



Please ask for Rachel Appleyard  
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The Chair and Members of Cabinet

1 April 2019

Dear Councillor,

Please attend a meeting of the CABINET to be held on TUESDAY, 9 APRIL 2019 at 10.30 am in Committee Room 1, Town Hall, Rose Hill, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 5 - 10)

To approve as a correct record the Minutes of the Cabinet meeting held on 19 March, 2019.

4. Forward Plan

Please follow the link below to view the latest Forward Plan.

[Forward Plan](#)

5. Delegation Report (Pages 11 - 14)

6. Minutes of the Sheffield City Region Mayoral Combined Authority (Pages 15 - 22)

To note the Minutes of the meeting of the Sheffield City Region Mayoral Combined Authority held on 28 January, 2019.

#### Items Recommended to Cabinet via Cabinet Members

##### Deputy Leader

7. Partnerships Protocol (Pages 23 - 32)

##### Cabinet Member for Economic Growth

8. Housing Delivery Test Response (Pages 33 - 44)

##### Cabinet Member for Governance

9. Review of the Code of Corporate Governance and the Annual Governance Statement (Pages 45 - 136)
10. Exclusion of Public

To move “That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements)(Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs 3 of Part 1 of Schedule 12A to the Local Government Act 1972.”

#### Part 2 (Non Public Information)

##### Cabinet Member for Health and Wellbeing

11. Building Cleaning DSO Business Plan 2019/20 (Pages 137 - 142)
12. Landscape and Street Scene Business Plan 2019/20 (Pages 143 - 148)

##### Cabinet Member for Town Centres and Visitor Economy

13. Security Services Business Plan 2019/20 (Pages 149 - 154)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

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## CABINET

Tuesday, 19th March, 2019

Present:-

Councillor P Gilby (Chair)

Councillors	Bagley Blank Brunt T Gilby	Councillors	Huckle Ludlow Serjeant
Non Voting Members	Catt Dickinson		J Innes

\*Matters dealt with under the Delegation Scheme

111 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS  
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

112 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor A Diouf.

113 **MINUTES**

**RESOLVED –**

That the minutes of the meeting of Cabinet held on 26 February, 2019 be approved as a correct record and signed by the Chair.

114 **FORWARD PLAN**

The Forward Plan for the four month period 1 April to 31 July, 2019 was reported for information.

**\*RESOLVED –**

That the Forward Plan be noted.

**115 DELEGATION REPORT**

Decisions taken by Cabinet Members during February and March, 2019 were reported.

**\*RESOLVED –**

That the Delegation Report be noted.

**116 SPORT AND LEISURE FEES AND CHARGES 2019/2020**

The Assistant Director – Health and Wellbeing submitted a report recommending for approval proposed changes to the fees and charges for sport and leisure activities provided at Queen’s Park Sports Centre and Staveley Healthy Living Centre, to take effect from 1 April, 2019.

The fees and charges are reviewed annually in accordance with the Council’s Financial Regulations. The proposed revisions to the fees and charges had taken into account:

- the Council’s commitment to promoting health and wellbeing, particularly amongst the borough’s most vulnerable communities;
- the rise in competition from private gym operators;
- the need to achieve financial sustainability, balancing competitive pricing whilst maximising income;
- how best to retain customers by offering a variety of payment options;
- benchmarking with other public sector sport and leisure providers.

Both facilities would continue to deliver promotional opportunities to stimulate demand and support the retention of customers. In addition, the Change4Life membership option would continue to provide access to reduced fees and charges in line with the Council’s Concessions Policy.

The proposed fees and charges were predicted to achieve an overall 3% uplift in income which would help to offset the increased inflationary pressures relating to the cost of facility operations. Full details of the fees and charges were provided in Appendix A of the officer’s report.

**\*RESOLVED –**

1. That the proposed sport and leisure fees and charges, as outlined in Appendix A of the officer's report, be approved and implemented from 1 April, 2019.
2. That the proposals for concessionary charges, as outlined in Appendix A of the officer's report, be approved.
3. That the Assistant Director – Health and Wellbeing, in agreement with the Cabinet Member for Health and Wellbeing, be authorised to apply appropriate fees and charges to new activities that are introduced during the period 1 April, 2019 through 31 March, 2020.
4. That the Assistant Director – Health and Wellbeing, in agreement with the Cabinet Member for Health and Wellbeing, be authorised to adjust the agreed fees and charges to maximise promotional opportunities in order to stimulate usage, support the retention of customers and respond to external market forces.

## **REASON FOR DECISION**

To set the fees and charges for sport and leisure activities and facilities with effect from 1 April, 2019.

## **117 CHANGE TO THE WASTE LEGISLATION - HOUSEHOLDER DUTY OF CARE FIXED PENALTY NOTICE**

The Senior Environmental Health Officer submitted a report providing details on recent changes to the Environmental Protection Act 1990 and associated guidance with regards to local authorities issuing fixed penalty notices for the illegal disposal of household waste. The report also sought approval to introduce a new £250 fixed penalty notice.

Nationally, there had been a year on year increase in fly tipping offences of which over a third arose from households. Changes in legislation had placed greater accountability on householders for disposing of their household waste responsibly, and introduced provision for prosecutions or the issuing of fixed penalty notices. Whilst the Council would resort to bringing prosecutions where appropriate, the option of a fixed penalty notice was preferred as it was more cost-effective and productive in changing behaviour.

The legislation set a minimum and maximum level of fixed penalties at £150 and £400 respectively. Other nearby local authorities had set the level of the fixed penalty notice at £250. The report therefore proposed to set the level for Chesterfield at £250 to reflect the seriousness of the offence and encourage householders to dispose of their waste safely and legitimately.

**\*RESOLVED –**

1. That the proposals to enable enforcement of the provisions of sections 34 and 34(2A) of the Environmental Protection Act 1990, as outlined in the officer's report, be approved.
2. That the fixed penalty level of £250 be adopted.
3. That the Assistant Director – Health and Wellbeing, in agreement with the Cabinet Member for Health and Wellbeing, be granted delegated authority to introduce and carry out the new powers.
4. That the Assistant Director – Health and Wellbeing be granted delegated authority to authorise the appropriate officers to issue fixed penalty notices under the Environmental Protection Act 1990.

**REASONS FOR DECISIONS**

1. Illegally disposed of waste is a significant blight on local environments, a source of pollution, a potential danger to public health and a hazard to wildlife.
2. Illegally disposed of waste has wider links with criminal activities, imposes avoidable costs on the public purse and draws money away from other priorities.
3. The intention is that the level of the new fixed penalty would act as a deterrent to residents using unauthorised or unregulated waste carriers.

**118 ENFORCEMENT POLICIES**

The Assistant Director – Health and Wellbeing presented a report seeking approval for the adoption of two new policies: Private Sector Housing

Enforcement Policy and Private Sector Housing Fees and Charges Policy. Both policies were attached as appendices to the officer's report.

The Private Sector Housing Enforcement Policy would provide an overview of the legislation and administrative processes which the Council would follow when taking action to ensure private sector housing in the borough is well maintained and safe.

The Private Sector Housing Fees and Charges Policy would support the enforcement policy by setting out the fees and charges that would be levied by the Council for undertaking enforcement actions.

Both policies were designed to encourage good, responsible behaviour by landlords and ensure that, where possible, the cost of enforcement was borne by the offender. The fees and charges policy would also introduce a revised Houses in Multiple Occupation (HMO) licensing fee, to reflect the true costs incurred in administering the HMO licensing process; and make changes to the cost of carrying out work in default by requiring the owner or landlord to pay the actual cost for officer time spent arranging the work.

**\*RESOLVED –**

1. That the Private Sector Housing Enforcement Policy be approved.
2. That the Private Sector Housing Fees and Charges Policy be approved.

**REASONS FOR DECISIONS**

1. To ensure that the Council is able to recover legitimately incurred costs for housing enforcement as set out in the Housing Act 2004.
2. To ensure that the Council can meet its obligations that all properties let as residential dwellings and those in private ownership throughout the Borough are of good quality and are well managed.
3. The Private Sector Housing Enforcement Policy is designed to help deliver the Council's priorities identified in the Council Plan.

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## CABINET MEETING

9 April 2019

## DELEGATION REPORT

### DECISIONS TAKEN BY LEAD MEMBERS

#### Leader (Joint Board with NEDDC and Bolsover DC)

Decision Record No.	Subject	Delegation Reference	Date of Decision
<b>23/18/19</b>	<b>Minutes</b>	<b>R080L</b>	<b>20 March 2019</b>
<p>Decision</p> <p>That the notes and the record of decisions of the Joint Board meeting held on 11 September 2018 be noted.</p>			
<p>Reason for Decision</p> <p>To note progress on joint working.</p>			
<b>24/18/19</b>	<b>Internal Audit Consortium Progress Report 2018/2019 and Draft Business Plan 2019/2020</b>	<b>R080L</b>	<b>20 March 2019</b>
<p>Decision</p> <p>That the 2019/2020 Internal Audit Consortium Business Plan be approved.</p>			
<p>Reason for Decision</p> <p>To enable the Joint Board to consider and approve the 2019/2020 Internal Audit Consortium Business Plan.</p>			

Decision Record No.	Subject	Delegation Reference	Date of Decision
<b>25/18/19</b>	<b>Chesterfield and North East Derbyshire Credit Union Business Plan</b>	<b>R080L</b>	<b>20 March 2019</b>
<p>Decision</p> <p>That the Chesterfield and North East Derbyshire Credit Union Business Plan be approved.</p>			
<p>Reason for Decision</p> <p>To enable the Joint Board to consider and approve the Chesterfield and North East Derbyshire Credit Union Business Plan.</p>			

### **Cabinet Member for Health and Wellbeing**

Decision Record No.	Subject	Delegation Reference	Date of Decision
<b>26/18/19</b>	<b>Cycle Route in Queen's Park</b>	<b>HW960L</b>	<b>11 March 2019</b>
<p>Decision</p> <p>(1) That the Local Government and Regulatory Law Manager be authorised to agree with the highway authority, and enter into on behalf of the Council, a dedication agreement to permit cycling along the specified cycle route (or if appropriate a route similar to this) through Queen's Park, subject to necessary restrictions.</p> <p>(2) That the use of the route be monitored and any necessary works and or signage be undertaken to overcome any justified safety issues that arise.</p>			
<p>Reason for Decision</p> <p>To bring into effect a cycle route between Queen's Park Sports Centre and the strategic cycle network.</p>			
<b>27/18/19</b>	<b>Land at Whitebank Close, Hasland</b>	<b>G260L</b>	<b>20 March 2019</b>
<p>Decision</p> <p>(1) That it be determined that the land at Whitebank Close, Hasland, as shown in Appendix 1 of the officer's report, is no longer required for athletic purposes.</p> <p>(2) That the intention to appropriate the land at Whitebank Close, Hasland for planning purposes, pursuant to Section 122 of the Local Government Act 1972, be approved.</p>			

- (3) That a consultation be carried out on the intention to appropriate the land at Whitebank Close, Hasland on the terms set out in the officer's report and in accordance with Section 122 of the Local Government Act 1972.
- (4) That a further report be presented to the Cabinet Member for Health and Wellbeing detailing representations received to enable the Cabinet Member to make a final decision on whether or not to appropriate the land.

#### Reason for Decision

To secure regeneration of the site for residential purposes, improve the facilities on the Council's retained land and secure a capital receipt for the Council in line with the previous Cabinet approval.

**28/18/19**

**Application to Consider  
Waiving Grant Repayment of  
a Mandatory Disabled  
Facilities Grant**

**HW1280L**

**28 March 2019**

#### Decision

- (1) That, having considered the requirements of The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008 and the applicant's reason for disposing of the property, the authority do not demand repayment of the Disabled Facilities Grant.

#### Reason for Decision

To enable the family to move to a property more suited to allowing a severely disabled child to learn to live independently and safely in their own home.



**SHEFFIELD CITY REGION COMBINED AUTHORITY**

**CONFERENCE ROOM 0.25 - NATIONAL COLLEGE FOR HIGH SPEED RAIL**

**MINUTES OF THE MEETING HELD ON 28 JANUARY 2019**

PRESENT:

Mayor Dan Jarvis MBE, Sheffield City Region (Chair)  
Councillor Chris Read, Rotherham MBC (Vice Chair)

Councillor Julie Dore, Sheffield CC  
Councillor Sir Steve Houghton CBE, Barnsley MBC  
Councillor Glyn Jones, Doncaster MBC  
Councillor Lewis Rose OBE, Derbyshire Dales DC  
James Muir, SCR LEP

Councillor Chris Furness, Peak Park NPA (Observer)

Ruth Adams, SCR Exec Team  
Fiona Boden, SCR Exec Team  
Steve Edwards, SYPTE  
Jeni Harvey, SCR Exec Team  
Justin Homer, BEIS  
Claire James, SCR Exec Team  
Sharon Kemp, Rotherham MBC  
Mark Lynam, SCR Exec Team  
Martin McCarthy, South Yorkshire Joint Authorities  
John Mothersole, Sheffield CC  
Jo Miller, Doncaster MBC  
Keith Noyland, SYPTE  
Mel Dei Rossi, SCR Exec Team  
Dave Smith, SCR Exec Team  
Chloe Shepherd, SCR Exec Team  
Craig Tyler, Joint Authorities Governance Unit

Apologies for absence were received from Councillor G Baxter, Councillor T Gilby, Councillor S Greaves, Mayor R Jones CBE, Councillor A Syrett, H Bowen, A Frosdick, D Swaine, N Taylor, D Terris, E Walker and P Wilson

## Chair's Introduction

The Chair provided members with updates on matters of pertinence to the SCR.

Regarding Brexit, the Chair commented on the current impasse between the Government and Parliament, suggesting this continues to present significant challenges for local businesses. It was suggested the SCR is working hard to provide as much support and assistance to businesses as we can and noted possible mitigation measures for businesses were explored at the last LEP Board meeting.

The Chair suggested that irrespective of the outcome of Brexit, the SCR still faces the fundamental issues of decades of systematic underinvestment in our communities, and therefore there is a need to make sure the region gets its fair share of public investment.

The Chair informed Members he continues to make that point to government and last week, was in the Cabinet Office with Ministers and other Metro Mayors to discuss Brexit and the issue that we are still waiting for the Government to set out its position in respect of the UK Shared Prosperity Fund.

The Chair noted he had also tabled a debate on the future of the UK Shared Prosperity Fund and had met with the to seek his assurance that he will look into the issue of fairer funding for infrastructure projects across the North more generally.

The Chair commented on matters pertaining to the government's LEP review.

The Chair provided Members with an update on the SCR's Transforming Cities Fund bid. It was noted the 'tranche 1' bid (worth £10m and covering six schemes across Barnsley, Doncaster, Rotherham and Sheffield) had been submitted. It was noted that if successful, the funding will play a crucial role developing our transport networks across the region.

It was reported that last week, a milestone for the SCR's "Working Win" initiative was met with more than 2,000 people now taking part. Members were reminded that Working Win is a pioneering health-led research trial that investigates whether a new type of support for people who are struggling with work due to health issues, is better than other services which are already on offer.

### 1 SCRMCA 19/001 APOLOGIES

Members' apologies were noted as above.

### 2 SCRMCA 19/002 ANNOUNCEMENTS

The Chair welcomed the new SCR LEP Board chair to the meeting, James Muir, noting he is an outstanding candidate for the job and brings with him a wealth of experience from the automotive industry.

The Chair noted James lives in Sheffield and has demonstrated a commitment to the local community through his voluntary work.

Members were reminded of intentions to recruit an Active Travel Commissioner to lead on a strategy to promote and support the delivery of active travel projects across the Region.

The Chair informed Members we are currently in the process of forming the Sheffield City Region's Youth Combined Authority and have been working closely with youth groups from across the Region to inform the process of nominating representatives from each area. It was noted the first meeting is scheduled for the middle of February.

3 SCRMCA 19/003 URGENT ITEMS

No items noted.

4 SCRMCA 19/004 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

5 SCRMCA 19/005 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

It was agreed that voting rights could not be conferred on the non-Constituent Members for item 13 (SCRMCA 19/013 South Yorkshire Transport Budget) as the matter concerns the Constituent Members only.

It was agreed there were no further items on which voting rights could not be conferred on the non-Constituent Members.

6 SCRMCA 19/006 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

The Chair declared interests in matters to be addressed at item 16 - LGF Programme Approvals in respect of the Glassworks and Digital Media Centre 2 schemes by virtue of being the serving Member of Parliament for the schemes' geography.

Cllr Houghton declared interests in matters to be addressed at item 16 - LGF Programme Approvals in respect of the Glassworks, Digital Media Centre 2 and M1 j36 Economic Growth Corridor Goldthorpe schemes by virtue of being the Leader of the sponsoring Local Authority.

Cllr Dore declared an interest in the matters to be considered item 16 - LGF Programme Approvals in respect of the Parkwood Springs Ski Village scheme by virtue of being the Leader of the sponsoring Authority.

7 SCRMCA 19/007 REPORTS FROM AND QUESTIONS BY MEMBERS

None.

8 SCRMCA 19/008 RECEIPT OF PETITIONS

Cllr Emma Hoddinott (lead petitioner) presented the meeting with a 40+ signature petition opposing changes to services 10/10a removing them from Markfield Drive. Addressing the meeting, Cllr Hoddinott proposed the changes would impact negatively on elderly service users

In response, Cllr Read noted he was disappointed with how the consultation exercise undertaken to inform service changes in Rotherham had been undertaken and that some good recommendations from service users were not heeded. It was further suggested the changes would reduce services to local shops and hospitals and thus reduce the quality of life of service users.

The meeting received a 600+ signature petition on behalf on Mr Barry Kaye (lead petitioner for the Kimberworth Park Community Partnership) opposing the proposed rerouting of services 139 and 140 away from Oxclose Avenue and Kimberworth Park Road.

The meeting received a 200+ signature petition from Mr Paul Hunton (Lead petitioner for the Wentworth Residents Association) opposing the proposed changes to service 227, which will be partially replaced by the new service 136 via Thorpe Hesley, which will not serve Nether Haugh and along Cortworth Lane.

The Chair directed PTE officers to investigate the matters highlighted by the petitions and respond to the petitioners on the Authority's behalf.

The Chair informed the meeting of intentions to undertaken a review of how public transport services operate across the SCR.

9 SCRMCA 19/009 PUBLIC QUESTIONS

None received.

10 SCRMCA 19/010 MINUTES OF THE MEETING HELD ON 17TH DECEMBER 2018

RESOLVED, that the minutes of the meeting of the SCR Mayoral Combined Authority held on 17<sup>th</sup> December are agreed to be an accurate record of the meeting.

11 SCRMCA 19/011 TRANSPORT STRATEGY

A report was received to present Members with the Sheffield City Region Transport Strategy, noting this is associated with the Mayor's Vision for Transport which was adopted by the MCA on the 17<sup>th</sup> December 2018.

The Chair thanked officers for their work in producing the Strategy and noted a formal Strategy launch would be held in the near future.

It was noted the Strategy had been informed by public and stakeholder consultation and drafted to encompass the Mayor's manifesto commitments for transport.

It was confirmed that following comments by Members, the Strategy would be annotated to include a more explicit reference to the SCR' ambition for a parkway station on the main HS2 line.

Cllr Dore sought an assurance the Strategy had been written mindful of interdependencies with Transport for the North (TfN). It was duly confirmed the Strategy was fully accordant with the TfN Strategic Transport Plan (STP).

RESOLVED, that the Members approve the Transport Strategy for publication, subject to the inclusion of the explicit reference to a parkway station on the HS2 main line.

## 12 SCRMCA 19/012 REVENUE AND CAPITAL BUDGET MONITORING

A report was received to provide the Q3 position for the revenue and capital programme of the Sheffield City Region (SCR) Mayoral Combined Authority (MCA) for the financial year 2018/19.

RESOLVED, that the Combined Authority:

1. Notes the forecast underspend of £482k on the MCA/LEP Revenue Budget
2. Notes the forecast slippage of £855k on the MCA/LEP Revenue Programmes budget
3. Notes the forecast underspend of £698k on the South Yorkshire Transport Revenue Budget
4. Notes the forecast slippage of £2.693m on the South Yorkshire Transport Capital Programme in respect of the BDR Pot and likelihood that slippage will arise on Integrated Transport Block and Highways Capital Maintenance
5. Approves the capital budget variation request to re-allocate £600k of Rotherham's existing BDR Pot funding to part-fund the detailed design of the £42m Parkway widening (to Catcliffe) scheme.

## 13 SCRMCA 19/013 SOUTH YORKSHIRE TRANSPORT BUDGET

A report was received to present the final proposals for the South Yorkshire Transport Revenue Budget and Capital Programme for financial year 2019/20.

The revenue budget also presented the proposed resource requirement for the South Yorkshire Passenger Transport Executive to deliver the South Yorkshire Transport Plan, to be resourced through a levy on the South Yorkshire partners.

Members were advised that to meet statutory deadlines, this transport levy must be set at this meeting.

RESOLVED, that the Combined Authority:

1. Approves the 2019/20 Transport Levy at £54.365m, noting that this represents a 2.5% reduction on the financial year 2018/19
2. Approves the 2019/20 South Yorkshire Revenue Budget with net expenditure of £60.440m
3. Approves the 2019/20 South Yorkshire Capital Programme with planned expenditure of £31.776m

14 SCRMCA 19/014 REVISED CONSTITUTION

A report was received to request the approval of the amendments to the Mayoral Combined Authority Constitution, following the approval of the governance changes at the Authority meeting of 17th December 2018.

Members were advised the Constitution had been amended to reflect the proposals agreed at the previous in respect of the 5 thematic Executive Boards.

It was noted a proposed amendment is to give each thematic Executive Board delegated authority to approve tender awards up to £200,000.00 that are related to its area of responsibility, provided the proposed spend is within budget.

It was noted a further amendment would clarify how grants offered to the Authority are approved for acceptance, in that grant offers up to £100,000 can be accepted by the Finance Director (s.73 Officer); grant offers up to £2m can be accepted by the relevant thematic Executive Boards subject to s.73 Officer agreeing the terms and conditions of the grant offer; and grant offers over £2m can only be accepted by the Authority subject to s.73 Officer agreeing the terms and conditions of the grant offer.

The Chair welcomed this new means of working and suggested it presented a number of challenges and opportunities. It was proposed to undertake a review of the new procedures after the first 6 months of operation.

It was confirmed a further amendment would be made to explain the terms 'independent person' and 'appropriate person' in relation to Committee chairing procedures.

RESOLVED, that the Members approve the amendments to the Constitution.

15 SCRMCA 19/015 LGF PROGRAMME MONITORING

A report was received seeking approval to delegate year-end decisions on LGF funding (in the interests of maximising in-year spend). The report also provided an update on the current LGF Capital Programme.

Members considered the significant proportion of the annual programme that is still to be spent in Q4 and were provided with an assurance that 100% spend profiles are still forecast.

Members were assured that any decisions on funding would only be taken within the thresholds of existing scheme approval levels.

RESOLVED, that the Authority:

1. Notes the LGF Programme update.
2. Approves delegated authority to Head of Paid Service and Section 73 Officer to authorise in year spend variations specifically where a project is able to change expenditure from another financial year into the current year and where that project already has full approval and is in contract (noting the MCA will be informed when these delegated approvals take place).
3. Approves delegated authority to Head of Paid Service and Section 73 Officer in conjunction with the Monitoring Officer to maximise the outturn spend position at year end to mitigate against any potential loss of funding and where that project already has full approval (noting the MCA will be informed when these delegated approvals take place).

16 SCRMCA 19/016 LGF PROGRAMME APPROVALS

A report was received requesting approvals for five schemes, and seeking delegated authority be given to the Head of Paid Service in consultation with the S73 and Monitoring Officer to enter into legal agreements for the schemes.

RESOLVED, that the Authority:

1. Approves the progression of Digital Campus – Digital Media Centre 2 to full approval and award of £2.13m grant to BMBC from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.
2. Approves the progression of Parkwood Springs – Ski Village National Attraction (Phase 1a and 1b) to full approval and award of £4.8m loan to Sheffield City Council from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.
3. Approves the progression of The Glass Works, Barnsley to full approval and award of £7.43m grant to BMBC from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.
4. Approves the progression of M1 Junction 36 – Economic Growth Corridor Goldthorpe – Phase 2 to full approval and award of £7.32m grant to BMBC from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.
5. Approves the progression of Doncaster Sheffield Airport Passenger Capacity Expansion Car Park to full approval and award of £3.5m loan to Doncaster Sheffield Airport Limited from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.

6. Delegates Authority to the Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer, to enter into the contractual arrangements required as a result of the above approvals.

17 SCRMCA 19/017 DELEGATED AUTHORITY REPORT

RESOLVED, that the Authority notes the decisions made under delegation in respect of CA approved recommendations that have been acted upon in the last period.

CHAIR

## For publication

### Partnerships Protocol (J030)

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Meeting: Cabinet

Date: 09.04.2019

Cabinet portfolio: Deputy Leader

Report by: Assistant Director – Policy and Communications

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#### 1.0 **Purpose of report**

1.1 To present for approval the Partnerships Protocol 2019 – 2023.

#### 2.0 **Recommendations**

2.1 That the Partnerships Protocol 2019 – 2023 is approved and implemented.

2.2 That the Deputy Leader is given delegated authority to approve minor amendments to the Partnerships Protocol between the formal review periods.

2.3 That the Partnership Protocol is reviewed in-line with the four year Council Plan in 2023.

#### 3.0 **Background**

3.1 Monitoring arrangements for partnerships had been flagged up as a medium level priority within the Chesterfield Borough

Council Annual Governance Statement. As part of the annual action plan it was agreed at Standards and Audit Committee in February 2019 that partnership monitoring arrangements would be developed to coincide with the launch of the new four year Council Plan 2019 – 2023. The protocol in conjunction with the Council Plan will maximise benefits for the Council and our communities from partnership delivery.

#### **4.0 The Partnerships Protocol**

4.1 Partnership working is an increasingly important way in which Local Government can deliver more efficient and effective services to local residents. Chesterfield Borough Council is a member of a number of partnerships with organisations across the county and region, and in some cases responsible for establishing and leading these partnerships.

4.2 The protocol attached at Appendix 1 establishes minimum standards of governance and management to be followed by partnerships in order to satisfy the Council that the partnerships are being well run and are delivering benefit to the authority and our communities. The protocol outlines key requirements in initiating, approving, setting up, operating, reviewing and exiting partnership arrangements.

#### **5.0 Equalities**

5.1 Equality, diversity and social inclusion are key areas where partnership working can deliver additional benefits to our communities. This protocol seeks to maximise those benefits and minimise potential negative impacts by enhancing monitoring and governance arrangements.

#### **6.0 Resource implications**

6.1 The enhanced monitoring and governance arrangements set out in the protocol can be managed within existing resources.

The Senior Leadership Team and Corporate Management Team are responsible for ensuring that all appropriate approvals are obtained before any negotiations are concluded in relation to work with partnerships.

6.2 Finance and Performance Board will need to be satisfied that the Council can contribute effectively to the partnership, understand and agree the resource implications (financial, human resource and in-kind contributions) and have clarity that the partnership objectives are in line with Council priorities.

## 7.0 Risk management

<b>Risks</b>	<b>Impact</b>	<b>Likelihood</b>	<b>Mitigating Action</b>	<b>Residual Impact</b>	<b>Residual Likelihood</b>
Poor governance and monitoring arrangements of partnerships.	H	M	Partnership protocol developed to provide monitoring and governance framework.	L	L
Poor use of resources and duplication of resources via partnership activity.	M	M	Partnership protocol developed to consider resource implications and provide a consistent viability and validity process for partnership activity.	L	L

Some existing partnerships may require review or even withdrawal.	M	M	Partnership protocol developed to provide monitoring and governance arrangements plus a consistent viability and validity process. Partnerships falling short of these requirements will need to be reviewed, improvements made and if appropriate fair and transparent exit strategies developed.	L	L
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## 8.0 Recommendations

- 8.1 That the Partnerships Protocol 2019 – 2023 is approved and implemented.
- 8.2 That the Deputy Leader is given delegated authority to approve minor amendments to the Partnerships Protocol between the formal review periods.
- 8.3 That the Partnership Protocol is reviewed in-line with the four year Council Plan in 2023.

## 9.0 Reason for recommendations

- 9.1 To improve monitoring and governance arrangements for partnership working.

## Decision information

<b>Non-Key decision number</b>	<b>124</b>
<b>Wards affected</b>	<b>ALL</b>

## Document information

<b>Report author</b>	<b>Contact number/email</b>
<b>Donna Reddish - Assistant Director - Policy and Communications.</b>	<a href="mailto:Donna.reddish@chesterfield.gov.uk"><u>Donna.reddish@chesterfield.gov.uk</u></a>
<b>Appendices to the report</b>	
Appendix 1	Partnerships Protocol 2019 - 2023

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**DRAFT**

**Chesterfield Borough Council**

**Partnership Protocol**

**2019 - 2023**

## **1.0 Context**

Partnership working is an increasingly important way in which Local Government can deliver more efficient and effective services to local residents. Chesterfield Borough Council is a member of a number of partnerships with organisations across the county and region, and in some cases responsible for establishing and leading these partnerships.

This protocol establishes minimum standards of governance and management to be followed by partnerships in order to satisfy the Council that the partnerships are being well run and are delivering benefit to the authority. The protocol will outline key requirements in initiating, approving, setting up, operating, reviewing and exiting partnership arrangements.

## **2.0 What is a partnership?**

The word partnership is used with increasing frequency across all sectors. It can mean different things to different groups. A partnership can be described as a group of stakeholders brought together from a range of organisations, to be responsible for tackling challenges, and exploiting opportunities in which they have a shared interest. A partnership can also be described as a joint working arrangement where partners:

- Are otherwise independent bodies
- Agree to co-operate to achieve common goals or outcomes
- Create a new organisational structure or process to achieve these outcomes
- Plan and implement a jointly agreed programme, often with joint staff or resources
- Share relevant information, and pool risks and rewards

For the purposes of this protocol, a partnership is defined as: An arrangement involving the Council and one or more other organisations from any sector, who share responsibility for agreeing and then delivering a set of actions and outcomes that contribute to the delivery of the Council Plan and/or service priorities.

## **3.0 Features of a partnership**

Partnerships vary widely in the exact form they take, but they usually share a number of basic features:

- A common purpose of the member organisations



- Defined roles and relationships of those involved
- A range of organisations working together
- A lead agency
- A good understanding of the work of other bodies in the partnership
- A constitution or clear terms of reference
- Be resourced in some way
- Have a commitment to share information needed to review value for money and performance
- A protocol or arrangement for dispute resolution

Chesterfield Borough Council would not define a partnership as:

- An arrangement made by the Council with a third party to deliver one or more services on its behalf. This is a contract for services. The Council is defined as the procurer/commissioner of the service and the third party as the contracted provider of that service. *For example a golf course run by an external management company*
- Networks, forums or groups of elected Councillors and/or officers from local authorities and others who come together to discuss forthcoming issues, policy and strategy. *For example a local authority benchmarking group which formulates better practice to improve service delivery*
- External bodies that are single organisations but in which councils may be invited to take part. An example is nominations to governing bodies

#### **4.0 Governance and management processes**

Where a partnership involves a resource commitment e.g. direct funding, direct staffing contribution or an in kind contribution (but opportunity cost) for example free accommodation, the Council's Finance and Performance Board must be consulted before any agreement is made. This includes a change to an existing partnership arrangements or a new arrangement.

In the case of larger partnerships and joint working arrangements with significant finance, staffing and in kind contributions the decision may need to be taken by Cabinet or Joint Cabinet and Employment and General Committee in accordance with the Council's constitution. This follows on from discussions at Finance and Performance Board.

For all partnerships the Director of Finance and Resources in conjunction with the monitoring officer must have reassurance that the partnership will promote and

maintain the same high standards of conduct and governance that apply throughout the Council. They should also ensure that the accounting arrangements are satisfactory and that the overall governance arrangements, legal issues and risks have been fully appraised before agreements are entered into with external bodies.

The Senior Leadership Team and Corporate Management Team are responsible for ensuring that all appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

Finance and Performance Board will need to be satisfied that the Council can contribute effectively to the partnership, understand and agree the resource implications and have clarity that the partnership objectives are in line with Council priorities.

The checklist at Appendix 1 should be completed for all new and changed partnerships to enable Finance and Performance Board to consider the request.

## **5.0 Once a partnership is in place**

The Council will maintain a register of all partnerships (meeting the definition in this protocol) it is involved in. This will contain details of the Council's representatives in the partnerships, the Council's contribution, name and contacts for the lead organisation and other partners. This information will be maintained by the Policy and Communications Service and presented to Finance and Performance Board on an annual basis.

Lead officers will also be asked to provide a one page briefing on the partnership including its outputs and outcomes. Finance and Performance Board may request further information including delivery plans, performance management information and risk registers for a particular partnership so that they can evaluate the costs versus the benefits and ensure expected outputs and outcomes are being met.

This process will provide a viability and validity process for continuing with any partnership. If the Council chooses to withdraw or end a partnership arrangements an exit/succession strategy will need to be developed by the lead officer in consultation with other partners.

## **For publication**

### **Response to the Housing Delivery Test (EG000)**

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Meeting:	Cabinet
Date:	9 April, 2019
Cabinet portfolio:	Economic Growth
Report by:	Strategic Planning and Key Sites Manager

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## **For publication**

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### **1.0 Purpose of report**

- 1.1 To inform members of the results of the government's Housing Delivery Test as they apply to Chesterfield and to set out arrangements that must be put in place in response.

### **2.0 Recommendations**

- 2.1 That Cabinet note the results of the Housing Delivery Test.
- 2.2 That Cabinet authorise the Strategic Planning and Key Sites Manager, in consultation with the Cabinet Member for Economic Growth and Assistant Director - Economic Growth, to prepare and adopt a Housing Delivery Action Plan as required by the National Planning Practice Guidance.

### **3.0 Background**

- 3.1 The government introduced a new Housing Delivery Test (HDT) through the publication of the revised National Planning Policy Framework (NPPF) in July 2018 (which was retained in the February 2019 amended NPPF). In high level terms the Housing Delivery Test compares the net homes delivered over three years to the homes that should have built over the same period (their housing requirement), with a sliding scale of penalties in place for authorities where housing delivery does not meet the required level:
- Delivery is below 95% - the council must prepare an Action Plan setting out how it will increase housebuilding
  - Delivery is below 85% - the council must add an additional 20% to the housing target set out in the council's five year supply of deliverable housing sites
  - Delivery is below 25% (rising to 45% in 2019 and 75% in 2020) – the presumption in favour of sustainable development\* applies, regardless of whether the council can demonstrate a five year supply of deliverable housing sites.
- \* In this situation, even the policies of a recently adopted Local Plan that are relevant to determining a planning application can be considered 'out of date', and are therefore given less weight in decision making, weakening the council's control over where new development can be located. ,
- 3.2 The Housing Delivery Test measurement will be published annually by the Ministry of Housing, Communities and Local Government (MHCLG). Originally expected in November 2018, publication of the test results has been substantially delayed and was instead published on 20<sup>th</sup> February 2019.
- 3.3 The Housing Delivery Test period covers the three financial years prior to the 2018/19 financial year; 2015/16, 2016/17 and 2017/18.

## 4.0 Results of the Housing Delivery Test and Implications

4.1 The result for Chesterfield demonstrates delivery at 66% of the required target.

	Year			Total
	15/16	16/17	17/18	
<b>Homes required</b>	224	220	227	671
<b>Homes delivered</b>	206	130	110	446
<b>Delivery measurement</b>				<b>66%</b>

4.2 The council is therefore now required to respond in two ways:

- Apply a 20% buffer to the five year housing supply
- Prepare an Action Plan within 6 months to assess the causes of under-delivery and identify actions to increase delivery in future years

## 5.0 Applying a 20% Buffer

5.1 The council has been applying a 20% buffer to its five year housing supply since the requirement was originally introduced to respond to 'persistent under delivery' in 2012. The HDT simply clarifies what is meant by 'persistent under-delivery'. The council's latest five year housing supply statement (published in July 2018) demonstrated that the council had a five year supply of deliverable housing sites with the required buffer. A new housing supply statement for 2019 will be prepared shortly as has been done annually since introduction of the NPPF in 2012.

5.2 As the council's adopted Local Plan is now more than five years old, the housing need for the next five years must be based on the Local Housing Need (LHN) methodology set out in the NPPF. This methodology gives a target of 239

dwellings a year. To establish the housing target, this is multiplied by five and the buffer added after:

**5 year housing requirement = (239x5) x 1.2 = 1434 dwellings**

## 6.0 Preparing the Action Plan

6.1 The Action Plan is an additional requirement. Guidance on preparing the action plan is set out in the National Planning Practice Guidance. The action plan will identify the reasons for under-delivery, explore ways to reduce the risk of further under-delivery and set out measures the authority intends to take to improve levels of delivery. The council has six months from publication of the HDT results to prepare and adopt the Action Plan. The Action Plan must therefore be in place on or before the 20<sup>th</sup> August 2019.

6.2 The local planning authority is responsible for producing the action plan, involving relevant stakeholders in the process. It is for the local planning authority to decide which stakeholders to involve, although representatives of those with an impact on the rate of delivery should be included, such as:

- small and large developers;
- land promoters;
- private and public land owners;
- infrastructure providers (such as utility providers, highways, etc);
- upper tier authorities (county councils) in two-tier areas;
- neighbouring authorities with adjoining or cross-boundary sites.

6.3 Due to the delay by the government in publishing the HDT results, the Action Plan will not be in place in time to have any

impact on the next Test, which will cover the 12 month period ending on 31<sup>st</sup> March 2019.

- 6.4 A technical note on how the housing target in the Test was calculated was published alongside the results of the Test. However this technical note is not detailed enough to allow the council to calculate its target for the next monitoring period. The Derbyshire Planning Policy Officer’s Group (DPPOG) (made up of the Planning Policy managers for all of the County, District and Unitary Authorities across Derbyshire) has already undertaken to formally write to the CLG seeking urgent clarification of the methodology.
- 6.5 In the interim, using the target established through the NPPF methodology as an estimate, in the 2018/19 financial year Chesterfield Borough would need to deliver at least **70** net new dwellings to pass the 45% target (which would require an updated Action Plan and continuing to apply the 20% buffer), and would need to have delivered approximately **412** net new dwellings over the 2018/19 financial year in order to pass the test. Based on recent housing completions the expectation is that the council will need to update the Action Plan and continue to apply the 20% buffer in response to the 2019 Test.
- 6.6 On the same basis, in order to pass (more than 95%) the HDT in 2020, the council will need to have delivered a minimum of **280** net new dwellings a year between 2018-2020, and a minimum of **220** net new dwellings a year to avoid the presumption in favour of sustainable development being applied (regardless of the council’s five year housing supply position).

	<b>Required Housing delivery - Estimated Target</b>	
<b>HDT Result</b>	<b>2018/19</b>	<b>2019/20</b>
Prepare Housing Delivery Action Plan	412 dwellings	280 dwellings per year

(95%)		
Apply 20% buffer to five year housing supply (85%)	343 dwellings	245 dwellings per year
Apply presumption in favour of sustainable development (2018/19 - 45%) (2019/20+ - 75%)	70 dwellings	220 dwellings per year

6.7 Monitoring of housing completions is usually undertaken from the 1<sup>st</sup> April each year. It is hoped that an early estimate of completions will be available by the date of this meeting to be reported verbally.

6.8 Some progress has already been made on the issues that will need to be covered in an action plan through the ongoing process of preparing the Local Plan, including gathering information relating to development viability, completion rates and projections of future delivery. Consultation on the Local Plan has also already involved the majority of parties outlined above and their responses to the Local Plan will help to inform preparation of the Action Plan. The council is also already undertaking a range of actions to address housing delivery including:

- Preparing an updated Local Plan for adoption late 2019/early 2020
- A programme of direct investment over five years to deliver around 100 new council dwellings
- Identifying council owned land for disposal for housing development, including a site for approximately 300 dwellings at Linacre Road
- Creating a Housing Delivery Manager post to work with partners to overcome barriers to housing delivery (to be filled by June 2019)

- Working with partners to submit a bid to the government's Housing Infrastructure Fund (HIF) to support growth around the Railway Station and former Staveley Works

Development is also now underway on a number of large housing sites across the borough, including Dunston Road, the former Cammac site, Wheeldon Mill, and Cranleigh Road, with planning permission granted or pending for further significant growth at Waterside (177 homes), Mastin Moor (650 homes) and Poolsbrook (120 homes).

These measures will be highlighted as part of the Action Plan. Preparation of the Action Plan will also help to support the council's Local Plan when it is independently examined.

## 7.0 **Communications**

- 7.1 Preparing the Action Plan is a requirement of national planning policy. Engagement with developers and landowners will be undertaken through the mechanisms already established for the Local Plan and housing monitoring processes.

## 8.0 **Human Resources/People Management and Financial Implications**

- 8.1 Preparation of the Action Plan will be undertaken within existing and/or planned staffing arrangements and within the existing Strategic Planning Team budget.

## 9.0 **Legal**

- 9.1 It is a requirement of national planning policy that the action plan be prepared. It will be prepared in accordance with guidance set out in the National Planning Practice Guidance (NPPG).

## 10.0 Information assurance and data protection

10.1 The Strategic Planning Team already maintains a database of relevant contacts for Strategic Planning purposes that is held in accordance with GDPR requirements. This will be used for the purposes of identifying and involving relevant stakeholders.

## 11.0 Consultation and community engagement

11.1 The guidance on preparing the action plan recommends involving stakeholders in the process. Relevant representations have already been made on this issue through the process of consultation on the submission version of the Local Plan (which ended on 22<sup>nd</sup> February 2019). Any further consultation with stakeholders is expected to be targeted involvement through individual meetings or workshops rather than a more general consultation process with the community.

## 12.0 Equality, diversity and human rights

12.1 A process of Equalities Impact Assessment has already been undertaken on the council's proposed housing targets through the assessment of the Submission version of the Local Plan. The Action Plan would be intended to support the delivery of these targets. A preliminary EIA assessment has been undertaken.

### 12.2 Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Failing the 2018/19 HDT below 45%	High	Low	Monitoring to date indicates this level has already been met	Low	None

threshold (resulting in application of 'presumption in favour of sustainable development')					
Failing the 2018/19 HDT below the 95% threshold (requirement for an Action Plan)	Med	High	No further mitigating action possible at this stage	Med	High
Failing the 2019/20 HDT below 75% threshold (resulting in application of 'presumption in favour of sustainable development')	High	Med	Adopt and implement measures in the Housing Action Plan Appoint Housing Delivery Manager Adopt new Local Plan Work with landowners and developers to bring forward development sites and opportunities for funding	Med	Med
Failing the 2019/20 HDT below the 95% threshold (requirement for an Action Plan)	Med	Med	As above	Med	Low

### 13.0 **Alternative options and reasons for rejection**

- 13.1 The application of a 20% buffer to the council's five year housing requirement and preparation of an action plan are a requirement of national policy and guidance. No alternatives have therefore been considered.

## 14.0 Recommendations

- 14.1 That Cabinet note the results of the Housing Delivery Test.
- 14.2 That Cabinet authorise the Strategic Planning Manager, in consultation with the Cabinet Member for Economic Growth and Assistant Director of Economic Growth, to prepare and adopt a Housing Delivery Action Plan as required by the National Planning Practice Guidance.

## 15.0 Reasons for recommendations

- 15.1 In order to comply with the requirements of national planning policy and guidance.

<b>Glossary of Terms</b>	
HDT	Housing Delivery Test
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
MHCLG	Ministry of Housing, Communities and Local Government
HRA	Housing Revenue Account
Five year housing supply	Requirement in the NPPF that Local Planning Authorities demonstrate annually a sufficient supply of deliverable housing sites for five years, measured against housing need (OAN)
OAN	Objectively Assessed Housing Need
LHN	Local Housing Needs methodology. The method used to calculate the number of new dwellings that must be built in the borough every year to meet the OAN

## Decision information

<b>Key decision number</b>	Non-key 126
<b>Wards affected</b>	<b>All</b>
<b>Links to Council Plan priorities</b>	<p>to make Chesterfield a thriving borough</p> <ul style="list-style-type: none"><li>• To make sure that local people benefit from growth in Chesterfield Borough</li><li>• To continue delivering regeneration projects that will make Chesterfield Borough a better place</li></ul> <p>to improve the quality of life for local people</p> <ul style="list-style-type: none"><li>• To increase the supply and quality of housing in Chesterfield Borough to meet current and future needs</li></ul>

## Document information

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## For publication

### Review of Code of Corporate Governance and the Annual Governance Statement

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Meeting: Cabinet/Standards and Audit Committee

Date: 9th April 2019/24th April 2019

Cabinet portfolio: Cabinet Member for Governance

Report by: Internal Audit Consortium Manager

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## For publication

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### 1.0 **Purpose of report**

1.1 To Review compliance with the Code of Corporate Governance requirements during the year 2018/19 and to present the Annual Governance Statement and associated action plan.

### 2.0 **Recommendations**

2.1 That the Cabinet consider the following documents and refer any comments to the Standards and Audit Committee:

- a) the Annual Review of the Local Code of Corporate Governance for 2018/19 (Appendix A);
- b) The review of the key elements that comprise the Council's governance arrangements (Appendix B)
- c) the Annual Governance Statement (Appendix C);
- d) the Annual Governance Statement Action Plan (Appendix D).

- 2.2 That the Standards and Audit Committee:
- a) consider the documents listed in 2.1 above, together with any comments from Cabinet;
  - b) subject to any amendments that they consider appropriate, approve the Annual Governance Statement and Action Plan; &
  - c) recommend that the Annual Governance Statement be signed by the Leader and Chief Executive.
- 2.3 That a review of the Code of Corporate Governance be undertaken in 12 months' time.
- 2.4 That progress on the Action Plan is monitored by the Corporate Management Team.

### **3.0 Report Details**

#### **Background**

- 3.1 As good practice and to promote sound governance arrangements local authorities are recommended to adopt and regularly review a Code of Corporate Governance. The Code of Corporate Governance details the system by which the Council controls and directs its functions and how it relates to its local community. The overall aim is to ensure that resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision making and that there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.
- 3.2 The Council's Code of Corporate Governance reflects the latest CIPFA / SOLACE guidance "delivering good governance in Local Government Framework 2016 Edition".
- 3.3 The Annual Governance Statement builds on the annual review of the Code of Corporate Governance. In England, the

preparation and publication of an Annual Governance Statement is necessary to meet the statutory requirement set out in the Accounts and Audit (England) Regulations 2015. The Regulation requires authorities to prepare an Annual Governance Statement in accordance with “proper practices” in relation to internal control. The CIPFA / SOLACE framework, ‘Delivering Good Governance in Local Government: Framework (2016)’, defines such “proper practices”.

3.4 The Annual Governance Statement should be an open and honest self-assessment of the organisation’s performance across all of its activities, with a clear statement of the actions being taken or required to address areas of concern. The 2016 CIPFA/SOLACE Framework sets out the following core principles of good Governance:-

- 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 interventions necessary to optimize 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.

- 3.5 Local authorities are required to prepare an annual governance statement in order to report publicly on the extent to which they comply with their own code of governance, which in turn is consistent with the good governance principles in the Framework.
- 3.6 Within the delivering good governance in Local Government Framework 2016 Edition is a list of the key elements of the structures and processes that comprise an authority's governance arrangements. The Corporate Management Team and other senior officers have reviewed the position in Chesterfield Borough Council against the key elements and this review is shown at Appendix B.

### **Review of compliance with the Code of Corporate Governance requirements**

- 3.7 The Review in Appendix A shows that compliance with the Code requirements has been largely achieved during the year 2018/19. Where there is only part compliance or no compliance these areas have been addressed within the Annual Governance Statement Action Plan.

### **The Annual Governance Statement**

- 3.8 The review of compliance with the Code of Corporate Governance helps to identify evidence which is then used in the Annual Governance Statement.
- 3.9 The guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) has also been used when producing the Annual Governance Statement. The Annual Governance Statement (Appendix C) and action plan (Appendix D) have been derived from a detailed review of the assurances by senior officers and from the work undertaken and risks identified by internal audit.

- 3.10 The Corporate Management Team and other senior officers have all been involved in the review.
- 3.11 The review indicates that many of the processes and procedures in place at Chesterfield Borough Council are compliant with good practice however there are a number of governance issues that are detailed within the annual governance statement that require addressing.
- 3.12 Where it has been found that there is a gap or an area where the system of internal control could be further improved, the relevant item has been incorporated into an Action Plan shown as Appendix D. The items in the Action Plan have been ranked, with the more significant issues being included in the Annual Governance Statement (Appendix C) that will be published with the Council's Statement of Accounts.
- 3.13 The Annual Governance Statement (Appendix C) follows the layout of a pro forma statement recommended by the CIPFA guidance. The Statement should be signed by the Leader of the Council and the Chief Executive.

#### **4.0 Human resources / people management implications**

- 4.1 None

#### **5.0 Financial implications**

- 5.1 There are no cost implications.

#### **6.0 Legal and data protection implications**

- 6.1 The preparation and publication of an Annual Governance Statement is necessary to meet the statutory requirement set out in the Accounts and Audit (England) Regulations 2015.

#### **7.0 Consultation**

7.1 The Corporate Management Team and other senior officers have been involved in the review.

## **8.0 Risk Management**

8.1 The failure to operate a sound system of Corporate Governance would represent a significant risk to the Council. The review of the Code of Corporate Governance and the preparation of the Annual Governance Statement have resulted in the production of an action plan to address the risks identified. Progress against the action plan will be monitored by the Corporate Management Team and the Standards and Audit Committee.

## **9.0 Equalities Impact Assessment (EIA)**

9.1 Whilst there are not considered to be any direct equalities impacts in relation to this report, sound corporate governance arrangements will support the achievement of the Council's equalities objectives.

## **10 Alternative options and reason for rejection**

10.1 Not Applicable

## **11.0 Recommendations**

11.1 That the Cabinet consider the following documents and refer any comments to the Standards and Audit Committee:

- a) the Annual Review of the Local Code of Corporate Governance for 2018/19 (Appendix A);
- b) The review of the key elements that comprise the Council's governance arrangements (Appendix B)
- c) the Annual Governance Statement (Appendix C);
- d) the Annual Governance Statement Action Plan (Appendix D).

11.2 That the Standards and Audit Committee:

- a) consider the documents listed in 2.1 above, together with any comments from Cabinet;

- b) subject to any amendments that they consider appropriate, approve the Annual Governance Statement and Action Plan;  
&
- c) recommend that the Annual Governance Statement be signed by the Leader and Chief Executive.

11.3 That a review of the Code of Corporate Governance be undertaken in 12 months' time.

11.4 That progress on the Action Plan is monitored by the Corporate Management Team.

## **12.0 Reasons for recommendations**

12.1 To enable the Cabinet and the Standards and Audit Committee to monitor compliance with the Code of Corporate Governance.

12.2 In order to comply with the requirements of the Accounts and Audit Regulations 2015.

12.3 To support the maintenance of sound governance arrangements within the Council.

## Decision information

<b>Key decision number</b>	<b>Non-key 113</b>
<b>Wards affected</b>	<b>All</b>
<b>Links to Council Plan priorities</b>	All

## Document information

<b>Report author</b>	<b>Contact number/email</b>
<b>Jenny Williams</b>	<b>01246 345468</b> <b><u>Jenny.williams@chesterfield.gov.uk</u></b>
<b>Background documents</b> These are unpublished works which have been relied on to a material extent when the report was prepared.	
Accounts and Audit (England) Regulations 2015 CIPFA/SOLACE publication – Delivering Good Governance in Local Government Framework 2016 Edition  LOCATION: Internal Audit Office	
<b>Appendices to the report</b>	
Appendix A	Annual Review of the Code of Corporate Governance
Appendix B	Review of the key elements that comprise the Council's governance arrangements
Appendix C	Annual Governance Statement
Appendix D	Annual Governance Statement Action Plan

**Chesterfield Borough Council**  
**Local Code of Corporate Governance – 2018/19 Review**

<p>Principle A</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 53</p>	<p><b>A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law</b></p> <p>Local government organisations are accountable not only for how much they spend, but also for how they use the resources under their stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes they have achieved. In addition, they have an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, they can demonstrate the appropriateness of all their actions and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.</p>
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<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
<p><b>Behaving with integrity</b>            Ensuring members and officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated thereby</p>	<p>Members, SLT, CMT</p>	<ul style="list-style-type: none"> <li>• Codes of conduct</li>   <li>• Individual sign</li> </ul>	<p>Member and Officers Codes of Conduct are within the Constitution..</p> <p>Complaints procedures in place. Councillor</p>	<p>Yes</p>

<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
protecting the reputation of the organisation		<p>off with regard to compliance with code</p> <ul style="list-style-type: none"> <li>• Induction for new members and staff on standard of behaviour expected</li> <li>• Adherence to behaviours outlined in council's competency framework</li> </ul>	<p>complaints assessed in accordance with the council procedure</p> <p>All new staff follow an induction process with their line manager and are required to complete various on line training modules</p> <p>Councillors have training on standards generally and also specifically (relating to e.g. planning, licensing). Training is supplemented by updates and refresher sessions as well as advice as necessary</p> <p>All staff have annual</p>	

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
		<ul style="list-style-type: none"> <li>Performance appraisals</li> </ul>	performance appraisals, a 6 month review and 1:1's	
<p>Ensuring members take the lead in establishing specific standard operating principles or values for the organisation and its staff and that they are communicated and understood. These should build on the Seven Principles of Public Life (the Nolan Principles)</p>	Members, SLT, Monitoring Officer	Communicating shared values with members, staff, the community and partners	There is a Council Plan that includes a vision statement which is approved by Council on an annual basis. The Council Plan is cascaded down through SLT, CMT, service Managers meetings, the core brief, team meetings, the aspire intranet and the Borough Bulletin.	Yes
Leading by example and using these standard operating principles or values	Members, SLT, CMT	<ul style="list-style-type: none"> <li>Decision making practices</li> <li>Declarations of</li> </ul>	These are set out in the Constitution Declarations of interest	Yes

<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
as a framework for decision making and other actions		interests made at meetings <ul style="list-style-type: none"> <li>• Conduct at meetings</li> <li>• Shared values guide decision making</li> <li>• Develop and maintain an effective standards committee</li> </ul>	are asked for at the start of every Committee meeting. Included in the Members Code of Conduct. Protocols on Members/Officer relations and Employee Code. There is an Audit and Standards Committee to consider these issues. Changes to the Standards system are being examined following the publication of A Review of the Committee on the Standards in Public Life	
Demonstrating, communicating and	Monitoring Officer, Internal	<ul style="list-style-type: none"> <li>• Anti-fraud and corruption</li> </ul>	Anti-Fraud Bribery and Corruption policy	Yes

<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
<p>embedding the standard operating principles or values through appropriate policies and processes which are reviewed on a regular basis to ensure that they are operating effectively</p>	<p>Audit Consortium Manager, HR, Assistant Director - Policy and communications</p>	<p>policies are working effectively</p> <ul style="list-style-type: none"> <li>• Up-to-date register of interests (members and staff)</li> <li>• Up-to-date register of gifts and hospitality</li> </ul>	<p>reviewed and approved by the Standards and Audit Committee September 18 and advertised to staff on the intranet. Anti – fraud training provided to officers and Members September 16.</p> <p>Fraud and corruption training module on Aspire Learning.</p> <p>Members and staff are expected to declare any interests.</p> <p>There is a current register of gifts and hospitality.</p>	

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
		<ul style="list-style-type: none"> <li>• Whistleblowing policies are in place and protect individuals raising concerns</li> <li>• Whistleblowing policy has been made available to members of the public, employees, partners and contractors</li> <li>• Complaints policy and examples of responding to</li> </ul>	<p>The Council has a current Confidential Reporting Code (Whistleblowing Policy) in place</p> <p>The Confidential Reporting Policy is on the intranet and the Council's website</p> <p>The Council keeps a record of complaints and how they are dealt with</p>	

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
Page 59		<p>complaints about behaviour</p> <ul style="list-style-type: none"> <li>• Changes/improvements as a result of complaints received and acted upon</li> <li>• Members and officers code of conduct refers to a requirement to declare interests</li> <li>• Minutes show declarations of interest were sought and appropriate declarations made</li> </ul>	<p>Lessons are learnt from complaints</p> <p>The Members and Officers Codes of Conduct refer to a requirement to declare interests</p> <p>Declarations of interest is a standard heading on Committee agendas and minutes and any declarations are recorded</p>	
<b>Demonstrating strong</b>				

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
<p><b>commitment to ethical values</b> Seeking to establish, monitor and maintain the organisation's ethical standards and performance</p>	<p>Members, Monitoring Officer Assistant Director - Policy and Communications</p>	<ul style="list-style-type: none"> <li>• Scrutiny of ethical decision making</li>   <li>• Championing ethical compliance at governing body level</li> </ul>	<p>There are 3 Scrutiny Committees:- 1)Overview and Performance Scrutiny Forum 2)Enterprise and Wellbeing Scrutiny Committee 3)Community, Customer and Organisational Scrutiny Committee</p> <p>An annual Scrutiny report goes to Full Council</p>	<p>Yes</p>

<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
<p>Underpinning personal behaviour with ethical values and ensuring they permeate all aspects of the organisation's culture and operation</p>	<p>Members, SLT, CMT</p>	<p>Provision of ethical awareness training</p>	<p>Members receive training on ethical standards which is repeated as necessary. Regulatory Committees have a mandatory training requirement</p> <p>All staff and elected members receive a comprehensive induction which covers behaviour and ethical values</p> <p>Training is also available to both members and officers on specific equality and diversity issues.</p> <p>The Council has</p>	<p>Yes</p>

<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
			established core values which are publicised widely to staff and members and re-enforced during the Performance Development Review process.	
Developing and maintaining robust policies and procedures which place emphasis on agreed ethical values	Assistant Director - Policy and Communications, Monitoring Officer Human Resources Corporate Management Team	<ul style="list-style-type: none"> <li>• Appraisal processes take account of values and ethical behaviour</li> <li>• Staff appointments policy</li> <li>• Procurement policy</li> </ul>	<p>An employee's commitment to the Council's values are assessed at performance development reviews.</p> <p>Anti- harassment and bullying policy</p> <p>Anti- Fraud, Bribery and corruption policy Code of Conduct</p>	Part – The Procurement Strategy requires approval

<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
Page 63			<p>Equality, diversity and social inclusion policy</p> <p>There is a recruitment Policy that ensures a fair appointments process</p> <p>The Procurement Strategy is currently in Development</p>	
<p>Ensuring that external providers of services on behalf of the organisation are required to act with integrity and in compliance with high ethical standards expected by the organisation</p>	<p>SLT,CMT</p>	<ul style="list-style-type: none"> <li>Agreed values in partnership working: Statement of business ethics communicates commitment to ethical values to external</li> </ul>	<p>Draft partnership guidance/protocol has been developed and is currently out for consultation with SLT/CMT and relevant managers. This includes new arrangements for considering partnership arrangements including</p>	<p>Compliance expected March 19</p>

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
		<ul style="list-style-type: none"> <li>• suppliers</li> <li>• Ethical values feature in contracts with external service providers</li> <li>• Protocols for partnership working</li> </ul>	concerns and resource requests at Finance and Performance Board.	
<b>Respecting the rule of law</b> Ensuring members and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations	Monitoring Officer	<ul style="list-style-type: none"> <li>• Statutory provisions</li> <li>• Statutory guidance is followed</li> <li>• Constitution</li> </ul>	Legal Services Protocols Constitution Standards and Audit Committee Procedures in place and training to ensure e.g. planning decisions properly made. Legal duty to promote and maintain standards and vested in Standards and Audit Committee	Yes

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
<p>Creating the conditions to ensure that the statutory officers, other key post holders and members are able to fulfil their responsibilities in accordance with legislative and regulatory requirements</p>	<p>SLT, CMT, HR</p>	<ul style="list-style-type: none"> <li>• Job description/specs</li> <li>• Compliance with CIPFA's <i>Statement on the Role of the Chief Financial Officer in Local Government</i> (CIPFA, 2015)</li> <li>• Terms of reference</li> </ul>	<p>All jobs are required to have job descriptions and person specifications that must be reviewed each time a post becomes vacant. Employment contracts specify whether posts are politically restricted and the constraints placed on office holders</p> <p>The Director of Finance and Resources is the nominated section 151 Officer and the Chief Accountant is the Deputy. CIPFA'S statement on the role of the Chief Financial Officer is complied with</p>	<p>Yes</p>

<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
Page 66		<ul style="list-style-type: none"> <li>Committee support</li> </ul>	<p>Each Committee has its own terms of reference</p> <p>The Local Government and Regulatory Law Manager (the Council's senior solicitor) is the Monitoring Officer. The Deputy Monitoring Officer is a nominated solicitor in their team</p> <p>The Constitution is underpinned by legal references</p> <p>Democratic and Scrutiny functions.</p>	
Striving to optimise the use of	Monitoring	Record of legal advice	Constitution is	Yes

<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
<p>the full powers available for the benefit of citizens, communities and other stakeholders</p>	<p>Officer</p>	<p>provided by officers</p>	<p>underpinned by legal references Committee minutes and reports</p> <p>Constitution reviewed and updated as necessary and is subject to a rolling review, with amendments approved by Standards and Audit committee/Full Council (as appropriate)</p>	
<p>Dealing with breaches of legal and regulatory provisions effectively</p>	<p>Monitoring Officer</p>	<ul style="list-style-type: none"> <li>• Monitoring officer provisions</li> <li>• Record of legal advice provided by officers</li> <li>• Statutory provisions</li> </ul>	<p>The Council has a Monitoring Officer With oversight of governance at the Council and a Deputy Monitoring Officer (in whom vests the legal</p>	<p>Yes</p>

<b>Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice</b>	<b>Responsibility</b>	<b>Examples of systems, processes, documentation and other evidence demonstrating compliance</b>	<b>CBC Situation</b>	<b>Compliance Achieved</b>
			function in the absence of the Monitoring Officer)	
Ensuring corruption and misuse of power are dealt with effectively	Monitoring Officer, Internal Audit Consortium Manager, SLT	<ul style="list-style-type: none"> <li>• Effective anti-fraud and corruption policies and procedures</li> <li>• Local test of assurance (where appropriate)</li> </ul>	The Anti-Fraud Bribery and Corruption Policy was approved by the Standards and Audit Committee September 2018	Yes

<p><b>Principle B</b></p>	<p><b>Ensuring openness and comprehensive stakeholder engagement</b>  Local government is run for the public good, organisations therefore should ensure openness in their activities. Clear, trusted channels of communication and consultation should be used to engage effectively with all groups of stakeholders, such as individual citizens and service users, as well as institutional stakeholders</p>			
<p><b>Openness</b>  Ensuring an open culture through demonstrating, documenting and communicating the organisation's commitment to openness</p>	<p>Members, SLT, CMT</p>	<ul style="list-style-type: none"> <li>• Annual report</li> </ul>	<p>There is not a specific annual report published but there are other means of communication:-</p> <ul style="list-style-type: none"> <li>• Annual financial statements</li> <li>• Council Plan</li> <li>• The council Newsletter "Your Chesterfield" which includes Our Homes for Tenants and Leaseholders</li> <li>• The council website</li> <li>• Videos</li> <li>• Social media channels.</li> <li>• An annual report to tenants is prepared and sent to the Housing Regulator</li> </ul>	<p>Yes</p>

		<ul style="list-style-type: none"> <li>• Freedom of Information Act publication scheme</li> <li>• Online council tax information</li> <li>• Authority's goals and values</li> <li>• Authority website</li> </ul>	<p>(HCA), published on the website and summarised in the Our Homes publication which goes to all households in the Borough as part of the Your Chesterfield publication.</p> <ul style="list-style-type: none"> <li>• Core brief to staff</li> </ul> <p>The Council has adopted a current FOI Publication Scheme</p> <p>Council Tax information is on the website</p> <p>Included in the Council Plan</p> <p>Current website full of information</p>	
Making decisions that are open about actions, plans,	Members, SLT, CMT	Record of decision making and supporting	All reports are "open" agenda items unless	Yes

<p>resource use, forecasts, outputs and outcomes. The presumption is for openness. If that is not the case, a justification for the reasoning for keeping a decision confidential should be provided</p>		<p>materials</p>	<p>there is a valid reason to exclude the public. All decisions by Committees are minuted</p>	
<p>Providing clear reasoning and evidence for decisions in both public records and explanations to stakeholders and being explicit about the criteria, rationale and considerations used. In due course, ensuring that the impact and consequences of those decisions are clear</p>	<p>Assistant Director - Policy and Communications Democratic and Scrutiny Officer</p>	<ul style="list-style-type: none"> <li>• Decision making protocols</li> <li>• Report pro-formas</li>   <li>• Record of professional advice in reaching decisions</li> </ul>	<p>Set out in the Constitution</p> <p>There is a template for Committee reports with Standard headings and an online system in place for reviewing and signoff of reports via ModGov</p> <p>Officers reports are all retained with the Committee agendas and papers Officer</p>	<p>Yes</p>

		<ul style="list-style-type: none"> <li>• Meeting reports show details of advice given</li> <li>• Discussion between members and officers on the information needs of members to support decision making</li> <li>• Agreement on the information that will be provided and timescales</li> <li>• Calendar of dates for submitting, publishing and distributing timely reports is adhered to</li> </ul>	<p>Recommendations included in Committee reports</p> <p>Members can request whatever information they need</p> <p>Terms of reference of the Committees and scheduled meetings during the year</p> <p>Meeting timetable is published</p>	

<p>Using formal and informal consultation and engagement to determine the most appropriate and effective interventions/ courses of action</p>	<p>Assistant Director - Policy and Communications</p>	<ul style="list-style-type: none"> <li>• Community strategy</li> <li>• Use of consultation feedback</li> <li>• Citizen survey</li> </ul>	<p>Communications and engagements strategy which includes an annual action plan. Housing have a Customer Engagement Strategy as required by the HCA and provide a variety of opportunities for tenants to be involved in and shape service delivery including a Tenant Challenge "Scrutiny" Panel.</p>	<p>Yes</p>
<p><b>Engaging comprehensively with institutional stakeholders</b> Effectively engaging with institutional stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear so that outcomes are achieved successfully and sustainably</p>	<p>Assistant Director – Policy and Communications</p>	<p>Communication strategy</p>	<p>There is an approved internal and external communication and engagement strategy in place.</p> <p>Senior Leadership Team has defined relationship leads for key.</p>	<p>Yes</p>

<p>Developing formal and informal partnerships to allow for resources to be used more efficiently and outcomes achieved more effectively</p>	<p>SLT, CMT</p>	<p>Database of stakeholders with whom the authority should engage and for what purpose and a record of an assessment of the effectiveness of any changes</p>	<p>Stakeholder groups identified for different consultation types e.g. community and voluntary sector, sport and leisure organisations, planning consultations, equality and diversity forum etc. Bespoke communication consultation and research plans.</p>	<p>Yes</p>
<p>Ensuring that partnerships are based on: trust a shared commitment to change a culture that promotes and accepts challenge among partners and that the added value of partnership working is explicit</p>	<p>Assistant Director - Policy and Communications</p>	<ul style="list-style-type: none"> <li>• Partnership framework</li>   <li>• Partnership protocols</li> </ul>	<p>Housing's Tenant Challenge Panel (Scrutiny equivalent) has a clear set of Terms of Reference and Code of Conduct for Members.</p> <p>Draft partnership guidance/protocol has been developed and is currently out for consultation with SLT/CMT AND RELEVANT MANAGERS. This includes new</p>	<p>Yes</p>

			arrangements for considering partnership arrangements including concerns and resource requests at Finance and Performance Board.	
<p><b>Engaging stakeholders effectively, including individual citizens and service users</b></p> <p>Establishing a clear policy on the type of issues that the organisation will meaningfully consult with or involve individual citizens, service users and other stakeholders to ensure that service (or other) provision is contributing towards the achievement of intended outcomes.</p>	Assistant Director - Policy and Communications	<ul style="list-style-type: none"> <li>Record of public consultations</li> <li>Partnership framework</li> </ul>	<p>Communications and Engagement Strategy including an annual action plan.</p> <p>Consideration in decision reports</p> <p>Equality impact assessments</p>	Yes
Ensuring that communication methods are effective and that members and officers are clear about their roles with regard to community engagement	Assistant Director – Policy and Communications	Communications strategy	<p>There is an approved communications and engagement strategy in place.</p> <p>Community Engagement Group</p>	Yes

			Derbyshire wide engagement group to share best practice and develop joint approaches where applicable	
Encouraging, collecting and evaluating the views and experiences of communities, citizens, service users and organisations of different backgrounds including reference to future needs	Assistant Director - Policy and Communications and Marketing Manager	<ul style="list-style-type: none"> <li>• Communications strategy</li> <li>• Joint strategic needs assessment</li> </ul>	<p>There is an approved Communication and Engagement Strategy in place including an annual action plan</p> <p>Annual Community Engagement Programme</p> <p>Housing operates a variety of ways for tenants to be involved and give their views e.g. focus groups/ formal meetings/ informal drop in's/ use of a consultation bus in the community. Stakeholder mapping. Bespoke communication consultation and</p>	Yes

			research plans developed.	
<p>Implementing effective feedback mechanisms in order to demonstrate how their views have been taken into account</p> <p>Page 77</p>	<p>Assistant Director - Policy and Communications Communications and Marketing Manager</p>	<p>Communications strategy</p>	<p>There is an approved Communication and Engagement Strategy in place.</p> <p>Community Engagement Group A consultation page is being developed on the website which brings together all consultation activities including “you said, we did” reports on what actions were taken following consultation.</p> <p>Part of decision making process – report template</p> <p>Equality Impact Assessments</p> <p>Results of consultation exercises are published e.g. employee survey .</p>	<p>Yes</p>

Balancing feedback from more active stakeholder groups with other stakeholder groups to ensure inclusivity	Assistant Director - Policy and Communications	Processes for dealing with competing demands within the community, for example a consultation	Forms part of the decision making report template  Equality Impact Assessments	Yes
Taking account of the interests of future generations of tax payers and service users	SLT, CMT	<ul style="list-style-type: none"> <li>• Reports</li> <li>• Joint strategic needs assessment</li> </ul>	Annual State of the Borough Report and briefing notes on emerging issues.  Horizon scanning activity with Corporate Cabinet/SLT/CMT at development days Review of the Council Plan	Yes

<p><b>Principle C</b></p>	<p><b>Defining outcomes in terms of sustainable economic, social, and environmental benefits</b>  The long-term nature and impact of many of local government’s responsibilities mean that it should define and plan outcomes and that these should be sustainable. Decisions should further the authority’s purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.</p>			
<p><b>Defining outcomes</b>  Having a clear vision which is an agreed formal statement of the organisation’s purpose and intended outcomes containing appropriate performance indicators, which provides the basis for the organisation’s overall strategy, planning and other decisions</p>	<p>Members, SLT,CMT</p>	<p>Vision used as a basis for corporate and service planning</p>	<p>There is a Council Plan that defines the Council’s vision and priorities. This sets the framework for all service plans. Progress against the Council Plan is reviewed on an annual basis.</p>	<p>Yes</p>
<p>Specifying the intended impact on, or changes for, stakeholders including citizens and service users. It could be immediately or over</p>	<p>Assistant Director - Policy and communications</p>	<ul style="list-style-type: none"> <li>Community engagement and involvement</li> </ul>	<p>The Council Plan covers 4 years and covers what the Council aims to achieve and what that will mean for people</p>	<p>Yes</p>

the course of a year or longer		<ul style="list-style-type: none"> <li>• Corporate and service plans</li> <li>• Community strategy</li> </ul>	<p>Service Plans are renewed every year and are developed from the Council Plan</p> <p>Communications and Engagement Strategy</p> <p>State of the Borough Report</p>	
Delivering defined outcomes on a sustainable basis within the resources that will be available	SLT, CMT	Regular reports on progress	The Council Plan is aligned to the medium term financial plan and refreshed each year on the basis of the affordability of each of the priorities	Yes
Identifying and managing risks to the achievement of outcomes	SLT, CMT, Risk Management Group	<ul style="list-style-type: none"> <li>• Performance trends are established and reported upon</li> <li>• Risk management protocols</li> </ul>	The performance framework includes quarterly challenge at Finance and Performance Board and Overview and Performance Scrutiny. Annual performance report to Cabinet.	Yes

			<p>The risk management group meets on a quarterly basis and reviews the strategic risk register and the service risk registers on a rotational basis</p> <p>There is a risk management strategy in place</p>	
Managing service users expectations effectively with regard to determining priorities and making the best use of the resources available	SLT, CMT	<ul style="list-style-type: none"> <li>• An agreed set of quality standard measures for each service element and included in service plans</li> <li>• Processes for dealing with competing demands within the community</li> </ul>	<p>Communications and Engagement strategy</p> <p>Service plans include performance targets</p> <p>Budgeting/service reviews/forward planning</p>	Yes

<p><b>Sustainable economic, social and environmental benefits</b></p> <p>Considering and balancing the combined economic, social and environmental impact of policies, plans and decisions when taking decisions about service provision</p>	<p>Members, SLT</p>	<p>Capital investment is structured to achieve appropriate life spans and adaptability for future use or that resources (e.g. land) are spent on optimising social, economic and environmental wellbeing:</p> <ul style="list-style-type: none"> <li>• Capital programme</li>   <li>• Capital investment strategy</li> </ul>	<p>The Council's property portfolio is constantly under review, The aim is to sell a number of assets to release funds for capital projects.</p> <p>The capital programme is approved by Members each year. Officers have to submit capital bids</p> <p>There is a treasury management strategy that is reviewed and approved on an annual basis</p>	<p>Yes</p>
<p>Taking a longer-term view with regard to decision making, taking account of risk and acting transparently</p>	<p>Members, SLT, CMT</p>	<ul style="list-style-type: none"> <li>• Discussion between members and officers on the</li> </ul>	<p>Meetings with Cabinet Member for Finance and Governance on constitution review and</p>	<p>Yes</p>

<p>where there are potential conflicts between the organisation's intended outcomes and short-term factors such as the political cycle or financial constraints</p>		<p>information needs of members to support decision making</p> <ul style="list-style-type: none"> <li>• Record of decision making and supporting materials</li> </ul>	<p>effective decision making. Scrutiny interest in these matters.</p> <p>HRA Business Plan Steering Group to lead on the development of the HRA Business Plan. Comprises of tenants, officers and elected members (scrutiny is part of this group)</p> <p>All committee meetings are minuted and the associated reports retained</p>	
<p>Determining the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits, through consultation where possible, in order to ensure appropriate trade-offs</p>	<p>Assistant Director - Policy and Communications</p>	<ul style="list-style-type: none"> <li>• Record of decision making and supporting materials</li> <li>• Protocols for consultation</li> </ul>	<p>Communications and Engagement Strategy Annual action plans</p> <p>State of the Borough Report. Modgov system to access decision making papers and records.</p>	<p>Yes</p>

Ensuring fair access to services	Assistant Director - Policy and Communications	Protocols ensure fair access and statutory guidance is followed	<p>Communications and Engagement Strategy</p> <p>Consultation is part of The Council's Equality Impact Assessments. Equality, Diversity and Social Inclusion Policy, Strategy and action plan.</p>	Yes

<p><b>Principle D</b></p>	<p><b>Determining the interventions necessary to optimise the achievement of the intended outcomes</b></p> <p>Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions. Determining the right mix of these courses of action is a critically important strategic choice that local government has to make to ensure intended outcomes are achieved They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed continually to ensure that achievement of outcomes is optimised.</p>			
<p><b>Determining interventions</b></p> <p>Ensuring decision makers receive objective and rigorous analysis of a variety of options indicating how intended outcomes would be achieved and including the risks associated with those options. Therefore ensuring best value is achieved however services are provided</p>	<p>SLT, CMT</p>	<p>Discussion between members and officers on the information needs of members to support decision making</p> <ul style="list-style-type: none"> <li>• Decision making protocols</li> <li>• Option appraisals</li> <li>• Agreement of information that will be provided and timescales</li> </ul>	<p>Member/officer decision making protocols in place</p> <p>All Committee reports contain various options and an officer recommendation</p> <p>All committee reports contain a risk analysis</p>	<p>Yes</p>

<p>Considering feedback from citizens and service users when making decisions about service improvements or where services are no longer required in order to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impacts</p>	<p>SLT, CMT</p>	<p>Financial strategy</p>	<p>There is a medium term financial strategy in place and a savings plan both of which are regularly reviewed.</p> <p>HRA Business Plan Steering Group has been fully involved in recommending financial savings to Cabinet in respect of HRA Business Plan.</p>	<p>Yes</p>
<p><b>Planning interventions</b> Establishing and implementing robust planning and control cycles that cover strategic and operational plans, priorities and targets</p>	<p>SLT, CMT</p>	<p>Calendar of dates for developing and submitting plans and reports that are adhered to</p>	<p>Schedule of meetings in place Annual budgets and revised budgets Council Plan reviewed annually Forward Plan</p>	<p>Yes</p>
<p>Engaging with internal and external stakeholders in determining how services and other courses of action should be planned and delivered</p>	<p>Assistant Director - Policy and Communications</p>	<p>Communication strategy</p>	<p>The Council has adopted a Communications and Engagement Strategy and develops annual action plans. Core brief. Feedback given on</p>	<p>Yes</p>

			consultation via the CBC website, social media, public meetings, and Your Chesterfield/ Our Homes where appropriate	
<p>Considering and monitoring risks facing each partner when working collaboratively including shared risks</p>	<p>Assistant Director - Policy and Communications SLT, CMT</p>	<ul style="list-style-type: none"> <li>• Partnership framework</li> <li>• Risk management protocol</li> </ul>	<p>There is a risk management strategy in place that is refreshed every year</p>	<p>Yes</p>
<p>Ensuring arrangements are flexible and agile so that the mechanisms for delivering outputs can be adapted to changing circumstances</p>	<p>SLT, CMT</p>	<p>Planning protocols</p>	<p>Corporate Management Team managers are empowered to run their service flexibly to deliver the Council Plan priorities.</p> <p>Competency based Job Descriptions/Person Specifications for SLT/CMT increases flexibility and agility. This is being rolled out across the Council.</p>	<p>Yes</p>

			One Council: One Team is a core CBC value which is considered during all Performance Development Reviews.	
Establishing appropriate key performance indicators (KPIs) as part of the planning process in order to identify how the performance of services and projects is to be measured	SLT, CMT	KPIs have been established and approved for each service element and included in the service plan and are reported upon regularly	Service plans all contain performance indicators.  The performance framework includes quarterly challenge at Finance and Performance Board and Overview and Performance Scrutiny. Annual Performance report to Cabinet.	Yes
Ensuring capacity exists to generate the information required to review service quality regularly	SLT, CMT	Reports include detailed performance results and highlight areas where corrective action is necessary	The Policy and Communications Service has now been restructured with resources being identified to embed the framework. The performance	Yes

			framework includes quarterly challenge at Finance and Performance Board and Overview and Performance Scrutiny. Annual Performance report to Cabinet.	
Preparing budgets in accordance with organisational objectives, strategies and the medium term financial plan	Director of Finance and Resources/ Chief Accountant	Evidence that budgets, plans and objectives are aligned	Accountancy has regular budget meetings with service managers. Budgets prepared in liaison with service managers taking in to account service plans and savings targets	Yes
Informing medium and long term resource planning by drawing up realistic estimates of revenue and capital expenditure aimed at developing a sustainable funding strategy	Director of Finance and Resources/ Chief Accountant	<ul style="list-style-type: none"> <li>• Budget guidance and protocols</li> <li>• Medium term financial plan</li> <li>• Corporate plans</li> </ul>	<p>Budget guidance protocols issued to all managers</p> <p>There is a medium term financial plan that is reported to Members</p> <p>There is a Finance and Performance Board that meets every fortnight</p>	Yes

<p><b>Optimising achievement of intended outcomes</b> Ensuring the medium term financial strategy integrates and balances service priorities, affordability and other resource constraints</p>	Director of Finance and Resources/ Chief Accountant	<ul style="list-style-type: none"> <li>• Feedback surveys and exit/ decommissioning strategies</li> <li>• Changes as a result</li> </ul>	Service managers are involved in the budget and revised budget process and receive monthly budget information. The medium term financial plan incorporates budget savings targets etc.	Yes
<p>Ensuring the budgeting process is all-inclusive, taking into account the full cost of operations over the medium and longer term</p>	Director of Finance and Resources	Budgeting guidance and protocols	<p>Budget guidance and protocols are issued to all service managers. Well established budget preparation and review procedures</p> <p>Budget challenge sessions</p>	Yes
<p>Ensuring the medium term financial strategy sets the context for on-going decisions on significant delivery issues or responses to changes in</p>	Director of Finance and Resources	Financial strategy	The financial strategy is regularly reviewed and updated as new external information emerges	Yes

<p>the external environment that may arise during the budgetary period in order for outcomes to be achieved while optimising resource usage</p>				
<p>Ensuring the achievement of 'social value' through service planning and commissioning. The Public Services (Social Value) Act 2012 states that this is "the additional benefit to the community...over and above the direct purchasing of goods, services and outcomes"</p>	<p>SLT,CMT</p>	<ul style="list-style-type: none"> <li>• Service plans demonstrate consideration of 'social value'</li> <li>• Achievement of 'social value' is monitored and reported upon</li> </ul>	<p>The priorities in the Council plan are</p> <ol style="list-style-type: none"> <li>1) To make Chesterfield a thriving Borough</li> <li>2) To improve the quality of life for local people</li> <li>3) To provide value for money services</li> </ol> <p>Service plans are built up to reflect these priorities</p>	<p>Yes</p>

<p><b>Principle E</b></p>	<p><b>Developing the entity’s capacity, including the capability of its leadership and the individuals within it</b></p> <p>Local government needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mind-set, to operate efficiently and effectively and achieve their intended outcomes within the specified periods. A local government organisation must ensure that it has both the capacity to fulfil its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Because both individuals and the environment in which an authority operates will change over time, there will be a continuous need to develop its capacity as well as the skills and experience of the leadership of individual staff members. Leadership in local government entities is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.</p>			
<p><b>Developing the entity’s capacity</b>  Reviewing operations, performance use of assets on a regular basis to ensure their continuing effectiveness</p>	<p>Executive Director/Kier</p>	<p>Regular reviews of activities, outputs and planned outcomes</p>	<p>The use of the Council’s buildings is regularly reviewed to ensure that they are fully utilised or potentially sold. The Town Hall is being modernised to facilitate bringing in other businesses to share the accommodation. Council staff from Venture house are being relocated so that more rental income can be achieved at Venture</p>	<p>Part compliance – Condition surveys have been used to identify the capital and revenue budgets for some non- housing properties, the next set of properties is now being worked upon</p>

			<p>House.</p> <p>Housing has an agreed process for disposing of underperforming assets. Disposal of shops, miscellaneous properties and plot garage sites.</p> <p>The condition of the Council's non housing properties are in the process of being assessed in order to be able to identify appropriate capital and revenue budgets to maintain assets to an appropriate standard.</p>	
<p>Improving resource use through appropriate application of techniques such as benchmarking and other options in order to determine how the authority's resources are allocated so that outcomes are achieved</p>	<p>SLT, CMT</p>	<p>Utilisation of research and benchmarking exercise</p>	<p>Within each service area use is made of available benchmarking e.g. through APSE, in order to compare service provision, value for money etc. Fees and charges are set with</p>	<p>Yes</p>

effectively and efficiently			<p>regard to those in place in other areas and reviewed each year by Cabinet.</p> <p>Sector led improvement activity including LGA peer challenge, East Midlands Performance Network and APSE.</p>	
Recognising the benefits of partnerships and collaborative working where added value can be achieved	Members, SLT, CMT	Effective operation of partnerships which deliver agreed outcomes	The Council has many partnerships including Arvato, Kier, Internal Audit Consortium, Building Control, Joint Crematorium, Sheffield City Region and these are monitored to ensure that the desired outcomes are obtained	Yes
Developing and maintaining an effective workforce plan to enhance the strategic allocation of resources	SLT, HR	<ul style="list-style-type: none"> <li>• Workforce plan</li> <li>• Organisational development plan</li> </ul>	The Council has a workforce Strategy and plan that all managers have been made aware of. The plan was revised during 2017/18 to ensure focus and a realistic set	Yes

			of deliverables. A new staff group has been set up to help deliver this.	
<p><b>Developing the capability of the entity's leadership and other individuals</b></p> <p>Developing protocols to ensure that elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship and that a shared understanding of roles and objectives is maintained</p>	SLT, Democratic Services, Monitoring Officer	<ul style="list-style-type: none"> <li>• Job descriptions</li> <li>• Chief executive and leader pairings have considered how best to establish and maintain effective communication</li> </ul>	<p>Every post has a job description and person specification.</p> <p>The CE has regular meetings with the leader</p>	Yes
<p>Publishing a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the governing body</p>	Monitoring Officer	<ul style="list-style-type: none"> <li>• Scheme of delegation reviewed at least annually in the light of legal and organisational changes</li> <li>• Standing orders and financial regulations</li> </ul>	<p>The Constitution is reviewed on an on-going basis</p> <p>Standing orders and financial regulations are reviewed periodically</p>	Yes

		which are reviewed on a regular basis		
Ensuring the leader and the chief executive have clearly defined and distinctive leadership roles within a structure whereby the chief executive leads the authority in implementing strategy and managing the delivery of services and other outputs set by members and each provides a check and a balance for each other's authority	Members, CE	Clear statement of respective roles and responsibilities and how they will be put into practice	The Constitution defines the roles of Committees and Members. Part 2 of the Constitution defines management roles at paragraph 12.1 including the role of the Chief Executive.	Yes
Developing the capabilities of members and senior management to achieve effective shared leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political	SLT, CMT, HR	<ul style="list-style-type: none"> <li>• Induction programme</li> <li>• Personal development plans for members and officers</li> </ul>	Training programme for managers – management modules on Aspire Learning Annual performance development reviews that identify training requirements Induction programme	Yes

<p>and environmental changes and risks by:</p> <p>-ensuring members and staff have access to appropriate induction tailored to their role and that on-going training and development matching individual and organisational requirements is available and encouraged</p> <p>ensuring members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis</p> <p>ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from governance weaknesses</p>		<p>For example, for members this may include the ability to:</p> <ul style="list-style-type: none"> <li>• scrutinise and challenge</li> <li>• recognise when outside expert advice is required</li> <li>• promote trust</li> <li>• work in partnership</li> <li>• lead the organisation</li> <li>• act as a community leader</li> <li>• Efficient systems and technology used for effective support</li> </ul> <p>Arrangements for succession planning</p>	<p>IIP accreditation</p> <p>Cabinet members and senior management hold regular away days to foster a collaborative working relationship.</p> <p>All members undergo induction training, and this is supplemented by specific training on e.g. planning, licensing, standards. Officers undergo relevant CPD to ensure their professional skills and knowledge maintained and updated.</p> <p>Workforce Planning Strategy</p>	
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both internal and external				
Ensuring that there are structures in place to encourage public participation	Assistant Director - Policy and Communications	<ul style="list-style-type: none"> <li>Residents' panels</li> <li>Stakeholder forum terms of reference</li> <li>Strategic partnership frameworks</li> </ul>	<p>Communications and Engagement Strategy</p> <p>Annual Community Engagement Programme</p> <p>Stakeholder mapping</p> <p>Bespoke communication consultation and research plans</p>	Yes
Taking steps to consider the leadership's own effectiveness and ensuring leaders are open to constructive feedback from peer review and inspections	Democratic Services / Monitoring Officer	<ul style="list-style-type: none"> <li>Reviewing individual member performance on a regular basis taking account of their attendance and considering any training or development needs</li> </ul>	<p>Member development Group includes learning and development programme</p> <p>Investors in people</p> <p>Employee survey Core brief</p>	Yes

		<ul style="list-style-type: none"> <li>• Peer reviews</li> </ul>		
<p>Holding staff to account through regular performance reviews which take account of training or development needs</p>	SLT, CMT	<ul style="list-style-type: none"> <li>• Training and development plan</li> <li>• Staff development plans linked to appraisals</li> <li>• Implementing appropriate human resource policies and ensuring that they are working effectively</li> </ul>	<p>Annual PDRs and regular 1:1's. The PDR contains Objectives and Learning Plan that is completed.</p> <p>Learning and Development undertaken in the previous year is also reviewed.</p> <p>There are appropriate human resources policies in place.</p>	Yes
<p>Ensuring arrangements are in place to maintain the health and wellbeing of the workforce and support individuals in maintaining their own physical and mental wellbeing</p>	HR/Health and Safety	Human resource / Health and Safety policies	<p>Managing workplace Stress policy</p> <p>Capability Policy</p> <p>Managing attendance Policy</p> <p>Mental Health awareness training day for managers.</p> <p>Training on various topics available on</p>	Part – A number of health and safety policies are out of date. See AGS action plan

			<p>Aspire Learning. OH clinics on a monthly basis. However, there are a number of health and safety policies that are out of date and require review. There is a health and safety recovery plan in operation.</p>	
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<p><b>Principle F</b></p>	<p><b>Managing risks and performance through robust internal control and strong public financial management</b></p> <p>Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities.</p> <p>A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery, and accountability.</p> <p>It is also essential that a culture and structure for scrutiny is in place as a key part of accountable decision making, policy making and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.</p>			
<p><b>Managing risk</b> Recognising that risk management is an integral part of all activities and must be considered in all aspects of decision making</p>	<p>Members, SLT, CMT</p>	<p>Risk management protocol</p>	<p>There is a risk management strategy in place that is reviewed every year. All committee reports include a risk section</p>	<p>Yes</p>
<p>Implementing robust and integrated risk management arrangements and ensuring that they are working</p>	<p>Director of Finance and Resources</p>	<p>Risk management strategy/ policy formally approved and adopted and reviewed</p>	<p>There is a risk management strategy in place that is reviewed every year.</p>	<p>Yes</p>

effectively		and updated on a regular basis	There is a Corporate risk register and service risk registers There is a risk management Group that meets on a quarterly basis.	
Ensuring that responsibilities for managing individual risks are clearly allocated	Risk Management Group, SLT, CMT	Risk management protocol	The risk management strategy outlines everybody's responsibilities	Yes
<b>Managing performance</b> Monitoring service delivery effectively including planning, specification, execution and independent post implementation review	SLT, CMT	<ul style="list-style-type: none"> <li>• Performance map showing all key activities have performance measures</li> <li>• Benchmarking information</li> <li>• Cost performance (using inputs and outputs)</li> <li>• Calendar of dates for submitting, publishing and</li> </ul>	All areas have a service plan and performance measures form part of that.  Financial Planning Group receives regular reports from each service to track delivery against financial targets.  Performance Management Framework with quarterly reporting schedule.	Yes

		distributing timely reports that are adhered to		
Making decisions based on relevant, clear objective analysis and advice pointing out the implications and risks inherent in the organisation's financial, social and environmental position and outlook	Member, SLT, CMT	<ul style="list-style-type: none"> <li>• Discussion between members and officers on the information needs of members to support decision making</li> <li>• Publication of agendas and minutes of meetings</li> <li>• Agreement on the information that will be needed and timescales</li> </ul>	<p>All committee reports have a section for risk that officers must complete for Members information.</p> <p>All agendas and minutes are published</p> <p>Agreed between Members and Officers</p>	Yes
Ensuring an effective scrutiny or oversight function is in place which encourages	Monitoring Officer, Assistant Director - Policy	<ul style="list-style-type: none"> <li>• The role and responsibility for scrutiny has</li> </ul>	Scrutiny Roles and Responsibilities are defined in the	Yes

<p>constructive challenge and debate on policies and objectives before, during and after decisions are made thereby enhancing the organisation's performance and that of any organisation for which it is responsible</p> <p>(OR, for a committee system) Encouraging effective and constructive challenge and debate on policies and objectives to support balanced and effective decision making</p>	<p>and Communications Democratic and Scrutiny Officer.</p>	<p>been established and is clear</p> <ul style="list-style-type: none"> <li>• Agenda and minutes of scrutiny meetings</li> <li>• Evidence of improvements as a result of scrutiny</li> <li>• Terms of reference</li> <li>• Training for members</li> <li>• Membership</li> </ul>	<p>Constitution. There are 3 scrutiny committees:-</p> <ul style="list-style-type: none"> <li>• Enterprise and Wellbeing,</li> <li>• Community, Customer and Organisational</li> <li>• Overview and Performance</li> </ul> <p>Their role is to produce reports and recommendations which advise Cabinet, the Council or relevant Committees on Policies, budget and service delivery.</p>	
<p>Providing members and senior management with regular reports on service delivery plans and on progress towards outcome achievement</p>	<p>CMT</p>	<p>Calendar of dates for submitting, publishing and distributing timely reports that are adhered to</p>	<p>A full Committee calendar is published at the start of each financial year</p>	<p>Yes</p>

<p>Ensuring there is consistency between specification stages (such as budgets) and post implementation reporting (eg. financial statements )</p>	<p>Director of Finance and Resources</p>	<ul style="list-style-type: none"> <li>• Financial standards, guidance</li> <li>• Financial regulations and standing orders</li> </ul>	<p>Financial Standards and guidance are adhered to. The accounts were audited by KPMG and Mazars from 2018/19. Financial Regulations and Standing orders are within the Constitution</p>	<p>Yes</p>
<p><b>Robust internal control</b> Aligning the risk management strategy and policies on internal control with achieving the objectives</p>	<p>Internal Audit Consortium Manager</p>	<ul style="list-style-type: none"> <li>• Risk management strategy</li> <li>• Audit plan</li> <li>• Audit reports</li> </ul>	<p>The audit plan takes in to account high risk areas and areas that are included in the corporate and service risk registers</p>	<p>Yes</p>
<p>Evaluating and monitoring the authority's risk management and internal control on a regular basis</p>	<p>Standards and Audit Committee, Internal Audit Consortium Manager</p>	<p>Risk management strategy/ policy has been formally approved and adopted and is reviewed and updated on a regular basis</p>	<p>The risk management Strategy is formally reviewed and approved every year by Standards and Audit Committee and Cabinet Internal Audit review the Council's risk management</p>	<p>Yes</p>

			arrangements	
Ensuring effective counter fraud and anti-corruption arrangements are in place	SLT	Compliance with the Code of Practice on Managing the Risk of Fraud and Corruption (CIPFA, 2014)	There is an anti-fraud Bribery and Corruption policy in place (revised September 2018). All managers received fraud awareness training in September 2016	Yes
Ensuring additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor	Director of Finance and Resources, Standards and Audit Committee	<ul style="list-style-type: none"> <li>• Annual governance statement</li> <li>• Effective internal audit service is resourced and maintained</li> </ul>	The Internal Audit Consortium Manager is heavily involved in producing the AGS. The IAC is resourced and maintained at a satisfactory level. An external review of internal audit took place in October 2016 and concluded that the IA Consortium was compliant with the PSIAS.	Yes

<p>Ensuring an audit committee or equivalent group or function which is independent of the executive and accountable to the governing body: provides a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment that its recommendations are listened to and acted upon</p>	<p>Standards and Audit Committee</p>	<p>Audit committee complies with best practice. See Audit Committees: Practical Guidance for Local Authorities and Police (CIPFA, 2013)</p> <ul style="list-style-type: none"> <li>• Terms of reference</li> <li>• Membership</li> <li>• Training</li> </ul>	<p>The audit committee terms of reference are defined in the constitution. The Committee consists of 7 members – 5 Councillors other than the Executive leader. No more than one of those 5 councillors may be a member of the Cabinet. Two parish reps one from Staveley Town Council and one member of Brimington PC</p> <p>Standards and Audit Committee members received relevant training after appointment in May 16 and new appointees receive relevant training. The Standards and Audit Committee undertook a self -assessment on the CIPFA audit committees</p>	<p>Yes</p>
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			Practical Guidance for Local Authorities and Police 2018 edition and concluded that the Committee complies with best practice.	
<p><b>Managing data</b> Ensuring effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data</p>	<p>Customers, Commissioning and Change Manager</p>	<ul style="list-style-type: none"> <li>• Data management framework and procedures</li> <li>• Designated data protection officer</li> <li>• Data protection policies and procedures</li> </ul>	<p>There is a data disposal and retention schedule covering all areas of the Council.</p> <p>There is a data asset register</p> <p>There is a designated Data Protection Officer</p> <p>The Council's IT and Data Protection Policies have recently been refreshed</p> <p>The GDPR action plan has been completed. The Council has an information assurance risk register in place which details the</p>	<p>Yes</p>

			mitigating actions and steps we are taking to address issues identified and this is being monitored quarterly via CMT/SLT	
Ensuring effective arrangements are in place and operating effectively when sharing data with other bodies	Customers, Commissioning and Change Manager	<ul style="list-style-type: none"> <li>• Data sharing agreement</li> <li>• Data sharing register</li> <li>• Data processing agreements</li> </ul>	Data sharing agreements have been reviewed and updated where appropriate for GDPR. Processes are in place preventing new contracts being taken out without the appropriate data sharing agreement in place or approval to progress has been provided by the Council's SIRO.	Yes
Reviewing and auditing regularly the quality and accuracy of data used in decision making and performance monitoring	Assistant Director - Policy and communications, Executive Director	<ul style="list-style-type: none"> <li>• Data quality procedures and reports</li> <li>• Data validation procedures</li> </ul>	Methodology checks for data e.g. consultation activity, State of the Borough report  Performance Management Framework	Yes

			Service plans are in place.	
<p><b>Strong public financial management</b> Ensuring financial management supports both long term achievement of outcomes and short-term financial and operational performance</p>	Director of Finance and Resources	Financial management supports the delivery of services and transformational change as well as securing good stewardship	Medium term financial plan Finance and Performance Board Reporting to Members	Yes
<p>Ensuring well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls</p>	Director of Finance and Resources	Budget monitoring reports	Managers receive monthly budget monitoring reports Regular reporting to Members Quarterly budget meetings with CMT Managers. Finance and Performance Board Savings Strategy	Yes

<p><b>Principle G</b></p>	<p><b>Implementing good practices in transparency, reporting, and audit to deliver effective accountability</b></p> <p>Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the organisation plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.</p>			
<p><b>Implementing good practice in transparency</b></p> <p>Writing and communicating reports for the public and other stakeholders in an understandable style appropriate to the intended audience and ensuring that they are easy to access and interrogate</p> <p>Striking a balance between providing the right amount of information to satisfy transparency demands and enhance public scrutiny while not being too onerous to provide and for users to understand</p>	<p>SLT, CMT</p>	<ul style="list-style-type: none"> <li>• Website</li> <li>• Annual report</li> </ul>	<p>There is an approved Communications and Engagement strategy</p> <p>The website has been developed</p> <p>The council newspaper “Your Chesterfield” which incorporates Our Homes for council tenants is sent out 4 times a year</p> <p>There is no specific annual report but achievements against priorities are communicated to the public through the media, council website and various social media channels.</p>	<p>Yes</p>

			<p>Social media is used to report on council meetings in live time.</p> <p>The style of committee reports is specified to ensure ease of reading and consistency</p>	
<p><b>Implementing good practices in reporting</b> Reporting at least annually on performance, value for money and the stewardship of its resources</p>	SLT	<ul style="list-style-type: none"> <li>• Formal annual report which includes key points raised by external scrutineers and service users' feedback on service delivery</li> <li>• Annual financial statements</li> </ul>	<p>The annual update on the council plan includes a section on performance in the previous year</p> <p>The annual financial statement for 2017/18 were signed off by the required date</p>	Yes
Ensuring members and senior management own the results	Members, SLT	Appropriate approvals	The Corporate Management Team are all involved in monitoring progress against the council plan which is reported to members	Yes

<p>Ensuring robust arrangements for assessing the extent to which the principles contained in the Framework have been applied and publishing the results on this assessment including an action plan for improvement and evidence to demonstrate good governance (annual governance statement)</p>	<p>SLT, CMT, Internal Audit Consortium Manager</p>	<p>Annual governance statement</p>	<p>The annual governance statement is produced via a robust process that involves all of the Corporate Management Team. Attainment against the framework is assessed. Each year an action plan is produced and monitored to address identified weaknesses</p>	<p>Yes</p>
<p>Ensuring that the Framework is applied to jointly managed or shared service organisations as appropriate</p>	<p>SLT</p>	<p>Annual governance statement</p>	<p>The framework applies to jointly managed and shared service organisations</p>	<p>Yes</p>
<p>Ensuring the performance information that accompanies the financial statements is prepared on a consistent and timely basis and the statements allow for comparison with other similar organisations</p>	<p>Director of Finance and Resources</p>	<p>Format follows best practice</p>	<p>The financial statement are reviewed and signed off by external audit (KPMG) which confirms that they comply with best practice.</p>	<p>Yes</p>

<p><b>Assurance and effective accountability</b>  Ensuring that recommendations for corrective action made by external audit are acted upon  Ensuring an effective internal audit service with direct access to members is in place which provides assurance with regard to governance arrangements and recommendations are acted upon</p>	<p>Director of Finance and Resources</p>	<ul style="list-style-type: none"> <li>• Recommendations have informed positive improvement</li> <li>• Compliance with CIPFA's Statement on the Role of the Head of Internal Audit (2010)</li> <li>• Compliance with Public Sector Internal Audit Standards</li> </ul>	<p>An action plan is put in place to implement external audits recommendations. The implementation of internal audit recommendations is monitored by CMT and the Standards and Audit Committee.  The Internal Audit Consortium Manager is CIPFA qualified and complies with the statement on the role of the Head of Internal Audit.  An external review in October 2016 confirmed that internal audit is compliant with PSIAS. An annual internal self-assessment of internal audit also confirms compliance.</p>	<p>Yes</p>
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<p>Welcoming peer challenge, reviews and inspections from regulatory bodies and implementing recommendations</p>	<p>SLT</p>	<p>Recommendations have informed positive improvement</p>	<p>Achieved Investors in people silver status in 2018</p> <p>External review of Internal audit undertaken October 2016 – action plan in place</p> <p>The Council's insurers Zurich have aided in putting effective risk management procedures in place</p> <p>Safeguarding – CBC is fully engaged with the Derbyshire Safeguarding boards including the district sub group which challenge and share best practice amongst district authorities.</p>	<p>Yes</p>
<p>Gaining assurance on risks associated with delivering services through third parties and that this is evidenced in</p>	<p>SLT , Internal Audit Consortium Manager</p>	<p>Annual governance statement</p>	<p>Internal audit review the areas that are delivered by Arvato and Kier and any significant internal</p>	<p>Yes</p>

the annual governance statement			control weaknesses are fed through to the AGS	
Ensuring that when working in partnership, arrangements for accountability are clear and that the need for wider public accountability has been recognised and met	Assistant Director - Policy and Communications	Community strategy	Communications and Engagement Strategy  Decision making arrangements – committee management and Modgov.	Yes

SLT = Senior Leadership Team

CMT = Corporate Management Team

**CHESTERFIELD BOROUGH COUNCIL**

**KEY ELEMENTS OF THE SYSTEMS AND PROCESSES THAT COMPRISE THE COUNCIL'S GOVERNANCE ARRANGEMENTS 2018/19**

<b>Key Element</b>	<b>CBC Arrangement</b>
Developing codes of conduct which define standards of behaviour for members and staff, and policies dealing with whistleblowing and conflicts of interest and that these codes and policies are communicated effectively	Codes of conduct for members and staff are included within the Constitution which is available to all staff on the intranet. Codes of conduct cover conflicts of interest. The Council has a Confidential Reporting (Whistle blowing) Policy which is held in the policies section on the intranet Councillors have training on standards generally and also specifically (relating to e.g. planning, licensing). Training is supplemented by updates and refresher sessions as well as advice as necessary. All staff and elected members receive a comprehensive induction which covers behaviour and ethical values.
Ensuring compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful	The Council has a properly resourced internal audit function and have an appointed monitoring officer and Section 151 officer.
Documenting a commitment to openness and acting in the public interest	Annual financial statements Council Plan The Council has adopted a current FOI Publication Scheme Compliance with the Transparency Agenda There are approved internal and external communication strategies in place There is a Community Engagement Strategy All decisions by Committees are minuted There is an HRA Business Plan Steering Group to lead on the development of the HRA Business Plan that comprises of tenants, officers and elected members.
Establishing clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation	The Council Newspaper "Your Chesterfield" The Council website Social Media Channels Council Tax information is on the website

	<p>Current website full of information All reports are “open” agenda items unless there is a valid reason. Community Engagement Strategy. Feedback given on consultation through the website. An annual report to tenants is prepared and sent to the Housing Regulator (HCA), published on the website and a summary sent to all tenants at the end of September each year. Housing have a Customer Engagement Strategy as required by the HCA and provide a variety of opportunities for tenants to be involved in and shape service delivery e.g. focus groups/formal meetings/informal drop ins/ use of a consultation bus in the community.</p>
Developing and communicating a vision which specifies intended outcomes for citizens and service users and is used as a basis for planning	<p>The council has a Council Plan 2015 – 19 which specifies the Council’s vision, priorities and values. This document details the aims of the council and sets the framework for all service plans. The Council Plan is aligned to the medium term financial plan and refreshed each year on the basis of the affordability of each of the priorities. One Council : One Team is a core CBC value which is considered during all employee Performance Development reviews.</p>
Translating the vision into courses of action for the authority, its partnerships and collaborations	<p>The “vision” / Council Plan is fed in to service plans which include service objectives and performance indicators which all tie back to the Council’s Plan</p>
Reviewing the effectiveness of the decision making in partnerships, information provided to decision makers and robustness of data quality	<p>Draft partnership guidance/protocol has been developed and is currently out for consultation with SLT/CMT and relevant managers. This includes new arrangements for considering partnership arrangements including concerns and resource requests at Finance and Performance Board. New arrangements will be in place for 2019/20.</p>
Measuring the performance of services and related projects and ensuring that they are delivered in accordance with defined outcomes and that they represent the best use of resources and value for money	<p>Vast improvement for 2018/19 with 6/7 service plans being received. Plans include improvements to performance indicators and projects which has supported increased information and challenge via Finance and Performance Board and Scrutiny. Further improvements planned to coincide with</p>

	new Council Plan and Performance Management Framework 2019 – 2023.
Defining and documenting the roles and responsibilities of members and management with clear protocols for effective communication in respect of the authority and partnership arrangements	The roles of members and management are documented within the Constitution. All managers have job descriptions.
Ensuring that financial management arrangements conform with the governance requirements of the CIPFA statement on the role of the Chief Financial Officer in Local Government (2015) and where they do not, explain why and how they deliver the same impact	The Council has in place an experienced qualified accountant as Chief Financial Officer and complies with the requirements of the CIPFA statement on the Role of the Chief Financial Officer. There is also a very experienced and qualified Chief Accountant in post.
Ensuring effective arrangements are in place for the discharge of the monitoring officer function	The Council has an experienced Monitoring Officer and Deputy in place
Ensuring effective arrangements are in place for the discharge of the head of paid service function	The Chief Executive is the Head of Paid service
Providing induction and identifying the development needs of members and senior officers in relation to their strategic roles, supported by appropriate training	All Members undergo induction training and this is supplemented by specific training on e.g. planning, licensing, standards.  All officers have an induction and undergo relevant CPD to ensure that their professional skills and knowledge are maintained and updated. Training needs are identified at Performance Development Reviews and feed through in to a learning and development plan.
Reviewing the effectiveness of the framework for identifying and managing risks and for performance and demonstrating clear accountability	There is a risk management Group in place, membership is made up of senior officers from every area of the Council and the Member for Governance. The Group regularly review the strategic and operational Risk registers. Internal audit undertake regular reviews of the risk management process.
Ensuring effective counter fraud and anti-corruption arrangements are developed and maintained in accordance with the Code of Practice on Managing the Risk of Fraud and Corruption (CIPFA 2014)	The Council has an anti-fraud, bribery and corruption policy and a confidential reporting Code. CIPFA's fraud checklist has been completed and the results reported to the Standards and Audit Committee. Fraud awareness training has been provided to all service managers in September 2016. The Council has a fraud risk register

<p>Ensuring an effective scrutiny function is in place</p>	<p>There are 3 Scrutiny Committees  Overview and Performance Scrutiny Forum  Enterprise and Wellbeing Scrutiny Committee  Community, Customer and Organisational Scrutiny Committee</p> <p>An annual Scrutiny report goes to Full Council</p>
<p>Ensuring that assurance arrangements conform with the governance requirements of the CIPFA statement on the Role of the Head of Internal Audit (2010) and, where they do not, explain why and how they deliver the same impact</p>	<p>The Council is compliant with the CIPFA statement on the Role of Head of Internal Audit. The Internal Audit Consortium Manager is CIPFA qualified and there are sufficient resources to deliver the risk based audit plan.</p>
<p>Undertaking the core functions of an audit committee, as identified in Audit Committees: Practical Guidance for Local Authorities and Police (CIPFA 2013)</p>	<p>The Standards and Audit Committee's terms of reference are included within the Constitution.  The Standards and Audit Committee undertook a self- assessment of their role against CIPFA's Practical Guidance for Local Authorities and Police 2018 Edition in July 2018. The Committee were found to be compliant.</p>
<p>Ensuring that the authority provides timely support, information and responses to external auditors and properly considers audit findings and recommendations.</p>	<p>The 2017/18 final accounts were signed off in a timely manner. External audit recommendations are properly considered and acted upon.</p>
<p>Incorporating good governance arrangements in respect of partnerships and other joint working and ensuring that they are reflected across the authority's overall governance structures.</p>	<p>Core partnerships are supported by Service Level Agreements and are monitored accordingly by the Council's Client Officer, Joint Board etc.  Housing's Tenant Challenge panel has a clear set of Terms of Reference and Code of Conduct for Members.</p>

### CHESTERFIELD BOROUGH COUNCIL

#### ANNUAL GOVERNANCE STATEMENT 2018/19

##### **Scope of Responsibility**

Chesterfield 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. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

Chesterfield 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 Framework 2016 edition*. This Statement explains how the Council has complied with the code and also meets the requirements of Accounts and Audit (England) Regulations 2015 which requires all relevant bodies to prepare an annual governance statement.

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

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 have led to the delivery of appropriate services and value for money.

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 the 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.

The governance framework has been in place at the Council for the year ended 31<sup>st</sup> March 2019 and up to the date of approval of the statement of accounts.

## The governance framework

The key elements of the systems and processes that comprise the Council's governance framework are as follows:-

The Council's vision is "Putting our communities first". Chesterfield Borough Council identifies and communicates the authority's vision of its purpose and intended outcomes for citizens and service users via its Council Plan and Vision statement. The Council Plan consists of 3 priorities:-

- To make Chesterfield a thriving borough
- To improve the quality of life for local people
- To provide value for money services

The Council's values reflect the way the council wants to achieve its vision, these are:-

**Customer focused:** delivering great customer service, meeting customer needs

**Can do:** striving to make a difference by adopting a positive attitude

**One council, one team:** proud of what we do, working together for the greater good

**Honesty and respect:** embracing diversity and treating everyone fairly

The Council Plan is cascaded down through, managers, meetings, service plans, team plans, budgets, the medium term financial plan and employee performance development reviews. This flow ensures that resources are utilised for the achievement of the Council Plan and vision.

The Council works with a number of partnerships to deliver its aims. Where the Council has entered into partnership arrangements it seeks to ensure that these promote the Council's vision of its purpose and intended outcomes for citizens and service users and that they are subject to appropriate governance and performance management arrangements. Two of the Council's significant partnerships are Sheffield City Region Combined Authority and the Local Enterprise Partnership for Derbyshire and Nottinghamshire for which there are inter authority agreements in place.

The best use of resources and value for money are obtained by scrutiny reports and reviews, reviewing service performance, benchmarking and monitoring budgets.

Chesterfield Borough Council has a formal Constitution in place that sets out how it operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. In addition, the Constitution sets out the roles and responsibilities of Members and Senior Managers.

The Cabinet is the part of the authority which is responsible for most day to day decisions. The overview and scrutiny committees support the work of the Council by

scrutinising the decisions made. The Standards and Audit Committee are responsible for maintaining and promoting high standards of conduct and for considering the effectiveness of the Council's risk management arrangements and the control environment. The Committee also reviews reports from internal and external audit and other inspection agencies and seeks assurance that action has been taken where necessary.

Formal Codes of Conduct are in place for Members and Officers and are available on the intranet and form part of induction procedures. To further enhance these high standards the Council has in place a comments, complaints and compliments procedure, a Customer Services Charter, an Anti- Fraud, Bribery and Corruption policy and a Confidential Reporting (whistle blowing) Code.

In order to ensure compliance with relevant laws and regulations, internal policies and procedures Chesterfield Borough Council has a comprehensive induction package and provides training for staff and Members on a regular basis. The Constitution is underpinned by legal references. Training needs are identified through Member and employee performance and development reviews and continuous professional development is encouraged. In 2017 the Council introduced an online learning tool that records all training and includes a comprehensive bank of training modules. Policies are readily available on the intranet to view.

Chesterfield Borough Council has a risk management strategy, a risk management group and risk is considered as part of all Cabinet reports. The corporate risk register and service risk registers are regularly reviewed and appropriate training is provided.

An ICT review has been completed and an improvement programme developed that sets the strategic direction for ICT and digital service redesign. Councillors have approved a £9.7 million nine year programme of ICT improvements. The programme is transformational and will significantly strengthen the Council's ICT service provision, resilience and information security.

The ICT and HR services have transferred to in house delivery and this is to assist with the delivery of the IT improvement and digital innovation programme.

The GDPR action plan has been implemented, ensuring the Council is able to comply with new regulations. An information assurance risk register is in place which details outstanding information assurance risks and the mitigating actions which are being undertaken by the council to reduce / remove risks

In June 2017 Building Control left the Council to become part of a limited company (The Derbyshire Building Control Partnership). There are a series of legal agreements that support the new company including a shareholder agreement and a service level agreement. A separate Board has been set up to govern the new company.

The Council is also increasing its income from commercial work. Any profit earned on the work is returned to the general fund.

The Chief Executive is the designated Head of Paid Service, with the statutory responsibility for the overall review of the Council's staffing and operation. The Chief Executive is monitored for performance in the delivery of political priorities which are in turn monitored and measured across all staff. The Council's Monitoring Officer attends Corporate Management team meetings and is suitably qualified.

The Chief Financial Officer is professionally qualified and experienced to undertake their roles and responsibilities and is supported by an experienced and appropriately qualified finance team. The Chief Financial Officer is a key member of the Corporate Management team and leads and directs a finance function that is fit for purpose. The Chief Financial Officer ensures compliance with S151 requirements. The Council's financial management arrangements conform to the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government.

Internal Audit is provided on a Consortium basis for Bolsover District Council, North East Derbyshire District Council and Chesterfield Borough Council. The Internal Audit function operates in accordance with the Public Sector Internal Audit Standards (PSIAS) and conforms to the requirements of the CIPFA statement on the Role of the Head of Internal Audit. The Internal Audit Consortium Manager is a senior manager, professionally qualified and leads an appropriately resourced and experienced audit team. The external review of internal audit confirmed that the team is compliant with the PSIAS.

Chesterfield Borough Council has a variety of means of communicating with all sections of the community and stakeholders including an internal and external Communication and Engagement Strategy, the Council's website, the publication of "Your Chesterfield" four times a year which includes "Our Homes" for tenants and leaseholders and an annual Community Engagement Programme.

### **Review of Effectiveness**

The 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 Corporate Management Team within the authority who have responsibility for the development and maintenance of the governance environment, the Internal Audit Consortium Manager's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

The processes that have been applied in maintaining and reviewing the effectiveness of the governance framework include:

- Internal audit reviews of systems and procedures in accordance with the agreed internal audit plan
- Annual review of the Council's Code of Corporate Governance
- Assessment against the key elements of the governance framework
- Monitoring Officer reviews and monitors the operation of the Council's Constitution
- The Chief Executive, Executive Directors and Corporate Management Team monitoring the risks and the associated controls assigned to them
- The Chief Financial Officer (the Director of Finance and Resources) providing the Council and the Management team, with financial reports and financial advice covering the whole range of Council Activities
- Reviews by external agencies such as the Council's external auditor
- A review of the system of assurances/internal controls
- The Council's Standards and Audit Committee receives reports on the work of internal audit, including the annual report by the Internal Audit Consortium manager. The annual review of the Local Code of Corporate Governance is reported to both the Standards and Audit Committee and the Council's Cabinet.
- The Cabinet receives and considers reports on the outcome of reviews by the external auditor and other review agencies.
- The Standards and Audit Committee have undertaken a self- assessment against CIPFA standards and were found to be compliant.

It can be demonstrated that the Council's governance arrangements support the council's plan by the sheer volume of achievements. A few of these are:-

- Official opening of Brocklehurst Court following £1 million of refurbishment work. The old bedsits and one bedroomed flats have been converted to provide a mix of one and two bedroomed flats which have new kitchens and bathrooms, heating systems, windows and doors. A similar refurbishment project is now taking place at the Glebe in Old Whittington and at Catherine Court, Brampton.
- The Council was awarded the Investors in people Silver Award
- The Council has achieved the ICT outcomes which were set for delivery in 2018, namely improving theatre box office service levels, increasing skills and knowledge within ICT, increasing infrastructure resilience, achieving Cyber Essentials + and delivering the 1<sup>st</sup> end to end digital processes.
- The winding wheel has had a refurbishment that has seen a café bar area including a ticket collection point, created in the new foyer, new toilets installed and the auditorium and ballroom redecorated.
- The Town Hall refurbishment has progressed to provide opportunities for generating income from other public sector bodies who are interested in utilising space within the building. The Register office has now taken up occupation on the ground floor of the Town Hall and began delivering services to the public from November.
- Work is well underway to build the replacement 530 space Saltergate car park. The new car park should be ready to open in spring 2019.

- Work has been progressing on the former CO-OP store on Elderway with the new hotel set to open in February 2019.
- 32 key activities were identified for priority delivery during 2018/19 and the vast majority of these have been successfully delivered or strong progress made.

### **Internal Audit Opinion 2018/19**

The Internal Audit Consortium Manager is responsible for the delivery of an annual audit opinion that can be used by the council to inform its governance system. The annual opinion concludes on the overall adequacy and effectiveness of the organisation's framework of governance, risk management and control.

In my opinion reasonable assurance can be provided on the overall adequacy and effectiveness of the council's framework for governance, risk management and control for the year ended 2018/19.

Assurance can never be absolute. In this context "reasonable assurance" means that arrangements are in place to manage key risks and to meet good governance principles, but there are some areas where improvements are required.

Overall, 19/24 (79%) of the areas audited received Substantial or Reasonable Assurance demonstrating that there are effective systems of governance, risk management and control in place.

There were 5 Limited Assurance reports issued during the year (Careline, OSD Property Safety Inspections, Outdoor facilities, Laptops and other Removable Media, Sickness Absence Management), where only limited assurance on the reliability of internal controls can be given. Management have agreed the recommendations made and have either implemented them or are actively working towards implementing them.

Previous areas of weakness identified such as Health and Safety, ICT and Procurement are being addressed through longer term improvement plans and programmes.

### **A Review of 2017/18 Governance Issues**

A mid - year review of progress against the 2017/18 AGS action plan was undertaken by the Corporate Management team and was reported to the Standards and Audit Committee. The action plan identified 9 areas for improvement. Positive progress has been made in every area. Where further action / monitoring is required these areas have been carried forward to the 2018/19 AGS action plan.

## Significant governance issues

Whilst there are many areas of the Governance Framework that are operating satisfactorily, the work of internal audit and discussions with the Corporate Management Team has identified that there are some areas where action can be taken to improve the governance arrangements in place. The significant issues are summarised below.

The following significant governance issues have been identified:

No.	Issue Identified	Action to address
1.	<p>Budget – many budget risks have been identified:-</p> <ul style="list-style-type: none"> <li>• Business rate pooling</li> <li>• Business rate appeals, valuation changes</li> <li>• New homes bonus allocations</li> <li>• ICT savings not being delivered</li> <li>• The outcome of the Governments Fair Funding and changes to business rate funding from 201/21 is still not clear</li> <li>• Wage and staffing cost pressures</li> <li>• Escalating energy prices and general cost inflation</li> <li>• Achieving income targets for rents, fees, charges and interest</li> <li>• Delivering required budget savings</li> <li>• Outcome of Brexit</li> <li>• Introduction of Universal Credit</li> </ul> <p>The Council is forecast to balance the General Fund for 2018/19 with a £161K surplus. The MTFP (5yr) from 2019/20 shows a £202k deficit rising to £1.3m by 2023/24. There is a requirement for £1m in IT transformation savings by 2023/24 otherwise the deficit will be £2.3m. The HRA has projected to have a £21m balance at the end of 2018/19.</p>	<p>Need to continue to closely manage the Medium Term Financial Plan to ensure that the Council remains of sound financial standing, and to support decisions on the alignment of budgets to enable delivery of the Council’s corporate plan.</p> <p>This will be achieved through the established mechanisms for financial planning and reporting:</p> <ul style="list-style-type: none"> <li>• Finance and Performance Board</li> <li>• Corporate Cabinet and CMT workshops</li> <li>• Monthly budget monitoring reports to service managers</li> <li>• Quarterly budget monitoring reports to the Council, Cabinet and Scrutiny Forum</li> <li>• Quarterly Assistant Director meetings with finance on budgets</li> <li>• Regular dialogue with the trade unions</li> </ul> <p>Further savings and income generation plans are ongoing.</p>

	Then the MTFP shows a closing balance of circa £7m per annum for the next 3 years.	
2	Non Housing Property Repairs – detailed condition surveys have been undertaken for 11 major assets and have been reviewed by Kier. A second tranche of 8 Council assets is currently being reviewed. Only large assets owned by the Council are being assessed. The risk to the Council is that a large number of assets will require substantial future property repairs spend which may not be budgeted for.	As the costs become clearer decisions will be required to rationalise poor quality assets, increase contribution to the property repairs fund or to borrow for major capital repairs.
3	Workforce Capacity and capability – Ongoing budget challenges and service demands mean that the Council will need continue to manage workforce capacity and capability. In 2018/19 both Executive Directors and the Assistant Director of Housing have left the Council leaving a capacity issue at SLT/CMT level.	The vacancies at SLT / CMT level have been advertised.  SLT and CMT will review the impact of new workloads and projects to determine priorities and direct resources. Vacancy control processes are in place, allowing the Council to review and determine whether vacancies should be filled. Individual performance, capacity and capability will continue to be closely monitored through the half yearly performance reviews and training and development plans are in place to address capability gaps. A 'people' plan, which is aligned to the workforce strategy is being developed and will be implemented in 2019/20.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Cabinet and the Standards and Audit Committee, and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework. The areas identified for improvement form part of the 2018/19 Annual Governance Statement action plan.

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.

**Signed:**

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H Bowen  
Chief Executive

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Councillor T Gilby  
Leader of Chesterfield Borough  
Council

**Date:**

**On behalf of Chesterfield Borough**

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## CHESTERFIELD BOROUGH COUNCIL – ANNUAL GOVERNANCE STATEMENT 2018/19 ACTION PLAN

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
Page 131	<p>1 Budget – many budget risks have been identified:-</p> <ul style="list-style-type: none"> <li>• Business rate pooling</li> <li>• Business rate appeals, valuation changes</li> <li>• New homes bonus allocations</li> <li>• ICT savings not being delivered</li> <li>• The outcome of the Governments Fair Funding and changes to business rate funding from 2020/21 is still not clear</li> <li>• Wage and staffing cost pressures</li> <li>• Escalating energy prices and general cost inflation</li> <li>• Achieving income targets for rents, fees, charges and interest</li> <li>• Delivering required budget savings</li> <li>• Outcome of Brexit</li> <li>• Introduction of Universal Credit</li> </ul> <p>The Council is forecast to balance the General Fund for 2018/19 with a £161K surplus. The MTFP (5yr) from 2019/20 shows a £202k deficit rising to £1.3m by 2023/24. There is a requirement for £1m in IT transformation savings by 2023/24 otherwise the deficit will be £2.3m. The HRA has projected to have a £21m balance at the end of 2018/19. Then the MTFP shows a closing balance of circa £7m per annum for the next 3 years.</p>	<p>Need to continue to closely manage the Medium Term Financial Plan to ensure that the Council remains of sound financial standing, and to support decisions on the alignment of budgets to enable delivery of the Council's corporate plan.</p> <p>This will be achieved through the established mechanisms for financial planning and reporting:</p> <ul style="list-style-type: none"> <li>• Finance and Performance Board</li> <li>• Corporate Cabinet and CMT workshops</li> <li>• Monthly budget monitoring reports to service managers</li> <li>• Quarterly budget monitoring reports to the Council, Cabinet and Scrutiny Forum</li> <li>• Quarterly Assistant Director meetings with finance on budgets</li> <li>• CMT delivering savings and income growth</li> <li>• Regular dialogue with the trade unions</li> </ul> <p>Further savings and income generation plans are ongoing.</p>	Ongoing	Director of Finance and Resources / SLT / CMT	H	√	

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
2	Non Housing Property Repairs – detailed condition surveys have been undertaken for 11 major assets and have been reviewed by Kier. A second tranche of 8 Council assets is currently being reviewed. Only large assets owned by the Council are being assessed. The risk to the Council is that a large number of assets will require substantial future property repairs spend which may not be budgeted for.	As the costs become clearer decisions will be required to rationalise poor quality assets, increase contribution to the property repairs fund or to borrow for major capital repairs.	Ongoing	Director of Finance and Resources	H	√	

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
3	Workforce Capacity and capability – Ongoing budget challenges and service demands mean that the Council will need continue to manage workforce capacity and capability. In 2018/19 both Executive Directors and the Assistant Director of Housing have left the Council leaving a capacity issue at SLT/CMT level.	The vacancies at SLT / CMT level have been advertised. SLT and CMT will review the impact of new workloads and projects to determine priorities and direct resources. Vacancy control processes are in place, allowing the Council to review and determine whether vacancies should be filled. Individual performance, capacity and capability will continue to be closely monitored through the half yearly performance reviews and training and development plans are in place to address capability gaps. A ‘people’ plan, which is aligned to the workforce strategy is being developed and will be implemented in 2019/20.	Ongoing	SLT / CMT / HR	H	√	

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
4	ICT - A comprehensive ICT Improvement Plan has been approved and is now in its implementation stage. Until completion there is still the risk that the Council's IT systems are not fully fit for purpose or that the savings identified will not be achieved	The implementation of the approved IT Improvement Plan will be closely monitored and reported upon.	Ongoing	Assistant Director – Customers, Commissioning and Change	M		×
5	Health and Safety – A Health and Safety Recovery Plan has been developed and progress against this is being monitored on a regular basis. Until the recovery plan is fully implemented there remain risks to the Council.	Progress against the Health and Safety Recovery Plan will continue to be monitored by the Corporate Health and Safety Group and reported to the Health and Safety Committee.	Ongoing	Assistant Director – Health and Wellbeing	M		×

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
6	Procurement – There is a 3 year procurement plan in place to ensure that all of the Council’s processes are robust from start to finish and that value for money is being obtained. A lot more work is still required to ensure that the Council can demonstrate that the tendering and letting of contracts is in line with EU Regulations, Financial Regulations and Standing Orders.	The Council is looking to extend its procurement contract with the NHS for at least 2019/20. Other options will be explored in 2019 if the NHS contract does not offer VFM. Contract discussions are ongoing hopefully for completion in early 2019. The Council’s contract registers will be brought fully up to date in order that the Council is in a better position to understand its procurement requirements. Staff training and development will be further developed in 2019.	Ongoing	Director of Finance and Resources / Assistant Director – Customers, Commissioning and Change / CMT	M		×

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