

## **1 Scope of responsibility**

Hertfordshire County Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, that public money is safeguarded and properly accounted for, and is 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.

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, which includes arrangements for the management of risk.

Hertfordshire County Council's Code of Corporate Governance sets out its commitment to good governance and describes the Council's governance framework and processes. The governance principles that the Council adopts are consistent with those set out in the Chartered Institute of Public Finance and Accountancy (CIPFA) / Society of Local Authority Chief Executives document: *Delivering Good Governance in Local Government* and which are as follows:

- *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 the 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.*

Hertfordshire's County Council's Code of Corporate Governance is available on the Council's internet site.

## **2 The purpose of the governance framework**

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

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level however it cannot eliminate all risk of failure to achieve policies, aims and objectives. The system of internal control is based on an on-going process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The governance framework has been in place at Hertfordshire County Council for the year ended 31 March 2017 and up to the date of approval of this Annual Governance Statement and the statement of accounts.

### **3     The governance framework**

The systems and processes that comprise Hertfordshire County Council's governance arrangements are set out in its Code of Corporate Governance. Key elements of the governance framework are described below.

The Council adopted its latest Corporate Plan in February 2013 which extends to 2017. The plan sets out a vision for Hertfordshire to remain a county where people have the opportunity to live healthy, fulfilling lives in thriving, prosperous communities. The plan outlines four cross-cutting themes that include key priorities for the County. The four themes are:

- Opportunity to Thrive
- Opportunity to Prosper
- Opportunity to be Healthy and Safe
- Opportunity to Take Part.

The Council's constitution sets out the rules under which the organisation conducts its business. The constitution aims to enable the Council to provide clear leadership to the community, in partnership with the public, businesses and other organisations; support the active involvement of members of the public in decision-making; help Councillors represent their constituents; enable decisions to be taken efficiently and effectively; enable decision-makers to be held to account; and ensure that decision-makers are identifiable and that reasons are given for decisions. All the annexes to the constitution were reviewed and where necessary updated during the year.

The Authority publishes an Annual Report which summarises significant developments and achievements for the period. The report sets out how the Council's finances have been applied to meet its priorities and also outlines some of the potential challenges and opportunities it will face in the coming year. The document also reinforces HCC's commitment to working with communities and providing services through methods of delivery that demonstrate its values and behaviours.

The Authority utilises a system of all-party Cabinet Panels to consider policy development for each service area. The Council has well-established scrutiny arrangements, which act to hold the Executive to account by scrutinising decisions made by, or on behalf of the Council or Cabinet and any operational or policy aspect of the Council's business. Additionally, the Council's Health Scrutiny Committee considers strategic countywide health matters. Councillors are also able to scrutinise any issue which affects the County and its residents which may be outside the Council's control. Full details of the topics under scrutiny can be accessed on the Council's website. Progress on implementation of agreed scrutiny recommendations is monitored regularly.

The Integrated Plan for 2016/17 – 2019/20 sets out the key outcomes toward which the Council is working. The Integrated Plan provides the associated financial and human resource plans together with information on how the Council achieves value for money in the provision of services, and the treasury management strategy. The Integrated Plan was developed through a robust review and challenge process involving both Cabinet Panel and Scrutiny.

Hertfordshire County Council works with partners through Hertfordshire Forward, the countywide strategic partnership. The Hertfordshire Forward Strategy Group draws the County's key partners and partnerships together to ensure that everyone is moving collectively in the same direction in the best interests of Hertfordshire. Membership of the Group comprises: the Leader of Hertfordshire County Council; the Hertfordshire Police and Crime Commissioner; the Chairs of the county's Health and Wellbeing Board and Local Enterprise Partnership; and the Chairman of the Hertfordshire Leaders Group (the grouping of all local authority leaders in the county).

An 'Ambition for Hertfordshire' has been developed by the Hertfordshire Forward Strategy Group and a Hertfordshire Assembly, which draws together a wider range of partners to debate, shape and develop county-wide plans and strategies, is convened twice a year. An annual conference is also held each year to bring together Hertfordshire partners from across all sectors to discuss key issues facing the county. In 2016, the theme of this conference was the health economy of Hertfordshire.

This work is now underpinned by regular meetings of all key public sector chief executives and a Hertfordshire Public Sector Leaders' Steering Group who are overseeing the development and delivery of a cross-public sector action plan. A public sector leaders event to discuss progress on this work took place on 23 March 2017.

The Council has a well-developed risk management strategy and embedded risk monitoring processes, which operate at the highest levels of the organisation, and are overseen by the Council's Audit Committee. The risks associated with meeting budget targets are also considered as part of the integrated planning process, and then monitored in quarterly reports to Cabinet.

The Council has integrated strategic and service level performance management processes, which facilitate continuous improvement and identify and support early identification and rectification of any service delivery issues.

These arrangements are supported by the council's 'Performance Management and Development' scheme through which objectives for individual employees are set and monitored, and plans for individual development are agreed. This is underpinned by the 'Staff Development Charter', which provides a framework for assessing and meeting the learning and development needs of officers. The council has adopted a set of values and behaviours to reinforce what is expected of employees and managers.

There is an on-going Councillor development programme to support them in all their roles, with dedicated learning and development support and a system of deputy Cabinet members that facilitates succession planning. Work to support Councillors in their local work is part of the council's approach to localism; this has included development of an IT portal to provide Councillors with ready access to a wide range of information about their local communities and Hertfordshire more widely.

The Council has continued to maintain equality and diversity at the forefront of its service delivery and employment practices. The Council annually publishes evidence of its progress against the objectives contained in its Equality Strategy to demonstrate to the public of Hertfordshire how it intends to continue to meet the needs of all of Hertfordshire's communities. Equality impact assessments assess the impact of policies and proposals upon council employees and service users, and a cumulative impact assessment is carried out as part of the integrated planning process.

The Council has a whistleblowing policy which clearly sets out arrangements in place for reporting and investigating any concern relating to a deficiency or breach in the provision of services; the guidance reassures that this may be done without fear of recrimination.

The Council's internet website includes: facilities that allow members of the public to submit complaints relating to the various directorates; mechanisms for reporting suspected fraud and corruption (anonymously if required); and, access to information on current consultations, petitions etc.

The Council has designated the Director of Resources as Senior Information Risk Owner and senior managers confirm annually their responsibilities in respect of the use of information in their services. The Information Governance Unit and the IT Security Team provide advice and guidance on this area.

The Council has an anti-fraud and corruption strategy setting out its commitment to prevent and detect fraud and corruption.

#### **4 Review of effectiveness**

Hertfordshire County Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control; in practice the Council operates a continuous process of review and improvement.

The Executive, on behalf of the Council, charges the Audit Committee with keeping the effectiveness of the Council's systems for internal control under review. At its quarterly meetings the Audit Committee receives and considers reports on the Council's overall risk management arrangements and also receives reports on specific risk issues that are considered worthy of individual reporting by

Internal Audit or the officers of the Council. The Audit Committee approves the internal audit plan of work and receives regular updates on progress against the plan with summaries of both assurance opinions and key matters raised in individual reviews. The Audit Committee considers the overall annual opinion on internal control provided by the Shared Internal Audit Service along with the opinions on the Council's accounts provided by external auditors.

The Council ensures corporate ownership of the Annual Governance Statement through requiring all senior managers to give an assurance on controls in place in their own service areas. A group of senior managers then meets to consider the findings of the review of governance. The draft Statement is considered at Strategic Management Board prior to signing by the Chief Executive and Leader of the Council. The Audit Committee scrutinises the Statement at its July meeting.

A review of the internal control environment in accordance with CIPFA guidance is carried out by internal audit annually and informs the Annual Governance Statement. Within this, consideration has been given to ensuring the Council's financial management arrangements conform to the governance requirements in the CIPFA statement on the *Role of the Chief Financial Officer in Local Government*.

The Head of Assurance's Annual report and opinion on the internal control environment, prepared in accordance with the Public Sector Internal Audit Standards, provides an independent opinion on the adequacy and effectiveness of the Council's system of internal control to inform the Annual Governance Statement. The opinion of the Head of Assurance in respect of 2016/17 is one of substantial assurance in respect of both financial and non-financial systems, giving significant confidence in the effectiveness of internal control arrangements of the Council. This report also consolidates assurance opinions and actions taken by management to address issues raised during internal audit reviews undertaken throughout 2016/17, and is informed by the comments of external auditors and other inspectors.

Each member of the Council's leadership team has provided assurance that they have reviewed arrangements for meeting their responsibilities in relation to:

- service plan preparation and agreement
- performance monitoring and reporting
- staff resources and responsibilities
- value for money
- partnership arrangements
- risk management
- the management of new developments
- consideration of safety and environmental impacts
- financial probity, ethical conduct and reporting concerns
- actions taken in response to external inspectorate reviews
- actions taken in response to exceptions reported in 2014/15
- information and communication systems.

An update on the actions undertaken in response to the significant issues reported in the 2015/16 Annual Governance Statement is given in Section 6 (below) with the exception of the matter raised with regard to the highways service. In this regard considerable progress has been made towards delivering a reliable sustainable highways service over the last financial year with constructive working relationships throughout the service.

## **5 Specific areas for improvement and development**

The review of effectiveness has identified a number of governance and internal control improvement and development activities planned for the year ahead. These are in addition to the on-going commitment that the Council makes to ensuring actions agreed in response to recommendations made by external and internal assurance providers are implemented. Actions will be progressed by managers as necessary. The more significant of the proposed activities are:

- A review of SAP user access will ensure that appropriate segregation of duties exists within the Council's key financial systems and, where staff numbers make this challenging, that compensating controls are present

- The Authority is continuing to work to ensure that the use of self-employed status in relation to consultants is used appropriately to mitigate any potential taxation liabilities.
- As a result of the successful application of its prevention strategies the Fire and Rescue Service is looking at ways to replicate the experience its staff no longer gains from operational scenarios .e.g. through the Service's 'live fire' training programme
- The Authority continues to enhance the processes for controlling and managing schools budgets where deficits are in prospect
- Work continues to improve the monitoring and accuracy of projections of spend for demand led services particularly in the provision of social care services for both adults and children
- The agreement between the County Council and the two CCGs (Herts Valleys CCG and East and North Hertfordshire CCG) will be updated in 2017/18 to reflect the new Better Care Fund Plan and the associated governance, performance and risk controls around integration activity.

## **6      Significant governance issues**

Service departments continue to work with Members and corporate finance to support the development of savings options to close the gap in resources, estimated to be £40m by 2019/20, in future years. This will include work to identify the impact of future funding changes which will, for 2017/18 and beyond, include the proposals to devolve business rates to local authorities. Finance will also monitor the success or otherwise of current proposals to support senior management and Member decision making.

Changes in education funding and potential legislative and regulatory reform means that the Authority will face increasing complexities in meeting its statutory duties unless and until these are changed. This includes ensuring the provision of adequate school places in forthcoming years, together with existing responsibilities for maintained schools where provision of funding depends on partners support expressed through decisions of the Schools Forum.

The County Council is one of the partners in the Croxley Rail Link (now called Metropolitan Line Extension) scheme which is potentially subject to increased funding requirements. The Authority will continue to review its financial position in respect of the scheme as it progresses.

Governance arrangements between the County Council and the Clinical Commissioning Groups, particularly in relation to the Section 75 agreement and the Better Care Fund are under review. The Authority will continue with its commitment to these arrangements and ensure clarity and transparency around how these resources are used and their impact upon local performance and delivery.

Recruitment of staff in key operational areas; in particular, Legal Services, Property, Childrens Services and the Fire and Rescue Service, remains a concern. In addition, shortages in the local care workforce in Hertfordshire is impacting the Authority's ability to meet some statutory adult social care needs e.g. deprivation of liberty safeguards. The Authority continues to look at ways to address vacancies in these harder to fill areas.

At the time of writing, the Authority is aware that the Hertfordshire Police and Crime Commissioner intends to commence a consultation relating to governance changes in respect of responsibility for the County's Fire and Rescue Service. Were such a move agreed, it would require a strategy for the calculation and disaggregation of the related County assets and liabilities.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by senior management and the audit committee and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework. The areas already addressed and those to be specifically addressed with new actions planned are outlined above.

We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed:

Robert Gordon

John Wood

Leader  
xx July 2017

Chief Executive & Director of Environment  
xx July 2017

On behalf of Hertfordshire County Council