



***Wiltshire***  
COUNTY COUNCIL

**Annual Governance Statement  
2007-08**

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## **Annual Governance Statement 2007-08**

### **A. Scope of Responsibility**

1. Wiltshire County Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. We also have a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
2. In discharging this overall responsibility, the County Council is also responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

### **B. The Purpose of the Governance Framework**

3. The governance framework comprises the systems and processes, and culture and values, by which the authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.
4. The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the authority's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

5. The governance framework has been in place at the County Council for the year ended 31 March 2008 and up to the date of approval of the statement of accounts.

### **C. The Governance Framework**

6. The Council's governance framework comprises a broad range of strategic and operational controls, which work together to ensure the sound running and well being of the Council. The key elements are summarised below.

Documents referred to are available from the Council or may be viewed on the Council's website ([www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)).

### **Purpose and Planning**

7. The Council's goals and priorities are set out in its Corporate Plan, which was updated in July 2007. The Plan shows how the Council will:
  - improve customer services and customer satisfaction;
  - improve efficiency and reduce costs;
  - review its services to make them sustainable in the context of social, economic and environmental changes and limited resources;
  - promote sustainable communities throughout Wiltshire;
  - manage organisational changes and risks in order to meet the Council's objectives.

These objectives reflect the long term priorities agreed by the County's local strategic partnership, the Wiltshire Strategic Board, as set out in the Board's Sustainable Community Strategy.

8. The Corporate Plan links the funding of the Council's goals and priorities to its Medium Term Financial Strategy and includes a statement of the principal strategic risks to the operation of the Council and the achievement of its objectives.
9. The Council's priorities are reflected in service plans, work plans and in managers' and staff personal targets. These form part of an integrated planning cycle that includes service planning, annual budget setting, and regular corporate review of performance and spending. Service plans are not being updated in 2008; instead the Council is producing cross cutting plans for ICT, workforce, assets (property), and the

Medium Term Financial Strategy. These cover the county council and the 4 district councils and will help in the transition to the new unitary council in April 2009.

## **People**

10. Services are delivered by trained and experienced staff. Each post has a job description and person specification, and the training requirements of each member of staff are identified through the Council's corporate appraisal system, under which individual performance is monitored against personal, service, and corporate targets. All staff are required to meet high standards of ethical conduct under the Officers' Code of Conduct.
11. The Council has developed a People Strategy. This provides a plan for ensuring that the new Council has an appropriate workforce in place to meet its long term objectives and priorities. The Strategy provides a framework for the key issues facing the new Council under 5 key headings:
  - organisational development;
  - leadership development;
  - recruitment and retention;
  - skill and competency development;
  - pay and rewards.

A detailed action plan has been developed to support the implementation of the strategy with specific actions, timescales and resources that are required.

12. The Council has a Learning and Development Strategy which aims to ensure that learning and development activity is properly planned, managed and driven by the Council's objectives.

## **Policy and Decision-Making Framework**

13. The Council's Constitution provides the framework within which the Council operates. It sets out how decisions are made and the procedures which must be followed to ensure that these are efficient, transparent and accountable.
14. The Constitution defines the role and responsibilities of the key bodies in the decision-making process - the Council, Cabinet, and Committees, including the Regulatory Committee, Overview and Scrutiny Committee, Standards Committee and Final Accounts and Audit Committee.

15. Governance and reporting arrangements for the Council are set out in a protocol to the Constitution.
16. The Cabinet is responsible for discharging the executive functions of the Council, within the budget and policy framework set by the Council.
17. The Council publishes a Forward Work Plan once a month giving details of all the matters to be considered by the Cabinet over the following 4 months. The Forward Work Plan is now included within the Council Summons to increase the profile of this document. This enables Members and the public to be aware of forthcoming business and gives them the opportunity to influence the decision-making process.
18. The Implementation Executive was established in March 2008 under the Wiltshire (Structural Change) Order 2008 to prepare for and facilitate the economic, effective, efficient and timely transfer of the functions of the five Wiltshire district councils to the new unitary authority on 1 April 2009. The Implementation Executive is a committee of the Cabinet and its membership includes members from all five councils.
19. Schemes of Delegation are in place for Cabinet Members and Officers to facilitate efficient decision-making.
20. The Council discharges its overview and scrutiny functions through:
  - the Overview and Scrutiny Management Committee;
  - the Children's Services Scrutiny Committee;
  - the Health Overview and Scrutiny Committee;
  - Task Groups, including the Budget Scrutiny Task Group, Performance Scrutiny Task Group, Change Management Scrutiny Task Group, and various time limited Task Groups.

From November 2007 a Joint Overview and Scrutiny Transition Board comprising members of the five councils in Wiltshire, has been operating to review and scrutinise decisions of the Implementation Executive and its workstreams in respect of the transitional arrangements for implementing the move to a unitary council for Wiltshire on 1 April 2009.

These bodies serve to hold the Council's Cabinet and Officers to public account in their executive decision-making.

21. The Standards Committee is responsible for:

- promoting and maintaining high standards of conduct by Members and Officers across the Council;
- determination of complaints under the Members' Code of Conduct;
- oversight of the Constitution, complaints in relation to the Council's services, and the whistle blowing policy.

The Standards Committee is chaired by an independent member. Its membership was increased in July 2007 from 6 to 9 members (3 elected members and 6 independent members) in anticipation of new statutory requirements for the local assessment of complaints.

22. The Final Accounts and Audit Committee is responsible for:

- promoting internal control;
- approving the annual Statement of Accounts;
- focusing audit resources;
- monitoring and performance of the audit function.

23. The Constitution is reviewed regularly by the Monitoring Officer and the Standards Committee to ensure that it remains fit for purpose.

### **Regulation of Business**

24. The Constitution contains detailed rules and procedures which regulate the conduct of the Council's business. These include:

- Council Rules of Procedure
- Budget and Policy Framework Procedure
- Financial Regulations and Procedure Rules
- Contract Regulations
- Members' Code of Conduct
- Officers' Code of Conduct
- Corporate Complaints Procedure

25. Cabinet Members and Officers exercising delegated powers are required to take decisions in accordance with their respective schemes of delegation. The Leader's protocol for decision-making by Cabinet Members ensures transparency by requiring publication of the intention

to make a decision on 5 clear days' notice and the final decision.

26. The statutory officers - the Head of Paid Service (Chief Executive), the Monitoring Officer (Solicitor to the Council) and the Chief Finance Officer have a key role in monitoring and ensuring compliance with the Council's regulatory framework and the law. The statutory officers are supported in this role by the Council's legal services, finance, and procurement teams and Internal Audit.
27. The Council has a Whistle Blowing Policy and an Anti-Fraud and Corruption Policy. The Standards Committee receives an annual report on the effectiveness of these policies.
28. The Council has a comprehensive health and safety plan to enable it to fulfil its duty to protect the health and safety of its employees, contractors and visitors to its premises. Implementation of the plan is undertaken by all services and monitored by the Corporate Leadership Team (CLT), departmental leadership teams and individual managers, with advice and assistance from the Council's Health and Safety team.
29. The Council has a Procurement Strategy which is designed to ensure compliance with Contract Regulations and the efficient and effective use of resources. This is reviewed annually by the Overview and Scrutiny Management Committee.
30. The following bodies have an important role in ensuring compliance:
  - Final Accounts and Audit Committee
  - Overview and Scrutiny Committees and Task Groups
  - Standards Committee
  - Internal Audit
  - External Audit and Inspection Agencies.

## **Management of Resources, Performance and Risk**

31. Financial management and reporting is facilitated by:

- Monthly reports to Cabinet on the Council's Revenue Budget and Capital Programme;
- Bi-monthly consideration of these reports by the Budget Scrutiny Task Group;
- Monthly budget monitoring reports to Service Managers;

- Compliance with the Council's Budgetary and Policy Framework Procedure, Financial Regulations and Financial Procedure Rules;
- Compliance with external requirements, standards and guidance;
- Publication of Statement of Accounts;
- Overseeing role of the Final Accounts and Audit Committee.

32. The Council's Corporate Plan is a key tool for these purposes and provides specific targets and 'milestones' by which performance is measured throughout the year. It is supported by a comprehensive performance management system which cascades priorities, key targets and milestones through service plans. In September 2007 a new performance system, Excelsis, was introduced that identifies management responsibility for corporate plan targets, milestones and risks and is used to monitor performance on a quarterly basis. Excelsis is an interim step towards the Business Management Programme and will be replaced by SAP in 2009.
33. The Council uses lean 'systems thinking' to transform service performance and reduce cost. In April 2009 there will be one unitary council for Wiltshire and we will have introduced the Business Management Programme - these major programmes are linked and are designed to achieve significant performance and efficiency improvements over the medium term.
34. The Council's corporate goals are broken down into service standards which identify the volume and quality of services planned and explicitly link these to budgets to deliver them. These standards are used throughout budget deliberations and are included in the monthly performance monitoring reports to Cabinet. This enables Members to review performance in the context of approved budgets and the Medium Term Financial Strategy.
35. The Performance Scrutiny Task Group provides a means of review and challenge to the Council's planning, target setting and achievement.
36. The Council's framework policy on the management of resources, performance and risk sets out the way we manage and control the performance, budgets and risks associated with the County Council's services in an integrated and dynamic way. The integration of these processes informs and influences the Corporate Plan and Medium Term Financial Strategy, ensuring a more cohesive approach to managing the business of the County Council as a whole.
37. The Risk Management Strategy has been reviewed in light of the major changes within Wiltshire and governance expectations nationally for

local government to ensure the effectiveness of the Council's risk management arrangements. The revised strategy improves risk management in Wiltshire and complies with good practice so that the Council effectively manages potential opportunities and threats to help achieve its objectives.

38. This Strategy requires the Councillors, managers and staff to support, assist in, and take responsibility for, the identification, control, and reduction of risk and containment of cost, in all aspects of their activities.

39. The Corporate Risk Management Group leads and directs the Risk Management Strategy. The group's purpose is to:

- Effectively embed risk management within the Council as an integral part of strategic planning, decision-making and performance management.
- Set out the robust and systematic framework for identifying, managing and responding to risk.
- Report on risks and the effectiveness of risk management arrangements.
- Review the Risk Management Strategy annually and support policies and arrangements.

This enables:

- Senior managers to act as role models to apply risk management consistently and thoroughly across the council.
- Risk policies and strategies to be communicated effectively and made to work through a framework of processes.
- A core group of people to have the skills & knowledge to manage risk effectively.
- Approaches for addressing risk with partners to be developed and implemented.

40. The Council's risk management strategy has been developed into a framework of management arrangements, supported by a strategic register, aimed at ensuring that risks are regularly identified and effectively managed throughout the Council. The Corporate Risk Management Group (CRMG) receives a quarterly assurance that the risk register has been updated across all departments, including review and agreement by departmental leadership teams.

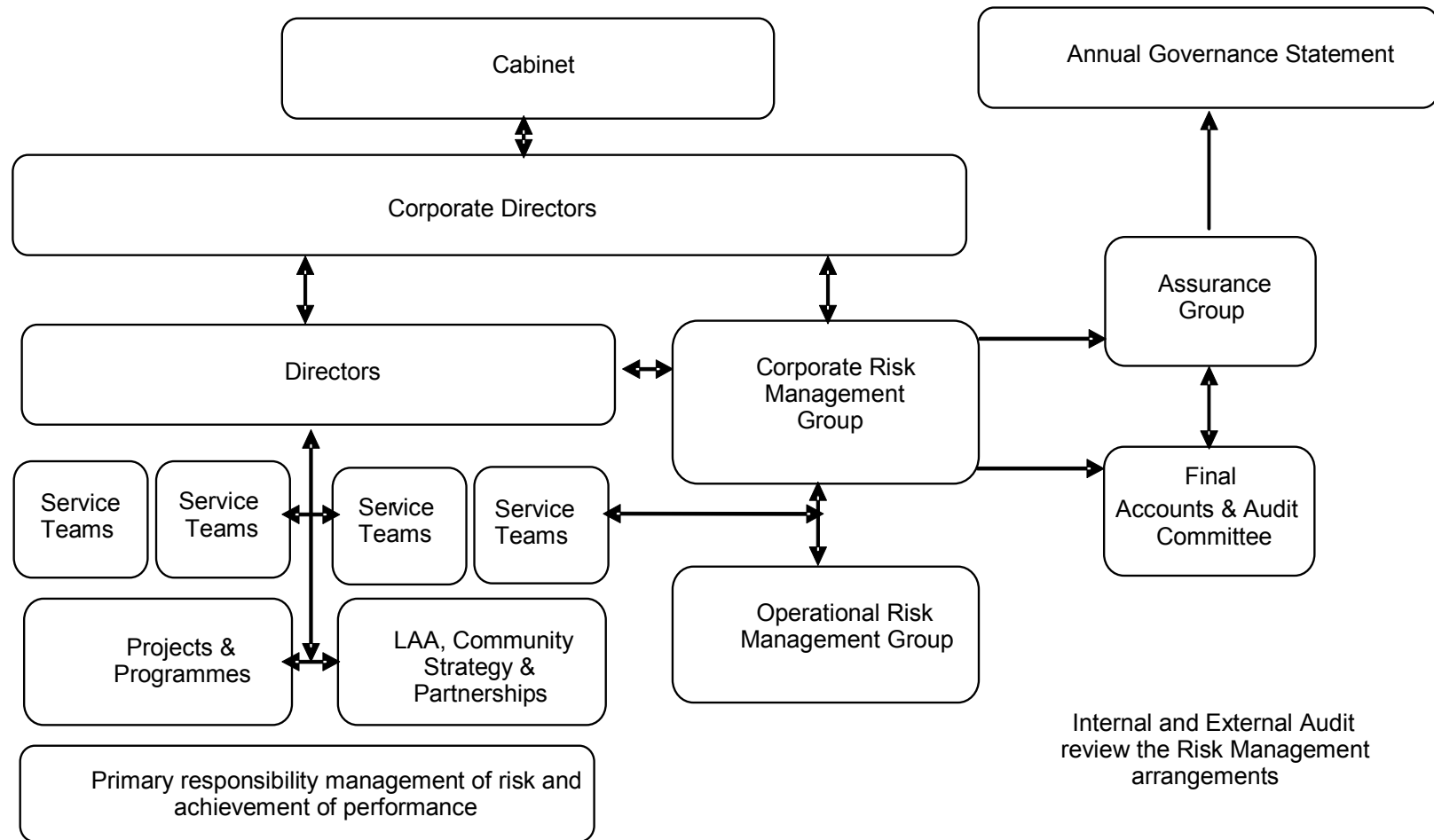
41. CRMG has established regular reporting of key strategic risks to the Corporate Leadership Team, to ensure these are managed at Chief Officer Level. In addition, progress on all aspects of risk management is reported to each meeting of the Final Accounts and Audit Committee.

The most significant risks facing the Council currently are:

- One Council
- The Business Management Programme

The overall framework for managing risk is illustrated in the diagram below:

## The overall framework for managing risk



## **Internal Audit**

42. The main role of Internal Audit is to provide an independent and objective opinion to the Council on its internal control environment, comprising risk management, control and governance by evaluating its effectiveness in achieving the Council's objectives.

43. Internal Audit has the following additional responsibilities:

- providing support to the Chief Financial Officer in meeting their obligations under Section 151 of the Local Government Act 1972, including the responsibility to make arrangements for the proper administration of the Council's financial affairs;
- providing consultancy services to departments, including advice on strategic and operational risk management;
- investigating any allegations of fraud or irregularity;
- advising on the internal control implications of new systems.

## **External Audit and Inspections**

44. All services of the Council are subject to reviews by external inspection agencies, including the Audit Commission, OFSTED, and SSI. The results of these inspections are used to strengthen and improve the Council's internal control environment, to ensure the economic, efficient and effective use of the Council's resources and to secure continuous improvement in the delivery of its services.

## **Partnerships Governance**

45. In May 2007 the Cabinet agreed a framework policy for the evaluation, approval and registration of partnerships in order to strengthen the Council's partnership governance arrangements. The partnerships register is reviewed periodically by the Overview and Scrutiny Management Committee.

## **Member Development**

46. The Council is committed to the ongoing development of its members and recognises the importance of building up the capacity and effectiveness of its members. To this end Group Leaders have committed to achieving member charter status.

The Council's Member Development Policy:

- establishes members' individual training needs and allocates budget according to the Council's priorities;
- ensures equality of access to funds and training events;
- evaluates the effectiveness of member development annually to inform the allocation of funding for future years.

47. The Council provides a training and development programme which is available to members of all five councils and partners.

## **Communications with Community and Other Stakeholders**

48. The Council's Corporate Communications ensures that various channels of communications are available to the public and the media. These include contact details on the council website and all printed material. Accessibility issues are considered both on the web, encouraging the use of Plain English and making information available in other formats and languages, for example, translations of service information, large print and information in an audio format where possible. With direct links to communication teams within other public sector organisations such as the Police, Fire and PCT, we are able to work closely on joint statements and projects, ensuring that the public and media are kept informed and up to date with partnership working.

49. The Council has a comprehensive Consultation Strategy, called Wiltshire Voices, which, together with supporting protocols, provides the strategic context for consultation with the community and other stakeholders and gives practical assistance to staff who engage in consultation or who commission consultation on behalf of the Council.

## **Wiltshire Pension Fund**

50. The Wiltshire Pension Fund is overseen by the Wiltshire Pension Fund Committee. This Committee has its delegated power from the full Council, rather than the Executive (Cabinet), so as to avoid any conflict of interest (eg. in relation to the setting of employer contributions).

51. This Committee is responsible for all aspects of the Fund, including:

- The maintenance of the Fund;
- Preparation and maintenance of policy, including Funding and Investment policy;
- Management and investment of the Fund;
- Appointment and review of investment managers.

52. The Committee exercises its responsibilities in relation to investment management when it sets investment policy and appoints/monitors external investment managers.

## **D. Review of Effectiveness**

53. 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 work of the executive managers within the Council who have responsibility for the development and maintenance of the governance environment, the Chief Auditor's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

## **Standards and Ethical Governance**

54. Key areas of work for the Standards Committee have included:

- reviewing arrangements for the involvement of non-executive members in the decision making process. The Standards Committee is monitoring the implementation of the actions agreed by the Council.

- overseeing the implementation of the revised Code of Conduct for Members, which was adopted by the Council with effect from 1 September 2007. This included the provision of training to assist Members in familiarising themselves with the changes introduced by the new Code.
- responding to changes in the law relating to the initial assessment, review, investigation and determination of complaints against Members under the Code of Conduct.
- working with the District Council Standards Committees to develop the role, composition and procedures of the standards committee for the unitary council in the light of best practice;
- overseeing revisions to the constitution for Wiltshire Council.

### **Overview and Scrutiny**

55. Work of the Overview and Scrutiny Committees and Task Groups has focused upon:

- monitoring the performance of the Council's major service providers, including external partners delivering residential care for older people (Orders of St. John), highways maintenance(Ringway), facilities management (Sodexo), Waste Management (Hills) and PFI Schools (White Horse Education Partnership), highways consultancy (Mouchel Parkman), and Energy Supply (OGC);
- reviewing the implementation of major corporate policies, including the Procurement Strategy, Carbon Management Programme, Childrens Placements Commissioning Strategy and Child Mental Health Strategy;
- monitoring the Council's performance against the targets set by central government and those in its Corporate Plan;
- engaging in the Council's budget setting process and budget monitoring;
- initiating public inquiries into matters of local concern and contributing to the development and review of policy and service delivery, including community meals, grant aid to museums, flooding procedures, section 106 agreements, footway maintenance, delayed transfers of care, reforming local health services, the Wellington Academy, and primary school provision.

From November 2007 joint scrutiny with the district councils has covered transition to One Council work on waste, development control, housing, customer access and community area boards.

### **Final Accounts and Audit Committee**

56. The Final Accounts and Audit Committee is tasked with ensuring a systematic appraisal of all the County Council's internal control systems, including the management of risk. In order to discharge this responsibility, key areas of review undertaken by the Committee have incorporated:

- The Internal Audit Plan;
- Internal Audit's Annual Report, including the audit opinion on the internal control environment;
- Regular progress reports on the work and findings of Internal Audit;
- Approval of the Statement of Accounts and the Statement on Internal Control;
- Regular progress reports on the development of the County Council's risk management arrangements, and approval of the updated Risk Management Strategy;
- The Audit and Inspection Plan prepared by external audit;
- External Audit's Annual Governance Report and Annual Audit and Inspection Letter.

### **Internal Audit**

57. Internal Audit (IA) represents an important element of the Council's internal control environment, and to be effective it must work in accordance with the Code of Practice for Internal Audit in Local Government (the Code), which lays down the mandatory professional standards for the internal audit of local authorities.

58. As part of its review of internal control, the Council is required to review the effectiveness of its system of internal audit. This has been done by means of an assessment of internal audit's current arrangements for meeting the various standards within the Code. Each of the standards is set out below, together with a brief description of how internal audit organises its work to meet the requirements of each standard:

- **Scope of Internal Audit:** This is set out in IA's Terms of Reference, which establish its responsibilities and objectives
- **Independence:** IA has no operational responsibilities, has direct access to all officers and members as necessary, and reports independently

- **Ethics:** IA staff are bound by the County Council's Staff Code of Conduct, and are regularly reminded of the need to declare interests, gifts and hospitality.
- **Audit Committees:** IA has an established regular cycle of reporting to the Final Accounts and Audit Committee, which incorporates its annual plan, progress reports and its annual report and opinion on internal control.
- **Relationships:** IA has established effective working relationships with management, external audit, and other professional groups, which work well in practice
- **Staffing, Training and Professional Development:** IA looks to maintain appropriate staff numbers, experience and qualifications, and through its appraisal arrangements identifies the training and development needs of its staff
- **Audit Strategy and Planning:** This is set out in IA's strategy document, which lays down the approach to risk-based audit planning
- **Undertaking Audit Work:** IA plans, undertakes, and reports each audit in accordance with terms of reference agreed with audit clients
- **Due Professional Care:** This is maintained through the day to day process of audit management as laid down in the IA Strategy
- **Reporting:** Clear written guidelines have been laid down for reporting an audit opinion from each assignment, and for IA's annual report and opinion on internal control
- **Quality Assurance:** The aim is to achieve this through a combination of audit management, staff training and development, performance measures and client feedback.

59. The annual Internal Audit Plan is based on an assessment of risk areas, using the most up to date sources of risk information, in particular the Council's Risk Register. The plan is agreed with Chief Officers, and presented to the Final Accounts and Audit Committee, which also receives reports of progress against the plan throughout the year. The Internal Audit Annual Report summarises the results and conclusions of the audit work throughout the year, and provides an audit opinion on the internal control environment for the County Council as a whole.

60. Whilst Internal Audit is unable to give an absolute assurance, the results of the audit work completed during the year support an overall audit opinion that internal control is in place and is operating satisfactorily in relation to the various systems and procedures reviewed. There are no significant issues relating to governance and internal control arising from Internal Audit's work, which need to be disclosed in Section E of this Annual Governance Statement for 2007-08.

## **External Audit and Inspection**

### **Comprehensive Performance Assessment**

61. Under the CPA the Audit Commission's overall assessment of the County Council was published in the Annual Audit and Inspection Letter for 2007. The Commission's overall judgement is that the County Council is improving adequately, and is classified as three stars (out of four) in its current level of performance.
62. The CPA Use of Resources Assessment for 2007 showed a further improvement in the Council's overall assessment compared to 2006. The overall assessment now stands at 3 out of 4 in all but one key line of enquiry which is dependent on a new financial system being implemented. The Audit Commission's report on Use of Resources highlights areas where improvements could readily be made, and the Council is working towards implementing these. They include:
- speeding up the processing of monthly budget monitoring reports to Cabinet to enable Members to take decisions based on up-to-date financial monitoring. This will be addressed through the Business Management Programme by the implementation of a new financial system.
  - ensuring that the assurance framework is fully embedded in the Council's business processes and that the Audit Committee is fully independent of the executive.

### ***External Audit***

63. The Audit Commission's Annual Audit and Inspection Letter for 2007 (the Letter) provided an overall summary of the Commission's assessment of the Council. The Letter presented the results of the Comprehensive Performance Assessment, and concluded that the Council is improving adequately. It stated that many services are improving and the rate of improvement is slightly above average when compared to other councils.

The Letter recommended that Members should:

- continue to embed and extend good practices throughout the Council eg. control over data quality in departments
- continue to focus attention on improving priority services that are poorly performing

- monitor the actions agreed by officers to ensure that the quality of financial statements continues to improve
- work with partners to ensure that capacity is secured to maintain local government services across Wiltshire during the transition to a unitary council.

A programme for taking forward these recommendations is currently being developed.

64. The Audit Commission has also issued a specific report on the following topic, the overall findings being as follows:

- **Data Quality:** the Council's overall management arrangements for ensuring data quality are adequate. Data quality guidance is available to all staff and there is a clear framework for monitoring the quality of performance information. Policies are generally carried out in line with guidance and occasional gaps or errors in the data are swiftly rectified. Source data captured and maintained locally by departments is not always subjected to the same rigorous controls as corporate systems.

## Performance Inspections

65. External Annual Performance Assessments have been carried out in relation to children's services and adult social care services. The results were as follows:

- **Children's Services:** the Ofsted assessment, based on performance data for 2006-07, judged services to be good in relation to Being Healthy, Staying Safe, Making a Positive Contribution, and Achieving Economic Well-being. Services were judged to be adequate in relation to Enjoying and Achieving. Overall, children's services were judged to be adequate, with capacity to improve also being judged as adequate.
- **Adult Social Care Services:** the CSCI assessment for 2006-07 awarded the Council a one star rating for adult social care. This was based on two judgements – Delivering Outcomes, judged to be adequate, and Capacity for Improvement, judged to be uncertain.

66. Areas for development highlighted by both assessments have been incorporated into action plans to achieve improvements to services.

### **Directors' Assurance Statements**

67. Each Director has completed and signed an assurance statement on governance arrangements within their department. These statements provide confirmation that each department has identified the risks to achieving its service objectives, and the key controls in place to manage those risks.
68. The statements also disclose, where applicable, any significant governance issues which have arisen during the year. Section E of this Statement identifies the implementation of the BMP and One Council programmes as a significant governance issue.

### **Monitoring Officer**

69. The Monitoring Officer has not made any adverse findings in the course of the exercise of his statutory responsibilities.

### **Partnerships Governance Arrangements**

70. There has been some delay in the implementation of the policy on the evaluation, approval and registration of partnerships. The position is being monitored by the Corporate Procurement Board, which has agreed actions to bring this work up to date.

### **E. Significant Governance Issues**

71. The previous section of this Statement describes how the Council has drawn upon assurances from a number of sources to inform its review of the effectiveness of its governance framework. In carrying out this review, the Council has identified the implementation of the One Council for Wiltshire Programme and the Business Management Programme as a significant governance issue to which we need to draw attention.
72. The risks associated with these major projects are being managed through the Council's standard project management arrangements with regular reporting to the relevant boards and member bodies.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework control by the Final Accounts and Audit Committee and a plan to address weaknesses and ensure continuous improvement of the system is in place.

Keith Robinson  
Chief Executive

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Jane Scott  
Leader of the Council

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