

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
CIVIC CENTRE ROAD
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Havant
BOROUGH COUNCIL

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GOVERNANCE, AUDIT AND FINANCE BOARD AGENDA

Membership: Councillor Kennett (Chairman)

Councillors P Bains, Crellin, Hart, Milne, Patel, Smith K and Thomas

Meeting: Governance, Audit and Finance Board

Date: Wednesday 12 June 2019

Time: 5.00 pm

Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road,
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

4 June 2019

Contact Officer: Mark Gregory 023 92446232
Email: mark.gregory@havant.gov.uk

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PART A (Items Open for Public Attendance)

1 Apologies

To receive apologies for absence.

2 Minutes

1 - 4

To confirm the minutes of the Governance and Audit Committee held on 29 April 2019.

3 Matters Arising

4 Declarations of Interest

5	Chairman's Report	
6	Review and Approval of Corporate Governance Policy & Local Code of Corporate Governance and Review of Draft Annual Governance Statement	5 - 50

Challenge Sessions

7	Review of Council's Petition Scheme	51 - 78
8	Panels	79 - 80

To consider the appointment of panels.

In 2018/19 the Board appointed the Budget Scrutiny and General Review Panels with the attached terms of reference.

9 Exclusion of Press and Public

The Board is asked to consider whether to pass a resolution excluding the public from the meeting during consideration of any of the items on the agenda. If members wish to do so then this could be achieved by passing the following resolution. Members are not required to pass the resolution but the Solicitor to the Council recommends this as to the item set out below.

That the public be excluded from the meeting during consideration of the item headed and numbered as below because:

it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information of the descriptions specified in paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 shown against the heading in question; and

in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Item 10 Risk Management presentation and Corporate Risk overview (Paragraph 3)

Part B (Confidential/Exempt Items - Closed to the Public)

10	Risk Management Presentation and Corporate Risk Overview
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GENERAL INFORMATION

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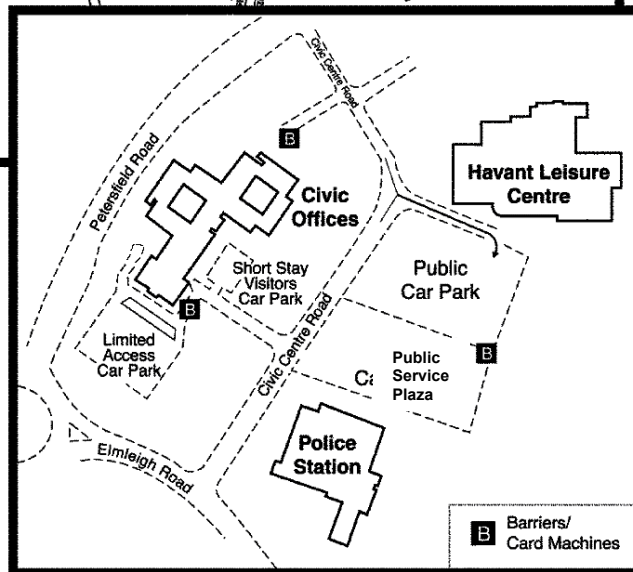
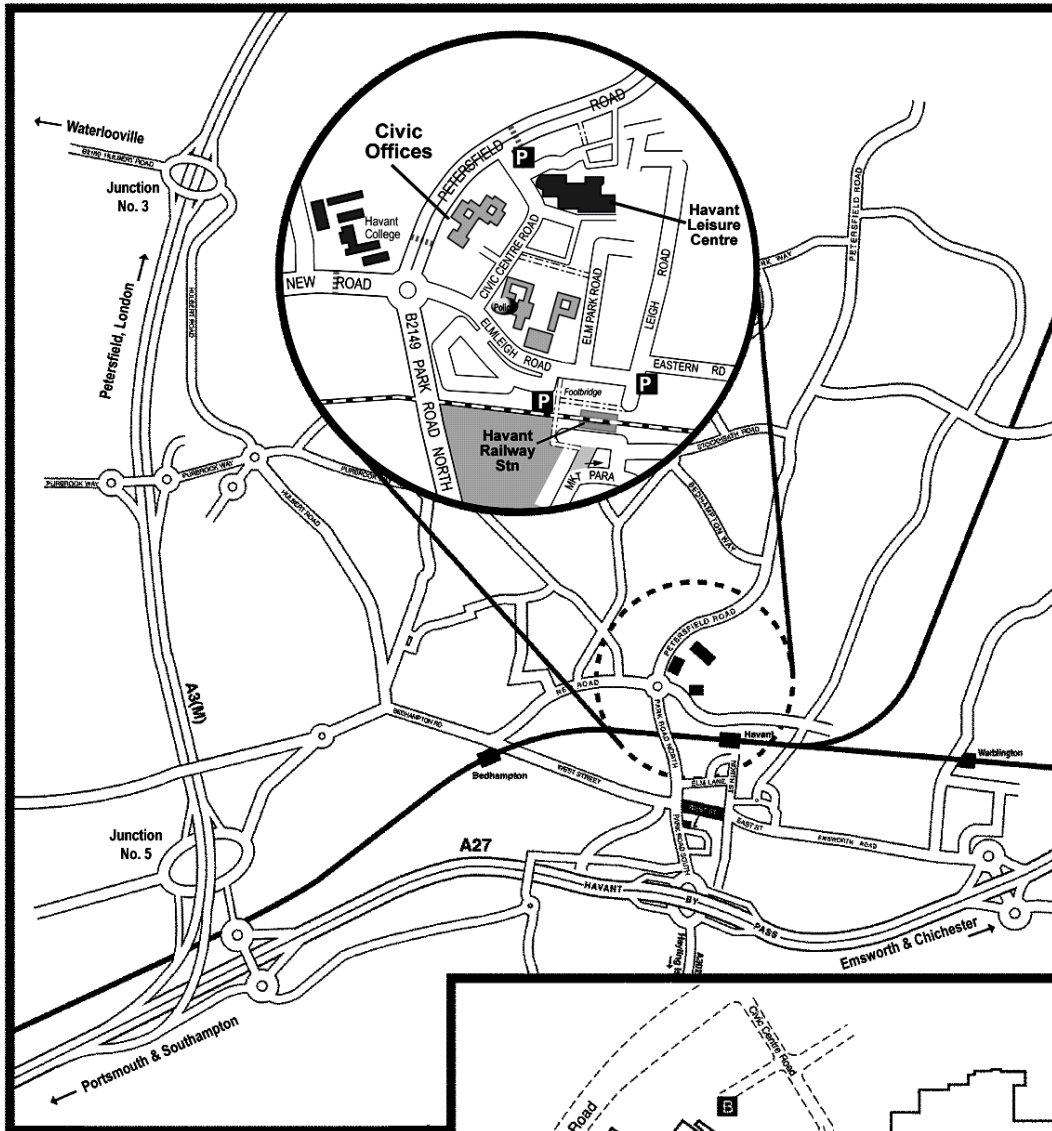
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HAVANT BOROUGH COUNCIL

At a meeting of the Governance, Audit and Finance Board held on 29 April 2019

Present

Councillor Kennett (Chairman)

Councillors P Bains, Briggs, Crellin, Hart, Robinson and Smith K

Other Councillors Present:

Councillor: Pike

50 Apologies

There were no apologies for absence.

51 Minutes

RESOLVED that the minutes of the meeting of the Governance, Audit and Finance Board held on 5 February 2019 be agreed as a correct record and signed by the Chairman.

52 Matters Arising

Minute 49

Councillor Pike advised the Panel that a report on the future of Serving You was being prepared and would be submitted to a future meeting of this Board for scrutiny.

53 Declarations of Interest

There were no declarations of interests.

54 Chairman's Report

The Chairman had nothing to report.

55 Internal Audit Progress Report 2018-19

The Board considered the report presented by Antony Harvey of the Southern Internal Audit Partnership.

The paper provided an update on the progress of internal audit activity completed in accordance with the approved audit plan, and summarised the status of 'live' reports.

The Board was informed that currently only 10-12% of the work was outstanding.

RESOLVED that the Internal Audit Progress Report 2018-19 (March 2019) be noted.

56 Internal Audit Annual Plan 2019-20

Antony Harvey of the Southern Internal Audit Partnership presented the Internal Audit Plan 2019- 20.

The Internal Audit Plan provided the mechanism through which the Chief Internal Auditor can ensure the most appropriate use of internal audit resources to provide a clear statement of assurance on risk management, internal control and governance arrangements. The Plan reflected the Council's Corporate Strategy, ensuring focus is given to the associated risks to commissioning services.

RESOLVED that the Internal Audit Plan for 2019-20 be approved.

57 Internal Audit Charter 2019-20

The Committee considered the Internal Audit Charter 2019-20, as presented by Antony Harvey of the Southern Internal Audit Partnership.

The Internal Audit Charter formally defined the purpose, authority and responsibilities for internal audit activity.

RESOLVED that the Internal Audit Charter 2019-20 be approved.

58 External Audit - Annual Plan 2018/19

The Committee considered the Audit Plan 2018/19 as presented by Kevin Suter and Jason Jones of Ernst and Young LLP.

The Audit Plan 2018/19 set out the external auditor's proposed approach and scope for the 2018/19 audit. The Plan also highlighted the key risks identified and outlined the planned audit strategy in response to these risks.

In response to questions raised by members, Kevin Suter and Jason Jones advised the Board that:

- (a) the Council's assets should be evaluated yearly. One of the aims of the proposed audit focus on the valuation of the Council's land and buildings was to ensure that assets were being valued within a 5 year rolling programme; and
- (b) in relation to Section 3 of the Plan, the terms "partners" and "third parties" referred to all the partners in the 5 Councils' contract and Capita respectively.

RESOLVED that the External Audit Plan for 2018/19 be noted.

59 Monitoring Officer's Report

The Monitoring Officer reported that:

- (a) there had been no new Code of Conduct complaints received since the last meeting; and
- (b) a new version of the constitution had been published on the Council's website incorporating legislative changes, changes to reflect the new management structure and changes to the scheme of delegations.

Concern was raised about that the requirements of Standing Order 1.11, were too onerous. It was felt that there were less time consuming ways of ensuring that members kept abreast of the content of the constitution without requiring them to read it afresh each year

RESOLVED that:

- (i) executive summaries of changes to the constitution be circulated on a regular basis to members of the Board; and
- (ii) the officers be requested to investigate alternative ways of ensuring members of the Council were kept abreast of the content of the constitution without requiring all members to read the constitution each year.

60 Work Programme 2018/19 - Progress Report

RESOLVED that the work programme progress report 2018/19 be noted.

61 Work Programme 2019/20

The Board considered its work programme for 2019/20 and a draft project plan for the review of the Community Infrastructure levy.

It was noted that the programmed reviews on the Leader's allowance and the budget for 2019/20 would be incorporated into this plan as soon the project plans for these reviews had been agreed by their respective panels.

RESOLVED that the Work Programme for 2019/20 and the draft project plan for the review of the Community Infrastructure Levy as submitted be approved.

The meeting commenced at 5.30 pm and concluded at 6.04 pm

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NON EXEMPT

HAVANT BOROUGH COUNCIL

GOVERNANCE, AUDIT & FINANCE BOARD

12 JUNE 2019

CORPORATE GOVERNANCE POLICY, LOCAL CODE OF CORPORATE GOVERNANCE & DRAFT ANNUAL GOVERNANCE STATEMENT 2018-19

Will Jackson, Governance Manager

FOR DECISION

Portfolio: Governance, Cllr Bowerman

Chief Finance Officer: Lydia Morrison

Key Decision: No

1.0 Purpose of Report

1.1 Good business practice is to ensure robust policies and systems are in place and that annual reviews of governance arrangements take place. This report is submitted to the Governance, Audit & Finance Board for decision and comment on three interlinked documents which are required to be reviewed annually:

- (a) Corporate Governance Policy
- (b) Local Code of Corporate Governance
- (c) Draft Annual Governance Statement 2018-19

1.2 The Local Code of Corporate Governance and Corporate Governance Policy will be published on our website and will be reviewed annually.

1.3 Subject to comments received, a final version of the Annual Governance Statement 2018-19 will be submitted to the Board for approval on 24th July 2019 alongside the Statement of Accounts 2018-19 for Havant Borough Council.

2.0 Recommendation

2.1 Governance, Audit & Finance Board is recommended to approve the Corporate Governance Policy at Appendix A, the Local Code of Governance at Appendix B and provide comments on the draft Annual Governance Statement 2018-19 at Appendix C. The final version of the Annual Governance Statement will be shared for approval at the July Board meeting.

3.0 Executive Summary

- 3.1 The CIPFA/SOLACE framework 'Delivering Good Governance in Local Government' urges local authorities to review the effectiveness of their existing governance arrangements against their Local Code of Corporate Governance, and prepare a governance statement in order to report publicly on the extent to which they comply with their own code on an annual basis, including how they have monitored the effectiveness of their governance arrangements in the year, and on any planned changes for the coming period.
- 3.2 The Corporate Governance Policy outlines the Council's approach to managing risk. Risk management is an integral part of good management and corporate governance and is therefore at the heart of what we do. It is essential to the council's ability to deliver public services and as a custodian of public funds.
- 3.3 The Local Code of Governance is based on the CIPFA/SOLACE publication entitled "Delivering Good Governance in Local Government: Framework 2016 Edition". This revised framework emphasises the importance of considering the longer term and the links between governance and public financial management. The Local Code specifically identifies the actions and behaviours taken by the council in relation to each of the core and associated sub-principles as set out in the code. The Governance, Audit and Finance Board is responsible for approving the code and it is recommended that it is annually reviewed and updated accordingly.
- 3.4 The Annual Governance Statement 2018/19 at Appendix C details the governance framework, the key elements of the Council's governance arrangements, the review of that framework and overall opinion including further improvement areas.
- 3.5 In terms of overall corporate governance it is the Chief Executive and Chief Finance Officer's opinion that, although there are required areas of further improvement to be completed, the overall governance arrangements of the Council are considered sound. The Annual Governance Statement is informed by the self-assessment of compliance against the Local Code of Corporate Governance principles by the Governance Manager and the work of Internal Audit and External Audit. For the first time this year a governance questionnaire was also drafted and sent to all Heads of Service to answer questions on governance. The results of that questionnaire have been used to inform the governance statement this year, including highlighting strengths and any areas for improvement. The Havant Borough Council Annual Governance Statement 2018-19 will be published as part of the Annual Statement of Accounts.
- 3.6 Part of the Governance and Audit Board's remit is to assess the effectiveness of internal controls, risk management, and governance arrangements in place and this includes the requirement to be satisfied

that the authority's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it, and demonstrate how governance supports the achievements of the authority's objectives'¹

4.0 Additional Budgetary Implications

4.1 None

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

5.1 Corporate Governance comprises the systems and values by which Havant Borough Council is directed and controlled and through which it is accountable. To demonstrate compliance with the principles of good corporate governance, Havant Borough Council must ensure that it does the right things and in the right way. The Council must also ensure that this is done in a timely, inclusive, open, honest and accountable manner.

5.2 An annual review of the Corporate Governance Policy, Local Code of Corporate Governance and production of the Annual Governance Statement must be completed each year in order to evidence compliance with the principles of good corporate governance.

6.0 Options considered and reasons for the recommendation

6.1 A new 'CIPFA/SOLACE Framework' was published in 2016 to ensure it remains fit for purpose, which applies to Annual Governance Statements prepared for the financial year 2018/19 onwards. The revised Framework defines the seven core principles of good governance.

6.2 The Framework urges local authorities to review the effectiveness of their existing governance arrangements against their Local Code of Corporate Governance and prepare a governance statement and report compliance on an annual basis.

7.0 Resource Implications

7.1 Financial Implications - none

7.2 Human Resources Implications - none

7.3 Other Resource Implication - none

8.0 Legal Implications

¹ CIPFA guidance note for local authorities 'Audit Committees' (2013)

8.1 None. The publication of the Corporate Governance Policy, Local Code of Corporate Governance and Annual Governance Statement details the Governance Framework, including the key elements of the Council's governance arrangements

9.0 Risks

9.1 These documents are a vital part of ensuring that Council 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.

9.2 Failure to produce and report these documents would carry the risk that the Council was failing in its duty to evidence that it was operating in accordance with the law and proper standards and that public money is safeguarded and properly accounted for.

10 Consultation

10.1 The draft Corporate Governance Policy, draft Local Code of Corporate Governance and draft Annual Governance Statement have been shared with relevant Heads of Service and Executive Board. The draft of the Annual Governance Statement has also been shared with External Audit. The Board is also being consulted on the draft Annual Governance Statement prior to review of the final version which will be shared at the July Board meeting.

11 Communication

11.1 The Corporate Governance Policy, Local Code of Corporate Governance and Annual Governance Statement will all be published on the website alongside the final version of the Statement of Accounts 2018-19.

Appendices:

Appendix A – Corporate Governance Policy

Appendix B – Local Code of Corporate Governance

Appendix C – draft Annual Governance Statement 2018-19

Agreed and signed off by:

Monitoring Officer: 16 May 2019

S151 Officer: 16 May 2019

Cabinet Member: May 2019

Contact Officer: Will Jackson

Job Title: Governance Manager

Telephone: 02392 446269

E-Mail: william.jackson@havant.gov.uk



Corporate Governance Policy

Version	Author	Date	Summary of changes
V1	Will Jackson	June 2018	Approved at GAF Board
V1.1	Will Jackson	May 2019	Review and updated for 2019

Adopted by Governance, Audit & Finance Board June 2018	Review - June 2019
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Introduction by the chief executive

The council provides a diverse range of services to our customers, residents, businesses and visitors to the borough. It is essential that we protect and preserve the ability for customers to receive these services and that the council is able to deliver against our long-term strategic goals for the place. The council works to the principles set out in the Local Code of Corporate Governance and aims to achieve its intended outcomes whilst acting in the public interest at all times.

We recognise that risks are inherent within our service delivery, and that these risks must be appropriately managed, whether they arise at a strategic or an operational level. Uncontrolled risks can result in a drain on resources that could be better directed to front line service provision, and to the meeting of the council's objectives. A culture of managed risk can therefore enhance our drive for value for money and quality in the provision of services, and support the achievement of corporate goals. It is noted that the management of risk is equally concerned with managing upside potential and downside threats.

Only by adopting a holistic approach to risk management will the council properly recognise the concept of risk. Risk management must be an integral part of all aspects of the council's business, embedded throughout the organisation. A structured and focussed approach is facilitated through the council's risk management framework. This policy has the full support of the elected councillors and the paid Executive Board responsible for managing and delivering services. It is recognised that the co-operation and commitment of all employees and councillors is required to ensure that council's resources are utilised effectively.

Gill Kneller
Chief Executive

1. What do we mean by governance?

Governance is about how local government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

It comprises the systems and processes, and cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with, and where appropriate, lead their communities. Ultimately, corporate governance is the system by which we direct and control our functions, and how they relate to our community.

2. The council's commitment

The council, as a public organisation, is committed to ensuring the highest possible standards of governance to fulfil its responsibilities:

1. To engage in effective partnerships and provide leadership for and with the communities we serve.
2. To ensure the delivery of high quality local services whether directly or in partnership or by commissioning.
3. To perform a stewardship role which protects the interests of the place for future generations and local people and makes the best use of resources
4. To develop citizenship and local democracy.

Openness, inclusion, integrity and accountability are fundamental principles by which the council operates.

3. The Corporate Governance Framework

Risk management is an integral part of good management and corporate governance and is therefore at the heart of what we do. It is essential to the council's ability to deliver public services and as a custodian of public funds.

The council is legally required to have risk management arrangements in place. The council's approach to managing risk is explained in this Corporate Governance Policy and has been approved by Governance, Audit & Finance Board.

The Policy:

- Sets out the council's objectives for the management of risk at a strategic and operational level, within projects, within partnerships and its suppliers;
- describes the risk management framework that is in place by defining a systematic approach to how risk will be managed across the council; and
- ensures that associated thinking and practice is embedded in everyday processes, policies and activity.

In order to ensure the fulfilment of its commitment the council operates a governance framework which provides a structure to support the council's approach to governance.

The council has based its governance framework on the guidance produced in the publication “Delivering Good Governance in Local Government” produced by the Chartered Institute of Public Finance & Accountancy (CIPFA) and the Society of Local Authority Chief Executives & Senior Managers (SOLACE).
The Accounts and Audit Regulations 2015 state:

A relevant authority must ensure that it has a sound system of internal control which

- a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;
- b) ensures that the financial and operational management of the authority is effective; and
- c) includes effective arrangements for the management of risk.

This Corporate Governance Policy is fully supported by councillors, the chief executive and the Executive Board which is accountable for the effective management of risk within the council. On a daily basis all officers of the council have a responsibility to recognise and manage risk in accordance with this policy.

4. How we will ensure that we deliver on these principles of good governance

4.1 Maintain a local code of corporate governance

In accordance with best practice requirements, the council maintains a Local Code of Corporate Governance which sets out the key systems, policies and procedures that comprise the authority’s governance framework. This document will be reviewed and updated regularly as required and approved by the Executive Board and Governance and Audit Board, to reflect any changes in governance arrangements.

4.2 Undertake an annual review of governance arrangements

The Southern Audit Partnership¹ is responsible for undertaking an annual review to evaluate the position against the commitments set out in the Council’s Local Code of Corporate Governance, the effectiveness of governance arrangements and to ensure continuing compliance with best practice.

Where appropriate, action plans will be produced to ensure any significant weaknesses identified are addressed and there is continuous improvement in the system of corporate governance.

Findings and recommendations from this exercise will be reported via the Corporate Governance Board². This will be used to inform the production of the Annual Governance Statement, with significant issues reported publicly through this process.

4.3 Report publicly on compliance with governance arrangements in the Annual Governance Statement

The Authority will produce an Annual Governance Statement (AGS) in accordance with the Accounts and Audit (England) Regulations 2015. This will be published and will

¹ <https://www.hants.gov.uk/business/siap>

² The Corporate Governance Board provides a layer of assurance to the business, ensuring the organisation develops and implements an effective approach to Corporate Governance

accompany the council's Annual Statement of Accounts. It will state what arrangements the council has in place to ensure the effectiveness of its governance framework and how the council has followed its stated governance principles. It will also highlight any areas the council considers requiring significant improvement; and outline the actions planned to address them.

Governance, Audit and Finance Board will review the robustness of the AGS. The chief executive and the leader are required to sign off the AGS.

5. Risk management objectives

Risk management is the process by which risks are identified, evaluated and controlled and is a key element of the council's governance framework.

The council will operate an effective system of risk management which will seek to ensure that risks which might prevent the council achieving its plans are identified and managed on a timely basis in a proportionate manner. In practice this means that the council has taken steps to ensure that risks do not prevent the council achieving its corporate priorities or objectives.

6. Risk management principles

- I. The risk management process should be consistent across the council. The process should also be clear and straightforward and result in timely information that helps informed decision making.
- II. Risk management should operate within a culture of transparency and openness, where risk identification is encouraged. Risks are escalated where necessary to the level of management best placed to manage them effectively.
- III. Risk management arrangements should be dynamic, flexible and responsive to changes in the risk environment.
- IV. The response to risk should be mindful of risk level and the relationship between the cost of risk reduction and the benefit accruing; i.e. the concept of proportionality.
- V. Risk management should be embedded in everyday business processes.
- VI. Officers of the council should be aware of and operate the council's risk management approach where appropriate.
- VII. Councillors should be aware of the council's risk management approach and of the need for the decision-making process to be informed by robust risk assessment, with councillors being involved in the identification of risk on an annual basis.

7. Appetite for risk

As an organisation with limited resources, it is inappropriate for the council to seek to mitigate all of the risk it faces. The council therefore aims to manage risk in a manner

which is proportionate to the risk faced, based on the experience and expertise of its senior managers.

The council has defined the maximum level of residual risk which it is prepared to accept as a maximum risk score of 15 in line with the scoring matrix attached at **annex A** (for corporate priority risks).

8. Benefits of risk management

The benefits of active risk management should alert councillors and officers to the key risks which might prevent the achievement of the council's plans, in order that timely mitigation can be developed to either prevent the risks occurring or to manage them effectively if they do occur.

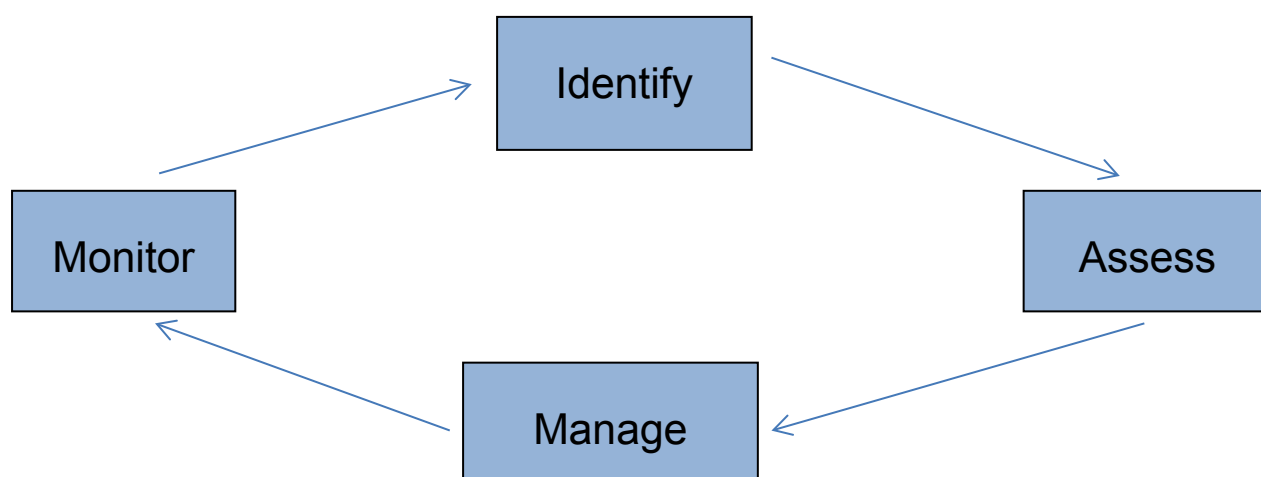
Risk management at the point of decision making should ensure that councillors and officers are fully aware of any key risk issues associated with proposals being considered.

Active risk management should lead to greater risk awareness and an improved and cost-effective control environment, which should mean fewer incidents and other control failures and better service outcomes. In addition, it will provide assurance to councillors and officers on the adequacy of arrangements for the conduct of business. It demonstrates openness and accountability to various regulatory bodies and stakeholders more widely.

Finally, active risk management allows the council to take informed decisions about exploiting opportunities and innovation, ensuring that we get the right balance between rewards and risks.

9. Risk management approach

The risk management approach adopted by the council is based on identifying, assessing, managing and monitoring risks at all levels across the council:



The detailed stages of the council's risk management approach are recorded in the Risk Management Framework. This framework or guide provides managers with detailed guidance on the application of the risk management process.

The guide can be located on the intranet.

Additionally, individual business processes, such as decision making and project management will provide guidance on the management of risk within those processes.

10. Responsibilities

Every member of staff and councillor has a responsibility to ensure their personal conduct and the organisation's governance arrangements are always of the highest standard possible.

Senior managers have a responsibility for reviewing governance standards in their areas of responsibility and for identifying and implementing any necessary improvement actions. Improvement actions should be reflected in the appropriate business plans.

The chief executive and leader will ensure that an annual review is completed of corporate governance arrangements and give assurances on their adequacy in the published Annual Governance Statement, accompanying the Statement of Accounts.

11. Awareness and development

The council recognises that the effectiveness of its risk management approach will be dependent upon the degree of knowledge of the approach and its application by officers and councillors.

The council is committed to ensuring that all councillors, staff and partners, where appropriate, have sufficient knowledge of the council's risk management approach to fulfil their responsibilities for managing risk. This will be delivered through a variety of methods for example formal training programmes, risk workshops, briefings and internal communication channels.

12. Communication

The Local Code of Corporate Governance and Annual Governance Statement will be reported publicly with a copy available on the authority's website.

13. Conclusion

The council will face risks to the achievement of its plans. The risk management approach detailed in this policy should ensure that the key risks faced are recognised and effective measures are taken to manage them in accordance with the defined risk appetite.

The Corporate Governance Board will ensure that the Local Code of Corporate Governance is reviewed regularly to reflect ongoing developments and planned

improvements to the framework; and authorise any amendments. Significant changes will be referred to the Executive Board for approval.

The Table illustrates how risks are scored and the Council's risk appetite:

Impact	Very High	5	5	10	15	20	25
	High	4	4	8	12	16	20
	Medium	3	3	6	9	12	15
	Low	2	2	4	6	8	10
	Negligible	1	1	2	3	4	5
			1	2	3	4	5
			Very Rare	Unlikely	Possible	Likely	Very Likely
Likelihood							

Colour	Score	Detail
Red	16 and above	This is in excess of the council's risk appetite. Action is needed to redress, with regular monitoring. In exceptional circumstances residual risk in excess of the risk appetite can be approved if it is agreed that it is impractical or impossible to reduce the risk level below 16. Such risks should be escalated through the management reporting line to Corporate Governance Board.
Amber	5 to 15	Likely to cause the council some difficulties – regular monitoring is required through Heads of Service ensuring that appropriate mitigations are in place
Green	1 to 4	Low risk. Monitor as necessary

RISK APPETITE SCORE: 15

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Local Code of Corporate Governance

Created by: Will Jackson

Approved by: Governance, Audit and Finance Board

Approved Date: June 2018

Review Date: June 2019

1. Introduction

The council's Code of Corporate Governance is based upon the CIPFA / SOLACE publication entitled "Delivering Good Governance in Local Government: Framework 2016 Edition." This revised framework emphasises the importance of considering the longer term and the links between governance and public financial management.

2. What do we mean by governance?

'The International Framework: Good Governance in the Public Sector' defines 'governance' as **comprising the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved**. Effective governance in the public sector encourages improved decision making and efficient use of resources. Effective governance is characterised by robust scrutiny, which provides important pressures for improving public sector performance and tackling corruption. Effective governance can improve management which leads to better service delivery and ultimately, better outcomes.

The Local Code of Corporate Governance is the document which sets out the framework within which the council conducts its business and affairs.

3. Core principles

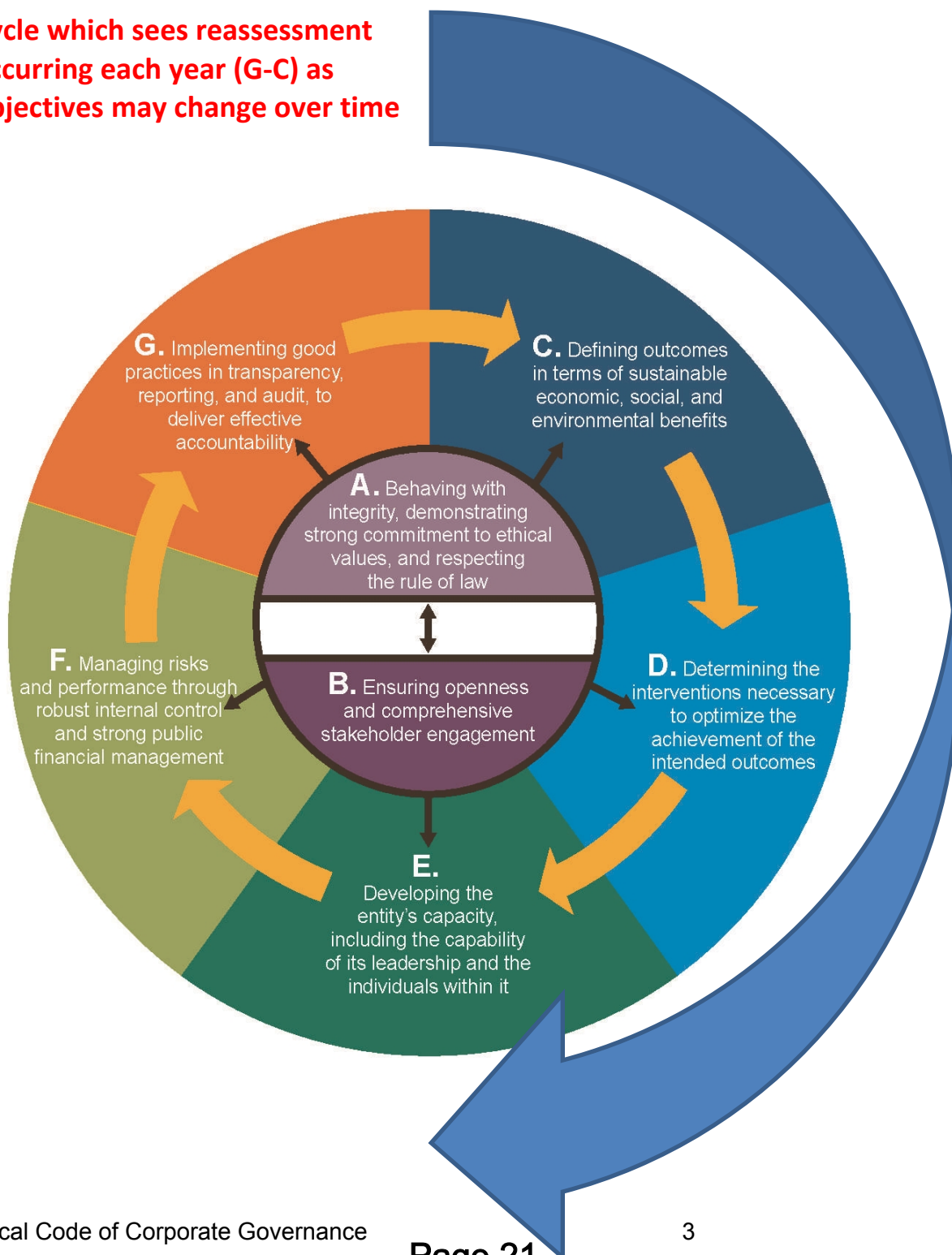
There are seven principles of good governance as set out in the framework which are:-

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

The diagram below, taken from the International Framework: Good Governance in the Public Sector (CIPFA/IFAC, 2014) (the 'International Framework'), illustrates the various principles of good governance in the public sector and how they relate to each other.

Achieving the intended outcomes while acting in the public interest at all times

Cycle which sees reassessment occurring each year (G-C) as objectives may change over time



The Local Code specifically identifies the actions and behaviours taken by the council in relation to each of these core principles and associated sub-principles. These are summarised within Appendix A. Appendix B sets out the Local Corporate Governance Framework evidence for the Council.

The Governance, Audit and Finance Board is responsible for approving this code and it is recommended that this is annually reviewed and updated accordingly. This code was approved by the Board at its meeting in June 2018.

Appendix A - Actions and behaviours taken by the council that demonstrate good governance	
Sub Principle	Council's Actions and Behaviours
A) Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law	
Behaving with integrity	<ul style="list-style-type: none"> • Ensure that councillors and staff behave with integrity and lead a culture where acting in the public interest is visible and consistently demonstrated thereby protecting the reputation of the council.
	<ul style="list-style-type: none"> • Ensure that councillors take the lead in establishing specific standard operating principles or values for the council and its staff and that they are communicated and understood. These will build on the <i>Seven Principles of Public Life</i> (The Nolan Principles).
	<ul style="list-style-type: none"> • Lead by example and use the above standard operating principles or values as a framework for decision-making and other actions.
	<ul style="list-style-type: none"> • Demonstrate, communicate and embed the standard operating principles or values through appropriate policies and processes which will be reviewed on a regular basis to ensure they are operating effectively.
Demonstrating strong commitment to ethical values	<ul style="list-style-type: none"> • Seek to establish, monitor and maintain the council's ethical standards and performance.
	<ul style="list-style-type: none"> • Underpin personal behaviour with ethical values and ensure they permeate all aspects of the council's culture and operation.
	<ul style="list-style-type: none"> • Develop and maintain robust policies and procedures which place emphasis on agreed ethical values of our organisation.
	<ul style="list-style-type: none"> • Ensure that external providers of services on behalf of the organisation are required to act with integrity and in compliance with ethical standards expected by the council.
Respecting the Rule of Law	<ul style="list-style-type: none"> • Ensure councillors and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations.
	<ul style="list-style-type: none"> • Create the conditions to ensure that the statutory officers, other key post holders and councillors can fulfil their responsibilities in accordance with legislative and regulatory provisions
	<ul style="list-style-type: none"> • Maximise the use of the full powers available to the Council for the benefit of citizens, communities and other stakeholders.
	<ul style="list-style-type: none"> • Deal with breaches of legal and regulatory provisions effectively and quickly. • Ensure corruption and misuse of power is dealt with effectively and quickly.
B) Ensuring openness and comprehensive stakeholder engagement	
	<ul style="list-style-type: none"> • Ensure an open culture through demonstrating, documenting and communicating the council's commitment to openness.

Appendix A - Actions and behaviours taken by the council that demonstrate good governance	
Sub Principle	Council's Actions and Behaviours
Openness	<ul style="list-style-type: none"> • Make decisions that are open about actions, plans, resource use, forecasts, outputs and outcomes. The presumption will be for openness. If that is not the case, a justification for the reasoning for keeping a decision confidential will be provided.
	<ul style="list-style-type: none"> • Provide clear reasoning and evidence for decisions in both public records and explanation to stakeholders and will be explicit about the criteria, rationale and considerations used. In due course, the council will ensure that the impact and consequences of those decisions are clear.
	<ul style="list-style-type: none"> • Use formal and informal consultation and engagement to determine the most appropriate and effective interventions / courses of action.
Engaging comprehensively with institutional stakeholders	<ul style="list-style-type: none"> • Effectively engage with institutional stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear so that outcomes are achieved successfully and sustainably.
	<ul style="list-style-type: none"> • Develop formal and informal partnerships to allow for resources to be used more efficiently and outcomes achieved more effectively.
	<ul style="list-style-type: none"> • Recognise that partnerships are based on trust, a shared commitment to change, a culture that promotes and accepts challenge among partners and that the added value of partnership working is explicit.
Engaging stakeholders effectively, including individual citizens and service users	<ul style="list-style-type: none"> • Establish a clear policy on the type of issues that the council will meaningfully consult with or involve communities, individual citizens, service users and other stakeholders to ensure that service provision is contributing towards the achievement of the intended outcomes.
	<ul style="list-style-type: none"> • Ensure that communication methods are effective, and that councillors and staff are clear about their roles regarding community engagement.
	<ul style="list-style-type: none"> • Encourage, collect and evaluate the views and experiences of customers, communities, citizens, service users and organisations of different backgrounds including reference to future needs.
	<ul style="list-style-type: none"> • Implement effective feedback mechanisms to demonstrate how their views have been considered.
	<ul style="list-style-type: none"> • Balance feedback from more active stakeholder groups with other stakeholder groups to ensure inclusivity.
	<ul style="list-style-type: none"> • Take account of the interests of future generations of tax payers and service users.
(C) Defining outcomes in terms of sustainable economic, social and environmental benefits	
	<ul style="list-style-type: none"> • Have a clear vision, which is an agreed formal statement of the council's purpose and intended outcomes containing appropriate performance indicators, which provides the basis for the council's overall strategy, planning and other decisions.

Appendix A - Actions and behaviours taken by the council that demonstrate good governance	
Sub Principle	Council's Actions and Behaviours
Defining outcomes	<ul style="list-style-type: none"> Specify the intended impact on, or changes for, stakeholders including citizens and service users. It could be immediately or over the course of a year or longer.
	<ul style="list-style-type: none"> Deliver defined outcomes on a sustainable basis within the resources that will be available.
	<ul style="list-style-type: none"> Identify and manage risks to the achievement of outcomes.
	<ul style="list-style-type: none"> Manage customers/service users' expectations effectively regarding determining priorities and making the best use of the resources available.
Sustainable economic, social and environmental benefits	<ul style="list-style-type: none"> Consider and balance the combined economic, social and environmental impact of policies, plans and decisions when taking decisions about service provision.
	<ul style="list-style-type: none"> Take a longer-term view regarding decision making, taking account of risk and acting transparently where there are potential conflicts between the council's intended outcomes and short-term factors such as the political cycle or financial constraints.
	<ul style="list-style-type: none"> Determine the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits through consultation where possible, to ensure appropriate trade-offs.
	<ul style="list-style-type: none"> Ensure equal access to council services.
D) Determining the interventions necessary to optimise the achievement of the intended outcomes	
Determining interventions	<ul style="list-style-type: none"> Ensure decision makers receive objective and rigorous analysis of a variety of options indicating how the intended outcomes would be achieved and including the risks associated with those options. Therefore, ensuring best value is achieved regardless of how services are provided.
	<ul style="list-style-type: none"> Consider feedback from customers and service users when making decisions about service improvements or where services are no longer required to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impacts.
Corporate planning interventions	<ul style="list-style-type: none"> Establish and implement robust planning and control cycles that cover strategic and operational plans, priorities and targets.
	<ul style="list-style-type: none"> Engage with internal and external stakeholders in determining how services and other courses of action should be planned and delivered.
	<ul style="list-style-type: none"> Consider and monitor risks facing each partner when working collaboratively, including shared risk.
	<ul style="list-style-type: none"> Ensure arrangements are flexible and agile so that the mechanisms for delivering outputs can be adapted to changing circumstances.
	<ul style="list-style-type: none"> Establish appropriate Key Performance Indicators (KPIs) as part of the planning process, to identify how the

Appendix A - Actions and behaviours taken by the council that demonstrate good governance	
Sub Principle	Council's Actions and Behaviours
	<p>performance of services and projects is to be measured.</p> <ul style="list-style-type: none"> • Ensure capacity exists to generate the information required to review service quality regularly. • Prepare budgets in accordance with organisational objectives, strategies and the medium-term financial plan. • Inform medium and long-term resource planning by drawing up realistic estimates of revenue and capital expenditure aimed at developing a sustainable funding strategy.
Optimising achievement of intended outcomes	<ul style="list-style-type: none"> • Ensure the medium-term financial strategy integrates and balances service priorities, affordability and other resource constraints. • Ensure the budgeting process is all-inclusive, considering the full cost of operations over the medium and longer-term. • Ensure the medium-term financial strategy sets the context for ongoing decisions on significant delivery issues or responses to changes in the external environment that may arise during the budgetary period for outcomes to be achieved while optimising resource usage. • Ensure the achievement of 'social value' through service planning and commissioning. The Public Services (Social Value) Act 2012 states that this is "the additional benefit to the community... over and above the direct purchasing of goods, services and outcomes".
E) Developing the council's capacity, including the capability of its leadership and the individuals within it	
Developing the council's capacity	<ul style="list-style-type: none"> • Review operations, performance use of assets on a regular basis to ensure their continuing effectiveness. • Improve resource use through appropriate application of techniques such as benchmarking and other options to determine how the council's resources are allocated so that outcomes are achieved effectively and efficiently. • Recognise the benefits of partnerships and collaborative working where added value can be achieved. • Develop and maintain an effective workforce plan to enhance the strategic allocation of resources.
Developing the capability of the council's leadership and other individuals	<ul style="list-style-type: none"> • Develop protocols to ensure that elected and appointed leaders negotiate with each other regarding their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained. • Publish a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the governing body. • Ensure the leader and the chief executive have clearly defined and distinctive leadership roles within a structure whereby the chief executive leads the council in implementing its strategy and managing the delivery of services and other outputs set by councillors and each provides a check and a balance for each other's authority.

Appendix A - Actions and behaviours taken by the council that demonstrate good governance	
Sub Principle	Council's Actions and Behaviours
	<ul style="list-style-type: none"> • Develop the capabilities of councillors and senior management to achieve effective shared leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks by: <ul style="list-style-type: none"> ➤ ensuring councillors and staff have access to appropriate induction tailored to their role and that ongoing training and development that matches individual and organisational requirements is available and encouraged; ➤ ensuring councillors and staff have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they can update their knowledge on a continuing basis; and ➤ ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from governance weaknesses both internal and external.
	<ul style="list-style-type: none"> • Ensure that there are structures in place to encourage public participation.
	<ul style="list-style-type: none"> • Encourage innovation amongst Council staff and Councillors.
	<ul style="list-style-type: none"> • Encourage Councillors to engage with other Councils and bodies such as LGA to expand viewpoints and horizons and learn from others.
	<ul style="list-style-type: none"> • Take steps to consider the leadership's own effectiveness and ensure leaders are open to constructive feedback from peer review and inspections.
	<ul style="list-style-type: none"> • Hold staff to account through regular performance reviews which take account of training or development needs.
	<ul style="list-style-type: none"> • Ensure arrangements are in place to maintain the health and wellbeing of the workforce and support individuals in maintaining their own physical and mental wellbeing.
F) Managing risks and performance through robust internal control and strong public financial management	
Managing risk and projects	<ul style="list-style-type: none"> • Recognise that risk management is an integral part of all activities and must be considered in all aspects of decision making.
	<ul style="list-style-type: none"> • Implement robust and integrated risk management arrangements and ensure that they are working effectively.
	<ul style="list-style-type: none"> • Ensure that responsibilities for managing individual risks are clearly allocated.
	<ul style="list-style-type: none"> • Ensure effective project governance is maintained to manage project stages.
Managing	<ul style="list-style-type: none"> • Monitor service delivery effectively including planning, specification, execution and independent post implementation review.
	<ul style="list-style-type: none"> • Make decisions based on relevant, clear objective analysis and advice pointing out the implications and risks inherent in the council's financial, social and environmental position and outlook.

Appendix A - Actions and behaviours taken by the council that demonstrate good governance	
Sub Principle	Council's Actions and Behaviours
performance	<ul style="list-style-type: none"> • Ensure an effective scrutiny or oversight function is in place which encourages constructive challenge and debate on policies and objectives before, during and after decisions are made - thereby enhancing the council's performance and that of any organisation for which it is responsible.
	<ul style="list-style-type: none"> • Provide councillors and senior management with regular reports on service delivery plans and on progress towards outcome achievement.
	<ul style="list-style-type: none"> • Ensure there is consistency between specification stages (such as budgets) and post implementation reporting (e.g. financial statements).
Robust internal control	<ul style="list-style-type: none"> • Align the risk management strategy and policies on internal control with achieving objectives.
	<ul style="list-style-type: none"> • Evaluate and monitor the council's risk management and internal control arrangements on a regular basis
	<ul style="list-style-type: none"> • Ensure effective counter fraud and anti-corruption arrangements are in place.
	<ul style="list-style-type: none"> • Ensure additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor.
	<ul style="list-style-type: none"> • Ensure an Audit Committee which is independent of the executive and accountable to the council: <ul style="list-style-type: none"> ➤ provides a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment; and ➤ that its recommendations are listened to and acted upon.
Managing data	<ul style="list-style-type: none"> • Ensure effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data.
	<ul style="list-style-type: none"> • Ensure effective arrangements are in place and operating effectively when sharing data with other bodies.
	<ul style="list-style-type: none"> • Review and audit regularly the quality and accuracy of data used in decision making and performance monitoring.
Strong public financial management	<ul style="list-style-type: none"> • Ensure financial management supports both long-term achievement of outcomes and short-term financial and operational performance.
	<ul style="list-style-type: none"> • Ensure well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls.
G) Implementing good practices in transparency, reporting and audit to deliver effective accountability	
	<ul style="list-style-type: none"> • Write and communicate reports for the public and other stakeholders in a fair, balanced and understandable

Appendix A - Actions and behaviours taken by the council that demonstrate good governance	
Sub Principle	Council's Actions and Behaviours
Implementing good practice in transparency	<p>style appropriate to the intended audience ensuring that they are easy to access and interrogate.</p> <ul style="list-style-type: none"> • Strike a balance between providing the right amount of information to satisfy transparency demands and enhance public scrutiny while not being too onerous and ensuring the information is easy for users to understand.
Implementing good practices in reporting	<ul style="list-style-type: none"> • Report at least annually on performance, value for money and the stewardship of its resources to public in a timely and understandable way. • Ensure councillors and senior management own the results. • Ensure robust arrangements for assessing the extent to which the principles contained in this framework have been applied and publish the results on this assessment including an action plan for improvement and evidence to demonstrate good governance (Annual Governance Statement). • Ensure that the framework is applied to jointly managed or shared service organisations as appropriate. • Ensure the performance information that accompanies the financial statements is prepared on a consistent and timely basis and the statements allow for comparison with other similar organisations.
Assurance and effective accountability	<ul style="list-style-type: none"> • Ensure that recommendations for corrective action made by external audit are acted upon. • Ensure an effective internal audit service with direct access to councillors is in place which provides assurance regarding governance arrangements and that recommendations are acted upon. • Welcome peer challenge, reviews and inspections from regulatory bodies and implement recommendations. • Gain assurance on risks associated with delivering services through third parties and evidence this in the Annual Governance Statement. • Ensure that when working in partnership, arrangements for accountability are clear and that the need for wider public accountability has been recognised and met.

Appendix B – Council's Corporate Governance Framework evidence

'The International Framework: Good Governance in the Public Sector' defines 'governance' as comprising the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved. The framework also states that to deliver good governance in the public sector both governing bodies and individuals working for them must try to achieve the council's objectives while acting in the public interest at all times.

(A) Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law

- Constitution
- Financial Governance documents
- Procurement Governance documents
- Councillor Induction
- Contracts, SLAs and MoUs
- Policies and procedures
- Councillor Development Programme
- Schemes of delegation / decision making protocols
- Behaviours in performance management
- Scrutiny framework
- Meeting minutes
- Coaches and training
- Statutory officers roles:- Chief Executive, Chief Financial Officer, Monitoring Officer
- Councillor and staff Codes of Conduct
- Councillors / staff Register of Interests / Register of Gifts and hospitality
- Protocol for councillor/staff relations
- Anti-Fraud and Corruption Strategy
- Confidential Reporting Code (whistleblowing)
- Corporate Governance Policy
- Complaints Procedure
- IT Acceptable Usage Policy

(B) Ensuring openness and comprehensive stakeholder engagement

- Cabinet lead meetings
- Freedom of Information
- New councillor induction programme
- Committee Reports and Papers
- Openness is delivered by chairing formal board meetings in an open and inclusive manner
- Statement of Community Involvement
- Annual programme of councillor workshops on Local Plan, community infrastructure levy and development Management topics
- Legislative requirements to be fulfilled in advertising planning applications and other development proposals
- Engagement with Community through Council newsletters and events
- Joint work arrangements
- Media engagement including social media

<p>(C) Defining outcomes in terms of sustainable, economic, social and environmental benefits</p> <ul style="list-style-type: none"> • Energy Strategy • Environmental Services business plan • Disabled Facilities Grants returns • Food Standards Agency returns • Corporate Governance Policy (including risk management) • Business Plans • Appraisals and monthly 1-2-1s • Local Plan complies with national legislation and policy which requires development to be sustainable – i.e. blending social, environmental and economic issues. Adopted Local Plan and emerging draft Local Plan and put sustainable development principles at the heart • Community Infrastructure Levy Spending Protocol provides transparency on what funds will be spent – annually reviewed
<p>(D) Determining the interventions necessary to optimise the achievement of the intended outcomes</p> <ul style="list-style-type: none"> • Fees and Charges (statutory and discretionary) • Procurement management documents • Consultations • Contract management – Strategic Commissioning team • Performance management quarterly reviews • The success of the annual business plans per service will also contribute towards evidencing the Client Team’s success in delivering outcomes whilst using appropriate behaviours • KPI and PI outcomes and annual business plan success • Monitoring of policies through ongoing review to understand policy effectiveness • Government housing targets for HBC determine performance • National planning application performance targets determine if interventions are required
<p>(E) Developing the council’s capacity, including the capability of its leadership and the individuals within it</p>

- Service reviews/redesign
- Matrix management
- Capacity analysis
- Leadership Conference
- Partnerships/Shared services
- External secondments to other local authorities
- 360-degree feedback
- Appraisals
- Succession Planning
- Talent Management/Talent matrix reviewed annually
- Personal Development Plans
- Staffing policies
- Coaching and training opportunities

(F) Managing risks and performance through robust internal control and strong public financial management

- Budget setting
- Budget challenge sessions
- Internal Audit Annual Plan
- Corporate Risk Register
- Operational Risk Registers
- Strategic Project Risk Registers
- Scrutiny Panel

(G) Implementing good practices in transparency, reporting and audit to deliver effective accountability

- Audit Plans
- Food Standards Agency returns
- Disabled Facilities Grants returns
- Annual Parking Report
- Annual Statement of Accounts
- Annual Governance Statement
- Audit programme is in place and includes the contract which the auditors and authority has agreed
- Local Plan: councillor workshops, public consultation, scrutiny panels, Cabinet, Full Council, independent public examination
- Audit of S106 and community infrastructure payments and spending
- Publication of planning performance statistics for national league tables

Introduction

The Leader of the Council (Councillor Michael Wilson) and Chief Executive (Gill Kneller) both recognise the importance of having good systems in place to manage and deliver services to the residents of Havant Borough. Each year the Council is required to produce an Annual Governance Statement (AGS) which describes how its corporate governance arrangements have been working.

This AGS is in respect of 2018/19. The Council also publishes an Annual Report which provides further information on the opportunities and challenges faced by the Council.

The purpose of the governance framework

The governance framework comprises the systems and processes, culture and values, by which the Council directs and controls its activities, and how it leads, engages with and accounts to the community it serves. The framework brings together an underlying set of legislative requirements, good practice principles and management processes and enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

The system of internal control is a significant part of that framework and is designed to manage risk to an acceptable level. It cannot eliminate all risk of failure to achieve the Council's aims and objectives, and seeks to provide reasonable rather than absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify, prioritise and manage the risks to the achievement of the Council's aims and objectives.

The governance framework addresses the way the Council is controlled and managed, both strategically and operationally, and how it will deliver its services. The Framework recognises that the Council's business is focussed upon its corporate priorities and seeks to facilitate delivery to our local communities.

The structures and processes, risk management and other internal control systems, such as standards of conduct and Audit, form part of this Framework, which is about managing the barriers to achieving the Council's objectives. Members and senior officers are responsible for putting in place proper arrangements for the governance of the Council's affairs and the stewardship of the resources at its disposal. This task is managed by the Executive Board which comprises the Chief Executive, Executive Directors, Chief Finance Officer (Section 151 Officer) with advice and guidance provided by the Monitoring Officer. The Council has designed systems and processes to regulate, monitor and control its activities to achieve its vision and objectives.

How do we know it is working?

The annual process that we use to maintain and review effectiveness of our governance arrangements includes a wide input.

Procedures, rules and internal management processes

- Delivery of Corporate Plan priorities
- Services are delivered economically, efficiently & effectively
- Management of risk
- Financial planning and performance
- Effective internal controls
- Community engagement & public accountability
- Shared service governance
- Project management & project delivery
- Procurement processes
- Roles & responsibilities of Members & Officers
- Standards of conduct & behaviour
- Training and development of Members & Officers
- Compliance with laws & regulations, internal policies & procedures

Sources that provide assurance

- Constitution (incl. statutory officers, scheme of delegation, financial management and procurement rules)
- Council, Cabinet, Committees and Panels
- Corporate and service business plans
- Joint Human Resources Committee
- Executive Board
- Project management methodology
- Financial and Performance Monitoring Suite
- Medium Term Financial Strategy
- Complaints system
- Head of Paid Service, Monitoring Officer and S151 Officer
- HR policies & procedures
- Whistleblowing & other policies countering fraud
- Staff and Member training
- Codes of conduct
- Internal Audit
- External Audit
- Executive Management Team

Ongoing assessment of our effectiveness

- Annual AGS questionnaire
- Regular performance and financial reporting
- Annual financial report
- External audit reports
- Internal audit reports
- Officer governance groups
- Customer feedback
- Council's democratic arrangements including scrutiny reviews and the audit committee
- Staff surveys
- Community consultations

2018-19 areas identified for improvement in 2019-20

Review of the functioning of the combined Scrutiny, Audit & Standards Committee

Services need to ensure that they have clearly communicated and embedded effective governance arrangements, policy management and performance management

Management of major contracts

How we apply the Governance Framework to the Local Code of Corporate Governance

The Council aims to achieve effective corporate governance through the Code of Corporate Governance. The table below highlights examples of how the Council has adhered to its governance commitments as set out in the Code and includes hyperlinks to sources of further information which include more detail about how the Council has implemented its commitments.

A. BEHAVING WITH INTEGRITY, DEMONSTRATING STRONG COMMITMENT TO ETHICAL VALUES AND RESPECTING THE RULE OF LAW	
How the Council meets these principles	Where you can see Governance in action
<p>There are codes of conduct in place for all Councillors and Officers. The Council has appointed independent persons to investigate any allegations of misconduct, and the Governance, Audit and Finance Board receives regular reports from the Monitoring Officer on complaints regarding Councillors.</p> <p>The Council's Constitution contains the standing orders, scheme of delegation, financial regulations and contracts procedure rules. The Constitution also contains the policies for anti-fraud and corruption, anti-bribery and whistleblowing.</p> <p>All Council employees have clear conditions of employment, and roles and responsibilities are set out in job descriptions.</p> <p>There is a requirement for Councillors to make a Declaration of Disclosable Pecuniary Interests within 28 days of taking office and to notify the Council of any changes to the interests made in this declaration within a specified time period. Councillors must also disclose interests which are not registered but which are relevant to matters to be discussed at a meeting of the authority. Councillors are barred from participating in any discussion in, or vote on, the matter in relation to which the member has a disclosable pecuniary interest. There is an up-to-date register of gifts and hospitality and minutes show declarations of interest were sought and appropriate declarations made through annual declarations.</p> <p>The Council has in place a complaints procedure including weekly reminders to relevant managers responsible. The Council has a shared Monitoring Officer with East Hampshire District Council and as a member of the Executive Board he is kept apprised on the Council's projects and actions and is ultimately responsible for legal compliance.</p>	<p>Councillor Code of Conduct Staff Code of Conduct</p> <p>Constitution</p> <p>Anti Fraud & Corruption Policy including Fraud Response Plan</p> <p>Whistleblowing Policy</p>

Statutory officer roles are the Head of Paid Service who is the Chief Executive, the Chief Financial (S151) Officer, who carries overall responsibility for the Council's financial administration and is a member of the Executive Board, and the Monitoring Officer, who ensures the Council acts lawfully. All three roles are shared with East Hampshire District Council.

B. ENSURING OPENESS AND COMPREHENSIVE STAKEHOLDER ENGAGEMENT

How the Council meets these principles

Where you can see Governance in action

The Council has laid out its purpose, direction, vision and objectives in its Council Strategy which can be obtained either on the Council's website or from the Council's offices. The Council Corporate Strategy is comprehensively reviewed regularly, and is underpinned by the key themes of: Financial Sustainability; Economic Growth; Public Service Excellence; Environmental Sustainability; and Creativity and Innovation. Business plans are prepared to support the Corporate Strategy.

<http://www.havant.gov.uk/performance-and-strategy>

The Council is committed to transparency and an open culture and publicises information in line with the publication scheme under the Freedom of Information Act. In addition, we subscribe to the Government's transparency agenda and publish information such as remuneration for senior management, and information on items of expenditure over £500.

[Freedom of Information](#)

The Council's democratic function is responsible for ensuring agendas and key decisions are published in line with the statutory legal requirements. They are also responsible for supporting the scrutiny function of the Council and publishing a corporate calendar of dates annually.

[Committees and Papers](#)

The Council carried out a residents' survey in 2018 the results of which were shared with Service Heads to inform their services to residents. The next residents survey is due to take place in summer 2020. In addition to the publication of the residents' magazine, called 'Serving You', the Council has a Facebook page and Twitter feed which is actively promoted and used. To promote transparency and wider engagement with Council decisions, residents can use social media such as Facebook, Twitter, LinkedIn and Instagram as well as YouTube to get updates from and interact with the Council.

[Serving You magazine](#)

[HBC Facebook](#)
[Twitter](#)
[Instagram](#)
[YouTube](#)

The Council's website is set out in a clear and easily accessible way, using infographics and plain language. The

<p>information which residents use most, such as Council Tax and Waste and Recycling can be accessed quickly and easily from the homepage.</p> <p>A narrative summary in Statement of Accounts and Annual Report providing a clear overview of the Council’s activity over the previous year, so that residents can see where money has been spent and what this has achieved.</p> <p>The Council has a Joint Venture with Norse (Norse South East) for waste collection which is governed by the Norse South East Board which has members from Norse Commercial Services and the Council on the Board. Norse South East is responsible for the procurement and efficient management of waste and recycling collections, street cleaning, public convenience cleansing, grounds maintenance and associated service facilities for the treatment and disposal of residual waste.</p>	<p>http://www.havant.gov.uk/</p> <p>http://www.havant.gov.uk/ accounts Annual Report</p> <p>http://norsesoutheast.co.uk/</p>
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C. DEFINING OUTCOMES IN TERMS OF SUSTAINABLE ECONOMIC, SOCIAL AND ENVIRONMENTAL BENEFITS	
How the Council meets these principles	Where you can see Governance in action
<p>The Council takes an annual approach to business planning, allowing a close link between business and financial planning. The Financial Management Strategy is reviewed annually and forms the basis of the annual budgeting process. The Council’s operational services are divided into Directorates. Business plans for each directorate are agreed annually and identify objectives and targets for all services. The Directorate Key Performance Indicators are monitored corporately. Monthly financial forecasts are submitted to the Executive Board and quarterly to Councillors alongside the Performance Indicator information.</p> <p>The Council’s budget report contains a summary of the budget and business plans that had been set for Havant Borough Council for 2018/19, as approved by the Council on the 21st February 2018. It shows on what service areas money was to be spent, and how this expenditure was funded. Also within this document is information showing the forecast financial position over the next three years, taking into account changes in government funding, other income and spending.</p> <p>The Council uses evidence based insight to inform decision making and uses the data available to understand residents and local businesses better. The Council is committed to consulting with and engaging with residents and local businesses in the planning and delivery of services to meet the needs of the community.</p>	<p>Council Budget & Business Plan</p>

D. DETERMINING THE INTERVENTIONS NECESSARY TO OPTIMISE THE ACHIEVEMENT OF THE INTENDED OUTCOMES	
How the Council meets these principles	Where you can see Governance in action
<p>Public Accountability is the way in which the Council engages with local stakeholders to ensure robust public accountability. The Council's Corporate Strategy is formulated following the results of a survey which seeks feedback from the public, Councillors, staff and other key stakeholders. The Council has a Medium Term Financial Strategy which is available on the Council's website, which is used to align resources to key priorities. The Council has report templates to ensure authors cover all the requirements to enable a decision to be made; they include options appraisal (if required), cost and risk analysis in addition to key signatories such as legal and finance and must include the portfolio holder.</p> <p>All decision-making meetings are held in public and decisions made by Cabinet members and officers are published in line with the statutory legal requirements, although some items are considered as exempt. Minutes of all Council meetings are made available to the public, and members of the public have the opportunity to contribute to Council meetings. The Council has a complaints and feedback system, which records and monitors customer comments, complaints and requests for information.</p>	<p>Corporate Strategy</p> <p>Medium Term Financial Strategy</p> <p>Council Decisions</p>
E. DEVELOPING THE COUNCILS CAPACITY, INCLUDING THE CAPABILITY OF ITS LEADERSHIP AND THE INDIVIDUALS WITHIN IT	
How the Council meets these principles	Where you can see Governance in action
<p>The Council has a joint management team with East Hampshire District Council. This management team is made up of the Chief Executive, Chief Finance Officer, two Executive Directors and the Heads of Service, most of which are shared with East Hampshire District Council.</p> <p>The Waste Collection service is provided in a Joint Venture with Norse (Norse South East). The costs of all shared management posts are shared between the Councils. A number of the Council's corporate services are delivered through the 5 Councils Partnership with Capita which is monitored via a shared Client Team.</p>	<p>Management Structure</p>

<p>The Council has a performance management framework, this includes induction and performance appraisal processes for all employees. Training programmes are identified for officers as part of the performance appraisal process. This information is fed into the Corporate Training Programme. In 2018-19 mandatory e-learning for staff on data protection and fraud awareness, safeguarding, equalities and diversity has been undertaken.</p> <p>Following the Borough Council Elections, all Councillors are required to undertake a comprehensive and compulsory training programme. This includes Planning training, Code of Conduct training and Licensing training. Councillors are not allowed to sit on the Planning or Licensing Committees until such training has been undertaken. The training programme ensures that they have an understanding of the procedures and protocols of the Council.</p> <p>In addition to the compulsory training, a series of other courses and events are also offered. Under the Councillor Development Programme, during the course of a Councillor's four year term of office, regular skills audits are undertaken to identify any new skills requirements or refresher training requirements.</p>	<p>Performance & Strategy</p>
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F. MANAGING THE RISKS AND PERFORMANCE THROUGH ROBUST INTERNAL CONTROL AND STRONG PUBLIC FINANCIAL MANAGEMENT	
How the Council meets these principles	Where you can see Governance in action
<p>The Council ensures that the roles and responsibilities for decision making and governance arrangements are defined and allocated, so that there is clear accountability for decisions made and actions taken. The Council does this by appointing a Leader and a Cabinet, which allocates specific executive responsibilities.</p> <p>There are also a number of committees appointed to discharge regulatory and scrutiny functions. Each committee has clear terms of reference setting out roles and responsibilities. All leadership roles, the roles of key officers and the Council's Scheme of Delegation are set out within the Council Constitution.</p> <p>The Cabinet operates within the policy framework set by Full Council, and makes key decisions. All Cabinet meetings are held in public, with the exception of exempt items. All decision records are publicly available, and the Forward Plan and Key Decision notice is published on the Council website. Decisions made by Cabinet can be called in for review by the Governance, Audit and Finance Board. Decisions can also be made by officers under delegated powers and reported to Councillors in line with the Council Constitution. Authority to make decisions is given in the Scheme of</p>	<p>Council structure</p> <p>Committee structure</p> <p>Forward Plan</p>

<p>Delegation and by specific delegation by Cabinet or Council.</p> <p>Risk is considered and recorded as part of the business planning process, and monitored throughout the year as part of the quarterly review of performance and financial management (quarterly healthcheck). The Council has a wide range of performance indicators, which are used to measure progress against the Council’s priorities. Performance indicators are reported quarterly to the Executive Board and informally to the Cabinet. Performance indicators clearly link individual services to the corporate objectives and include details of national and local performance indicators and risk. Individual performance plans link to directorate business plans and the Corporate Strategy. Performance Indicators are reviewed annually as part of the business planning process to ensure they continue to be relevant and stretching.</p> <p>A Corporate Governance Board has been established with an objective of providing a pragmatic layer of assurance to the business. Specifically, the Corporate Governance Board ensures that the organisation develops and implements an effective approach to corporate governance which enables the business and affairs of the Council to be carried out, directed and managed with the objective of enhancing value to the public. This will be underpinned by the Local Code of Corporate Governance. In addition, the Corporate Governance Board is responsible for ensuring that an adequate risk management framework and associated control environment exists within the Council, and for monitoring the arrangements in place for the identification, monitoring and management of risks.</p> <p>The Council utilises the LG Inform tool which allows for benchmarking and data sharing against other local authorities across the country.</p> <p>The Council has in place a number of policies and procedures to ensure decisions made are robust. These are included in the Finance and Contracts Procedure rules in the Constitution. Compliance with these policies is the responsibility of all officers.</p>	<p>Corporate Governance Policy</p> <p>Local Code of Corporate Governance</p> <p>https://lginform.local.gov.uk/</p> <p>Policy Hub</p>
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G. IMPLEMENTING GOOD PRACTICES IN TRANSPARENCY REPORTING AND AUDIT TO DELIVER EFFECTIVE ACCOUNTABILITY	
How the Council meets these principles	Where you can see Governance in action
<p>The Council produces an annual report which can be found on the Council’s website. The report not only shows the</p>	<p>Annual Report</p>

<p>council’s successes of the last financial year, but highlights the direction of travel for our future. The Council publishes the Statement of Accounts annually within the statutory timescales. Accounting Statements incorporate the full requirements of best practice guidance.</p> <p>The Council has a Governance, Audit and Finance Board to provide assurance to the Council on the effectiveness of Internal Audit and the robustness of the Council’s Annual Accounts. Risk management is controlled through the Corporate Governance Board and reported to Executive Board through the corporate governance report and quarterly healthcheck. Risks rated as above the risk threshold are reported as part of the quarterly healthcheck to Councillors.</p> <p>Full Council is responsible for agreeing new policies and amendments to existing policies. It also sets out the policy and budget framework, and approves the annual budget. Governance, Audit and Scrutiny Committee approves the Statement of Accounts.</p> <p>The Council is subject to independent external audit currently by Ernst & Young. The External Audit plan outlines the work undertaken and the timing of external audit reports. The Council supplements this work with an internal audit service sourced through the Southern Internal Audit Partnership. The Governance, Audit and Finance Board undertake the core functions of an audit committee.</p> <p>The Council has appointed the Chief Finance Officer as the Section 151 Officer with the statutory responsibility for the proper administration of the Council’s financial affairs. The Internal Audit service has an annual audit plan based on a risk analysis carried out by the auditors each spring. This minimises the risk of fraud and error, and provides management with assurance that policies and procedures are robust.</p>	<p>Statement of Accounts</p> <p>GAF Board</p> <p>Full Council</p> <p>External Audit Internal Audit</p>
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Review of effectiveness

The 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 following areas:

Political leadership - Officer leadership - Internal Assessment & Monitoring - Review of responsibilities of CFO -Internal Audit - External Audit.

Area	Review of effectiveness
Political leadership	<ul style="list-style-type: none"> • The Council’s Governance, Audit and Finance Board is also responsible for monitoring, scrutinising and holding the decision makers to account. It meets five times per year as the Council’s official audit committee. The Board ensures that the Internal and External Audit reports it receives are robust. • The Governance, Audit and Finance Board review of the elements of the governance framework to ensure they are in place and effective. In 2018/19 they also reviewed the system of internal audit and concluded it was effective and remained a key source of assurance for the Council. • The monitoring role of the Governance, Audit and Finance Board to monitor standards of conduct of Members and advised the Council on probity issues. Entries made in the Register of Members’ Interests were reviewed by the Monitoring Officer.
Officer leadership	<ul style="list-style-type: none"> • The maintenance of the Council’s Constitution which was last reviewed in 2018/19 and approved at the start of the 2019/20 municipal year. The Constitution is reviewed on an annual basis. • The Council’s Monitoring Officer’s legal responsibility to report on matters of unlawfulness within the Council. In 2018/19 the Monitoring Officer continued his review of the efficiency and effectiveness of all arrangements relating to Council and Committee meetings, working groups, and the required officer support and will be reporting on this to full council • The Corporate Governance Board quarterly report to the Executive Board on governance matters covering risk, Health and Safety, Business Continuity, Emergency Planning, Information Risk and Financial Risk and updates are provided to Members through the quarterly healthcheck.
Internal Assessment & Monitoring	<ul style="list-style-type: none"> • Regular reporting arrangements on the financial affairs of the Council. The budget for 2018/19 was agreed by Full Council on 21st February 2018 and financial performance reported on a quarterly basis to Members. • Effective operation of the Performance Management Framework throughout the year. Monitoring information on key areas of performance has been provided by the Programme Office for review and action. • As part of the process of identifying any areas where governance needs to be strengthened across the organisation, services have for the first time completed an online questionnaire indicating where they comply with each of the criteria in the Code of Corporate Governance. The AGS questionnaire highlighted the following: <ul style="list-style-type: none"> ○ Areas of Strength <ul style="list-style-type: none"> ▪ Engagement with Members ▪ Budget & business plan setting

	<ul style="list-style-type: none"> ▪ FOI procedure ○ Areas for improvement: <ul style="list-style-type: none"> ▪ Awareness of structure and operation of committees ▪ Awareness of staff codes of conduct ▪ Monitoring of mandatory e-learning courses
Responsibilities of Chief Finance Officer (s151)	<ul style="list-style-type: none"> • The Chief Finance Officer is the Responsible Financial Officer and is a member of the Executive Board. They are responsible for delivering and overseeing the financial management arrangements of the Council. East Hampshire District Council shares a Chief Finance Officer with Havant Borough Council. The Chief Finance Officer reports directly to the Chief Executive. • Ensuring alignment with the Code of Practice on Local Authority Accounting for 2018/19. Havant Borough Council's financial management arrangements conform to the governance requirements of the CIPFA Statement on the Role of the CFO in Local Government (2016).
Internal Audit	<ul style="list-style-type: none"> • The Council's Internal Audit provided by the Southern Internal Audit Partnership which is hosted by Hampshire County Council. An audit plan, based on a full risk evaluation, is approved annually. • Progress against the audit plan is reported quarterly to the Governance, Audit & Finance Board. Any outstanding high risk actions are addressed as a matter of priority. • Internal Audit attend the Corporate Governance Board to provide an update on progress of management actions and report quarterly to Executive Board • The Southern Internal Audit Partnership delivered XX review areas over the course of the year ending 31 March 2019 including all carry forward reviews. The Chief Internal Auditor's opinion of Havant Borough's framework of governance, risk management and management control is 'XX' and audit testing has demonstrated controls to be working in practice.
External Audit	<ul style="list-style-type: none"> • The Council's External Audit requirement is provided by Ernst & Young LLP. • The role of External Audit is to ensure that the Council's Accounts are free from material error, to provide a value for money conclusion and to certify key grant claims. • In September 2018 the Council's external auditor provided the Council with an unqualified opinion on the Council's accounts within their Audit Results Report. • Ernst & Young LLP also provided an unqualified opinion of the Council's arrangements to secure Value for Money.

Last year's key improvement area

In the 2017/18 Annual Governance Statement, four key issues were identified. Below are the issues and actions taken during 2018/19.

Improvement area	Issue of concern	Action taken
<p>Management of major contracts:</p> <ul style="list-style-type: none"> • 5-Councils Contract/6-Councils Partnership • Norse South East 	<p>5-Councils Contract/6-Councils Partnership Movement towards the new target operating models (TOMs) have been delayed. As a result, transition is delayed and has required independent mediation in some areas. Initial issues have been resolved. Significant resource is still required to ensure that the council transitions smoothly to the new service TOMs.</p> <p>Changes were also agreed with respect to the Capita contract which improved terms for the Councils and although savings derived reduced, they become more deliverable</p> <p>Norse South East The Council has a Joint Venture with Norse (Norse South East) for waste collection which is governed by the Norse South East Board which has members from Norse Commercial Services and the Council on the Board.</p>	<p>5-Councils Contract/6-Councils Partnership</p> <ul style="list-style-type: none"> • Programme of work established to review Capita services which commenced during the year and will be completed in 2019-20 with recommended options • Management of contract continues through regular review of performance via Client Team • Ensured that governance arrangements are fully embedded and operational – further Internal Audit took place in 2018/19. <p>Norse South East</p> <ul style="list-style-type: none"> • Focus on re-negotiation of contract following agreement to supply services to East Hampshire District Council. • Review of governance and reporting regime expected to be completed during contract negotiations in 2019-20. • Ensured that governance arrangements are fully embedded and operational – further Internal Audit took place in 2018/19.
<p>Partnership of shared services and service delivery models</p>	<p>The Council has a number of complex models of delivery for its public service including our shared management team and our Coastal Partnership</p>	<ul style="list-style-type: none"> • During the year the management team and directorates were restructured resulting in a Corporate Services Directorate, Operations & Neighbourhoods Directorate and Regeneration & Place Directorate. The new structure has allowed for closer scrutiny of our partnership models. • Head of Strategic Commissioning is responsible for our major contracts and has oversight of our 5-Councils Partnership and our Joint Venture.

		<ul style="list-style-type: none"> • A Shared Service Agreement is in place for our Coastal Partnership which oversees how the Partnership is governed. A Partnership Report is published every two years.
GDPR	The Council needs to ensure completion of works to be compliant and the embedding of the principles of GDPR across the Council's services	<ul style="list-style-type: none"> • Internal Audit completed during year with progression from 'Limited' assurance to 'Adequate' assurance. • Further work continues on embedding of GDPR requirements across the Council including updating of guidance documents when completing Council reports in order to ensure consideration of GDPR requirements when making decisions
Accounting Code and Prudential Code (2017/18)	CIPFA introduced a number of minor amendments to the 2017/18 Accounting Code and published a new version of the Prudential Code.	<ul style="list-style-type: none"> • Minor amendments all incorporated as required by the 2017-18 Accounting Code and Prudential Code.

Identified key improvement areas

The Council is generally satisfied with the effectiveness of corporate governance arrangements and internal control. As part of its continuing efforts to improve governance arrangements the following issues, as highlighted in this Statement, have been identified for improvement in 2019/20.

Issue of concern	Key improvement	Lead officer	Action required
Review of the functioning of the	To align the Scrutiny Committee function with the new	David Brown	<ul style="list-style-type: none"> • Amend the current committee

combined Scrutiny, Audit & Standards Committee	<p>guidance issued on 8 May 2019.</p> <p>To empower Audit to provide greater value on the issue of governance.</p> <p>To provide Standards Committee the opportunity to engage in fully in expected Standards in public life.</p>		structure to articulate clear separation of Executive and Non-Executive functions
Services need to ensure that they have clearly communicated and embedded effective governance arrangements, policy management and performance management	<p>Continued improvement of governance and communication of policies and associated guidance, including embedding new ways of working. This includes strong messages around compliance and accountability and a planned programme of work to identify and tackle areas of non-compliance</p> <p>Review of the Performance Management Framework covering both corporate performance and personal performance</p>	Lydia Morrison	<ul style="list-style-type: none"> • Policy and guidance review; including those policies that require updating • Communication of policies to staff • Programme of work identifying areas of non-compliance • Update Performance Management Framework to ensure a stronger link between corporate performance and officer performance and review performance measures to embed a performance culture in the organisation
<p>Management of major contracts:</p> <ul style="list-style-type: none"> • 5-Councils Contract/6-Councils Partnership • Waste contract 	<p>Strengthening the Council's approach to commissioning, procurement and contract management in particular with respect to the following contracts:</p> <ul style="list-style-type: none"> • 5-Councils/6-Councils Partnership • Waste contract 	Natalie Meagher	<ul style="list-style-type: none"> • Ensure any changes to the Capita contract are appropriately negotiated, managed and delivered • Ensure smooth transition to the new waste contract arrangements, providing East Hampshire District Council with waste services • Review performance

			management and reporting arrangements of all major contracts <ul style="list-style-type: none"> • Implement any recommendations from Contract Management Internal Audit 2018-19
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Opinion

It is our opinion that corporate governance, along with supporting controls and procedures, is strong. We propose over the coming year to take steps to address the above matters to further enhance our corporate governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and we will monitor their implementation and operation as part of our next annual review.

Signed

CEO

Leader

Glossary

Annual Governance Statement (AGS)	Annual Governance Statement which describes how corporate governance arrangements have been working for a period of time indicated
Budget	The estimate of income and expenditure for a set period of time, for the Council this covers the financial year 1 April until 31 March each year and includes all the financial resources allocated to different services and projects.
Code of conduct	The Code sets the standards and behaviour expected of councillors and co-opted members

Constitution	The Council's constitution contains the standing orders, scheme of delegation, financial regulations and contracts procedure rules. The Constitution also contains the policies for anti-fraud and corruption, anti-bribery and whistleblowing.
Corporate Strategy	Document detailing the purpose, direction, vision and objectives of the organisation
Corporate Governance Board	The Corporate Governance Board meets quarterly to provide assurance to the business on matters of corporate governance. Specifically, the Corporate Governance Board ensures that the organisation develops and implements an effective approach to corporate governance which enables the business and affairs of the Council to be carried out, directed and managed with the objective of enhancing value to the public.
Data Protection Officer	A Data Protection Officer (DPO) is a role required by GDPR. Data Protection Officers are responsible for overseeing data protection strategy and implementation to ensure compliance with GDPR requirements
Executive Board	The meeting of chief officers comprising of the Chief Executive, Executive Directors, Chief Finance Officer (Section 151 Officer) with advice and guidance provided by the Monitoring Officer.
Executive Management Team	Comprises the Chief Executive, Executive Directors, Chief Finance Officer and Heads of Service
Data Protection Act 2018	The Data Protection Act 2019 and associated General Data Protection Regulations which came into force in May 2018. This strengthens the regulatory environment for data owners, controller and processors and aligns legislation with other European countries.
Governance, Audit & Scrutiny Committee	The Governance, Audit & Scrutiny Committee considers the Council's governance arrangements and ensures that the financial affairs of the Council are properly conducted.
Head of Paid Service	The most senior officer with overall responsibility for the management and operation of the Council. Also known as the Chief Executive
Healthcheck	A quarterly review of Council performance covering financial and business plan progression for that quarter
Key Performance Indicators	A measurable value that demonstrates how effectively the organisation is achieving against its key objectives
Licensing Committee	Committee of councillors that undertake all licensing and gambling functions, powers and duties conferred on the Council under the Licensing Act 2003 and the Gambling Act 2005.
Local Plan	A Local Plan sets out the local planning policies and identifies how land is used, determining what will be built where. Once a local plan becomes adopted it provides the framework for development within an area.
Local Code of Corporate Governance	The Local Code of Corporate Governance describes the arrangements in place to ensure that the council conducts its business in accordance with the law and proper standards and that public money is safeguarded, properly accounted for and used economically, efficiently and effectively.
Medium Term Financial Strategy	The Council's key financial planning document. It aims to provide the Council with an assurance that the spending plans are affordable over the medium term (five years). The MTFs includes a five year budget forecast that is reviewed annually as part of the budget setting process.

Monitoring Officer	The officer charged with ensuring that everything that the Council does is fair and lawful
Planning Committee	Committee of councillors that sit as the local planning authority to determine planning applications (not delegated to officers).
Policy Framework	The plans and strategies, which have been adopted by the Full Council in accordance with which the Leader of the Council, Cabinet, committees and officers must operate
Residents' Survey	Survey held approximately every two years to gather residents' views of the District and services offered by the Council
Section 151 Officer	The officer responsible for the administration of the financial affairs of the Council (under section 151 of the Local Government Act 1972). Also known as the Chief Finance Officer
Statement of Accounts	The Statement of Accounts show, in financial terms, the performance of the council for the year indicated. It is a statutory publication produced in accordance with legislative requirements and the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Local Authority Accounting in the United Kingdom.
Target Operating Model	The Target Operating Model refers to the 5-Council Contract/6-Council Partnership shared service contract method of delivery. Once a service is outsourced a number of changes will be implemented in order for that service to be delivered according to the contract specification, once it has reached contract specification it is delivering against its Target Operating Model
5-Council Contract/6-Council Partnership	A contract between Havant Borough Council, Hart District Council, Mendip District Council, South Oxfordshire District Council and Vale of White Horse District Council to secure better value for money services for residents through shared contracts. East Hampshire District Council joined at the sixth partner through the shared service arrangement it holds with Havant Borough Council.

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Governance, Audit and Finance Board – 12 June 2019

Petition Scheme Briefing Note

Current Scheme

The petition scheme has been reviewed once since it was adopted by the Council on 28 July 2010. It is timely to review the scheme following enquiries from members of the public and councillors regarding the provisions of the scheme.

The key aspects of the petitions scheme are:

- 1500 signatures are needed for a petition to be debated at a Council meeting
- Where a petition is debated at a Council meeting, the lead petitioner has five minutes to address the meeting and a further 15 minutes is allocated for councillors to debate the call for action within the petition.
- 750 signatures are needed to require a Member or a senior officer to give evidence to Overview and Scrutiny

A copy of the current scheme is attached as Appendix A to this note

A flowchart showing how petitions are processed under the scheme is attached as Appendix B

The fact that a petition may not meet the requirements of the scheme does not itself imply that the issue is ignored. A petition which raises significant public interest but does not comply with the scheme may still be submitted to Full Council.

Legislative Background

There is currently no legislation requiring councils to adopt a petition scheme or to respond to petitions.

The Local Democracy, Economic Development and Construction Act 2009 ('the 2009 Act') required all local authorities to establish a scheme for handling petitions made to the authority. The Act required a petition scheme to meet some minimum standards. These requirements were:

- anyone who lives, works or studies in the local authority area, including under 18's, can sign or organise a petition and trigger a response
- a facility for making electronic petitions is provided by the local authority
- petitions must be acknowledged within a time period specified by the local authority
- among the many possible steps that the principal local authority may choose to take in response to a petition, the following steps must be included amongst the options listed in the scheme

- :
 - taking the action requested in the petition
 - considering the petition at a meeting of the authority
 - holding an inquiry
 - holding a public meeting
 - commissioning research
 - a written response to the petition organiser setting out the authority's views on the request in the petition
 - referring the petition to an overview and scrutiny committee
- petitions with a significant level of support trigger a debate of the full council. Councils will determine this threshold locally but it must be no higher than 5 per cent of the local population
- petitions with a requisite level of support, set by the local authority, trigger a senior local government officer to give evidence at a meeting of the authority's overview and scrutiny committee
- petition organisers can prompt a review of the local authority's response if the response is felt to be inadequate

The requirements listed above were the minimum set by the 2009 Act. Local authorities were encouraged to consider designing a scheme which is wider than these requirements, for example, responding to petitions from those who do not live, work or study in the local area or e-petitions which were not made through the authority's own e-petition facility.

A model scheme ("model scheme") (see Appendix C) was produced for use by Council (Listening to communities: Statutory guidance on the duty to respond to petitions – Department for Communities and Local Government 2010)

The Localism Act 2011 ("the 2011 Act") repealed the provisions of the 2009 Act relating to petitions. In response to the 2011 Act the Council reviewed the scheme and agreed to retain a scheme but removed the Council's e-petition facility.

Petition Scheme in Practice

Since the adoption of the petitions scheme in Havant there have been 2 occasions where petitions have been debated at a Council meeting (both in 2013).

The low number of petitions does not necessarily indicate that the provisions of the scheme prevent or discourage the submission of petitions. The advancement of social media and digital technology has changed the way that residents interact with the Council and councillors. Whilst traditional methods of petitioning remain for organised groups, many individuals lobby for action or change through social media campaigns, directly lobbying councillors and partner organisations. This trend has not reduced the number of petitions, but it should be recognised that petitions are not the only avenue for valid concerns or calls for action to be raised with the Council or councillors.

Key Issues

Threshold for Full Council debates

“Local authorities are required to set a threshold for triggering a full council debate and to include this information in their petition scheme. The Government recommends where practical, that local authorities set low thresholds, such as those used in the model scheme...”

(Listening to communities: Statutory guidance on the duty to respond to petitions – Department for Communities and Local Government 2010, page 18)

The model scheme suggested a threshold which equated to 1% of the population of the Council. The Local Authorities (Petitions)(England) Order 2010 stipulated that the maximum threshold a petition could be set at was 5%. Statutory guidance for the 2009 Act advised that threshold should be reviewed, and consideration should be given to lowering it in order to ensure it locally achievable.

The Council’s current threshold for a Full Council debate is set at 1500 (1% of the population). The main reason for petitions, received by the Council, not reaching Full Council is because they are either in response to consultations e.g. the Local Plan or refer to an issue which is not a function of the Council. The Council does not have evidence to suggest that the threshold figure prevents a petition reaching Full Council.

A benchmark report comparing the Council’s scheme with other local Authorities in Hampshire and West Sussex will be circulated as a separate document.

Ease of Use

“Principal local Authorities, when designing a petition scheme, are expected to ensure that the process is easy for citizens to us...”

(Listening to communities: Statutory guidance on the duty to respond to petitions – Department for Communities and Local Government 2010, page 9)

The petitions scheme itself is a detailed document which is not particularly user friendly. Any member of the public wanting to consult it for guidance on how to submit a petition or understand its provisions would currently find it difficult to locate and then subsequently not be clear in respect of what actions would be necessary to comply with the scheme. To overcome this problem a revised scheme is attached as Appendix D.

Background information

[The Local Democracy, Economic Development and Construction Act 2009](#)

[The Local Authorities \(Petitions\) \(England\) Order 2010](#)

[Listening to Communities: Statutory Guidance on the Duty to Respond to Petitions](#)

HAVANT BOROUGH COUNCIL

Petitions Scheme

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be sent to:

**The Democratic Services Team Leader
Havant Borough Council
Civic Offices
Civic Centre Road
HAVANT
PO9 2AX**

(Telephone enquiries to 023 9244 6234)

Petitions can also be presented to a meeting of the council. These meetings take place approximately on an 8 weekly basis. Dates and times are published on the Council's web site].

If you would like to present your petition to the council, or would like your councillor or someone else to present it on your behalf, please contact the Democratic Services Team Leader at least 10 working days before the meeting and they will talk you through the process.

If your petition has received 1500 signatures or more it will also be scheduled for a council debate and if this is the case we will let you know whether this will happen at the same meeting or a later meeting of the council.

What are the guidelines for submitting a petition?

Petitions submitted to the council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- the name and address and signature of any person supporting the petition.

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition.

The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted.

In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.

If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, or is submitted in response to a consultation exercise undertaken by the Council other procedures apply. Further information on all these procedures and how you can express your views is available.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

How will the council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by one of the Council's Scrutiny Board.
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

Scrutiny Board is a committee of councillors who are responsible for scrutinising the work of the council – in other words, they have the power to hold the council's decision makers to account.

In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition. The table below gives some **examples**:

Petition subject and appropriate steps

Alcohol related crime and disorder

If your petition is about crime or disorder linked to alcohol consumption, the Council may, for example in appropriate circumstances, consider the case for imposing an alcohol disorder zone. When an alcohol disorder zone is established the licensed premises in the area where alcohol related trouble is being caused are required to contribute to the costs of extra policing in that area. The council's response to your petition will set out the steps we intend to take and the reasons for taking this approach.

Anti-social behaviour (ASB)

As the elected representatives of your local area and as licensing authority, the council has a significant role to play in tackling anti-social behaviour.

When responding to petitions on ASB, we will consider in consultation with our local partners, all the options available to us including the range of powers and mechanisms we have to intervene as part of our role within the ASB legislation.

Other Issues

If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible on the Councils web site.

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

Full council debates

If a petition contains more than 1,500 signatures it will be debated by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting (see below).

This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes.

The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Officer evidence

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least 750 signatures, the relevant senior officer will give evidence at a public meeting of the Scrutiny Board. You should be aware that the Board may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition– for instance if the named officer has changed jobs. The Board may also decide to call the relevant councillor to attend the meeting. Board members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the Board by contacting the Democratic Services Team Leader up to three working days before the meeting.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Scrutiny Board review the steps that the Council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.

The Scrutiny Board will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Board determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council or Cabinet and arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website

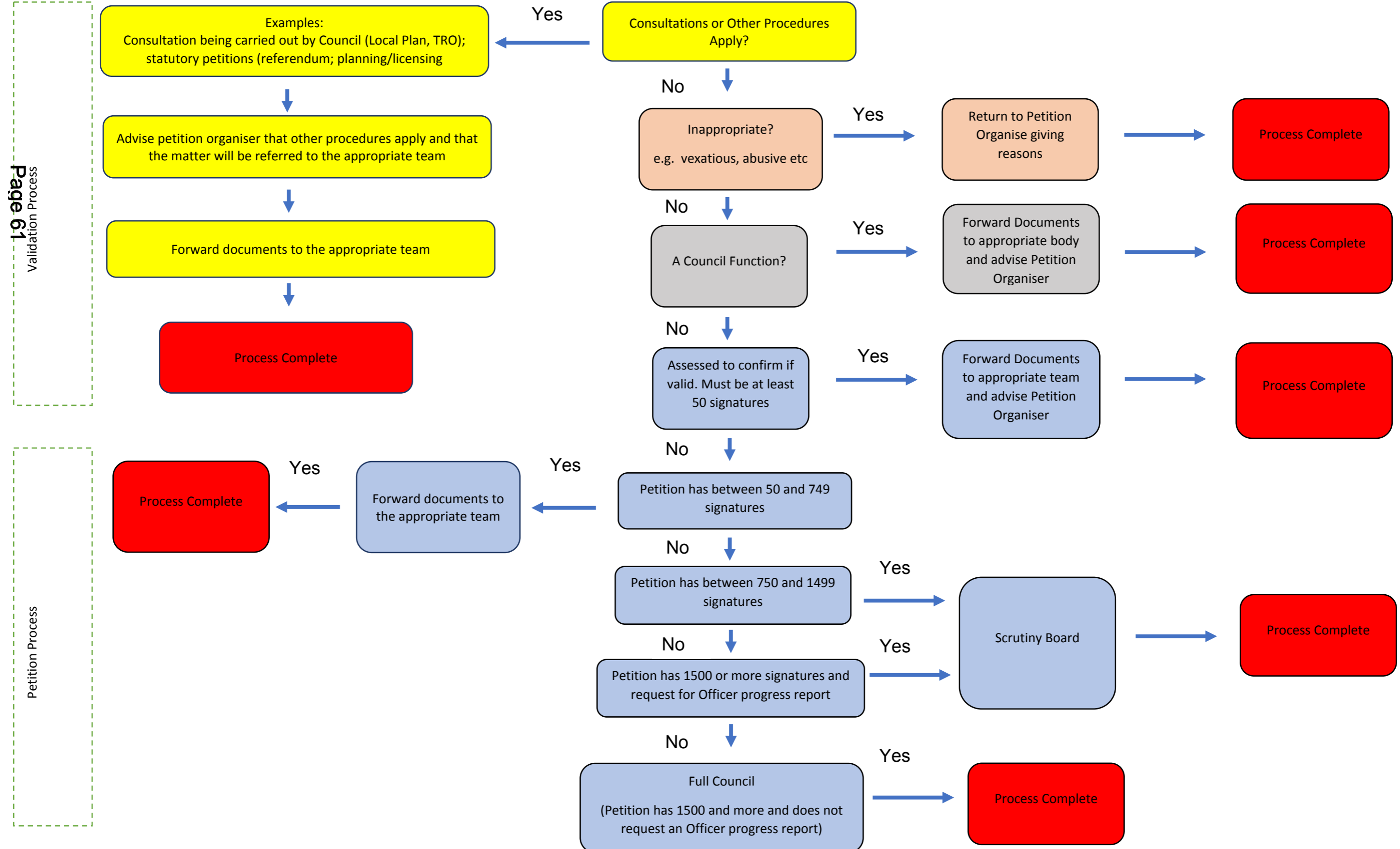
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Petitions Scheme

APPENDIX B

Petition given to Councillor, officer

Petition forwarded to Democratic Services Team



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Annex A

Model scheme

In order to demonstrate how the framework set out in the 2009 Act can translate in practice we have created a model scheme which local authorities can choose to adopt or adapt. The example below is based on an authority with a population of 150,000 and is the public facing information about their petition scheme published on their website. The model authority has chosen to respond to all the petitions it receives. Petitions which contain 1500 signatures will be debated by the full council and petitions which call for evidence from a senior officer, and have 750 signatures, will trigger that response. The model authority operates executive arrangements and has responsibility for education and housing functions – authorities which do not have responsibility for such functions may wish to modify some of the illustrative examples given. The model authority holds a full council meeting on a 6 weekly basis. [‘link’ indicates where the council’s webpage includes a link to related information]

Petitions

The council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be sent to:

[insert address]

Or be created, signed and submitted online by following this link [link]

Petitions can also be presented to a meeting of the council. These meetings take place on a 6 weekly basis, dates and times can be found here [link]. If you would like to present your petition to the council, or would like your councillor or someone else to present it on your behalf, please contact [insert name] on [insert phone number] at least 10 working days before the meeting and they will talk you through the process. If your petition has received 1500 signatures or more it will also be scheduled for a council debate [link to section on Full Council Debates] and if this is the case we will let you know whether this will happen at the same meeting or a later meeting of the council.

What are the guidelines for submitting a petition?

Petitions submitted to the council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- the name and address and signature of any person supporting the petition.

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. Further information on all these procedures and how you can express your views is available here [insert links]

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us. [\[link to account settings\]](#)

How will the council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's overview and scrutiny committee*
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

*Overview and scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition. The table below gives some examples.

Petition subject	Appropriate steps
Alcohol related crime and disorder	<p>If your petition is about crime or disorder linked to alcohol consumption, the council will, among other measures, consider the case for placing restrictions on public drinking in the area by establishing a designated public place order or, as a last resort, imposing an alcohol disorder zone. When an alcohol disorder zone is established the licensed premises in the area where alcohol related trouble is being caused are required to contribute to the costs of extra policing in that area. The council’s response to your petition will set out the steps we intend to take and the reasons for taking this approach.</p>
Anti-social behaviour (ASB)	<p>As the elected representatives of your local area, as social landlord and licensing authority, the council plays a significant role to play in tackling anti-social behaviour. The council, in conjunction with our partners in the local crime and disorder partnership have set out minimum service standards for responding to issues of anti-social behaviour, you can find more details about these standards here [insert link].</p> <p>When responding to petitions on ASB, we will consider in consultation with our local partners, all the options available to us including the wide range of powers and mechanisms we have to intervene as part of our role as social landlord and licensing authority. For example, we will work with the neighbourhood policing team in the affected area to identify what action might be taken including what role CCTV might play, consider identifying a dedicated contact within the council to liaise with the community and neighbourhood partners on issues of ASB in the area in question and, where appropriate, we will alert the crime and disorder reduction partnership and crime and disorder overview and scrutiny committee to the issues highlighted in the petition.</p>

Under-performing schools	We will consider, in consultation with local partners, all the options available to us when working with schools to secure their improvement. For example, on our behalf, the school improvement partner will play a pivotal role, challenging and brokering support for poorly performing schools. Where a school is under performing we will consider whether it is appropriate in the circumstances to issue a warning notice outlining expectations and a timeframe for the school to improve its performance standards. Other measures available to us, where schools fail to comply with a warning notice or are in an Ofsted category of notice to improve (requiring significant improvement) or special measures including; appointing additional governors, establishing an interim executive board, removal of the school's delegated budgets, requiring the school to enter into a formal contract or partnership or, only if the school is in special measures, closure.
Under-performing health services	We will work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role the Local Involvement Network (LINK) might have in reviewing and feeding back on the issue (the LINK is run by local individuals and community groups and independently supported – their role to find out what people want in terms of local health services, monitor those services and to use their powers to hold them to account). The health overview and scrutiny committee will also be alerted to the petition and where the matter is sufficiently or potentially serious, the issue will be referred to them to consider for review.

If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners [link to list of LAA partners] and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible here [link].

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

Full council debates

If a petition contains more than 1,500 signatures it will be debated by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Officer evidence

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least 750 signatures, the relevant senior officer will give evidence at a public meeting of the council's overview and scrutiny committee. A list of the senior staff that can be called to give evidence can be found here [insert link]. You should be aware that the overview and scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting [insert details] up to three working days before the meeting.

E-petitions

The council welcomes e-petitions which are created and submitted through our website [link]. E-petitions must follow the same guidelines as paper petitions [link to guidelines]. The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months.

When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to [insert details]. In the same way as a paper petition, you will receive an acknowledgement within 10 working working days. If you would like to present your e-petition to a meeting of the council, please contact [insert details] within 10 working days of receipt of the acknowledgement.

A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

How do I 'sign' an e-petition?

You can see all the e-petitions currently available for signature here [insert link].

When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's overview and scrutiny committee review the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the council's response is not considered to be adequate.

The committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition

adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the council executive and arranging for the matter to be considered at a meeting of the full council.

Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

Draft Revised Petitions Scheme

Havant Borough Council

Introduction

The Council welcomes petitions and recognises that they are one of many ways in which people can let the Council know about their concerns and participate in the democratic process. This document sets out how the Council will deal with petitions that meet the criteria set out in the scheme.

The type of petition determines how a petition will be responded to. There are three types of petitions:

- Ordinary petitions requiring at between 50 and 749 signatures
- Petitions Requiring a Scrutiny Review – requiring between 750 and 1499 signatories
- Petitions for debate at full Council requiring at least 1,500 signatures

More detail about how the Council will respond to each of these is referred to below.

If something is clearly intended to be a petition but does not meet the requirements set out in this scheme, we will ask the relevant service area to provide a response directly to the petition organiser.

Petitions can be sent:

by post:

Democratic Services Team
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
PO9 2AX

or emailed to

Democraticservices@havant.gov.uk

If you have created a petition on a third party online site, please send a printed copy, flash drive or cd of the petition or email a copy of the petition to the above addresses.

Please ensure you read the full scheme prior to submitting a petition to the Council.

If after reading the scheme you no longer feel a petition is the most appropriate avenue for your communication, there are a number of other ways in which you can have your say including:

- Writing to the appropriate Cabinet Member or Senior Officer
- Contacting your local Councillor
- Making a suggestion through the Council's website
- Responding to consultation
- Submitting a deputation at meetings of the Council, Development Management Committee, Scrutiny Boards
- Asking questions at Full Council

Please see the Council's website.

What is a petition?

A petition can be defined as a formal collective request to take action. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition. If a petition is in the format that the signatories are 'against' some action the council can influence, we will take this to be an underlying request that the council reconsiders the action they are 'against' - and will seek to confirm this with the petition organiser.

Who can submit a petition?

Anyone who lives, works or studies in the Borough can organise or sign a petition. The Council would also consider a petition from visitors to the Borough on a subject that was connected with one of our visitor attractions.

What should a petition contain?

All petitions must include:

- A clear statement of your concerns and what action you would like the Council to take. If this is not clear we may need to return the petition to you for further clarification. This also should include whether it is an ordinary petition, petition requiring a scrutiny review, or full Council debate.

- The name and contact details of the “petition organiser” or someone to whom you would like any correspondence about the petition to be sent. The petition organiser should not be an MP or Councillor of The Council.
- The name, address and signature of any person supporting the petition. If the details of any person are not clear then these may not be counted towards the total number.

Electronic petitions can be accepted from all websites provided they meet the above requirements. However, officers will consider them in line with the validation of signatures criteria – so far as the petition format offers easy to check validation (addresses) that the petition organiser. The Council may ask for additional evidence, where required, to validate that the signatures have come. Online petitions must be closed on the external website on submitting your petition so that the final number of valid signatures can be counted.

Before using a third party online petition site, please check to ensure that the petition generated by this site meets the above requirements.

Where a petition complies with the above requirements and the petition relates to a function of the Council it will be classified as an ‘**active petition**’. Any petition submitted which does not include the above requirements will be rejected.

What can a petition be about?

Petitions should relate to a matter which is relevant to the functions of the Council or where the Council has influence.

If your petition is about something over which the council has no direct control (for example the drainage or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible on the Councils web site.

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

Exceptions to the Petitions Scheme

The majority of petitions we receive will be accepted but there are some circumstances where we will not be able to deal with your petition under this scheme. Petitions that fall outside of this scheme include:

- Any matter that the Council is not directly responsible for or has no influence over. We will return the petition to you and where possible direct you to the correct organisation.
- Any matter relating to a planning decision. For further information about making representations about planning decisions, please contact planning.development@havant.gov.uk
- Any matter relating to a licensing application. For further information about making representations please contact licensing@havant.gov.uk
- A statutory petition (for example a petition for a directly elected Mayor)
- Any matter where there is already an existing right of appeal or a separate complaints process, such as council tax banding and nondomestic rates.
- Any specific issue that the Council is carrying out a formal consultation on. Please see below for further information regarding how we will deal with your petition in this circumstance.
- A petition where we have received another petition on the same issue within the previous two years. In these circumstances, we will write to the petition organiser and include a copy of the response to the first petition received.
- Any petition we consider to be vexatious, abusive or otherwise inappropriate. You should not include confidential information or potentially libellous, false or defamatory statements or statements which cause personal offence, distress or loss.
- Any petition that is asking the Council to do anything unlawful or relating to the subject of any legal action taken by the Council or individual.

How the Council will respond to Petitions

How we deal with your petition depends on which type of petition you submit:

Ordinary Petitions

To be considered valid, a petition should contain between 50 and 749 signatures. If your petition contains less than 50 signatures but you are able to demonstrate that, in relation to a particularly local issue of concern, it was simply not possible to obtain 50 signatures, the Council may still consider your petition under this scheme.

If your petition is accepted as an 'ordinary petition' you will receive an acknowledgement within 10 working days of receipt and be advised of the action being taken with regards to your petition.

In most circumstances an ordinary petition will be submitted to the appropriate Cabinet Member and senior officer for consideration. You will receive a response to your petition from the relevant officer or Cabinet Member within four weeks of receipt. If more time is required, the petitioner will be contacted with a new deadline for response and the reasons why.

Petitions Requiring a Scrutiny Review

A petition will be referred to a Scrutiny Board if it

- (a) contains between 750 and 1499 valid signatories the issue raised in the petition; or
- (b) contains over 750 signatories and asks for a senior officer to give evidence at a public meeting. For example, the petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If a petition asks for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job, the relevant senior officer will give evidence at meeting of the Scrutiny Board.

You should be aware that the Board may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition— for instance if the named officer has changed jobs. The Board may also decide to call the relevant councillor to attend the meeting. Board members will ask the questions at this meeting. The petition organiser will be given an opportunity to make a deputation at this meeting and to suggest questions to be asked at the Board by contacting the Democratic Services Team up to three working days before the meeting.

Petitions For Debate At Full Council

If a petition contains 1,500 valid entries the petitioner it will be debated by full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting (see above) This means that the issue raised in the petition will be discussed at a meeting where all councillors can attend.

If your petition is accepted as a 'petition for debate at full Council' you will be contacted within 10 working days of submission and will be advised of the process to be taken at the Council meeting.

The Council will aim to consider the petition at its next ordinary meeting, although on some occasions this may not be possible, and consideration will then take place at the following meeting. Petition debates will not take place at the Council's budget setting or annual meetings.

Petition organisers are welcome to present their petition at full Council up to a maximum of five minutes. Councillors will then debate the petition subject to a maximum of 15 minutes.

The Council will decide how to respond to the petition at the meeting. It may decide to take the action the petition requests, take no further action or to request further investigation into the matter. If the issue is one that requires the Executive to make the final decision, the Council will decide whether to make recommendations to inform that decision.

The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

How will the Council deal with petitions relating to ongoing consultations?

If the Council receives a petition about an issue that it is already consulting with residents about, the petitions scheme will not apply. All petitions received that relate to the subject of a formal consultation will automatically be incorporated into the formal consultation process at the earliest stage possible. Petition organisers will be informed of this course of action within 10 working days.

Sometimes we receive petitions after the consultation deadline has passed but before a final decision has been taken. In these circumstances the decision maker will be asked to take your petition into consideration when they make the decision.

All petitions received after a decision has been taken on a matter that the Council has previously consulted residents on will not be considered under the scheme but will be passed to the relevant senior officer to respond.

What happens after the petition is submitted?

The Council will send an acknowledgement letter within 10 working days of receipt to the petition organiser. This acknowledgement will also say as much as we can at that stage of about what we have done or plan to do. If your petition meets the requirements for a debate at a Scrutiny Board or Full Council you will also be informed of the process for this.

Other reasons your petition may be rejected

The specific criteria for the petitions scheme are set out earlier in this scheme. If a petition does not meet the criteria it will not be considered under the scheme. If we are unable to consider your petition using the scheme we will send an acknowledgement letter within 10 working days of receipt to the petition organiser setting out the reasons why and what action we can take, if any, in response to your submission.

Outside the general exceptions there are several reasons why a petition may be rejected, including but not exclusively:

- the petition statement is not clear
- the subject matter of the petition is not within the remit of the Council
- the entries contain incomplete or invalid information such as no full address

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that a Scrutiny Board review the steps of the Council has taken in response to your petition. The request should be accompanied by a short explanation of the reasons why the Council's response is not considered to be adequate.

The appropriate Board will endeavour to consider your request at the next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Board determine that we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, or making recommendations to the Council's Cabinet.

Once an appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on the council's website.

Will the Council check each signature?

The Council reserves the right to seek to verify each signature appended to a petition. This can be significant when establishing whether a petition has obtained the requisite number of signatures to trigger a specific process.

Privacy Policy

The details you provide when signing a paper or e-petition are needed to validate your support. For paper petitions no personal details will be included on the website, for e-petitions only your name will be listed. The Council may contact you in relation to any petitions you have signed, unless you have requested not to be contacted when signing the petition.

The Council is the data controller for personal information collected in respect of both the Council's E-petition facility and for paper petitions.

Your personal information will not be shared outside of the Council, unless otherwise required to by law.

Paper petitions will be stored securely and will be deleted after 12 months unless subject to further appeal or other action.

APPENDIX A

BUDGET PANEL'S TERMS OF REFERENCE

Terms of Reference

Title: Budget Scrutiny Panel

Membership: Councillors Kennett, Hart, Briggs, and Robinson

Chairman: TBC

Functions:

- (1) to review the Council's plans for the 2019/20 Budget and submit their findings and recommendations to the Governance, Audit and Finance Board.

REVIEW PANEL'S TERMS OF REFERENCE

Terms of Reference

Title: Governance Audit & Finance Scrutiny Panel

Membership: Councillors Bains, Crellin, Hart and Robinson

Chairman: TBC

Functions:

- (1) To undertake reviews as directed by the Governance, Audit and Finance Board ("the Board") and submit their findings and recommendations to the Board

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