

South Downs National Park Authority

Annual Governance Statement 2018-19

Review Date	
Responsibility	Chief Executive
Last updated	
Date approved	
Approved by	Policy& Resources Committee

ANNUAL GOVERNANCE STATEMENT FOR SOUTH DOWNS NATIONAL PARK AUTHORITY 2018-2019

1. Scope of Responsibility

- 1.1 Through carrying out its general statutory duties and responsibilities in connection with the two national park purposes, the South Downs National Park Authority (the SDNPA) seeks to work for and with the local community to foster the social and economic wellbeing of communities within the National Park.
- 1.2 The SDNPA is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for and used economically, efficiently and effectively.
- 1.3 The SDNPA also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 1.4 In discharging this overall responsibility, the SDNPA is also responsible for putting in place proper arrangements for the governance of its affairs and facilitating the effective exercise of the Authority's functions which includes arrangements for the management of risk.
- 1.5 The SDNPA has approved and adopted a Local Code of Corporate Governance which is consistent with the principles of the CIPFA/SOLACE guidance Delivering Good Governance in Local Government Framework. The Local Code of Corporate Governance sets out agreed criteria against which the effectiveness of the governance framework will be assessed. This statement explains how the Authority has complied with the Local Code and meets the requirements of Regulation 6(1) of the Accounts and Audit (England) Regulations 2015 for the Authority to prepare an annual governance statement.

2. The purpose of the governance framework

- 2.1 The governance framework comprises the systems and processes, and culture and values, by which the SDNPA is directed and controlled. The framework also includes the Authority's activities through which it accounts to, engages with and leads the community. It enables the SDNPA to monitor the achievement of its strategic priorities and to consider whether these priorities have led to the delivery of appropriate, cost-effective services. It is also a driver for the delivery of the Authority's outcomes and objectives, by contributing to the Authority's culture and empowering staff and members to act.
- 2.2 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.
- 2.3 The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's aims, objectives and policies, to evaluate the likelihood and potential impact of those risks being realised and to manage them efficiently, effectively and economically.
- 2.4 The governance framework has been in place within the SDNPA for the year ended 31 March 2019 and up to the date of approval of the annual report and Statement of Accounts.

3. The Governance Framework

- 3.1 The key elements of the systems and processes that comprise the SDNPA's governance arrangements are summarised below.

Vision and Leadership

- 3.2 The SDNPA's purposes, vision and intended outcomes for residents, visitors and other service users are identified in a range of policy documents set out in our Local Code of

Corporate Governance. The overarching vision for the management for the South Downs was agreed in July 2012 and is included in the Partnership Management Plan which was launched in 2014 (the 5 yearly review of the PMP is currently underway and is engaging a wide variety of partners in the review). The plan was originally developed with partners and delivery partnerships have been put in place to ensure the objectives are met. During 2018 /2019 these are being reviewed to ensure they remain fit for purpose. This review includes input from a member led working group set up to monitor this process. The vision and priorities are embedded in the South Downs Local Plan which is nearing completion.

- 3.3 The SDNPA's Corporate Plan has undergone a further review to simplify and improve the format which makes it easier for staff and those outside the authority to identify priorities and how we will measure them. This document sets out the high level objectives and priorities for the five year period (2016-2021) and sets out in some detailed proposals for the forthcoming financial year. Following the decision to align the corporate plan with the five year management plan review cycle, 2019/20 is seen as the second bridge year for the corporate plan. Following adoption of the revised PMP the corporate plan will be further updated. The Corporate Plan also sets out our values. The corporate plan is reviewed and adjusted annually as part of the budget and priority setting process.

Service Quality

- 3.4 Progress against the SDNPA's objectives, and the National Park Authority performance indicators is identified via quarterly and annual performance reporting to the Policy and resources Committee and Planning committee. The Performance Management Framework reflects the development of high level objectives for the Partnership Management Plan. Performance is monitored by the Policy & Resources Committee with policies and strategies in place to ensure that the SDNPA makes best use of resources. The approach to performance monitoring is set out in the Performance Management Framework.

Decision Making

- 3.5 The SDNPA's Standing Orders, Scheme of Delegation, Financial Regulations, Contract Standing Orders and other procedures prescribe how the Authority operates and how decisions are made to ensure that these are efficient, transparent and accountable to local people.
- 3.6 There is a programme for reviewing and updating key documentation. We have a research and evidence strategy which ensures that comprehensive, good quality data is available to base our decisions on and allow us to monitor progress. Committee reporting templates ensure these capture all relevant information to inform member decision making and promote consistency. These templates have been periodically reviewed to ensure they are effective and provide Members with the necessary information for them to deliver their decision making responsibilities.
- 3.7 Each of the SDNPA's committees has distinct terms of reference, which are kept under review and, where necessary, updated by the NPA. Meetings of the Authority and its committees are held in public (save for individual items of a sensitive nature properly considered in private session, in line with LGA 1972) with publicly available agendas and minutes published on the Authority's website. Members of the public may ask questions and make representations on relevant matters at meetings in accordance with a defined protocol for public engagement, which enshrines the rights of the public to address meetings. The Authority continues to webcast meetings of the Full Authority, Planning Committee and Policy and Resources. An archive of webcast meetings in the last 12 months is maintained on the Authority's website and is publically available. How committee information is made available to the public has been reviewed and improved, ensuring papers are easier to find on the Authority website.

- 3.8 Following on from the 2017 review of governance the Authority operates a series of “task and finish groups” to undertake in-depth work and analysis of key issues, prior to presentation to committee or the authority for decisions. During this period 4 such groups have operated focussing on enterprise & investment, Affordable Housing, European Exit implications and the review of the PMP. Each Group has terms of reference which are agreed by its parent committee or the full authority and are supported by senior officers and specialist advisors.
- 3.9 The authority has also introduced new processes to oversee the delivery of the Infrastructure business plan and for allocating monies generated through the community infrastructure levy and has reviewed its local validations list for Development Management in light of the emerging Local Plan
- 3.10 The Authority’s governance framework is kept under review by the Head of Governance, Monitoring Officer and Chief Finance Officer who are responsible for ensuring that the framework complies with changes in legislation, regulations, codes or guidance issued by government departments, regulatory bodies or relevant professional bodies. Committee and Officer delegations and terms of reference are also kept under review to ensure that the governance framework reflects changes in roles and responsibilities of committees, members and/or the executive.
- 3.11 The roles and responsibilities of the Members and officers are defined in Member/Officer job descriptions and there is a Local Protocol for Member and Officer Relations. The roles of Chief Executive, Monitoring Officer and Chief Finance Officer are filled. The SDNPA has a range of contracts for key support services. This includes the provision of the Chief Finance Officer and Monitoring Officer functions. In reaching this decision the SDNPA took into account the governance requirements of CIPFA’s Statement on the role of the Chief Financial Officer in Local Government (2010).
- 3.12 The contract for the provision of financial services and Chief Finance Officer support has operated during the year. The CFO function continues to be performed under this contract by the CFO, appointed by the Authority, and the CFO’s nominated Deputy Chief Finance Officer at Brighton & Hove City Council.
- 3.13 There are agreed protocols for consultation with the Monitoring Officer, CFO or Deputy CFO on key decisions and advice to the Authority and its Committees. Arrangements are in place for the CFO’s nominated deputy to attend management meetings on the CFO’s behalf in order to ensure a sound understanding of the organisation’s key priorities and risks. Contracts for the provision of ICT and legal services have also operated during the year.

Risk management

- 3.14 The SDNPA has established a systematic strategy, framework and processes for managing risk. A corporate risk register is maintained, and has been reviewed on an ongoing basis at meetings of the Policy & Resources Committee as well as being subject to regular review by Operational Management Team (OMT). This enables relevant risks to be identified and evaluated, with consideration given to appropriate mitigation strategies. Directorate level risk monitoring is in place. Risk is also monitored at project level. There is an escalation process from project and directorate risk registers to the corporate risk register.
- 3.15 In addition to the annual health and safety report which is presented to members, the Authority undertook an independent health and safety audit via its insurers, and has developed an action plan which is being overseen by the officer health and safety committee and OMT. Additional resource has been employed to provide more hands and on and direct health and safety advice.
- 3.16 The Authority’s insurance arrangements have been kept under review and updated as new risks identified e.g. the introduction of National Park signage

Conduct and behaviour

- 3.17 There are Codes of Conduct for Members and officers, which have been the subject of an internal audit review during this period, in place and performance appraisal processes for both. Training is given to new Members on the Code of Conduct as part of the induction process and refresher training is provided. There is a Register of Members' Interests. The Authority operates successor standards arrangements for the conduct of Members following the implementation of the Localism Act 2011. The Appointment Management & Standards Committee has is responsible for monitoring the ethical framework of the Authority. The Authority has appointed two independent persons to oversee complaints about the conduct of Members. Arrangements are in place for the Independent Persons to submit an annual report on Member Standards Issues and potential improvements in policy and practice.
- 3.18 Throughout the year guidance has been issued to members on the management of standards issues, including in relation to members roles on outside bodies and notably SDNPA members participation in the work of the South Downs National Park Trust,.
- 3.19 Specific action has been taken to address the potential for a perceived conflict of interest in relation to the functions of the S151 Officer, in relation to treasury management.
- 3.20 An annual update on complaints received is considered by Committee, so that the Authority can seek service improvement. The SDNPA has a Whistleblowing Policy, with confidential reporting arrangements in place to enable internal and external whistle-blowing. There is an Anti-fraud and Corruption Policy in place.
- 3.21 Competencies have been incorporated into the performance and development review process for staff and a staff and member working group have developed and communicated a series of corporate values. A staff survey was undertaken in 2018 from which an action plan had been developed to address issues arising. The findings of the survey have been presented to all staff and the action plan has been developed by a staff group and reported to SMT and OMT.

Financial accountability

- 3.22 The SDNPA's Financial Regulations and Procedures provide a framework for the management of the Authority's financial affairs are subject to ongoing review. The SDNPA has an approved Capital Strategy, Treasury Management Policy and Annual Investment Strategy detailing its approach and risk appetite for managing financing, treasury and non-treasury investments. Monitoring of the operational budget is conducted during the year and findings incorporated into the budget planning process.
- 3.23 Contract Standing Orders are in the process of being reviewed. These set out arrangements governing the award of contracts to ensure that procurement processes are fair, transparent and lawful, and that value for money is being obtained.
- 3.24 Payment of allowances to Members is made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and an independent review of allowances was undertaken in 2017 following the changes made to the Committee structure and a full review of the allowances scheme will be undertaken during 2019
- 3.25 Members have a key role in providing assurance that the Authority's funds are used economically, efficiently and effectively in accordance with agreed policies. The financial strategy and budget is agreed by the Authority following scrutiny by all members via a series of workshops. The Policy & Resources Committee receives regular reports on budget monitoring and treasury management performance and has a membership that includes two independent members. This committee undertakes the core functions of an audit committee. This ensures the provision of appropriate skills and experience in the scrutiny of the Authority's arrangements for financial control and risk management and enhances transparency.

- 3.26 The Authority's accounts are subject to external audit on an annual basis and reported to the Policy & Resources Committee at a public meeting. An Internal Audit service is provided under a service level agreement by Brighton & Hove City Council's Internal Audit Services. The outcome of internal audits are reported to the Policy and Resources Committee and the full reports are sent to the Chair and Deputy Chairs and the Independent Members of the committee. An independent and external review of internal audit to ensure compliance with the Public Sector Internal Audit Standards was carried out in January 2018. The Authority's external auditors, Grant Thornton review the appropriateness of internal audit arrangements and accordingly place reliance on the work done where applicable.

- 3.27 All contracts since June 2013 have been procured through e-sourcing using the In-tend system, or through National frameworks.

Constructive working relationships between officers and Members

- 3.28 Compliance with relevant legal requirements and the SDNPA's procedures is facilitated by a range of controls. Policies are in place to regulate how the Members and officers use the resources available to them.
- 3.29 The SDNPA receives legal advice and Monitoring Officer support as appropriate via separate contracts with West Sussex County Council and Hampshire County Council. This advice includes input into significant Committee/Authority papers. In 2018-2019 no formal reports by the Monitoring Officer, further to section 5 of the Local Government and Housing Act 1989, were necessary.

Skills and Learning for staff and Members

- 3.30 Member and Officer learning and development needs are identified and met through induction programmes, the Performance and Development Review process, the Learning and Development Policy for officers (with individual staff learning and development plans) and the Member Development Protocol. There are annual Member discussions about development needs between individual members and the Chair of the Authority. There have been a number of formal and informal training sessions for Members on various aspects of their responsibilities and to aid the development of policy. This has included sessions on the Soft sand review, design issues and impact of the sustainable communities fund. Workshops have also been run on the Budget, CIL, and the potential acquisition of seven sisters country park.
- 3.31 An e-learning platform has been introduced as part of a blended approach to training delivery. This includes a series of mandatory courses to be undertaken by all staff as well as optional courses focussing on personal development and growth. These courses are also available to members. Completion of courses is linked to the annual performance assessment process.
- 3.32 Mid-Year and end of Project evaluations are reported to the Policy and Resources Committee and key learning is identified from these and used to inform the development of future projects and ways of working,
- 3.33 Budget managers have access to one to one support for budget management and also briefings on financial procedures and administration, further budget management and closedown. All financial guidance and procedure notes are available on the Authority's Intranet. Contract management training has been provided to relevant staff, with a particular focus on the Countryside and Policy Management Directorate.

Clear relationships with Partners and the public

- 3.34 A key element in the SDNPA's guiding principles is working with partners and community groups. The SDNPA has therefore developed and maintained a range of relationships and arrangements with other agencies in the public, private and voluntary sectors to ensure that they are able to engage with and contribute to the work of the Authority. The SDNPA has

an Accord with Natural England and Memoranda of Understanding with the South Downs Network and South Downs Land Management Group. A Memorandum of Understanding with the Association of Local Councils within the South Downs has also been agreed. The Authority has continued Member appointments to a number of local partner organisations and groups including the South Downs Local Access Forum, HARA, Coast 2 Capital LEP and the South Downs National Park Trust. There is a formal reporting back mechanism for those SDNPA Members appointed to outside bodies which are considered as a standing item at meetings of the NPA. The SDNPA has a communication and engagement strategy and a Statement of Community Involvement.

- 3.35 The Authority is currently preparing a Local Plan for the National Park. When adopted the Local Plan will set out the planning policies for the South Downs National Park and all planning applications for development within the National Park will be judged against these policies. This will be the first time that the National Park will be planned for as a single entity.
- 3.36 Ongoing consultation on the Local Plan has reached over 2000 stakeholders, including town, parish and district councils, local interest groups, national organisations and agencies, estates and other landowners and infrastructure and service providers. The final stage of consultation on the Plan took place in early 2019.
- 3.37 We continue to work with over 50 neighbourhood planning groups across the breadth of the National Park, to prepare neighbourhood plans that respect the purposes and duty of the National park authority and enhance the special qualities the National Park
- 3.38 The Authority has also continued to work closely with partners on the roll out of its shared identity. To date more than 240 projects have downloaded the shared identity assets for use (with 112 of those being in the last financial year). Our Sustainable Tourism Lead and Economic and our Enterprise Development Lead continue to promote the use of the shared identity to our businesses, partners and communities. The Authority has developed a Public Affairs Strategy for 2017–19 with three key issues: sustainable tourism, future of farming and water; as part of its ongoing communications and engagement work etc Members of the Authority formally meet with the South Downs Partnership and meetings are held with landowners, farmers and other key stakeholders at least annually. The Authority had introduced Whole Estate Plans as a way of deepening engagement with estates and landowners, and these plans are subject to consideration by the Policy and Resources Committee, and involve visits to the estate to help members and officers understand the issues facing land owners in the National Park.
- 3.39 The Authority publishes a monthly e-newsletter to provide regular updates to 6,000 subscribers on the work of the Authority and activities within the National Park. Through its media work in the first four months of 2019 alone, has reached an audience of 21 million people. We distribute 50,000 copies of our biannual publication, South Downs View and have an average of roughly 60,000 visitors to our website monthly. Our behaviour change campaigns have also reached a wide cross section of the residents and visitors to the National Park (e.g. an estimated 500,000 people reached through the Take the Lead campaign). We engaged directly with 13,000 people in 2018/19 through our events programme. Over 2000 students have benefited from the Authority's "learning outside the class room" activities, and the establishment of a Citizens panel has enabled better targeting of activity and an improved means to assess the impact of the Authority's communication and engagement work. The outcomes of engagement with the citizen's panel have been reported to Members and senior management and used to inform the development of activity across the Authority.
- 3.40 Following the establishment of the South Downs National Park Trust the Authority has implemented protocols, agreements and practices to manage its relationship with the Trust, whilst ensuring shared aims

4. Review of Effectiveness

- 4.1 The SDNPA has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the Senior Management Team and other officers within the Authority who have responsibility for the development and maintenance of the governance environment, the work done to review the Local Code of Corporate Governance, and also by responding to comments and recommendations made by external auditors and others.
- 4.2 The annual review exercise, which incorporated a review of the Local Code of Corporate Governance, was initiated by the Head of Governance and the Monitoring Officer and included consultations with the Strategic Management Team, the Chief Finance Officer and the Internal Auditor.
- 4.3 The Internal Audit Annual Opinion is that substantial assurance can be provided that an effective system of internal control is in place at the SDNPA for the year ended 31 March 2019. Of the seven audits undertaken, there were two reasonable assurance opinions given in the year, along with five substantial assurance opinions. Agreed audit actions are tracked throughout the year and progress is reported to Policy & Resources Committee.
- 4.4 The SDNPA's Chief Finance Officer and Monitoring Officer have also provided assurance that there have been no significant control issues which have:
- Required the need for formal action or reporting in their respective roles,
 - Required the need for significant additional funding not already provided for within the approved budget,
 - Had a material impact on the accounts; or
 - Resulted in significant public interest, damaging the reputation of the Authority.
- 4.5 Although a review of the effectiveness of the Governance arrangements is reported once per year to the Authority, the process of gathering evidence and monitoring performance is continual and is managed through reports to the Authority and its Committees, and through the improvement planning process. Management action required to maintain effective governance arrangements evident from reports and from other management reporting processes is taken throughout the year.
- 4.6 We have been advised on the implications of the result of the review of the effectiveness of the governance framework and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework. The areas already addressed and those to be specifically addressed with new actions planned are outlined below.

5. Governance issues

- 5.1 No significant governance issues have been identified. The following key areas of work have been conducted during 2018-2019:
- Improved member communication through bulletins
 - Procured the system to introduce paperless meetings and stream line committee processes
 - Introduced a new performance management system
 - Updated policies in relation to various health and safety and information management matters
 - Rolled out e-learning to members of the authority

5.2 Actions for 2019-2020 include the following:

- Induction of new members post 2019 election
- Implementation of paperless meetings projects
- Continuing review of policy framework
- Finalise review of Contract Standing orders, Financial Procedures and Financial Regulations
- Provision of Internal Audit training for members
- Review of Officers and Members codes of conduct
- Undertake a review of the members allowances scheme

5.3 We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Chair

Chief Executive Officer

Date:

On behalf of the SDNPA

