Report to: EXECUTIVE CABINET

Date: 28 April 2021

Executive Member: Councillor Oliver Ryan – Executive Member (Finance and Economic

Growth)

Reporting Officer: Kathy Roe – Director of Finance

Subject: CIPFA FINANCIAL MANAGEMENT CODE

Report Summary: To inform Members of the contents of the new CIPFA Financial

Management Code and provide an assessment of the Council's current levels of compliance, and any areas for further development

and improvement.

Recommendations: Members are asked to note the contents of the report and endorse

the improvement actions identified in the self assessment against

the Code requirements.

Corporate Plan: Sound financial management is essential to ensure Council budgets

are aligned with the priorities of the Corporate Plan and financial

sustainability.

Policy Implications: Financial Management standards and financial sustainability

support the policy choices that the Strategic Commission intends to pursue to support the Corporate Plan and Medium Term Financial

Plan.

Financial Implications: (Authorised by the statutory

Section 151 Officer & Chief

Finance Officer)

These are the subject of the report.

Legal Implications:

(Authorised by the Borough

Solicitor)

Robust financial management is critical to the delivery of services

for the residents of Tameside.

Risk Management: Failure to ensure high standards of financial management may

result in the Council becoming financially unsustainable, resulting in

service failure and loss of public confidence.

Background Information: The background papers relating to this report can be inspected by

contacting Heather Green, Finance Business Partner

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1. INTRODUCTION

- 1.1 The Chartered Institute of Public Finance and Accountancy (CIPFA) published The Financial Management Code (FM Code) in late 2019. The FM Code provides guidance for good and sustainable financial management in local authorities, giving assurance that authorities are managing resources effectively.
- 1.2 The first year of compliance for the FM Code is 2021/22 however CIPFA has recognised the extraordinary burden being placed on Local Authorities since the beginning of the COVID pandemic. In a statement issued on 11 February 2021 a proportionate approach is encouraged, meaning that in practice adherence to some parts of the Code will demonstrate a direction of travel rather than full compliance from 1 April 2021.
- 1.3 The FM Code requires authorities to demonstrate that the processes they have in place satisfy the principles of good financial management, which is an essential part of ensuring that public sector finances are sustainable. The FM Code identifies risks to financial sustainability and introduces a framework of assurance. This framework is built on existing successful practices and sets explicit standards of financial management.
- 1.4 With increasing financial pressures being faced by Councils following 10 years of austerity and a number of high profile governance failings within the Local Government section, it is vital that Tameside Council can demonstrate its sound financial management of its affairs for the benefit of its tax payers and residents.
- 1.5 Compliance with the standards set out in the FM Code is the collective responsibility of Elected Members, the Director of Finance and all Senior Officers. Complying with the FM Code will help strengthen the framework that surrounds financial decision-making.

2. APPLICATION OF THE FINANCIAL MANAGEMENT (FM) CODE

- 2.1 CIPFA's intention is that the Financial Management Code (FM Code) will have the same scope as the Prudential Code for Capital Finance in Local Authorities (CIPFA, 2017), which promotes the financial sustainability of local authority capital expenditure and associated borrowing.
- 2.2 In addition to its alignment with the *Prudential Code for Capital Finance in Local Authorities* (CIPFA, 2017), the FM Code also has links to the *Treasury Management in the Public Sector Code of Practice and Cross Sectoral Guidance Note* (CIPFA, 2017) and the annual *Code of Practice on Local Authority Accounting in the United Kingdom*. In this way the FM Code supports authorities by re-iterating in one place the key elements of these statutory requirements.
- 2.3 The FM Code is also further supported by statutory requirements for all local authorities to have sound financial management. Section 151 of the Local Government Act 1972 requires that every local authority in England and Wales should "... make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs."
- 2.4 In addition to the requirements of primary legislation and associated CIPFA Codes, an authority's prudent and proper financial management is informed by a framework of professional codes of practice and guidance, including:
 - the CIPFA Statements of Professional Practice (SOPP) (including ethics)
 - the CIPFA Statement of the Role of the Chief Financial Officer
 - the CIPFA Statement on the Role of the Chief Financial Officer in Local Government

2.5 CIPFA considers the application of the FM Code to be a professional responsibility of all its members, regardless of their role in the financial management process. More specifically, the FM Code clarifies CIPFA's understanding of how Chief Finance Officers (CFOs) should satisfy their statutory responsibility for good financial administration. The responsibilities of the CFO are both statutory and professional. Notwithstanding these specific expectations of CIPFA members, the primary purpose of the FM Code is to establish how the CFO – regardless of whether or not they are a CIPFA member – should demonstrate that they are meeting their statutory responsibility for sound financial administration.

3. THE FINANCIAL MANAGEMENT (FM) CODE

- 3.1 The FM Code establishes an approach based on six principles of good financial management, supported by 17 standards for compliance, and is therefore not intended to be prescriptive. The six principles cover:
 - 1. **Organisational Leadership** Demonstrating a clear strategic direction based on a vision in which financial management is embedded into organisational culture.
 - 2. **Accountability** Based on medium term financial planning, driving the annual budget process, supported by effective risk management, quality supporting data and whole life costs.
 - 3. **Transparency** At the core of financial management, using consistent, meaningful and understandable data, reported frequently, with evidence of periodic officer action and elected member decision making.
 - 4. **Professional Standards** Promoted by the leadership team, with adherence evidenced.
 - 5. **Assurance** Recognised as an effective tool, mainstreamed into financial management, including political scrutiny and the results of both external audit, internal audit and inspection.
 - 6. **Long-Term Sustainability** At the heart of all local services' financial management processes, evidenced by the prudent use of public resources.
- 3.2 The FM Code translates the principles of good financial management into a series of standards. These standards address the aspects of the Council's operations and activities that must function effectively if financial management is to be undertaken robustly and financial sustainability is to be achieved. These standards cover:

The res	ponsibilities of the chief finance officer and leadership team					
А	The leadership team is able to demonstrate that the services provided by the authority provide value for money					
В	The authority complies with the CIPFA Statement on the Role of the Chief Finance Officer in Local Government (2016)					
Govern	ance and financial management style					
С	The leadership team demonstrates in its actions and behaviours responsibility for governance and internal control					
D	The authority applies the CIPFA/SOLACE Delivering Good Governance in Local Government: Framework (2016)					
Е	The financial management style of the authority supports financial sustainability					
Mediun	Medium to long-term financial management					
F	The authority has carried out a credible and transparent financial resilience assessment					

The authority understands its prospects for financial sustainability in the longer
term and has reported this clearly to members
The authority complies with the CIPFA Prudential Code for Capital Finance in Local Authorities
The authority has a rolling multi-year medium-term financial plan consistent with sustainable service plans
ual budget
The authority complies with its statutory obligations in respect of the budget setting process
The budget report includes a statement by the chief finance officer on the robustness of the estimates and a statement of the adequacy of the proposed financial reserves
lder engagement and business cases
The authority has engaged where appropriate with key stakeholders in developing its long-term financial strategy, medium-term financial plan and annual budget
The authority uses an appropriate documented option appraisal methodology to demonstrate the value for money of its decisions
ing financial performance
The leadership team takes action using reports, enabling it to identify and correct emerging risks to its budget strategy and financial sustainability
The leadership team monitors the elements of its balance sheet which pose a significant risk to its financial sustainability
financial reporting
The chief finance officer has personal responsibility for ensuring that the statutory accounts provided to the local authority comply with the Code of Practice on Local Authority Accounting in the United Kingdom
The presentation of the final outturn figures and variations from budget allow the leadership team to make strategic financial decisions

4. ASSESSMENT OF COMPLIANCE

4.1 An assessment of compliance with the standards in the FM code has been undertaken and is summarised in **Appendix 1.** This assessment concludes that the Council is compliant with minimum standards set out in the FM Code but has identified some areas for further improvement over the course of the next 12 months.

5. **RECOMMENDATIONS**

5.1 As set out at the front of the report.

APPENDIX 1 – ASSESSMENT AGAINST THE FINANCIAL MANAGEMENT CODE STANDARDS

F	M CODE STANDARDS	Key Questions in FM Code	Met?	Current Arrangements	Areas for Improvement (If any)
	The resp	onsibilities of the chief finar	nce c	officer and leadership	team
A	The leadership team is able to demonstrate that the services provided by the authority provide value for money	understanding of what value for money means to it and to its leadership team?	YES	Corporate Plan identifying the strategic priorities for the Council. Governance arrangements including the Financial Regulations and Contract Procedure Rules, and decision-making. Procurement processes supported by STAR. Audit and risk management arrangements include reporting to senior officers and Members. Capital Expenditure proposals subject to business cases and Member approval. Regular financial reporting to Officers and Members.	The integration of performance reporting with financial reporting would enable better links between cost and performance. Revisions and clarifications to the Financial Regulations, and further training and guidance to officers to provide greater clarity on levels of delegation and decision making routes.
В	The authority complies with the CIPFA Statement on the Role of the Chief Finance Officer in Local Government (2016)	leadership team, involved in, and able to bring influence to bear on, all material business decisions?	YES	The Director of Finance for the demonstrates full compliance with the CIPFA Statement on the Role of the Chief Finance Officer in Local Government. The Director of Finance is a key member of the Single Leadership Team, actively involved in and able to influence all material decisions, and is supported by a suitably resourced and fit for purpose Finance team.	Regular review and refresh of Financial Management roles and responsibilities, and ongoing consideration of training and development needs.

		Governance and financial	lma	nagomont stylo	
С	The leadership team demonstrates in its actions and behaviours responsibility for	Does the leadership team espouse the Nolan principles?Does the authority have in place a clear	YES	Compliance with the Council's core governance systems and frameworks including the Constitution, decision making,	Revisions and clarifications to the Financial Regulations, and further training and
	governance and internal control	for framework for governance and internal	Codes of Conduct, Annual Governance Statement and Internal Audit Function. The Monitoring Officer is a key member of the Single Leadership Team.	guidance to officers to provide greater clarity on levels of delegation and decision making routes	
D	The authority applies the CIPFA/SOLACE Delivering Good Governance in Local Government: Framework (2016)		YES	The Council's Code of Corporate Governance sets out the Council's governance arrangements in conjunction with the CIPFA/SOLACE Delivering Good Governance in Local Government Framework 2016. Compliance with Framework is confirmed within the AGS. Assurance processes are well established to support the AGS, and improvement actions identified in the AGS are followed up during the year. The Internal Audit Function is compliant with Public Sector Internal Audit Standards and reports regularly to the Audit Panel.	

				Following the Finance Service Review in 2017, a finance business partnering model has been adopted and is being embedded within the organisation.	
		Medium to long-term fina	ancia	al management	
F	The authority has carried out a credible and transparent financial resilience assessment	 Has the authority undertaken a financial resilience assessment? Has the assessment tested the resilience of the authority's financial plans to a broad range of alternative scenarios? Has the authority taken appropriate action to address any risks identified as part of the assessment? 	YES	The risk assessment process undertaken as part of the annual budget cycle and regular updates to the MTFP inform the assessment of financial resilience for the Council. The Director of Finance Report on the Robustness of the budget estimates in the annual budget report, combined with the risk assessment to inform the minimum level of general reserves is a key part of this assessment. Use of reserves to fund the revenue budget in previous years has been identified as unsustainable and the 2021/22 budget and plans for future years seek to move the Council away from this approach.	Further information on the scenarios and risks considered by Financial Management and Senior Officers to be reported more frequently to Members to enable greater understanding of the financial risks facing the Council.
G	The authority understands its prospects for financial sustainability in the longer term and has reported this clearly to members	 Does the authority have a sufficiently robust understanding of the risks to its financial sustainability? Does the authority have a strategic plan and long-term financial strategy that adequately address these risks? 	YES	The Council has a five year MTFP which is regularly updated and reported to Members as part of the annual budget cycle. The Corporate Plan sets out the medium and longer term priorities for the Council.	The Capital programme has been heavily reliant on capital receipts and there are risks to delivery in further receipts are not realised. A review and refresh of the Capital

		 Has the authority sought to understand the impact on its future financial sustainability of the strategic, operational and financial challenges that it might face (eg using a technique such as scenario planning)? Has the authority reported effectively to the leadership team and to members its prospects for long-term financial sustainability, the associated risks and the impact of these for short and medium-term decision making? 		The Council has adopted a Capital Strategy and this is linked to other strategies including the Treasury Management Strategy, Asset Management Plan and Disposals Policy. The Capital Programme is monitored throughout the year, with regular updates to Members and all new Capital Schemes are subject to business cases and approval by Members.	Programme, including the funding strategy is to be undertaken early in 2021/22.
Н	The authority complies with the CIPFA Prudential Code for Capital Finance in Local Authorities	 Has the authority prepared a suitable capital strategy? Has the authority set prudential indicators in line with the Prudential Code? Does the authority have in place suitable mechanisms for monitoring its performance against the prudential indicators that it has set? 	YES	The Council has adopted a Capital Strategy alongside the Treasury Management Strategy, with Prudential Indicators set on an annual basis and approved as part of the budget setting process by Full Council. Performance against prudential indicators is considered as part of the regular Capital Monitoring reports to Members.	
I	The authority has a rolling multi-year medium-term financial plan consistent with sustainable service plans	 Does the authority have in place an agreed medium-term financial plan? Is the medium-term financial plan consistent with and integrated into relevant service plans and its capital strategy? Has the medium-term financial plan been prepared on the basis of a robust assessment of relevant drivers of cost and demand? Has the medium-term financial plan been tested for resilience against realistic potential variations in key drivers of cost and demand? Does the authority have in place a suitable asset management plan that seeks to ensure that its property, plant and equipment including 	YES	The Council has a rolling five year MTFP which is revised annually and reflects the latest position of the Council in terms of funding, cost pressures, investments and savings. Revenue monitoring reports are prepared and presented to Members on a monthly basis. Capital Monitoring reports are prepared on a quarterly basis, with more detailed service based capital update reports presented to Strategic Planning and Capital Monitoring Panel four times a	

		infrastructure assets contribute effectively to the delivery of services and to the achievement of the authority's strategic aims?		year. An asset management plan is in place which is subject to review and refresh as service delivery needs change.	
		The annual b	oudg	jet	
J	The authority complies with its statutory obligations in respect of the budget setting process	 Is the authority aware of its statutory obligations in respect of the budget-setting process? Has the authority set a balanced budget for the current year? Is the authority aware of the circumstances under which it should issue a Section 114 notice and how it would go about doing so? 	YES	A legal and balanced budget and corresponding Council Tax levels are set annually, by the statutory deadline. The budget proposals, alongside the reserves risk assessment and Robustness Report of the Director of Finance, are presented to Cabinet ahead of final budget proposals being considered and agreed by Full Council. The MTFP process is designed to deliver a balanced budget each year. The authority is aware of the circumstances under which it should issue a section 114 notice and how it would go about doing so.	
K	The budget report includes a statement by the chief finance officer on the robustness of the estimates and a statement of the adequacy of the proposed financial reserves	 Does the authority's most recent budget report include a statement by the CFO on the robustness of the estimates and a statement of the adequacy of the proposed financial reserves? Does this report accurately identify and consider the most significant estimates used to prepare the budget, the potential for these estimates being incorrect and the impact should this be the case? 	YES	The annual budget report, considered by Executive Cabinet and approved by Full Council includes a Statement by the Director of Finance on the robustness of the budget estimates and the adequacy of reserves. This is supported by the reserves strategy and risk assessment to inform the minimum level of general reserves. The report and	

		 Does the authority have sufficient reserves to ensure its financial sustainability for the foreseeable future? Does the report set out the current level of the authority's reserves, whether these are sufficient to ensure the authority's ongoing financial sustainability and the action that the authority is to take to address any shortfall? 		statement clearly identifies the most significant risk areas for the Council and these inform the risk assessment. The Council's reserve position has historically been strong, although significant reserves have been utilised to support the revenue budget in recent years. The reserves strategy and risk assessment recognise that this is unsustainable and the 2021/22 budget moves away from this approach.	
		Stakeholder engagement	and	business cases	
L	The authority has engaged where appropriate with key stakeholders in developing its long-term financial strategy, medium-term financial plan and annual budget	key stakeholders in developing its long-term financial strategy, its medium-term financial	YES	The MTFP and budget is developed in consultation with Members and the Leadership Team as well as key partners and stakeholder groups. In recent years the Council has carried out extensive consultation with the community and has a proven track record of engagement, consultation, listening and considering feedback in the budget setting process. Engagement and consultation will continue over the budget plan period and standard Council procedures will be observed in the instances where we are required to inform the public.	

M	The authority uses an appropriate documented option appraisal methodology to demonstrate the value for money of its decisions	 Does the authority have a documented option appraisal methodology that is consistent with the guidance set out in IFAC/PAIB publication Project and Investment Appraisal for Sustainable Value Creation: Principles in Project and Investment Appraisal? Does the authority offer guidance to officers as to when an option appraisal should be undertaken? Does the authority's approach to option appraisal include appropriate techniques for the qualitative and quantitative assessment of options? Does the authority's approach to option appraisal include suitable mechanisms to address risk and uncertainty? Does the authority report the results of option appraisals in a clear, robust and informative manner that gives clear recommendations and outlines the risk associated with any preferred option(s)? 	YES	Capital Investment proposals are subject to business cases which use the national Treasury Green Book Appraisal Methodology for all capital investment proposals to ensure they demonstrate VfM. Officers receive guidance from the Finance Service when developing business cases and options appraisals for investment proposals. Where significant policy decisions of a revenue nature have financial implications, these should also be supported by appropriate options appraisals. Cabinet reports include revenue and capital implications to ensure decision makers are fully informed of the associated financial implications. In order to improve reporting, further training should be delivered regarding the early identification of the financial	Consideration to be given to applying the business case template for Capital to any significant revenue related decisions.
				implications of policy proposals.	
		Monitoring financia	l per	formance	
N	The leadership team takes action using reports, enabling it to identify and correct emerging risks to its budget strategy and financial sustainability	 Does the authority provide the leadership team with an appropriate suite of reports that allow it to identify and to correct emerging risks to its budget strategy and financial sustainability? Do the reports cover both forward and backward-looking information in respect of financial and operational performance? Are there mechanisms in place to report the performance of the authority's significant 	YES	Monthly revenue financial monitoring is presented to Senior Officers, the Leadership Team and Members. This includes monitoring of savings plans with additional focused reporting on savings having been introduced for 2021/22. Significant variances and emerging risks are identified	The integration of performance reporting with financial reporting would enable better links between cost and performance

		 delivery partnerships such a contract monitoring data? Are the reports provided to the leadership team in a timely manner and in a suitable format? Is the leadership team happy with the reports that it receives and with its ability to use these reports to take appropriate action? 		and mitigating actions are discussed and agreed in response. The reports cover the position to date and the forecast for the remainder of the financial year. Capital Monitoring reports are prepared on a quarterly basis, with more detailed service based capital update reports presented to Strategic Planning and Capital Monitoring Panel four times a year.			
0	The leadership team monitors the elements of its balance sheet which pose a significant risk to its financial sustainability	 Has the authority identified the elements of its balance sheet that are most critical to its financial sustainability? Has the authority put in place suitable mechanisms to monitor the risk associated with these critical elements of its balance sheet? Is the authority taking action to mitigate any risks identified? Does the authority report unplanned use of its reserves to the leadership team in a timely manner? Is the monitoring of balance sheet risks integrated into the authority's management accounts reporting processes? 	YES	The overall level of reserves and their planned use is reviewed each year as part of the outturn, MTFP and budget processes. Treasury Management and Bank Reconciliations takes place to ensure suitable cash levels are in place and any borrowing in line with treasury management code of practice.	Key balance sheet indicators to be reported to Senior Leadership Team, Service Managers and Budget Holders.		
	External financial reporting						
Р	The chief finance officer has personal responsibility for ensuring that the	 Is the authority's CFO aware of their responsibilities in terms of the preparation of the annual financial statements? 	YES	The authority's leadership team and the Director of Finance (s151 Officer) are aware of their responsibilities in terms of the			

	statutory accounts provided to the local authority comply with the Code of Practice on Local Authority Accounting in the United Kingdom	CFO's role description, personal objectives and other relevant performance management mechanisms? • Have the authority's financial statements		preparation of the annual financial statements. The Statement of Accounts is prepared in accordance with the Code of Practice, and no significant issues have been identified by External Audit in recent years. The statutory financial statements are prepared by appropriately qualified and skilled accountancy staff within the overall governance and control process and are approved by Director of Finance and Audit Panel.	
Q	The presentation of the final outturn figures and variations from budget allow the leadership team to make strategic financial decisions	authority's financial outturn and on significant	YES	The presentation of the final outturn position to the leadership team and Cabinet compares the financial year outturn to the budget and prior month forecast, and explains any further variances from budget. Monthly in-year and final outturn reports highlight and provide analysis of key variances with recommendations for actions where appropriate. The format of Financial Reporting is subject to regular review and refinement to ensure information is presented effectively and appropriately to the audience.	