

Audit Committee

30th May 2023



Report of: Chief Executive

Title: Draft Annual Governance Statement 2022/23

Ward: Citywide

Officers Presenting Report: Denise Murray, Director of Finance & S151 Officer
Simba Muzarurwi – Chief Internal Auditor

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Recommendation

The Audit Committee consider and agree the draft Annual Governance Statement as a fair reflection of the internal control and governance environment during 2022/23 and to date, prior to it being finalised and signed by the Mayor, the Chief Executive, Section 151 Officer and Monitoring Officer.

The Audit Committee consider and note the FM Code Self-Assessment and improvement action planning. Progress in improving code compliance is monitored by Audit Committee.

Summary

The City Council is required by the Accounts and Audit Regulations 2015 to prepare an Annual Governance Statement to accompany its published financial statements. A review of the internal control, risk management and governance arrangements has taken place and the resulting draft Statement is attached to this report. Compliance with CIPFA Financial Management Code is also required. A self-assessment of compliance with the Code is appended to the Annual Governance Statement.

Significant Matters Arising are:

- the requirement for the Annual Governance Statement
- the review process undertaken to enable the Statement to be made
- the draft Annual Governance Statement is attached which details the most significant control and governance issues identified during 2022/23 in section 5 of the statement.
- A self-assessment of compliance with CIPFA Financial Management Code has concluded reasonable compliance. The self-assessment is appended to the Annual Governance Statement.

1. Policy

Publication of an Annual Governance Statement is a requirement of the Accounts and Audit Regulations 2015. Additionally, the Council's Risk Management Policy Statement requires the Audit Committee to review the Annual Governance Statement to ensure it accurately reflects the internal control, risk management and governance arrangements in place.

2. Consultation

Internal – Corporate Leadership Board including S151 Officer, Monitoring Officer, Chief Internal Auditor and other relevant officers.

External – External Audit

3. Context

3.1 In accordance with the Accounts and Audit Regulations 2015, the Council is required to conduct an annual review of its system of internal control and publish an Annual Governance Statement (AGS) with the annual Statement of Accounts. The process is a key mechanism for ensuring that the Council has an effective system of internal control and governance, and that any shortfalls are identified and addressed.

3.2 The AGS must be a fair reflection of the internal control and governance environment during 2021/22 up to the date of being signed by the Chief Executive and Mayor alongside the 2022/23 Annual Statement of Accounts. The External Auditors will review the draft AGS in detail as part of their audit of the Statement of Accounts for 2022/23. The AGS can be updated in July and September to reflect any governance changes that have occurred since this report.

3.3 The Accounts and Audit Regulations 2015 also specify that the AGS is considered by “the organisation itself, or a Committee of the organisation”, and this requirement is being met by this submission to the Audit Committee.

The AGS

3.4 A coordinated approach to providing assurance for the 2022/23 Annual Governance Statement has again been utilised with senior managers from across the Council and group of companies completing assurance statements for each of their areas acknowledging responsibility for internal control and risk management. Each of these managers have certified or otherwise their satisfaction with arrangements in place during 2022/23.

3.5 The review process also examined a wide range of internal control and governance processes, which included:

- engaging with Senior Management and other key officers within the Council, where appropriate;
- obtaining and reviewing External Audit and Inspection reports, Internal Audit reports and management monitoring reports;
- the scrutiny and evaluation of the information obtained;

- determining significant control issues within the definition agreed for disclosure; and
- consultation with the Corporate Leadership Board including S151 and Monitoring Officer.

3.6 The consideration of the draft AGS by the Audit Committee is key part of the review and approval process.

3.7 The AGS explains how the Council has complied with its Code of Corporate Governance (Code) which is based upon the following seven core principles:

- Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law;
- Ensuring openness and comprehensive stakeholder engagement;
- Defining outcomes in terms of sustainable economic, social, and environmental benefits;
- Determining the interventions necessary to optimise the achievement of the intended outcomes;
- Developing the entity's capacity, including the capability of its leadership and individuals within it;
- Managing risks and performance through robust internal control and strong public financial management;
- Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

3.8 The AGS identifies areas for improvement where the review process has identified them. Significant governance issues are set out in section 5.

3.9 In determining the significant governance issues to disclose, the following factors have been considered on whether the issues had:

- seriously prejudiced or prevented achievement of a principal objective;
- resulted in the need to seek additional funding to allow it to be resolved or had resulted in a significant diversion of resources from another aspect of the business;
- a material impact on the accounts;
- been considered as significant for this purpose by the audit committee or equivalent;
- attracted significant public interest or had seriously damaged the reputation of the Council;
- resulted in formal action being taken by the Section 151 Officer/Monitoring Officer;
- received significant adverse commentary in external inspection reports and which the Council has not been able to address in a timely manner.

3.9 The Draft Annual Governance Statement 2022/23 is at Appendix A.

Financial Management Code Compliance.

3.10 Appended to the AGS is a self-assessment of compliance with the CIPFA Financial Management (FM) Code. This came into effect from 1 April 2020 and all local authorities are required to demonstrate full compliance by 31 March 2022. The code sets the standards of financial management for local authorities that will support good practice in financial management and to assist local authorities in demonstrating financial leadership, transparency, assurance and financial sustainability. Demonstrating compliance with the CIPFA FM Code is a collective

responsibility of elected mayor, members, the Chief Finance Officer and their professional colleagues in the leadership team.

3.11 The assessment has been completed by colleagues in Finance and will be subject to independent verification by Internal Audit during 2023/24. The AGS review process considers the assurances obtained from the FM Code self-assessment and the AGS notes a reasonable level of compliance with the code. Areas for improved compliance have been identified and actions are included in the self-assessment.

4. Proposal

4.1 The Audit Committee to consider and agree the draft Annual Governance Statement as a fair reflection of the internal control and governance environment during 2022/23 and to date, prior to it being finalised and signed by the Mayor, the Chief Executive, Section 151 Officer and Monitoring Officer.

4.2 The Audit Committee to consider and note the FM Code Self-Assessment and improvement action planning.

4.3 Progress in improving code compliance is monitored by Audit Committee.

5. Other Options Considered

Not Applicable

6. Risk Assessment

The need to maintain a robust Risk, Governance and Control environment is pivotal to the effective operations of the Council's functions, a statutory requirement of the Accounts and Audit Regulations 2015 and an implied requirement of the External Auditor. Compliance with the FM Code underpins good financial management and ensure compliance with legal and best practice requirements.

Failure to maintain and where required improve this environment will not only impact on the proper practices of the Council but will also be in breach of the Accounts and Audit Regulations 2015 and may attract an adverse opinion from the External Auditor.

Public Sector Equality Duties

Not necessary for this report

Legal and Resource Implications

Legal

Not Applicable

Financial

Not Applicable

Land

Not Applicable

Personnel

Not Applicable

Appendices:

Appendix A - Draft Annual Governance Statement 2022/23

Appendix 1 - Financial Management Code Compliance - Self Assessment

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

Audit Committee Terms of Reference

CIPFA/SOLACE Guidance on the Annual Governance Statement

CIPFA Finance Management Code Guidance