

Three Rivers District Council

Annual Governance Statement 2020/21

SCOPE OF RESPONSIBILITY

1. Three Rivers District 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. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
2. In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.
3. Three Rivers District Council has approved and adopted a code of corporate governance which is consistent with the principles of the CIPFA/Solace Framework 'Delivering Good Governance in Local Government'. It is also in accordance with the requirements of the Accounts and Audit (England & Wales) Regulations 2015.
4. This Governance Statement explains how the Council has maintained sound governance during the 2020/21 financial year and also how the Council meets the requirements of regulation 6(1) of the Accounts and Audit Regulations 2015.

THE PURPOSE OF THE GOVERNANCE FRAMEWORK

5. The governance framework has been in place at the Council for the year ended 31 March 2021 and up to the date of approval of the annual report and statement of accounts. It comprises the systems and processes as well as the culture and values, by which the Council is directed and controlled and through which accounts to, engages with and leads the community.
6. The governance framework enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate and cost-effective services.
7. The system of internal control is a significant part of this framework and is designed to manage risk to a reasonable level. However, it cannot eliminate all risk of failure to achieve policies, aims and objectives and, therefore, can only provide reasonable and not absolute assurance of effectiveness.
8. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and to manage them efficiently, effectively and economically.

THE GOVERNANCE FRAMEWORK

9. The key elements of the systems and processes that comprise the Council's governance arrangements, as per the CIPFA 'Delivering Good Governance in Local Government: Framework – Addendum' include the following:

General

10. Three Rivers District Council operates a Committee model form of governance under the Localism Act 2011 ("the Act") and has done so since June 2014. In 2018 there were some further changes made to reduce the numbers of service Committees from 3 to 2. This has ensured that there is a more democratic approach to decision making in the organisation with no elected members having any individual executive power to make decisions and requiring Committees to be politically proportionate.
11. The Council's written Constitution sets out how the Council operates, how decisions are made including which decisions are delegated to the various Committees or to Officers under the scheme of delegation and the terms of reference for the various Committees. The procedures that are followed to ensure that these are efficient, transparent and accountable to the local community. Some of these procedures are required by law as set out in the Act and regulations made thereunder, whilst others are adopted locally by the Council. The Constitution is reviewed at least annually and is available on the Council's website and intranet. Changes to the Constitution are reported to Full Council and where beyond a minor change delegated to the Chief Executive to authorise, are authorised by Council itself.
12. The Council has an approved Local Code of Governance, a copy of which is included in Part 5 of the written Constitution. This sets out and describes its commitment to good governance and identifies the arrangements that have been and will continue to be made to ensure its ongoing effective implementation and application in all aspects of the Council's work. The Local Code of Governance is available on the Council's website and intranet.
13. The Council acknowledges its responsibility for internal control, and for ensuring that its systems maintain the integrity of accounting records and safeguard its assets. These systems provide reasonable assurance as to the reliability of financial information and to maintain proper control over the income, expenditure, assets and liabilities of the Council. However, no system of internal control can provide absolute assurance against material misstatement or loss.
14. The Corporate Management Team is aware of the financial and other procedures and controls outlined in the Constitution, and senior officers are required to sign a declaration of compliance, in the form of a Management Assurance Statement, at the end of each year. This evidences amongst other things, that their staff are aware of and consistently apply the requirements of the Constitution.
15. Elected Members as decision-makers have to declare pecuniary and non-pecuniary interests as defined under the Act as and when they occur as well as formally recording this information in the Register of Members Interests which is available online. Each Councillor is personally responsible for keeping their entry in the Register up to date and are reminded of this obligation on an annual basis. Members have access to the Committee team and the Monitoring Officer for advice on declaration of interests at meetings.

Strategic Aims and Objectives

16. The Council and the Policy and Resources Committee met regularly to set the strategic direction of the Council and together with the Audit Committee and the Service Committees, monitor service delivery.
17. The Council updates and formally adopts its Strategic Plan annually each February, and this sets out key service improvement priorities for the medium term, with targets for performance and deadlines for achievement. This has been informed by public consultation on a range of topics, particularly around priority setting, and a detailed analysis of the local context. Progress on the Plan is reported to the public. The Strategic Plan reflects the priorities and vision set out in the 2020/23 Corporate Framework.

Vision

18. We want Three Rivers to be a place for everyone where all our communities enjoy a healthy and sustainable future with access to good quality housing and open spaces, high quality services, and a successful economy.

Aims and Priorities

Housing and Thriving Communities: We will:

- Work on a local plan to deliver sufficient housing and adopt that plan by 2023
- Through our joint ventures and partnerships take all available practicable action to increase the supply of affordable homes in the district
- Complete the delivery of the main and learner pools and refurbishment to the leisure venue at South Oxhey. This was achieved in 2020/21.
- Seek to increase the number of Green Flag accredited parks and open spaces
- Work towards reducing inequalities, prevent homelessness and encourage healthy lifestyles
- Continue to work with partners to tackle crime and anti-social behaviour and secure investment in priority interventions.

Sustainable Environments: We will

- Produce and deliver a Climate Change Strategy and action plan
- Continue to improve the energy efficiency of the Council's buildings
- Deliver and implement a Cycling and Walking Strategy
- Seek to maintain our position as the highest recycling authority in Hertfordshire.

Successful Economy: We will

- Undertake a review of the Council's role in relation to the economy and agree an economic strategy
- Continue to participate in the Hertfordshire Growth Board and South West Herts Partnership and engage the Hertfordshire Local Enterprise Partnership to support the economy
- Ensure Three Rivers is recognised as a great place to do business
- Continue to improve our relationship with the local business community

- Continue to support Visit Herts and promote Three Rivers as the home of the internationally significant Warner Bros Studios.

High Performing Financially Independent Council: we will

- Generate enough income to continue to provide services for the district
- Develop and deliver an improved Property Investment Strategy to maximise income from our assets and support the Commercial Strategy
- Progress our Customer Service Strategy that provides a range of contact channels for customers and sets out corporate expectations of how they should be treated
- Produce an Organisational Development Strategy to support the Council in delivering its priorities and objectives.

19. Underpinning these overarching priorities are a series of measurable (SMART) objectives so that every member of staff and our community can feel fully engaged in the process. The Council is also the lead authority for the Local Strategic Partnership, which is made up of key stakeholders from Herts Valleys NHS Clinical Commissioning Group, Hertfordshire Police Constabulary, Police and Crime Commissioner, Hertfordshire County Council, Parish Councils, Thrive Homes, Watford Community Housing Trust, West Herts College, Department of Work and Pensions (Job Centre), Voluntary and Business Sectors.

Decision Making Structures

20. At an officer level, the senior management comprises the Chief Executive, shared Director of Finance, Director of Community and Environmental Services and Heads of Service. Financial control is primarily the responsibility of the Shared Director of Finance with neighbouring Watford Borough Council. This combined management comprises the Corporate Management Team who meet fortnightly to review and progress the key objectives of the council.

21. Overall financial control is monitored on a monthly basis by the Corporate Management Team and the Budget Panel. Budget preparation is influenced by the Council's Medium Term Financial Plan (MTFP) which forecasts budget pressures and available resources over a four year period. This MTFP is reported to members and the Budget Panel where variations to the plan are approved. The Council has the ultimate responsibility for approving the annual budget. The final accounts at the end of a financial year are subject to formal approval by the Audit Committee.

Constitution

22. The Council has a written Constitution which identifies community focus, service delivery arrangements, structures and processes, risk management, internal control arrangements and standards of conduct. This sets out how the Council takes decisions, roles and responsibilities of members and officers, codes of conduct and procedure rules and also sets out the rights of citizens.

23. Copies of the Council's Constitution are available to all on the Council's website.

24. There are regular meetings of the Full Council, Policy and Resources Committee and the other Service and Regulatory Committees. Meetings are open to the public and written reports are

available to the public through the Council's website. Information is only treated as confidential when it is necessary to do so for legal / commercial reasons in accordance with the provisions of the Local Government Act 1972 as amended. During 2020/21 meetings were held virtually with access to the public maintained through a combination of direct access to the virtual meeting platform and live streaming.

25. Councillors are assisted in their policy and decision-making roles by the advice of staff with suitable qualifications and experience, under the leadership of the Chief Executive. All reports requiring a decision from members include comments on financial, legal, equalities, sustainability, community safety (as relevant) and other appropriate issues such as potential risks to non-achievement, all of which ensures that comprehensive advice is provided prior to decisions being taken.
26. Local Authorities operating a committee system do not have to have or appoint separate overview and scrutiny committees. The scrutiny function for health and community safety is undertaken by the Leisure Environment and Community Committee. At Three Rivers District Council the review and scrutiny of policy is co-ordinated through the Policy and Resources Committee.
27. The Council's protocols and procedures are reviewed and updated on a regular basis for standing orders, financial regulations, a scheme of delegation and supporting procedure notes/ manuals clearly defining how decisions are taken and the process and controls required to manage risks. Compliance with established policies, procedures, laws and regulations is achieved through a combination of training events, written policy and procedural documentation, authorisation procedures, managerial supervision, review by internal and external audit and use of the disciplinary procedure where appropriate.
28. Codes of Conduct defining the standards of behaviour for members, staff, our partners and the community have been developed and communicated and are available on the Council's website. A new Code of Conduct for Members was approved at Annual Council on 25th May 2021 and is now in force. All Members are required to undergo training on the Code and that process is almost complete, with a final session scheduled for September 2021.
29. The Solicitor to the Council is the Council's Monitoring Officer and duties include: maintaining the council's Constitution; reporting on any potential or actual illegality or maladministration; and giving advice to the Leader and councillors on the Constitution or issues of maladministration, financial impropriety or probity.
30. The Shared Director of Finance is the statutory Chief Finance Officer. Duties include: overall responsibility for financial administration, reporting on any actual or potential instances of illegality in expenditure, including unlawful loss or deficiency or illegal items of account, and giving advice to the Council on financial planning.

Data Quality and Risk Management

31. The Council has a performance management framework linked to the Council's Corporate Framework. The framework is based on the collection and interpretation of data in the form of performance indicators. The Council is committed to using accurate data to inform its decisions and has prepared a Data Quality Strategy to achieve this. The Council's committees review the Council's achievements against targets set for service delivery.

32. The governance framework is dependent upon the underlying system of internal control which is designed to manage risk to a reasonable level. The Council's approach to risk management is governed by its Risk Management Strategy which is updated annually. All of the Council's key objectives, including those in the Strategic Plan have been cascaded into service plans, and the barriers to their achievement (i.e. the risks) have been identified, assessed and managed through service plans. Risks have been identified and assessed for their impact and likelihood. Where they require managing, a risk treatment plan has been prepared which identifies the controls that exist to minimise the risk together with any further action that is required. Risks associated with the Council's partners are considered and risk management is embedded throughout the Council.

33. Business continuity and emergency planning are other key aspects within the corporate governance framework and again falls within the remit of the Risk Management corporate group.

Shared Services with Watford Borough Council

34. Three Rivers District Council has been a leading authority in developing a shared service for revenues, benefits, ICT, financial services, procurement, environmental health and human resources with Watford Borough Council. Both Councils also share the statutory post of Chief Financial Officer - the Shared Director of Finance.

35. From April 2014, the Governance arrangements for shared services changed to a lead authority model. Three Rivers District Council are responsible for providing financial services and revenues and benefits, whilst Watford Borough Council are responsible for the provision of ICT and human resources. An executive board of senior management from both councils is responsible for these services. The role of the Board covers:

- monitoring performance and dealing with complaints from either authority;
- resolving conflicts between competing interests amongst the authorities;
- reviewing the governance arrangements;
- dealing with matters referred up to it by the Operations Board;
- having overall supervision of the Shared Service;
- receiving annual reports on each service within the shared service;
- community engagement.

36. The Council has established clear channels of communication with all sections of the community and other stakeholders. It provides citizens and business with information about the Council and its spending through a leaflet that is distributed with council tax and business rate bills and the publication of a summary of its key financial information.

REVIEW OF EFFECTIVENESS

37. 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 effectiveness is informed by the work of councillors, the officers who have responsibility for the development and maintenance of the governance environment, the Annual Report of the Head of Assurance for the Shared Internal Audit Service and also by comments made by the external auditors and other review agencies and inspectorates. Members receive half-yearly reports and

corrective action has been detailed and monitored where necessary. The monthly budget monitoring system incorporated an update on financial and budgetary risks, a quantitative evaluation of fee income and the position on reserves and balances.

The Council

38. All Councillors meet together as the Full Council. These meetings are chaired by the Chairman of the Council appointed in May for the municipal year. At these ordinary meetings, Councillors decide the Council's overall policies and set the budget each year. Certain decisions can only be made by the Council as a whole and these are clearly set out in the written Constitution. The Council also hold debates on issues which affect the district generally. The Leader of the Council can make an oral report on relevant district matters. Members of the public may, on notice, put written questions to the Council.
39. The Full Council comprises all 39 Members. They met four times during 2020/21. In addition, there was a meeting of Annual Council. In cases of urgency an extraordinary meeting of the Council can be called by the Chairman and / or the Monitoring Officer under Part 4, Rule 1 of the Constitution and two such meetings were held in the year.

The Policy and Resources Committee

40. The Policy and Resources Committee sets and co-ordinates all policy for itself and the service and other committees which have been delegated by Council. It reviews and scrutinises the policies made or proposed to be made by the Council and recommends appropriately to the Council:
- whether any new policies are required;
 - whether any existing policies are no longer required;
 - whether any changes are required to any existing policies;
 - whether any action is required to make the policies more effective.

41. Policy and Resources Committee met ten times during 2020/21.

The Service Committees

42. The Council has two decision making Service Committees which have detailed terms of reference set out in the Constitution:
- Infrastructure, Housing and Economic Development; and
 - Leisure, Environment and Community.

43. The functions of the Service Committees are to:

- make all decisions in respect of their areas of responsibility provided these are within their allocated budgets and agreed policies;
- consider any matter referred to them by the Council or the Policy and Resources Committee and recommend or report to the Council or the Policy and Resources Committee accordingly;
- review performance against the previous year's plans of the services within their remit;

- determine an annual Work Plan;
- liaise and seek views of the local community and other interested parties in relation to the above matters; and
- consider any submitted Community or Councillor Calls for Action.

Regulatory Committees

44. The Council has three regulatory committees: Planning, Licensing and Regulatory Services. The terms of reference and responsibility for functions is set out in Parts 2 and 3 of the Constitution.

Member Allowances

45. Members Allowances were reviewed in 2019 by an Independent Remuneration Panel. The report and recommendations of the Independent Remuneration Panel for 2020/21 was approved by the full Council in December 2019. The Panel did recommend increases in the allowances and these were implemented from 1 April 2019

46. The Independent Remuneration Panel comprised of local residents appointed for a 3 year period, meets on an annual basis. Their recommendation and the decision of the Council on the allowances are published locally.

Senior Management

47. There are three Council officers who have statutory appointments - the Chief Executive's role as the Head of Paid Service, the Director of Finance's role as the Section 151 Officer and the Solicitor to the Council as the Monitoring Officer.

48. Senior Leadership Team (SLT) comprises the Chief Executive, the Director of Community and Environmental Services, the Shared Director of Finance and the Solicitor to the Council. Corporate Management Team comprises SLT and Heads of Service.

49. The Council keeps residents and stakeholders informed of its progress through the website and via social media platforms.

Procurement

50. The Council aims to use its resources efficiently, effectively and economically.

51. The Council has a robust set of documentation to provide guidance and advice to Members and officers to ensure that Procurement is carried out in an effective and ethical manner. This documentation includes Contract Procedure Rules and a Contract Management Toolkit. These documents are regularly reviewed to reflect changes in local requirements and EU policy and legislation.

The Audit Committee

52. Audit Committee comprised seven members and met five times during 2020/21.

53. The role of Audit Committee is to:

- Approve (but not direct) internal audit's strategy, plan and performance;
- Review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary;
- Consider the reports of external audit and inspection agencies;
- Consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements. Seek assurances that action is being taken on risk related issues identified by auditors and inspectors;
- Be satisfied that the authority's assurance statements, including the Statement on Internal Control, properly reflect the risk environment and any actions required to improve it;
- 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 opinion and reports to Members, and monitor management action in response to the issues raised by external audit;
- Approve the statutory Statement of Accounts.

Internal Audit

54. Internal Audit is an assurance function that provides an independent and objective opinion to the Council on its control environment - this comprises the systems of governance, internal control and risk management - by evaluating its effectiveness in achieving the organisation's objectives.
55. The internal audit function is carried out, by the Shared Internal Audit Service (SIAS), a local internal audit partnership hosted by Hertfordshire County Council. This provides greater independence and resilience and a positive step in improving governance. Internal Audit carry out a programme of reviews during the year which are based upon a risk assessment including fraud risk. The audit plan is approved by Audit Committee in March of the preceding year. As part of these audits, any failures to comply with legislation, council policy and practice or best practice guidance issued by a relevant body is identified and reported. Circulation of reports to senior officers, reports to the Audit Committee and follow-up procedures ensure action is taken on priority improvements. Progress on implementing internal audit recommendations is reported in quarterly reviews to Audit Committee.
56. In line with Public Sector Internal Audit Standards, an Annual Assurance Statement and Internal Audit Report was compiled and presented to the Audit Committee (at its meeting on 7 July 2020), which:
- included an opinion on the overall adequacy and effectiveness of the Council's internal control environment;
 - disclosed any qualifications to that opinion, together with any reasons for the qualification;
 - drew attention to any issues which are judged particularly relevant to the preparation of the annual Governance Statement.
57. The SIAS Head of Assurance Annual Report is a key source document for the Council's Annual Governance Statement. For 2020/21 this Report includes the following statements:

- In our opinion the corporate governance and risk management framework substantially complies with the best practice guidance on corporate governance issued by CIPFA/SOLACE. This conclusion is based on the work undertaken by the Council and reported in its Annual Governance Statement for 2020/21.
- A satisfactory assurance opinion is given on the adequacy and effectiveness of both financial systems and non-financial systems in the internal control environment. The internal control framework is largely working well in managing the key risks in scope, with some audit findings related to the current arrangements. There are no qualifications to this assurance.

The Council's External Auditors

58. External auditors, Ernst & Young LLP, provide an external review function through the audit of the annual accounts, assessment of value for money, and certification of grant claims. The Annual Audit and Inspection Letter is circulated to all Members and formally reported to Cabinet and the Audit Committee.
59. The Annual Audit Letter 2019/20 was presented to the Audit Committee in September 2020 and the main conclusions for the year were:
- The 2019/20 accounts give a true and fair view of the Council's financial affairs and of the income and expenditure recorded by the Council; and
 - The Council made proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2020.
60. The Local Government contract for the Council was awarded to EY (Ernst and Young LLP) following re-tendering by the Audit Commission ahead of its abolition in March 2015. In December 2017, EY were appointed by PSAA as auditor for Three Rivers for 2020/21.

SIGNIFICANT GOVERNANCE ISSUES

61. The 'normal' running of Council business has and can be controlled through the governance framework detailed in this report. No significant governance issues have been identified for 2020/21 and no outstanding matters were brought forward from 2019/20.
62. During 2020/21 COVID-19 has had a significant impact on the Council. Staff having been working largely from home relying on IT systems for remote working that were in place before the start of the pandemic. In addition the Council has been responsible for administering significant grant systems and Council Tax and Non Domestic Rate reliefs. The range of responses to the pandemic has placed considerable strain on the Council's resources. Incident management arrangements were put in place to oversee the Council's response, with regular incident management meetings and briefings for Members and a specially constituted sub-committee of its Policy and Resources Committee. Existing arrangements within the constitution for urgent decisions to be taken by the Chief Executive or Directors in consultation with Group Leaders were used to authorise urgent decisions arising from the pandemic.

Certification Statement from the Leader of the Council and the Chief Executive

63. We propose to take steps over the coming financial year to address the above matters to further enhance our governance arrangements. We will also monitor the implementation of any audit recommendations that arise during the course of the year.

Signed _____

Date _____

Leader of the Council – Sarah Nelmes

Signed _____

Date _____

Chief Executive – Joanne Wagstaffe