

Annual Governance

Statement

2022-23



West Northamptonshire Council Annual Governance Statement 2022-23

Context

The Annual Governance Statement (AGS) is a review of our activities to ensure the Council is carrying out its functions effectively. There is a strong link between effective governance and effective service commissioning and delivery. To deliver the Council's ambitions, Cabinet approved the Council's Corporate Plan for 2021 to 2025 on 8 June 2021.

Our overall assessment is that this Annual Governance Statement is a balanced reflection of the governance environment in operation within the Council for 2022-23. The journey of improvement continues towards a sustainable basis for the organisation as a new Unitary Council.

Councillor Jonathan Nunn

Leader of West Northamptonshire Council

Anna Earnshaw

Chief Executive

The Purpose of the Governance Framework

West Northamptonshire Council (the 'Council') is responsible for 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.

The Council also has a duty under the Local Government Act 1999 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, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

The Council approved a Local Code of Corporate Governance on 29 Sept 2021 (WNC Code of Corp Governance), which is underpinned by the CIPFA / SOLACE Delivering Good Governance in Local Government Framework and is comprised of policies, procedures, behaviours and values by which the Council is controlled and governed. The Council recognises that good governance leads to good management, good performance, good stewardship of public funds, good public engagement and to good outcomes for citizens and service users. Failure to deliver this undermines the confidence of the public in our ability to deliver services and lead fairly and effectively in community matters. Good corporate governance requires the Council to be open, transparent, effective, inclusive of all sectors of the community, accountable to the public it serves and to demonstrate integrity.

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

The Council's Code sets out 7 key principles:

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

The Governance Framework

The Governance Framework was in place at the Council for the year ended 31 March 2023. The 2021-25 Council Plan approved by Cabinet on 8 June 2021 (WNC Corporate Plan FINAL) identified 6 priorities:

Green and clean	Improved life chances
Connected communities	Thriving villages and towns
Economic development	Robust resource management

Roles and Responsibilities of Elected Members and Officers

The Council is composed of 93 members, elected every four years, and has overall Conservative control. The Council operated a Cabinet and elected Leader model of decision making, supported by open and accountable working relationships between members and officers. The Council had an agreed Constitution which sets out how it operates, how decisions are made and the procedures which are to be followed to ensure that these are efficient, transparent, and accountable to local people. This includes the defined responsibility for functions including the scheme of delegation, rules of procedure including financial regulations and contract procedure rules and Member and Officer Codes of conduct. Further details of the Council's Committee structure are available on the Council's website.

Strategic management of the Council is provided by the Executive Leadership Team, which comprises:

- Chief Executive. Statutory role: the Council's Head of Paid Service. To ensure that all the authority's functions are properly coordinated as well as organising staff and appointing appropriate management (Local Government and Housing Act 1989)
- Deputy Chief Executive and Executive Director People Services (Director of Adult Social Services and Children's Services)
- Executive Director Finance. Statutory role: the Council's section 151 Officer. To arrange for the proper administration of the Council's financial affairs, also known as a Chief Financial Officer (CFO) and to have responsibility for those arrangements. As such, the CFO must lead on a local authority's financial functions and ensure they are fit for purpose. CFOs must be professionally qualified and suitably experienced (Local Government Act 1972 / Local Government Finance Act 1988)
- Executive Director Corporate
- Executive Director Place and Economy
- Director of Legal and Democratic. Statutory role: the Council's Monitoring Officer. To report on matters they believe to be illegal or amount to maladministration, to be responsible for matters relating to the conduct of councillors and officers and, to be responsible for the operation of the council's constitution (Local Government and Housing Act 1989)
- Director of Public Health

Review of effectiveness

An annual review of effectiveness has been undertaken and demonstrates how the Council has complied with the CIPFA / SOLACE framework principles. Areas for improvement have also been identified.

Principle	Arrangements in place	Assessment of effectiveness 2022/23
Core principle A Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law	The Council's values are articulated in the THRIVE statement: Trust, High Performing, Respect, Innovation, Value and Empower. Arrangements are in place to provide assurance that our values are upheld, and that members and officers demonstrate high standards of conduct and behaviour.	The values form part of regular staff "VIP conversations" (performance and objectives reviews)
	The Employee Code of Conduct helps every employee to understand what is expected of them and how they should conduct themselves as a representative of WNC. The Code of Conduct Policy details the implementation of the Code.	 The Employee Code of Conduct is reviewed and updated on a regular basis to ensure that it is effective. Managers are responsible for bringing the Code to the attention of their staff (through induction, training, and instruction) and to take appropriate action if an employee fails to follow the Code. The Code includes a requirement for officers of the Council to declare any conflicts of interest and/or gifts or hospitality, which should be formally registered. The Disciplinary Policy and Procedure (updated in October 2021) helps to promote good employment relations alongside ensuring fairness and consistency in the treatment of individuals
	The Councillor Code of Conduct defines the standards of expected of elected representatives including a requirement for members to declare any interests at the start of every meeting, which are recorded in a public register.	 A Democracy and Standards Committee and a Democracy and Standards Hearing Sub-Committee was in place to review any complaints regarding members and to promote high standards of conduct and observance of the Members' Code of Conduct. The process for dealing with Complaints against members is set out in the Council's Constitution. All complaints were subject to initial review by key officers, additional information requested as required, next stage of action and view of Deputy

Whistleblowing policy outlines how issues can be raised internally, and if necessary, outside the management structure. It documents our assurance that concerns will be seriously considered, and appropriate action taken.	 Director of Law and Governance provided to Independent Person for review and consultation Each case has named legal officer to lead on process, with administrative support provided. There was regular engagement with appointed Independent Persons Fortnightly meetings were held to review elected member complaints, chaired by Deputy Director of Law and Governance Identified issues and areas for improvement will result in support and training for relevant members The Council's external website provides a way for members of the public to log complaints or concerns regarding elected members. Four complaints were received in 2022-23, one of which resulted in a formal investigation Area for improvement: review access routes and ensure process is transparent and easily accessible The Whistleblowing Policy (approved in May 2021) is available on the Council's intranet site for access by all employees Area for improvement: more transparency about the process with suppliers, contractors, and members of the public.
New member induction	 A member induction for new members and for new members to the West Northamptonshire Council took place in May 2021. No additional activity as no new elected members Democratic Services review and identify member skills and develop training and support through the Democracy and Standards Committee, and monitors attendance at mandatory training events.
New employee induction	The induction process comprises:

		 Local induction Corporate induction "Our West Welcome" Mandatory learning Regular review and probation All new employees should complete the induction process within 14 days of starting All new employees are invited to attend a half day onboarding session to better understand the culture and principles of the Council Area for improvement: monitoring and evaluation of the effectiveness of process
	Our equality, diversity, and inclusion arrangements are the values and procedures to empower our Council and to build a culture of trust and respect for all	 effectiveness of process Diversity, Equality and Inclusion was a specific workstream in the People Strategy A Workforce Diversity, Equality and Inclusion Strategy 2023-25 has been launched Mandatory training is included as part of the new employee induction
Core principle B Ensuring openness and comprehensive stakeholder engagement	Employee engagement	 The Chief Executive All Staff briefing enables key messages to be communicated and gives employees the opportunity to ask questions in public forums and staff are also able to email the Chief Executive directly with personal or professional concerns, ideas or compliments The Chief Executive weekly bulletin and associated manager briefings provide a mix of formal and informal communication and engagement. Staff are encouraged to submit information for inclusion in the bulletin. Monthly VIP conversations are encouraged and actively promoted by the Executive Leadership Team Monthly "coffee with" sessions with ELT members are available to all employees giving the opportunity to hear direct news about the Council and discuss questions and ideas
	Transparency arrangements	Transparency arrangements

	 Compliance with the Transparency Code through information published on the Council's website Committee reports and webcasts continue to be publicly available Opposition leaders have confidential monthly briefings directly with the Chief Executive so that any concerns, questions or issues can be raised and clarifications sought. Area for improvement: finalise the Code of Corporate
Partnership arrangements	 Governance and publish on the internal and external websites The Council (Constitution section 6) maintains joint / partnership arrangements designed to ensure effective governance arrangements operate in partnerships in which the Council was engaged and their risk effectively managed. The Council operated a Protocol for the Appointment of Councillors and Officers to Outside Bodies Arrangements with local councils are managed via the Lead Authority Board A partnership register is available on the Council's website and lists elected members and key officers sit on the key boards and partner bodies
Requests for Information.	The Council had a dedicated Information Governance team which deals with requests for information under the Freedom of Information Act; the Environmental Information Regulations and Subject Access Requests which ensured compliance with requests for information.
Comments, compliments, and complaints	 The Council has policies listed on its website to support the process: Comments, compliments, and complaints policy Unacceptable or unreasonable communications and behaviour policy The Council has arrangements in place for complaints to be made and investigated

Cove principle C	Comparate Plan 2021 to 2025 provides a	The Chief Executives email address is a matter of public record and any members or the public, stakeholder, staff member or Councillor can make direct contact The 2000 20 American transitions are statement as a statement of public records and public records are statement of public records and any members or the public, stakeholder, staff member or Councillor can make direct contact. The 2000 200 American public records are statement of public records and any members or the public records and any members or the public records and any members or councillor can make direct contact.
Core principle C Defining outcomes in	Corporate Plan 2021 to 2025 provides a strategy to ensure West Northamptonshire is	The 2022-23 Annual report provides a comprehensive overview of our accomplishments, challenges and
terms of sustainable	a great place to live, work, visit and thrive and	performance
economic, social, and	a clear framework for the Council to	ponormanoc
environmental benefits	determine priorities and actions	
	Sustainability	The Council's sustainability intentions cover environmental, social, and economic issues
		Alongside the Council's Net Zero by 2030 commitment, residents and businesses are invited to make a sustainability pledge and given help to achieve this
	Budget 2022-23. The Council is committed to	The Budget was approved by Full Council
	delivering a robust and achievable financial	The budget monitoring process enables managers to enter
	plan, which enables services to deliver	 forecasts through ERP Gold A Spend Review Panel was introduced during 2022-23 in response to budget pressures and was part of the process which enabled a balanced budget to be delivered
Core principle D Determining the	Executive Leadership Team (ELT)was responsible for:	ELT met weekly as the main officer decision-making body, with wider monthly sessions including Assistant Directors
interventions	Managerial leadership and direction of the	ELT met weekly with Cabinet members as part of the
necessary to optimise	Council.	Executive Programme Board
the achievement of intended outcomes	 Providing the formal response to Cabinet policy direction and the development of corporate policy and initiatives for Cabinet consideration 	The Chief Executive meets each Executive Director monthly for a one-to-one review and discussion on any issues or concerns
	 Co-ordination and commissioning of council-wide activity, planning, programme management. 	
	Statutory Officers Review Meeting (STORM) responsible for	Provided a new forum for strong accountability, awareness and ownership of key corporate issues across the Chief Executive, Director of Finance (151 Officer) and Monitoring Officer

 Creating shared understanding ownership of key corporate risk concerns Ensuring that there is line of signall 3 core statutory post holders in the content of th	ght for s of any
issues rising, emerging concern that any actions or escalations monitored	
Transformation Programme	Monthly Board meetings to monitor transformation plans and enable the Council to consider progress, interventions and actions required
DTI Strategy and Programmes	A Monthly board ensures that all delivery programmes are monitored and any required actions or interventions taken to mitigate delays or increased cost or risk
Property and Assets Strategy and Programmes	 A monthly board oversees the delivery of all major asset programmes and property projects which can involve higher risk (reputationally or financially) if they face delays or encounter legal or supply issues A specific task and finish group monitors school build works to ensure there is coordination between estates, assets and education given the risk that delayed schooling can create
Performance monitoring	 Quarterly corporate performance report, reflective of the range of services that the Council provides and progress against delivery of our major change programmes. Considered by the Executive Leadership Team to enable corrective action to be taken These reports were also presented to Cabinet which gives both Cabinet and the public an insight into the Council's overall performance.
Risk management	 A revised process has been introduced allowing clearer analysis of strategic and operational risks The Council's risk management process is monitored by the Audit and Governance Committee, with regular updates on corporate risks

		Area for improvement: further embed the revised process
	Financial management	 The monthly budget monitoring process has a requirement for all managers to return forecasts, supported by finance business partners Management reports are taken regularly to ELT and Cabinet
Core principle E Developing the entity's capacity, including the capability of its leadership and the individuals within it	Formal employee performance appraisal and development programme	Regular VIP conversations through which the development needs of staff are identified and met as appropriate
	Induction programme	As detailed in Core Principle A
	Elected member training	 Councillors' right to training and development is specified in the Constitution. A formal induction programme was arranged for new councillors and councillors new to the Council. The Democracy and Standards Committee is responsible for reviewing the need for Member development. In-house training and development activities are organised for Councillors to meet identified needs. Councillors also had access to external training and development opportunities. Online guidance is provided
	Learning and Development	A range of courses and opportunities to support continuous development; these include Mandatory Learning, Leadership, Management, IT Business Systems, Social Care and Social Work training.
Core principle F Managing risks and performance through robust internal control and strong public financial management	Internal control	All Directors and Assistant Directors had responsibility for maintaining a sound system of internal control within their area of responsibility and provide an Annual Assurance Statement confirming the adequacy of the governance arrangements in their area.
	Budget and Financial Management	Arrangements detailed in previous sections
	Risk management	Arrangements detailed in Core Principle E

Core principle G Implementing good practices in transparency, reporting and audit to deliver effective accountability	The Council's Constitution sets out the governance, controls, and processes applicable across the Council	 The Leader and Cabinet (Constitution section 5) were responsible for all executive decisions other than those delegated to Officers. The Cabinet exercises the Council's executive functions, receives reports and recommendations from other Overview and Scrutiny Committees and formulates recommendations in relation to the budget and policy framework to Council All Executive decisions are detailed on the Council's website Cabinet and Full Council meetings are called in line with constitutional and legislative requirements All Council and Cabinet reports require sign off by statutory officers (Monitoring Officer and Section 151 Officer)
	Cabinet Forward Plan	Forthcoming key decisions by the Cabinet were published in the Cabinet's Forward Plan. The Forward Plan is reviewed regularly by the Executive Leadership Team and Co-ordinating Overview and Scrutiny Group.
	Scheme of delegation	The Council and Cabinet delegates executive decisions and operational delivery via a formal scheme of delegation to officers as defined within section 9.2 of the Constitution.
	Overview and Scrutiny Committees	The Council maintained an Overview and Scrutiny function as defined within section 7 of the Constitution.
	Democracy and Standards Committee	The Council maintained a Democracy and Standards Committee to review the Council's governance arrangements and recommend changes to the Council's Constitution to Council.
	Audit and Governance Committee	 The Council maintained an Audit & Governance Committee whose purpose is to: Provide independent assurance as to the Council's governance, risk management framework and associated control environment. Provide independent scrutiny of the Council's financial and non-financial performance and oversee the Council's financial reporting process.

	Act as an advisory committee to the Council and the Cabinet on audit and governance issues.
Internal Audit	The Council maintained an Internal Audit Service that operated in accordance with the Public Sector Internal Audit Standards. The Head of Audit and Risk Management had direct access to the Chief Executive, the S151 Officer, Directors, the Executive Leadership Team, Members, and the Chair of the Audit & Governance Committee.



Audit and Inspection Assurances

Internal Audit

The Council takes assurance about the effectiveness of the governance environment from various sources including the work of Internal Audit, which provided independent and objective assurance across the whole range of the Council's activities. The Chief Internal Auditor gives an annual opinion on the adequacy and effectiveness of internal control within the Council as required by the Public Sector Internal Audit Standards that provide adherence to the Accounts and Audit Regulations 2015.

The 2022-23 opinion is that the internal control environment of the Council is satisfactory and has been used to inform the Annual Governance Statement. Strong assurance relies upon stable systems operating over a sustained period. The satisfactory opinion reflects the context that the Council commenced operation on 1 April 2021 and processes and services are continuing to embed.

The following key factors identified from Internal audit work and discussions with management were deemed to have impacted the effectiveness of controls and risk management during 2022-23:

Some systems / services continue to operate as individual, localised systems (rather than single, consistent WNC wide systems).
 Operating local controls increases both the possibility that different standards of control are applied, and compliance levels are not consistent. The consolidation of localised processes under a single Council approach is planned over a multi-year programme.

External Reviews

External Audit

As well as an examination of the Council's financial statements, the work of the Council's External Auditor includes an assessment of the degree to which the Council delivers value for money in its use of its resources. Due to the legacy NCC 20/21 Statement of Accounts still being audited the audit of WNC 21/22 has been delayed. It is expected that both the 21/22 and 22/23 Statement of Accounts will be produced and audited during 23/24. Some audit work, where possible, has already begun on the 21/22 Statement of Accounts.

West Northamptonshire Council 2022-23 Significant Governance and Forward-Looking Issues

Consistent with best practice all Council Directors completed a Directors Assurance Statement in respect of 2022-23 governance. These provide a process for Directors to confirm the operation of governance within their areas of responsibility and highlight, if needed, any significant weaknesses.

Issues highlighted within Directors Statements are set out in full below:

Director	Issue	Action planned
Stuart Lackenby	There are a number of care providers who have not provided returns that demonstrates that they have spent COVID grants in line with DHSC requirements. While they have been invoiced to repay this money, approx. £2m remains outstanding.	Meeting intended with DHSC to present out position and ask for clarity on next steps. If money is required to be repaid to DHSC, meeting with Debt Recovery to be held to produce action log to address recovery.
Stuart Lackenby	Due to disaggregation, there are many data quality issues in Carefirst which makes it difficult to accurately forecast independent care spend.	Data quality team introduced to review all client profiles on Carefirst to check for data errors and make corrections. Project started to procure a new IT system which will allow for improved data accuracy.
Sally Burns	Jointly commissioned services with NNC and ICB were underpinned by historic arrangements and spend has been difficult to track	A commissioning and contract management function has been put in place and WNC will track and control spend, supported by an increased finance team resource and better data
Sally Burns	The 0-19 contract was previously delivered through a S75 arrangement with NNC and led by the ICB. This was not well managed and there were concerns about performance and accountability of spend	A new contractual arrangement is in place with the provider that has placed NNC and WNC in a stronger position to manage the contract. A service improvement plan has been developed and a complete redesign will be done before recommissioning prior to April 2025. New reporting and governance arrangements are in place.
Rebecca Wilshire	Spend and performance delivery by NCT have been of increasing concern. The current year overspend is expected to be more than £27m (across Northants). The Intelligent Client Function (ICF) in place to manage NCT has not provided the assurance the WNC DCS requires.	While retaining the existing governance mechanisms across WNC, NNC, NCT and DfE, there is a review of the ICF and contract management approaches are being reconsidered. WNC has appointed a DCS to oversee delivery of its statutory duties through NCT. There is now

		more detailed reporting on spend against budgets - challenged by WNC finance, and continued work on placement costs management
Rebecca Wilshire	Pressure from children with SEND or excluded from school is increasing. Jointly commissioned services with NNC and ICB are being revised with an accompanying increase in risk	Mitigation is to step away from joint arrangements with NNC and develop SEND and Alternative Provision Strategies aimed at better outcomes while focusing on controlling spend.
Nick Henstock	Home to School Transport Audit Disclosure and Barring Service, Passenger Assistant Training Scheme & Surveys - Management should ensure that: • All drivers and PAs are trained in a timely fashion as per DBS Specification. • Regular passenger surveys are undertaken, analysed and actioned accordingly,	The requirement for operators to provide training, in accordance with the DPS Specification, will be incorporated into the new framework agreement from April 2024.

The purpose of this AGS is to reflect on the governance arrangements for the 2022-23 financial year and consider issues that are likely to impact on governance for 2023-24 and onwards.

- Local Government Review The various work streams to consolidate within a single WNC approach remain challenging through 2022-23 and 2023/24.
- Children's Trust The Council's support to and oversight of service delivery by the Children's Trust will continue to evolve and embed through 2023-24.
- Partnership with North Northamptonshire Council and other Councils via the shared service and other arrangements Both Councils work in partnership on several issues and West Northamptonshire Council provides several support services to NNC. The process of management and, as required, disaggregation is ongoing.

Whilst these are relevant governance issues, they are recognised within the Council priorities and processes for 2023-24 and no specific actions are required.

2021-22 assurance issues continue to be monitored and are detailed in Annex A.

ANNEX A

2021-22 Issue		Lead officer/Date	Action, Update
1	The Limited Internal Audit opinions in relation to NPH and the Social Lettings Agency highlighted within the NBC AGS 2020-21 be updated with progress during 2021-22 and reported to AGC	Chief Internal Auditor	In progress: NPH - Governance Framework presented to Cabinet 17th January 2023. New agreement between WNC and NPH Autumn 2023. In progress: Social Lettings Agency - although WNC are not pursuing a Social Lettings Agency, we are looking to refresh the private sector leasing scheme in Spring/Summer 2023
2	Shared Services - The change agenda continues for LGSS in providing key back-office services to WNC and partner Councils. Assurance regarding those controls is essential as the Councils move from initial set up priorities to business as usual.	Executive Director Finance	Closed: Assurance is given to the lead authority board on the provision of good levels of governance.
3	Contract Management - various issues were previously highlighted within the County Council around the robust management of contracts. The predecessor novation of contracts to the Council and the Children's Trust. Assurance regarding those controls is essential as the Councils move from initial set up priorities to business as usual.	Transformation Director	Closed: A number of improvements and new policies and procedures have been implemented by the Procurement team since vesting day for both WNC and NCT.
4	Predecessor Council Revenues & Benefits practices and subsidy issues being investigated by Finance to understand the scale and impact.	Executive Director Finance	In progress: A corporate project has been launched to look at the areas of temporary accommodation and supported exempt with the aim of looking at the commissioning of providers and the area of HB subsidy. This is a complex cross departmental project involving Revenues and Benefits, Housing and Adult Social Care and has an impact on both housing providers and some of our most vulnerable customers. Stage 1 of the project has been completed and work continues. The project is likely to run until March 2024.

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	5	Billing Interfaces do not match between ERP Gold and Abacus. Business systems are currently investigating as ERP Gold does not align with BAM Portal either.	Deputy Chief Executive	Closed
	6	Debt Recovery: A large volume of queries relating to invoices raised where current resources cannot commit to supporting debt recovery action. Additional resource has been agreed to support with debt queries from April 2022 for 6 months.	Deputy Chief Executive	Ongoing: Resources in place, service and customer engagement improved, processes developed and implemented and debt reporting enhanced. In the coming months management will monitor the success of these changes as well as deliver further
_	7	Debt Recovery: Debt hosted in the West but relates to North funded customers is not being progressed efficiently. Debt team are trying to resolve debt queries, but staff do not have access to customer information.	Deputy Chief Executive	improvements. Closed: A number of improvements have been implemented by the Debt Team since vesting day in conjunction with ASC.