

HERTFORDSHIRE COUNTY COUNCIL

ANNUAL GOVERNANCE STATEMENT

2017/18

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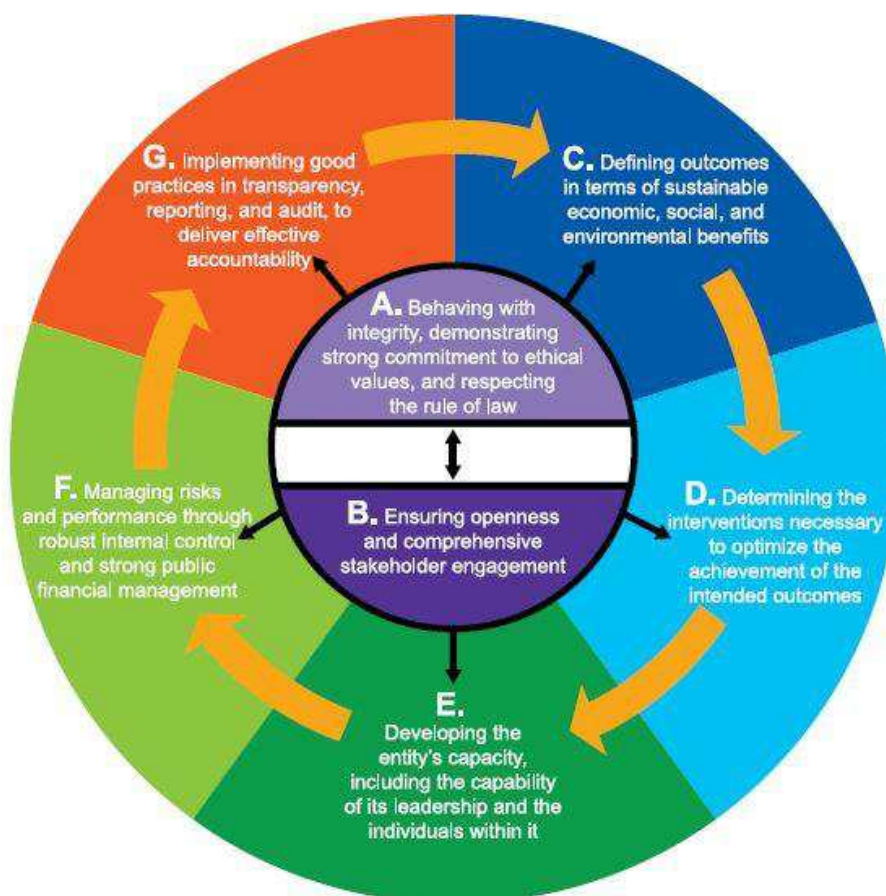
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1. Background

- 1.1. The Accounts and Audit Regulations (2015) require that Hertfordshire County Council prepare an annual governance statement to accompany its Annual Financial Report.
- 1.2. The term ‘governance’ generally refers to the arrangements put in place to ensure that intended outcomes are defined and achieved

2. The Code of Corporate Governance

- 2.1. Hertfordshire County Council’s Code of Corporate Governance is available on the Council’s website (www.Hertfordshire.gov.uk).
- 2.2. The code sets out how the Authority complies with the governance principles set out in ‘Delivering Good Governance in Local Government (2016)’ a document compiled as part of a joint initiative between the Chartered Institute of Public Finance and Accounting (CIPFA) and the Society of Local Authority Chief Executives (SOLACE).
- 2.3. The principles and the way they integrate are set out in the international framework infographic below:



3. The Governance Framework

- 3.1. Hertfordshire County Council 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.
- 3.2. In doing this, the Council is responsible for putting in place proper arrangements for the governance of its affairs as well as ensuring that its business is conducted in accordance with the law and proper standards and that public money is safeguarded and properly accounted for; and used economically, efficiently and effectively.
- 3.3. The Hertfordshire County Council Governance Framework comprises both: the systems and processes; and the culture and values through which it directs and controls its operations as well as the mechanisms through which it engages with and leads the community.
- 3.4. This framework is designed to enable 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.

4. Key Elements of The Governance Framework

- 4.1. The Governance Framework summarised in this Statement has been in place at the council for the year ended 31 March 2018 and up to the date of approval of the Statement of Accounts. Some of the key elements of the Authority's governance framework are described below.
- 4.2. 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.
- 4.3. The Council's most recent **Corporate Plan** covers the period 2017-2021 and sets out a vision for Hertfordshire to remain a county where people have the opportunity to live healthy, fulfilling lives in thriving, prosperous communities. It 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.

- 4.4. The **Integrated Plan for 2017/18 – 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 is developed through a robust review and challenge process involving both Cabinet Panel and Scrutiny.
- 4.5. The Authority utilises a system of all-party **Cabinet Panels** to consider policy development for each service area.
- 4.6. 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 Hertfordshire County Council's commitment to working with communities and providing services through methods of delivery that demonstrate its values and behaviours.
- 4.7. 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 the implementation of agreed scrutiny recommendations is monitored regularly.
- 4.8. 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).
- 4.9. An '**Ambition for Hertfordshire**' has been developed by the Hertfordshire Forward Strategy Group and the 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. The theme of this conference in 2017 was prevention and working together to influence behaviour and help reduce demands on public services.

- 4.10. The Council has **Integrated Strategic and Service Level Performance Reporting** processes, which facilitate continuous improvement and identify and support early identification and rectification of any service delivery issues.
- 4.11. 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.
- 4.12. 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.
- 4.13. The Council's systems of **Internal Control** are a significant part of the Governance Framework and are designed to manage risk to a reasonable level however they cannot eliminate all risk of failure to achieve policies, aims and objectives. The system of internal control is based around an on-going process designed to:
- Identify and prioritise the risks to the achievement of the Council's policies, aims and objectives;
 - Evaluate the likelihood of those risks being realised and the impact should they be realised; and
 - Manage them efficiently, effectively and economically.
- 4.14. 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.
- 4.15. The Council has designated the Director of Resources as **Senior Information Risk Owner** and the Information Governance Unit and the IT Security Team provide advice and guidance on this area.
- 4.16. The Council has an **Anti-Fraud and Corruption Strategy** setting out its commitment to prevent and detect fraud and corruption.
- 4.17. 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.

- 4.18. 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.
- 4.19. The Council's **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.

5. Review of Effectiveness

- 5.1. Hertfordshire County Council has responsibility for conducting, at least annually, a review of the effectiveness of local governance arrangements including the system of internal control. The review of effectiveness is informed by: the work of the senior managers within the Council who have responsibility for the development and maintenance of the governance environment; the Head of Assurance's Annual Report; and also by comments made by External Audit and other review agencies and inspectorates.
- 5.2. The preparation and publication of the **Annual Governance Statement** in accordance with 'Delivering Good Governance in Local Government Framework (2016)' fulfils the statutory requirement for the annual review of the effectiveness of systems of internal control and also meets the requirement for 'preparation in accordance with proper practice'.
- 5.3. 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 Audit**.
- 5.4. The **Head of Assurance's Annual Report** 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.

- 5.5. The **Head of Assurance Opinion** in respect of 2017/18 is one of Substantial Assurance (defined as *‘whilst there is a largely sound system of control, there are some minor weaknesses, which may put a limited number of the system objectives at risk’*) for financial systems; and Moderate Assurance (defined as *‘whilst there is basically a sound system of control, there are some areas of weakness, which may put some of the system objectives at risk’*) for non-financial systems, giving confidence in the effectiveness of internal control arrangements of the Council. The report also consolidates assurance opinions and actions taken by management to address issues raised during internal audit reviews undertaken throughout 2017/18, and is informed by the comments of External Audit and other inspectors where appropriate.
- 5.6. The Council ensures corporate ownership of the Annual Governance Statement through requiring members of the Joint Leadership Team to provide a **Service Assurance Statement** covering the controls in place in their service areas. The statement provides assurance that they have reviewed arrangements for meeting their responsibilities in relation to having:
- Plans that set out how corporate objectives and other legal and regulatory requirements are to be achieved;
 - Adequate arrangements for monitoring performance;
 - Adequate resource in both number and skills to deliver service objectives;
 - Appropriate risk management arrangements in place;
 - Arrangements for ensuring that agreed recommendations resulting from internal audit, external audit or other inspectorate work are implemented;
 - Procedures that ensure timely responses to all types of query and complaint;
 - Processes that ensure compliance with relevant legislation
 - Partnership arrangements that are well founded, clearly defined and adequately;
 - Mechanisms for ensuring staff are aware of the HCC’s Values and Behaviours; its Code of Conduct and related policies e.g. whistleblowing, equalities etc.; and
 - Business continuity plans that are communicated to staff as necessary.
- 5.7. A draft version of the Annual Governance Statement is considered at Strategic Management Board and scrutinised by the Audit Committee at its meeting in May prior to signing by the Chief Executive and Leader of the Council.

6. Activities Involving Group Governance

- 6.1. The Authority has varying stakes in a variety of trading entities; some of which are listed below:
- Herts Living Limited - this company is wholly owned by the Authority. The County Council has appointed a private sector partner to enter a joint venture partnership, with Herts Living Limited, under the name Chalkdene Developments LLP which aims to build new homes as well as community and ancillary buildings in the County over the next 15 years.

- Herts for Learning Limited - is a schools company of which the Council has a 20% stake; it operates to provide support services to education providers.
- Hertfordshire Catering Limited - this company is wholly owned by the Authority and provides catering services to Colleges, Academies and Schools.
- Surecare Supplies Limited - this company is wholly owned by the Authority. It provides care supplies to non-profit making groups such as charities, the NHS, local authorities, childminder groups and care homes.

6.2. The Hertfordshire Local Enterprise Partnership (LEP) brings together representatives from local government, education and the business community. In Hertfordshire, the LEP operates as a voluntary partnership. The Council has a dual role, as the 'Accountable Body' in regards to oversight of public money and also as a key partner directly involved in decision-making.

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7. Update on Significant Governance Issues identified in the 2016/17 Annual Governance Statement

The following table provides an update on the significant governance issues reported in the 2016/17 Statement; as some of the issues remain current this table should be considered alongside the items set out in Section 8 (below)

Item	Directorate	2016/17 Issue	2017/18 Update
7.1	Environment	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.	The Mayor of London subsequently issued a new Mayoral Direction. This had two key impacts. Firstly it required others to find a further £70 m to add to the agreed funding package of £284.4 m. Secondly, it reversed Transport for London's (TfL) previous position about accepting cost risk beyond the agreed funding package. Despite the Government agreeing to provide the extra £70 m, TfL would not agree to cover any ongoing cost risk. As a result there is an impasse. Should this lead to the scheme not progressing, funding partners will seek all funding to be returned. Furthermore, investigations in to alternative uses of the corridor are being investigated.
7.2	Adult Care Services	Governance arrangements between the County Council and the NHS Clinical Commissioning Groups (CCGs) 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.	A renewed Section 75 Agreement was agreed between the County Council and CCG partners, a two-year Better Care Fund Plan received national assurance from NHS England (covering 2017-19) and strengthened reporting arrangements on Better Care Fund were put in place during this year. In addition, Herts Valleys CCG took a report to their Governing Body agreeing 'Care Act Monies' due to HCC from 2019/20 onwards in line with national guidance.

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7.3	Community Protection	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.	The Police and Crime Commissioner for Hertfordshire (PCC) has submitted a business case proposing that he take over governance of the Herts Fire and Rescue Service (HFRS). HCC officers have shared all necessary information and sought to ensure that the business case accurately reflects the situation for HFRS and HCC. At the time of writing this business case has undergone independent assessment by CIPFA and the PCC has been requested to provide further information to support their business case by 31 May 2018. HCC officers continue to engage with the PCC and are undertaking planning for all potential outcomes
7.4	Children's Services	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 underlying challenges identified in 2016/17 remain the same. However, we have secured agreement from Maintained Schools to de-delegate funding to the Council to enable it to discharge school improvement and other duties towards maintained schools. This approval is for 2018/19, with an in-principle commitment also to 2019/20. Expansion plans for the years to 2020 have now been agreed.
7.5	Resources - Finance	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	The Council has placed particular emphasis on medium term financial sustainability during this years Integrated Planning Process. This has included: <ul style="list-style-type: none"> • Extending the plan from 3 to 4 years • Working with departments and Members to

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		<p>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</p>	<p>develop savings plans that help tackle the medium term, not just the following year.</p> <p>The success of this approach can be seen in the following:</p> <ul style="list-style-type: none"> • A balanced budget for 2018/19 • The gap for 2019/20 reduced from £40m to £7m • A budget gap in 4 years of £28m. <p>The financial position does however remain extremely challenging for Councils, as indicated by the recent National Audit Office report and issues at Northamptonshire County Council. So despite the progress, it is essential this remains an area of focus of the Council.</p>
7.6	Resources - HR	<p>Recruitment of staff in key operational areas; in particular, Legal Services, Property, Children's 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.</p>	<p>Recruitment of staff in key operational areas; in particular: Legal Services; Property; Environment (in particular engineers and planning staff); Children's Services and Adult Social Care continue to be a priority. The Authority continues to look at ways to address vacancies in these harder to fill areas and is using the Apprentice Levy to address key skills shortages.</p>

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8. Significant Governance Issues 2017/18

In addition to the updates on the matters referred to in Section 7 (above) the following issues have been raised as part of the 2017/18 review.

Item	Directorate	Issue	Action
8.1	Environment and Infrastructure	The Highways service needs to contribute to the Authority's new approach to growth	<p>The Service will develop relationships with District Councils so as to establish a new approach with regard to developing and implementing their Local Plans.</p> <p>Review current internal processes to ensure the Service plays a key role in the governance and development of the Authority's major development sites</p>
8.2	Community Protection	<p>The Authority is awaiting a decision on the PCC bid to take over from HCC as the Fire Authority.</p> <p>As a result, replacement of the current Integrated Risk Management Plan (IRMP) for the Hertfordshire Fire and Rescue Service has been delayed.</p> <p>In addition, in the event of Hertfordshire Fire and Rescue Service moving to the Hertfordshire Police and Crime Commissioner, there is uncertainty around governance arrangements for the parts of the Community Protection Directorate remaining within HCC.</p>	<p>Whilst there are robust plans in place to deliver the IRMP as soon as a governance decision is made planning is in hand around the potential need for a 'bridging' document to provide time for a full IRMP to be produced.</p> <p>Governance arrangements for: Trading Standards; Resilience and Emergency Planning; and the County Community Safety Unit will be worked through and agreed by the appropriate officer and Member processes.</p>

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8.3	Adult Care Services	Workforce and associated cost pressures, including the unavailability of care workers in some high employment areas of the County remains an area of significant challenge, impacting activities such as delayed transfers of care etc.	Work has already begun around a recruitment campaign for social workers and occupational therapists and proposals around market forces payments.
8.4	Resources - Libraries	Uncertainty around the future delivery model for Library Services with potential for it to be spun out into a Mutual.	A full business plan and transition plan, including: governance model; financial modelling; and risk and control implications are in development.
8.5	Resources - Finance	<p>Ongoing financial risks in relation to:</p> <ul style="list-style-type: none"> • Demand for services, particularly in the area of adult social care; • Significant uncertainty on funding beyond 2019/20, with the end of the current four year settlement; • Proposed changes to business rates retention; and • The impact of the Fair Funding review on the distribution of resources. 	<p>Finance will continue to work with services and members to support the development of savings options to close the gap in resources in future years, which is estimated to be £28m by 2021/22. They will also monitor the delivery of current savings proposals, to support decision making for future years' Integrated Plans.</p> <p>In addition, Finance continues to monitor specific developments and make representations on behalf of the council.</p>
8.6	Resources - Legal	Requirement to ensure transparency of decision making processes relating to the development of Herts Living Limited and the associated joint property development arrangements.	Development of a protocol to ensure that related disposals and transactions are, and can be seen to be, dealt with appropriately. Where required there will be a continuation of training on how to approach potential conflicts of interest issues for those County Council officers who act as directors of companies.

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9. Specific Areas for Improvement and Development 2017/18

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:

Item	Directorate	Area for Improvement & Development	Proposed Action
9.1	Adult Care Services	Mitigating the risks to the County Council should income be insufficient to cover the costs of the Hertfordshire Home Improvement Agency Shared Service.	A review of the business case and partnership agreement upon which the County Council agreed to host the service.
9.2	Adult Care Services	Implementation of medium and long-term budget, service and capital plans to take into account the challenging financial position and the need to manage a care market on the outskirts of London.	Use of Investment to Transform monies to build capacity to respond quickly to these challenges and commission new models of care; change the way ACS works and use the latest technology to support people to be independent.
9.3	Adult Care Services	Statutory responsibilities to safeguard people from abuse are a primary function of the local authority. Safeguarding concerns reported will exceed 8,000 for 2017/18	Steps have been taken to adjust the staffing establishment in the Adults with Disabilities Teams (within overall budget) and change procedures within Older People's Teams to manage this huge demand for professional intervention.
9.4	Adult Care Services	The current funding arrangements for the NHS CCGs ends in 2020 and will impact the way health and social care monies flow in the system in future years. Whilst a one-off government grant will offset this, the high level medium term financial position remains fluid.	HCC is working well with colleagues from the CCGs to deliver a range of transformative integrated programmes within the realms of the Better Care Fund.

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9.5	Public Health	Actions in response to continuing reduction in public health funding and heightened scrutiny of public health expenditure by Public Health England.	Re-prioritisation of Public Health spend to make sure it continues to achieve its value for money obligations, provide key services and ensure it maintains, as it has done to date high standards of probity and accountability for the ring-fenced grant.
9.6	Resources - Finance	Addressing the financial impact on the Council of schools experiencing financial difficulty due to national funding pressures exacerbated by rising cost prices.	Plans are in place to identify these schools early, with mitigating actions introduced and regular updates provided to senior officers and Members.
9.7	Resources - Finance	Actions to meet the growing regulatory demands around Pensions as well as increasing numbers of members and employers and demands from the national asset pool that Hertfordshire belongs to.	Increased resourcing with appropriate technical skills.
9.8	Community Protection	To address the impact on the Service's training regime of the successful prevention strategies in place within the Directorate that mean that less experience is gained in operational scenarios.	Changes in the related training programmes supported by a significant capital investment project which now forms part of the current IPP for 18/19 and proposes replacement of the current Service HQ along with significant redevelopment of the Longfield Training and Development Centre.
9.9	Community Protection	The recruitment and retention of Retained Duty System Firefighters.	This is the subject of a specific project which is making good progress
9.10	Children's Services	Addressing the demographic pressures impacting budgets for the following activities: <ul style="list-style-type: none"> • Children Looked After Placements • Unaccompanied Asylum Seeking Children 	There are monitoring and projection systems in place to manage these pressures.

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		<ul style="list-style-type: none"> • SEN transport • No Recourse to Public Funds. 	
9.11	Children's Services	<p>Addressing the Council's extended statutory duties in relation to amendments to:</p> <ul style="list-style-type: none"> • The Children & Families Act relating to Special Education Needs and Disabilities; and • The Children & Social Work Act 2017 that extend both: the services for care leavers up to 25 years of age; and the Virtual School remit to adopted children and those under Special Guardianship Orders and accreditation for social workers. 	<p>Programmes are being developed to ensure the Council addresses extended duties however additional time limited funding from central government is unlikely to fund extra resources required for SEND and care leavers' duties.</p>
9.12	Environment and Infrastructure	<p>To address the corporate implications of the new Growth and Infrastructure Team being established within the Environment and Infrastructure Department.</p>	<p>A review to establish appropriate internal controls / decision making processes during the summer 2018.</p>

10. Statement of the Leader of the Council and the Chief Executive

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. 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 on behalf of Hertfordshire County Council:

David Williams – Leader of the Council

XX May 2018

John Wood – Chief Executive

XX May 2018