### **Annual Governance Statement 2020/21**

## What is Governance?

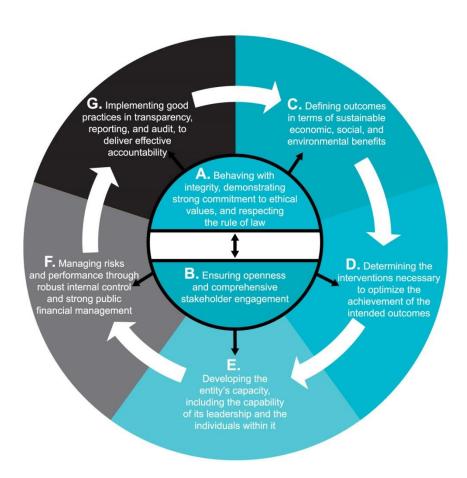
Governance comprises the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved.

To deliver good governance in the Authority, both governing bodies (Members) and individuals working for the Authority must try to achieve the Authority's objectives whilst acting in the public interest at all times.

Acting in the public interest implies primary consideration of the benefits for society, which should result in positive outcomes for service users and other stakeholders.

## The Core Principles of Good Governance

The diagram below, taken from the International Framework: Good Governance in the Public Sector, illustrates the various principles of good governance in the public sector and how they relate to each other.



## Responsibility

The Authority is responsible for ensuring that its business is completed in line with the law and statutory legislation, and that public money is spent wisely and properly accounted for. We will ensure that we continually improve the way we provide our services whilst taking into account value for money.

We will ensure that we put in place proper arrangements to ensure our risks are managed, and that controls and the governance process are in place.

We have approved and adopted a Code of Corporate Governance which is consistent with principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. The Code demonstrates the supporting principles which underpin the core principles and identifies the assurance as outlined in the Framework. It also demonstrates what level of assurance we get and thus, identifies any areas for improvement. This forms the assurance framework for good governance and demonstrates that we know our governance arrangements are working. Links to all supporting evidence identified in the assurance framework are contained within the Code of Corporate Governance and are not repeated in this statement. The Code of Corporate Governance document is available on the Council's website.

### **Our Outcomes**

Our desired outcomes for 2019-22 are detailed in the Corporate Plan. The Corporate Plan details our Vision and sets out our Thematic Priorities. Under each thematic priority, we detail our ambitions and how we are going to realise these. All outcomes we aim to achieve, along with changes we want to see and supporting information are detailed in the Corporate Plan.

For each activity or process we complete, we ensure that the appropriate governance arrangements are in place.

For 2020/21, we together with the rest of the UK, have faced an unprecedented global crisis in the Coronavirus pandemic. This has been and will remain, a significant factor affecting our operations in 2021/22 and beyond. As part of the Staffordshire wide Civil Contingencies Unit, the Council evoked business continuity arrangements to enable the continuation of business critical operations. While the Corporate Plan remains relevant to our future outcomes, these will no doubt be affected by the Covid-19 situation and will be dealt with as part of the Council's emerging recovery and reset programme. As part of our AGS this year, we have included the measures we have taken to ensure our governance effectiveness has not been impacted or compromised by the pandemic.

# TAMWORTH BOROUGH COUNCIL CORPORATE PLAN 2019-2022

## TAMWORTH BOROUGH COUNCIL: VISION

To put Tamworth, its people and the local economy at the heart of everything we do

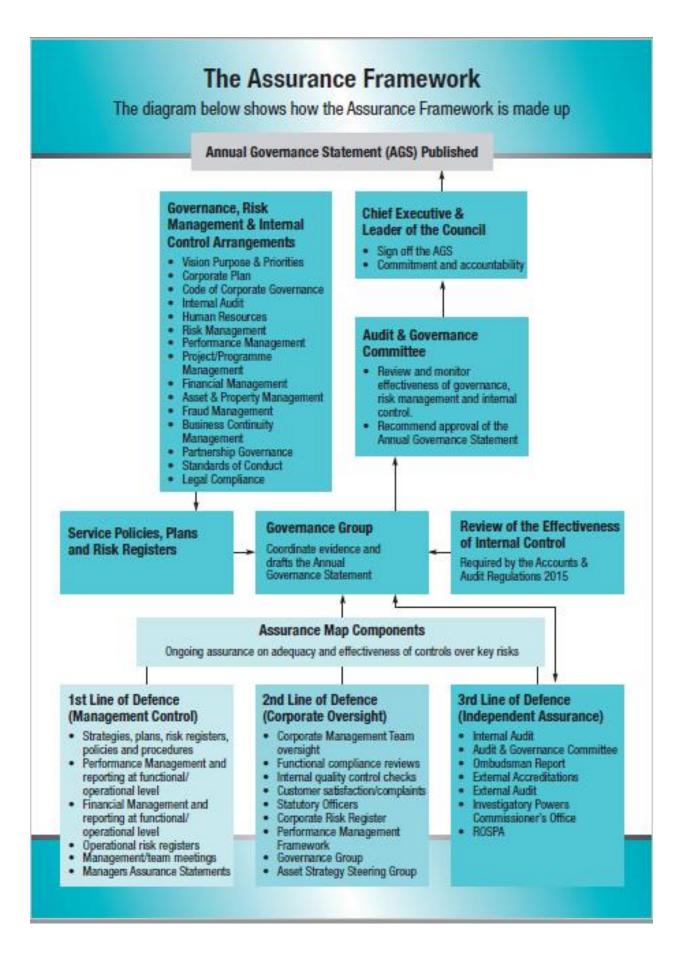
## OUR PURPOSE IS TO:

- help tackle causes and effects of poverty and financial hardship
- Increase all residents' resilience and access to information
- engage with our residents to promote community involvement and civic pride
- support the development of Tamworth now, and in the future
- help the local economy to grow in a way which benefits our residents and businesses
- utilise Council resources effectively
- help tackle the causes of inequality and increase opportunities for all residents and businesses
- help protect, nurture and celebrate our local heritage
- help prevent homelessness and help people access suitable housing
- help build resilient communities
- help develop and safeguard our environment and open spaces

# **OUR STRATEGIC PRIORITIES FOR 2019-2022**

#### People and Place Organisation To meet housing needs through a variety of approaches and To be financially stable Interventions To ensure our employees have the To facilitate sustainable growth and right skills and culture to help our economic prosperity residents, visitors and businesses To work collaboratively and flexibly to To ensure our service delivery is meet the needs of our communities consistent, clear, and focused To create a new and developing vision To ensure our decisions are driven for the continued evolution of by evidence and knowledge Tamworth, including a town centre fit for the 21st century





What have we done to monitor and evaluate the effectiveness of our governance arrangements during 2020/21 including ensuring that those arrangements have not been compromised by the impact of the pandemic

The Authority has the responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of the effectiveness of the system of internal control is informed by:

- The work of Internal Audit which is detailed in the Internal Audit's Annual Report.
- Responsibility of Corporate Management Team for the development and maintenance of the internal control environment.
- Reports received from our External Auditors and any other review agencies or inspectorates.

During 2020/21, our operations were heavily impacted by the global pandemic. The Council continued to support vulnerable people, deliver critical front line services and scaled-up its response to COVID19 during the year including the payment of significant levels of grants to local businesses and individuals (through the test and trace scheme) and expanded businesses rates relief to retail, hospitality and leisure businesses. Importantly, the COVID-19 emergency tested the Council's ability to move at pace, prioritise its service delivery and demonstrate its core values & purpose. To ensure our governance arrangements remained effective, the following actions have contributed to the evaluation of the effectiveness of the arrangements:

- The Council has responded rapidly and effectively to the pandemic related restrictions as they have been announced by Government. Most staff switched to virtual working and establishments, such as the Castle and Assembly Rooms were closed. Public health and safety became a priority for a number of teams working collaboratively to manage Covid outbreaks within our communities and to ensure the safe return of people to the town centre as Covid restrictions were eased. Resilience plans were activated in partnership with the Civil Contingencies Unit and businesses were supported by the authority with the distribution of c.£18m in Government grants through a variety of different schemes. The Council's aim was to ensure public service delivery could continue safely where permitted.
- Increased residents' resilience and access to information through empowering and working with 'anchor' and third sector organisations to support our most vulnerable
- Support our most vulnerable through preventing homelessness and helping people access suitable housing amidst major Government initiatives including the "everyone" in campaign, whilst also pausing non-essential moves
- Emergency decision making protocols were enacted by Council in March 2020, until the new Regulations permitting council meetings to be held remotely were put in place in May 2020. The Council recommenced its meeting programme virtually in June 2020 and has been operating effectively in this way since then.
- The internal audit programme included provision of days for Covid-19 flash assurance audits to ensure that those charged with governance were able to get dynamic assurance over risks affecting the Council from the pandemic, for example in terms of staff wellbeing and business grants. The ICT audit programme included remote working to gain further assurance with most staff transitioning to working from home.

In addition to the above, the Council's 'business as usual' governance arrangements have continued to operate, for example:

- The Code of Corporate Governance, set out in line with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*, has been reviewed and updated.
- Internal audit have reported to the Audit & Governance Committee on a quarterly basis and provided an opinion on the overall effectiveness of the system of internal control based upon the work completed. The statement for the 2020/21 financial year is as follows:
  - 'On the basis of audit work completed, Internal Audit's opinion on the council's framework of governance, risk management and internal control is reasonable in its overall design and effectiveness. Certain weaknesses and exceptions were highlighted by audit work. These matters have been discussed with management, to whom recommendations have been made. All of these have been, or are in the process of being addressed'.
- Our External Auditors report to each Audit & Governance Committee. In their Annual Audit Letter (2019/20), they gave an unqualified opinion on the Statement of Accounts and an unqualified conclusion in respect of the Authority securing economy, efficiency and effectiveness.
- The Corporate Risk Register is owned and reviewed on a quarterly basis by the
  Corporate Management Team and reported in the Quarterly Health Check to Cabinet.
  It is also reported in the risk management update to the Audit & Governance
  Committee. The changing risk landscape arising from the pandemic, featured as a
  key area of risk and will continue to be so moving into 2021/22.
- Managers Assurance Statements have been completed by Executive Directors and Assistant Directors and have not identified any significant control issues.
- Financial Guidance and Financial and Contract Procedure Rules are reviewed on a regular basis, the latest review being approved by the Audit & Governance Committee in March 2021. A full review of the constitution took place and was approved by Council in December 2020.
- The Chief Finance Officer and Head of Internal Audit & Governance (in post during 2020/21) are suitably experienced and qualified and comply with the CIPFA Statements on their respective roles.
- No issues were raised through the Counter Fraud and Corruption and Whistleblowing Policies.
- There were no data security breaches/lapses during the financial year.
- Internal Audit are required to comply with the Public Sector Internal Audit Standards. As part of this requirement, Internal Audit are required to complete an annual self-assessment against the Standards and produce a Quality Assurance & Improvement Programme(QAIP) which identifies areas for improvement both to ensure compliance with the Standards and other quality areas. The self-assessment against the standards and the QAIP are reported to the Audit & Governance Committee.
- The Ombudsman report on the enquiries and complaints received in 2019/20 was reported to the Audit & Governance Committee in October 2020.
- The Performance Management Framework ensures that the Financial Health Check is reported to Cabinet on a quarterly basis and made readily available on the Authority's website.

- The Authority is currently compliant with the PSN Code of Connection. The
  compliance process includes assessments against governance, service management,
  information assurance conditions and technical controls and assures access to the
  Public Services Network. Our current compliance certificate expires in December
  2021, the renewal process will be started prior to that to ensure continuity of PSN
  services.
- An annual update report is presented to the Audit & Governance Committee on the use of RIPA powers. During 2020/21, no RIPA authorisations were made.
- To assist in a more co-ordinated approach to managing projects, a Corporate Project Management template and process is now in place.
- A self-assessment of the Audit & Governance Committee's effectiveness was completed in February 2021.
- The Chairs of the Audit & Governance and Scrutiny Committees submitted their Annual Reports to Full Council.
- The Authority complies with the Transparency Code.
- Counter fraud work continues to be completed with the retained expertise of in-house staff to investigate corporate fraud.
- Internal Audit completes an annual assessment of the risk of fraud which is reported to the Audit & Governance Committee annually. The counter fraud plan and risk assessment were reported to the Committee in October 2020 and it was concluded that the Authority has adopted a response that is appropriate for its fraud and corruption risks and commits to maintain its vigilance to tackle fraud.
- In compliance with the Localism Act 2011, a report was presented to Full Council in September 2020 advising them of the number of complaints received regarding Members Conduct.
- The review of the Constitution and Scheme of Delegation was approved by Council in December 2020. It will be due to be refreshed in the Summer 2021.
- The Anti-Money Laundering Policy was reviewed and approved by the Audit & Governance Committee in November 2019 and a new Prevention of Tax Evasion Policy was approved by the Audit & Governance Committee in October 2020.
- A new Diversity and Equality Scheme (2020-24) was formally approved by full council
  in October 2020. The annual Pay Policy was approved by Council in October 2020,
  this had been delayed due to the Council's response to Covid 19.
- The authority has continued to progress implementation of the organisation's response to the General Data Protection Regulations (GDPR). The Data Protection Officer continues to raise its awareness of GDPR across the authority. As part of wider IT Governance work, policies and procedures have been reviewed or are being developed to meet our obligations under the GDPR and to ensure a robust governance framework is in place for our ICT systems and information assets. The Information Security Policy has been rolled out across the authority with this becoming a mandatory requirement for new starters. The authority's Corporate Privacy Notice along with Departmental Fair Processing Notices have been developed with reviews being undertaken when necessary. Information on our website has been reviewed and is due to be updated with guidance to support our customer's rights of access to their data. Work is progressing with suppliers to ensure the security and compliance of personal data held within our software systems. A programme of cyber security training has been completed across the authority with further bite size communications to be issued over the coming months.

- Partnership working arrangements continued to strengthen and further develop with both our statutory and community and voluntary sector partners. The response to the pandemic was unprecedented and has created a good foundation for closer links and partnership work as we move into recovery.
- The Tamworth Advice Centre commissioned through the partnership team continues to provide valuable generalist debt and specialist advice to our most vulnerable citizens and will be re-commissioned in 2021/22.
- We value our community and voluntary sector and the work they do within our community. In 2020/21, despite lockdown we awarded grants through our Community Grants and Councillor Grants Programme to aid community response to the pandemic. Full details can be found on our website: <a href="https://www.tamworth.gov.uk/sites/default/files/misc\_docs/2020-21\_Grants.pdf">https://www.tamworth.gov.uk/sites/default/files/misc\_docs/2020-21\_Grants.pdf</a>
- Through the Staffordshire Commissioner's Office for Police Fire and Crime Locality
  Deal Fund the Community Safety Partnership, various organisations were funded. A
  total of £48,200 to address partnership priorities around hate crime, community
  COVID-19 response, ASB dispute resolution and early intervention for young people at
  risk of criminal exploitation.
- The Place Based Approach continues to grow and further develop; this is a collaborative partnership approach through the County Council Building Resilient Families programme that uses multi skilled teams, universal services, voluntary sector organisations, and communities at the right time to improve outcomes for children, young people, vulnerable people and our community. As part of this Place Based Approach we have been working in partnership to identify community and voluntary sector organisations that can offer children, families and vulnerable people help and support at the earliest opportunity.
- Financial resilience is and has been the key requirement for local authorities at any time, but in the current crisis it has assumed unprecedented importance. Perhaps the biggest difficulty with the pandemic is that there is no certainty about time scales; it is impossible to draw any conclusions about how long it will continue to impact on and the lasting effect for the Council's finances. During the Covid-19 crisis the Council will have lost income and other resources which will significantly impact on the potential sustainability of the organisation and the impact is likely to be long term, as will be the case across many Local Government organisations. Whilst the full extent of this cannot be known at present it will be necessary for the Council to take an accelerated approach towards the development and implementation of an effective sustainability strategy.
- The Authority has both a moral and legal obligation to ensure a duty of care for children and adults with care and support needs across its services. We are committed to ensuring that all children and adults with care and support needs are protected and kept safe from harm whilst engaged in services organised and/or provided by the Council. We do this by:
  - Having a Safeguarding Children & Adults at Risk of Abuse & Neglect Policy and procedures in place;
  - Having Safeguarding Children & Adults Processes which give clear, stepby-step guidance if abuse is identified;
  - Safeguarding training programme in place for staff and members;
  - Carrying out of the appropriate level of Disclosure and Barring Service (DBS) checks on staff and volunteers;

- Working closely with Staffordshire Safeguarding Children's Board & Staffordshire & Stoke-on-Trent Adult Safeguarding Partnership; and Staffordshire Police.
- The Authority recognises that it has a responsibility to take a robust approach to slavery and human trafficking. In addition to the Authority's responsibility as an employer, it also acknowledges its duty as a Borough Council to notify the Secretary of State of suspected victims of slavery or human trafficking as introduced by section 52 of the Modern Slavery Act 2015. The Authority is committed to preventing slavery and human trafficking in its corporate activities and to ensuring that its supply chains are free from slavery and human trafficking. The Authority has included modern slavery and human trafficking information within the corporate safeguarding policy and training.

https://www.tamworth.gov.uk/sites/default/files/community\_docs/Modern\_Slavery\_Statement\_2019-20.docx

The Council will continue to develop and strengthen its approach to modern slavery trafficking in 2021/22.

- The Tamworth Vulnerability Partnership continues to meet each week and the Council
  is also committed to the Multi Agency Risk Assessment Conference (MARAC) to
  ensure that partner organisations are working together to coordinate efforts to support
  high risk victims of domestic abuse, children, young people, families and vulnerable
  people across Tamworth.
- Finally, full Council in March 2019 approved urgency provisions regarding governance for urgent decision making in light of the Covid-19 crisis and the Council has gone on to fully adopted the provisions included within the Regulations for The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, by holding virtual meetings from June 2020.

#### Declaration

We have been advised on the implications of the result of the review of the effectiveness of the Governance Framework by the Audit & Governance Committee and that the arrangements continue to be regarded as fit for purpose. The issues which remain outstanding from previous years' Annual Governance Statements are detailed at **Annex 1** with actions to address them. No additional governance issues were highlighted during 2020/21. Other minor issues highlighted through the assurance gathering process have been noted with planned actions to address these issues. Monitoring of the completion of all these issues will be completed through reporting to the Audit & Governance Committee.

We propose over the coming year to take steps to address those matters raised 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 operations as part of our next review.

Signed

J Oates A Barratt

Leader Chief Executive

Date

On behalf of the Authority

# **Significant Governance Issues**

The significant governance issues identified in relation to previous iterations of our Annual Governance Statement, which remained significant issues for us during 2019/20 and are detailed below:

No	Issue	Previous Action	Update 2020/21
1	Medium Term Financial Strategy (MTFS)		
	Whilst actions have been taken to ensure that the MTFS remains balanced, this is still a significant risk to the Authority. Revenue Support grant will be removed around 2020. Opportunities and risks associated with the 100% Business Rates Retention will need to be identified. The increasing demands of our customers also need to be considered.	<ul> <li>Work is also continuing on a number of actions to address the financial position in future years:</li> <li>Recruitment freeze – there is a robust challenge / rejustification process in place for all vacant posts with a requirement to investigate alternative options including restructuring to fill vacancies / looking at what we can stop doing;</li> <li>Spend freeze – A review of the underspend position is undertaken annually with a view to drive out as many savings as possible. In addition, it has been recommended that</li> </ul>	approved, future levels of funding for the Council were uncertain pending the most significant changes in Local Government funding for a generation. The reforms were planned to be in place by 2020/21 but were deferred until 2021/22. The Government has confirmed that the longer-term reforms for the local government finance system (including the move to 75% Business Rates Retention and Fairer Funding Review of Relative Needs and Resources) will be deferred again as a result of the Covid-19 pandemic, although no timescales have been released. In addition, the next planned national Business Rates Revaluation, planned for 2021 has now been deferred to 2023.  As a nation we are likely to feel the consequences of the Covid-19 pandemic, and the measures to

No	Issue	Previous Action	Update 2020/21
		there is an immediate	contain and mitigate its effects, for years to come.
		suspension of all non-essential spending and that the budget be revised to remove these budgets following the preparation the first quarterly	
		monitoring report. Managers will be required to review their budgets and identify all non-essential spending for 2020/21 as part of the quarter 1 projections at 30 June 2020.  • Alternative investment options to generate improved returns of c. 4% to 5% p.a. (plus asset growth);  • Review of reserves (including ensuring adequate provision for the funding uncertainties) / creation of fund for	extent, been subject to reduction or suspension.  In light of the projected impact of Covid-19 on the Council's Medium Term Financial Strategy, an immediate suspension of all non-essential spending was approved by Cabinet on 9th July and that Managers review their budgets and identify all non-essential spending for 2020/21 and approval sought for the budget to be revised to remove these.  No one can know what the effect of the Covid-19 crisis will have on the economy and ultimately the impact for the Council's finances. It will be many months before we have a clearer idea on how the economy has been affected – including any lasting
		transformation costs (if needed);  • Targeted Savings – to identify potential areas for review in	effects for individual businesses and their employees. Social distancing measures remain in place – impacting mainly on the Council's ongoing income receipts.
		future years; and  Review and rationalisation of IT	During the crisis the Council has lost income which will significantly impact on the potential

No Issue	<b>Previous Action</b>	Update 2020/21
	systems.	sustainability of the organisation, as will be the case across many Local Government organisations. Whilst the full extent of this cannot be known at present it will be necessary for the Council to take an accelerated approach towards the development and implementation of an effective sustainability strategy, linked to an overall vision for the organisation.  Cabinet on 22 <sup>nd</sup> October 2020 approved the Recovery and Reset programme which aims to consider how we can tackle the financial challenges facing the council as a result of the coronavirus pandemic. This will include reviewing services, reducing waste demand on services (basically this is any action or step in a process that does not add value to the customer), exploring opportunities for income generation and identifying any further savings.  The overriding goal is to make sure our organisation remains fit for the future, while protecting services to the most vulnerable in our community. The Recovery and Reset programme outlines that this work be split into eight projects.

No	Issue	Previous Action	Update 2020/21
2	Regeneration/Capital Projects		
	The Authority needs to ensure that capital projects are managed effectively to ensure that they are delivered and grant monies are spent appropriately and timely.  There is a risk that developers will not develop timely in accordance with the Local Plan need.	Re-profiling of capital scheme spend from 2019/20 into 2020/21 is forecast at c. £21m (c.£39m 2018/19) relating mainly to Housing Regeneration Schemes, Acquisitions and Commercial Investments.  It is anticipated that this spend will now occur during 2020/21 but the situation will be closely monitored and any potential issues will be highlighted at the earliest opportunity.  As part of the MTFS, Council in February 2020 approved the updated Capital Strategy which sets out the Council's approach to capital investment and the approach that will be followed in making decisions in respect of the Council's Capital assets.  Capital investment is an important ingredient in ensuring the Council's vision is achieved and given that	Re-profiling of capital scheme spend from 20/21 into 2021/22 is forecast at c. £27.5m relating mainly to new affordable Housing development, housing capital works, Disabled Facilities Grants, Acquisitions and Commercial Investments.  It is anticipated that this spend will now occur during 2020/21 but the situation will be closely monitored. The housing regeneration programme completed in January 2021; some housing capital projects have been impacted by COVID where non-essential works were placed on hold.  As part of the MTFS, Council in February 2021 approved the updated Capital Strategy which sets out the Council's approach to capital investment and the approach that will be followed in making decisions in respect of the Council's Capital assets.  Capital investment is an important ingredient in ensuring the Council's vision is achieved and given that capital resources are limited it is critical that the Council makes best use of these resources — including the development of a long term strategic plan to address the identified maintenance and repairs backlog for corporate assets.

No	Issue	Previous Action	Update 2020/21
No	Issue	capital resources are limited it is critical that the Council makes best use of these resources – including the development of a long term strategic plan to address the identified maintenance and repairs backlog for corporate assets.  It is recognised that significant further work is required in this area in order to deliver a robust capital strategy, in 2020/21, the Asset Management Plan is to be reviewed and updated, with an up to date stock condition survey (with appropriate budget provision approved within the MTFS). This should set out the detailed capital resources /expenditure required to maintain assets, together with the associated timeframe, to inform options appraisal and feed into the capital strategy for ASSG/CMT review of potential schemes.  The Tinkers Green and Kerria regeneration project is progressing with anticipated completion during	It is recognised that significant further work is required in this area in order to deliver a robust capital strategy, and the updated Asset Management Plan is nearing completion, with an up to date stock condition survey (with appropriate budget provision approved within the MTFS) planned. This should set out the detailed capital resources /expenditure required to maintain assets, together with the associated timeframe, to inform options appraisal and feed into the capital strategy for ASSG/CMT review of potential schemes.

No	Issue	Previous Action	Update 2020/21
3	Welfare & Benefit Reform		
	There is a risk of reduced income corporately due to welfare reform changes (including council tax support scheme and Universal Credit with further austerity measures from the Welfare reform Act 2015).  As well as the potential for reduced income and an increase in bad debts, there are additional impacts arising from increased needs in services – eg homelessness,	The Council has experienced an impact from Welfare Benefit Reform and is able to evidence an increase in rent arrears to the implementation of Universal Credit. A Corporate Working Group has been established to ensure an organisation wide approach and the Council has been pro-active in seeking positive working relationships with DWP. The issue has been the subject of examination by the Council's scrutiny committees. Any impact in relation to homelessness has been less	Income levels have been largely maintained in 2020/21 (due to the mitigations put in place) despite the Covid-19 crisis.  The Corporate Working Group has continued to meet to take forward an organisation wide approach including preparations for implementation of the Debt Respite Scheme (Breathing Space). Following a tender process in 2020, further work is being commissioned around corporate debt to secure a one council approach focusing on not only the management of multiple debt households but seeking to understand how resources are better aligned to secure VFM.
	requirement for additional support to vulnerable people, increased issues of ASB etc meaning an increase in demand on 3 <sup>rd</sup> sector and statutory agency services.	apparent and the Council has been successful in its proactive approach to implementation of the Homelessness Reduction Act and has achieved a significant reduction in the use of bed and breakfast accommodation thereby reducing costs and social harm.  Income levels have been largely maintained without reduction in 2019/20 (due to the mitigations put in	Third Sector Support and Vulnerability Strategy is one of the Recovery and Reset Programme projects – Recognising that one of the most positive outcomes to the Pandemic is the overwhelming ability of 'anchor organisations and communities' to mobilise and support each other, this project will explore how the Council's commissioning framework can be aligned to build on these foundations going forward and how we define and develop our vulnerability strategy, building on the baseline assessment commissioned

No	Issue	Previous Action	Update 2020/21
		place) however, the Covid-19 crisis likely to now have a significant effect on future income and welfare spending (which we cannot quantify at the moment).	over the summer.
		Work is being commissioned around corporate debt to secure a one council approach focusing on not only the management of multiple debt households but seeking to understand how resources are better aligned to secure VFM.	
		A corporate task and finish group is being established around vulnerability which will map base line data to support forecasting around likely impacts which will then inform actions.	

This page is intentionally left blank