

Annual Governance Statement 2022/23

Executive Summary

The Annual Governance Statement (AGS) provides an account of the processes and systems which give assurance for the effectiveness of the Council's discharge of its responsibilities. It covers the period 1 April 2021 to 31 March 2022.

A summary of assurance is given for each of the seven principles on which the Statement is based. Full assurances have been given against six of the seven CIPFA Principles with a partial assurance against the other.

2021/22 has seen a transition from remote to hybrid working in the office with the help of new technology. Formal meetings continued throughout the year using a process of advisory meetings and use of delegations. The Council has continued to manage its finances prudently and has recognised governance challenges around data protection and cyber security which it has sought to address through training of staff. The development and opening of Heathlands Dementia care centre, business continuity through the pandemic and a successful peer review represents notable successes. Conversely the efficacy of the Council's Special Educational Needs Provision was criticised following a joint OFSTED/CQC inspection leading to a remedial plan of action.

Moving forward Members will need to consider the style and direction of officer leadership in light of the impending departure of the current Head of Paid Service.

An update on the 2021/22 Annual Governance Statement Actions is included as **(Appendix A)**

Work underway or planned to address any governance issues for 2022/23 is set out in an Action Plan **(Appendix B)**

1 Scope of Responsibility

- 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 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. This Statement explains how the Council has complied with the code and also meets the requirements of regulation 6 (1)) of the Accounts and Audit Regulations 2015 in relation to the preparation of a statement on internal control.

2 The Council's 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 its strategic objectives and to consider whether those objectives have led to the appropriate delivery of services and value for money.

Diagram 1 Overview of Bracknell Forest Council Governance Framework

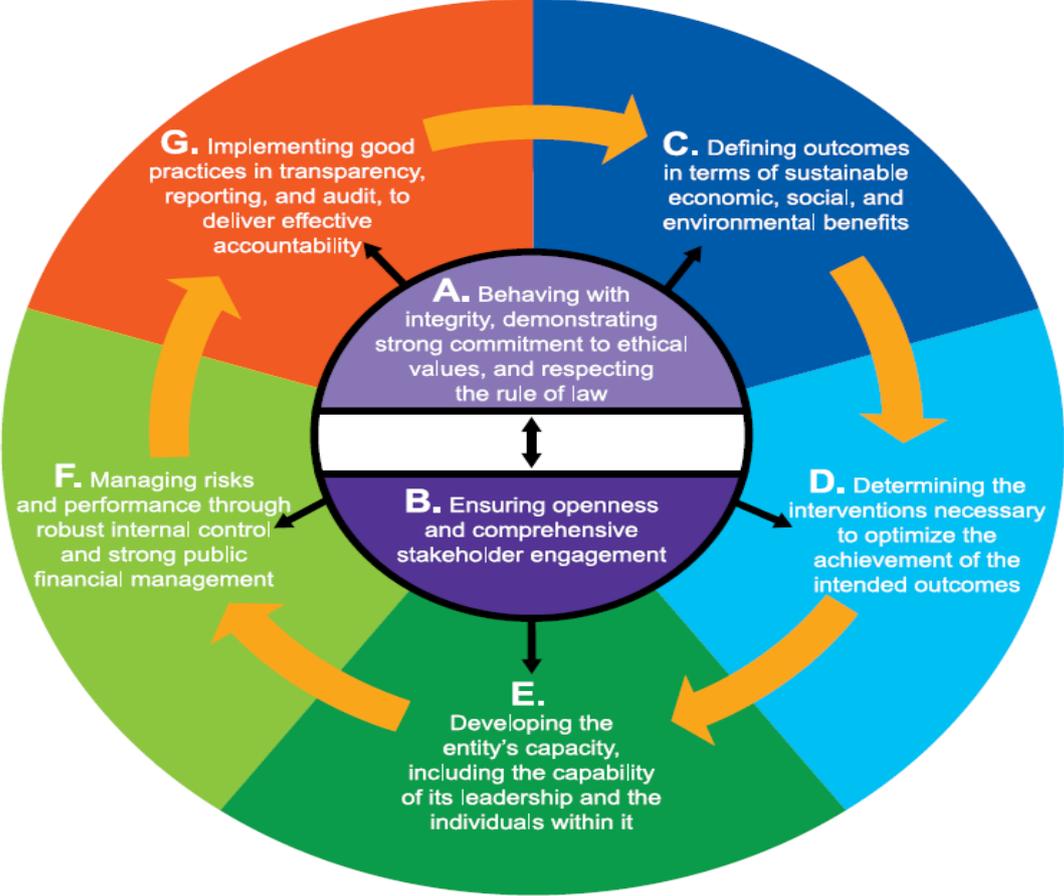


3. The CIPFA Governance Assurance Framework Principles

The CIPFA/SOLACE Framework 2016- Delivering Good Governance in Local Government suggests that this Annual Governance Statement should include a brief description of the key elements of the governance framework that the Council has in place.

3.1 There are seven principles and sub-principles of Corporate Governance incorporated

**Achieving the Intended Outcomes
While Acting in the Public Interest at all Times**



within the CIPFA/SOLACE framework and as set out in Diagram 2 below.

Diagram 2. -The seven CIPFA Principles of Good Governance

3.2 Each element of the governance framework is considered in this Statement within the context of the seven CIPFA Principles of Good Governance. An opinion is provided below against each principle on the level of assurance that the governance arrangements can generate.

A. Behaving with Integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

Assured ✓

The Council has adopted structures, systems and processes which reflect consistency with high ethical expectations of those in its service, including Members, Officers, and outside Partners. A culture of compliance is also embedded with Code breaches, disciplinary issues, data protection infringements and whistleblowing referrals being reviewed, investigated, and determined in accordance with defined processes. Over the year there were no complaints against serving Councillors compared to seven in the previous year. This may to some extent be the outcome of work undertaken by the cross-party Members Equality Group which sought to raise awareness on the impact of bullying behaviours whilst promoting equality and diversity. Awareness amongst Members of the rules relating to disclosure of interests remains high with Members consistently seeking the views of the Monitoring Officer when in doubt.

Inclusivity has now been imbedded as one of the Council's core values.

Examples of corresponding framework

- Councillor Code of Conduct
- Whistleblowing procedure
- Member/Officer protocol
- HR Procedures
- Protocol for Members in dealing with Planning matters
- Information management strategy

B. Ensuring openness and comprehensive stakeholder engagement

Assured ✓

The Council exists to serve its residents and works effectively in partnership with a wide range of stakeholders It has transparent decision-making processes in place. The Covid crisis led to the continued provision of remote meetings using MS Teams over the course of the year which enabled democratic decision making to continue in several instances increasing the rate of public access to meetings.

Overview and Scrutiny has established a structure that allows activity to better align with the themes of the Council Plan. The function has established and delivered against a work programme that supports the council objectives. The Commission has carried out research and made recommendations to support the Council's climate change targets and has scrutinised the budget and monitored the performance of all Council departments through the Council Plan Overview Report.

A number of significant consultations were undertaken via the Council's portal most notably relating to the Budget, Joint Minerals Waste Plan, Health and Well Being Strategy and Cycling and walking in the Borough.

Examples of corresponding framework

- Transparent decision making in line with statutory and constitutional provisions
- Executive Decisions on Forward Plan
- Exempt status of reports subject to Monitoring Officer scrutiny
- Public participation scheme
- Pay policy statement
- Contracts over £5000 on Data share

C Defining outcomes in terms of sustainable economic, social and environmental benefits

Assured ✓

The Council has in place clear arrangements to define outcomes and monitor performance. In setting policies and strategies, it has adopted a long-term view about outcomes. The Council Plan was adopted in February 2020 for the - period from - 2019-2023 and has strategic themes underpinned by social, economic and environmental objectives. During 2021/22 the Council developed a Covid renewal strategy to respond to pressures on service delivery triggered by the effects of the global pandemic.

The Council's creation of the Bracknell Forest Cambium Partnership as a joint venture with Countryside Properties is intended to help it fulfil its objective of ensuring Bracknell town centre remains a sustainable and popular retail and leisure destination as well as a home to increasing numbers of people. The Council's close working relationship with the Bracknell Regeneration Partnership, most notably in relation to progressing development of the Deck, shares these aims.

Following the Executive's approval in March 2019, work has now been completed to re-develop the former Heathlands care home into a combined Health facility and EMI dementia nursing home. The new facility opened its doors to service users in March 2022 and has helped alleviate pressures in the health system caused by the on-going Covid pandemic.

Bracknell Forest's food waste recycling service continues to grow, with approximately 90 per cent of the borough's households participating since the launch in March 2021. A year on from the first round of collections, over 6,300 tonnes of food waste has been collected and recycled.

Work continued throughout the year around the development of the Local Plan and despite notable public opposition in response to the Proposals relating to Jealotts Hill the draft Plan is currently being presented for Examination.

The Council received positive feedback following an LGA hosted Peer review in November 2021 including the following observations:

- *Councillors having a clear focus on good services*

- *there is effective managerial leadership and positive relationships between councillors and staff*
- *most residents are consistently happy with the council's work and the support they receive from the council, specifically during COVID-19*
- *the council's stability has brought success, including the town centre regeneration*

Recommendations from the review are reflected in the Action Plan annexed to this statement.

Examples of corresponding framework

- Council Plan
- Service Plans
- Quarterly Service reports and Quarterly Council Plan Overview reports
- Partnership working (e.g. Community Safety partnership, Cambium Partnership, Joint Waste Board, Public Protection Partnership)

D. Determining the interventions necessary to optimise the achievement of the intended outcomes

Partial Assured ✓

The Council takes decisions on interventions based on its published Council Plan setting outcomes for services and defining actions and targets for achieving them. Proposed interventions are recorded through Directorate Business Plans for ensuring the achievement of intended outcomes within set timescales. More significant interventions through service or organisational transformation are considered and overseen by the Transformation Board chaired by the Chief Executive.

The Council refreshed its Climate Change action plan and brought this to the level of a full strategy of the council. This follows this theme of work being identified in the Corporate Plan (theme 6). The strategy has now allowed this area of work to be added to the golden thread of service delivery. Service Plans for 2022-23 have had this objective baked into their service programmes. The decision-making templates have been revised to ensure that climate change mitigation is part of every decision that the council makes. Links have been made to the public health, "health in all policies" framework, ensuring that schemes like "Get Green and Active" deliver, in a holistic way, these corporate objectives

Areas of concern include:

- (i) the efficacy of the Council's Special Educational Needs provision which was criticised in a recent OFSTED/CQC inspection in November /December 2021 to judge the effectiveness of the area in implementing the special educational needs and/or disabilities (SEND) reforms as set out in the Children and

Families Act 2014. The subsequent report published in February 2022 identified nine significant areas of weakness which the Council is in the process of addressing through a written Statement of Action which was submitted to the Inspecting Authorities on 7 June.

- (ii) Progress with the Joint Venture development project the viability of which has in part been affected by global pressures on construction costs
- (iii) The Dissolution of Downshire Homes Limited partly due to the departure of the Assistant Director of Housing and the Finance Lead on the Board of Directors.

Each of these three areas will need appropriate Governance oversight over the next 12 months to ensure that the Council achieves its desired performance outcomes.

Examples of corresponding framework

- Council Plan
- Service Plans
- Quarterly Service reports and Quarterly Council Plan Overview reports
- Outbreak Control Plan

E. Developing the entity's capacity, including the capability of its leadership and the individuals within it

Assured ✓

Member development continues to be an embedded part of the Council's culture and courses and seminars continue to be well attended. A broad internal training programme of courses is run each year for officers as well as specific professional training and this is supplemented by e-learning opportunities and also less formal learning such as mentoring and work shadowing schemes. Compliance with Continuing Professional Development requirements of staff is monitored by individual officers. The Council provides sufficient resources to fund this. As part of the performance appraisal process, each officer is required to identify their learning and development objectives.

The Council has responded extremely well during the Covid pandemic in terms of its service resilience, although there has inevitably been a change in focus towards immediate priorities at leadership level.

The commitment to workforce development is reflected in the Council's three year Learning and Development Strategy and Plan published in November 2021 and its Workforce and Organisational Development Strategy (Summer 2021). These aim to help the organisation in its journey to become more agile, open to learning and committed to embracing diversity and inclusion at all levels.

It will be important over the next few months and beyond to ensure that competing demands for organisational capacity do not hinder delivery of important change

programmes which are key to securing a financially sustainable organisation into the future. With the impending departure of the current Chief Executive in October and local elections next May the Council will inevitably need to undergo a structural and possibly strategic reset at Leadership level within both the senior officer and Member cohorts.

Examples of corresponding framework

- Induction programmes for Officers & Members
- Member Development Programme
- Behaviours
- Role profiles

F. Managing risks and performance through robust internal control and strong public financial Management

Assured ✓

The Council has continued to closely manage its financial position over the past year, adapting its normal budget monitoring approach to reflect the increased uncertainty around the level of costs and income which have been significantly affected by the Covid pandemic.

Bracknell Forest has a culture of financial prudence across the organisation, meaning that cautious worst-case scenario projections were identified, which fortunately did not materialise. Whilst this caution has helped lead to a situation where the year end out-turn will be well below the level of resources available, it is important that it is balanced by a realistic assessment of the likelihood of such worst-case events materialising, in order to assist future financial planning and avoid unnecessary spending reductions to be sought.

The level of reserves held by the Council remains strong, meaning that there is time to fully develop and deliver a medium-term financial plan, which can offer choice around the pace at which change needs to be delivered. It is important that this does not become confused with a view that spending controls can be relaxed since there is a healthy level of reserves.

The Head of Audit and Risk Management is required to conclude and report on the effectiveness of the internal control environment in her annual report. Her assessment of the internal control environment for 2021/22 (reported to the Governance & Audit Committee in June 2022) conferred a **partial** assurance whilst concluding that there are **adequate** arrangements in place at the Council for risk management and corporate governance. This is an improvement on the limited assurances conferred in the two previous years reflecting a positive trajectory of progress.

During 2021/22 the Strategic Risk Register was updated and considered by the Strategic Risk Management Group on a quarterly basis and reviewed twice by the Governance and Audit Committee with feedback provided. Actions to address strategic risks were updated and monitored during 2021/22 and key changes to strategic risks were summarised in the quarterly Corporate Performance Overview Report.

Information Governance and data protection have been areas of corporate focus. Each year the council minimises its risk of data breach by having a federated set of Information Governance leads in each division of the council. The leads have been effective in being the on the ground advisors to high-risk areas of the council. As the staff who lead breach investigations and reviewing Privacy Impact Assessments, an effective learning cycle has been established to ensure that the council has “double loop” learning from each incident.

Central resources have also been increased, with the Data Protection Officer (DPO) role being linked to the Head of IT role, bringing the data and systems controls under a single management team. The IG leads and DPO are now supported by more compliance officers, ensuring that the area is well resourced to carry out its task.

Performance is reported to the Information Management Group (IMG), a sub board of CMT, ensuring corporate ownership of the area of work and a forum for corporate agreement and assurance. The SIRO and DPO provide CMT with quarterly reports on performance and key issues, ensuring that corporate leaders have the tools necessary to ensure the control environment remains strong.

Annual GDPR training is monitored by CMT, with completion rates about 90%. This is supported by a suite of cyber security training and on-line guidance to support staff to maintain standards. This is also backed up by excellent internal communications, using Forest views and screen saver messaging to ensure that awareness and vigilance is maintained.

The Council has sought to raise awareness on the issue of Cyber Security. Cyber Security training is offered to Officers on its training portal and a training event was undertaken in March 2022 to help the Senior Leadership Group understand the extent of current risks and levels of resilience across the organisation.

Examples of corresponding framework

- Financial Regulations
- Annual Budget setting process
- S151 Officer role
- 2021/22 Audit programme
- Head of Audit and Risk Management’s annual opinion
- The Strategic Risk Management Group (SRMG)
- Risk Management Strategy
- Strategic Risk register

G. Implementing good practices in transparency, reporting and audit, to deliver effective accountability

Assured ✓

The Council has transparent processes in place through publication of the Forward Plan of key decisions, of agendas and reports of its meetings and those of its committees and of its key decision reports on the website. It publicises its pay policy statement in line with legislation as well as expenditure on contracts in excess of £5000 in value and all other

expenditure in excess of £500. The Council has robust audit arrangements in place and there is regular audit reporting to the Council's Governance and Audit Committee.

Internal Audit provides an independent and objective annual appraisal of key financial systems through routine compliance testing and by undertaking a number of audit reviews within service departments in accordance with the Internal Audit Plan. The Head of Audit and Risk Management develops the Annual Internal Audit Plan which is then delivered by an external contractor and by Royal Borough of Windsor and Maidenhead and Wokingham joint internal audit team under an agreement made under Section 113 of the Local Government Act 1972.

The Head of Audit and Risk Management reports outcomes for all audits to the Corporate Management Team and the Governance and Audit Committee in quarterly progress reports. For audits where an inadequate or partial assurance opinion has been concluded, the Head of Audit and Risk Management reports details of the significant findings to the Corporate Management Team and the Governance and Audit Committee and follow-up audits should be carried out within 12 months to ensure that actions have been taken to address the areas of concern. For other audits, the Head of Audit and Risk Management obtains management updates on the progress on implementation of agreed recommendations and this information is also reported to the Corporate Management Team and the Governance and Audit Committee.

The judgements issued by the external auditor in relation to the year-end statutory accounts and the linked value for money assessment have always been very positive about the Council's work. However, the formal accounts sign off for 2020/21 was significantly delayed due to the on-going process of finalising the audit of the pension fund accounts managed by RBWM. This is a process over which neither the Council nor its external auditors have significant influence. Members have been kept up to speed with progress on this matter as well as receiving regular reports from the Head of Audit and Risk Management on internal audit work. The open approach to reporting the outcomes of audits to the Governance and Audit Committee has received positive feedback from Members and facilitated detailed Member scrutiny of the internal control environment and clear accountability.

Examples of corresponding framework

- Council Scheme of Delegation, Procedural rules, Standing Orders and Financial Regulations as set out in constitution
- Governance and Audit Committee terms of reference
- Executive Forward Plan
- Council Plan overview reports
- Scrutiny arrangements
- Information Governance Framework

2021/22 Annual Governance Statement Action Plan Update

Item	Governance Point Raised in Annual Governance Statement	Proposed Action	Owner	Comments/ Implementation Deadline	Update
1.	Implement Covid 19 Recovery Plan	Facilitate return to office-based working where necessary and appropriate with emergent plans for Time Square	Corporate Management Team	1 st Sept 2021	Delayed due to further wave of pandemic. Hybrid working introduced from April 2022 with staff being encouraged to work from office at least once a week.
2.	Dissolve Downshire Homes Limited	Undertake all necessary shareholder actions to assist Downshire Homes Limited facilitate dissolution of company and ensure transfer of property assets to BFC. All Companies Act and HMRC obligations to be discharged.	Executive	1 Dec 2021	Held in abeyance due to proposals in government consultation on changes to MRP (Minimum Revenue Provision Rules) and potential impact on financial efficacy on dissolution.
3.	Councillor Code of Conduct	Review Code of Conduct following publication of new Model Code by LGA	Code of Conduct Working Group	30 Sept 2021	CCWG received Report from Borough Solicitor In January 2022. Agreed cursory Changes to current Code.
4.	Whistleblowing Policy	Review /Redraft to improve awareness & accessibility	Borough Solicitor	30 Sept 2021	Deferred pending outcome of Office of Whistle-blowers Bill introduced in Parliament during Summer 2021.
5.	Information Governance	Develop and implement Communication plan to ensure council wide awareness and ownership of Information Governance Framework emerging from recent activity	Executive Director Delivery & Information Governance Consultant	30 Sept 2021	Refresher IG training rolled out Council wide. Following successful Audit by ICO BFC has continued to consolidate its IG

Item	Governance Point Raised in Annual Governance Statement	Proposed Action	Owner	Comments/ Implementation Deadline	Update
					Framework through the role of the Senior Information Risk Officer, Data Protection Officer, Information Management Group as well as via a programme of regular reporting of FOI, SAR and Security Breach Data to CMT.
6.	Contracts Monitoring	Development of Corporate Contracts Register	Strategic Procurement Group	30 Sept 2021	This has been delayed due to technical and resourcing factors. A new Procurement Pipeline has been developed, which will enable the Council to undertake a bulk upload of the contract details for existing and new requirements. This coupled with further awareness and understanding by commissioners of the need to fully utilise the functionality on the tendering portal and complete the Proc1 Form, is expected to result in implementation by September 2022.

APPENDIX B-
2022/23 Annual Governance Statement Action Plan

	Item	Proposed action	Owner	Implementation deadline
1.	Corporate Leadership	Ensure smooth transition/consolidation in strategic direction of Council with change in Head of Paid Service	CMT	October 22-April 23
2.	Dissolve Downshire Homes Limited (c/f from 2021/22)	Review position in light of prospective changes to MRP rules and if proposal remains to dissolve company to take all appropriate steps to achieve this.	Executive	31 December 2022
3.	SEN Written Statement of Action	Implement all agreed actions in response to Joint CQC/OFSTED inspection of SEN provision.	CMT	31 December 2022
4.	Whistleblowing Policy (C/F from 21/22)	Review /Redraft to improve awareness & accessibility.	Borough Solicitor	31 December 2022
5.	Contract Monitoring (c/f from 21/22)	Development of Corporate Contracts Register.	Strategic Procurement Board	31 December 2022
6.	Recruitment and Retention	Undertake review of recruitment and retention within BFC in light of challenging market conditions and propose strategy for improved outcomes	CMT	31 December 2022

Signed:

Paul Bettison

Timothy Wheadon

**Leader of the Council
June 2022**

**Chief Executive
June 2022**