

Annual Governance Statement 2023/24

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 2022 to 31 March 2023.

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 Principle F as a number of areas were identified by the Head of Audit & Risk Management on the adequacy of the Internal Control environment based on audit outcomes across the year. These are all in the process of being mitigated and progress will be reported back to the Corporate Management Team and the Governance & Audit Committee during the current municipal year.

2022/23 has seen a continuation of the transition 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.

Changes have taken place in both the Officer and Political Leadership with the appointment of a new Chief Executive and the election of a Labour Majority requiring the cultivation of new organisational relationships in order to maintain organisational stability.

An update on the 2022/23 Annual Governance Statement Actions is included as **(Appendix A)**

Work underway or planned to address any governance issues for 2023/24 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

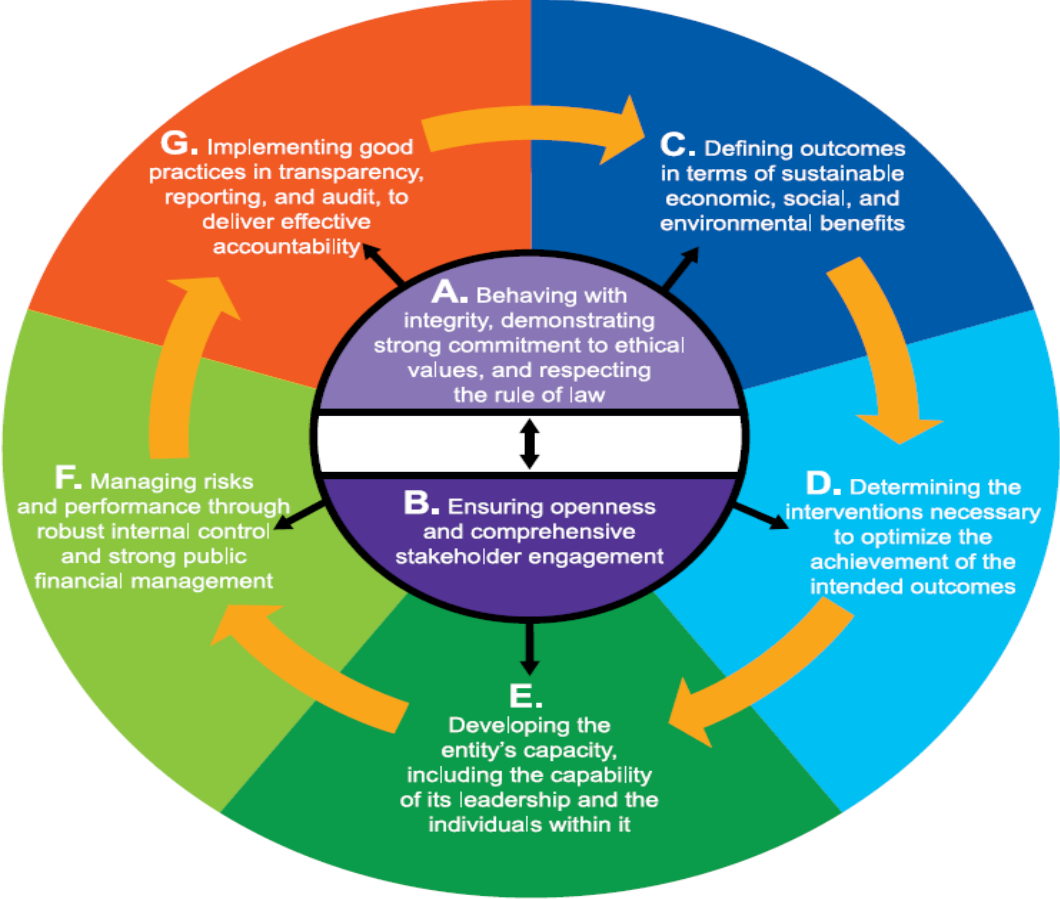


3. The CIPFA Governance Assurance Framework Principles

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 18 Code of Conduct complaints. Though on the surface this would appear to be a significant increase from the average over the previous 10 years, most of the complaints were attributable to two complainants. None of the complaints were upheld. The new political composition of the Council is expected to bring challenges in managing politically based disputes. This will require corporate sensitivity to new Members becoming acclimatised to the processes and culture of the organisation. With this aim in mind, new Councillors have received training around Code of Conduct and Member/Officer relations as part of the Member Induction programme.

The values of the organisation are role modelled and supported by the senior managers in the department, so that staff are clear that we are Ambitious, Inclusive and Always learning. This is reflected in staff survey results which demonstrate that teams understand and act upon the values.

Examples of corresponding framework

- Councillor Code of Conduct
- Councillor Training Programme
- Whistleblowing procedure
- Anti Bribery Policy
- 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.

Formal decisions of the Council, Executive, Committees as well as officer decisions are made following a well established decision-making process with forthcoming decisions published via the council's forward plan, at least 28 days prior to the decision is being made and recorded. Within the reports the various alternative options are considered so that these are clear for the decision maker to see.

Hybrid meetings, triggered in part by the Covid crisis, have become embedded within the Council's meetings framework. In the absence of a legislative framework for remote

decision making the Council ensures legal compliance by ensuring that voting rights are reserved to a quorate in person cohort at formal meetings. Members of the Public continue to have live and recorded access to all formal meetings online.

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 four year work programme that supports the council objectives. The Commission met on seven occasions across the municipal year and considered reports from the Scrutiny Panels covering a range of issues including reviews of Enforcement, the Blue Badge Scheme and Child Criminal Exploitation. It 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, Housing Strategy 2022-27, Carers Strategy, Polling Review as well as Neighbourhood Plans relating to Winkfield Parish and Bracknell Town.

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 adopted a long-term view about outcomes in the 2019-23 Council Plan with strategic themes underpinned by social, economic and environmental objectives. With a new political leadership firmly established, the Corporate Management team is leading a process of developing a four year Council Plan for 2023-27 which will provide an overlay for the rest of the performance framework in the organisation. This is expected to be adopted in November. Existing directorate service plans will remain in place in the intervening period.

The Bracknell Forest Cambium Partnership joint venture with Countryside Properties is intended to help the Council's 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 re-development of the Coopers' Hill site which will reach completion in Summer 2023 involved strong engagement with local residents as well as provided the impetus for the re-purposing of Time Square as a community hub. The Market Street site has been particularly challenged by global and national economic decisions. BFC's continued support for the scheme has been driven by the wider social

value it will deliver to the Council's regeneration and affordable housing objectives, recognising that financial returns are secondary to these key objectives set for the Cambium Partnership. The Council's balance sheet strength means that it is able to accept and manage a degree of development risk in pursuit of its wider objectives.

The Council continues to create plans and strategies that seek to promote sustainable futures with the sustainable use of resources. In the past year it has approved a Joint Minerals and Waste Plan, a Health and Wellbeing Strategy, the Highway Asset Management Plan, has had the Draft Local Plan Examined and has adopted the Warfield Neighbourhood Plan. These all seek to create the conditions for sustainable development and the prudent use of resources.

Further notable successes included the Council's Children Services being rated as outstanding by OFSTED and the successful implementation of Operation London Bridge following the passing of the Queen. A new Chief Executive was appointed in June 2022 and took up duties in the early autumn. The leadership transition has been smooth with continued close working between the Corporate Management Team led by Head of Paid Service and the Executive. The more recent change in political leadership has led to challenges post-election in the management of Member/Officer relations and the Conduct of meetings. Such challenges have been largely anticipated and overcome with senior management oversight.

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

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.

The Council acted early following the announcement of the previous Chief Executive's planned retirement to initiate a recruitment process resulting in a constitutionally compliant process leading to the appointment of the current incumbent.

The Council has continued to make significant progress around the SEN Written Statement of Action following the OFSTED review of 2021 with 75 out of 113 actions already delivered and has taken steps to facilitate the transfer of Housing stock from DHL to the Council by 2024 in continued fulfilment of its duties under homelessness legislation..

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 ✓

Recruitment, retention and training are all key components of the Council's approach to creating a well-qualified and diverse workforce. Recruitment over the past few years has proved challenging and in cases the council has been unable to recruit those with the correct skills and training to key posts. Where this has occurred, the Council has made use of agency staff or short term contracts to cover gaps in the structure. This is not the preferred method of recruitment, but enables the department to sustain services which are of importance to residents and service users and meet our statutory requirements.

Having re-defined the Council's values as "inclusive, ambitious and always learning", the Council subsequently invested in diversity and equalities training for all managers during 2022/23. It undertook a staff survey during the year, achieving a 70% response rate, and is assessing areas of focus to respond to its key findings.

Member development continues to be an embedded part of the Council's culture. With the large cohort of new members joining the Council in May a four phase Member Induction Programme has been devised across a 12-month period. The Programme covers a wide range of services and expected competencies.

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 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.

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

Partial assurance

The Council has continued to closely manage its financial position over the past year. While additional costs were incurred in the early part of the year, actions taken have ensured that an underspend was achieved by the end of the year. Bracknell Forest has a culture of financial prudence across the organisation. However it is important that this is balanced by a realistic assessment of the likelihood of 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.

Information Governance and data protection remain areas of corporate focus. Information Governance leads in each division of the council continue to discharge the role of leading breach investigations and reviewing Privacy Impact Assessments and in so doing ensure that the Council retains a wide base of knowledge around compliance in this area of activity.

During 2022/23 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 2022/23 and key changes to strategic risks were summarised in the quarterly Corporate Performance Overview Report.

Performance around Freedom of Information and Subject Access requests as well as Information Security breaches continues to be 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 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 and governance for 2022/23 (reported to the Governance & Audit Committee in June 2023) conferred a **partial** assurance whilst concluding that there are **adequate** arrangements in place at the Council for risk management. This was in part due to a number of significant control weaknesses identified in the adequacy of the internal control environment.

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. She reports outcomes for all audits to the Corporate Management Team and the Governance and Audit Committee on a quarterly basis. For audits where an inadequate or partial assurance opinion has been concluded, she provides details of the significant findings to the Corporate Management Team and the Governance and Audit Committee and follow-up audits are required to 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 and 2021/22 have been 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

APPENDIX A

2021/22 Annual Governance Statement Action Plan Update

	Item	Proposed action	Owner	Implementation deadline	Update
1.	Corporate Leadership	Ensure smooth transition/consolidation in strategic direction of Council with change in Head of Paid Service	CMT	October 22-April 23	The new Head of Paid Service took up post in September 2022 and quickly became firmly established in her role.
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	Work has been undertaken by the Housing Service to reduce the number of sitting Tenants in DHL properties with Assured Shorthold Tenancies. It is now proposed that the transfer of all DHL stock will be concluded by the spring of 2024
3.	SEN Written Statement of Action	Implement all agreed actions in response to Joint CQC/OFSTED inspection of SEN provision.	CMT	31 December 2022	75 of the 113 actions within the Written Statement of Action have been delivered and the Department for Education and NHS England have provided positive feedback on the progress made. The programme activity is now focused on the impact that the work is having for children, young people, parents and carers.

4.	Whistleblowing Policy (C/F from 21/22)	Review /Redraft to improve awareness & accessibility.	Borough Solicitor	31 December 2022	Deferred to 31 March 2024 due to workload pressures
5.	Contract Monitoring (c/f from 21/22)	Development of Corporate Contracts Register.	Strategic Procurement Board	31 December 2022	<p>The Council adopted a Corporate Contract Register from 1 April 2023. This was built in the corporate procurement portal, ProContract, using the contracts listed in the Council's 3 year corporate procurement pipeline. Thus the current contract register contains all identified current contracts as of 31 March 2023. Testing is currently being carried out and a training package developed to support a rollout of the portal across the Council, which will be concluded at the end of August.</p> <p>The current intention is to rollout portal access across the Council from the end of September, and services will then be responsible for updating their own contracts within the Contracts Register, with the aim for the Register to be fully up to date by the end of 2023</p>
6.	Recruitment and Retention	Undertake review of recruitment and retention within BFC in light of challenging market conditions and propose	CMT	31 December 2022	The Employment Committee agreed revised pay arrangements in October 2022 across social care to address

		strategy for improved outcomes			the significant recruitment and retention challenges. Recruitment and Retention is a key workstream within the Business Change programme moving forward led by the Executive Director-Delivery.
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APPENDIX B-
2022/23 Annual Governance Statement Action Plan

	Item	Proposed action	Owner	Implementation Deadline
1	Dissolve Downshire Homes Limited (c/f from 2022/23)	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 Director-Resources	31 March 2024
2	Whistleblowing Policy (c/f from 2022/23)	Review /Redraft to improve awareness & accessibility.	Borough Solicitor	31 December 2023
3	Contract Monitoring (c/f from 22/23)	Development of Corporate Contracts Register.	Head of Corporate Procurement	31 December 2023
4	Constitution	Undertake review of Constitution to reflect current working practices	Borough Solicitor	31 December 2023
5	Council Plan	Implement new Council Plan and corresponding Performance Framework including Directorate Service Plans	CMT	31 December 2023
6	Budget Setting	Ensure smooth running of the Council's budget setting meeting based on prior scenario planning in light of the new multi party arrangements	CMT &Assistant Director Democratic & Registration Services & Borough Solicitor	21 February 2024

Signed:

Councillor Mary Temperton

Susan Halliwell

**Leader of the Council
August 2023**

**Chief Executive
August 2023**