

Appendix 1

Annual Governance Statement 2014-15 (AGS)

Midlothian Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards. This is to allow public funds and the assets at its disposal to be safeguarded and used efficiently and effectively in pursuit of best value.

Elected Members and senior management are responsible for the governance of the business affairs of Midlothian Council. This includes: setting the strategic direction, vision, culture and values of the Council; establishing appropriate and cost effective systems, processes and internal controls to allow the strategic objectives to be delivered.

In order to achieve this, the Council has developed a Code of Corporate Governance based on the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives' (SOLACE) framework. The Code was reviewed and updated in 2013. The Council also has a number of officials in statutory posts who monitor governance and the supporting processes during the year. These are the Head of the Paid Service, the Monitoring Officer, the Chief Finance Officer and the Chief Social Work Officer.

Each year, using an assurance template, evidence is gathered relating to the governance framework and the level of compliance with the code. This includes all 8 Heads of Service completing a self assessment. Internal Audit check a sample of the control elements in the Code of Corporate Governance so that each is tested on a three year cycle to determine their effectiveness. Any areas for improvement that are identified through this check are recorded in the governance improvements section of the AGS below. Furthermore, the assurance elements are, where necessary, discussed with senior management.

Midlothian Council's financial management arrangements conform to the requirements of the CIPFA Statement on the role of the Chief Financial Officer in Local Government.

The governance elements include:

allocating responsibility for maintenance of proper financial records and accounts and for maintaining effective systems of internal control; appointing a Monitoring Officer with responsibility to ensure that the Council, its Officers, and its Elected Members, maintain the highest standards of conduct; establishing a scheme of delegated powers; establishing and enforcing a code of conduct for officers; having effective scrutiny and challenge arrangements in place over officer and Council decisions; open and effective recording of Council decisions; risk management processes; whistle blowing and fraud prevention procedures and processes; providing induction and training for Elected Members and Council officers; and encouraging individuals from all sections of the community to engage with the Council.

A review of the evidence was undertaken and resulted in an opinion on the level of governance within the Council. The statement has also been informed by the work undertaken by Internal Audit over the financial year and the Internal Audit Manager's Annual Assurance Report.

A number of governance improvements were highlighted in the 2013-14 self assessment and progress has been made in 2014-15 on the following:

having a positive impact on the key priorities of economic recovery and business growth; positive destinations for young people; and early years – getting it right for every Midlothian child;

- This action is ongoing with Performance monitored through the quarterly performance reports submitted to Cabinet and the Performance and Scrutiny Committee. There has been significant improvement in the Council's positive destinations performance indicator in 2014/15.

embedding the new management structure and ensuring that appropriate controls and segregations are maintained;

- The new management structure was approved by Midlothian Council on 13 May 2014 and implemented by 1 July 2014. Procedures are in place to ensure appropriate controls and segregations are maintained

the delivery of the approved financial strategy and mechanisms to ensure that the necessary financial savings are achieved and more efficient processes are introduced at reduced cost;

- This action is ongoing and updates are provided through regular reports to Council. Delivering financial sustainability will continue to be a challenge over coming years.

continued development of risk management processes by aligning risk assessments with service planning and mitigation of risks associated with delivering the Council's outcomes;

- A revised approach to risk management was approved in February 2014. This new approach is being implemented and will continue to be monitored.

procurement reform arising from the Procurement Reform Bill and new EU Directives;

- This action is to be incorporated into the Procurement Improvement Plan and progress will continue to be monitored.

continued compliance with the Public Services Network code of connection requirements;

- The 2015/16 PSN Code of Connection has been submitted to the Cabinet Office on 02 April 2015 for approval. Following a positive independent IT Health Check and review of PSN required controls, it is likely that the Council will maintain ongoing PSN compliance.

responding to the impact of further Welfare Reform changes;

- This action is underway but not fully completed.

the Health and Social Care Integration agenda with the continued establishment of joint services;

- This action is underway but not fully completed. A report on progress was presented to the February 2015 Audit Committee and the Internal Audit Section are shortly to review the assurance processes and will report findings to a future Audit Committee.

Safer Communities Board provides the local scrutiny and accountability for Police and Fire & Rescue services in Midlothian as well as the wider strategic role from the Police and Fire Reform (Scotland) Act 2012.

- Training workshops have been held during the year with Safer Communities Board and partnership representatives from across the Community Safety and Community Planning partnership who attended on the separate topics of Scrutiny & Challenge, another on reducing reoffending issues and the proposal that the remit of the Community Safety Partnership be adapted to incorporate the new Midlothian Reducing Reoffending Partnership, and a workshop discussion covered Midlothian Policing issues, including a proposed new structure for Policing in Midlothian.
- There will be a continuation of training opportunities already provided to the members of the Safer Communities Board, including those participants in the agenda for safeguarding in Midlothian.

Those actions which are underway but which have not yet been fully concluded (ie the Business Transformation Programme; Welfare Reform; Health and Social Care Integration; and Risk Management) will continue to be progressed in 2015/16.

The following areas of improvement have also been identified and are to be progressed in 2015 -16:

- updating the Code of Corporate Governance to allow full compliance with the new International Framework of Good Governance in the Public Sector;
- updating the Council's approach to fraud and corruption to allow full compliance against the new CIPFA code of practice on Managing the Risk of Fraud and Corruption;

- to adopt the recommendations made by Internal Audit on the areas where weaknesses in control have been identified during the year (including Transformation, Petty Cash); and
- to review any implications of the operation of the Data Protection Act within the Council and to monitor on-going compliance.

On the basis of the Council's assurance system, and the elements of governance at its disposal, we are satisfied that overall, Midlothian Council's corporate governance arrangements are of a satisfactory standard. We are aware of areas where improvements are required and steps will be taken in the forthcoming year to address these areas, allowing the Council to advance its corporate governance arrangements and seek continuous improvement.

Signed:

Leader of the Council / Chief Executive

Date: