



Isle of Wight Council

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# **Annual Governance Statement**

**2018-19**

**DRAFT**

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## 1. Introduction

Governance within an organisation in its simplest form is about who has authority to act, who can take decisions and how the organisation is kept accountable for the decisions it makes. These basic principles are translated into processes that facilitate the making and implementing of decisions. This is not about making “correct” decisions but about having processes in place that assist with making the best possible decisions and ultimately better outcomes being secured. It can be said that good decision making processes and therefore good governance share several characteristics which include:

- **Good governance is accountable** – local government has an obligation to report, explain and be answerable for the consequences of decisions it has made on behalf of the communities it represents.
- **Good governance is transparent** – people should be able to follow and understand the decision-making process. This means that they will be able to clearly see how and why a decision was made, what information, advice and consultation was considered together with any risks identified, mitigating actions and legislative requirements (where relevant) were taken into account.
- **Good governance follows the rule of law** – which means that decisions are consistent with relevant legislation or common law and are within the powers of the council to act.
- **Good governance is responsive** – local government should always seek to serve the needs of all its communities and the priorities identified by them (as reflected in the council's business plan), while balancing competing interests in a timely, appropriate and responsive manner.
- **Good governance is equitable and inclusive** – a community's wellbeing stems from all of its members feeling that their interests have been considered by the council in its decision making process. This means that all groups, particularly the most vulnerable, should have opportunities to participate in the process.
- **Good governance is effective and efficient** – local government should implement decisions and follow processes that make the best use of available resources and time to ensure the best possible outcomes are secured against its agreed priorities.
- **Good governance is participatory** – anyone affected by or interested in a decision should have the opportunity to participate in the process for making that decision. This might be by being provided with information, asked for their opinion or given the opportunity to make recommendations to be taken into consideration.

In order to evaluate good governance in practice, there is a statutory requirement under the Accounts and Audit (England) Regulations for every local authority to prepare and publish an annual governance statement. This provides members of the public with an open assessment of how effective the council's governance arrangements are considered to be against a code of corporate governance entitled “Delivering Good Governance in Local Government (2015)”. This document is published by CIPFA/SOLACE as recognised national lead bodies for public services. The code takes into account the characteristics of good governance set out above and translates them into specific core activities, including how a council:

- Upholds high standards of conduct and behaviour
- Engages with local people and other stakeholders to ensure robust public accountability
- Creates and implements a vision for the local area
- Determines the interventions necessary to optimise the achievement of agreed outcomes
- Develops the capacity and capability of members and officers to be effective
- Takes informed and transparent decisions that are subject to effective scrutiny and risk management

- Has members and officers that work together to achieve a common purpose

This document therefore provides:

- An overview of the Isle of Wight Council's, including the Isle of Wight Fire & Rescue Service's governance arrangements in place against the core activities set out in the code of corporate governance and characteristics of good governance set out above, underpinned by an honest self-assessment of their effectiveness for the period 2018/19
- An action plan for the coming year to address any identified areas of concern,
- A report on progress made against those areas highlighted for improvement in its 2017/18 annual governance statement.

In its preparation, the statement contained within this document, covers the council's significant corporate systems, processes and controls that are designed to ensure that:

- Laws and regulations are complied with
- Council policies are implemented in practice
- Required processes are adhered to
- High quality services are delivered efficiently and effectively
- The council's values and ethical standards are met
- Performance and financial statements and other published information are accurate and reliable
- Human, financial and other resources are managed efficiently and effectively

## **2. The Council's responsibilities**

As a public body, the council is responsible for carrying out its business in line with the law and proper standards and ensures that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. There is also a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way the council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness. To do this, there must be in place a robust set of arrangements for the governance of its affairs and in facilitating the effective delivery of its functions, including arrangements for the management of risk and for dealing with any issues that may arise from them.

## **3. The purpose of a governance framework**

To assist with the delivery of good governance, each council has a local governance framework that brings together all the relevant legislative requirements, governance principles and activities (as described above), corporate strategies and policies, business systems, management processes together with an operating culture and set of values upon which business is conducted. The quality of these arrangements underpins the level of trust in public services and is fundamental to the delivery of the council's statutory and democratic obligations. A governance framework therefore allows the council to be clear about how it discharges its responsibilities.

A system of 'internal control', designed to give assurance of operational effectiveness, is a significant part of operating the council's governance framework and is also designed to assist with the management of risks to a tolerable level. However, it is important to note that it is not possible to eliminate all risks and can only serve to demonstrate reasonable assurance of effectiveness. The management of risk is an ongoing process designed to identify and prioritise the risks associated with the achievement of the council's key priorities, policies, aims and objectives, to evaluate the likelihood of those risks occurring and to manage their impact should they happen.

#### 4. The Isle of Wight Council's governance framework

The Isle of Wight Council's local governance framework is designed to be consistent with the CIPFA/SOLACE Delivering Good Governance in Local Government good governance code of practice. The framework summarises the council's internal arrangements that have been put in place to ensure that there is effective governance and includes hyperlinks to supporting documentation and can be found at Appendix A to this document.

The overarching aim of good governance is to ensure that the council achieves its intended priority outcomes while acting in the public interest at all times. The following text provides a high level overview of the key elements of the structures and processes in practice that form an essential part of the council's governance framework against the code of practice and each of the governance indicators and their descriptors of what good governance should look like.

##### **Principle 1: Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law:**

The council's constitution sets out how it conducts its business, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, while others are a matter for the council to determine. The constitution is divided into 19 articles that set out the basic rules governing the council's business with more detailed procedures and codes of practice provided in support of their delivery. The constitution is updated at least annually, usually at Annual Council and may be updated more frequently if there are changes in any legislation affecting the contents of the constitution.

- There is a code of conduct for elected members and staff which set out the expected behaviour and standards to be adhered to.
- The Monitoring Officer is a statutory function and ensures that the council, its officers and elected members maintain the highest possible standards of conduct in all they do. The designated Monitoring Officer for the Isle of Wight Council is the Assistant Director of Corporate Services and holds responsibility for monitoring and reviewing the operation of the council's constitution, ensuring compliance with established policies, procedures, laws and regulations and for reporting any actual or potential breaches of the law or maladministration to the Full Council and/or Cabinet.
- The council is committed to achieving the highest possible standards of openness and accountability. It has in place a "whistleblowing policy" which reflects the legal framework and obligation to enable staff or those delivering services on behalf of the council, without recrimination, to raise concerns about conduct that may be unlawful, of financial malpractice, presents a danger to the public or the environment, affects the general welfare of the public or integrity of public services. The policy sets out how to report a concern and what action to take together with details of how concerns will be investigated and the protections afforded to whistleblowers as well as the provision of access to an independent "hotline" reporting facility. Reported concerns are reviewed annually by the Audit Committee.
- As part of the council's commitment to the safeguarding of public funds, there is an "anti-fraud and anti-corruption" policy and strategy that sets out the process to be followed where there is suspicion of financial irregularity.

- The Section 151 Officer is a statutory function that requires an officer who must be appropriately qualified to be responsible for the financial administration of the council. The designated Section 151 officer for the Isle of Wight Council is the Director of Finance.
- There is a complaints procedure for dealing with any complaints related to the delivery of council services which is available on the council's website. If complainants remain dissatisfied, they have the right to refer the matter to the Local Government and Social Care Ombudsman (LGSCO) and complainants are informed of this right. The monitoring and learning gained from complaints is reported through the council's performance report to Cabinet. In accordance with legislation there are also separate procedures in place for complaints relating to Children's services and Adult Social Care. Complaints about elected members are dealt with under the member's code of conduct.

**Principle 2: Ensuring openness and comprehensive stakeholder engagement:**

- The council recognises that effective community engagement is an essential contribution to strong corporate governance. A variety of ways to engage with its communities and stakeholders are utilised to assist. The "how the council works" section of the council's website provides access to the published forward plan which provides indication of future reports that are to be considered together with agendas and minutes of all public committees. This ensures that people know what decisions the council is planning to take as well as the decisions taken. It provides access to a facility for making general complaints about council services and about elected members where their conduct is in question. The process to follow is set out clearly. There is also a facility for e-petitions to be launched and submitted on matters that are important to local people.
- The "your council" section of the council's website provides information on latest news and updates on council services; consultations where residents and stakeholders can voice their opinions and assist with shaping service delivery together with a range of information that is available for the public scrutiny in accordance with the code of recommended practice for local authorities on data transparency.
- There is a strong focus on youth participation and the "youth council" provides opportunity for young people to influence how services are delivered, highlight issues that need to be reviewed and to help shape public services for our communities.
- The council operates a scrutiny committee whose remit is to review and challenge the policy decisions that are taken by Cabinet. Scrutiny is supported by three policy and scrutiny panels (adult social care & health; children's and regeneration, planning, housing and environment) who provide assistance to Cabinet in the development of council policy together with a review of any matter relating to these specific service areas. They assess how the council is performing and see whether they are providing the best possible, cost effective services for the Island's communities. In addition, there is an Audit Committee whose specific remit is to review the council's financial and non-financial performance as well as to receive reports that deal with issues that are essential for good governance. Each committee has its own terms of reference.

**Principle 3: Defining outcomes in terms of sustainable economic, social and environmental benefits:**

- The council's corporate plan is the key strategic document that sets out its vision and ambitions for the Island. The plan sets out the priorities, the outcomes that are expected to be achieved, what it will do to deliver them and what measures it will use to monitor progress against their

successful achievement. The corporate plan is underpinned by a number of business plans prepared by directors that include the operational detail for core business that must be delivered, plans for improvement, development or change, financial planning, key risks and their management/mitigation as performance measures and monitoring arrangements.

- Quarterly reporting on progress against the delivery of agreed priorities and outcomes is undertaken to Cabinet and which is also available to the scrutiny committee for review.
- Central to the delivery of the corporate plan is the council's medium term financial strategy by playing a pivotal role in translating ambitions into action. The strategy focuses on determining the overall financial position for the council and takes into account any major issues affecting the council's finances. It forms the basis for developing the overall budget and any contingencies that need to be put in place for any unavoidable service pressures that may arise.
- All committee reports require an assessment of the carbon impact of the options considered. As part of the call over process the Council's Principal Officer (Environment) is given sight of all papers for comment.

**Principle 4: Determining the interventions necessary to optimise the achievement of intended outcomes:**

- Underpinning the delivery of the corporate plan are a series of business plans that translate the council's priorities and outcomes expected to be achieved into operational service delivery activities. Each of these business plans has a suite of performance measures that enable critical delivery requirements to be tracked and monitored. To allow the transition of the council's priorities into their most granular form, the council also operates a "personal development review process" in which all staff are assigned individual performance objectives. These set out the activities which play an important part in achieving the overall desired outcomes. These objectives are also supported by any relevant learning and development required to successfully achieve them. Monitoring of progress is undertaken on a number of levels, from strategic quarterly performance reporting to Cabinet, to service boards that measure performance against agreed business plans to regular 1:1s between managers and staff to review operational and day to day business performance.
- The council also has a robust decision making framework in place that requires all reports to be subject to the corporate "call over" clearance process prior to publication. All reports follow a standard template that provides the decision maker with all the relevant information and advice necessary to make an informed decision. Reports provide background information; details of the issue under consideration and includes options open to the decision maker together with the pros and cons of each of those options in order to provide a recommended course of action if required. Professional advice in respect of any considerations of a legal, financial, equality and risk are clearly set out as is any consultation that has been undertaken to assist with the decision.
- The council's Scrutiny committee scrutinises items on the council's forward plan and acts in the capacity of critical friend to the Cabinet prior to decisions being taken. Scrutiny meetings are held in public where members of the public have the opportunity to ask questions or submit questions in writing to the committee.

**Principle 5: Developing the council's capacity, including the capability of its leadership and the individuals within it:**

- The council operates a robust interview and selection process to ensure that offers of appointment are based upon securing the right level of skills and experience to fulfil the role. If working with children and/or vulnerable adults the necessary clearance checks are undertaken prior to appointment. There is a corporate induction programme that welcomes new staff into the council, assisting with understanding of the council's priorities and ambitions as well as the prevailing culture and expected standards of behaviour. It provides a wide range of information on how the council operates and the key policies that new starters need to be aware of.
- There is a corporate core learning and development programme that sets out a number of required activities for new staff to complete and for existing staff to receive by way of updates. There is also a core learning and development programme for managers designed to ensure they are fully conversant with their people management responsibilities.
- There is a full complement of appointments to the corporate management team, all of whom are appropriately qualified and experienced in their field and capable of providing strong, resilient and stable corporate leadership. The council has entered into a number of strategic partnerships to enable the capacity of a small unitary council to be maximised to its full potential. Strategic partnerships include the management of the council's children's services and public health (currently on an interim basis, pending formal agreement) with Hampshire County Council, Portsmouth City Council for the provision of a Director of Finance and Section 151 Officer and Chief Internal Auditor roles and Hampshire Fire & Rescue Service in the management of the Isle of Wight Fire & Rescue Service.
- There are a number of learning and development programmes in place for aspiring leaders and managers that aims to improve the council's future succession planning arrangements and which also seeks to facilitate engagement and empowerment of future talent in the development of the council's critical business priorities and intended outcomes.
- Newly elected members are provided with a comprehensive induction programme that assists with full understanding of their roles and responsibilities, political management and decision making, financial management, health and safety, information governance, safeguarding and code of conduct.
- Members are provided with a regular calendar of events that aims to provide a wide range of on-going learning and development in specific areas of council activity, legislative changes and personal skill development. Access to the local government association leadership academy is afforded to cabinet members and aspiring cabinet members and other relevant external or on-line learning opportunities are made available to enable specific portfolio or areas of interest to be developed.

**Principle 6: Managing risk and performance through robust internal control and strong public financial management:**

- The council has in place a risk and performance management strategy and policy that sets out the framework arrangements and responsibilities for the successful delivery of agreed priorities and intended outcomes. The policy is intended to assist officers at all levels in applying sound risk management and performance management principles and practice across their areas of responsibility. Risks and performance are monitored and reported to corporate management team and review is undertaken by the overview and scrutiny committee.

- The council has two major, long term commercial contracts in place for highways and waste service delivery both of which have their own contract management team and member and delivery boards to maintain oversight and formal monitoring of performance.
- 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 Chief Financial Officer is professionally qualified; is a member of the corporate management team; has input into all major decisions; advises Cabinet on financial matters and is responsible for ensuring that budgets are agreed in advance, are robust and that the finance function is fit for purpose. The Chief Financial Officer is the Director of Finance and Section 151 Officer.
- The council's assurance arrangements also conform to the governance requirements of the CIPFA "statement on the role of the Head of Internal Audit in public service organisations (2010)". The head of internal audit is professionally qualified and leads on the review and adequacy of the council's internal control environment. Where necessary, to the proper discharge of the internal audit function, the Chief Internal Auditor has direct access to the Chief Executive, Section 151 officer; Monitoring Officer and Elected Members, especially those who serve on committees charged with governance.

**Principle 7: Implementing good practices in transparency, reporting and audit to deliver effective accountability:**

- The council's constitution sets out how decisions are made and makes specific reference to decision making by Full Council, Cabinet and other established committees. There is also a scheme of delegations that describes the limits of responsibilities that can be delegated to the Chief Executive and chief officers (and who in turn may delegate further as appropriate).
- The council is committed to openness and transparency and now publishes a significant amount of data and information in order to increase its accountability to residents. There are dedicated transparency pages on the council's website that provides access to the council's spend transactions month by month; statement of accounts; performance monitoring; councillor allowances and declarations of interest; budget consultation outcomes; workforce data and pay policy setting out the council's terms and conditions of employment; trade union facility time; members questions and contracts to name but a few.
- The council publishes a forward plan of all key decisions which are proposed to be taken and other decisions where practicable to assist in providing public transparency and confidence in decision making. All committee agendas and minutes of constituted committees are also published on the council's website and in accordance with publication timescales.
- All reports requiring a decision are considered by appropriately professionally qualified legal and finance staff prior to publication and all advice is made public within the report template. The council must also ensure that it meets its duties and obligations under the Equality Act 2010 and any proposals for changes to service delivery, projects or policies are have regard to equality when being considered to better understand whether they impact on people who are protected under the Act and to assist with informed decision making.

## 5. The annual review of effectiveness

The council is required to undertake, at least annually, a review of the effectiveness of its governance framework, including the system of internal control. The outcomes of the review are considered by the Corporate Management Team and Audit Committee (who approve the final statement). Once approved, the annual governance statement is published alongside the council's statement of accounts.

In reviewing the council's governance framework and in order to complete this assurance statement, there are a number of assurances drawn from the following sources:

- Full council, Cabinet and other key decision making committee outcomes
- Outcomes from Scrutiny committees and Audit Committee
- The Monitoring Officer, Section 151 Officer and Head of Paid Service
- Corporate service departments
- Internal audit reports
- Internal audit annual opinion
- Risk, performance and financial reports
- The strategic diversity board
- The strategic health and safety board
- Customer complaints and feedback
- Freedom of Information requests
- Data protection and information governance issues
- External audit reports
- External inspections and peer reviews
- Benchmarking activity
- Evaluation of progress against previously identified governance issues

This leads to the completion of a self-assessment statement which covers the key processes and systems that comprise the council's governance arrangements and is intended to identify any areas where improvement or further development is required. This self-assessment is shown at Appendix B.

## 6. Governance issues – Part One - Progress Against the 2017-18 Self-Assessment

The completion of the self-assessment for 2017-18 did not highlight any significant governance failures. However, the following issues were identified as areas where improvements could be made:

	<b>Governance issue</b>	<b>Actions to address the issue</b>	<b>Measure of success</b>	<b>Progress to Date (as at April 2019)</b>
1	There is a need to improve the council's project/programme governance arrangements and increase the level of corporate oversight and management.	<ol style="list-style-type: none"> <li>1. Undertake a refresh of the council's project/programme management guidance and requirements</li> <li>2. Establish corporate and member project/programme oversight boards.</li> </ol>	<p>Improved oversight and escalation management of all council projects irrespective of value/importance.</p> <p>Clarity of understanding of project/programme management/monitoring requirements.</p> <p>Successful delivery of identified strategically important projects/programmes that underpin the delivery of the corporate plan.</p>	<p>Refreshed project and programme management framework and associated guidance has been introduced; project management training and the development of standard templates is also in place.</p> <p>The corporate "Strategic Programme Board" and the "Member Review Board" have been in place since October to ensure oversight of the delivery and progress of key strategic projects and programmes.</p> <p>All directorates have overarching programme boards in place to govern and monitor progress against plan and budget.</p> <p>Further work is being undertaken to embed the agreed governance framework and to ensure consistent use of appropriate process across the council</p>
2	There is a need to ensure that post implementation of the new data protection regulations in May 2018 that the council remains compliant with its statutory obligations.	<ol style="list-style-type: none"> <li>1. Regular auditing of key requirements on the new regulations to be undertaken by the information governance team.</li> </ol>	No fines incurred for data protection breaches	<p>A review of compliance against the GDPR requirements has been undertaken and an action plan to address some gaps in process and oversight has been provided to CMT.</p> <p>The review has been reported to the Audit Committee.</p> <p>Additional resources have been identified to support the progress of the action plan.</p>

	<b>Governance issue</b>	<b>Actions to address the issue</b>	<b>Measure of success</b>	<b>Progress to Date (as at April 2019)</b>
3	It will be necessary to ensure that the outcomes of the council's corporate peer challenge are addressed.	Delivery of agreed action plan approved by Cabinet in May 2018.	Successful delivery of agreed action plan outcomes.	<p>Scrutiny committee are monitoring the delivery of the action plan.</p> <p>There have been a range of stakeholder and community events through the Island Plan; Housing Vulnerable People programme; digitalisation strategy which all serve to support the delivery of the shared ambition of the future shape of the Isle of Wight.</p> <p>Annual review of the corporate plan has been undertaken and the refreshed version will feed through to the quarterly reporting and associated benchmarking reporting.</p> <p>The council continues to pursue closer more integrated working across health, social care and wider corporate services to support health and social care sustainability plan and refresh the local care board and the arrangements and governance that support it.</p>
4	Risk Management Framework	<ol style="list-style-type: none"> <li>1. Revised framework</li> <li>2. Refreshed guidance for effective risk management</li> <li>3. A new, co-designed corporate recording and reporting system</li> </ol>	Standardised regular recording, monitoring and reporting of service and strategic risks and their mitigating actions is in place.	<p>Risk framework has been refreshed. New system development complete and live.</p> <p>Roll out of framework and associated training to all directorate representatives planned from May to September.</p>

## Governance issues – Part Two: Action Plan for 2019/20

The completion of the draft self-assessment as set out in Appendix B does not highlight any significant governance failures during the last year and our arrangements continue to be regarded as fit for purpose in accordance with the good governance code of practice. However, the following issues have been identified that have a wider ranging impact across the council and are areas where improvements could be made:

	<b>Governance issue</b>	<b>Actions to address the issue</b>	<b>Measure of success</b>	<b>Lead Officer</b>
1	General Data Protection Regulation Compliance	Delivery of the agreed action plan in response to the internal audit report dated May 2019	Up to date accurate assurance information for all council services is held centrally  Requirements to assure the council's compliance with GDPR are captured, monitored and non-compliance is addressed.	Director of Corporate Services
2	The council's strategic partnerships and their governance arrangements	Review the strategic partnership arrangements between the Isle of Wight Council; IoW NHS and IoW Clinical Commissioning Group in relation to the health and social care integration agenda.  Ensure the new strategic partnership arrangements between the Isle of Wight Council and Portsmouth City Council for internal audit are robust.  Ensure the strategic partnership arrangements for the Isle of Wight Council with Hampshire County	Up to date formal agreements that clearly set out the specific service specifications and the associated governance arrangements.	Chief Executive

	<b>Governance issue</b>	<b>Actions to address the issue</b>	<b>Measure of success</b>	<b>Lead Officer</b>
		Council for public health are robust.		
3	Project and programme management	Further embedding of standard practice and templates; further evidence of continued assurance for new and existing projects	New projects evidence appropriate levels of governance in place effective reporting of key strategic projects through to senior management and members	Assistant Chief Executive

### Summary

The annual assessment and review process of the council's corporate governance arrangements has identified three main issues that could further enhance the current arrangements. As a result, the Isle of Wight Council will take steps to address the above identified issues to secure further assurance in the areas of most concern.

**Signed on behalf of Isle of Wight Council:**

**John Metcalfe**  
Chief Executive

**Cllr Dave Stewart**  
Leader of the Council