ANNUAL GOVERNANCE STATEMENT
Director of Corporate Services

1   PURPOSE OF DECISION

1.1   To consider the Draft Annual Governance Statement (AGS) 2008/09 and the Action Plan to address weaknesses identified in the AGS.

2   RECOMMENDATION
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2.1   That the draft Annual Governance Statement shown as Appendix 1 to this report be approved.

2.2   That the draft Action Plan shown as Appendix 2 to this report be approved.

3   ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

3.1   No comments to add.

Borough Treasurer

3.2   No comments to add.

Equalities Impact Assessment

3.3   Not applicable.

Strategic Risk Management Issues

3.4   Risk management is a key part of good governance. Progress made on risk management during 2008/09 is included in section 3.4 of the AGS in Appendix 1.

4   SUPPORTING INFORMATION

4.1   The CIPFA/SOLACE publication "Delivering Good Governance in Local Government: Framework" identifies six core principles of good governance and recommends that authorities produce an Annual Governance Statement (AGS) to report publicly on the extent to which the Authority complies with its own Local Code of Governance including how it has monitored the effectiveness of its governance arrangements in the year and any planned changes in the coming period.

4.2   In England, the preparation and publication of an AGS is necessary to meet the statutory requirement set out in Regulation 4(2) of the Accounts and Audit (Amendment) (England) Regulations 2006. This requires authorities to prepare a statement in accordance with "proper practices" and the guidance in the Framework recommending an AGS constitutes "proper practice". The AGS is signed by the Chief Executive and the Leader of the Council.

4.3   The AGS for 2007/08 identified a number of areas for improvement, in particular the absence of an Audit Committee, improvements required to risk management arrangements, weaknesses in compliance with procurement regulations and the need to review governance arrangements for our themed partnerships. An Action Plan to address these issues was put in place and has been monitored by the Governance Working Group on a regular basis. Considerable progress has been made during 2008/09 on implementing these actions.

4.4   The draft AGS for 2008/09 on the effectiveness of the Council's governance arrangements has now been drafted and was reviewed by the officer Governance Working Group on 13 May 2009. The AGS has been amended to include comments made by the Group. The primary source of assurance for the AGS, as advised in CIPFA's Rough Guide on the AGS, is the assurance statements completed by

- the Assistant Chief Executive and each Director on compliance with internal controls and governance arrangements across their departments;
- the Monitoring Officer in respect of legal and regulatory functions;
- the Chief Officer: Financial Services in respect of financial controls; and
- the Director of Corporate Services in respect of risk management.

4.5   The draft AGS attached at Appendix 1 is based on the declarations in the assurance statements. The issues referred to in paragraph 5.3 are those issues highlighted in the assurance statements. In addition, in drafting the AGS, progress on actions to address significant issues included in the 2007/08 AGS has been taken into account and these issues have been included again in the 2008/09 AGS where these actions are still ongoing.

4.6   A draft Action Plan has been drawn up to address the issues highlighted in the 2008/09 AGS and this is attached at Appendix 2.

Background Papers
None

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Doc Ref
AnnualGovernanceStatement

BRACKNELL FOREST COUNCIL

ANNUAL GOVERNANCE STATEMENT 2008/09

1   Scope of Responsibilities

1.1   Bracknell Forest Borough Council ("The Council") is responsible for ensuring that its business is conducted in accordance with the law and proper standards and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively. 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.

1.2   In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs and for ensuring that there is a sound system of internal control facilitating the effective exercise of its functions, including arrangements for the management of risk.

1.3   The 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* published in 2007. This Statement explains how the Council has complied with the code and also meets the requirements of regulation 4(2) of the Accounts and Audit Regulations 2003 as amended by the Accounts and Audit (Amendment) (England) Regulations 2006 in relation to the publication of a statement on internal control.

2   The Purpose of the Governance Framework

2.1   The governance framework comprises the systems and processes, culture and values by which the authority is directed and controlled. It underpins its activities through which it accounts to, engages with and leads the community. It enables the authority to monitor the achievement of the strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.

2.2   The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can only provide reasonable assurance rather than absolute assurance of effectiveness. 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 the impact should they be realised, and to manage them efficiently, effectively and economically.

2.3   The governance framework has been in place at Bracknell Forest Borough Council for the year ended 31 March 2009 and up to the date of approval of the Annual Report and statement of accounts.

3   The Governance Framework

3.1   Focusing on the purpose of the authority, on outcomes for the community and creating and implementing a vision for the local area

3.1.1   The Council has identified its strategic direction which is set out in its Vision. "To make Bracknell Forest a place where all people can thrive; living, learning and working in a clean, safe and healthy environment." This vision provides the focus for identifying key priorities and the medium term objectives under each priority. In 2007/08, the following five overarching key priorities were identified for the Council to address both national and local priorities over the period 2007-2011.

- A Town Centre fit for the 21st Century
- Protecting and enhancing our environment
- Promoting health and achievement:
- Create a Borough where people are, and feel, safe:
- Value for Money

3.1.2   The key priorities were reviewed during 2008/09 to ensure they remained focused and relevant to prevailing conditions; as a result of that review in February 2009 the Council updated the priorities for 2009-11 by incorporating a new priority to "Sustain economic prosperity" reflecting the need to act to reduce the impact of the global economic downturn. The priorities are now underpinned by 13 Medium Term Objectives and Key Actions to be delivered over the period.

3.1.3   The Vision, priorities and medium term objectives have been communicated through the Council's public website and intranet and Chief Executive briefings to staff. They were developed after extensive consultation with residents, employees, key strategic partners and local businesses and reflect the current key aims for maintaining effective service delivery consistent with the needs and aspirations of the community, staff and strategic partners and ensuring achievement of statutory requirements and national targets.

3.1.4   The Council has a robust and transparent performance management process in place. Performance against targets is reviewed on a quarterly basis at both directorate level and for the Authority as a whole. The quarterly performance monitoring reports are reviewed by the Chief Executive, the Corporate Management Team and all Executive Members. Following this, the quarterly reports for Corporate Services and the Chief Executive's Office together with the quarterly Corporate Performance Overview Report are taken to the Overview and Scrutiny Commission. Quarterly performance management reports for the other directorates are reviewed by the relevant Overview and Scrutiny Panel for their area. The quarterly Corporate Performance Overview Report is also considered by the Executive.

3.1.5   The Overview and Scrutiny Panels focus on specific service areas and in addition to quarterly performance management reports for their relevant directorates, they also consider any external inspection reports. The work programme of both the Overview and Scrutiny Commission and Panels is steered by a work programme agreed by the Commission at the start of each municipal year but is flexible allowing for further reviews as the need arises.

3.1.6 The Annual Report reviews performance against targets set against each medium term objective as well as reporting how well the organisation has performed against the National Indicators for Local Authorities. In addition, the Annual Report summarises the Council's plans for the following year which are subsequently reflected in departmental service plans. The Annual Report is published at the end of October each year and is also available on the website. This is being updated to reflect the requirements of the new Comprehensive Area assessment (CAA) and the reporting of the National Indicator Set (NIS).

3.2 <u>Members and officers working together to achieve a common purpose with clearly defined functions and roles</u>

3.2.1 As set out in 3.1, the Council clearly identifies a common purpose. The Council ensures effective leadership throughout the Authority. On an annual basis, Councillors appoint a Leader of the Council with power to appoint Executive Members and designate responsibilities for Executive Members. The Council's Constitution, which can be found on the public website, sets out the roles and responsibilities of the Executive, the full Council and its committees and sub-committees and Overview and Scrutiny arrangements. The Constitution also sets out a Scheme of Delegations for officers. The Scheme is subject to regular review by the Constitution Review Group. The terms of reference for the Overview and Scrutiny Commission and Overview and Scrutiny Panels detail the specific responsibilities of the committees and sub-committees having responsibility for the overview and scrutiny function.

3.2.2 The Council has in place a Member/officer protocol which establishes a clear framework for Member/officer relations. The protocol was reviewed and updated by the Standards Committee in October 2007.

3.2.3 The Constitution Review Group advises the Monitoring Officer on the development of proposals to maintain the Council's constitution, its executive arrangements and procedure rules as fit for purpose and reports these to the full Council for it to consider.

3.3 <u>The Council will promote values for the authority and demonstrate the values of good governance through upholding high standards of conduct and behaviour</u>

3.3.1 The Council has identified and published on its public website its core values setting out the manner in which it will behave whilst delivering its Vision, Priorities and Medium Term Objectives. While serving residents the Council is committed to being:

- friendly and approachable

- accountable

- efficient

- fair

- innovative and forward thinking

3.3.2 Members and officers are expected to maintain high standards of behaviour. The Standards Committee advises the Council on the adoption of appropriate codes of conduct and protocols governing the ethical standards of Members of the Council. The Codes of Conduct define standards of behaviour for both

Members and Officers. The Code of Conduct for Employees is included in the Employee Manual which is available on the intranet to all staff and is highlighted to all new staff during induction. The Members Code of Conduct is included in the Constitution which is also on the intranet and public website. The Employment Committee has responsibility for the Code of Conduct in respect of employees. The Codes of Conduct for Members and officers were last reviewed during 2007/08: it is anticipated that there will be a further review of the Members Code of Conduct during 2009/10 as a result of the Government making amendments to the Model Code of Conduct.

3.3.3   In addition to the Codes of Conduct, there is a Member and Officer Protocol which covers the standard of behaviour expected between Members and Officers and advises on effective communication between Members and officers and a Planning Protocol which provides specific guidance for Members in relation to planning applications. Those local protocols are subject to regular review by the Standards Committee.

3.3.4   The Standards Committee has responsibility for considering and determining any allegations referred to it by the Standards Board for England that a Member has been in breach of the Code of Conduct for Members. In addition, the Committee has responsibility for determining any complaints that a Member has failed to observe a locally adopted protocol. During 2008/098, no allegations against Members have been received. In March 2008, the Borough Solicitor provided training for Members on the processes for investigating allegations against Members.

3.3.5   The Whistle Blowing Policy sets out the procedures to be followed when receiving and investigating allegations made by employees, agency staff and contractors. The processes for receiving and investigating other allegations (other than those alleging a breach of the Code of Conduct for Members in respect of which there are separate procedures under the Local Government Act 2000) are covered by the Corporate Complaints Procedure. Complaints may be submitted electronically or on a standard form. The Council provides leaflets on the Corporate Complaints Procedure and the Complaints Section on the Council's website clearly sets out whom to contact with complaints and also explains the informal and formal stages of the complaints process and how these can be pursued should the claimant not be satisfied with the response provided. In addition, as required by legislation there are complaints procedures for specific service areas in Social Services and Education.

3.3.6   The Constitution also sets out the Financial Regulations which Members and officers must comply with. The Financial Regulations were updated during the year and the revised Regulations were approved in February 2009. More detailed operational guidance is provided in procedures documentation such as the Procurement Manual. Such procedures are maintained on the Council's intranet which is accessible by officers and Members.

3.3.7   Assurance on compliance with relevant laws and regulations, internal policies and procedures and that expenditure is lawful is sought through internal audit reviews and the work of external audit. During 2008/9 the Council put out to tender the internal audit function under a revised specification designed to secure a consistent and high quality service. Also, during 2008/09, the Overview and Scrutiny Commission received updates on the performance against the 2008/09 Internal Audit Plan together with a summary of

assurances provided by individual audit reports and approved the 2008/09 Internal Audit Plan. The Annual Audit and Inspection Letter and Comprehensive Performance Assessment reports from the External Auditors have been considered by the Final Accounts Committee.

3.3.8   In February 2009 the Council established a Governance and Audit Committee to provide oversight of governance arrangements and to act in the capacity of a committee with delegated authority for the function of Those Charged with Governance as required for the purposes of receiving external auditor's reports in accordance with the definition in International Standards on Auditing. The Governance and Audit Committee will consider the reports from internal and external auditors, ensure the adequacy of risk management procedures and governance procedures and approve the financial statements and Annual Governance Statement. Major external inspections which assess performance in specific services are considered by the relevant Overview and Scrutiny Panels.

3.4   The Council will take informed and transparent decisions which are subject to effective scrutiny and risk management

3.4.1   The Leader and the Executive develop and propose the policy framework to the Council and are responsible for all Executive decision-making within the policy framework by the Executive as a whole, individual portfolio holders or a committee of the Executive. The Council has appointed a number of committees to exercise its regulatory functions and other functions which are not exercisable by the Executive.

- Appeals Committee
- Education Employment Sub Committee
- Education Governor Appointments Committee
- Employment Committee
- Governance & Audit Committee
- Licensing and Safety Committee
- Licensing Panel
- Planning and Highways Committee

3.4.2   The procedures for decision making set out in the Council's Constitution ensure that decisions made by collective groups are made at meetings open to the public unless under statutory provisions it is appropriate for the public to be excluded. There is a requirement to declare interests at these meetings and these declarations are clearly recorded in minutes. The Constitution sets out those occasions which require formal decision and when written reports supporting decisions are required. Written reports requiring decision contain the following:

- financial advice from the Borough Treasurer
- legal advice from the Borough Solicitor to ensure that the decision is not unlawful and employs the Council's legal powers to full effect
- a strategic risk assessment
- an equalities impact assessment.

3.4.3 The Council is required under legislation to appoint one or more committees comprised of non-Executive Members to review or scrutinise both decisions made by the Executive and non-Executive decisions. Such committees encourage effective challenge to the decision making process.

3.4.4 The Committee with overarching responsibility for those matters is the Overview and Scrutiny Commission. During 2008/09 there were three sub-committees of the Commission namely:-

- the Environment, Culture and Communities Panel
- the Health Panel
- the Social Care and Learning Panel

3.4.5 Since the year end the arrangements for Overview and Scrutiny have been adjusted to strengthen scrutiny of Adult Social Care and Children Services.

3.4.6 In addition, during 2008/09 the Council was also a constituent authority (along with Slough Borough Council and the Royal Borough of Windsor and Maidenhead) of the Joint East Berkshire Health Overview and Scrutiny Committee which discharges the functions of the participating authorities under the National Health Service Act 2006.

3.4.7 The Constitution Review Group reviews proposed amendments to the Constitution and makes recommendations to the Council.

3.4.8 Decisions made by the Council are subject to risk assessments which are made in accordance with the organization's risk management processes. The Council has made significant progress in improving its risk management systems during 2008/09. Since April 2009, the Strategic Risk Register has been updated by the Strategic Risk Management Group and approved by the Corporate Management Team on a quarterly basis to ensure it is a complete and up to date record of the Council's current risks. Steps have been taken to ensure Members are engaged in the risk management process. The Executive reviewed and approved the Strategic Risk Register in July 2008 and approved the action plans to address strategic risks in December 2008. During the year, reports on progress made in developing risk management have been presented to the Overview and Scrutiny Commission.

3.4.9 The updated Risk Management Strategy and Risk Management Toolkit providing guidance for managers on identifying, evaluating and responding to risks were reviewed by the Strategic Risk Management Group on 5 January 2009 and have now been approved.

3.4.10 A Partnership Governance Framework and Toolkit has been developed by the Council to ensure that sound governance arrangements are in place for its key partnerships and to provide guidance on accountability, decision making and risk management. The Partnership Governance Framework and Toolkit was re-launched and a checklist based on its requirements was issued to senior managers in the last quarter of 2008/09. A new risk register was developed for the Local Strategic Partnership in the third quarter and action plans to address risks were agreed in February 2009.

3.5 Developing the capacity and capability of members and officers to be effective

3.5.1 The Council has comprehensive induction processes in place for both Members and Officers joining the Council. A broad internal training programme of courses is run each year for officers as well as specific professional training and this is supplemented by regular lunchtime manager training sessions. Compliance with Continuing Professional Development requirements is monitored through the performance appraisal process. During 2008/09, the Council put in place a Management Assessment and Development Programme for its senior and middle level managers. This is an ongoing programme that will continue throughout 2009/10.

3.5.2 The Council has secured Charter status to the South East Charter for Elected Member Development and provides a Members Development Programme which takes the form of internal training workshops on specific topics. In addition, both officers and Members attend external training courses where training needs cannot be met internally.

3.5.3 There is a strong commitment to ensuring that Members and officers individual training and development needs are identified and addressed to ensure they have the skills and knowledge to fulfil their roles. Two departments at the Council have Investors in People status. As part of the performance appraisal process, each officer is required to complete their own personal development plans which form the basis for the Council's internal training course programme. Officers agree their individual plans with their line managers. Personal development plans are offered to Members. Members are encouraged to take advantage of this and a target has been set for 70% of Members to have these in place.

3.6 <u>Engaging with local people and other stakeholders to ensure robust public accountability</u>

3.6.1 The Council works closely with its local partners. In Bracknell Forest a number of parties have come together to create the Bracknell Forest Partnership which partnership is underpinned by a Memorandum of Understanding between the participating organisations. This collaboration brings together agencies that deliver public services (the councils, Police, Fire and Rescue Service, and Primary Care Trust) with businesses and people that represent voluntary organisations and the community. Bracknell Forest Partnership has a single purpose; to improve quality of life for local people.

3.6.2 The Council, as a key member of the Bracknell Forest Partnership, ensures accountability to the public through the contract signed with the Government that agrees the priority areas for improvement in the Borough. For each priority, Bracknell Forest Partnership has also agreed the extent to which it intends to improve local services in the next three years. The contract, known as the Local Area Agreement, includes more than 54 detailed commitments from local providers covering health and well-being, the environment, crime, education, safety, transport, volunteering and the economy. It is one of the key documents for delivering the vision outlined in the Sustainable Community Strategy. The agreement commenced on 1st April 2008 and was last updated in April 2009. Progress against targets in the Local Area Agreement is regularly reported publicly.

3.6.3 During 2008/09, the Bracknell Forest Partnership Community Engagement Strategy was updated. During the consultation period there was major consultation with stakeholders.

3.6.4 In addition to the public website, there are a number of channels of communication which provide the Council with a means of engaging with residents and other stakeholders on its strategies and policies, including the Town and Country Newsletter delivered to all households in the Borough, consultation exercises based on stakeholder or focus groups or publicised on the website and regular surveys of the Bracknell 1500, which is a citizens panel of 1500 local residents, and Community Television. The Bracknell 1500 was refreshed during 2008/09 to ensure that it mirrors the current local demographic and is an accurate reflection of the Borough's population.

4 Review of Effectiveness

Bracknell Forest Borough 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 the senior managers within the authority who have responsibility for the development and maintenance of the governance environment, the Head of Internal Audit's annual report, and also by comments made by the external auditors and other review agencies and inspectorates. During 2008/09, the review of effectiveness was informed by the following:

4.1   The Council
The Council comprises 42 councillors elected every four years. Councillors are democratically accountable to residents of their ward. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them. Councillors have to agree to follow a Code of Conduct to ensure appropriate standards in the way they undertake their duties. The Council appoints:

- the Leader of the Council who appoints the other members of the decision-making Executive;
- the Overview and Scrutiny Commission and its Panels which are responsible for holding the Executive publicly accountable and providing support in the development of policies;
- the regulatory committees that have responsibility for non-Executive functions;
- the Standards Committee; and
- the Governance and Audit Committee.

The Council is responsible for approving the Council's budget and those major policies comprised in the Policy Framework of the Council. Also, the Council has ultimate responsibility for the Council's Constitution, including the scheme of delegation to officers, codes of conduct and protocols of behaviour.

4.2   The Executive
The Executive is appointed by the Leader of the Council and individual Executive Members are charged by the Leader with responsibility for specific executive functions. The key functions of the Executive are to develop and propose the policy and budget framework to the Council and to be responsible for all Executive decision-making, other than decisions delegated to officers, within the Council's policy framework, including decisions made by individual portfolio holders or a committee of the Executive. All reports to the Executive and portfolio holders include

comments from the Borough Treasurer on financial impact and the Borough Solicitor on legal considerations as well as an assessment of risk.

4.3   Governance Working Group
The Corporate Management Team established a Governance Working Group in March 2008 chaired by the Borough Solicitor. The Group has responsibility for reviewing governance arrangements on an ongoing basis, identifying any gaps and weaknesses to be addressed and reporting these back to the Corporate Management Team. The Governance Working Group is responsible for drafting the Local Code of Governance for approval by the Corporate Management Team, carrying out a review of the effectiveness of the Council's governance arrangements on an annual basis, drafting the Annual Governance Statement as part of the financial statements for approval by the Governance and Audit Committee and identifying and monitoring the implementation of actions to address weaknesses. During 2008/09 the Group met regularly to review progress on actions to address the significant issues included in the Annual Governance Statement for 2007/08 as well as other weaknesses identified by the 2007/08 governance review.

4.4   Overview and Scrutiny

Until the constitution of the Governance and Audit Committee, the Overview and Scrutiny Commission was responsible for reinforcing effective governance, particularly through reviewing the activities of the internal auditors and the Council's risk management arrangements. During 2008/09, the Commission has received summary reports on progress on the delivery of the Internal Audit Plan and key outcomes on completed work. The Internal Audit Plan for 2008/09 was approved by the Commission. The Commission also considered the Annual Audit and Inspection Letter for 2006/07.

4.5   The Final Accounts Committee

External auditors are required under auditing standards to report to Those Charged with Governance. The Overview and Scrutiny Commission had previously received such reports in carrying out the functions of an audit committee. However, the Council's new external auditors concluded that as the Commission does not have decision making powers it could not fulfill the role of Those Charged with Governance. Therefore during 2008/09, the new external auditors presented their Report to Those Charged with Governance for 2007/08 to the Final Accounts Committee. The Final Accounts Committee was replaced by the Governance and Audit Committee in February 2009. The Annual Audit and Inspection Letter for 2007/08 was presented to the first meeting of the new Governance and Audit Committee on 29th April 2009.

4.6   Internal Audit
Internal audit provides an independent and objective opinion to the organisation on the control environment by evaluating its effectiveness in achieving the organisation's objectives. It objectively examines, evaluates and reports on the adequacy of the control environment as a contribution to the proper, economic, efficient and effective use of resources. The Head of Audit and Risk Management is required to provide an annual opinion to those charged with governance to support the Annual Governance Statement.

Under the 2008/09 Internal Audit Plan, 110 audits have been completed. There was one instance where Internal Audit concluded that they could give no assurance and only nine cases where limited assurance was concluded. Where limited assurances

have been concluded, the Head of Audit and Risk Management reports the detailed findings to the Overview and Scrutiny Commission and follow-up audits are carried out within the following 12 months to ensure that agreed actions have been implemented.

Based on the work of Internal Audit during the year and other sources of assurance outlined, the Head of Audit and Risk Management has given the following opinion in her 2008/09 Annual Report:

- there are robust systems of internal control in place in accordance with proper practices except for those reviews where limited assurance was concluded and in procurement where action was still ongoing at the year end to address significant breaches in compliance with contract rules and regulations;
- key systems of control are operating satisfactorily except for the areas referred to above ; and
- there are adequate arrangements in place for risk management and corporate governance.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Governance Working Group and the Governance and Audit Committee. Governance arrangements were operating effectively during 2008/9, although areas for improvement were identified, particularly around procurement, and these are set out below. A plan is in place to address the governance issues arising from the review.

5 Governance Work Programme for 2008-9

5.1 Procurement
Significant weaknesses in compliance with Contract Regulations were identified in 2008/09. As a result, the Council conducted a fundamental review of its processes and procedures relating to procurement. An Action Plan to address these issues was approved by the Executive, the implementation of which is well advanced. This includes the Council putting in place a new set of Contract Standing Orders and Financial Regulations. The Procurement Manual has been significantly updated. Extensive training was provided on the amended Contract Regulations; further training will be provided.

5.2 Partnerships
The Council has introduced a programme of reviews of its Local Strategic Partnership Themes against the guidance contained in its Partnership and Governance Framework and Toolkit. Two reviews have been completed to date and it is intended that the remaining themes will be reviewed in accordance with a programme.

5.3 Counter Fraud
The Council's Fraud and Corruption Policy was last reviewed in 2003. During 2009/10, the Fraud and Corruption Policy will be reviewed, a Counter Fraud Strategy will be developed and steps will be taken to ensure Members and staff are aware of the Council's revised procedures.

5.4 Standards Committee Annual Report
The Standards Committee currently does not prepare an Annual Report. During 2008/09 the Standards Committee endorsed the proposal that it should produce an

Annual Report. A report on the workings of the Committee during 2008/09 will be submitted during 2009/10.

5.5   Protocol between Leader and Chief Executive
        Whilst the Council has a Member and Officer Protocol which provides guidance on the working relationship between Members and officers it does not provide specific guidance on the Leader/Chief Executive relationship. The CIPFA/SOLACE guidance indicates that the Council should have in place a protocol which specifically deals with the Leader/Chief Executive interface. During 2009/10, the existing Member and Officer Protocol will be reviewed to ensure this supports the, already effective, working relationship between the Leader and the Chief Executive.

5.6   Annual Disclosure Statements
        There is currently no requirement for Members to complete a signed declaration of related party transactions. Although not a requirement under the Code of Conduct, during 2009/10, the Council will consider the introduction of annual disclosure statements.

5.7   A Protocol for Members Serving on External Organisations
        Many Councillors are appointed or serve on external bodies such as companies, trusts, boards of governors, and fire and police authorities. Conflicts of interest can arise between a Councillor's duty to an external body and to the Council. A Protocol setting out clear guidance will be developed and considered by the Standards Committee for recommendation to the Council.

        We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed:

Leading Member

Chief Executive

on behalf of Bracknell Forest Council

ANNUAL GOVERNANCE STATEMENT 2008/09 ACTION PLAN

Governance Point Raised In Annual Governance Statement	Proposed Action	Owner	Comments/ Implementation Deadline
Procurement Weaknesses in compliance with Contract Regulations were identified in 2008/09. An Action Plan to address these issues was approved by the Executive and is currently being implemented. The Council has put in place a new set of Contract Standing Orders and Financial Regulations. The Procurement Manual has been significantly updated. Extensive training was provided on the amended Contract Regulations.	Contract maintenance to be advertised, tendered and awarded. DMTs to ensure major contracts identified for tendering/retendering Procurement training to be provided to middle managers.	ECC DMT DMTs Head of Learning and Development/ Head of Procurement	31/3/10 31/3/10 30/9/09
Partnerships The Council has introduced programme of reviews of its Local Strategic Partnership Themes against the guidance contained in its Partnership and Governance Framework and Toolkit.	Two reviews have been completed and it is intended that the remaining themes will be reviewed during 2009/10.	Senior Strategy and Partnerships Officers/ DMTs	31/12/09
Counter Fraud The Council's Fraud and Corruption Policy has not been updated since 2003 and action to raise awareness of anti-fraud and corruption arrangements has been limited during 2008/09.	During 2009/10, the Fraud and Corruption Policy will be reviewed, a Counter Fraud Strategy will be developed and steps will be taken to ensure Members and staff are aware of the Council's revised procedures.	Head of Audit and Risk Management	31/12/09

Governance Point Raised In Annual Governance Statement	Proposed Action	Owner	Comments/ Implementation Deadline
<u>Standards Committee Annual Report</u> The Standards Committee currently does not prepare an Annual Report. During 2008/09 the Standards Committee endorsed the proposal that it should produce an Annual Report.	A report on the workings of the Committee during 2008/09 will be submitted during 2009/10.	Borough Solicitor	30/9/09
<u>Protocol between Leader and Chief Executive</u> Whilst the Council has a Member and Officer Protocol which provides guidance on the working relationship between Members and officers it does not provide specific guidance on the Leader/Chief Executive relationship. The CIPFA/SOLACE guidance indicates that the Council should have in place a protocol which specifically deals with the Leader/Chief Executive interface.	During 2009/10, the existing Member and Officer Protocol will be reviewed to ensure this supports the, already effective, working relationship between the Leader and the Chief Executive.	Borough Solicitor	30/9/09
<u>Annual Disclosure Statements</u> There is currently no requirement for Members to complete a signed declaration of related party transactions.	Although not a requirement under the Code of Conduct, during 2009/10, the Council will consider the introduction of annual disclosure statements.	Borough Solicitor	31/12/09
<u>Members Serving on External Bodies</u> There is a potential for conflicts of interest to arise between a Member's role as Councillor and their role on an external body.	To develop a Protocol for Members serving on external bodies.	Borough Solicitor	31/12/09