adequacy of and compliance with, the Council's Treasury Management Policy; and
- make recommendations to Cabinet or Council as appropriate.

- 3.10 We have arrangements to ensure compliance with relevant laws, regulations, internal policies and procedures, and that expenditure is lawful. The Assistant Director of Law and Governance is the Council's designated Monitoring Officer and a protocol is in place with all Chief Officers to safeguard the legality of all Council activities. All Cabinet Reports are considered for legal issues before submission to members.
- 3.11 Arrangements for whistle-blowing and for receiving and investigating complaints from the public are well publicised and subject to periodic review. We are committed to maintaining these arrangements to ensure that, where any individual has concerns regarding the conduct of any aspect of the Council's business, they can easily report their concerns. Monitoring records held by the Assistant Director of Law and Governance show that the whistle blowing arrangements are being used by both staff and the public, and that the Council is responding appropriately. The whistle blowing arrangements have assisted with the maintenance of a strong regime of internal control.
- 3.12 We have arrangements to identify the development needs of members and senior officers in relation to their strategic roles. The Council recognises that managing the performance of all of employees is key to ensuring that the organisation meets the needs of the community. This includes assessing ability against requirements of the role focusing on strengths and highlighting areas of weakness, job related training, and ongoing evaluation of the extent to which employees understand and support the values of the Council.
- 3.13 Channels of communication have been established with the community to promote accountability and encourage open consultation. We are committed to listening to, and acting upon, the views of the local community and carry out consultation in order to make sure that services meet the needs of local people.
- 3.14 The Council has arrangements in place for the consistent management of partnerships through a guidance and supporting documents for all Council employees to use when involved with partnerships and supporting arrangements have been in place throughout the year.
- 3.15 Contractual arrangements with our subsidiary companies set out challenging targets around use of resources and improved outcomes.

#### *Response to Covid 19*

- 3.16 From early March the Council put in place arrangements to respond to Covid-19 and employee and elected member formal Covid-19 briefings commenced on March 13th, 2020. The Council followed advice from Public Health England and has continued to work with partners across the city to monitor developments, communicate the latest guidance and take all the precautionary action necessary to protect our residents and staff, and to help safeguard services. This initially included:

- Establishing a strategic planning group with senior representatives from across the organisation who met on a regular basis to ensure a coordinated response to any issues that arose;
- Holding an internal business continuity planning exercise with all senior leaders within the Council and Together for Children and Sunderland Care and Support;
- Requiring all managers to assess and update their business continuity arrangements in the light of the issues that may arise from Coronavirus;
- Sharing and promoting information from Public Health England about good hygiene practices and how to find out more about the virus;
- Cleaning Council offices more often; and
- Keeping big events under review in line with national guidance.

3.17 The Council moved swiftly in the following week to ensure there was comprehensive guidance to all employees and services with relation to dealing with the symptoms of Covid-19, social distancing and amending how services were delivered which has been updated and communicated throughout the year as appropriate. The Council has maximised the benefits from investment in technology (both hardware and software) that has supported many employees working in more agile ways, including home working.

3.18 In terms of Council governance around Covid-19 and dealing with the implications of changing national policy and local delivery to support the city, arrangements were formalised in mid-March 2020 and formally shared with all employees in daily Covid-19 communications. The response phases consisted of a Strategic (Gold) Group, a Tactical (Silver) Group and eleven Operational (Bronze) Groups. The arrangements have been kept under review and updated accordingly.

3.19 At the same time the risk management arrangements were updated with a Covid-19 risk register being updated daily initially and then on a weekly basis. The purpose of the register is to ensure the Council understands the key risk areas, understands the level of risk faced in each area of the Council businesses, to identify and track actions that are being taken and to focus on the areas that remain a higher risk.

3.20 Towards the end of March 2020 arrangements were also formalised in terms of the North East Councils collaborating, the development of the regional Local Resilience Forum (LRF) arrangements, national updates as well as support from the LGA and other advisory bodies which have continued throughout 2020/21. These are all aligned with the Council's governance arrangements of Gold, Silver and Bronze. The Council is represented on the regular LRF conference calls.

3.21 In light of Covid-19 considerable work was done within the Council to assess critical functions across all services and to develop robust arrangements to monitor the wellbeing and availability of all employees across the council, Together for Children and Sunderland Care and Support. This has also included work to ensure social distancing can be observed, home working

supported and ensuring adequate personal protective equipment (PPE) being in place.

#### **4. REVIEW OF EFFECTIVENESS**

4.1 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 the effectiveness is carried out over the course of the year through the Integrated Risk and Assurance Framework. The review is informed by the Risk and Assurance Map which summarises assurances gathered from all available sources in relation to the Council and its wholly owned companies, and in particular:

- Assurances from Assistant Directors who have carried out self-assessments relating to their areas of responsibility;
- assurances from Chief Officers through completion of controls assurance statements;
- assurances from senior officers responsible for relevant specialist areas;
- internal audit planning processes which include consultation with all Chief Officers, and the results of audit activity as summarised in the Annual Governance Review report; and
- the external auditors (Mazars) Annual Audit Letter for 2019/20 concludes that in all significant respects, the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2020, 'except for' the areas that were assessed as inadequate in Ofsted's re-inspection report on children's safeguarding services in July 2018.

4.2 The Assistant Director of Business and Property Services, as the Council's head of internal audit, has directed, co-ordinated and overseen the review and its findings and proposed improvements have been reported to the Chief Officer's Group for their consideration and approval of the Annual Governance Statement.

4.3 The findings of the review have been reported to the Chair of the Audit and Governance Committee in April 2021 to ensure that under their Terms of Reference the Committee has satisfied themselves that the Annual Governance Statement properly reflects the risk environment and any actions required to improve it before formal approval of the Statement of Accounts.

4.4 The outcome of the review of effectiveness provided the necessary assurance and that no significant issues across the Council or its wholly owned companies were identified.

4.5 We have been advised of the outcome of the review of the effectiveness of the governance framework, and that the overall arrangements continue to be regarded as fit for purpose in accordance with the governance framework. A small number of improvement actions have been set out in an agreed improvement plan.

- 4.6 We propose over the coming year to take steps to implement the improvement plan to further enhance the Council's governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in the review and we will monitor their implementation and operation as part of the next annual review.
- 4.7 The social, health and economic impacts of the Covid-19 pandemic on the City will continue to be at the heart of our future plans for the City and the council.

Councillor Graeme Miller  
Leader of the Council

Patrick Melia  
Chief Executive

Jon Ritchie  
Executive Director of Corporate  
Services

Dated

