

# Annual Governance Statement 2021/22

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## 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 9<sup>th</sup> 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 16<sup>th</sup> 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](http://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](http://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