

ANNUAL STATEMENT OF ACCOUNTS 2020/21

ANNUAL GOVERNANCE STATEMENT

1. Scope of Responsibility

- 1.1 Gedling Borough 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. Gedling Borough Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 1.2 In discharging this overall responsibility, Gedling Borough Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, including arrangements for the management of risk.
- 1.3 Gedling Borough Council has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government (2016)*. A copy of the authority's local code is on our website at <https://www.gedling.gov.uk/council/aboutus/financeandaccounts/> or can be obtained from the Director of Corporate Resources, Gedling Borough Council, Arnot Hill Park, Arnold, Nottingham. NG5 6LU. This statement explains how Gedling Borough Council has complied with the code and also meets the requirements of the Accounts and Audit Regulations 2015, which requires all relevant bodies to prepare an annual governance statement.

2. The Purpose of the Governance Framework

- 2.1 The governance framework comprises the systems and processes, culture and values by which the authority is directed and controlled and its activities through which it accounts to, engages with and leads its communities. It enables the authority to monitor the achievement of its strategic objectives and to consider whether those objectives led to the delivery of appropriate cost effective services.
- 2.2 The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of Gedling Borough Council's policies, aims and objectives, to evaluate the likelihood and potential impact of those risks being realised, and to manage them efficiently, effectively and economically.
- 2.3 The governance framework has been in place at the Council for the year ended 31 March 2021 and up to the date of approval of the statement of accounts.

3. The Governance Framework

- 3.1 Gedling Borough Council's Local Code of Corporate Governance recognises that effective governance is achieved through the 7 core principles as identified in the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government 2016 Edition*. These are:

(A) Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.

(B) Ensuring openness and comprehensive stakeholder engagement.

Principles A and B permeate the implementation of principles C-G.

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(C) Defining outcomes in terms of sustainable economic, social and environmental benefits.

(D) Determining the interventions 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 risks and performance through robust internal control and strong public financial management.

(G) Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

3.2 Good governance is a dynamic process and the Council is committed to improving governance on a continuing basis through a process of evaluation and review. The Audit Committee on 1 June 2020 received the report on Gedling's *"Local Code of Corporate Governance 2020/21"* which set out in detail how the Council demonstrates that its governance structures comply with these seven core principles. An end of year review considered by Audit Committee in March 2021 has confirmed that these were in place for the whole of the financial year.

4. Governance Arrangements

4.1 There is a governance assurance framework through which the Council satisfies itself as to the effectiveness of its system of internal control. This takes as its starting point the Council's principal statutory objectives and our organisational objectives as set out in the Council's Corporate Plan. From this are identified the key risks to the achievement of the Council's objectives as set out within the Council's corporate, directorate and service risk registers.

4.2 The framework identifies the main sources of assurance on the controls in place to manage those risks, and it is the evaluation of those assurances that is the basis of this Annual Governance Statement.

4.3 The following documents establish these policies, aims and objectives at a strategic level:

- The Corporate Plan (The Gedling Plan);
- The Community Safety Partnership Strategy;
- The Local Plan;
- The Annual Budget and Performance Management Framework;
- The Financial Strategy;
- The Treasury Management Strategy;
- The Internal Audit Strategy;
- The Risk Management Strategy;
- The Equalities and Diversity Policy;
- The Counter Fraud and Corruption Strategy.

4.4 These high level plans are further supported by Service Plans. The Constitution provides clear guidance on how the Council operates, how decisions are made and the procedures and protocols to ensure that decisions and activities are efficient, transparent and accountable to local citizens. Some of these processes are required by law, whilst others are determined by the Council for itself. All of these documents are within the Council's Publication Scheme and available on the Council's website at www.gedling.gov.uk or can be inspected at the Council's Civic Centre, Arnot Hill Park, Arnold, Nottinghamshire.

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- 4.5 Gedling's corporate governance framework defines the roles and responsibilities of the full Council, Cabinet, Scrutiny and officer functions as detailed in the Constitution, and demonstrates how the Council meets defined standards of governance in relation to its policies, aims and objectives.
- 4.6 The Council acknowledges its responsibility to ensure that it operates an effective system of internal control to maintain and operate controls over its resources. This system of internal control can only provide reasonable (not absolute) assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are prevented or would be detected within a reasonable period.
- 4.7 The internal control system includes:
- Annual review of the effectiveness of the Council's Corporate Governance Framework, including signed Assurance Statements from Directors and Heads of Service;
 - An established Counter Fraud and Corruption Strategy, including whistleblowing procedures, communicated to Members, officers and the public, and are available on the Council's website;
 - An established Audit Committee that undertakes the core functions as identified in CIPFA guidance;
 - The Terms of Reference for the Audit Committee which include specific responsibility for reviewing risk management procedures, including the reporting arrangements on strategic risks via a corporate risk scorecard;
 - A Risk Management Strategy that is led by Senior Management for the identification and evaluation of strategic and operational risks, and integrated with the work of Internal Audit to provide a holistic source of assurance aligned to corporate objectives;
 - A comprehensive risk management process that includes the identification of both strategic and operational risks which are held and maintained on corporate and directorate Risk Registers, and subject to regular review;
 - Internal audit reviews are carried out using a risk-based audit approach with the emphasis on key financial systems. This work is undertaken in co-operation with the Council's External Auditor ensuring maximum use of Audit resources, and ensures that professional standards are maintained;
 - Performance Plan monitoring, review and reporting;
 - Facilitation of policy and decision making through the Constitution, Codes of Conduct and the decision-making process, Forward Plan and role of the Scrutiny Committee;
 - The statutory roles of the Council's Head of Paid Service, Monitoring Officer and Chief Financial Officer place a duty on these post-holders to provide robust assurance on governance and ensure compliance with established policies, procedures, laws and regulations;
 - Compliance with established policies, procedures, laws and regulations are monitored through the work of the Finance and Legal staff that are adequately trained and experienced;

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- Budgetary and performance management reporting to management, Cabinet and Council;
- Formal project management guidelines;
- Business continuity planning processes;
- Adherence to good employment practices;
- Governance training has been provided to all key officers and Members, including induction training, and arrangements are in place for the ongoing continuation of that training.

5. **Financial Management**

- 5.1 Ensuring that an effective system of internal financial control is maintained and operated is the responsibility of the Chief Financial Officer.
- 5.2 Internal financial control is based on a framework of management information that includes the Financial Regulations, Contract Standing Orders and Procurement Procedure Rules and administration procedures, adequate separation of duties, management supervision, and a system of delegation and accountability.
- 5.3 The Council has produced comprehensive procedure notes/manuals for all key financial systems, and these are regularly reviewed. The controls created by management are evaluated to ensure:
- Council objectives are being achieved;
 - The economic and efficient use of resources;
 - Compliance with policies, procedures, laws, rules and regulations;
 - The safeguarding of Council assets;
 - The integrity and reliability of information and data.
- 5.4 CIPFA issued in 2016 a Statement on *“The Role of the Chief Financial Officer in Local Government”*, and this covered five key areas. The Council can demonstrate how it conforms to these governance requirements as the Chief Financial Officer:
- is a member of the Senior Leadership Team and plays a key role in helping it to develop and implement strategy to resource and deliver the Council's strategic objectives sustainably and in the public interest.
 - is actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and there is alignment with the Council's overall financial strategy.
 - leads the promotion and delivery by the whole Council of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.
 - leads and directs the finance function, which is resourced to be fit for purpose.
 - is professionally qualified and suitably experienced.
- 5.5 CIPFA issued in 2019 a Statement on *“The Role of the Head of Internal Audit”*, and this covered five key areas. The Council can demonstrate how it conforms to these governance requirements as the Head of Internal Audit:

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- Objectively assesses the adequacy and effectiveness of and governance and management of risks, giving an evidence based opinion on all aspects of governance, risk management and internal control;
- champions best practice in governance and comments on responses to emerging risk and proposed developments;
- is Greg Rubins, a Partner of BDO UK, and he (or his BDO representatives) have had regular and open engagement across Gedling Borough Council, particularly with the Leadership Team and with the Audit Committee;
- leads and directs an internal audit service that is resourced appropriately, sufficiently and effectively;
- is professionally qualified and suitably experienced.

6. Review of Effectiveness

6.1 Gedling Borough Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the executive managers within the authority who have responsibility for the development and maintenance of the governance environment, the Head of Internal Audit's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

6.2 The Council is committed to the maintenance of a system of internal control which:

- Demonstrates openness, accountability and integrity;
- Monitors and reviews compliance with established policies, procedures, laws and regulations and effectiveness against agreed standards and targets;
- Monitors and reviews the effectiveness of the operation of controls that have been put in place;
- Identifies, profiles, controls and monitors all significant strategic and operational risks;
- Ensures that the risk management and control process is monitored for compliance.

6.3 Assurance From Executive Managers

In preparing this statement each Head of Service and Director has signed an assurance checklist. The checklist requires assurance that services are operating in compliance with the Council's policies, procedures and practices and with the internal control and governance assurance framework. The checklist asked each Head of Service to draw attention to any matters in respect of which internal controls were not working well and required a positive assurance that apart from those areas which were identified for improvement that the controls within the service had been, and are, working well. Each Head of Service gave a positive assurance.

6.4 Assurance from Internal and External Audit

Two of the key assurance statements the Council receives are the annual report and opinion of the Head of Internal Audit, and the external auditor's Value for Money conclusion as follows:

External Auditor (Mazars) Value For Money conclusion for 2019/20 which stated:

"we are satisfied that in all significant respects, the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2020."

The new Code of Audit Practice has changed the way in which External Audit are required to report on the Value For Money arrangements from 2020/21, requiring them to report by exception where they have identified significant weakness in those arrangements. From 2020/21 they will report under three specified criteria: Financial Sustainability, Governance and

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Improving economy efficiency and effectiveness. Any issues arising from the 2020/21 Value For Money conclusion will be reflected in the final 2020/21 Annual Governance Statement.

The Head of Internal Audit (BDO) Annual Report for 2020/21, which concluded:

*“Overall, we are able to provide **moderate** assurance that there is a sound system of internal control, designed to meet the Council’s objectives and that controls are being applied consistently. In forming our view, we have taken into account that:*

- The Council’s Revenue Outturn for 2020/21 currently shows an underspend of £322k on the net expenditure position across all service areas. The Council is anticipating that the business rates income over the years 2020/21 to 2023/24 will be £303k less than assumed within the Medium Term Plan (MTP). This means that the net position across services and business rates offsets each other, however this can be seen as a largely positive position after a turbulent year due to the Covid-19 pandemic.*
- In respect of the design of controls, substantial assurance was provided on four out of eight assurance audits and moderate assurance opinions were provided in three areas;*
- In respect of the operational effectiveness of the controls, an opinion of moderate assurance was provided for four of the eight assurance audits, and substantial assurance was provided in three areas;*
- Substantial assurance was reported in respect of both control design and operational effectiveness in key areas including Main Financial Systems (including payroll), Council Tax and NNDR and Budget Management. Whilst the Commercialisation audit had limited assurance for control design and operational effectiveness, we were specifically directed by management to review this area to help them improve the control environment;*
- Management has responded positively to reports issued and action plans have been developed to address the recommendations raised;*
- There is currently one audit in draft (Taxi Licensing). The outcome of this review will not change the overall audit opinion;*
- Overall, an opinion of moderate assurance, which is our second highest level of assurance, is a positive achievement in a challenging year. None of our local authority clients achieved substantial assurance this year.”*

- 6.5 We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Audit Committee, and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework. The areas already addressed and those to be specifically addressed with new actions planned are outlined in section 7 below.

7. Significant Governance Issues

- 7.1 The control framework described above facilitates the identification of any areas of the Council’s activities where there are significant weakness in the financial controls, governance arrangements of the management of risk.

As detailed in paragraph 6 above the annual review of the effectiveness has been completed and has not highlighted any significant control or risk management concerns. The Head of Internal Audit concluded in the Annual Internal Audit Opinion that the organisation has an adequate and effective framework for risk management, governance and internal control.

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7.2 Covid-19 Pandemic

The first impact of Covid-19 on our governance arrangements emerged in March 2020 and has continued to have a significant impact for the whole of 2020/21, and is ongoing into 2021/22.

The key governance issues arising have been effectively addressed as demonstrated through regular reports to Cabinet on the Council's response to the pandemic and the impact on the Gedling Plan.

The key governance issues arising and actions to address these are summarised below:

Council Decision Making and Meetings

When setting up the Incident Management Team structure in response to the Covid-19 pandemic, it was clear at an early stage that rapid decisions would need to be made to close facilities and suspend services in response to changes in government policy or staffing issues. In order to ensure established governance arrangements were maintained and Constitutional and legislative requirements complied with, an emergency decision making process was adopted.

Whilst the Constitution contains a delegation to the Chief Executive to make urgent decisions, given the magnitude of the potential impact of those decisions both in relation to the community and the Council's finances and to ensure transparency in decision-making, it was agreed that the Leader would make all Covid-19 response related decisions after consideration of a written report. Decisions were published on the Council's website in the usual way.

Previously the Council has not had the power to hold meetings remotely and therefore when Covid-19 restrictions were imposed in March, Council, Cabinet and Committee meetings had to be cancelled until further notice.

Work was carried out to enable remote meetings to be supported on the Microsoft Teams platform, which included practical guidance and instructions for Members. The Procedural Rules included in the Constitution apply to remote meetings in the same way as they do for other meetings of the council; however additional Rules for holding remote meetings, were agreed by the Chief Executive in consultation with the Mayor on 10 May. In addition a schedule of meetings was also agreed on 12 May to enable meetings to recommence with effect from June. The High Court ruled that virtual council meetings could not lawfully take place after 6 May 2021 and suitable arrangements have been put in place to ensure a safe return in accordance with social distancing requirements with appropriate attendance levels to ensure effective decision making continues.

In conclusion the arrangements for decision making have remained effective following the onset of Covid-19.

Impact on Service Delivery

At the onset of the pandemic it was quickly recognised that effective Business Continuity Planning was vital to ensuring the continued operation of key services. A review of Business Continuity Plans (BCPs) was an outstanding action on the Council's corporate risk register which was due for completion by September 2020. In the first week in March, to ensure any gaps in Business Continuity Plans were quickly addressed, a Business Continuity Impact Assessment template was adopted and completed by all services, together with the identification of critical services and staff. A new Business Continuity Policy and Business Continuity Impact Assessment guidance was formally approved by Cabinet in July and a full suite of BCPs covering all business continuity risks was completed for the whole organisation by the end of quarter 2. This represents an improvement in the governance arrangements.

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Enabling home working involved a rapid deployment of agile working guidance and equipment and ensured there was no compromise to IT security or the safety of staff.

Formal emergency planning arrangements including command structures and communication arrangements have been in place throughout 2020/21 providing sound controls to support the effective response to the rapidly changing circumstances through the various stages of lockdown.

Covid related health and safety risk assessments have been implemented across the organisation to support changes to service provision throughout all stages of the pandemic including for the covid secure reoccupation of buildings.

Financial Impact

The Covid-19 pandemic has had a material impact on the finances of the Council during 2020/21 and this is expected to continue in the medium term. The financial impacts of the pandemic were evident at an early stage with additional expenditure pressures and income losses being experienced and uncertainties around funding levels for both the response work and the ongoing impacts continuing.

A mid-year review of the Medium Term Financial Plan was presented to Cabinet during the autumn of 2020 detailing the key risk issues and presenting potential scenarios and mitigation measures in the absence of additional government funding. This review was an important aspect of financial management to inform the 2021/22 budget process to secure a sustainable financial position and ensure the successful delivery of the Gedling Plan continues to be supported.

A revised Medium Term Financial Plan detailing the latest covid related risks and assumptions was presented to Council in March 2021 together with the revised Gedling Plan ensuring available resources are effectively aligned to priorities and the delivery of sustainable outcomes. This included a review of the current efficiency programme and the approval of a new efficiency programme for delivery over 2021/22 to 2024/25 to secure a sustainable financial position and value for money. The successful delivery of the efficiency programme is a key challenge for the Council and is closely monitored to identify any emerging risks at the earliest opportunity.

Future Service Impacts

The Council's Covid-19 Reset Strategy was considered by Cabinet on 18 June 2020. The Strategy recognises that there will be an impact on the delivery of the Gedling Plan with the need for a review to ensure that it remains fit for purpose and incorporates any new work streams required as a result of Covid-19 impacts, ensuring the Council does not return to 'normal' but strives to 'build back better'.

The Gedling Plan is a key aspect of the Council's governance framework and essential in defining sustainable outcomes in terms of economic, social and environmental benefits and has now been fully reviewed and approved by Council in March 2021 and actions to address the ongoing impacts of Covid-19 are embedded within it, including actions that have been deferred due to Covid response work.

The planned review of the Risk Management Strategy was deferred due to the impact of the Covid-19 response work and will now be completed in 2021/22. Risk Management processes continued to be effective throughout 2020/21 with regular updates of the Risk Management Scorecard being considered by Audit Committee and Overview and Scrutiny Committee. Other deferred actions related specifically to governance arrangements are noted in the Action Plan below.

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7.3 Senior Management Arrangements

The Council approved a review of the senior management structure as part of its efficiency programme and phase 1 was delivered toward the end of 2019. It was intended for phase 2 to follow shortly after but this was deferred following the departure of the Chief Executive early in 2020 and subsequently interim management arrangements were in place for the early part of 2020/21. During this time, appropriate governance arrangements, for example the appointment of statutory officers and adequate backfilling arrangements, were put in place to ensure continued effective decision making. The new Chief Executive was appointed in July. Phase 2 of the restructure was approved and implemented in the latter part of 2020/21, recognising the need to balance the requirements of delivering efficiencies with appropriate management capacity to ensure effective governance and the continued delivery of strategic objectives.

7.4 Action Plans

7.4.1 Review of Progress in 2020/21

The 2019/20 Annual Governance Statement (AGS) identified the following control or risk issues and some issues deferred from the previous year which whilst not significant were included, through its proactive and holistic approach to Governance. The progress is detailed below:

2019/20 AGS Actions:

- Constitutional Changes – *A review group was established to update a number of sections of the Constitution in 2019/20. Revised sections were considered by Senior Leadership Team during 2020/21 for consideration by Council in 2021.*

Action: Senior Leadership Team – Completed March 2021.

- Commercialisation – *The Council will investigate the possibility of introducing a commercial housing development operation and appropriate governance issues will need to be identified.*

The Council's Commercial Property Investment Strategy was withdrawn by the Council in March 2021 due to the decision by HM Treasury to restrict borrowing from PWLB for commercial property investment. Future models for housing development activity will not now be commercially focused and will concentrate on the delivery of affordable and social housing. The Council will investigate the options for housing development models and identify appropriate governance arrangements as part of a new project.

Action Deleted

- Officer Training – *A suitable training programme for staff will need to be developed following the outcome of the Constitution review, which would include training in financial management.*

The training programme commenced in 2019/20, covering Local Government Governance Basics; Reporting and Decision Making; Contract Standing Orders and Procurement; Contracts Risk Management; Members Code of Conduct. Further training will now be delivered during 2021/22 due to the impact of Covid-19 response work, to include: Financial Regulations, Counter Fraud, Anti-Money Laundering; Whistleblowing; Officers Declaration of Interests.

Updated Action: Director of Corporate Resources – March 2022.

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- Sustainable Medium Term Financial Plan - A review of the Medium Term Financial Plan will be presented to Cabinet to reflect the impact of Covid-19 and consider the emerging risks of an economic downturn and uncertainties of future local government funding.

Action: Senior Leadership Team – Completed Autumn 2020

- Gedling Plan - A review of the Gedling Plan will be presented to Cabinet to reflect the impact and risks arising from Covid-19.

Action: Senior Leadership Team – Completed Autumn 2020

- Efficiency Programme - A review of the current approved efficiency programme will be completed to ensure value for money is secured: to incorporate the new efficiency target approved by Council in March 2020; the impact of emerging budget pressures e.g. pay award 2020/21; the delivery risks of existing initiatives.

Action: Senior Leadership Team – Completed March 2021

- Officer Declaration of Interests – The review of the Counter Fraud and Corruption Strategy identified improvements to the process for officer declaration of interests that was due to be implemented in 2020/21 but has been deferred due to the impact of the Covid-19 response work.

Updated Action: Chief Financial Officer and Monitoring Officer – March 2022

- Brexit - The United Kingdom left the European Union on 31 January 2020 and entered a transition period which will last until 31 December 2020 and new rules will come into place from 1 January 2021. There is considerable uncertainty regarding the future rules and any impact on the economy and how this might impact on funding levels and demands for public services.

Watching brief: Senior Leadership Management Team. Actions to ensure compliance with the changes in legislation have been implemented in 2020/21. Monitoring of impacts to continue in 2021/22.

7.4.2 Actions 2021/22

Based on our review of the Governance Framework, the following control and risk issues will be addressed in 2021/22:

- Sustainable Medium Term Financial Plan (MTFP) – Review and monitoring of MTFP risks and assumptions to determine if further action is required to secure value for money and a sustainable position: the delivery of the efficiency programme and performance of commercial operations; review of financial settlement and funding streams; the ongoing impact of Covid-19 including the emerging risks of an economic downturn.

Action: Chief Financial Officer/Senior Leadership Team – Autumn 2021

- Workforce Capacity – Phase 2 of the senior management restructure was completed in 2020/21 reducing the number of senior roles to deliver efficiency savings. A further phase of restructuring is due to be completed in 2021/22 to deliver further efficiencies. It is recognised that new ways of working will be required and there is potential for some capacity reductions to arise during this period of change and service planning will require appropriate prioritisation to ensure Gedling Plan delivery and to maintain staff morale.

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Watching brief: Senior Leadership Management Team

- Constitution Review – The revised Constitution to be finalised and adopted by Council and training to be delivered.

Action: Senior Leadership Team/Monitoring Officer – March 2022

- Equality and Diversity Policy and Action Plan – A revised Equality and Diversity Policy and an Equality Framework and Action Plan was approved by Cabinet for public consultation in 2020/21. Following consultation, the final policy and action plan will be adopted with implementation to commence during 2021/22.

Action: Director of Corporate Resources – Autumn 2021

- Risk Management Strategy and Training – A review of the Risk Management Strategy will be completed and training will be delivered to officers and key Members.

Action: Director of Corporate Resources – March 2022

- Emerging Government Legislation – A review of emerging key legislation to identify the impact on service delivery and resource requirements, including the Environment Act and Planning Regulations.

Watching brief: Senior Leadership Management Team

- 7.5 We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. 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.

Mike Hill
Chief Executive

Date:

John Clarke
Council Leader

Date: