

## Broads Authority

### Annual Governance Statement 2012/13

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

- 1.1 The Broads Authority 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 Authority also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 1.2 In discharging this overall responsibility the Authority is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, including arrangements for the management of risk.
- 1.3 The Authority 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'. A copy of the Code is on the Authority's website at [www.broads-authority.gov.uk](http://www.broads-authority.gov.uk) or can be obtained from the Head of Governance and Executive Assistant at Yare House, 62-64 Thorpe Road, Norwich NR1 1RY. This statement explains how the Authority has complied with the code and also meets the requirements of regulation 4(2) of the Accounts and Audit Regulations 2003, as amended by the Accounts and Audit (Amendment) (England) Regulations 2006 and the Accounts and Audit (England) Regulations 2011, in relation to the publication of an Annual Governance Statement.

#### **2 The Purpose of the Governance Framework**

- 2.1 The governance framework comprises the systems and processes for the direction and control of the Authority and its activities through which it accounts to, and engages with the community. 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, cost effective services.
- 2.2 The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.
- 2.3 The governance framework has been in place at the Broads Authority for the year ended 31 March 2013 (except where otherwise stated) and up to the date of approval of the statement of accounts.

### **3 The Governance Framework**

- 3.1 At its meeting on 20 November 2009, the Broads Authority adopted a Code of Corporate Governance in accordance with guidance in the CIPFA /SOLACE Framework 'Delivering Good Governance in Local Government'.
- 3.2 The Framework also included a number of supporting principles and suggestions for source documents/good practice that may be used to demonstrate compliance. These have been used by the Authority in developing its Code.
- 3.3 The purpose of the Code is:
- to develop a framework for Corporate Governance for the Authority based on good practice and external guidance;
  - to demonstrate compliance with the principles of good governance; and
  - to continuously improve its effectiveness through an annual review of performance against the framework with an action plan to address weaknesses (as set out in the Annual Governance Statement).
- 3.4 The Code sets out how the Authority delivers good governance, using as its basis the objectives set out in the CIPFA/SOLACE Framework, supported by examples of evidence which demonstrate the actions being taken.
- 3.5 At its meeting on 13 May 2011 the Broads Authority adopted the Broads Plan 2011, the strategic five year plan for the management of the Broads. As part of the development of the new Plan the Authority consulted key stakeholders (including the Broads Forum, which includes representatives of over 50 Broads organisations and user groups), partner organisations and members of the public. The Plan contains a revised vision for the Broads, for the period up to 2030, together with long-term aims, and strategic objectives for the five year period up to 2016. The Plan can be viewed at the following link: <http://www.broads-plan.co.uk/>
- 3.6 The Authority has in place a number of procedures to ensure that it obtains best value for money in all that it does, including Financial Regulations, Standing Orders Relating to Contracts and a Procurement Strategy. These are all reviewed and updated on a regular basis, with the Financial Regulations and Standing Orders Relating to Contracts having been updated in April 2013 to reflect the transition to two Directorates. In addition the Authority adopted a Counter Fraud Bribery and Corruption Strategy in June 2012 to supplement these procedures. The Authority benchmarks some of its key services against those of national park authorities, through the identification of a number of performance indicators, supplemented by a number of 'local' (Broads Authority only) indicators. Performance data is published in the Authority's Business Plan and over time will give an indication of how well the Authority is performing in these areas, both year on year and in comparison with national park authorities.
- 3.7 The Authority also has in place a series of internal financial controls, including approved budgets, separation of duties and authorised signatures, to reflect good practice and ensure that its finances are managed securely to minimise risk.
- 3.8 The views of users have been sought through a number of means, including questionnaires to the Norfolk Citizens Panel and all toll payers (both to be repeated approximately every three years), the visitor centres annual survey and an ongoing

survey of users of the planning system. An on-line survey of all toll payers was carried out in February 2012.

- 3.9 The Authority communicates the results of these surveys, and other relevant information, through its website and through its regular publications Broad Sheet (aimed at toll payers), Broadcaster, and the Annual Report. The Authority also issued two editions during 2012/13 of its electronic residents newsletter, the Broads Explorer.
- 3.10 The Authority does not operate through an Executive. All matters are dealt with by the full Broads Authority, which is the prime decision maker, and its service committees. The Authority monitors the effectiveness of internal control systems through the consideration of regular performance management and budget monitoring reports, and through monitoring and receiving reports on the work of the Financial Scrutiny and Audit Committee.
- 3.11 The terms of reference of the Financial Scrutiny and Audit Committee include responsibility for financial scrutiny, including a review of the Statement of Accounts and Annual Governance Statement, financial planning, audit and risk management.
- 3.12 As a result of the Localism Act 2010 a new standards regime was introduced by the Authority, with the Standards Committee ceasing to exist from 1 July 2012. The new arrangements have incorporated a revised process for hearing allegations against the Authority and a revision to the Code of Conduct was adopted by the Authority on 10 May 2013. Two Independent Persons were appointed to the Authority on 13 July 2012 to support the new standards arrangements.
- 3.13 The Authority has appointed the Head of Finance and Revenue Services at Broadland District Council to act as its Treasurer and Financial Adviser ('the Treasurer'), to be responsible for the proper administration of the Authority's financial affairs, as set out in Section 17 (1) of the Norfolk and Suffolk Broads Act 1988. The Treasurer has a defined job description, appropriate delegated powers, works closely with senior officers of the Authority (in particular the Director of Planning and Resources and Head of Finance), is consulted on key decisions, receives all committee papers which have potentially significant financial implications, and attends Broads Authority meetings as and when appropriate to provide high level strategic and financial advice.
- 3.14 The Treasurer is professionally qualified and suitably experienced. Although not a member of the Authority's Management Team, she has access to the Chief Executive and Director of Planning and Resources and is entitled to attend meetings of the Management Team should she consider it to be necessary.
- 3.15 The Treasurer is supported by the Director of Planning and Resources and the Head of Finance, who are both members of the Management Team and who work closely with the Treasurer in overseeing the Authority's strategic financial arrangements. The Head of Finance manages the financial arrangements and internal financial controls on a day to day basis.
- 3.16 Although these arrangements do not comply in all respects with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government, they are considered to be appropriate and proportionate for the size and budget of the Authority, and have worked successfully for many years, representing a good example of partnership working between local authorities.

- 3.17 The Chief Executive is responsible for day to day management and maintenance of internal controls within the Authority, with advice and support from the Treasurer and Financial Adviser, Solicitor and Monitoring Officer, and other senior officers.
- 3.18 There are clear Terms of Reference which set out the powers reserved to the Broads Authority and its committees, and a Scheme of Powers Delegated to Officers, which sets out the powers delegated to the Chief Executive and other senior officers. These were both updated by the Authority on 22 March 2013 and are due for a further review in March 2016.
- 3.19 The Authority has in place a Whistle Blowing Policy which enables staff to raise concerns or issues about any aspect of the Authority's work, and a formal Complaints Procedure for receiving and investigating complaints from members of the public. Both documents have been updated in April 2013 to reflect the transition to two Directorates and are on the Authority's Intranet; the latter is also on the Authority's website. There were four formal complaints received during this period and a summary of the complaints and responses were provided to the Authority on 10 May 2013. There were no complaints received by the Local Government Ombudsman.
- 3.20 The Authority's Strategic Risk Register is reviewed six monthly by risk owners and by the Management Forum so that the Management Team can provide assurance that key strategic and operational risks have been identified, monitored and reviewed during the year and that key controls to mitigate the identified risks have operated effectively throughout the year. It is also reviewed on an annual basis by the Financial Scrutiny and Audit Committee. In addition the Risk Management Strategy is reviewed annually.
- 3.21 A Partnerships Protocol and Register of Partnerships have been developed, and the Authority has identified and reviewed the governance arrangements in respect of all significant partnerships, with identified weaknesses being addressed through an Action Plan, with responsibility for action and timescales.
- 3.22 The Authority has made significant progress in developing its asset management practices over the past two years, following an Audit Commission qualification in 2009/10. Comprehensive data of all the Authority's land and property assets have been captured on a consolidated Excel database, and the corresponding paper records have been consolidated into one location. Phase One of the Asset Management Plan has now been developed and the Authority endorsed the process for the development of a Capital Plan for the Authority's assets at its meeting on 23 November 2012.
- 3.23 Significant progress was made during the year through the Review of Consultative Arrangements and Community/Stakeholder Engagement, which has assisted in providing general engagement principles and guidelines for when engaging with stakeholders and enabled a full review of the Broads Forum's arrangements. This important work has also identified the need to establish Parish Forums as a primary community engagement mechanism, with related actions placed in the Authority's Annual Strategic Priorities and the Annual Governance Statement Action Plan for 2013/14.

#### **4 Review of Effectiveness**

- 4.1 The Authority has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the executive managers within

the Authority who have responsibility for the development and maintenance of the governance environment, the Head of Internal Audit's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

- 4.2 As part of this exercise the Authority reviews the Code of Corporate Governance on an annual basis. The annual review is initiated by the Head of Governance and Executive Assistant, and includes consultations with the Management Team, the Solicitor and Monitoring Officer, the Treasurer and Financial Adviser and the Chairs of the Financial Scrutiny and Audit Committee and the Standards Committee. Other senior officers are also invited to contribute.
- 4.3 The Treasurer and Financial Adviser and Monitoring Officer have provided an assurance that, subject to the weaknesses already identified and addressed in the Action Plan, the Authority's governance arrangements are adequate and are operating effectively. They have confirmed that there have been no significant control issues that have required the need for formal action in their respective roles.
- 4.4 The Monitoring Officer has been asked to provide an annual ethical assessment of the activities of the Authority and what, if necessary, the Authority could do to improve its ethical standards. There was one complaint raised during 2012/13, which was investigated in consultation with the Independent Person and resulted in a recommendation that no action be taken. The Monitoring Officer, in consultation with the Independent Persons, has concluded that 'the ethical standards of the Authority continue to be high'.
- 4.5 Internal audit reports are considered by the Management Team and other officers as appropriate, and a management response is submitted in respect of each recommendation, setting out whether the recommendation is accepted, what action will be taken, which officer is responsible and the timetable for action. Each audit report contains an independent assurance of opinion on the adequacy and effectiveness of controls in place to mitigate risks. The agreed actions are followed up subsequently to ensure implementation, thus ensuring that the Authority's risks are properly managed. A summary of all internal audit work carried out during the year is received by the Financial Scrutiny and Audit Committee, together with regular reports setting out progress made in implementing internal audit recommendations. Any significant issues of concern are brought to the attention of the the Broads Authority.
- 4.6 The Authority has developed a strategic five year audit plan for the Authority, using a risk based approach, supplemented by an annual audit plan.
- 4.7 The audit plan for 2012/13 included the standing audits relating to Corporate Governance and Risk Management, and Key Controls, which resulted in "good" and "adequate" audit opinions respectively. There were no significant issues arising from either of these audits with one Medium and one Low priority recommendation being generated. The level of audit coverage in 2012/13 was reduced in comparison to previous years due to the deferral of computer audit work, but coverage will be at the usual level from 2013/14 onwards.
- 4.8 The Accounts and Audit (England) Regulations 2011 require that the Authority must undertake an annual review of the effectiveness of its internal audit function, and that this review must be carried out by the same body that reviews the effectiveness of the system of internal control. The aim is not only to make the Authority more aware of the work of Internal Audit and its key role in governance, but also to make those

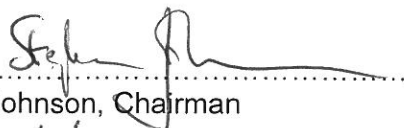
charged with governance more able to understand the connection between, and the Authority's responsibility for, risk management, internal control and the function of internal audit. This review was the subject of a separate report to the Financial Scrutiny and Audit Committee at its meeting on 9 July 2013. *The Committee concluded that proper arrangements had been put in place to comply with the statutory requirements relating to Internal Audit, and that the system of internal control at the Authority was effective. (To be confirmed by FSAC on 9 July 2013)*


- 4.9 In order for the Broads Authority to be able to place reliance on the opinions contained within this report, the Head of Internal Audit has in place a performance management and quality assurance framework to demonstrate that the Internal Audit Service is:
- meeting its aims and objectives;
  - compliant with the CIPFA Code of Practice for Internal Audit in Local Government in the United Kingdom 2006;
  - meeting internal quality standards;
  - effective, efficient and continually looking to improve service delivery; and
  - adding value and assisting the Authority in achieving its objectives.
- 4.10 Additionally the Authority is informed of the work of the appointed auditors and inspectors, including receipt of the Annual Governance Report and annual audit and inspection letter.
- 4.11 The Head of Internal Audit is required to provide an annual opinion on the overall adequacy and effectiveness of the Authority's internal control environment, including its corporate governance framework and risk management arrangements, identifying any weaknesses that qualify this opinion and highlighting significant issues.
- 4.12 On the basis of the internal audit work undertaken during 2012/13, it is the opinion of the Internal Audit Consortium Manager that the Authority's internal control environment is 'Adequate', in accordance with the definitions provided in that report. For the purposes of this opinion, the 'internal control environment' includes the Authority's corporate governance arrangements and systems of risk management. The Internal Audit Consortium Manager has indicated, with regard to the provisions in place and following the internal audit report, that she is able to give a 'Good' opinion in relation to Corporate Governance and Risk Management arrangements.
- 4.13 We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Financial Scrutiny and Audit Committee, and a plan to address weaknesses and ensure continuous improvement of the system is in place.

## **5 Significant Governance Issues**

- 5.1 An Action Plan has been developed in order to address those significant governance issues which have been identified and to secure continuous improvement in the Authority's governance arrangements. This is set out at Appendix 1b.
- 5.2 This Action Plan has been informed not only by the results of audit and other reports, but also by the results of a self assessment assurance statement which has been circulated to all senior managers, inviting them to assess the Authority's performance across a range of governance issues, in order to identify any gaps and weaknesses and add value to the Authority's governance arrangements.

- 5.3 The Action Plan is monitored on a regular basis by the Head of Governance and Executive Assistant, and a record of progress against the recommendations is maintained.
- 5.4 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   
Dr J S Johnson, Chairman  
Date 27/9/2013

Signed   
Dr J Packman, Chief Executive  
Date 27/9/2013

**Annual Governance Statement 2012/13**

**2013/14 Action Plan**

Action	Lead Officer(s)	Target Date	Priority
<b>Asset Management</b>			
Identify Phase 2 liabilities and associated costs arising out of Broads Authority assets, and incorporate into capital programme	Asset Officer	By 31 December 2013	H
<b>Business Continuity</b>			
Hold a Business Continuity exercise to test fallback arrangements for the loss of Yare House	Head of Governance and Executive Assistant/Head of ICT and Collector of Tolls	By 31 March 2014	M
Update the Business Continuity Plan to include continuity of Financial processes	Head of Finance	By 31 March 2014	M
<b>Carbon Reduction</b>			
Carbon Audit and Reduction Plan??	Head of Strategy and Projects		
<b>Data Management and Monitoring</b>			
Formalise a data quality policy	Head of Communications	By 31 March 2014	L
Utilise the Framework for Monitoring Environmental Outcomes in Protected Landscapes to establish measurement data for the area and create first of the regular reports	Strategy and Projects Officer	By 31 December 2013	M



Action	Lead Officer(s)	Target Date	Priority
<b>Data Protection</b>			
Provide training for teams as required on specific elements of the Data Protection Act.	Head of ICT and Collector of Tolls	By 31 December 2013	H
<b>Democratic Framework</b>			
Update Code of Corporate Governance	Head of Governance and Executive Assistant	By 16 June 2013	L
Trial Parish Forum Concept	Director of Planning and Resources	By 30 September 2013	H
<b>Equality</b>			
Undertake an Equal Pay Audit	Head of Human Resources	By 31 December 2013	M
Collect data about staff and volunteers, to enable an equality analysis of employment policies and practices to be carried out	Head of Human Resources	By 31 December 2013	M
<b>Finance</b>			
Update the Financial Regulations	Head of Finance	By 11 February 2014	M
Update the Procurement Strategy	Head of Finance	By 11 February 2014	M
<b>Human Resources</b>			
Review and update HR policies to ensure that they are in accordance with current legislation and	Head of Human Resources	By 30 September 2013	M

Action	Lead Officer(s)	Target Date	Priority
where appropriate incorporate the requirements of volunteers			
<b>Partnerships</b>			
Determine a new Partnership Memorandum of Agreement with Natural England for the Management of fens	Senior Ecologist	By 31 July 2013	H
<b>Information Technology</b>			
Disaster Recovery Plan to reflect move from Ludham	Head of ICT and Collector of Tolls	By 31 August 2013	H
<b>Volunteer Management</b>			
Update and develop Volunteer Handbook	Volunteer Coordinator	By 31 August 2013	M