

Division: **ALL**

AUDIT AND GOVERNANCE COMMITTEE
27 November 2024

ANNUAL GOVERNANCE STATEMENT 2023/24 – UPDATE ON ACTIONS

Report by the Director of Law & Governance and Monitoring Officer

RECOMMENDATION

1. The Committee is **RECOMMENDED** to receive this update on the actions from the Annual Governance Statement 2023/24 and to make any comment upon them.

Executive summary

2. On 17 July 2024, this Committee approved the Annual Governance Statement (AGS) for the year 2023/24. Local authorities are required to prepare an AGS to be transparent about their compliance with good governance principles and to give an opinion on the effectiveness of those arrangements. As part of the process, authorities are expected to highlight areas of focus for the year following.
3. This report therefore updates the Committee on the seven specific areas of focus identified for 2024/25.

Annual Governance Statement actions for 2024/25

4. The seven actions were:

Service area	Action
A. Constitution Working Group	To establish a member working group to work alongside the officer working group
B. HR policies to be reviewed and updated for 2024/2025	<ul style="list-style-type: none">• Organisational Change policy• Redeployment policy• Redundancy procedure Fixed Term /Temporary contracts of employment policy• TUPE guidance Pensions and Retirement policy
C. Directorate level Schemes of Delegation	To continue with the review and update of the Directorate Schemes of Delegation.
D. Further consideration of the Information Commissioner's Office's (ICO) expectations when handling Freedom of Information and Environmental	The Customer Feedback team (FOI Officers) to work with the Corporate Governance Team on increasing awareness within the Council on the correct application of the legislation;

Information Regulation requests.	improving the handling and, the quality of responses, to requests.
E. Current CCTV & intruder alarm monitoring arrangements.	To review.
F. Members' and Officers' fiduciary responsibilities and accountability, and legal status in respect of outside bodies including indemnities.	To review.
G. Proactive Training for Governance	Governance sessions to raise awareness and skills level within the Organisation to be carried out by the Head of Governance and Head of Legal.

UPDATES

A. Constitution Working Group

5. A Member Constitution Working Group has been established with the first meeting taking place on 14 November 2024. Attendees included:

Councillor Liz Leffman,
Councillor David Bartholomew,
Councillor Robin Bennett,
Councillor Yvonne Constance,
Councillor Ian Corkin,
Councillor Trish Elphinstone,
Councillor Ted Fenton,
Councillor Stefan Gawrysiak,
Councillor Mark Lygo,
Councillor Roz Smith, and,
Councillor Bethia Thomas.

Also in attendance were the Director of Law & Governance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer, and key Democratic and Governance officers as support.

B. HR Policies

6. The following policies have been reviewed and published:
- i. Organisational Change policy;
 - ii. Redeployment policy;
 - iii. Redundancy procedure (published as part of organisational change policy);
 - iv. TUPE guidance;
 - v. Pensions and Retirement policy.

7. The Fixed Term/Temporary contracts of employment policy is pending approvals. There was a delay in completing the review of this policy due to changes in organisational priority. Planned date for completion is now January 2025.

C. Directorate level Schemes of Delegation

8. Directorate level Schemes of Delegation, which are held both by individual Directorates and centrally, require further review to reflect the recent changes in reporting arrangements.
9. The Law and Governance Scheme of Delegation has been reviewed and updated. The need to review schemes of delegation across the Council has been considered by the Corporate Governance Assurance Group. Steps are being taken to support individual Directors in undertaking this process.

D. Further consideration of the Information Commissioner's Office (ICO) expectations when handling Freedom of Information and Environmental Information Regulation requests.

10. Officers have continued to provide advice to ensure compliance with FOI and EIR services legislation. Services are encouraged to strengthen their responses by considering the ICO's approach, with officers raising specific questions about the handing of a request, including how information searches are undertaken, and who has been involved with a request – ensuring full and thorough consideration is given to each individual request.
11. Key officers meet regularly to discuss current caseloads, themes and compliance. These meetings are extended to specific service areas where themes occur. This provides opportunity to work through a request and ensure legislation is applied correctly.
12. Quality assurance is undertaken by Officers on responses to requests for information before they are sent to ensure they fully address the request. If any request has not been adequately answered, it is referred back to the responding managers for revision. Consequently, the number of internal reviews is decreasing due to the accuracy of responses before their release.
13. Officers continue to attend ICO workshops as well as undertake benchmarking exercises against other local authorities to review best practice and update internal guidance.

E. Full review of current CCTV & intruder alarm monitoring arrangements.

14. Complete. Revised policy and procedure implemented.

F. Review of Members' and Officers' fiduciary responsibilities and accountability, and legal status in respect of outside bodies including indemnities.

15. It is important that the legal status of and responsibilities and accountabilities of Members are clearly understood in relation to outside bodies they are appointed to by the Council. This is still to be reviewed by 31 March 2025.

G. Proactive Training for Governance

16. Following a review of the Governance policies, training materials are in development which will be published and used in Governance sessions, including raising awareness about the Council's whistleblowing process and amended policy. Training sessions have been held for officers relating to decision-making including compliance with legal requirements around key decisions. Key Officers will be requested to complete CIPFA's online training on whistleblowing.
17. Further in-house whistleblowing eLearning material is in development and will be rolled out across the organisation.

Financial implications

18. There are no direct financial implications directly relating to, or arising from, the recommendation in this report.

Checked by: Drew Hodgson, Strategic Finance Business Partner
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Legal implications

19. The Council has a legal duty to agree an Annual Governance Statement. This report does not itself raise legal implications but is an update on the actions arising from last year's AGS and is consistent with the responsibility of this Committee to ensure the effectiveness of the Council's governance.

Checked by: Paul Grant, Head of Legal, & Deputy Monitoring Officer
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Equality and inclusion implications

20. The recommendations in this report do not themselves raise equality implications. However, the effectiveness and inclusivity of the Council's governance arrangements are integral to the effective running of the Council and of the outcomes for the community.

Anita Bradley

Director of Law and Governance & Monitoring Officer

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November 2024