

ANNUAL GOVERNANCE STATEMENT

Scope of Responsibilities

Breckland 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. Breckland 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, Breckland Council is responsible for putting in place proper arrangements for the governance of its affairs, which facilitates the effective exercise of its functions and include arrangements for the management of risk.

Breckland 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. A copy of the code is on our website at:

<https://www.breckland.gov.uk/article/3461/Strategies-Plans-and-Policies->

The CIPFA Financial Management Code requirements apply in full from April 2021, this Code sets out the standards of financial management for local authorities and is designed to support good practice in financial management and assist local authorities in demonstrating their financial sustainability. The Council has reviewed the principles within this Code and demonstrated a good level of financial management in 2022-23, with 2 actions identified to help improve financial management throughout the organisation. There is currently one action remaining outstanding which will be carried into 2023-24 for completion. The assessment has been updated for 2022-23 and two further actions have been identified.

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. This statement explains how Breckland Council has complied with the code and also meets the requirements of the Accounts and Audit Regulations 2015 in relation to consideration of the findings of a review of the system of internal control and approval and publication of an annual governance statement.

The purpose of the governance framework

The governance framework comprises the systems and processes, and culture and values, by which the authority is directed and controlled and its activities through which it accounts to, engages with and leads 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.

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 Breckland'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. The governance framework has been in place at Breckland Council for the year ended 31st March 2023 and up to the date of approval of the statement of accounts.

The governance framework

Vision and Priorities - Our Vision - "Breckland: a place where people & business can thrive". To help us deliver this vision we have consulted widely with local people and our partners and listened carefully to what was said. The Corporate Plan 2021-25 reflects the priorities and high level outcomes for the Breckland area over a four year period and there is an annual cycle of review of the delivery plan which supports the corporate plan. The corporate plan was reviewed in 2021 following the ending of our shared management arrangement and reflects the changing environment we operate in.

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Quality of Services - The Council has a Performance Management Framework which sets out how it monitors both performance and the delivery of objectives and risks. The framework was completely reviewed in 2021-22, underpinned by a new set of Key Performance Indicators and is being reviewed again during 2023-24. The revised Performance Management Framework was approved in September 2023 and can be found at [Appendix 1 for Performance Framework Review.pdf \(breckland.gov.uk\)](#)

Operational Governance - The Council updated its operational governance arrangements in 2021-22 to ensure that senior officers effectively manage the business of the Council and to reflect the new Corporate Management Team (CMT) structure which took effect on 1 May 2021. An operational governance document outlining this new approach covered the role of CMT in managing the business of the Council and corporate level issues risks and decisions. In summary, the arrangements comprised four officer-led programme boards which reported to the Corporate Management Team (CMT) as required, with each board reflecting one of the core themes and priorities of the Corporate Plan. A further Assurance Board required Statutory Officers (Head of Paid Service, Monitoring Officer and S151 Officer) to provide due diligence and ensure corporate performance, risk, HR and finance have appropriate and regular oversight. Details of Statutory Officers can be found at: [Statutory Officer positions - Breckland Council](#)

An annual review of the Council's new governance arrangements, which took place during 2022-23, led to a further revision of the operational governance to better meet expected outcomes around organisational management and effectiveness. This revised governance took effect from January 2023 and consists of: CMT Business meetings which are aligned to the Cabinet, Scrutiny and Council timelines (approximately every 6 weeks) to consider all matters of business; a quarterly Projects & Performance Board facilitated by the Organisational Development & Performance Manager and the Head of Projects to consider the organisational performance relating to KPI's, PI's, projects, budgets, internal audit and risk; a monthly Organisational Health Board to consider the health of the organisation including people, organisational development, future of work, training, policy development and recruitment; and a Programme Board which is a flexible high-level forum for the exchange of ideas and development of strategy concerning a wide range of current and future issues/opportunities facing the organisation and the place.

Constitution and Responsibilities - A comprehensive document setting out the Council's constitution exists which sets out the clearly defined structure for the Council's organisational and decision-making arrangements based upon a Cabinet/Executive model. In essence the different roles can be summarised as follows:

- Council decides upon certain policies and other specialist functions that cannot be delegated elsewhere including the setting of the council tax.
- A limited number of policies are reserved to the Council, either by the Council's own choice or because they are allocated by law (together these are known as the Policy Framework). Subject to any specific legislative requirements, the Cabinet is responsible for all policies which are outside of the Policy Framework.
- For its most significant decisions, the Cabinet works to a Key Decision Plan of forthcoming decisions for up to twelve months ahead.
- All decisions, along with formal minutes of all committee meetings are published on the Council's website.
- The work of the Cabinet and the Council as a whole is supported by an Overview and Scrutiny Commission and its task and finish groups.
- The Overview and Scrutiny Commission has developed its own work programme for the review of Council services in addition to scrutinising the work of the Cabinet. It can 'call-in' a decision which has been made by the Executive but not yet implemented.
- The Governance and Audit Committee is well established, and is responsible for the review of the work of the Internal and External Audit functions and provides independent assurance of the effectiveness of governance arrangements, risk management and financial management processes. It also has the responsibility for the approval of the Statements of Accounts and review of treasury policy and outturn and to deal with Standards (of elected member conduct).

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- Separate committees exist for Planning and Licensing.
- Delegation arrangements to committees, the Executive and officers are set out in detail within the constitution.
- Regular meetings take place between relevant senior officers and members of the Council to discuss and propose policy.
- The General purposes Committee was re-established in January 2022, with a view to dealing with the majority of non-Executive decisions that are not either reserved for full Council or currently delegated to the Regulatory Committees, this includes decisions relating to staffing matters, training, health and safety, electoral matters plus other non- executive matters

The constitution also includes sections on standing orders, financial regulations and conduct of meetings. The constitution as a whole is reviewed periodically with interim updates as and when appropriate. A complete review of the constitution was carried out in 2015-16 to ensure that it remains relevant and effective. Formal adoption of the revised constitution was made at Full Council in January 2016 and there is a standing item at Full Council for any minor updates to be made, to ensure it remains up to date and relevant. An updated Constitution was adopted in November 2023 and can be found at:

[Modern.gov \(breckland.gov.uk\)](http://Modern.gov(breckland.gov.uk))

Codes of Conduct - The Council's constitution contains codes of conduct applying to members as well as a protocol for councillor/officer relationships. Officers are also subject to a separate Code of Conduct. These have enabled the authority to develop an inclusive culture over the years, whereby members and officers work together to deliver the Council's vision and quality services to its residents. The codes include reference to the need to declare any interests which may conflict with the individual's role at the Council and such registers for councillors and officers are maintained by the Council. The Members Code of Conduct has recently been reviewed and a revised Code based on the LGA Model Code of Conduct was approved at Council in March 2023, and comes into force following the elections in May 2023. It can be found at [Code of Conduct and Scrutiny - Breckland Council](#)

The Officers' Code of Conduct was last reviewed in November 2021. It can be found at: [Officer Code of Conduct November 2021 \(breckland.gov.uk\)](#)

Complaints - The Council has in place a whistle-blowing policy (reviewed February 2022) as well as a compliments and complaints procedure that ensure that any referrals are fully investigated, properly resolved and learning applied to service delivery. Systems and procedures have been enhanced to ensure that complaints/service requests are the cornerstone of the Council's management approach. Details on complaints and compliments can be found at [Provide corporate feedback - Breckland Council](#)

Policies, Procedures, Laws and Regulations - The Council's statutory officers are the Head of Paid Service, the Monitoring Officer and the Section 151 Officer. They are responsible for ensuring that the Council acts within the law and in accordance with established policies and procedures.

Head of Paid Service	has responsibility for the discharge by the council of their functions and the appointment, proper management and organisation of the Council's staff.
Section 151 Officer	is specifically responsible for the proper discharge of financial arrangements and must advise the Council where any proposal might be unlawful or where expenditure is likely to exceed resources, and to ensure that the authority's financial management arrangements conform to the governance requirements as set out in the Chartered Institute of Public Finance and Accountancy statement on the Role of the Chief Financial Officer (2010).
Monitoring Officer	is responsible for advising the Council if any proposal, decision or omission is likely to give rise to unlawfulness or maladministration as well as investigating allegations that a member may have breached the Council's Code of Conduct.

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The statutory officers are also members of the authority's Corporate Management Team and attend Corporate Management Team meetings on a regular basis. Service Managers are responsible for ensuring that legislation and policy relating to service delivery and health and safety are implemented in practice.

The Council has in place a Counter Fraud Corruption & Bribery Policy, a Whistleblowing Policy and a Money Laundering Policy (updated and approved by Governance and Audit Committee in February 2022) to protect against these risk areas. The aim of these policies is to increase staff and Member awareness, create an environment which encourages and supports the prompt raising of suspicions or concerns, helps to minimise the likelihood of money laundering and corruption, supports our open and honest culture and fulfils our statutory, legal and regulatory duties. These can be found at:

[Breckland Council Counter Fraud Corruption and Bribery Policy - April 2022 revision](#)

[Whistle Blowing Policy - Breckland Council](#)

[Breckland Council Money Laundering Policy - April 2022](#)

Development and training needs – Breckland is a learning organisation, both in terms of elected members and officers, and is committed to investing in its people to ensure they feel valued and are given the opportunities to develop and achieve their full potential. The training budget for staff is managed by the Organisational Development and Performance Team and continues to deliver a programme designed to develop the skills and knowledge of its workforce.

Breckland also provides an induction, training and development programme to elected members to ensure they have the support and skills necessary to effectively carry out their council duties on behalf of their communities. The member training budget is managed by Democratic Services.

Risk Management – The Council's risk management arrangements are embedded in its Corporate Risk Management Strategy and risk registers and a new Risk Management Framework was adopted in October 2021. This was reviewed in September 2023 and the latest version can be found at under Risk Framework Policy at: <https://www.breckland.gov.uk/article/3461/Strategies-Plans-and-Policies->

Breckland has developed its performance system to maintain a register of the key strategic risks it considers it faces along with the actions planned or taken to mitigate these risks, which have been monitored by Performance Board, Corporate Management Team and the Governance and Audit Committee on a regular basis. Risk logs are also being used to manage the risks for key projects and partnerships, along with other project management techniques, and all key decisions are required to be assessed for risks. All committee reports contain a mandatory risk section to ensure that members can consider the risks and opportunities of any recommendations or options, so that the consideration of risk forms an integral part of all decision making. Operational risks are also regularly considered and managed by Service Managers.

Data Protection – Following the implementation of the General Data Protection Regulation (GDPR) 2016/679 and Data Protection Act 2018 our policies, practices and procedures have been updated and continue to be updated to reflect changes and guidance as it is issued. Data Protection continues to be a priority and is being overseen by the Data Protection Officer, (the Information Governance Officer) and a corporate governance group; the Statutory Information Group.

Business Continuity – The Council has developed business continuity plans to ensure that critical service delivery can be maintained or recovered during an emergency.

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Communication – The Council believes public understanding of its work, achievements and services, coupled with consultation with residents is key to maintaining high satisfaction levels. This is achieved through regular communications and consultation activity and upholding the Council's values of transparency and openness.

Breckland regularly publishes information on its website and via a variety of social media channels. Various stakeholder groups are also reached through public meetings. The Communications Team also works with the local media to provide information to ensure residents are kept informed.

Partnerships – The Council is involved with a variety of partnerships that have developed over the years. A partnership framework is in place to ensure we have oversight of these relationships.

Some examples of our public partners and organisations we work with are:

- Norfolk Climate Change Partnership is a Norfolk wide partnership to help develop Norfolk into an exemplar in tackling climate change and protecting and enhancing its natural environment.
- The Greater Thetford Development Partnership and the Attleborough Development Partnership are bodies which influence growth in and around the respective towns ensuring that houses, roads, schools, healthcare and other resources are available at the right time.
- The New Anglia Local Enterprise Partnership (NALEP) is intended to build growth and skills to the workforce through training and gives support to new businesses through providing infrastructure for growth.

Some examples of our operational partnership arrangements for service delivery are:

- The Norfolk Waste Partnership works to encourage more people to reduce reuse recycle and compost rubbish, working together to move away from the dependence on landfill towards more sustainable waste management.
- The Anglia Revenues and Benefits Partnership (ARP) is governed by a Joint Committee and is underpinned by a formal legal agreement. The partnership consists of Breckland, East Cambridgeshire, East Suffolk, Fenland and West Suffolk district councils. The partnership delivers council tax, business rates, housing benefit, fraud and enforcement services for the five councils.
- The Norfolk Internal Audit Consortium co-ordinates internal audit provision across 6 local authorities with a shared Head of Internal Audit, aiming to provide an efficient and cost effective service.
- Our procurement partnership shares procurement services with South Norfolk, Broadland and Great Yarmouth Councils, building a knowledgeable and resilient procurement team and aims to aggregate spend to achieve savings.

Group Companies – The Council has joint ownership of a company, Anglia Revenues Partnership Limited, which was formed in 2006 to deliver revenue and benefits and enforcement services to local authorities or housing associations and is under the joint ownership of the seven ARP partnership authorities in equal shareholdings and voting rights. The company is currently dormant.

In April 2015 the Council formed a company, Breckland Bridge Limited, with a private sector partner, Land Group LLP. The vision of the Company is to “use Breckland Council’s property and land assets to make a positive contribution to the regeneration and economic development of the Breckland District”. The authority has a 50% shareholding in this company and control is shared on a 50/50 basis.

During March 2023 a committee report was approved by Breckland to join a Joint Venture company with Anglian Water and South Norfolk, Broadland and Norwich City Councils to help address Nutrient Neutrality restraints to the planning system. The agreements will be signed during 2023-24.

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Transparency – As a Council we want to be publicly accountable and present our work with openness and transparency. As such, the authority routinely publishes data on its website in accordance with the requirements of the Local Government Transparency Code 2015. This can be found at [1. Transparency Code Data and Information - Breckland Council](#)

In addition, Committee reports, minutes and decision records are all available on the website. The Council also applies the principle that everything is publicly available unless there is a substantial reason for not doing so.

Review of effectiveness

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

Corporate Management	CMT review corporate responsibility, direction and delivery of corporate plan, direction and delivery of resources, horizon scanning and key controls. CMT receives regular reports from the performance board and through the CMT Business meetings. These cover performance and risk, internal audit, projects, employee relations, organisational health, finance and reports moving through the committee cycles.
Managers	Carry out assessments of the processes and controls they have in place to allow them to achieve their service objectives, as part of their roles as managers.
External Auditors	<p>review the Council's arrangements for:</p> <ul style="list-style-type: none"> ○ Preparing accounts in compliance with statutory and other relevant requirements ○ Ensuring the proper conduct of financial affairs and monitoring their adequacy and effectiveness in practice ○ Managing performance to secure economy, efficiency and effectiveness in the use of resources <p>Following the annual audit the external auditor issues an Audit Results Report to the Governance and Audit Committee covering the opinion on the financial statements and value for money. The Council takes appropriate action where improvements need to be made.</p> <p>The external auditors work closely with Internal Audit to allow them to place reliance on the work of Internal Audit. The external auditors are also able to undertake independent fraud reviews and will act on any reports to them from the public in the public interest.</p>
The Head of Internal Audit	<p>provides an independent opinion on the adequacy and effectiveness of the system of internal control, which is incorporated in the Annual Report and Opinion.</p> <p>Internal audit acts as an independent assurance function, providing both management and the Governance & Audit Committee with opinions on the adequacy and effectiveness of the Council's risk management, control and governance processes, supporting fraud prevention at the Council. Internal audit also has a close working relationship with the Council's external auditor to ensure they can place reliance on the work of Internal Audit. Upon request and in the event of any irregularities Internal Audit can carry out special investigations or reviews as part of the Council's counter fraud and corruption arrangements.</p>

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ARP Fraud Team	<p>The Anglian Revenues Partnership (ARP) has safeguards and checks in place to prevent fraud entering the Benefits and Revenues systems. This comprises, for example, a Benefit Verification policy agreed by Members to utilise data share to achieve the dual aims of eliminating fraud and to improve the customer experience.</p> <p>The ARP Fraud and Compliance team work with County Council partners, DWP & DLUHC to perform checks to detect and where appropriate, sanction or prosecute fraudulent applications for Benefit, Council Tax discounts, Business Rates reliefs and tenancy applications, to ensure public money is correctly spent. In particular, the team have prevented significant abuse of Single Person Discount through regular data matching to identify discrepancies and tenancy fraud for subletting, right to buy and tenancy succession, thereby ensuring residents are correctly entitled to discounts and accommodation provided to those most in need.</p>	
The Leader	<p>Executive powers vest in the Leader and the Leader has approved delegations to the Cabinet and Executive Members (Portfolio Holders). The Leader exercises executive functions which have not been expressly delegated to Cabinet or the other Executive Members.</p>	
The Executive	<p>consists of the Leader and Executive Members (Portfolio Holders), who together are the Cabinet and most day to day 'executive' decisions fall to the Executive under the law.</p>	
The Cabinet	<p>is appointed by the Leader and carries out the executive functions of the Council as required by legislation and the Council's constitution and accordingly:</p> <ul style="list-style-type: none"> ○ Takes executive decisions ○ Approves policies other than those reserved for Council ○ Recommends to Council policies and budgetary decisions <p>The Council approves and keeps under regular review all the strategic policies which it reserves for its own consideration, including:</p> <ul style="list-style-type: none"> ○ The Constitution ○ The Corporate Plan ○ The Medium Term Financial Plan and Capital Strategy ○ The Licensing Authority Policy Statement ○ The Corporate Asset Management Strategy ○ The Treasury Management and Investment Strategies ○ The Gambling Policy ○ Development Plan Documents 	<p>The Overview and Scrutiny Commission may undertake any work relating to the four key principles of scrutiny as follows:</p> <ul style="list-style-type: none"> ○ Hold the Executive to Account (Call-In) ○ Performance Management ○ Assist Policy Development and Review ○ Internal/External Scrutiny <p>The Governance and Audit Committee</p> <ul style="list-style-type: none"> ○ Considers and approves audit plans ○ Considers audit reports ○ Comments on the work of audit in addressing the authorities significant risks ○ Satisfies itself that the control and governance arrangements have operated effectively by considering audit and risk reports and undertaking ad hoc reviews ○ Annually self-assess themselves against best practice guidance to check their effectiveness ○ Approves the Statements of Accounts ○ Reviews treasury policy and performance ○ Considers standards issues

Internal Audit Annual Report and Opinion

This report was presented to Governance and Audit Committee at the June 2023 meeting. The report has concluded that, based on the work undertaken, the overall opinion in relation to the Council's framework of governance, risk management and control for the year ended 31st March 2023 is considered to be reasonable (positive).

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In total, 17 audits have been carried out throughout 2022-23. This consisted of 14 assurance audits, and three position statements. Of the 14 assurance reports completed, a total of 12 have resulted in a positive assurance grading.

Substantial assurance was concluded in the following areas:

- Economy and Growth
- Food Health and Safety
- ARP Enforcement

A limited assurance grading has been indicated in two areas where audit work has not yet been finalised. Therefore outstanding high or medium audit recommendations raised during 2022-23 limited audit reports are detailed below until completion can be verified.

Procurement and Contract Management

Assurance work in this area is in the final stages of being drafted for review, however control weaknesses have been identified as follows.

- No formally documented procurement procedures.
- A process needs to be adopted for actioning Procurement Policy Notes (PPN)s as a matter of urgency.
- The contract register is not up to date and is not being published on the Council's website. Testing has indicated that 71 of the Council's contracts are currently showing as expired. Aggregated spend is not currently being reviewed to identify suppliers who should have a contract.
- Procurement training for budget managers needs to be rolled out.
- The retention of procurement documentation centrally requires improvement.

Private Sector Housing

- The Council cannot currently demonstrate full compliance with the full range of obligations under the Housing Act 2004, the Requirements for an inspection programme Smoke and Carbon Monoxide (England) Regulations 2015 and The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.
- Identification, recording, inspection, and monitoring controls all require improvement as resources become available.
- A formally approved policy should be developed to outline the Council's duty and approach to compliance with Private Sector Housing obligations.

In addition, we also recommend that one important recommendation outstanding from the limited assurance BRK2210 Private Sector Housing DFGs review from 2021-22 is referenced within this Annual Governance Statement until such time that it can be verified as complete. The recommendation is summarised below:

- The Council to update and approve a formal Housing Assistance Policy. This to include all housing assistance provided including Disabled Facilities Grants (DFGs), Re-able Grants and Forget Me Not grants. The Policy to clearly detail the eligibility criteria for each type of grant and the processes follow for applying for each.

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In providing the opinion the Council's risk management framework and supporting processes, the relative materiality of the issues arising from the internal audit work during the year and management's progress in addressing any control weaknesses identified therefrom have been taken into account. The opinion has been discussed with the Section 151 Officer and members of the Corporate Management Team prior to publication.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Governance and Audit Committee and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework. Any areas to be specifically addressed with new actions are detailed within the Annual Report and Opinion which can be found on our website at <https://democracy.breckland.gov.uk/ieListDocuments.aspx?CId=468&MId=4961&Ver=4>

The Internal Audit Annual Report and Opinion (which can be viewed at the link above) provides full details relating to risks and control weaknesses that were identified during 2022-23 internal audit reports.

Significant governance issues

There were no significant governance issues to raise for the year ended 31st March 2023.

Certification

There are no improvements identified in our review of effectiveness for the year ended 31st March 2023.

M O'Mahony

Chief Executive

Dated: 25/11/24

S Chapman-Allen

Leader of the Council

Dated: 25/11/24