

Crawley Borough Council

Governance Committee

Agenda for the **Governance Committee** which will be held in **Committee Rooms A & B - Town Hall**, on **Tuesday, 21 June 2022** at **7.00 pm**

Nightline Telephone No. 07881 500 227

A handwritten signature in black ink, appearing to read "A. Lamb", is positioned above the title "Chief Executive".

Chief Executive

Membership:

Councillors

P K Lamb (Chair), J Bounds (Vice-Chair), R D Burrett, D Crow, M G Jones, G S Jhans, Y Khan, R A Lanzer, T Lunnon, K McCarthy and S Pritchard

Please contact Democratic Services if you have any queries regarding this agenda.
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The order of business may change at the Chair's discretion

Part A Business (Open to the Public)

	Pages
1. Apologies for Absence	
2. Disclosures of Interest	
In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.	
3. Minutes	5 - 10
To approve as a correct record the minutes of the Governance Committee held on 21 March 2022.	
4. Public Question Time	
To answer any questions asked by the public which relate to an item on this agenda and which are in line with the Council's Constitution.	
Public Question Time will be concluded by the Chair when all questions have been answered or on the expiry of a period of 15 minutes, whichever is the earlier.	
5. Annual Governance Statement 2021-2022	11 - 34
To consider report LDS/183 of the Head of Governance, People & Performance.	
6. Review of Public Written Questions at the Full Council and Public Question Time at Committees	35 - 36
When the "New" Constitution was considered by the Governance Committee on 29 January 2020 (minute 4 refers) and subsequently adopted by the Full Council at its meeting on 26 February 2020 (minute 13 of that meeting refers) it was agreed that the introduction of a provision for public written questions at Full Council (set out in the Full Council Procedure Rules) and the provision for Public Question Time at Audit Committee, Governance Committee and Licensing Committee (set out in the General Committee Procedure Rules) be trialled for one year with an evaluation report being submitted to a Governance Committee in 2021.	

However, when the Covid-19 pandemic hit in 2020 all formal meetings of the Council were held virtually. Therefore, at its meeting on [22 June 2021](#) (minute 5 refers) the Governance Committee concurred with officers that it would not be representative to use the past year to review the uptake of the provisions and agreed that the trial period be extended by a year with an evaluation report being brought back to the Committee for its consideration circa June 2022.

Details relating to the use of the provisions since their introduction are set out in report LDS/182 of the Head of Governance, People & Performance.

When the introduction of those provisions were initially considered by the Governance Committee a concern was raised that the provision for Public Question Time (PQT) could be abused. However, given that no public questions have been raised during PQT at Committees and there has been limited use of public written questions at the Full Council, officers are of the opinion that the provisions should remain unchanged.

RECOMMENDATION

That no changes to the current provisions for public written questions at the Full Council or Public Question Time at the Audit Committee, Governance Committee and Licensing Committee be made.

7. Extension to the Current Councillors' Allowance Scheme

Historically the effective dates of the Councillors' Allowances Scheme run from 1 April to 31 March. It is considered that it would be more efficient and easier to manage if the Scheme were instead aligned with the Council's municipal year.

Following discussion with the members of the Independent Remuneration Panel it is proposed that the current Scheme (due to end on 31 March 2023) be extended to instead cease on the day of the next Annual Meeting of the Full Council (currently scheduled for 26 May 2023). The report of the Independent Remuneration Panel will be brought to a future meeting of this Committee.

RECOMMENDATION

That the Full Council be recommended to agree an extension the current Councillors' Allowances Scheme, so it ceases on the day of the next Annual Meeting of the Full Council (currently scheduled to take place on 26 May 2023).

8. Date of the Committee Meeting

The next meeting of the Governance Committee was originally arranged to take place on 12 September 2022.

However, an important Electoral Commission information session has since been scheduled for the same date. In light of this, the Committee Chairs for both the Governance Committee and Licensing Committee have agreed to amend the dates of their next scheduled meetings as follows:

- Governance Committee moved **from** 12 September 2022 **to** 19 September 2022.
- Licensing Committee moved **from** 19 September 2022 **to** 12 September 2022.

Committee Members are asked to note these changes and amend their diaries accordingly.

9. Supplemental Agenda

Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.

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Crawley Borough Council

Minutes of Governance Committee

Monday, 21 March 2022 at 7.00 pm

Councillors Present:

K McCarthy (Chair)

T Lunnon (Vice-Chair)

R D Burrett, D Crow, C R Eade, G S Jhans, P K Lamb, R A Lanzer and S Malik

Officers Present:

Mez Matthews

Democratic Services Officer

Chris Pedlow

Democracy & Data Manager

Apologies for Absence:

Councillor M Flack

Natalie Brahma-Pearl

Chief Executive

Siraj Choudhury

Head of Legal, Governance and HR

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Burrett	Outside Bodies (Minute 7)	Personal Interest – He was a Trustee of Crawley Open House (not a Council representative appointed by the Council)
Councillor Lamb	Councillors' Allowances Scheme: Update (Minute 6)	Personal Interest – His partner was the current Deputy Mayor
Councillor Lunnon	Notification of Urgent Action Taken by the Returning Officer: Polling Place for Three Bridges Ward (LMC) (Minute 9)	Personal Interest – He was a member of Three Bridges Cricket Club

2. Minutes

The minutes of the meeting of the Governance Committee held on 21 September 2021 were approved as a correct record and signed by the Chair.

3. Public Question Time

No questions were asked by the public.

4. Code of Conduct for Councillors

The Committee considered report [LDS/178](#) of the Head of Legal, Governance and HR which put before Committee some minor changes to the Code of Conduct for Councillors ("the Code") and confirmed the procedure for dealing with complaints under the Code.

In presenting the report the Democracy and Data Manager highlighted that the changes proposed were to incorporate some of the elements from the Local Government Association's (LGA) Model Code of Conduct and formalise the Council's current process for dealing with complaints.

The Committee was informed that the Independent Persons, having been consulted on the proposed amendments, had made comments which had been dealt with and the Independent Persons had subsequently confirmed they were in agreement with the changes as set out in the report.

The Committee considered the report and were in agreement with the proposed changes. Particular support was expressed that the procedure for dealing with complaints now clarified that any individual who was the subject of a complaint would be informed of the complaint made against them. Following a query from a Committee Member the Democracy and Data Manager advised that, although acceptance (and refusal) of gifts and hospitality was included within the Code, more in-depth advice was provided in the separate *Guidance Note for Councillors (including the Mayoralty) on Gifts and Hospitality* section contained within the Council's Constitution.

RESOLVED

1. That the timetable set out at Section 7 of report [LDS/178](#) be approved.
2. That the Full Council be recommended to:

Approve the minor changes proposed in Appendix A (Code of Conduct for Councillors) and Appendix B (Procedure for Dealing with Code of Conduct Complaints) to report [LDS/178](#) for incorporation in the Council's Constitution in time for the new municipal year, namely from the 9 May 2022.

5. Review of Provisions Relating to Call-In and Urgency

The Committee was advised that there had been seven cases in the last municipal year where an item had been protected from Call-In Procedure on the grounds of urgency as provided for in Call-In Procedure 8 contained within the Constitution. Details of six of those decisions protected from Call-In were set out in report [LDS/177](#) of the Head of Legal, Governance and HR.

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The Committee was informed that, since publication of the Agenda, one additional decision had been protected from Call-In by the Chief Executive. This decision related to the Council Tax Government Discretionary 'Energy Rebate' Scheme and was taken by the Leader on the 15 March 2022. The Leader approved the West Sussex wide Guidelines for the Scheme and had delegated authority to relevant officers to award relief in line with those Guidelines. The decision was reported in the previous week's Councillors' Information Bulletin ([IB/1122](#)).

The Committee acknowledged that prior to the Covid-19 pandemic it had been rare for decisions to be protected from Call-In and it was hoped that the number of decisions protected would return to this level once the pandemic situation had subsided. Following a query from the Committee regarding the Urgent decisions taken by the Chief Executive, the Committee was informed that the Leader was consulted on each decision before they were taken, with the Leader of the Opposition being notified for information.

RESOLVED

That no change to the provisions relating to Call-In and Urgency be made.

6. Councillors' Allowances Scheme: Update

The Committee considered the item set out on the [Agenda](#) which advised that the current Councillors' Allowances Scheme had effect until 31 March 2023. The Scheme would be reviewed by an Independent Remuneration Panel (the "Panel") in the coming year with a view to feeding the allowances in to the 2023/24 Budget. The Committee were requested to consider whether the Mayoral allowances should be considered by the Panel at the same time as the main Review.

In addition to noting that membership of the Panel was already in place, the Committee was informed that significant effort had previously been made to appoint female members to that Panel but unfortunately it had not been possible to do so. When new/replacement Panel members were required officers would make a continued effort to appoint a female member to the Panel.

Following a query raised by the Committee, the Democracy and Data Manager advised the Committee that, should a Councillor be of the opinion that a Scrutiny Review of the Mayoral package could be advantageous, a Scrutiny Suggestion Form should be submitted in the usual way. The Committee was given details of the information provided to the Panel to assist its Review and was reminded that the Mayoral allowances had been included in the last Review of the Allowances Scheme at the request of the Governance Committee.

Proposed Motion

It was moved by Councillor Malik (seconded by Councillor Lanzer) that the Independent Remuneration Panel be requested to consider the Mayoral allowances at the same time as the review of the Councillors' Allowances Scheme.

Following a vote, the proposal was declared to be **CARRIED** unanimously.

Whilst the Committee understood the difficulties faced by the Panel at the time, concern was expressed by the Committee that, during the last Review of the Mayoral allowances, the Panel had chosen not interview recent previous Mayors as none of

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the Mayors from 2015/16 onwards were serving Councillors. The Committee was of the opinion that the interviews were fundamental in informing a Panel of the activities carried out by the Mayor and the time commitment involved. The Committee questioned whether not carrying out those interviews could have been a reason for the Panel's suggested significant reduction in the allowances of the Mayor and Deputy Mayor at the time. Given the strength of feeling expressed by the Committee the Democracy and Data Manager reassured the Committee that he would inform the Panel of the Committee's concern and would encourage it to interview former Mayors when conducting their Review of the Mayoral allowances (including those who were no longer a serving Councillor).

RESOLVED

1. That it be noted that the current Councillors' Allowances Scheme remains in effect until 31 March 2023.
2. That the Independent Remuneration Panel be requested to consider the Mayoral allowances at the same time as the review of the Councillors' Allowances Scheme.
3. That the Head of Legal, Governance and HR put in place the necessary arrangements to ensure that a review of the Councillors' Allowances Scheme takes place in order for the allowances to feed into the 2023/24 Budget.

7. Outside Bodies

The Democracy and Data Manager addressed the Committee and advised that the Chair of the Governance Committee and Councillor Crow had requested that Outside Bodies be contacted as follows:

- 1) For those Outside Bodies where the Council had two seats and did not currently state that it receive a representative from each political Group - would those Outside Bodies prefer to have a representative from each Group or were they happy to receive nominations from any Group? Those Outside Bodies were namely:
 - Crawley Museum Society.
 - West Sussex Mediation Service Management Committee.
 - Crawley Arts Council (CAC).
 - Age UK – West Sussex Trustee Board.
- 2) For those Outside Bodies where the Council had one seat - would they allow/prefer two seats and, if so, would they prefer that those seats were politically balanced? Those Outside Bodies were namely:
 - Crawley Ethnic Minority Partnership (CEMP) Board.
 - Relate – North and South West Sussex Trustee Board.

The Data and Democracy Manager apologised that the item was being presented verbally, but advised that several responses had not been received in time for inclusion in the published Agenda. During the Committee's consideration of the item the Democracy and Data Manager provided clarification with regard to the Council's representation on several other Outside Bodies.

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The Committee noted that, from those Outside Bodies which had responded, the majority did not place importance on political proportionality but were keen that any representative appointed was engaged in its cause and attended its meetings. Several Committee members agreed that it was important for any Council representative to be engaged in an Outside Body's cause regardless of political Group. It was also put forward that having a range of views represented on an Outside Body would be advantageous.

Several Committee members referred to report [LDS/162](#) of the Interim Monitoring Officer which had been considered by the Committee on 26 January 2021 (minute 5 of that meeting referred) which proposed a change to the then approach to allocating Committee Chair and Vice-Chairs. At that meeting the Committee had resolved to recommend that the Full Council adopt a Fixed Cascade Approach for the allocation of Committee Chairs and Vice-Chairs.

That resolution had subsequently been agreed by the Full Council at its meeting on [24 February 2021](#) and the Constitution had been amended to reflect the adopted protocol. It was suggested that approach had been successful and had aided the smooth running of the Full Council AGM, for that reason several Committee members suggested that a similar approach be adopted for the allocation of seats to Outside Bodies.

Proposed Motion

It was moved by Councillor Crow (seconded by Councillor Burrett) that "Where the Council makes an appointment to an Outside Body with two or more Council representatives, at least one position is given to each of the largest political Groups on the Council (where those Groups have made a nomination), and that the Constitution be amended to reflect this arrangement".

Following a vote, the proposal was declared to be **CARRIED** unanimously.

RESOLVED

1. That the views of the Outside Bodies be noted.
2. That the Full Council be recommended to agree that:

When the Full Council, normally at the Annual Meeting, appoints representatives to a Council Outside Body with two or more Council seats, at least one position is given to each of the largest political Groups on the Council (where those Groups have made a nomination), and that the Constitution be amended to reflect this arrangement.

8. Updated Annual Governance Statement 2020-2021

Due to delays in the external audit which was outside the Council's control, the Council's External Auditors (Ernst & Young LLP) had asked that some changes be made to the Annual Governance Statement. This was because post balance sheet items had come to light, this also included the Crawley Homes rent issue which had been reported to the Full Council.

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The revised Annual Governance Statement was set out report [FIN/569](#) of the Head of Corporate Finance. The Committee noted that the Statement had been put before the Audit Committee on 15 March 2022 as an Appendix C to report [FIN/568](#) (Statement of Accounts 2020/2021) where it had been endorsed.

RESOLVED

That the updated Annual Governance Statement 2020-2021 be noted.

9. Notification of Urgent Action Taken by the Returning Officer: Polling Place for Three Bridges Ward (LMC)

The Data and Democracy Manager informed the Committee that on 17 March 2022 the Chief Executive (as Returning Officer) had taken a decision under the Urgency provisions as set out in the Constitution.

The designated Polling Place for Poling District LMC in Three Bridges was the Holiday Inn Express however, the Council had not been able to make a confirmed booking with Holiday Inn Express to accommodate a Polling Place for the election on 5 May 2022. In light of this, the Chief Executive had taken the urgent decision to temporarily allocate the Limelight Room at The Hawth Theatre as the Polling Place for Polling District LMC for the 5 May 2022 election only. The decision would be reported the next day in Councillors' Information Bulletin IB/1123.

The Committee acknowledged the reasons for taking the decision as well as the circumstances surrounding its urgent nature. Following a query from the Committee the Democracy and Data Manager stated that Three Bridges Cricket Club had been investigated as an alternative venue but access had been deemed currently a less suitable option. The Committee requested that it be fed back to the Returning Officer that, in future, where an urgent change to a Polling Place was necessary, Ward Councillors should be informed.

RESOLVED

That the Urgent Action taken by the Chief Executive (as Returning Officer) in respect of the temporary change to the Polling Place for Polling District LMC (Three Bridges) for the 5 May 2022 election be noted.

Closure of Meeting

With the business of the Governance Committee concluded, the Chair declared the meeting closed at 8.15 pm

K McCarthy (Chair)

Crawley Borough Council

Report to Governance Committee

21 June 2022

Annual Governance Statement 2021/2022

Report of the Head of Governance, People & Performance: **LDS/183**

1. Purpose

- 1.1. It is a requirement of the Accounts and Audit (England) Regulations 2015 that all local authorities produce an Annual Governance Statement.
- 1.2. It is a function of the Governance Committee to monitor and review the Corporate Governance of the Council. This report sets out the latest draft of the Annual Governance Statement 2021/2022 and Governance Action Plan 2021/2022.

2. Recommendations

- 2.1. That the Governance Committee:

Considers the latest draft of the Annual Governance Statement 2021/2022 and Governance Action Plan 2021/2022. Provides any comments for incorporation into the final version, which is to be approved by the Audit Committee on the 25 July 2022 and will subsequently be included in the Annual Statement of Accounts when agreed later in the year.

3. Reasons for the Recommendations

- 3.1. To take into consideration any comments made by the Governance Committee on the Annual Governance Statement 2021/2022.

4. Background

- 4.1 We are responsible for making sure that our business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for and used economically and efficiently. We also have a duty under the [Local Government Act 1999](#) to put in place proper arrangements for:
 - the continuous improvement of our functions
 - the governance of our affairs which includes arrangements for the management of risk.

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- 4.2 The objective of the Annual Governance Statement is for the Council to summarise the extent to which we have complied with our own code of governance and met Regulation 6 of the Accounts and Audit Regulations 2015 and the Accounts and Audit (Coronavirus) (Amendment) Regulations 2021.
- 4.3 The Chartered Institute of Public Finance and Accountancy (CIPFA), in conjunction with the Society of Local Authority Chief Executives (SOLACE), has produced a framework for delivering good governance in local government. The framework guidance "Delivering Good Governance in Local Government Framework 2016" is used as a guide in compiling the AGS.
- 4.4 It should also be noted that the Southern Internal Audit Partnership (SIAP) is currently undertaking an audit of the Annual Governance Statement. The AGS has not been previously audited and although there have not been any significant changes to the process in which the AGS is collated, there has been a change to the designated officers. The key purpose of this review is to ensure that the AGS is produced in line with the CIPFA / SOLACE framework and that it is effectively reviewed prior to publication and sign off. The final audit report is expected at the end of June. Any actions to address issues identified and mitigate risk exposure will be incorporated in the final version of the AGS, before being presented to Audit Committee on the 25 July 2022.
- 4.5 The 2020/21 AGS did not report any significant risks or actions.
- 4.6 The latest draft of the Annual Governance Statement 2021-2022 is attached at Appendix A.
- 4.7 The Governance Action Plan for 2021-2022 is attached at Appendix B.

5. Background Papers

None

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Annual Governance Statement 2021/22

Foreword

This Annual Governance Statement reflects the governance arrangements within the Council for the period 1 April 2021 to 31 March 2022 and takes into account the effects of COVID-19 on the operations at the Council during that period.

As was the case last year, the Council has considered and reflected on its responses to COVID-19 since 31 March 2021 and confirm that governance arrangements were, and remained, robust.

Crawley Borough Council's Response to COVID-19 during 2021/2022

The Council overall has responded swiftly and decisively to the COVID-19 crisis as follows:

- COVID-19 agenda item on the fortnightly Corporate Management Team Agenda.
- The Leader of the Council initially hosted fortnightly Facebook Live question and answer sessions, which moved to monthly as the year progressed.
- The Chief Executive hosted fortnightly (which turned to monthly later in 2021) Q&A sessions with all Council staff.
- Governance arrangements were confirmed under which the Chief Executive could make Urgent Decisions in liaison with Leader of the Council and the Mayor.
- Regular updates of local Covid activity were also sent to Councillors during periods of national lockdown.
- Key Decisions were taken through the Chief Executive, in consultation with both party leaders and the relevant Cabinet Member.
- A New Norms Group was established to lead on managing the workspace environments and ensuring they were COVID-19 secure, to advise on remote working best practice and to put in place support for staff who were struggling.
- All Service areas engaged in the response; examples include:
 - Business Ratepayers written to with information on grant / business rates reduction claim process and their administration continued during the year
 - Benefits Team providing additional support to deal with increase in claims
 - Benefits Team administering Test and Trace isolation payments, these increased significantly during the Omicron variant
 - Significant Council enforcement and Covid compliance checks of local businesses and open space areas

Examples of how good governance was maintained during the Council's response to COVID-19 April 2021 - March 2022 include:

- Legislative changes were considered in respect of holding public meetings and making decisions, and virtual Council meetings were held. This continued throughout the financial year 2020/2021 and into the start of the

2021/2022 year. Following the legal requirement to return to face-to-face committees from the 7 May 2021, the Council adapted its governance arrangements to enable this to happen safely, including reducing committee sizes, enforcing social distancing and mask wearing. This ensured that decision making processes could take place effectively during this time.

- CMT held fortnightly meetings and Covid recovery was a standing item on the Agenda.
- The financial impact of Covid has been reported within the Budget Strategy, the Budget report and the Quarterly Monitoring reports to Cabinet. Allowances for losses were created within budgets and a separate Covid reserve was set up to meet any unplanned losses. The Budget Strategy looks at a gradual reduction in those losses but the reserve will remain to mitigate this. All Councillor seminars took place to jointly agree how savings would be sought to help mitigate the impact of losses on the Budget.

Scope of Responsibility

The Leader of the Council (Cllr Peter Lamb) and the Chief Executive (Natalie Brahma-Pearl) both recognise the importance of having robust rules, systems and information available to guide the Council when managing and delivering services to the communities of Crawley.

Each year the Council is required to produce an Annual Governance Statement (AGS) which describes how its corporate governance arrangements have been working over the year.

It is intended that this AGS in respect of 2021/2022 will be considered by the Governance Committee on the 21 June 2022 and then on to the Audit Committee on the 25 July 2022. This is subject to the Statement of Accounts potentially being presented to the Audit Committee at a date later in the year.

Crawley Borough Council ("the 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. 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.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs and the effective exercise of its functions, which includes arrangements for the management of risk.

The Council has approved and adopted a [Code of Corporate Governance](#) which is consistent with the principles of, and reflects the requirements outlined in, the 2016 CIPFA/SOLACE Framework, 'Delivering Good Governance in Local Government'. This statement explains how the Council has complied with the Code and also meets the requirements of Accounts and Audit (England) Regulations 2015, which require all relevant bodies to prepare an Annual Governance Statement.

Purpose of the Governance Framework

The governance framework comprises the systems and processes, and culture and values, by which the Council is directed and controlled, and its activities through which

it accounts to, engages with and leads the community. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate services and value for money.

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 Crawley Borough Council'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 Crawley Borough Council for the year ended 31 March 2022 and will continue to be developed in coming years.

The Principles of Good Governance

The CIPFA/SOLACE framework was reviewed in 2015 to ensure that it remained “fit for purpose” and a revised edition was published in 2016, which defines the various principles of good governance in the public sector. The new Delivering Good Governance in Local Government Framework applies to the Annual Governance Statement prepared for the year ended 31 March 2022 and up to the date of the approval of the Annual Report and Statement of Accounts for the financial year 2021/2022. The key elements of the systems and processes that comprise the Council's governance arrangements are as follows:

Principle 1: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of the law

The Constitution

Crawley Borough Council last updated its [Constitution on 19 January 2022](#) (with a further update planned to take place at the end of May 2022). The Constitution sets out how the Council operates, how decisions are made and the procedures to be followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

The Constitution is divided into 3 sections: Decision Making, Procedure Rules and Codes & Protocols. The Decision-Making section includes details of the Council's decision-making mechanisms and a scheme of delegation setting out who is responsible for taking which decision. The Procedure Rules detail how meetings are conducted and how decisions are taken and scrutinised. The Code & Protocols set out the expected standards of behaviour for Councillors and officers along with any other required Councillor related protocols. The Constitution details how the Council ensures that all of those elements are efficient, transparent and accountable to local people.”

The Governance Committee is responsible for regularly reviewing the Constitution and ensuring that it is both up to date and fit for purpose. Significant changes to the Constitution are considered by the Governance Committee before being put before the Full Council for adoption.

Head of Paid Service

The Head of Paid Service is responsible for the strategic management of the Authority as a whole and the staff employed. They are required to report to and provide information for the Cabinet, the Full Council, the Overview and Scrutiny Commission and other Committees. They are responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation.

Monitoring Officer

The Monitoring Officer is a statutory function and ensures that the Council, its officers, and its elected Councillors, maintain the highest standards of conduct in all they do. The Monitoring Officer ensures that the Council is compliant with laws and regulations, as well as internal policies and procedures. They are also responsible for matters relating to the conduct of Councillors and officers, as well as monitoring and reviewing the operation and maintenance of the Council's Constitution.

The Monitoring Officer ensures the lawfulness and fairness of decision making within the Council and, after consulting with the Head of Paid Service and the Chief Finance Officer, will report to the Full Council (or to the Cabinet in relation to a Cabinet function) if they consider that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

The Monitoring Officer for this Council is the Head of Legal, Governance and HR.

Deputy Monitoring Officer

A Deputy Monitoring Officer has been appointed to act in the absence of the Monitoring Officer. For this Council this is the Democracy & Data Manager.

Section 151 Officer

Whilst all Councillors and Council officers have a general financial responsibility, Section 151 of the Local Government Act 1972 specifies that one officer in particular must be responsible for the financial administration of the organisation, and that this officer must be CCAB qualified. This is typically the highest-ranking qualified Finance Officer and for this Council this is the Head of Corporate Finance.

Deputy Section 151 Officer

A Deputy Section 151 Officer has been appointed to act in the absence of the Section 151 Officer. For this Council this is the Chief Accountant.

Codes of Conduct

Codes of Conduct exist for both staff and Councillors.

All Councillors must adhere to a [Code of Conduct](#) to ensure that they maintain the high ethical standards the public expect from them. If a complainant reveals that a potential

breach of this Code has taken place the Council may refer the allegations for investigation or decide to take other action.

On joining the Council, officers are provided with a contract outlining the terms and conditions of their appointment. All staff must declare any financial interests, gifts or hospitality on a public register, as set out in the Constitution. Additionally, Councillors are expected to declare any interests at the start of every formal Council meeting they attend in accordance with Standing Orders. Councillors and officers are required to comply with approved policies.

Whistleblowing

The Council is committed to achieving the highest possible standards of openness and accountability in all areas of its practice. The Council's Whistleblowing Policy was revised in March 2022 and agreed by the Corporate Management Team, it will also be signed off by the [Cabinet](#) on 6 July 2022. The Policy sets out the options and associated procedures for Council staff to raise concerns about potentially illegal, unethical or immoral practice and summarises expectations around handling such matters.

Anti-Fraud, Bribery and Corruption

The Council is committed to protecting any funds and property to which it has been entrusted and expects the highest standards of conduct from Councillors and officers regarding the administration of financial affairs. The [Anti-Fraud and Corruption Policy](#) was updated in March 2022 (a draft is on the intranet/website for staff, Councillors and the public) and will be signed off by [Cabinet](#) in July 2022.

The Council has a Fraud and Investigations Team which acts to minimise the risk of fraud, bribery, corruption and dishonesty and recommends procedures for dealing with actual or expected fraud. The Team also prosecutes, where appropriate, and is involved in fraud training and awareness.

Principle 2: Ensuring openness and comprehensive stakeholder engagement

Transparency

The Council and its decisions are open and accessible to the community, service users, partners and its staff. All reports requiring a decision are considered by appropriately qualified Legal, and Finance staff with expertise in the particular function area before they are progressed to the relevant Committee or group. This Council wants to ensure that equality considerations are embedded in decision-making and applied to everything the Council does. To meet this responsibility, equality impact assessments are carried out when there is significant change to major Council services, functions, projects and policies in order to better understand whether the change will impact people who are protected under the Equality Act 2010.

All reports and details of decisions made can be found on the Council's [website](#).

Freedom of Information/Environmental Information Requests

The Freedom of Information (FOI) Act 2000 and Environmental Information Regulations (EIR) 2004 give anyone the right to ask for any information held by a public authority, which includes this Council. This is subject only to the need to preserve confidentiality and in the application of certain exemptions and exceptions which may

be engaged where it is proper and appropriate to do so. The Council responds to such requests in a timely and impartial manner and in line with the legislation. The Council also proactively publish information on our website as part of the [Publication Scheme](#).

Subject Access Requests

Section 7 of the Data Protection Act provides for individuals to obtain a copy of information that an organisation holds about them upon making a written request.

Engagement and Communication

Crawley Borough Council recognises that stakeholders require information about decisions that are being taken locally, and how public money is being spent in order to hold the Council to account for the services it provides.

Please see the “Public Consultation” section below for details of public communications and engagement.

The Council held its annual [Question Time on 9th March 2022](#), which gave residents the opportunity to ask questions about topics important to them. The panel included representatives from Crawley Borough Council, West Sussex County Council, Sussex Police, Crawley Clinical Commissioning Group and Crawley Young Person’s Council. This meeting was held at Crawley College.

Consultations

The Council publishes Forthcoming Decision Notices for planned consultations and future decisions. Internally, a consultation toolkit has been developed to guide Council staff through the consultation process. The agreed process ensures that engagement activity is relevant, accessible, transparent and responsive. To increase awareness, consultations are proactively promoted.

Complaints

Crawley Borough Council is committed to delivering a high-quality service and aims to achieve the highest possible standards but recognises that, despite its best intentions and hard work, things can go wrong.

When there is service failure or users are unhappy about the way a matter has been handled, the Council openly wants to hear about such experiences and operates a two stage complaints system as part of its Complaints Policy. Stage 1 is where the complaint is dealt with locally by the relevant service area. If the complainant continues to remain dissatisfied with the Stage 1 response, a request can be made for a further review, conducted by a senior officer, normally the Head of Service as a Stage 2 complaint.

If the matter is still not resolved to their satisfaction, the complainant is entitled to take the matter up with the Local Government and Social Care Ombudsman or the Housing Ombudsman who deals with any complaints that relate to the housing managed service.

Complaint’s data is reported to the Corporate Management Team (CMT) on a quarterly basis and includes data on volumes received and reasons for those that are late. Lessons learned for upheld and part upheld complaints is also reported to CMT to ensure continuous improvement in service delivery. In addition data is reported at a

service level on a monthly basis to ensure action is taken to address any areas of concern.

An audit of the Corporate Complaints Policy was undertaken in May 2021 and limited assurance was determined. In response to the key actions for improvement, changes have been made to the management and reporting of complaints. This includes the creation of the Corporate Performance Team, which includes complaints handling, and the Team are looking to rationalise and link complaints to performance. Changes to the Complaints Policy are still in progress with timescales being brought more in line with Ombudsman requirements for consistency. The Council are also improving the triaging of complaints and will provide clarity on the difference between a complaint and a service request. These changes are expected during the first quarter of 22/23.

The Council has also organised Ombudsman training for those key managers who are responsible for handling complaints to further enhance their understanding of the Complaints Process, communicating decisions effectively and resolving and learning from complaints. This training will be held in May and June 2022.

The Council's current [Complaints Policy](#) is available on its website. The revised Policy will be published as soon as it is available.

Principle 3: Defining outcomes in terms of sustainable economic, social and environmental benefits

Corporate Priorities

The [Corporate Priorities](#) of the Council for the period 2018-2022 are as follows:

- Delivering value for Money and modernising the way we work
- Delivering affordable homes for Crawley and reducing homelessness
- Improving job opportunities and developing the local Economy
- Creating stronger communities
- Providing high quality leisure and culture facilities and supporting health and wellbeing services
- Protecting the environment

The Corporate Priorities will be reviewed and updated after the elections in May. The Council continues to improve performance management within the organisation and service quality and best use of resources is ensured via:

- Transformation and Projects
- Portfolio Briefings
- Quarterly reporting to CMT
- Corporate Project Assurance Group
- Quarterly monitoring of complaints by CMT
- ICT Board

The Council has a 'dashboard of measures' to track performance across a range of key services and ensures that a more timely response can be applied to service improvement and also against service plans and strategies. This is encapsulated within the Performance Management Framework. The Corporate Performance Dashboard is reported to CMT on a quarterly basis. Heads of Service are encouraged to discuss the performance report as part of DMT discussions, to consider areas of success and improvement.

The Council recognises that to drive improvement it needs to closely monitor and review its performance. The Council routinely monitors its spend against budgets, and each department has an agreed purpose and collect data to measure their performance.

Corporate Projects Assurance Group (CPAG)

CPAG was formed in 2018 and is chaired by the Chief Executive and includes the Deputy Chief Executive, Head of Corporate Finance, Head of Legal Governance & HR, Procurement Manager and Corporate Performance Manager. Its purpose is to ensure the project governance arrangements in the organisation are robust, risks are assessed and mitigated, enabling the successful delivery of corporate projects. The Group continues to meet every 6 weeks and has a forward programme of projects for discussion.

Information Management

Regular meetings are held in respect of the governance arrangements operating around information management. The Information Governance Board has oversight of information management within the Council and is trialling joint arrangements with Horsham DC to share knowledge, best practice and reduce duplication. The Council also created an Information Management Project Board in 2019 with a remit to ensure GDPR compliancy and to manage the corporate move to SharePoint, as the Council's Electronic Document and Records Management System.

Financial Controls

Financial reports comparing budget to actual and projections to end of year are available in real time to all key officers, with access/drilldown facilities appropriate to role and responsibilities. The Leader of the Council and the Cabinet also receive quarterly Budget Monitoring Reports. All Councillor financial seminars have taken place twice during the year to keep Councillors updated on the financial situation due to COVID-19 and the impact on future budgets.

Local Plan

The [Local Plan – Crawley 2030](#), was adopted in December 2015 and now forms the Council's development plan under which development control decisions will be taken. The Local Plan is supported by a number of companion planning documents and considerations including Supplementary Planning Documents, Development Briefs, Article 4 Directions and the Community Infrastructure Levy Charging Schedule and associated Infrastructure Plan. The Council's planning policies seek to balance the economic, social and environmental needs of residents, businesses and visitors, ensuring that Crawley continues to be a great place to live, to work and to visit. Review of the Crawley Local Plan commenced in 2019 and three rounds of formal public consultation have taken place to date with work ongoing on the evidence base.

Implementation of the Local Plan and the success of the Council's planning policies is measured and reported through the Authority's Monitoring Report which is published annually.

Transformation

In 2020 the Council updated the [Transformation Plan](#) to reflect the significant progress made against the previous Plan (2017/18). The purpose of the Transformation Plan for 2020-22 is to 'prepare the organisation to embrace new ways of working, providing easily accessible and more efficient services for our users, deliver value for money and creating a more commercial culture in order to sustain financial stability'.

The Transformation Board meets monthly, the Board is made up of all members of the Corporate Management Team, the Service and Improvement Development Manager and the HR and OD Manager. They monitor actions against the Transformation Plan.

The Council's Transformation Plan consists of six pillars:

1. Channel Shift; It aims to deliver modern, digital customer services that provide easy access and value for money whilst placing our customers at the heart of everything it does.
2. New Ways of Working; To develop and embed more agile ways of working so that all staff are contactable and connected wherever they are working. Combined with channel shift this will also drive improvements to how the Council deliver services to customers.
3. People Strategy; As the Council adapts to a changing environment and ways of working it must support its workforce to develop new skills to build flexibility and resilience. Alongside continuing to embed its values and behaviours into day to day practices so it is able to recruit, retain and develop the right workforce.
4. Service Redesign; Key thematic reviews have been identified to determine options to improve services and create efficiencies.
5. Commercialisation and Income Generation: To create a culture of commercialisation and embedding the principles of its PIPES strategy.
6. Assets; To ensure that the Council's land and property assets are utilised in the most efficient and effective way.

There is a separate Assets Review Group that monitors the Council's key commercial and investment properties, this Group is chaired by the Chief Executive and meets monthly.

Housing Strategy

Housing need and the Council's policies to address this are contained within the Local Plan Housing policies.

Following the introduction of the Homelessness Reduction Act, the Council's [Homelessness Review and Homelessness Strategy \(2019 – 2024\)](#) was approved by the Full Council on 16th December 2019.

The Council has identified five priorities for addressing homelessness within Crawley:

- Preventing and relieving homelessness
- Tackling rough sleeping
- Meeting the needs of vulnerable people
- Accessing suitable and affordable accommodation
- Preventing repeat homelessness.

Procurement Strategy

The Council operates a shared Procurement Service with Horsham, Mid Sussex and Mole Valley Councils, with Crawley acting as the lead Authority. Procurement processes are undertaken according to each Council's Procurement Code and the relevant public procurement regulations. These govern the way officers acquire goods, works and services, and ensure that Council processes are consistent, transparent, legally compliant, and that suppliers are treated fairly.

Depending on the type of contract being procured, suppliers may be asked as part of their bid to commit to the principles of a relevant charter or policy. Crawley has a Sustainable Procurement Charter, Unite Construction Charter and Social Value Charter. Further information on the Council's procurement processes, and key policies and charters are published on the website. [Procurement | Crawley GOV](#)

The Council has also recently produced a [Modern Day Slavery and Human Trafficking Transparency Statement](#), which was agreed at Cabinet on the 12 January 2022. We also provide quarterly updates to Cabinet on key procurements over £500,000 and a forward programme of key procurements. The last update also went to [Cabinet](#) on the 12 January 2022.

Climate Emergency

The Council declared a Climate Emergency in July 2019. In November 2021, the Cabinet agreed the Council's [Climate Emergency Action Plan](#) which pledged to reduce emissions by 45% by 2030 and to reach net zero by 2050. However, nearly two thirds of English local authorities have pledged to reach net zero by 2030, including our own local upper tier authority, West Sussex County Council, as well as other District and Borough Councils within West Sussex. As such, in December 2021 the Council agreed to amend the targets within its pledge to reduce emissions by at least 50%, as close to net zero as possible by 2030, and to reach net zero by 2040 at the very latest.

Details of current activities are available on the Council website. [Climate emergency | Crawley GOV.](#)

Equality, Diversity & Inclusion

The Council last updated its [Equality, Diversity & Inclusion Statement in 2017/18](#). A review of the Statement and Action Plan commenced in January 2022 and has considered the latest information under the Equality Act 2010. A revised Statement and Action Plan has been drafted which supports delivery of the three priorities the Council has identified as being important to meet its duty under the Equality Act. These are:

Priority 1: Our Organisation

Developing and building a diverse and engaged workforce

This priority is about ensuring our staff, Councillors and contractors are aware of the Equality Duty and everyone is treated fairly and equally. That the Council's workforce reflects the diversity of the local community.

Priority 2: Our Services

Ensuring our services are accessible to all in the way we plan and deliver them, including contracted services.

This priority is about ensuring that Council services and information are accessible to all, particularly those with protected characteristics. The Council will assess and take into consideration the needs of its customers and residents as part of the design and delivery of its services.

Priority 3: Our Community

Understanding and working with our community

This priority is about developing a greater focus on promoting social inclusivity across Council's services and fostering good community relations. Increasing effective community engagement and participation in public life, particularly from under-represented groups.

The Council's People Board has commented on the latest draft, with the final version being presented to CMT in May 2022 and Cabinet in July 2022.

Corporate Debt Policy

The Council has recently rolled out "Lateral" software to enable it to have a shared view of debt across the Council. This system will identify people that are vulnerable and be able to point them to get debt advice to help avoid them getting into further debt. The Council will be updating its Corporate Debt Policy next year.

Local Partnerships

The Council has a key role in a number of local partnerships, working for the benefit of residents and the community to improve the quality of life, including:

- Safer Crawley Partnership - formed in 1998 in response to the Crime and Disorder Act 1998.
- Crawley Wellbeing - a free, friendly and impartial service from the Local Authority, run in partnership with West Sussex County Council and the local NHS.
- Economic Partnerships, LEAG, Crawley Growth Programme, Crawley Economic Recovery Taskforce/Towns Fund Board.
- The Local Community Network (LCN) is a place-based approach to health and wellbeing delivery and aims to share plans, resources and priorities in tackling local, evidenced based, health inequalities. Membership includes colleagues from primary care, NHS, public health, the Local Authority and voluntary sector, using the Borough Council as the health anchor organisation to deliver the Crawley Health Programme.
- The Council is also a statutory member of the Local Safeguarding Children Board, Safer West Sussex Partnership, West Sussex Prevent Board, West Sussex Corporate Parenting Panel, the Adult Safeguarding Board and the West Sussex Health & Wellbeing Board.
- Strategic Housing - the Council both leads and participates in a range of groups providing a multi-agency response to tackling street homelessness and

providing improved outcomes for care leavers, ex-offenders older people and people with supported housing needs. A key focus remains planning for, and responding to, the housing needs arising from Covid-19 and the associated economic impacts. The Chief Executive continues to Chair the West Sussex Strategic Housing Partnership.

The Council also participates in national, sub-regional and County-wide partnership initiatives, including:

- Coast to Capital LEP
- Greater Brighton Economic Board
- Gatwick Diamond Initiative

Principle 4: Determining the intervention necessary to optimise the achievement of the intended outcomes

Effectiveness of Governance Framework

The Council has responsibility for reviewing the effectiveness of its governance framework and this is undertaken by the work of CMT in its development and maintenance of the governance environment. The Head of Legal Governance & HR produces an annual report and specifically comments on the governance framework, as does the External Auditor. Areas identified for improvement are acted upon by CMT.

Financial Measures

Crawley Borough Council publishes its Annual Statement of Accounts in accordance with CIPFA guidelines and the annual Budget is approved by the Full Council and monitored and reported upon regularly. The Narrative Report which forms part of the Statement has a series of financial measures. Quarterly monitoring of finance is reported to Cabinet, other financial measures are reported to CMT on a quarterly basis together with other non-financial performance measures.

Consultations

To be effective this policy aims to inspire and support a genuine two-way dialogue with all sections of the community and other stakeholders. There are a number of ways people can get involved and connect with the Council. Local people have the option to engage in a dialogue through social media sites (including Facebook and twitter), petition schemes, neighbourhood forums, Council meetings (open to the public), their local Councillor and annual Crawley Question Time.

Internally, a Statement of Community Involvement has been developed to guide Council staff through the consultation process. The agreed process ensures that engagement activity is relevant, accessible, transparent and responsive. To increase awareness and participation, consultations are proactively promoted via publications (printed and digital), press releases, social media, email, town notice boards and the Council's website. [Crawley Live](#), a Council publication, is published quarterly and sent to every household in Crawley to keep residents informed. It is also available online on the Council's website. Various methods are used (depending on the scope of the consultation) to seek people's views, including questionnaires, public events and exhibitions, focus groups, satisfaction surveys and feedback forms. A list of current

consultations and consultation events is available on the Council's website at www.crawley.gov.uk/consultation

Public Consultation

Where appropriate, the Council has carried out consultations with the general public, community groups and relevant stakeholders. There were a number of consultations carried out during 2021/2022, including: Public Space Protection Order for Anti-social use of vehicles survey, City status survey, Crawley economic recovery plan, Furnace Green and Maidenbower allotments survey, Hackney Carriage and Private Hire Licensing Policy Changes, Digital Services survey, Dobbins Place Youth Shelter consultation, Western Boulevard transport improvement scheme, Impact of COVID-19 pandemic on private sector landlords, Local Plan Review, Council-owned neighbourhood parades survey, Conservation areas and locally listed buildings survey.

All information gathered from public consultations is analysed and considered as part of the Council's decision-making process. Links to all surveys and consultations are hosted on www.crawley.gov.uk/consultation with results available upon request.

Principle 5: Developing the Council's capability, including the capability of its leadership and the individuals within it

Recruitment, Training and Development

Human Resource policies and procedures are in place to facilitate the recruitment and retention of capable staff. The Council operates a robust interview and selection process to ensure that staff are only appointed if they have the right levels of skills and experience to effectively fulfil their role.

The Council has shared [values and behaviours](#) that reflect the special nature of the Council. They describe what is important to the Council and what to expect from each other in the way work is done.

Annual Plan, Develop and Review discussions were introduced in January 2022. These discussions are an opportunity for line managers and staff to reflect on achievements in the past 12 months and plan for the year ahead. They are also linked to the Council's values and behaviours.

All new staff attend corporate induction sessions and undertake an e-learning induction package. Suitable training is available to support all staff to carry out their roles to the best of their ability. Newly elected Councillors are required to attend an induction which includes information on roles and responsibilities; political management and decision-making; the Code of Conduct, declaration and registration of interests, financial management and processes; information governance; and Data Protection.

Councillors' attendance at meetings is recorded via the Modern.Gov system. In the event of continual non-attendance for 4 months the matter will be passed to the Leader of the political group concerned for action to be taken. Should a Councillor fail to attend any formal meetings of the Council, for a period of 6 months, they relinquish being a Councillor. Each Group may seek approval from the Full Council to extend the 6 month non-attendance period, in exceptional circumstances.

Performance issues relating to staff are dealt with by the relevant Manager / Head of Service.

The Council has identified Organisational Capacity, Recruitment, Retention and Succession Planning as a Strategic Risk for the Council and as such have created a People Board, chaired by the Deputy Chief Executive, to bring corporate drive to address some of the challenges the Council faces. Corporate Management Team are also monitoring this as part of regular risk reporting.

Legal Compliance

The Council's Constitution clearly defines the roles and responsibilities of the Chief Executive, Chief and Senior Officers, Councillors and Committees and outlines procedural standards, the Scheme of Delegation and protocol on Council/Officer relations.

The Monitoring Officer is responsible for legal compliance, Conduct and Compliance and working with departments to advise on legal issues across the Council.

Financial Compliance

The Head of Corporate Finance has overall financial responsibility within the Council, as outlined in the Constitution. Within the Constitution are the [Financial and Budget Procedure Rules](#) which ensure that compliance takes place. The Accounts comply with financial regulations and the CIPFA Financial Management (FM) Code.

Principle 6: Managing risks and performance through robust internal control and strong public financial management

Effective Scrutiny (Overview & Scrutiny Commission)

The Council operates an Overview and Scrutiny Commission ("Commission") which has its own terms of reference, as outlined in the Council's Constitution. This Commission supports the work of the Cabinet and the Council as a whole. It allows citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council on its policies, budget and service delivery. The Commission also monitors the decisions of the Cabinet, enabling it to consider whether a decision is appropriate. The Commission may recommend that the Cabinet reconsider or amend the decision. It may also be consulted by the Cabinet or the Full Council on forthcoming decisions and the development of policy.

Financial Management

The Head of Corporate Finance (S151 Officer) is responsible for leading the promotion and delivery of good financial management so that public money is safeguarded at all times, ensuring that budgets are agreed in advance and are robust, that value for money is provided by our services, and that the finance function is fit for purpose. They provide advice on financial matters to both the Cabinet and the Full Council and is actively involved in ensuring that the Authority's strategic objectives are delivered sustainably in line with long term financial goals. The Head of Corporate Finance, together with the Finance team, ensure that new policies or service proposals are costed, financially appraised, fully financed and identifies the key assumptions and financial risks that face the Council.

Risk Management

All significant (strategic) risks are discussed regularly by CMT and are reported to the Audit Committee on a quarterly basis. These include the New Town Hall, District Heat Network, LEP Infrastructure – Crawley Growth Programme, Delivering Affordable Housing, the Transformation Programme disaster recovery and Business Continuity, a Balanced Budget, Organisational Capacity, Recruitment, Retention and Succession Planning, Public Health, [Climate Emergency](#), National Waste Strategy (including food waste), Covid-19, water neutrality, Local Plan Failure to Adopt and Council No Overall Control.

Operational risks are managed at departmental level.

Principle 7: Implementing good practices in transparency reporting and audit to deliver effective accountability

Internal Audit

The Audit and Risk Manager (Head of Internal Audit) was a qualified member of the Chartered Institute of Internal Auditors and they had full access to CMT and the Audit Committee. The Audit and Risk Manager left the organisation on 10 October 2021 and the Senior Auditor on 7 November, the third team member retired on 31 March 2021. The Head of Corporate Finance engaged [Southern Internal Audit Partnership \(SIAP\)](#), to undertake the Head of Internal Audit role. Temporary qualified audit staff have been used since October to undertake audits and the audit work has been supplemented by support from SIAP. SIAP have been approved to undertake the Councils audit from April 2022.

In light of this the Audit Team is deemed to be properly resourced and the Council is in compliance with the CIPFA statement on the Role of the Head of Internal Audit (2010) and Public Sector Internal Audit Standards. Some audits have been deferred in the year, these were based on a discussion with SIAP and looked at the risks involved. The reason for the deferral was due to Covid-19 pressures and the need to divert internal audit resources to the rents issue as identified below.

The Audit and Risk Manager/SIAP provides an independent and objective annual opinion on the effectiveness of internal control, risk management, and governance each year. This is carried out by the Internal Audit team/SIAP in accordance with the Public Sector Internal Audit Standards. Progress on the Audit Plan is reported to the Audit Committee on a quarterly basis.

Audit Committee

The role of the Audit Committee is to review and assess the adequacy of the Council's internal audit and risk management arrangements. This Committee meets quarterly and receives the reports from the Audit and Risk Manager/SIAP, including their progress reports and Annual Report. This Committee considers and comments upon the Internal Audit Plan, ensures the Audit and Risk functions are fulfilled and reviews the effectiveness of the Council's risk management arrangements.

Governance Committee

The Governance Committee deals with Constitutional matters, the Conduct of Councillors, Political Management Arrangements, and Corporate Governance,

Councillors' Allowances, Elections and all non-Executive functions not specifically delegated to another Committee or Sub-Committee of the Council. This Committee specifically monitors and reviews the Corporate Governance of the Council including giving consideration of the Authority's Annual Governance Statement.

Annual Accounts

The Council publishes full audited accounts each year, which are also published on the Council's website

at <http://www.crawley.gov.uk/pw/sitesearch/index.htm?q=accounts%23>

Review of Effectiveness

Crawley Borough 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 CMT, who has responsibility for the development and maintenance of the governance environment, the Head of Legal, Governance & HR Annual Report, and also by comments made by relevant stakeholders, the external auditors and other review agencies and inspectorates.

Crawley Homes Rent Issue

In April 2021 the Council was contacted by the Regulator for Social Housing following a first mandatory data return about the setting of target rents. The Council was identified as an outlier, in that its target rents were higher than the Government's formula rent and valuations suggested they should be.

Forensic investigation identified that the issue dated back to changes to the Tenancy Agreement agreed in October 2013 and implemented in April 2014. One of the changes implemented was to move from charging rent based on a 48-week year to a 52-week year. Actual rents were changed but the target rents on the system were not. This has affected 2,259 tenancies, of which 1,757 are current tenancies.

Existing tenancies were not affected by this change, and neither were new tenancies within properties built since April 2014. New tenancies since April 2014 within properties that pre-date April 2014 have consequently been overcharged in the region of 8%.

Tenants have paid the rent they would have signed up to pay as part of their Tenancy Agreement, but that rent level was set higher than it ought to have been. Given that rents have been set as part of a valid Tenancy Agreement and that all subsequent actions have been taken in line with that Tenancy Agreement, the Council has acted legally throughout.

A [report](#) to the Overview and Scrutiny Commission on 22 November 2021 and Cabinet on 24 November 2021 gave the background and actions to the historic overcharge to HRA rents.

A briefing note was prepared, this provided information around the issue itself, the communications with Councillors and key staff, how this was communicated with the regulator and the Department of Works and Pensions.

The regulator responded to the actions of the Council saying that, due to the prompt action and the steps taken by the Council, it would not be publishing a regulatory

notice. The regulator did point out that the impact was large and impacted a number of tenants, but the error did pre-date the regulators oversight.

The DWP were satisfied that the housing benefits element of the adjustment could be repaid to them in the financial year 2021/22, this was adjusted in the payment from the DWP in January 2022.

Clear audit trails were kept on the correspondence with tenants, and Councillors were kept up to date with the actions taken by the team dealing with the issue. The total impact was £3.3m to be repaid to the DWP (£1.7m) and current and former tenants.

A link to the [website](#) was given to affected tenants.

The impact of the adjustment was reported as part of Quarter 3 Budget Monitoring to [Cabinet](#) in February 2022. On the same agenda was the Budget and Council Tax report which included the reduced rental income for future years. The impact of the adjustment resulted in a lower balance in the HRA reserve which is used for the provision for new housing properties, however there is still sufficient provision within this reserve to meet the current capital programme for the HRA.

An internal audit of the whole process was undertaken during the year and is ongoing, however the feedback is that there are good robust procedures in place and a clear audit trail.

Head of Legal, Governance & HR Opinion

The Head of Legal, Governance & HR is required to provide an independent opinion on the overall adequacy of the effectiveness of the Council's governance, risk and control framework. Their Annual Report and Opinion has been considered and any significant issues incorporated as a result.

From the work undertaken during 2021/22, reasonable assurance can be provided that there is generally a sound system of internal control, designed to meet the Council's objectives and that controls are applied consistently. Report [FIN/528](#) Audit and Risk Manager's annual report to the Audit Committee on 19 July 2021 gave a substantial assurance opinion. Where weaknesses are identified, i.e. Limited Assurance reports and Priority One recommendations are made; these are tracked by the Audit Committee until implemented or discharged.

An action plan for governance challenges identified during 2021/22 has been included and sets out the progress made against these actions.

Significant Governance Issues

There are no significant governance issues to report.

Conclusion

To the best of our knowledge, the governance arrangements as defined above, have been operating effectively during the year and remain fit for purpose.

Signatures:

..... Date:
Leader of the Council

..... Date:
Chief Executive

Governance Action Plan 21/22

This Action Plan sets out the actions taken to address the Council's governance challenges for the 21/22 financial year. Where "limited assurance" has been identified, these are tracked by the Audit Committee until implemented or discharged.

No.	Issue	Action	Who	When	How is this monitored?
1.	Implement the actions identified in the Parking Administrative Processes Audit, which received "limited assurance".	<p>Formal regular stock checks are undertaken every month and instructions on how to do this have been included in the Parking Services Administration Officer's instruction sheet.</p> <p>A new process has been introduced to record details of parking books issued and there is improved labelling of boxes that are open and in use.</p> <p>Improved reconciliation of the parking permit system and the payment system has been implemented, which highlights any discrepancies in payments not made.</p> <p>All changes have been reflected in the Permit Processing Handbook.</p> <p>A lockable cabinet for permits is planned for the new Town Hall.</p>	Kate Wilson Dan Carberry	July 21	Audit Committee
2.	Implement the actions identified in the Fleet Management Audit which received "limited assurance"	<p>Improvements to the Fleet Management Manual have been undertaken which includes reference to the Council's Incident and Accident Policy.</p> <p>The Council's Vehicle Policy now makes links to the Council's Procurement Policy, ensuring greater access to several Framework Agreements.</p>	Nigel Sheehan Paul Baker	August 21	Audit Committee

		<p>Most of the vehicle fleet are now fitted with vehicle trackers. The remainder (23) are awaiting fitment dates from Masternaut. These works are planned to take place between May and July 2022. Delays have been experienced from Masternaut.</p> <p>Project team will be established during 2023 to consider future tracker contract which may include CCTV provision.</p> <p>The Vehicle Policy is being updated to include the actions from the Council's Climate Change Action Plan. This will include reviewing operational fleet mileage and looking for operational efficiencies in distances travelled and through eco-driver training.</p>		<p>July 22</p> <p>March 23</p> <p>Ongoing</p>	
3.	Implement the actions identified in the Complaints Procedure Audit which received "limited assurance"	<p>The Corporate Performance Team was created in September 21, which includes complaints handling. The team are looking to rationalise and link complaints to performance.</p> <p>Changes to the Complaints Policy are in progress with timescales being brought more in line with Ombudsman requirements for consistency.</p> <p>We are also improving the triaging of complaints and will provide clarity on the difference between a complaint and a service request.</p>	Siraj Choudhury Anna Pedlow	<p>September 21</p> <p>June 22</p> <p>June 22</p>	Audit Committee

		<p>Ombudsman training has been arranged for key managers responsible for complaints to further enhance their understanding of the Complaints Process, communicating decisions effectively and resolving and learning from complaints. This training will be held in May and June 2022.</p> <p>CMT receive quarterly complaints data as part of the Corporate Performance Dashboard. Monthly reporting has commenced in Crawley Homes, as they receive the highest proportion of complaints.</p> <p>The next 12 months will look to see the changes being embedded, including a complaints IT system to help manage and administer complaints.</p>		Ongoing	
4.	Implement the actions identified in the Cyber Security – Staff Awareness Audit	<p>The Audit commenced in February 2022 and completed in April 2022.</p> <p>Actions will be carried out during 22/23 and progress will be included in the 22/23 Governance Action Plan.</p>	Simon Jones Siraj Choudhury	July 22	Audit Committee
5.	Strategic risks are currently recorded in narrative format with no scoring or assessment on management controls to manage the risk to an acceptable level. However, the Town Hall Board has its own risk register for delivery of the New Town Hall, which does have scoring applied.	Strategic Risks has been prioritised for Q1 in 22/23 and progress will be reflected in the 22/23 Governance Action Plan.	CMT	June 22	Audit Committee

6.	<p>The Council's Equality, Diversity & Inclusion Statement and Action Plan was last reviewed in 2017/18. A review is required to ensure we are compliant under our duties of the Equalities Act 2010.</p>	<p>The review commenced in January 2022. A draft statement and Action Plan has been produced and has identified 3 priority areas for action for the Council over the next 4 years. The Action Plan will be reviewed on an annual basis. The priorities are:</p> <ul style="list-style-type: none"> • Priority 1: Our Organisation <i>Developing and building a diverse and engaged workforce</i> • Priority 2: Our Services <i>Ensuring our services are accessible to all in the way we plan and deliver them, including contracted services.</i> • Priority 3: Our Community <i>Understanding and working with our community</i> <p>The Council's People Board has reviewed the draft and the final document will be submitted to CMT in May 22 and agreed by Cabinet in July 22.</p> <p>Progress will be reflected in the 22/23 Governance Action Plan.</p>	Siraj Choudhury	July 22	CMT Cabinet
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Agenda Item 6

Review of Public Written Questions at the Full Council and Public Question Time at Committees (LDS/182)

Public Written Question Submitted to the Full Council

There has been only one written question submitted to the Full Council.

1.	Date of Meeting	Question Topic
	24.02.21 (non-Covid)	West of Ifield Development – consider asking HDC to delay the development given Covid-19 and the potential expansion of Gatwick Airport (Mrs W)

Questions Asked During Public Question Time at Committees

No questions have been asked during the Public Question Time at the Audit Committee, Governance Committee or the Licensing Committee.

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