

Barnsley Metropolitan Borough Council

Annual Governance Statement 2020/21



ANNUAL GOVERNANCE STATEMENT 2020/21

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1. Executive Summary

Barnsley Metropolitan Borough Council is committed to improving the lives of all residents and creating opportunity and prosperity for local people and businesses. This commitment is set out in the council's Corporate Plan and describes how the council will meet the challenges ahead and make the most of opportunities.

To be successful the council must have a solid foundation of good governance and sound financial management. Barnsley's Local Code of Corporate Governance sets out how we aspire to and ensure that we are doing the right things, in the right way and in line with our values.

Each year the Council is required to produce an Annual Governance Statement (AGS) which describes how its corporate governance arrangements set out in the Local Code have been working. This statement gives assurances on compliance for the year ending 31 March 2021 and up to the date of approval of the statement of accounts.

The AGS shows that in many areas the Council has very effective arrangements in place. We will continue to review, streamline, and improve our processes to ensure these arrangements remain effective, now and into the future.

Throughout the period covered by this statement the coronavirus pandemic continued to have a significant impact upon the Council's services. Despite the significant challenges, the Council, together with its partners, has continued to deliver and co-ordinate services, alongside providing a robust and effective response to the pandemic.

The Leader and Chief Executive confirm they have been advised of the implications of the review of governance arrangements by Senior Management and the Audit and Governance Committee and are satisfied that the steps outlined in this document will address the areas identified for improvement.

Signed on behalf of Barnsley Metropolitan Borough Council



Signed:

Sir Stephen Houghton CBE

Leader of the Council

Date: 25th November 2021

Signed:



Sarah Norman

Chief Executive

Date: 25th November 2021

2. Actions from the Annual Governance Statement 2019/20

The 2019/20 Annual Governance Statement identified 12 key areas for action. An action plan was developed which included 53 detailed actions in relation to the areas identified for improvement. The majority of actions were completed in 2020/21, with 10 actions being carried forward for completion in 2021/22 which are identified in Appendix 1.

During 2020/21 the Audit and Governance Committee received regular updates on progress against the Action Plan and the Committee accepted that the outstanding actions in Appendix 1 would be carried forward to the Action Plan for 2021/22.

3. Introduction and Scope of Responsibility

Barnsley Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, 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.

The Accounts and Audit Regulations 2015, as amended by the Accounts and Audit (Coronavirus) (Amendment) Regulations 2020, require the Council to conduct a review, at least once a year, on the effectiveness of its system of internal control and include an Annual Governance Statement reporting on the review with the Statement of Accounts.

4. The Principles of Good Governance

The Council regularly reviews its governance arrangements and has adopted a Local Code of Corporate Governance, which is consistent with the seven principles of Corporate Governance as set out in the CIPFA/SOLACE (2016) Framework Delivering Good Governance in Local Government. The Council's Local Code is available here:

<https://barnsleymbc.moderngov.co.uk/documents/s70276/Code%20fo%20Corporate%20Governacne%20-%20Appendix%201.pdf>

The seven principles within the CIPFA/SOLACE (2016) Framework Delivering Good Governance in Local Government are:

- Principle A - Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- Principle B - Ensuring openness and comprehensive stakeholder engagement
- Principle C - Defining outcomes in terms of sustainable economic, social, and environmental benefits
- Principle D - Determining the interventions necessary to optimise the achievement of the intended outcomes
- Principle E - Developing the entity's capacity, including the capability of its leadership and the individuals within it
- Principle F - Managing risks and performance through robust internal control and strong public financial management
- Principle G - Implementing good practices in transparency, reporting, and audit to deliver effective accountability

5. The Purpose of the Annual Governance Statement

The Annual Governance Statement considers the effectiveness of our governance arrangements throughout 2020/21. It is an objective and honest appraisal of our governance framework. It identifies those areas where we recognise that further development and improvement is required to ensure that we have effective governance arrangements that enable the organisation to deliver on its commitment to improving the lives of all residents and creating opportunity and prosperity for local people and businesses.

However, it must be recognised that whilst the Annual Governance Statement assesses governance in place during 2020/21, the Coronavirus pandemic has impacted on governance arrangements from March 2020. A further assessment of this is included in section 15.

6. Reviewing our Effectiveness and the Governance Framework

The governance framework comprises the systems and processes, culture, and values by which the Council is enabled, directed, and controlled and through which it accounts to, engages with, and leads the community. Part of that framework involves the management of risk. No risk management process can eliminate all risks and can therefore only provide reasonable and not absolute assurance of effectiveness. The Council's approach to risk management was fundamentally reviewed with a new strategic risk register being created by the Senior Management Team in August 2020.

The review of effectiveness has been informed by:

- An annual facilitated self-assessment assurance process with all Business Units linked to Governance Domains to prompt consideration of the existence and adequacy of governance arrangements during 2020/21
- The Strategic Risk Register which sets the culture and tone for the management of threats, concerns, and issues across the Council.
- The Annual Report of the Head of Internal Audit, Anti-Fraud and Assurance which provides an opinion on the adequacy and effectiveness of the Council's risk management, control, and governance processes
- The work of the designated Data Protection Officer (DPO)
- The work of the Audit and Governance Committee which includes responsibility for monitoring the development and operation of corporate governance in the Council
- The Council's internal management processes, such as performance monitoring and reporting; the staff performance and development framework; employee awareness of corporate policies; monitoring of policies such as the corporate complaints and health and safety policies and budget management systems
- The report of the Council's External Auditor
- The consideration of any significant matters arising in the year.
- Recommendations from external review agencies and inspectorates

Specific governance assurance statements have been obtained from the following statutory officers.

a) Head of Paid Service

As Chief Executive and the Head of Paid Service, I am responsible for the overall corporate and operational management of the council. In another challenging year for the council and country, I continue to be both impressed and proud of the way the organisation has responded during the Covid crisis and has maintained good and effective governance whilst shifting to a virtual way of working. We have also made excellent progress in developing with partners a place-based vision for Barnsley in 2030 which has helped us to develop our Corporate Plan.

The new Strategic Risk register has provided a more focused and strategic approach, which alongside a revised governance assurance framework to be introduced during this year, will further support our focus on maintaining efficient and effective corporate governance.

The impact of the pandemic has prompted us to re-think and closely examine how we all work to maintain the high standards of service the council aims to achieve. In particular, the experience of the last 18 months has prompted consideration to what our future working arrangements will be, and the subsequent launch of our Smart Working Programme, and in turn, how this supports the maintenance of effective governance.

I support the areas for improvement presented in this Annual Governance Statement and look forward to another successful but inevitably challenging year ahead.

b) Section 151 Officer

As the Council's designated S151 Officer, I am responsible for the Council's financial governance, risk and control frameworks which ensure that the Council's financial decision making is both lawful and prudent. I am also responsible, in accordance with the statutory requirements set out in the Local Government Act 1972, for the proper administration of the Council's financial affairs.

I am satisfied that the Council's arrangements are robust in all regards and more than meet the minimum thresholds set out under statute. My view is corroborated from a number of independent sources including the External Auditor who is expected to once again issue a clean accounts opinion, the AGS review process which has again identified financial management as an area of strength across the organisation and a positive self-assessment outcome against CIPFA's new statutory Financial Management Code.

As well as providing assurance around the accounting period under consideration these arrangements have also allowed the Council to maintain a robust annual financial plan and medium-term financial strategy; therefore safeguarding the Council from the continued financial impact of the pandemic.

As is highlighted later in this Annual Governance Statement, in June 2021, the Council was a victim of a sophisticated, determined and carefully planned external fraud. I immediately instigated a fundamental review and audit into the circumstances that allowed the fraud to succeed. Controls have been further strengthened and all staff have received updated phishing / fraud awareness training; therefore, I remain satisfied that the Council has a robust framework of financial management and control in place. A significant proportion of the loss was recovered by the Police (£1M), with the remaining unrecovered balance (£0.4M) being borne by the Council's self-insurance fund, that is in place to cover any uninsured losses. The Council has sufficient levels of reserves to fully mitigate the impact of the theft of £400,000 from the Council ensuring that services are unaffected.

c) Monitoring Officer

As Monitoring Officer and Service Director of Governance, I am responsible for ensuring both elected Members and Officers uphold high standards of behaviour and conduct in adherence of the law.

No one could have predicted the demands placed on the Council's decision-making processes and the length of time virtual meeting arrangements would be in place. The need to maintain absolute transparency and confidence in our governance arrangements were critical to maintaining public support and confidence. The business of Council has continued despite these challenges, and it is pleasing to note that members of the public have embraced greater access to our meetings through this technology and have viewed proceedings in greater numbers than was ever the case previously.

The areas of improvement set out in this Annual Governance Statement are noted and elected Members and Officers of the Council will work together to ensure we build on the progress made to date. I would like to take the opportunity to thank members of our Audit and Governance Committee in the way they have carried out their role in such demanding circumstances and continued to provide the rigour expected when seeking assurances on how the Council conducts its systems and processes.

7. Internal Audit and the Opinion on Internal Control, Risk and Governance 2020/21

In accordance with the Accounts and Audit Regulations 2015 and the Public Sector Internal Auditing Standards (PSIAS), the Head of Internal Audit, Anti-Fraud and Assurance is required to provide independent assurance and an annual opinion on the adequacy

and effectiveness of the council's internal control, governance, and risk management arrangements. This is achieved through the delivery of an annual programme of risk-based audit activity, including counter fraud and investigation activity. Management actions arising from the audit work are agreed with the aim of improving the internal control, governance, and risk management arrangements of the council.

Below is an extract from the Head of Internal Audit's annual report submitted to the Audit and Governance Committee at their meeting on 15th September 2021:

“Taking the whole year into account and the audits completed, it is appropriate to give an overall reasonable (positive) assurance opinion for the year. The information supporting this opinion is provided below.

The engagement of senior managers and services across the Authority has once again been excellent and reflects a positive culture to embrace internal audit and look to identify opportunities to improve the effectiveness and efficiency of controls and governance. However, the challenges that Services face continue of course and to maintain positive assurance in the future that positive culture needs to continue also. The key issues arising from Internal Audit work in the year, in general terms, continue to relate to the significant pressures in most areas of the Council (particularly reacting to the impact of Covid 19), relentless demand and the drive for greater efficiency and changed ways of working. There is nothing new in these challenges and so the embedded awareness of control and governance issues should stand the Authority in good stead to manage the risks, concerns and issues that will inevitably occur.

The audit work undertaken, and planned for the current year, has sought to support management to embrace and meet these challenges. To highlight this issue, a number of senior managers asked for Internal Audit input during the year to provide support and assurances that the control framework in certain areas was effective (particularly in relation to the impact of Covid 19 and the government funding received to support the public and local businesses). This Internal Audit support was requested to highlight key control, governance and risk issues and assist management in how best to deal with them. Of key importance of course is the consideration and management of the identified and accepted risks moving forward.

It should be noted that the audit work completed has in the main identified weaknesses in the framework and application of controls that present risks to the meeting operational objectives. Any subsequent delay to then address any control weaknesses and agreed management actions clearly adds to this risk.”

Full details of the assurance provided in this statement can be found within the Internal Audit Annual Report for 2020/21, submitted to the Audit and Governance Committee on the 15th September 2021.

[Internal Audit Report](#)

It should be noted that the internal audit planning process and in-year management of the audit plan involves discussions with SMT and wider senior management to ensure audit coverage is focussed on managing the key risk and priorities of the Council. Of particular relevance is the development of the revised approach to risk management and broader governance assurance agreed by SMT and reflected in the AGS action plan. There remains a clear culture of openness and engagement with Internal Audit across the Authority that supports the positive assurance opinion overall.

8. Data Protection Officer (DPO)

The Council is required to appoint a DPO under the General Data Protection Regulations and Data Protection Act 2018. The key aspect of this role is to provide the Council with independent assurance regarding compliance with the data protection law.

The DPO has regular meetings with officers from the Information Governance Team and the Senior Information Risk Officer (SIRO) and reports to the Information Governance Board. The DPO also undertakes specific assurance reviews to support that independent assurance.

Recent assurance reviews and general oversight continue to present a positive picture overall. The change in focus of the Information Governance Board has provided a clearer focus on compliance and awareness. A major review of how the council responds to information requests under the Freedom of Information and Data Protection Acts has been effective in significantly improving compliance and meeting the necessary timescales for response. Significant work is also being undertaken around cyber and IT security, with regular phishing and password testing exercises to constantly ensure high levels of awareness and security. It was

recognised again as part of the annual governance review process however that there remains scope to try and further reduce the number of data incidents and improve the timeliness of management actions to minimise the risk of incidents recurring. Actions in that regard are in place and are monitored by the Information Governance Board and Audit and Governance Committee.

The DPO and Internal Audit will continue to monitor management's response to the issues raised and conduct further independent reviews and audits on a continuous rolling basis. These will be reported to the Information Governance Board and the Audit and Governance Committee.

9. External Audit

The Council's external auditor is Grant Thornton LLP. They are required each year to carry out a statutory audit of the Council's financial statements and give a narrative commentary on the Council's value for money arrangements. As well as having regular meetings with the Service Director – Finance and Chief Executive, Grant Thornton also attends each Audit and Governance Committee to provide updates on the progress of their work, to answer questions from the Committee and importantly witness the operation of the Committee.

The Auditor's ISA260 Report providing their opinion on the accounts and a separate narrative commentary on our value for money arrangements was presented to the Audit and Governance Committee and to full Council in November. The ISA260 is available through the following link [LINK TO ADD].

Of particular note is that once again the External Auditors plan to give an unqualified opinion on the Authority's statutory accounts.

10. Significant Governance Matter

In June 2021, the Council was the victim of a serious bank mandate fraud. The carefully planned, sophisticated and determined fraud was successful due to the non-application of existing controls. This highlighted that whilst good controls were in place and had been effective for many years, there was scope to strengthen them. A fundamental review has been undertaken by Internal Audit and a detailed action is in place to address the areas where controls and processes can be improved. This will be overseen by the Audit and Governance Committee.

The Council's External Auditors have commented on this matter in their ISA260 report above. It should be noted that a significant proportion of the funds were recovered by the Police (£1M). The remaining balance (£0.4M) has been covered by the Council's insurance fund, in place to cover uninsurable losses. The Council has sufficient levels of reserves to fully mitigate the impact on its reserves and services.

11. External Inspection and other Assurance Reports

The Council is subject to various external inspections by regulators. The reports from these bodies provides valuable information and assurance to enable and ensure the maintenance of effective governance arrangements. The bodies that have provided reports and information are listed below.

a) Local Government and Social Care Ombudsman – Referrals Made in 2020/21

During 2020/21 there were 20 contacts received from the LGSCO and 8 from the Housing Ombudsman Service (total 28 contacts). Currently 1 of these we are still pending a decision. In relation to the other 27 contacts the known outcomes of these cases are as follows:

- 6 faults with injustice
- 4 no fault and no injustice
- 1 fault already identified by service
- 5 discontinued investigations
- 10 referred back to the Council to pursue
- 1 outside the jurisdiction of the LGSCO

Concerns raised with the LGSCO are investigated by the Council's Customer Services Team and where the Council is found to be at fault actions are taken to address any issues highlighted.

b) Local Government and Social Care Ombudsman - Annual Review Letter 2021

This letter provides details of annual performance statistics on the decisions made by the Local Government and Social Care Ombudsman for Barnsley Metropolitan Borough Council for the year ending 31 March 2021. The letter focuses on the outcomes of complaints and what can be learned from them – considering three key areas:

1. Complaints upheld
2. Compliance with recommendations
3. Satisfactory remedy provided by the authority

Council performance (based on a total of 6 investigations for the period 1 April 2020 to 31 March 2021) for complaints upheld was 83% and compliance with recommendations was achieved in 100% of cases. In relation to satisfactory remedy in 0% of upheld cases had the authority provided satisfactory remedy before the complaint reached the Ombudsman.

The Council is disappointed with its performance in relation to the last indicator. The Council has not previously received such feedback – which questions what has gone wrong. It is unclear what criteria the LGSCO has applied to arrive at this decision, nor has the Council been furnished with examples of where the LGSCO considers the Council has not offered a satisfactory remedy. The Council has therefore sought clarification from the LGSCO to enable a better understanding of this. The LGSCO has acknowledged that prolonged budget and demand pressures placed on services in response to the Covid 19 pandemic has amplified the issues highlighted in their annual letter. In essence, reduced capacity has had a great impact on local authorities' ability to deal effectively with complaints.

Despite the pressures placed on services during 2020/21 the Council is committed to ensuring improvement in this area with the development and delivery of mandatory complaint handling training to services across the Council. This will be complimented by the LGSCO's own development of a programme of work and additional training packages to drive improvements in local complaint systems and services.

[LGSCO Letter](#)

c) Children's Services – Ofsted Inspections

During the period March 2020 – April 2021 the Ofsted inspection programme was heavily impacted by the coronavirus pandemic. On 17 March 2020 all routine inspections were suspended with a small number of interim visits were undertaken remotely. On 4 May 2021, Ofsted began to restart some onsite inspections under the Education Inspection Framework (EIF), and the full programmed of graded school inspections will resume in Autumn 2021.

There were 2 primary schools subject to the section 8 monitoring inspection process since April 2020; The Hill (March 2021) and St Helen's Primary Academy (October 2020 and February 2021) – both schools received the following judgement:

“Leaders and those responsible for governance are taking effective action to provide education in the current circumstances.”

Any actions identified in inspection reports are taken forward by the schools concerned. Details of all inspections can be found on the Ofsted website.

d) Ofsted Annual Parents Survey – 2021

Ofsted undertake an Annual Parents Survey to provide them with robust and timely evidence from parents to inform the development of their strategy and priorities. The 2021 survey undertaken in March was carried out online and included questions on COVID-19. The feedback from parents on the impact of the pandemic will be factors for Barnsley Council Children's Services to consider going forwards:

- The large majority of parents think that their child's school handled COVID-19 well (87%).
- Likewise, seven in ten (69%) report receiving guidance or training to help support remote learning. This is significantly higher among those who have children in primary school (74%) compared with secondary school (63%)
- Two thirds of parent's report being concerned about the impact of COVID-19 on their child's learning loss (67%). This is followed by concern over mental health (65%) and physical health (45%)

e) Troubled Families Programme

The national Troubled Families Programme supports local authorities and their partners to improve the effective targeting and co-ordination of early interventions for families with multiple and complex needs. The Government's annual report into its Troubled Families Programme 2020/21 considers at a national level the delivery of this programme against several key targets. Barnsley's Think Family Programme (the Council's delivery response to the national programme) delivered 100% of the national targets during 2020/21.

Barnsley Council commissioned an external evaluation of the local impact of the Think Family Programme focused on the arena of early help. The evaluation was undertaken by Qa Research between September 2020 and February 2021 and consisted of interviews with programme staff and 30 families. Feedback was overwhelmingly positive, particularly considering that the evaluation was undertaken during a challenging period for both families and staff. The evaluation recognised that the Early Help Services have responded and adapted well to the challenges of delivering the programme during the pandemic, identifying alternative and additional ways of communicating between the teams and will families and by adapting parenting courses to an online format.

The evaluation findings show that generally families have a very positive experience of receiving family support and that the principles of "Think Family" are embedded into the day-to-day practice of family support workers. There were no specific action areas for improvement from the evaluation, but a few suggestions around improving the promotion of the service to raise awareness which the service will take forward.

f) Care Quality Commission (CQC)

Barnsley Metropolitan Borough Council is registered with the CQC to deliver 2 services:

- BMBC 0-19 Services – these services have yet to be inspected – they were first registered in February 2017
- Community Enablement Services - these services were inspected in 2018 and received an overall rating of Good

The CQC suspended all routine inspections in March 2020 to reduce the pressures on the health and social care services and adapted their regulatory approach during the pandemic. In May 2020 the CQC established an Emergency Support Framework to respond to the changing needs of the health and social care system during the pandemic which focused on:

- Using and sharing information to target support to where it is most needed – informing the CQC’s view of risks and enabling them to support the health and social care system
- Having open and honest conversations with providers, partners and stakeholders to support and resolve issues and keep people safe
- Taking action to keep people safe – this could mean carrying out an inspection or using other powers if necessary
- Capturing and sharing what they do and how they do it – helping organisations to learn

g) LGA Corporate Peer Challenge – Special Education Needs (SEND)

An LGA Corporate Peer Challenge, undertaken in early 2019, identified that one of the key areas of focus was to review SEND provision. Since that time, there has been intense work to review and develop the local area SEND system. A SEND Improvement Plan (owned and delivered by key partners and stakeholders) has resulted in much progress being made. This is overseen and governed by the SEND Oversight Board and sub-groups (SEND Sufficiency, Joint Planning, and Impact Groups).

Progress over the last few years includes (but is not limited to):

- Through working in partnership - school’s sufficiency of specialist places is enhanced so that the needs of children and people with SEND can more often be met within the borough and forecasting for the needs of the local area means that there is a stronger grip on what provision is required in future.
- The process to manage statutory responsibilities in relation to education, health and care plans for children and young people with SEND has been radically overhauled since 2018. A new streamlined process has been introduced with the purpose of ensuring we are fully compliant with the expectations of the SEND Code of Practice, 2015. We are now consistently out-performing national standards for compliance.

- Capacity within key teams to support system-wide improvement has been enhanced, through the creation of a SEND Improvement Advisor, secured through investment from schools through the sector-led Barnsley Schools Alliance and the Council.
- The SEND Youth Forum is an active group of young people who are leading and supporting improvements across the system. This has been supported through the creation of a dedicated young people's engagement worker, as part of the broader Targeted Youth Service (TYS) and allows children and young people with SEND to initiate, influence and co-produce key strategies.
- Creation of a SEND Participation Officer post has meant more consistency and wider reach for working in partnership with parents and carers. Whilst there is more to be done in this area, there is a clearer focus and commitment to engagement, participation, and coproduction at all levels to improve the outcomes for children and young people with SEND.
- Review of commissioned services is underway to support the future needs and a joint commissioning strategy has been agreed (summer 2021) and will help to shape the direction over the next period.
- Creation of a Preparation for Adulthood (PfA) Strategy focuses on education, health and care outcomes being improved, enabling young people to become active participants in their local community. We need to further raise aspiration and increase opportunities for young people to articulate their ambitions, developing the skills that will support their progress into employment. The PfA Strategy is being driven by the newly formed PfA Steering Group, which consists of partners across education, health, and care, spanning children's and adult's services.

As part of the evaluation of the Councils progress on SEND an Association of Directors of Children's Services (ADCS) Peer Challenge was completed in May 2021, which concluded that there is a clearer strategic direction because of the learning from the implementation of the established SEND Improvement Plan, and this builds on the work that has been done so far. Further focus on early identification and intervention at the SEN support level so that early help, support, and prevention is at the forefront of our approach is also a key priority.

Progress needs to be considered within the context of continuing pressure on the system due to growing demands since the reforms in 2014/15. This is reflective of the national position and needs to be viewed in parallel with limited resources, based on a national funding formula, which impacts on the system. This needs to be kept in mind as the pressure is likely to continue.

However, in response to the peer challenge and our commitment to the children and young people of Barnsley, further actions have been added to the SEND Improvement Plan to focus on further improving a more cohesive and aspirational local area SEND system to ensure the best outcomes for children and young people with SEND.

SEND remains a key corporate priority for the Council.

h) Planning Regulatory Board

During 2020/21, the Council received 1,072 planning applications and determined 916 of these. 96% of these decisions were delegated to officers and the overall percentage of applications granted was 89% - this is comparable with the overall average for England. 39 appeals against decisions were determined by the Planning Inspectorate during 2020/21, 34 of which were dismissed by the Planning Inspector. Therefore, in almost 9 out of 10 appeal cases the Planning Inspectorate confirmed the Council's original decision.

i) Information Commissioner's Office (ICO)

During 2020/21 there were 8 cases referred to the Information Commissioners Office (1 data breach and 7 information requests). The 1 data breach did not result in any recommendations or actions taken against the Council by the ICO. Of the 7 information requests 3 related to freedom of information requests, 2 related to data protection requests and 2 related to environmental information requests. In relation to these 7 information requests 3 decisions were upheld, 1 was partially upheld and 3 involved a request for action to be taken by the Council.

Any areas where improvements in internal processes are identified arising from ICO feedback or recommendations are acted upon. These are overseen by the Information Governance Board and Data Protection Officer.

j) Health and Safety Executive

During 2020/21 there were no formal or informal enforcement actions (i.e., Notice of Contravention, Improvement Notice, Prohibition Notice, or prosecution) against BMBC.

Occasional follow up enquiries are received from the Health and Safety Executive following accident/incident reports made under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR), however, none were formally investigated in 2020/21.

There have been reviews of “Covid 19 Secure” arrangements by the Health and Safety Executive, none of which resulted in formal or informal action. One review was following a complaint from an employee, several specific questions were asked by the Health and Safety Executive, all of which were responded to and supporting evidence of mitigations were provided. The case was closed, and no further action was taken.

k) British Safety Council - International Safety Award

Barnsley Council won the overall Sector Winner “Local Government, Defence and Public Services” in the British Safety Council International Safety Awards 2021 for protecting our employees from the risk of injury and ill health at work. The awards also recognise organisations that have shown commitment to wellbeing and mental health at work.

Winners were congratulated on their substantial efforts to protect and enhance the health, safety, and wellbeing of everyone in their organisations. They have gone above and beyond in dedicating additional time, resources, and commitment to ensuring their work, teams and workplaces remained healthy and safe during 2020 and a global pandemic.

The use of external inspections and challenge provides valuable independent information regarding how certain aspects of the Council are governed.

12. Governance Issues Identified from the Annual Governance Review – 2020/21

The annual governance review process comprised a facilitated self-assessment from each Business Unit. This self-assessment utilised the governance domains being developed as part of the new approach to broader governance assurance.

A meeting was held with each Business Unit, led by the Service Director, and involved the Heads of Service. The meetings were thorough and robust producing an honest assessment of understanding and compliance across the various areas of governance. Each Service Director commented that the process had again been very useful in maintaining the profile of good governance and committed to use their individual assessments as part of their management team meetings throughout the year.

The process sought to highlight areas of strength as well as areas where further improvement or development are needed.

Areas of Strength

- HR recruitment processes and HR processes generally – high levels of understanding and full compliance across Business Units
- Legislative Compliance – good understanding of how and when to access legal advice
- Business Continuity and Emergency Resilience Plans – all plans are up to date; staff awareness is good and the execution of plans effective
- Information Systems Management - robust processes in place and good compliance
- Decision Making - good compliance with decision making and reporting processes
- Procurement – procurements undertaken in line with the Councils Commercial Strategy and Contract Procedure Rules

Areas of continuing improvement (actions)

- Partnership, Relationship and Collaboration Governance – continue with the work to develop a defined governance framework and improved reporting arrangements
- Information Governance – continue to work to reduce the number of data breaches, general staff awareness of cyber risks and overall data security across the Council
- Risk Management – ensure full implementation and use of the revised risk management system
- Declaration of Interest – compliance with the completion of annual returns but overall process to be reviewed
- Equalities and Inclusion – scope to further improve equalities and inclusion awareness

- Personal Development Reviews – processes have improved, and compliance levels increased but scope to ensure consistent compliance in all BU's
- Performance Management and Data Quality – continue the development of KPI's and service standards in some BU's
- Fraud awareness – continue work to improve staff awareness and the assessment of fraud risks, develop specific training to promote better general awareness and of the Council policies on fraud and corruption

Efficiency / Effectiveness improvements

The sessions with BUs also aim to identify where there may be a need to review a corporate process. This may be regardless of any compliance issues, good or bad, but improves the engagement of BUs in the general drive to continuously strengthen our governance arrangements but ensuring they are efficient and as easy to comply with as possible. One area was highlighted:

- HR recruitment processes and HR processes generally – compliance is very good, however there may be opportunities to review certain processes to improve their efficiency and effectiveness.

The actions necessary to address the areas for continuing development and improvement have been captured in an action plan (Appendix 1) which will be monitored during the year by the Audit and Governance Committee.

13. Governance Action Plan for 2021/22

The Governance Action Plan (Appendix 1) consists of a combination of actions from the AGS Action Plan of 2019/20 and actions identified from the governance reviews of 2020/21 - areas for improvement, along with key areas for action identified in other reviews undertaken e.g., LGSCO Annual Letter and the Significant Event referred to in this document. The Audit and Governance Committee receive update reports on the action plan and are able to seek assurances that actions are being progressed.

- a. Partnership, Relationship and Collaboration Governance – CIPFA/SOLACE – Principle B - Ensuring openness and comprehensive stakeholder engagement**

- Review the governance arrangements and reporting requirements for partnerships and collaborations
- Undertake a baseline review of partnership governance arrangements and reporting requirements
- Develop a defined governance framework with a corporate lead for partnerships and collaborations

b. Information Governance – CIPFA/SOLACE – Principle F – Managing risks and performance through robust internal control and strong public financial management

- Continue work to further reduce the number of data breaches, further raise employee awareness and improve overall data security.

c. Risk Management / Governance Assurance – CIPFA/SOLACE - Principle F - Managing risks and performance through robust internal control and strong public financial management

- Ensure the full implementation and use of the revised Risk Management System across the Council
- Monitor utilisation rates of the system and ensure there is a consistency of approach to the recording and management of risks
- Undertake a review of the risk management system with service users – identify any areas for further development and / or improvement to the system
- Development of the wider governance assurance process across the Council to integrate with the new risk management approach

d. Declaration of Interests – CIPFA/SOLACE – Principle A - Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

- Review of the process to ensure the awareness of declarations made

e. Equalities and Inclusion – CIPFA/SOLACE – Principle B - Ensuring openness and comprehensive stakeholder engagement

- To further improve awareness of the equalities and inclusion agenda across the Council.
- f. Personal Development Reviews** – CIPFA/SOLACE – Principle E – Developing the entity’s capacity, including the capability of its leadership and the individuals within it
- Continue to review compliance levels and quality of PDRs across the Council
- g. Performance Management and Data Quality** – CIPFA/SOLACE – Principle F – Managing risks and performance through robust internal control and strong public financial management
- Continue to develop service standards and KPI’s with Business Units
 - Ensure Business Units use Power BI tools/reports as a routine part of business management
- h. Fraud** – CIPFA/SOLACE – Principle A – Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law
- Continue work to improve staff awareness and the assessment of fraud risks, develop specific training to promote better general awareness and of the Council policies on fraud and corruption
- i. HR Recruitment Processes** – CIPFA/SOLACE – Principle E – Developing the entity’s capacity, including the capability of its leadership and the individuals within it
- Review processes to improve efficiency and effectiveness

Whilst the AGS is ostensibly a retrospective look back over the last financial year, it is appropriate that the Council recognises that having robust and effective governance in place will play an important part in service delivery, service improvement and future success.

14. Strategic Risk Register

A robust and dynamic Strategic Risk Register sets the culture and tone for the management of threats, concerns and the assurances required across the Council. The engagement of the Senior Management Team (SMT) in the risk management process through their ownership and review of strategic risks demonstrates a strong commitment to lead and champion risk management “from the top”, and further reinforces the continuing development of a risk management culture across the Council.

The risks below are owned by SMT, with the management of individual risks being allocated to a Risk Manager (a member of SMT) and measures to mitigate risks allocated to Action Owners (those senior managers best placed to take responsibility to drive the implementation of the identified actions).

- Health protection emergency – e.g., Covid 19 Pandemic – ensuring robust well understood arrangements are in place to deal with any health protection emergency
- Glassworks – ensure robust governance of the project
- Serious downturn in the local economy – maintain a focus on the significant impact on the local economy of Covid 19, potential for continuing downturn in the retail and visitor economy sector
- Educational outcomes progress – continue to monitor with particular focus on improving outcomes for vulnerable groups and boys
- Potential death of a child/safeguarding failure in children’s services – maintain a focus to ensure all reasonable measures are in place and are effective
- SEND – new controls in place and an Oversight Board established, continue to monitor delivery, cost effectiveness and satisfaction rates
- Financial sustainability - continual reappraisal to reflect the impact of the pandemic and other influences.
- Organisation resilience - keeping under review the Council’s arrangements for emergency and external situations have robust Business Continuity Plans
- Consistency of decision-making process – need for clear, robust, flexible, transparent and consistently applied decision making arrangements

- Partnership and collaboration governance – need to have robust, well governed but flexible and responsive arrangements for partnership working
- Potential for a safeguarding failure in Adult Social Care – maintain a focus to ensure all reasonable measures are in place and are effective
- External market provision in Adult Social Care – monitor the capacity and sustainability of the external market, consider the impact of Covid 19 on the market
- Community cohesion – key area of focus to build and support a tolerant and inclusive community across the Borough
- Inability to fulfil our statutory responsibilities under the Care Act 2014 - adult social care is experiencing higher levels of need as a consequence of earlier discharges from hospital, this alongside the investments for the NHS to recover faster will create further pressures on services. Recruitment and retention issues in the care sector and the inadequacy of funding from national government will compound the situation.

SMT is responsible for ensuring that the Strategic Risk Register continues to express those high-level concerns, issues and areas of strategic focus which have a significant bearing upon the overall achievement of corporate objectives and that they are being appropriately managed.

To provide assurances that the Strategic Risk Register is being appropriately managed, the Audit and Governance Committee receive regular updates including presentations on the strategic risks from the relevant Executive Director. These presentations provide the committee with a deep dive review into the strategic risk and an opportunity to obtain an assurance from the Executive Director about the effectiveness of the mitigations and action plans in place to address the risk. Cabinet also receives six-monthly updates.

15. Impact of Coronavirus

From March 2020 there has been a significant impact on Council services because of the coronavirus pandemic. The Council has co-ordinated a response, as well as directly responding itself, to ensure that resources have been prioritised to those most in need with essential assistance being provided right across all parts of the Borough. Despite the challenges the Council has maintained key

statutory and essential services whilst adapting provision to also provide alternative virtual services. Our robust response to the pandemic has added assurance to the effectiveness of the Council's Business Continuity Plans, communications strategy, and governance arrangements.

Robust governance arrangements were established through a Gold and Silver Group structure, linked to the Local Resilience Forum and the CCG. A strategic threat and risk assessment process was also established and has been maintained throughout.

Although still with a focus on responding to ever-changing local and national circumstances, a Recovery and Renewal Strategy has been developed and is continuously reviewed and updated. It aims to coordinate a strong collaborative recovery which is sensitive to the needs of those affected by the pandemic. It seeks to enable the stabilisation, rebuild and restoration of health, social, economic, and political well-being of the communities of Barnsley as the Council deals with the pandemic, and is aligned to the Barnsley 2030 vision and ambitions. The Strategy focuses on 5 themes which are aligned to regional and national themes, these are:

- **Health and Wellbeing** - To continue to reduce and suppress infection across the borough and to heal and restore the health and wellbeing of Barnsley people
- **Business Economy** - To ensure that the borough's communities and businesses positively move on from COVID-19. To protect jobs & keep people in work. To bring back public and investor confidence in our local economy, high streets, and attractions.
- **Community Resilience** - Provide oversight and coordination of the recovery arrangements for communities and individuals adversely impacted by Covid19.
- **Education and Skills** - Safely return children and young people to early years settings, schools and post-16 learning
- **Infrastructure and the Environment** - To safely reinstate infrastructure and transport networks as soon as practicable and restore public confidence

These arrangements sit within the context of the Local Resilience Forum arrangements which themselves seek to coordinate a strong partnership recovery for the communities of South Yorkshire affected by the pandemic in the short, medium, and long term. The response to the pandemic has highlighted an excellent collaborative approach to partnership working amongst all partner agencies.

Cabinet and the Overview and Scrutiny Committee have received regular updates and reports and great emphasis has also been placed on ensuring employee engagement and communication throughout; initially with daily and now bi-weekly emails. The Overview and Scrutiny Committee also undertook a Task and Finish Group investigation into the Covid 19 response, recovery, and renewal. The Task and Finish Group undertook several “check and challenge” sessions with officers regarding their work, their involvement and partnership working with other agencies as well as consideration of the impact of this on Barnsley residents. Several recommendations were set out and progress was tracked by the Silver Tactical Co-ordination Group. Of the 21 recommendations made 19 were complete, 1 pending completion and 1 remains open.

During August 2020, the Council took part in an LGA Recovery and Renewal Panel session which provided an opportunity for the Leader, Chief Executive, and senior individuals to come together virtually with peers from other Councils to:

- Reflect on what the Council has achieved and learnt in responding to the Covid 19 pandemic
- Discuss with peers the challenges and opportunities Covid 19 has presented for the Council and the local area
- Consider the steps to be taken towards recovery and renewal

The session on 20th August 2020 noted that over recent months the Council had worked hard to support local communities and businesses through the pandemic which had involved often going “above and beyond” what might be expected of a council in normal times. The Council’s response to the pandemic was thoughtful, strategic, and long term, which is consistent with the Council being a people focused organisation. There has been a clear demonstration of adaptive leadership and it is heartening to see how the Council has pulled together. There was recognition that sound financial planning has enabled the council’s own resources to be used to support businesses and the economy ahead of central government allocations; and balanced budgets were agreed for 2020/21 and the following year.

Examples of the Council’s proactive response to the pandemic specifically mentioned in the report included:

- Demonstration of clear and determined leadership – the Council’s determination to support local businesses was exemplified by the early payment of business support grants and proactive advice provision through Enterprising Barnsley. It was further

demonstrated by the provision of early and comprehensive support to care homes. The Council can take credit for seizing the initiative in advance of government guidelines to respond to local needs.

- Effective partnership working – Barnsley chair the South Yorkshire Local Resilience Forum, Sub Regional Health and Social Care Gold and the South Yorkshire Transport Executive Board. The Council’s focus on identifying and supporting vulnerable communities was underpinned by its pre-existing neighbourhood working structure and the effective involvement of Area Teams as well as work with Barnsley CVS. Strong partnership working with schools ensured that they were opened on time in line with central government timeframes, whilst focusing on managing vulnerability risks and addressing educational disadvantage by the provision of laptops to support those without equipment in their homes. The Council also worked closely with partners over data sharing which reduced bureaucracy, allowing the Council to move quickly to identify vulnerability within the local population.
- One Council organisational response - Smart working plans were accelerated at pace allowing for a speedy shift to homeworking. There was rapid movement to virtual full council, cabinet, and other meetings such as regulatory, audit and governance, scrutiny, and area councils. Staff were redeployed to support vulnerable members of the community and to maintain key services. This was underpinned by a clear focus on wider staff health and wellbeing being monitored through surveys and regular Microsoft Teams events.

The Council was responding and adhering to government guidance in response to the pandemic. Priorities were changed, some services were stood down and resources redeployed to focus on the need to distribute emergency food, essential services, and welfare support to vulnerable residents and to provide financial support and guidance to local businesses and protect jobs in the Borough. This was facilitated by the introduction of the Deployment of Resources in Emergency Situations Guidance which allowed more flexibility around several of our employment policies and agility across the workforce. The guidance was fully supported by the Trade Unions, and we were one of the first Councils in the Yorkshire and Humber to develop this. The Council continues to encourage everyone to work from home where their role and personal facilities allow them to, but it must be noted that some buildings never closed such as our Lift buildings and depot. Since August we have supported employees to get back into the workplace if they are suffering with their mental health from being isolated or they do not have the right equipment or space to work from home.

Barnsley MBC and Hull CC voluntarily undertook a deep dive exercise in April 2021 into Covid 19 enduring transmission, the “twinning” approach provided a framework to learn from each other’s approaches, draw insights from any areas of commonality and

difference and identify if there were additional or different approaches which each locality could consider. The deep dive was delivered by a multi-disciplinary team across the health and local government sectors.

Both Councils share a common challenge of seeking to address persistent levels of Covid 19 infection within their communities.

The review identified an abundance of innovation across Council activities, with both authorities learning, evaluating, and adapting in real time to what is working well whilst reacting to new developments and responding to what their communities are telling them.

Barnsley Council was praised for its understanding of the complexity and range of factors impacting on enduring transmission, for the clarity of its communication and engagement activities, the strong, passionate, and knowledgeable multi-disciplinary teams who clearly understand the local communities, the strong and compassionate leadership and the active contribution to regional and sub regional mutual aid systems and the outward facing approach keen to learn from as well as keen to support others.

Monitoring of staff absence has taken place daily throughout the pandemic supported by a Covid absence dashboard and a simplified reporting system. This allowed us to make informed decisions about resource deployment based on self-isolations, Covid absences and other sickness absences. As society re-opened over the summer there was a period when the social distancing and self-isolation guidelines were out of kilter with national messaging the period of the “pingdemic”. During this period the Council issued a number of internal and external contingency plans to pause and delay response times for some services, including stopping the collection of green bin services for a period of 2 weeks due to high levels of staff absence.

As has been seen nationally, absence due to mental health has continued to increase throughout the pandemic and so we have put several new interventions in place supported through intelligence gathered through pulse surveys. A new programme is currently being commissioned for November implementation.

The Council has been conducting meetings and taking decisions in ways other than face to face so that lawful decisions can still be made to maintain good governance, principles of openness and accountability. When lockdown was first announced on 23rd March 2020, the Council was able to re-establish its full governance arrangements within a matter of two and a half weeks. Emergency Covid legislation provided for meetings to be held remotely (virtually) and whilst in some cases this necessitated reducing numbers on both the Planning Regulatory Board and the Overview and Scrutiny Committee, the executive arrangements in place allowed for key decisions to continue to be made.

Advances in the virtual technology meant that quickly we were able to re-establish the full membership on each of the bodies referenced above.

Council finished on 27th February 2020 and then recommenced on 30th July – we missed 4 meetings including the annual Council meeting which was put back to October 2020. Provision for Councils not to host Annual General Meetings during the first period of lockdown was made explicit within the Coronavirus legislation enacted.

Members and the Senior Management Team have received regular updates regarding the financial impact of Coronavirus and work continues to plan for the impact on the Council's Medium-Term Financial Strategy.

The Council and the CCG's individual and joint response has been led through a command, control and co-ordination structure which variously includes single and multi-agency groups. Over time these have transitioned to focus on both response and recovery. The Council has a Recovery and Renewal Group consisting of Service Directors and Heads of Service from across the Council, with this reporting to the Council's Strategic Gold Group. Through multi-agency groups, the Council is also continuing to work with senior leaders within partner organisations including health and emergency services, the wider public sector, and the voluntary sector.

An initial / interim review to identify lessons learnt from the initial response phase has been undertaken and this is currently being reviewed to produce a collated list of opportunities for improvement and recommendations. Going forward, the Council's recovery approach will include a full review of the impact of coronavirus, the lessons learnt, and the opportunities rebuild for the future.

16.A Forward Look

Although an annual governance statement is intended to provide a reflection of the financial year just gone, it is also important to highlight and acknowledge that where the Council has challenges, or is implementing major changes, assurance can be provided that due regard is given to maintaining effective governance.

In particular, the impact of the pandemic forced an immediate move to more agile working for many employees. Having considered that experience, we've considered what our future working arrangements will be and have launched our *Smart Working Programme*. Throughout this programme we're looking at how we need to change relevant policies, procedures, and guidance to support the delivery of services and therefore maintain effective governance. This programme will be implemented fully over the next 6 to 12 months.

The Council continues to work with other organisations in many ways. The need to ensure all such relationships, whether they are formal contracts, collaborations or partnerships are effectively governed is acknowledged in this AGS and action plan. This is particularly pertinent in relation to the implementation of the new integrated care system, across the local NHS organisations and Council. Work is well underway with the other stakeholders to meet the challenging April 2022 timescale set by the Government.

Again, as has been mentioned above, an integrated governance assurance framework is being developed that will aim to ensure the Council's governance responsibilities are understood and met in as an efficient and effective way possible. This framework will be applicable across all areas of the Council.

17. Conclusion

This AGS demonstrates that the systems and processes the Council employs provide a comprehensive framework upon which to give assurance to the Council and residents of the Borough that its governance arrangements were in place during 2020/21 and into 2021/22.

The governance arrangements outlined in the AGS have been applied throughout the year and up to the date of the approval of the Annual Accounts. The annual review has provided an effective process to identify any governance issues and to put in place the necessary improvement actions. The annual review process and action plan demonstrates the culture of the Council to robustly challenge itself and seek out opportunities to constantly improve.

Along with every organisation in the country, the Council has been significantly impacted by the Coronavirus pandemic. Changes have been made to decision-making arrangements and the conduct of meetings, as well as changes to the Council's priorities and

programmes. It is recognised that the pandemic continues to provide challenges to the Council and will have longer-term implications for how services are delivered and the financial resources available to support that service delivery.

The annual review has identified, overall, that the Council continues to have an effective framework of governance. The challenging approach we take has identified areas where we want to improve further with the necessary actions being agreed. The implementation of AGS action plan will again be monitored by the Audit and Governance Committee.

Appendix 1 – Annual Governance Statement Action Plan 2021/22

AGS	Headline Action	Timescales
c/f/ 2019/20	Managing Staff Absences <ul style="list-style-type: none"> Review of the employee absence dashboard (any resulting actions identified will be implemented early 2022) 	November 2021
c/f/ 2019/20	Safeguarding <ul style="list-style-type: none"> Principal Social Worker commenced in post July 2021 – will review safeguarding processes as part of the Better Lives work. 	July 2021 onwards
c/f 2019/20	Partnership, Relationship and Collaboration Governance <ul style="list-style-type: none"> Undertake a baseline review of partnership and reporting requirements 	December 2021
2020/21	<ul style="list-style-type: none"> Develop a defined governance framework with a corporate lead for partnerships and collaborations 	December 2021
c/f 2019/20	Information Governance <ul style="list-style-type: none"> Training plan for 2021 – progressing – commenced September 2020 POD Success Factors – learning and development Review of options of memory sticks 	December 2021 September 2022 On hold due to Covid 19
2020/21	<ul style="list-style-type: none"> Continue work to further reduce the number of data breaches, further raise employee awareness, and improve overall data security 	Throughout 2021
c/f 2019/20	Risk Management and Governance Assurance <ul style="list-style-type: none"> Development of training material for inclusion on the POD system 	Throughout 2021/22
2020/21	<ul style="list-style-type: none"> Ensure the full implementation and use of the revised Risk Management System across the Council Monitor utilisation rates of the system and ensure there is a consistency of approach to the recording and management of risks 	December 2021 Throughout 2021/22

AGS	Headline Action	Timescales
	<ul style="list-style-type: none"> Undertake a review of the risk management system with service users – identify any areas for further development and/or improvement to the system Development of the wider governance assurance process across the Council to integrate with the new risk management approach 	December 2021 April 2022
c/f 2019/20	Declaration of Interests <ul style="list-style-type: none"> Improve compliance with completion of annual forms (Declaration of Interests) and their subsequent availability and use – to be incorporated into an Internal Audit review 	December 2021
2020/21	Equalities and Inclusion <ul style="list-style-type: none"> To further improve awareness of the equalities and inclusion agenda across the Council 	March 2022
c/f 2019/20	Personal Development Reviews <ul style="list-style-type: none"> Success Factors (performance and goals) to be implemented 	September 2022
2020/21	<ul style="list-style-type: none"> Continue to review compliance levels and quality of PDRs across the Council 	Throughout 2021/22
c/f 2019/20	Performance Management and Data Quality <ul style="list-style-type: none"> Further develop KPI's and service standards in some BU's – work continuing 	Part of continuous process of development of KPI's and service standards across Council
2020/21	<ul style="list-style-type: none"> Ensure Business Units use Power BI tools/reports as a routine part of business management 	
2020/21	Fraud Awareness <ul style="list-style-type: none"> Continue work to improve staff awareness and the assessment of fraud risks Develop specific training to promote better general awareness 	Throughout 2021/22 December 2021
2020/21	HR Recruitment Processes <ul style="list-style-type: none"> Review processes to improve efficiency and effectiveness – linked to Success Factors implementation 	September 2022

