

Appendix A – 2015/16 Annual Governance Statement Action Plan

No.	Links to Council's vision	Governance framework that identified issue	Commentary on significant AGS issue	Action plan	Responsibility
1.	All	Management Assurance Statement	<p><u>Elstree Studios</u></p> <p>The Elstree Studios is a wholly-owned subsidiary of the Council, and as such is a key asset. The Council has already made a significant investment in the Studios and derives a healthy rate of return on this investment. The business of the Studios is an example of the Council as an Enterprising Council that provides a positive return which supports the Council's financial strategy.</p> <p>Following consultation with industry specialists, the Council has agreed to make a further investment to expand the business offer and capacity of the Studios. The quantum of the investment required will be determined by a tender process for the construction of a new stage and</p>	<p>1) The completion of the condition survey will enable a schedule of works to be identified at which point the repairing obligations in the lease can be finalised.</p> <p>2) The draft lease between the Council and Studios will then be signed. This will permit completion of the revised governance arrangements for the Studios.</p>	Chief Executive

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			<p>ancillary area.</p> <p>As the Studios are in receipt of public funds, the Council must demonstrate that value for money, accountability, transparency and effective oversight is being achieved from Council investments and it is critical that the Council's legal and governance arrangements are fit for purpose and application. This includes taking account of the controlled company legislation and trading legislation.</p> <p>In light of this, the Council and Studios have adopted new improved Articles of Association and a Governance Agreement, replacing the former Management Agreement and Corporate Governance Framework.</p> <p>The draft Lease between the Council and the Studios has been agreed in principle, but remains unsigned pending the completion of the</p>		

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			<p>Council-commissioned condition survey of the Studios site.</p> <p>Amendments have been made to the proposed lease so that structural and external repairing obligations remain the responsibility of the Council. This was in response to concerns raised by the Studios about the repair and maintenance obligations in the draft lease given the age of the site.</p>		
2.	All	Internal Audit and Management Assurance Statement	<p><u>Council Strategies and Policies</u></p> <p>A number of Council policies and strategies are not up to date and require action, or have action scheduled for 2016 which has not yet commenced. These include:</p> <p>a) Financial Regulations, b) IS Strategy, c) Anti-Fraud and Anti-Corruption Strategy, and d) Housing Strategy.</p>	<p>1) Policy owners have been instructed to review relevant policies and to update these as necessary.</p> <p>2) Proposals will be put to Chief Officers Board to develop matrices that permit quarterly monitoring of policy updates.</p> <p>3) The Council's Strategies and Policies Register is updated annually through the Corporate Policy Network and will</p>	Senior Management Team members in their capacity as policy owners

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			<p>A number of policies and strategies are in various stages of progress towards being updated, whether newly commenced or nearing completion (but not yet complete). These include:</p> <ul style="list-style-type: none"> a) Corporate Plan, b) Local Plan Core Strategy, c) Local Development Framework, d) Site Allocations and Development Management Plan, e) Data Protection Policy, and f) Parking Management Strategy. <p>The update status of the Freedom of Information Publication Scheme is also unclear.</p> <p>This carried the risk that policies and procedures may be out-of-date and no longer fit for purpose or in compliance with good practice. As a result, actions may be taken that do not accord with recent legislation, guidance or financial probity or value</p>	<p>continue to be presented annually to the Corporate Governance Group.</p> <p>4) Corporate Governance Group and Audit Committee will monitor implementation of the related audit recommendations.</p>	

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			<p>for money principles.</p> <p>This issue has been carried forward from the 2013/14 and 2014/15 Annual Governance Statement Action Plan. While some of the policies and strategies listed in the prior years have now been updated, others now require similar update.</p>		
3.	All	Internal Audit and Management Assurance Statement	<p><u>Business Continuity</u></p> <p>Services have not participated in a business continuity exercise within the past five years as the last exercise was held in 2010/11.</p> <p>The Council's business continuity process and emergency service delivery arrangements are at risk. This is mainly due to the reduction in government grants and an ongoing lack of organisational capacity.</p> <p>This has been carried forward from both the 2013/14 and 2015/16 Annual</p>	<p>1) Business Continuity Plans will be reviewed ahead of participation in a business continuity exercise to be completed by September 2016.</p> <p>2) There are currently off-site disaster recovery and back-up arrangements with the Borough of Broxbourne.</p> <p>3) Costs have been obtained from three suppliers to provide connectivity to LB Camden. Costs are awaited on a link to London PSN, which will give</p>	Director of Environment with Chief Environmental Health Officer and Head of Finance and Business Services to co-ordinate with other Heads of Service and Senior Managers

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			<p>Governance Statement Action Plan and has been dependent on implementation of new disaster recovery solutions. These have themselves been the subject of high priority audit recommendations in the past.</p>	<p>future flexibility. Costs for an alternative private sector solution have also been obtained.</p> <p>4) Business Continuity is a scheduled audit within the 2016/17 Audit Plan.</p>	
4.	All	Management Assurance Statement	<p><u>Freedom of Information Requests and Data Protection Subject Access Requests</u></p> <p>From 25 May 2018, the EU General Data Protection Regulation (GDPR) will affect every organisation that processes EU residents' personally identifiable information (PII). *** The GDPR will supersede national laws such as the UK Data Protection Act (DPA), and the Regulation mandates considerably tougher penalties than the DPA: breached organisations can expect fines of up to 4% of annual global turnover (N.B. turnover, not profit) or €20 million – whichever is</p>	<p>1) The Council is in the process of commissioning an Information Governance Review by a suitably qualified consultant to examine the Council's freedom of information and data protection policies and procedures. This will include advice on the procedures and resources required to comply with the requirements of the Data Protection Directive.</p>	Chief Officers Board with the Monitoring Officer

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			<p>greater.</p> <p>Article 35 of the GDPR states that data protection officers must be appointed for all public authorities and certain companies. The GDPR does not specify credentials necessary for data protection officers, but does require that they have “expert knowledge of data protection law and practices.”</p> <p>In light of the above, the lack of a suitably qualified Information Officer places the Council at risk of not complying in a timely and accurate manner with its Data Protection Act obligations in terms of responding to subject access requests and data sharing requests.</p> <p>In February 2016, the Information Commissioner threatened the Council with enforcement action for failing to respond to a subject information request without undue delay. Given</p>	<p>2) Outcomes of the Review will be discussed and decisions made by December 2016.</p>	

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			<p>that the new GDPR will substantially increase the level of fines that may be imposed for non- compliance, the need to address this risk is even more urgent.</p> <p>The Freedom of Information (FOI) co-ordination role is currently being performed by a temporary member of staff and any reduction in resources in this area would place the Council at significant risk of failing to comply with its legal obligations to respond to information requests within 20 working days.</p> <p>After it was identified that some FOI requests were not responded to within statutory timeframes in the last six months, immediate action was taken to resolve the issue.</p> <p>If the function is transferred to Legal and Democratic Services without any allocated resources, the Head of Service in their role as Monitoring</p>		

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			<p>Officer is of the opinion that the Council will not be able to fulfil its legal obligations in respect of FOI legislation.</p> <p>*** - Following the outcomes of the EU Referendum, the legal basis for the EU GDPR is unknown.</p>		
5.	All	Management Assurance Statement	<p><u>Corporate Debt Management / Credit Control</u></p> <p>At 31 March 2016, total council overdue debt was £5,125,569. The largest components were Housing Benefit Overpayment (£2,087,855) and Council Tax (£2,350,085).</p> <p>Since the DWP's introduction of Real Time Information (RTI) in late 2014, the Council has seen a significant increase in the value of benefit overpayments detected (there has been a similar experience nationally).</p>	<p>1) In response to the concerns of the Financial Monitoring Panel, the Portfolio Holder has agreed to review the debt recovery procedures with the Director of Resources to decide on the most appropriate way forward.</p> <p>The permanent structure of the credit control team will be reviewed to fully resolve the issue of corporate debt management.</p>	Finance Portfolio Holder with the Chief Officers Board

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			<p>The introduction of RTI has been on a phased basis initially focusing on the high value cases. This is now beginning to pick up the smaller cases and with the introduction of "RTI 2" in the pipeline there will likely be another peak in overpayment detection.</p> <p>Over the course of the last year, Legal Services have been able to recover approximately £256k through the use of various enforcement methods.</p> <p>Significant efforts and inputs have been allocated to resolve the issue of corporate debt management and two temporary members of staff (Legal and Housing) are currently employed to manage and pursue debt owed to the Council.</p> <p>The temporary staffing structures are proving very successful, however</p>		

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			<p>there is a risk that the temporary staff leave and that the Council reverts to previous lower levels of performance and success in debt collection.</p> <p>The Financial Monitoring Panel has expressed its continued concern with the total level of debt and proposed that a dedicated debt management department should be set up to deal with this.</p>		
6.	All	Management Assurance Statement	<p><u>Use of temporary staff</u></p> <p>While agency staff can support the resilience of the Council, they also present risks related to the loss of skills and knowledge when they leave the Councils employment. The significant levels of expenditure may not be sustainable in the long term.</p> <p>Agency expenditure formed a key theme in the Resilience and Income Generation Opportunities (RIGO) report of the Task and Finish Group</p>	<p>1) This issue needs to be looked at more carefully and alternative options appraised as well as cost / benefit analyses being carried out prior to recruiting temporary staff.</p> <p>2) In addition, there needs to be a review of the existing staff structure to challenge whether it is fit for purpose and determine whether there are alternative</p>	Chief Officers Board with the support of the Senior Management Team

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			<p>Review of Council Service Areas' (Operations Review Committee).</p> <p>It was noted in the RIGO report that the cost of agency staff is directly comparable to FTE in many areas, hence Members recommend no further action in the case of many departments. However, there are concerns over some specific agency staff expenditures and it is the intention of Members to review these in greater detail.</p> <p>The greatest part of expenditure on agency staff is either for specialist skills in recruitment hot spots such as Planning or for Waste operatives, where crews cannot be sent out short-handed.</p> <p>The Council paid in the region of £1.9 million for agency staffing in the 2015/16 financial year. A number of budget codes in various services were overspent and agency fees of</p>	<p>means of delivering services.</p>	

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			approximately £230k were paid by the Authority.		