

Report To:	AUDIT PANEL
Date:	26 July 2022
Reporting Officer:	Kathy Roe – Director of Finance
Subject:	ANNUAL GOVERNANCE REPORT 2021/2022
Report Summary:	<p>To present the Annual Governance Report comprised of the three elements below for comment and approval:-</p> <ol style="list-style-type: none"> 1. The Draft Annual Review against the Code of Corporate Governance for 2021/2022 shown at (Appendix 1). 2. The Draft Annual Governance Statement for 2021/2022 shown at (Appendix 2). 3. Code of Corporate Governance 2021/23 shown at (Appendix 3).
Recommendations:	<p>That the report is noted and documents are approved:-</p> <ol style="list-style-type: none"> 1. Draft Annual Review against the Code of Corporate Governance for 2021/2022 at (Appendix 1). 2. Draft Annual Governance Statement for 2021/2022 at (Appendix 2). 3. Code of Corporate Governance 2021/23 shown at (Appendix 3).
Links to Corporate Plan:	Demonstrates proper Corporate Governance.
Policy Implications:	Demonstrates proper compliance with the Accounts and Audit Regulations 2015 (as amended).
Financial Implications: (Authorised by the Borough Treasurer)	Sound corporate governance and proper systems of internal control are essential for the long-term financial health and reputation of the Council.
Legal Implications: (Authorised by the Borough Solicitor)	<p>Local authorities are required by the Accounts and Audit Regulations 2015 (as amended) to prepare a governance statement in order to report publicly on the extent to which the council is complying with its own code of governance on an annual basis, including the monitoring and evaluation of the effectiveness of the governance arrangements in the year.</p> <p>The process of preparing the governance statement should itself add value to the effectiveness of the governance and internal control framework. Additional guidance is provided by the Delivering Good Governance in Local Government: Framework (2016) ('the Framework') which is referred to in the main body of the report.</p>
Risk Management:	The statement provides assurance that the Council has a sound system of corporate governance in place. It is considered to be an important public expression of how the Council directs and controls its functions and relates to its community.

Access to Information:

The background papers can be obtained from the author of the report, Christine Weston, Interim Head of Risk Management and Audit Services by:



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1 INTRODUCTION

- 1.1 Corporate Governance is the system by which the Council directs and controls its functions. It is the means by which sound and ethical practice can be assured and unacceptable practice identified and eradicated. Historically there has been a general recognition that all local authorities should be seen to meet the highest standards of governance arrangements possible.
- 1.2 The issues faced by local authorities in recent years reflecting social, economic, and legislative change have led to new, diverse ways of working as opposed to traditional roles. The common theme that continues to run through Government initiatives is the need for local authorities to review the various systems and processes they have in place for managing both their internal affairs and their relationships with their expanding number of key stakeholders. Together these systems comprise corporate governance.

2 CORPORATE GOVERNANCE REQUIREMENTS

- 2.1 The Framework Delivering Good Governance in Local Government, published by the Chartered Institute of Public Finance and Accountancy in association with Society of Local Authority Chief Executives in 2016, sets the standard for local authority governance in the UK. The Framework urges local authorities to review and report on the effectiveness of their governance arrangements.
- 2.2 The main principle underpinning the 2016 version of Delivering Good Governance in Local Government: Framework (2016) ('the Framework') continues to be that local government is developing and shaping its own approach to governance, taking account of the environment in which it now operates. The Framework is intended to assist authorities individually in reviewing and accounting for their own unique approach. The overall aim is to ensure that resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision making and that there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.
- 2.3 The core principles of the Framework are: -
 - Behaving with integrity, demonstrating strong commitment to ethical standards and respecting the rule of law;
 - Ensuring openness and comprehensive stakeholder engagement;
 - Defining outcomes in terms of sustainable economic, social and environmental benefits;
 - Determining the intervention necessary to optimise the achievement of the intended outcomes;
 - Developing the entity's capacity including the capability of its leadership and the individuals within it;
 - Managing risks and performance through robust internal control and strong public financial management; and
 - Implementing good practices in transparency, reporting and audit to deliver effective accountability.
- 2.4 The Framework positions the attainment of sustainable economic, societal, and environmental outcomes as a key focus of governance processes and structures. Outcomes give the role of local government its meaning and importance, and it is fitting that they have this central role in the sector's governance. Furthermore, the focus on sustainability and the links between governance and public financial management are crucial – local authorities must recognise the need to focus on the long term. Local authorities have responsibilities to more than their current electors as they must take account of the impact of current decisions and actions on future generations.

- 2.5 The Framework defines the principles that should underpin the governance of each local government organisation. It provides a structure to help individual authorities with their approach to governance. Whatever form of arrangements are in place, authorities should therefore test their governance structures and partnerships against the principles contained in the Framework by: -
- reviewing existing governance arrangements;
 - developing and maintaining an up-to-date local code of governance, including arrangements for ensuring ongoing effectiveness; and
 - reporting publicly on compliance with their own code on an annual basis and on how they have monitored the effectiveness of their governance arrangements in the year and on planned changes.

3 ANNUAL REVIEW AGAINST THE CODE OF CORPORATE GOVERNANCE

- 3.1 A review has been completed assessing the Council's position against the approved Code of Corporate Governance in order to demonstrate compliance, ongoing developments/improvement and to prepare for the compilation of this year's Annual Governance Statement which is required, by the Accounts and Audit Regulations 2015 (as amended).
- 3.2 The document is attached at **Appendix 1** and incorporates comments received from the Senior Leadership Team.

4 ANNUAL GOVERNANCE STATEMENT

- 4.1 The preparation and publication of an Annual Governance Statement is necessary to meet the requirements set out in Regulation 6 of the Accounts and Audit Regulations 2015 (as amended). It requires authorities to "conduct a review at least once in a year of the effectiveness of its system of internal control" and "following the review, the body must approve an annual governance statement prepared in accordance with proper practices in relation to internal control".
- 4.2 The Draft Annual Governance Statement for 2021/2022 which has been drawn up using the guidance contained within Delivering Good Governance in Local Government - Framework issued in 2016 is attached at **Appendix 2** and incorporates comments received from the Senior Leadership Team.
- 4.3 The Annual Governance Statement is a corporate statement and covers both Tameside and the Greater Manchester Pension Fund.
- 4.4 The Annual Governance Statement is based on: -
- Directorate Self-Assessment Checklists and signed Assurance Statements;
 - Head of Risk Management and Audit's Annual Report;
 - Medium Term Financial Plan/Budget Report;
 - Regular Budget Monitoring and Performance Reports
 - Review of the System of Internal Audit;
 - External Audit Completion Report and Annual Audit Letter;
 - Role of the Chief Financial Officer;
 - Role of the Head of Internal Audit;
 - Financial Management Code;
 - Corporate Plan; and
 - Peer Reviews/Statutory Inspections.
- 4.5 This list is not exhaustive but it details the key elements of the assurance framework used to support the production of the Annual Governance Statement.

5 CODE OF CORPORATE GOVERNANCE

- 5.1 The Code of Corporate Governance 2021/23 is based on the guidance document issued in 2016 - Delivering Good Governance Framework 2016 and is attached at **Appendix 3**. The document covers a two year period as there is no scheduled update to the guidance.

6 EXECUTIVE CABINET

- 6.1 Following the Audit Panel the report will be circulated to the Executive Cabinet for comments and any feedback will be incorporated into the final documents.

7 EXTERNAL AUDIT

- 7.1 The Draft Annual Governance Statement will be presented to our External Auditors Mazars as part of their audit of the Statement of Accounts.
- 7.2 The final version incorporating any updates and comments will be presented to the Audit Panel on 27 September 2022 for approval. It will then be signed by the Executive Leader and the Chief Executive and presented formally to Mazars.
- 7.3 Until this date the Annual Governance Statement is a live document and will need to be updated for any issues that come to light affecting the governance arrangements in place.

8 RECOMMENDATIONS

- 8.1 As set out on the front of the report.