

Buckinghamshire Council

2022/23 Annual Governance Statement (AGS)

DRAFT

INTRODUCTION

We want to make Buckinghamshire the best place to live, raise a family, work and do business.

Our key priorities are:

- Strengthening our communities
- Protecting the vulnerable
- Improving our environment
- Increasing prosperity



Delivering these requires good governance - for our residents, employees, businesses, service users and councillors. Our **Corporate Plan** provides the building blocks to our success. Supporting the Plan are a number of strategies and policies showing how we will deliver our ambitions, and our 'Local Code of Governance' will set these out in more detail.

It has remained an extraordinarily difficult time for local government and for the many differing and diverse communities, businesses, and sectors we serve. Cost-of-living and inflationary pressures alongside new and increasing demands on council services have dominated the past year, at a time when recovery from the Covid-19 pandemic remains a priority.

At the third anniversary as Buckinghamshire Council, we are continually improving our systems and services, supporting and empowering our communities, and responding to external conditions in a way that inspires hope and creates opportunity for all. We will continue to adapt, building on the positive changes we have already made.

Good governance is essential to that. It underpins both our approach and our commitment to engage with local communities and partners.

This Annual Governance Statement looks honestly at how effective our governance has been during 2022/23. It also looks ahead to some of our governance priorities and improvements for 2023/24.

STATEMENT OF OPINION

We are pleased to confirm our opinion that the Council's governance arrangements in 2022/23 were sound and provide a robust and effective platform for achieving the Council's priorities and challenges in 2023/24.

SIGNATURES

Signed on behalf of Buckinghamshire Council:

	Date		Date
Rachael Shimmin		Martin Tett	
Chief Executive		Leader of the Council	

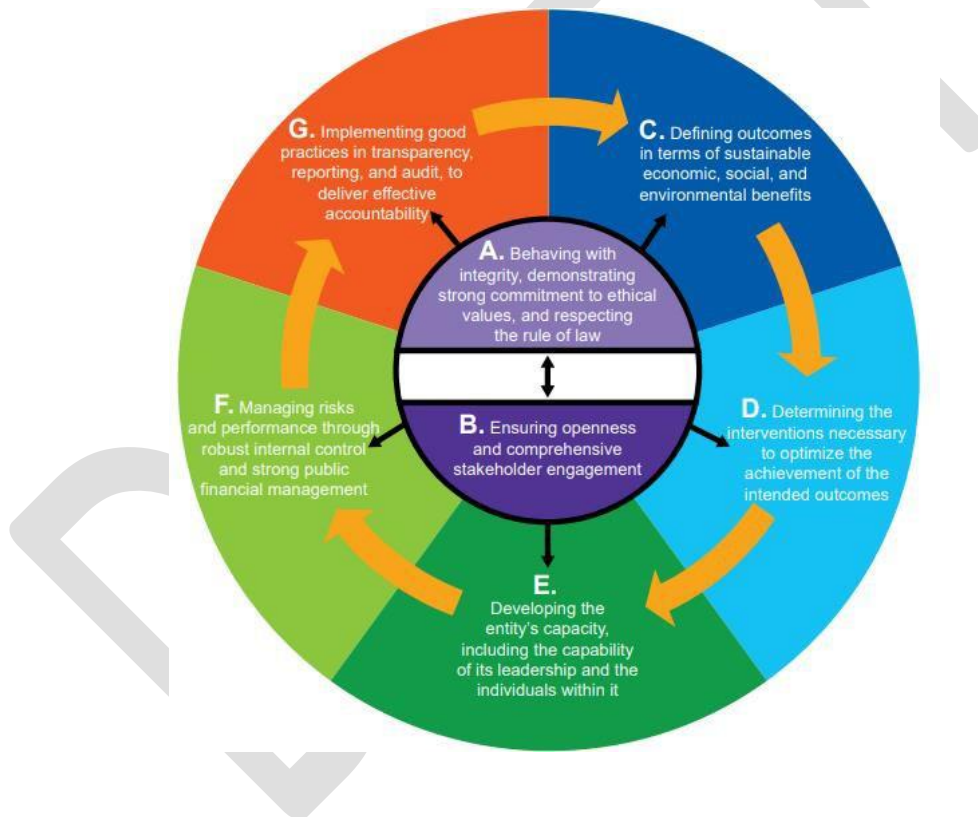
Part 1 - Governance at Buckinghamshire Council

Governance means: the values, culture, processes and systems by which the Council is controlled, directed and through which we deliver services for our communities. Governance means carrying out our activities in accordance with the law and proper standards, and that public money is properly accounted for, and used well. .

We have a duty under the [Local Government Act 1999](#) to put in place proper arrangements for:

- the continuous improvement of our functions
- the governance of our affairs, including those of the Local Government Pension Scheme, which includes arrangements for the management of risk.

The Council has approved and adopted a Constitution, together with other governance policies and practices. Together they form our 'corporate governance framework'. This Annual Governance Statement reviews the effectiveness of that framework, mindful of the CIPFA's "Seven Principles of Good Governance".



Part 2 - Essential elements of governance

As a local authority, the responsibility for good governance is shared by councillors and officers.

Buckinghamshire Council has **147 councillors**, three for each of the 49 wards. These councillors are from different political parties and have different roles in the decision-making process. All councillors agree to follow the member code of conduct and the rules for making decisions set out in [our Constitution](#).

Five important strands of governance interlink: together they aim to ensure that decisions are taken soundly, in a resourced and managed environment, with strong internal and external controls.

1. Making decisions;
2. Holding decision-makers to account through scrutiny;
3. Financial management and external audit;
4. Managing risks through internal control;
5. Senior Management Team and Statutory Officers.

1) Making decisions

The Council as a whole sets the budget and policy framework of the Council. The executive – through the Cabinet – takes the key decisions within that framework. Within the Constitution, the ‘Schemes of Delegation’ give certain roles to councillors and to officers. For example, the Financial Procedure Rules and other supporting procedures clearly define how decisions are taken and highlight the processes and controls required to manage risks. The Council’s democratic decision-making structure can be found [here](#).

2) Holding decision-makers to account through scrutiny

Scrutiny provides the legal power for councillors to look into issues of concern for residents, holding decision-makers to account for the decisions they are making. Scrutiny is not decision-making but acts as a check and balance to the executive, which takes the majority of key decisions on behalf of the Council. There are also specific powers for scrutiny to hold the NHS to account within health scrutiny. Scrutiny at Buckinghamshire Council is carried out by six Select Committees.

3) Managing the Council’s finances

Strong financial management is critical to ensuring the financial sustainability of the Council. Our framework reflects that. The Constitution contains the Financial Procedure Rules which set the principles for managing the Council’s financial affairs. A set of strategic documents form the second level of financial governance, with a third tier represented by detailed financial instructions to provide clear guidance on the operation of key financial processes. All documents are regularly reviewed and updated to ensure they remain current and fit for purpose, reflecting changes in the external environment and also in the Council itself.

The Council operates in an uncertain environment. This has led to major failings in other councils. The Council’s Financial Management Strategy sets out how we work to manage this uncertainty and to ensure the Council’s aims and objectives continue to be delivered into the future. There is strong external assessment of the Council’s financial capability and areas for improvement are captured in the Finance Improvement Plan. The “CIPFA Financial Management Code” sets out the key elements for demonstrating good financial management in the public sector. This underpins our Financial Management Strategy.

The **External Auditor** is legally required to satisfy themselves that the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. They would report to the Council if any significant matters came to their attention. The External Auditor also attends meetings of the Audit & Governance Committee.

4) Managing risks through internal control

The system of internal control is designed to manage risk to a reasonable level. It could not eliminate all risk of not achieving policies, aims and objectives. It can, though, provide a reasonable if not an absolute assurance of effectiveness. The system of internal control is based on an on-going process

to:

- identify and prioritise the risks to the Council of not meeting its policies, aims and objectives;
- evaluate the likelihood and potential impact of those risks being realised; and to
- manage them efficiently, effectively and economically.

The **Chief Internal Auditor** undertakes the required annual self-assessment of the Council’s Internal Audit function, against the Public Sector Internal Audit Standards.

5) Senior Management Team and Statutory Officers

The **Council’s Management Team** – comprising the Chief Executive and her directors - implements the policy and budgetary framework set by the Council and provides advice to Cabinet and the Council on the development of future policy and budgetary issues. The Council’s Corporate Management Team (CMT) has a separate budget board meeting; and all meetings of CMT have legal and finance input into their discussions.

There are regular meetings throughout the year of our **Statutory Officers** (Head of Paid Service, Monitoring Officer, Chief Finance Officer and Chief Internal Auditor) to review and monitor governance issues.

- Rachael Shimmin – Head of Paid Service
- Sarah Ashmead – Monitoring Officer
- David Skinner – Chief Finance Officer (the ‘Section 151 Officer’)
- Maggie Gibb – Chief Internal Auditor

In addition, the Council has a statutory officer overseeing each of Adults and Children’s services, both reporting directly to the Chief Executive.

Part 3 - Governance – key roles:

The Council	<ul style="list-style-type: none"> ➤ Approves the Corporate Plan ➤ Approves the Constitution ➤ Approves the budget and policy framework of the Council
Cabinet	<ul style="list-style-type: none"> ➤ Main decision-making body of the Council ➤ Made up of the Leader of the Council and a number of Cabinet Members with responsibility for different portfolios ➤ Supported by Deputy Cabinet Members
Audit and Governance Committee	<ul style="list-style-type: none"> ➤ Provides assurance to the Council on the adequacy and effectiveness of the governance arrangements, risk management framework and internal control environment ➤ Approves annual Financial Statements and the Annual Governance Statement ➤ Attended by the Section 151 Officer

Standards and General Purposes Committee	<ul style="list-style-type: none"> ➤ Oversees the Council’s Councillor Code of Conduct and the overall standards of conduct and ethics of Members and co-opted Members of Buckinghamshire Council
Select Committees (6)	<ul style="list-style-type: none"> ➤ The select committees each fulfil a check and challenge function for decisions and policies made by the Cabinet helping the Council to assess its performance and learn lessons. <ul style="list-style-type: none"> • Children’s & Education Select Committee Covering the portfolio areas of: Education and Skills, Youth Provision and Children’s Services • Communities & Localism Select Committee Covering the portfolio areas of: Communities, Culture, Regulatory Services, Sports and Leisure • Finance & Resources Select Committee Covering the portfolio areas of: the Leader of the Council, Resources, Property and Assets • Growth, Infrastructure & Housing Select Committee Covering the portfolio areas of: Planning and Enforcement, Housing and Homelessness, Town Centre Regeneration • Health & Adult Social Care Select Committee Covering the portfolio areas of: Adult Social Care and Communities and Public Health • Transport, Environment & Climate Change Select Committee Covering the portfolio areas of: Transport, Logistics and Environment and Climate Change
Shareholder Committee	<ul style="list-style-type: none"> ➤ A sub-committee of Cabinet. The Shareholder Committee manages the shareholding interests in the Council’s trading companies and joint ventures ➤ Appoints and removes directors to the companies, issues best practice guidance and arranges training ➤ Monitors the performance of the companies
Community Boards and Town Committee	<ul style="list-style-type: none"> ➤ 16 advisory Community Boards in local areas provide a forum for discussing local issues, making recommendations to decision-making bodies, and overseeing allocated spending ➤ A High Wycombe Town Committee exists to consider and advise the Council on any issues affecting the High Wycombe Town area. The Committee is an advisory body and does not have decision making powers

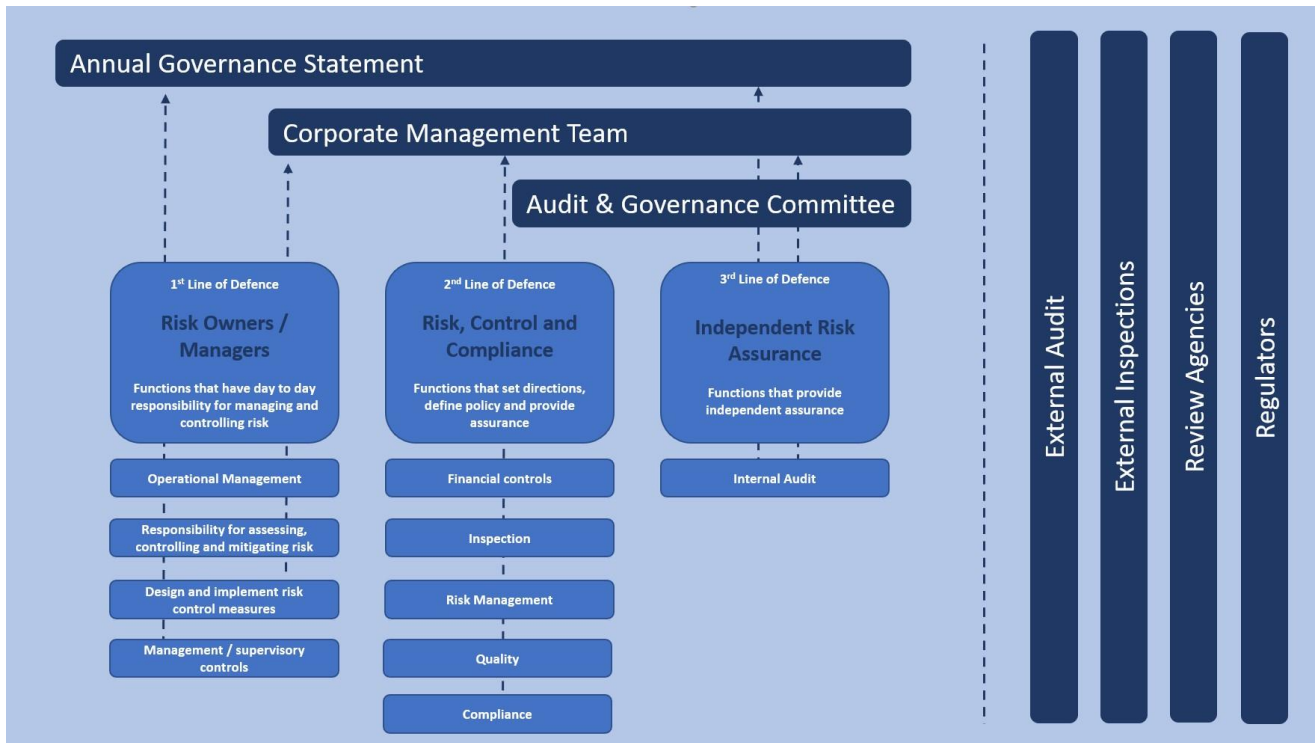
Corporate Management Team (CMT)	<ul style="list-style-type: none"> ➤ The Chief Executive (CEO) and Corporate Directors ➤ CMT has overall accountability for the governance framework ➤ CMT implements the policy and budgetary framework set by the Council and provides advice to Cabinet and the Council on the development of future policy and budgetary issues ➤ Accountability for developing and maintaining the Council's governance and risk framework
Chief Finance (S151) Officer	<ul style="list-style-type: none"> ➤ Responsible for managing the Council's finances and providing expert financial advice to the Council ➤ Accountable for developing and maintaining the Council's internal control and counter-fraud framework ➤ Contributes to the effective corporate management and governance of the Council ➤ Attends formal 1:1s with CEO, and attends all CMT meetings
Monitoring Officer	<ul style="list-style-type: none"> ➤ Advises the Council on ethical issues, standards, and powers to ensure the Council operates within the law and statutory Codes of Practice ➤ Overall responsibility for the maintenance and operation of the Whistleblowing Policy and contributes to the effective corporate management and governance of the Council
Director of Adult Services	<ul style="list-style-type: none"> ➤ The Children Act 2004 requires every upper tier local authority to appoint a Director of Adult Services (DASS) ➤ Provides key professional leadership role for staff working in adult social care services ➤ Ensures accountability of services to local communities through consultation with local people and, in particular, users of services ➤ Statutory member of the Health and Wellbeing Board and the Buckinghamshire Adults Safeguarding Board ➤ Delivers the Council's part in: <ul style="list-style-type: none"> • Improving preventative services and delivering earlier intervention • Managing cultural change to give people greater choice and control over services • Tackling inequalities and improving access to services • Increasing support for people with the highest levels of need

<p>Director of Children's Services</p>	<ul style="list-style-type: none"> ➤ The Children Act 2004 requires every upper tier local authority to appoint a Director of Children's Services (DCS). ➤ Discharges the education and children's social services functions of the local authority (set out in section 18(2) of the Children Act 2004) including <ul style="list-style-type: none"> • Children and young people receiving education or children's social care services in the area; and • All children looked after by the local authority or in custody ➤ Works with other local agencies to improve outcomes for children and young people.
<p>Managers</p>	<ul style="list-style-type: none"> ➤ Responsible for developing, maintaining, and implementing the Council's governance, risk, and control framework ➤ Contribute to the effective corporate management and governance of the Council
<p>Internal Audit</p>	<ul style="list-style-type: none"> ➤ Provides independent assurance and opinion on the adequacy and effectiveness of the Council's governance, risk management and control framework ➤ Delivers an annual programme of risk-based audit activity, including counter fraud and investigation activity ➤ Responsible for developing and implementing the Anti-Fraud and Corruption Policy and monitoring the investigation of any reported issues ➤ Ensures all suspected or reported irregularities are dealt with in accordance with the Anti-Fraud and Corruption Policy; identifies improved controls ➤ Makes recommendations for improvements in the management of risk
<p>External Audit</p>	<ul style="list-style-type: none"> ➤ Audits / reviews and reports on the Council's financial statements (including the Annual Governance Statement) ➤ Provides an opinion on the accounts and use of resources, including the arrangements in place for securing economy, efficiency, and effectiveness in the use of resources (the value for money conclusion) ➤ Statutory duty to ensure that the Council has adequate arrangements in place for the prevention and detection of fraud, corruption and theft

Part 4 - Preparing the Annual Governance Statement

The Council has reviewed the Council's existing governance arrangements against the revised CIPFA / SOLACE 'Delivering Good Governance in Local Government Framework - 2016 Edition' good practice guidance. The review of effectiveness is informed by **three lines of defence**:
Page 8 of 26

- senior managers within the Council who have responsibility for the development and maintenance of the governance environment;
- the Head of Internal Audit and other professional leads including the Chief Finance Officer, Director of Human Resources and Director of Information Technology;
- Internal Audit and other inspections made by external auditors, independent review agencies and inspectorates.



The key sources of assurance that inform this review and where it is obtained from are:

Where do we need assurance?					
Compliance	Standards of Conduct and Behaviour	Risk Management	Financial Management	Service Delivery	Effectiveness of Internal Controls

Where do we get assurance from?						
Constitution	Audit & Committee, Council, Scrutiny	Internal and External Audit	Risk Management Strategy and Framework	Performance Management System / Reporting	Complaints, Counter Fraud and Whistleblowing	Independent and External Sources (e.g. OFSTED, CIPFA)

Part 5 – Effectiveness of our governance in 2022/23 – an overview

Here are some examples of ‘governance’ during the year.

The Jubilee, the Death of Queen Elizabeth II and the Accession of King Charles III

This year was hugely significant for our Monarchy. The joy of the Jubilee was followed by great sadness and mourning at the passing of Queen Elizabeth. The accession of King Charles was a historic event, nationally and locally. Local authorities have a key role to play in communicating and commemorating these events. We worked closely with the Lord Lieutenant and our partners in delivering our plans.

At a Council meeting in September 2022, the Chairman highlighted the overwhelming response from people across Buckinghamshire to the death of the Queen: the Council followed its plans in making the arrangements for memorial services, vigils, spaces to place tributes and setting up books of condolence. The Proclamation of King Charles was duly made on Sunday 11 September on the steps of Exhibition Suite, Market Square, Aylesbury by the High Sheriff, Debbie Brock. Proclamations were also made across Buckinghamshire, for example in Beaconsfield, Buckingham, Chesham, Denham, High Wycombe, Marlow, Newton Longville and Wendover.

Statement of Accounts

The Council’s Statements of Account for the years 2020/21 and 2021/22 still require finalising. Buckinghamshire Council has experienced delays in accounts sign-off along with many other Councils for a variety of reasons: these have included resource challenges during the initial preparation of the accounts; the impact of Covid-19 on both the complexity and pace of the audit; the inherent complexity of the 2020-21 statement covering the first year of the new Council, unifying five legacy councils to form the second largest unitary council in the country; and increased assurance work for auditors during the first year of new International Auditing Standards.

Nationally the picture was similar, with only 9% of authorities having completed their accounts by the due date. Strengthened resources within the Council and from our external auditors have been committed to finishing these important tasks. Even so, because preparing the opening balances for 2020/21 took a significant amount of time, this has impacted the preparation of the 2021/22 audit, which cannot be achieved until that for 2020/21 is completed. The Council’s Audit & Governance Committee has provided essential challenge on this during 2022/23 and has required a ‘lessons learned’ report on conclusion of the work.

A restructure of the finance service, including the appointment of a new Chief Accountant, strengthened the professional support for this work, as did the commissioning of firms to provide additional expertise. Our auditors also dedicated resource to completing this work.

The Council's financial position is sound. The Annual Report from our external auditor, Grant Thornton, confirms that "the Council has a good record of financial management". It noted that a three-year planning cycle is in place, starting in 2022/23. The report said:

"Overall, the Council has a strong capacity to manage variances over the short to medium term. We are satisfied that the Council has appropriate arrangements in place to ensure it manages risk to its financial sustainability."

Treasury Management

The Audit & Governance Committee undertook the scrutiny role for the development of future Treasury Management Strategy prior to its presentation to Council for approval in February 2023. It also received mid-term and annual reports on the extent of compliance with the approved Treasury Management Strategy and an analysis of the performance against the targets set. During the year it recommended the Treasury Management Strategy and performance monitoring reports for Council approval.

Children's Services

OFSTED Review

In December 2021, OFSTED's inspection of our Children's Services issued a rating that improved from 'inadequate' to 'requires improvement to be good'. OFSTED held an annual conversation with the Council in July 2022 under the Inspecting Local Authority Children's Services (LACS) inspection framework. In preparation for that meeting, the Council shared its own self-assessment and performance data for both children's social care and education. Feedback from OFSTED was positive and the Council's self-assessment was accepted in full. In October 2022, OFSTED conducted a Focused Visit, under the LACS framework, that looked at our services and support offered to care leavers. This was not a graded inspection but OFSTED identified a number of positive practices including:

- support to care leavers in Buckinghamshire having improved since the last inspection; and
- leaders in Buckinghamshire having an understanding of the strengths of the service, the areas for development and the future challenges.

As a result of our improvement journey, a 'whole system' Children's Services Transformation Programme has been developed in order to help realise our shared ambition to deliver good quality services to children.

See Annex 1 for further information on our actions.

Special Educational Needs and Disabilities Service

A Special Educational Needs and Disabilities (SEND) inspection took place between February and March 2022 by OFSTED and the Care Quality Commission. As a result, the Council was required to submit a Written Statement of Action (WSOA) to address significant areas of weakness. These related to the provision of specific health services for children and young people with SEND. The Council and the Clinical Commissioning Group were jointly responsible for submitting the WSOA. This was approved in August 2022. A WSOA Working Group was established reporting to the Integrated Services Board. The Department for Education carried out its first monitoring visit in December 2022 and gave positive feedback on progress with some recommendations for continued

focus. Reflecting on this, our External Auditors were also satisfied that the Council had good arrangements in place to monitor and assess our response to the regulator. See Annex 1 for more information on our actions.

Business Assurance

The Business Assurance Strategy, including the Internal Audit Plan, was agreed by the Audit Board and approved by the Audit and Governance Committee in July 2022. The 2022/23 Internal Audit, Risk Management, Assurance and Counter Fraud work plans were produced with reference to the strategic and directorate risk registers; and informed through discussion with Senior Leadership Teams for each directorate.

A new Business Assurance structure went 'live' from 1st November. Work plans have been resourced through a mix of in-house staff and a partnership arrangement with the APEX London Audit Framework. This arrangement allowed us to request specialist resource such as IT auditors and contract auditors and gave flexibility to respond to urgent requests, such as investigations.

The Business Assurance Team is responsible for delivering the Council's Risk Management, Assurance, Internal Audit, Counter Fraud, Insurance and Business Continuity services. The team operates under the Service Director for Legal and Democratic Services within the Deputy Chief Executive Directorate.

The team continued to deliver work programmes including: assurance reviews of the Council's financial and operational systems, computer audit reviews, corporate and social housing fraud investigations, fraud awareness training, corporate governance and risk management reviews, and compliance reviews to check adherence to policies, procedures, and systems.

Workstreams saw the following progress:

Risk Management

Deep dive risk reviews continued across certain service areas. This was to ensure risks were relevant and current, were updated with realistic target scores, and had internal controls as well as mitigating actions. A key theme of the team's work was gaining greater visibility of how programme and project risks are being captured and escalated across the directorates. This included ensuring that major projects and programmes were captured on the corporate risk management system. Following feedback from the Medium-Term Financial Planning (MTFP) and Budget Scrutiny processes, the team also began to review the key financial risk process across the organisation, including the reporting to Directorates and the Corporate Management Team budget boards. The Risk Management Group (sub-group of the Audit & Governance Committee) met seven times during the year and reviewed the effectiveness of the risk management process within each of the directorates as well as regularly reviewing the strategic, key financial and fraud risk registers. A Risk Management Group update was provided to the Audit & Governance Committee throughout the year.

Business Continuity Management (BCM)

In November 2022, we held Exercise Faraday, to test our preparedness against planned or unplanned power outages as we suspected we may experience some of these events over the winter period given Central Government planning assumptions. The exercise consisted of a scenario built over two days with a final workshop to review lessons identified. We had approximately 30

responses across the organisation to the exercise and a well participated workshop.

Work began to implement the new Buckinghamshire Council Corporate Resilience Framework and Standards. This included taking on board some of the recent lessons learnt from 'Exercise Faraday'. Development also began of a new BCM Framework as well as refreshing the corporate Business Continuity Plan (BCP). This includes a new BCP template to ensure structure, readiness, and consistency. The Council Resilience Group, which provides governance over the Corporate Resilience Framework and Standards met in February 2023 to discuss activities within the three areas of: organisational, emergency and community resilience. This included discussion around cyber resilience and climate change.

Internal Audit

The Internal Audit plan which was approved as part of the Business Assurance Strategy, highlighted a more fluid approach in the delivery of the audit plan to respond to the needs of the Council. The Internal Audit Plan was regularly reviewed through discussions with Directorate Leadership Teams and the Audit Board to help ensure that the assurance activities are continuously aligned and focused on emerging issues/risks. Any significant deviation from the approved Internal Audit Plan was communicated through the periodic activity reporting process. Whilst we deferred/cancelled eight audit engagements from the current plan, the team agreed to conduct five unplanned assignments which were requested by the services in response to key risks/issues being faced.

As of 13 March 2023, only five out of 395 (1%) audit management actions were overdue for implementation. The Internal Audit Team also implemented a new audit system which was a key action from the CIPFA External Assessment.

Business Assurance

The Business Assurance Team continued to deliver Covid-19 grant assurance as the requirements from central government for returns, reconciliations and pre/post assurance checks continued. The team liaised with the services and supported in the collation of the required returns, reconciliations and certification where required. In addition, the team have completed 19 grant assurance reviews or claim verifications. This involved evaluation of expenditure activity to ensure accuracy and compliance with grant conditions. Several assurance engagements were also finalised, including: the Customer Relationship Management (CRM) System Programme; the Temporary Accommodation Review; and the New Highways Contract.

Counter Fraud

The Business Assurance Team's procedures alone cannot guarantee the detection of fraud and corruption, nor can it give an overall assurance opinion on counter fraud. Managers therefore have responsibility for ensuring that there are adequate controls in place to manage the risk of fraud and corruption. The size and complexity of the authority means that some irregularities are inevitable, and when these arise the Fraud Team deploy resources to investigate these. Whilst responding to fraud allegations raised internally and externally, the team also had a proactive schedule of activity the includes Fraud Awareness Training and probity reviews.

Scrutiny

Scrutiny at Buckinghamshire Council is carried out by six Select Committees. Each Select Committee has a different remit and each examines local services across the public sector. The Committees are made up of elected Councillors who are not part of the Council's Cabinet, together with some co-

opted representatives from relevant local organisations. The Annual Scrutiny Report 2022/23 highlighted the scope of the work of the committees, including the completion of several important serviced reviews, including:

- Pathways into SEND Services (Children’s and Education Select Committee): in light of the SEND inspection outcome, the Select Committee decided to set up a Review Group of five Councillors to look at the pathways to services for children and young people with SEND.
- Community Board Review (Communities and Localities Select Committee): to review the effectiveness of the Boards.
- Budget Scrutiny Inquiry (Finance and Resources Select Committee): a key part of the Committee’s annual work programme, the review involved questioning leading members and officers about the draft budget proposals.
- Call-in requests (Growth & Infrastructure Select Committee): call-in is an important mechanism in the Council’s constitution which allows backbench councillors to challenge Cabinet decisions. Two decisions subject to call-in requests were considered by the Committee:
 - o proposed residential development at the site of the former Buckinghamshire County Council Sports and Social Club
 - o Little Marlow Lakes Country Park
- Primary Care Networks, PCNs (Health and Adult Social Care Select Committee): 17 recommendations to help PCNs in their development including governance and oversight.
- Pollution in Buckinghamshire’s Rivers and Chalk Streams (Transport, Environment and Climate Change Select Committee): report to Cabinet made 10 recommendations - 8 to Cabinet, 1 to the water companies and 1 to the Environment Agency. The inquiry was featured as good practice in a case study by the Centre for Governance & Scrutiny (CfGS).

Community Boards

During 2022/23, our 16 Community Boards began to move away from what was perceived as grant giving Boards to focus on projects which are identified through the discussions at the Boards. The local priorities are identified through the Boards and a high number of projects to deliver the priorities are now being established and delivered through Board action groups. The overall management of the budgets and performance data has vastly improved, with clear and accurate record keeping. Board meetings have also continued to develop and strengthen with many taking place face-to-face engaging directly with partners and residents.

Contract Procedures and Waivers

The Council’s Contract Procedure Rules govern the Council’s contract management. During the year, the Procurement & Supplier Relationship Management Team provided service areas with a monthly report of all contracts. In addition to this, a quarterly update report of all contracts over £50k, due to expire within the next 18 months, was sent to Contract Managers. The Team proactively followed up to ensure appropriate action was being taken. Six monthly reports of contract procedure rule waivers and breaches were made to the Audit & Governance Committee.

A waiver of the procedures is not a negative act, it can be a tool for the Council to get a quick solution at best value and is subject to a high level of assurance. When a waiver is requested, service areas are required to complete mandatory actions to reduce both the risk of future waivers and breaches. Compliance checking is undertaken to ensure these actions are followed up and that those members of staff involved in purchasing activity are both adequately trained, ensuring contracts are up to date.

The Committee expressed concern in the year that a breach of the Contract Procedure Rules had occurred. The Committee also requested and received an update on what action Procurement had taken on incidences of past breaches.

Contract Management Training for Managers was a priority in the year. An additional 243 training sessions had been attended by managers in Q1 and Q2 2022/23 alone, bringing the total since 1st April 2020 to 1,318.

South Waste Round Reorganisation May to September 2022

The waste collection services in the south of the county are delivered through a contractual arrangement between the Council and Veolia ES Ltd (Veolia). A reorganisation of the collection rounds was included as part of the agreed contractual terms and a reorganisation commenced on 9th May 2022. The round reorganisation was based on over 90% of the residents in the south of the county having a day or week change to their waste collections. It was recognised and planned that this was a large change and would lead to increased levels of missed bins and customer interaction with the Council via the customer contact centre for a short period of time.

Despite a positive early start and an effective communications programme, the level of disruption far exceeded expectations which continued beyond all anticipated timeframes. The scale and persistence of the performance issues caused real inconvenience and understandable frustration for affected residents and presented significant operational, communications and reputational issues for the Council.

As a result of these significant impacts on the council and residents, an audit of the process, governance arrangements, operational decision making, and performance management was commissioned which and undertaken by Mazars our independent auditor. They prepared a report of the findings including recommendations which were used to inform the Council's Lessons Learned action plan. The report and action plan were presented to the Council's Risk Management Group who also made recommendations which were used to inform the development of a small scale round reorganisation in the North Waste service which was implemented with no problems.

Managing our Council Companies

During the year, the Council significantly strengthened its governance of the Council's three companies and one joint venture. Following best practice, the Council's Cabinet created a sub-committee – called the 'Shareholder Committee' - to manage the Council's shareholding interests. The first meeting took place in July 2022 and the Committee commissioned training for all of the Council's company directors and members of the Committee. The Committee developed a set of *Conflicts of Interest Guidance* for officers and councillors potentially serving as company directors. This was approved in January 2023 and circulated to serving directors. The Committee has also set out an approach to selecting and appointing directors and maintaining a pool of councillors or officers who might serve as directors in future. The Committee has a work programme which includes reviewing the performance of each company.

The companies are:

- Aylesbury Vale Estates (50% ownership) – a joint venture with Akeman Property

- Buckinghamshire Advantage (100% BC ownership)
- Consilio Property Ltd (100% BC ownership)
- London Road Business Park Management Ltd (100% BC ownership)

Learning Lessons

The Council has been keen to learn from other councils' experience of governance. This has included learning lessons from the reports issued about some councils' governance arrangements. For example, an external review of Nottingham City Council led to the issuing of national guidance on good governance on the oversight of council companies: we put this into practice in establishing the Shareholder Committee; and the Committee did likewise in developing governance protocols in-year. The Audit & Governance Committee has agreed that 'learning lessons' should be a key feature of its work programme in 2023/24.

Electoral Boundary Review

During 2022/23, the Council responded to several consultations issued by the Local Government Boundary Commission for England on the future shape of this Council's wards – the areas represented by councillors. Whether proposing a pattern of wards or responding to the Commission's own proposals, the Council had clear governance arrangements in place. Full Council approved each response. It did so having received recommendations from our Standards & General Purposes Committee. The Committee, in turn, had received worked-up suggestions from a cross-party Electoral Review Working Group reporting to the Committee.

The responses were guided by the need to balance the statutory criteria of community identity, effective local governance, and electoral equality: that is, ensuring that councillors represent roughly the same number of electors. The Council responded on time to each stage. The new wards come into effect at the May 2025 local elections and will see councillor numbers reduced from 147 to 97. That will, of course, have its own governance implications for decision-making and the practicalities of community engagement: see Annex 2 for more information.

Parish and Town Council Charter

During the year, the Council launched our Town and Parish Council Charter, working on 22 pilots and an additional 80 opportunities to devolve assets to town and parish councils. We also appointed a dedicated officer to lead on engagement with town and parish councils.

Place Based Growth Board

In February 2023, Cabinet agreed to establish a Place Based Growth Board which will ensure close working with some of our key partners towards an agreed vision for future economic growth and development in Buckinghamshire. This board will provide a more streamlined and integrated place-based growth approach and furthers Buckinghamshire's ambition to lead the way in defining what best in class integration looks like for economic delivery. The areas of strategic focus, each with their own board sitting beneath the Growth Board are: Place & Regeneration; Opportunity Bucks; Skills; Enterprise & Investment.

Part 6 - Action Plans

An update on the Actions from 2022/23 is included at **Annex 1**. The AGS Action Plan priorities for 2023/24 are set out in **Annex 2**.

Part 7 - Conclusion

The opinion of the **Chief Finance Officer** is that the Council continues to operate robust internal controls and good public financial management. Further action is required to manage financial pressures and develop strategies to meet the long-term financial challenges that face the Council. There has been no need for the Chief Finance Officer to exercise his statutory escalatory powers. The Council complies with its financial regulations and procedures together with relevant codes of practice and guidance.

It is the opinion of the **Monitoring Officer**, that the Council has complied with its Constitution and that its corporate governance arrangements are sound.

David Skinner
Director of Corporate Finance (S151)

Sarah Ashmead
Deputy Chief Executive (Monitoring Officer)

Annex 1 – Review of Action Plan for 2022/23

Governance Issue	Action to be taken	Responsible Officer	UPDATE ON ACTION
Children’s Services	<p>Following the re-inspection by OFSTED and the improved rating for the Council (‘requires improvement to be good’), the Council is committed to acting on the recommendations for action:</p> <ol style="list-style-type: none"> 1) Agreeing a Cabinet-agreed Action Plan 2) Ensuring follow-through of the Action Plan (viewable here) by: <ol style="list-style-type: none"> a) using existing Quality Assurance Framework and Check & Challenge process to review practice and monitor progress on a regular basis b) action leads to provide six-weekly updates which will consider progress alongside Performance and Impact Reporting (including data trends, quality assurance and key performance indicators) c) progress against this plan will also be a standing item on each Improvement Board Agenda. 	Corporate Director of Children’s Services	<p>Met. Additional progress:</p> <ol style="list-style-type: none"> 1. The annual conversation with OFSTED was held in July 2022. Feedback received from OFSTED at the end of the annual conversation was positive and the Service’s self-assessment was accepted in full. 2. In October 2022, in line with the inspection of local authority children’s services (ILACS) framework, OFSTED conducted a Focused Visit that looked at our services and support offered to care leavers. Whilst this was not a graded inspection, OFSTED has now published their findings from this visit. The full report can be accessed here; however, some key governance headlines are below: <ol style="list-style-type: none"> a. Caseloads for some practitioners who are supporting care leavers are high. This makes it more challenging for them to undertake meaningful direct work with young people. b. While care leaver participation has been strengthened in Buckinghamshire, their voices at corporate parenting panel are inconsistent. c. Leaders in Buckinghamshire understand the strengths of the service, the areas for development and the future challenges. d. Care leavers are strongly encouraged to engage in education and training. This is a real strength in Buckinghamshire. e. Gaps in service provision, different thresholds between children and adult services or insufficient planning mean that some care leavers’ emotional health needs are not met in a timely way.

			<p>f. Care leavers, including those over 18 who are at risk of or experiencing exploitation, benefit from effective multi-agency risk management meetings and specialist, meaningful direct work via the exploitation team.</p> <p>g. Comprehensive performance data is used to support the progress of work effectively across the service. Check and challenge meetings help to provide leaders with an additional line of sight to good practice.</p> <p>h. Senior leaders made a conscious decision to target quality assurance activity at areas of greatest risk within the wider children’s service.</p> <p>i. The revised care leaver offer is clear and accessible and includes an aspirational emphasis on education. One care leaver told inspectors, ‘I feel so lucky to be a Bucks care leaver.’</p> <p>6. Inspectors also identified areas of practice that need to improve, as outlined in Annex 2.</p>
Children’s Services	<p>Following the first inspection by OFSTED and the Care Quality Commission of the services and support provided across Education, Health and Care in Buckinghamshire for children and young people with special educational needs and/or disabilities – SEND – the Council is committed to:</p> <ol style="list-style-type: none"> 1) Implementing the Written Statement of Action in response to the inspection findings. 2) the Children’s Services Continuous Improvement Board overseeing the Written Statement of Action, 	Corporate Director of Children’s Services	<p>Met. Additional progress:</p> <ol style="list-style-type: none"> 1. Since finalising the Written Statement of Action (WSOA) significant work has been undertaken to establish the infrastructure and monitoring mechanisms. This has included: <ol style="list-style-type: none"> a. The development of detailed operational plans with metrics to capture the specific activity and targets that underpin the published high level WSOA. b. Alignment of activity with the wider SEND improvement programme to prevent duplication, ensure interdependencies are understood, and wider priorities continue to be addressed. c. The development of a dashboard to track Key Performance Indicators and visually evidence progress.

	<p>providing appropriate external challenge to drive improvement at pace and scale.</p> <p>3) Implementing the monitoring arrangements and liaising with the Department for Education, at the agreed frequency (every 4-6 months) who will assess and support our progress.</p> <p>4) Maintaining our Quality Assurance work and improvement programme activity, overseen by the SEND Integrated Services Board</p>		<p>d. Allocation of a dedicated project manager to oversee progress and escalate issues where this is insufficient. An additional health funded project support officer role is also in the process of being created.</p> <p>e. Establishment of a WSOA governance structure, including a monthly meeting with leaders across education, health, care and parent representatives, as well as a SEND Improvement Board that will scrutinise progress and ensure accountability.</p> <p>f. Wide-scale mapping of existing resources and support available across the local area for children and young people with SEND.</p> <p>g. An under 5s Task and Finish Group has been created, with key professionals across the Local Area to identify key improvement actions, prioritising early identification of need, by providing the right support at the right time for children under 5 regardless of wait times.</p> <p>2. As part of ongoing monitoring, our first meeting with the DfE to review progress within the WSOA was held in December 2022. This was an opportunity to provide an update on each action identified within the WSOA, to ensure progress is being achieved at pace and reflect any evidence available, demonstrating a positive impact to the lived experience of children and young people.</p> <p>3. Feedback following this meeting was positive; however, progress needs to be maintained within all workstreams to ensure improvement work continues at pace. Progress against the WSOA will continue to be monitored through day-to-day project management, monthly reporting to the WSOA Group, and presentations at the SEND Improvement Board which continues to meet every 6-8 weeks.</p>
--	---	--	---

<p>Shareholder Committee</p>	<p>Establishment of a Shareholder Committee (a committee of the Cabinet) under the Council’s decision-making arrangements for 2022/23</p> <p>Delivery of training for Directors and for Members of the Shareholder Committee</p> <p>Creation of specific guidance on Conflicts of Interest to guide the Committee and the Council in the consideration of appointments to directorships and to the Committee</p> <p>Establish the role of Audit & Governance Committee in reviewing the governance for the Council’s trading companies.</p>	<p>Director of Corporate Finance</p>	<p>Met - Completed July 2022</p> <p>Met - Completed September 2022</p> <p>Met - Completed January 2023</p> <p>Met - Completed in March 2023:</p> <p>Met - Annual report on the governance of companies added to the Audit & Governance Committee forward plan – consistent with the Committee’s existing terms of reference to review the Council’s governance generally</p>
<p>Electoral Review of Buckinghamshire Council</p>	<p>The Council to engage fully in the public consultations on the future pattern of wards for Buckinghamshire Council (effective from May 2025) by:</p> <p>a) recommending a pattern of wards</p> <p>b) commenting fully on the Commission’s own proposals</p>	<p>Deputy Chief Executive</p>	<p>Met – Completed April 2023</p> <p>Responses formulated through agreed means:</p> <ul style="list-style-type: none"> - cross-party working group to Standards & General Purposes Committee - Committee to Full Council - Following consultation with local members <p>Responses met Local Government Boundary Commission timeframes:</p> <ul style="list-style-type: none"> - April 2022 (proposals to the Commission) - November 2022 (commenting on the Commission’s proposals) - April 2023 (response to Commission’s further, limited consultation) <p>All responses based on the legal criteria, supported by evidence and mapping, and worked up from proposals recommended by a cross-party working group of the Standards & General Purposes Committee. The Commission’s final decision was published on 30 May 2023 (see Annex 2 for follow up actions during 2023/24)</p>

Local Code of Corporate Governance	<p>Creation of a Local Code of Corporate Governance. While not a statutory requirement, achieving an up-to-date Local Code is considered 'best practice'. The Code is intended to describe the Council's governance framework and will support future Annual Governance Statements which assess the effectiveness of governance.</p> <p>a) Creation of a draft Local Code of Corporate Governance</p> <p>Review and adoption by the Audit & Governance Committee</p>	Deputy Chief Executive	<p>In progress</p> <p>Template circulated to Business Managers, Statutory Officers and CMT for presentation to Audit & Governance Committee for comment – September 2023</p>
------------------------------------	--	------------------------	---

Annex 2 – Action Plan for 2023/24

These represent areas of particular focus for 2023/24. The Action Plan does not detail the full, day to day conduct of governance activity; that will be listed instead in the Code of Governance due to be presented to the Audit & Governance Committee in September 2023.

Governance Issue	Action to be taken	Timescale	Responsible Officer
Children's Services – arrangements for care leavers	<p>1) To follow through on the improvements suggested by OFSTED Inspectors:</p> <ul style="list-style-type: none"> a. The number, quality and impact of audits and the extent to which care leavers' voices are included in this work to help underpin learning. b. The number of 22- to 25-year-olds who are aware of the local offer and accessing support. c. The consistent voice of care leavers at Corporate Parenting Panel. 	September 2023	Corporate Director of Children's Services

	<p>d. The sense of permanence and stability for care leavers in staying put arrangements.</p> <p>2) The service will continue to follow a cycle of improvement, reviewing and testing our practice and oversight to ensure that the Service is making progress and creating actions to address our priority areas.</p> <p>3) The Improvement Board, under the Independent Chairmanship of John Coughlan, CBE, to continue its remit to:</p> <p>a. challenge the pace and quality of progress, in terms of both actions and their impact.</p> <p>b. To provide, where appropriate, scrutiny and direction to secure the improvements required.</p> <p>c. To challenge the pace and quality of progress, in terms of both actions and their impact.</p> <p>d. To seek assurance that service risks are being managed appropriately.</p> <p>e. To hold to account all partners and ensure identified actions are carried out in a timely manner demonstrating impact on the lives of children and young people.</p> <p>f. To facilitate external oversight and transparency of the improvement process.</p>	<p>Monthly</p> <p>Quarterly</p>	
<p>Children's Services – actions to implement the 'Written Statement of Actions' (SEND)</p>	<p>Embedding the actions/practices agreed with inspectors (in the Written Statement of Actions, WSOA) for children and young people with special educational needs and/or disabilities:</p> <p>Progress against the WSOA will continue to be monitored through:</p> <ul style="list-style-type: none"> • project management • reporting to the WSOA Group, and • presentations at the SEND Improvement Board which continues to meet every 6-8 weeks 	<ul style="list-style-type: none"> • day to day • monthly • 6-8 weekly 	<p>Corporate Director of Children's Services</p>

Statement of Accounts	<ol style="list-style-type: none"> 1) Achieve manifest progress to achieving duly signed-off Statements of Account for the years: <ul style="list-style-type: none"> • 2020/21 • 2021/22 2) Make in-year progress for the preparation of the accounts for 2022/23 3) Written reports to each scheduled meeting of the Audit & Governance Committee during 2023/24 to update on progress 4) Lessons learned report to be considered by the Audit & Governance Committee at the conclusion of the 2020/21 accounts 	<ul style="list-style-type: none"> • December 2023 • April 2024 • December 2024 • January/March 2024 	Chief Finance Officer
Business Assurance Team	<ol style="list-style-type: none"> 1) Developing the new Business Continuity Management (BCM) Framework including the Cyber Resilience Framework 2) Refresh the Corporate Business Continuity Plan (BCP) 	<p>September 2023</p> <p>September 2023</p>	Director of Legal & Democratic Services
Shareholder Committee	<p>Review the operation of the Council's governance arrangements for the Shareholder Committee, including:</p> <ul style="list-style-type: none"> • Refreshed training for all members of the Committee and the Council's appointed directors • Identify a pool of potential directors – with training • Review business plans of each company/joint venture • Review the risk management arrangements for the companies • Review the effectiveness of the Guidance on Conflicts of Interest • Continue to learn from best practice 	<ul style="list-style-type: none"> • September 2023 • October 2023 • Company per meeting • June 2023 • January 2024 • October 2023 	Chief Finance Officer, Monitoring Officer
Electoral Review of Buckinghamshire Council – governance implications	<p>To assess the governance implications arising from the outcome of the Electoral Review:</p> <ul style="list-style-type: none"> • Establish a project plan for reviewing the implications/options • Indicative areas to include: <ul style="list-style-type: none"> ○ Governance: sustainable meeting structure ○ Community Board: scope/shape ○ Cllr Development/Support: needs ○ Communications: change/scope ○ Constitution: likely changes ○ Members' Allowances: review plan ○ Scheme of Delegation: additional delegations needed 	<p>September 2023</p> <p>October 2023 – March 2024</p>	Director of Legal & Democratic Services

Community Governance Reviews	<p>Following publication of the final Electoral Review outcomes, schedule and undertake any relevant Community Governance reviews (of parish arrangements) in accordance with legislation</p> <ul style="list-style-type: none"> • Agree decision-making routes for assessing and adopting Community Governance Reviews • Establish project timeframes for Reviews • Publish relevant terms of reference for each Review • Undertake effective communication and consultation with affected communities 	<p>August 2023</p> <p>December 2023</p> <p>December 2023</p> <p>January – March 2024</p>	Director of Legal & Democratic Services
Local Code of Corporate Governance	<ol style="list-style-type: none"> 1) Adopt and publish a Local Code of Corporate Governance; and 2) Use the Local Code as an integral springboard for preparing the 2023/24 Annual Governance Statement. 	<p>September-December 2023</p> <p>January-March 2024</p>	Director of Legal & Democratic Services
Audit & Governance Committee – review of annual reports	<p>A) The Committee’s work programme to include scheduled annual reviews of key governance areas, including:</p> <ul style="list-style-type: none"> • Shareholder Committee - governance arrangements • Regulation of Investigatory Powers Act (RIPA) usage – the implementation of the Council’s RIPA policy • Lessons learned from other authorities – implications for governance of best practice reviews <p>B) Agree a position on the involvement of ‘Independent Members’ in the membership and work of the Committee.</p>	<p>November 2023</p> <p>November 2023</p> <p>January 2024</p>	Director of Legal & Democratic Services
Major change projects	Further develop the culture and practice of good governance at the heart of our Major Projects, and the integral role of the Risk Management Group.	March 2024	Director of Major Projects

Community Board Reviews	Finalise a further review of Community Board arrangements and effectiveness, under the oversight of the Communities & Localism Select Committee	Communities & Localism Select Committee work programme	Deputy Chief Executive – Policy & Communications
Support for elected members	<p>Consider improvements to communications in support of members, including</p> <ul style="list-style-type: none"> • Review compliance with service responsibilities to keep local councillors informed of issues affecting their ward • Improvements to achieve sustainable, joined-up communications to councillors on issues affecting the Council • Review services' responsiveness to councillor queries for information, and assess options for improving the capture and culture of councillor feedback on local issues • Review of the scope of mandatory training 	March 2024	Director of Legal & Democratic Services
Transparency of member groups	<p>Increase the transparency for members of groups/bodies set up by the Cabinet, Council and Committees:</p> <ol style="list-style-type: none"> 1) Publicise and maintain on the Intranet a list of current bodies (e.g. sub-committees, task and finish groups, member-officer working groups, informal cross-party working groups, select committee review groups) to which members are appointed 2) Give an indication of their purpose, membership, longevity and their parent body. 	December 2023	Director of Legal & Democratic Services
Electoral preparation for a general election	Continue reviewing plans and resources in readiness for any General Election which may take place in 2024.	Monthly	Returning Officer