Annual Governance Statement 2023/24



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EXECUTIVE SUMMARY

This Annual Governance Statement is a measurement of the Council's performance during 2023/24, against Thurrock Council's <u>Local Code of Corporate Governance</u>, and Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) – <u>Delivering Good Governance in Local Government Framework (2016)</u>.

The assessment has identified the Council has improved governance arrangements in place with a positive and committed culture for identifying and implementing where further improvements and actions are needed.

Commissioners recognise in their most recent update report that the Council continues to work constructively and collaboratively with Commissioners in response to the Best Value Inspection report and to fulfil the Council's Improvement and Recovery Plan. They also recognise that the Council is making good progress and is owning its recovery, and the adoption of the Enhanced Improvement Recovery Plan demonstrates an appetite for a whole council approach to improvement.

Stakeholders can be assured that the Council is making significant progress in its improvement journey, with more significant improvements to follow in the near future, whilst also embedding a culture of continuous improvement.



ANNUAL GOVERNANCE ASSURANCE STATEMENT (2023/24)

The following statement is made by the Leader of the Council and Chief Executive (who is also the lead local government commissioner for the Thurrock Council (the Council) appointed by the Secretary of State):

To the best of our knowledge and based on evidence available, the Council's governance arrangements during 2023/24 improved significantly from previous years. Whilst there is still significant progress to be made by the Council in its improvement journey, a reasonable level of assurance can be provided to stakeholders that during 2023/24:

- Decisions were properly made and scrutinised;
- Public money was spent economically and effectively with maximum benefit and outcomes to all those served by the Council; and
- The strong and unwavering commitment to deliver the Council's Improvement and Recovery Plan continued.

As part of the governance assessment completed in the compilation of the 2023/24 Annual Governance Statement, several areas for improvement and actions arising were identified. An action plan of governance issues requiring improvement will be agreed and monitored. This will sit alongside and complement the Council's Improvement & Recovery Plan required by the current statutory intervention. Future years' annual governance statements will include an update on progress on the action plan for the previous year.

	Name	Signature	Print Name	Date
Relationships, Reputation and Influence				
Chief Executive and Managing Director Commissioner	Dave Smith			

THURROCK COUNCIL

Thurrock Council (the Council) is a unitary council in south Essex comprising a number of small towns and villages, located on the north side of the River Thames, immediately to the east of London. The Council has 49 elected councillors elected by thirds, representing 20 electoral wards.

During 2023/24, the council operated a leader and cabinet model of executive governance.

Following the May 2023 <u>elections</u>, the Cabinet comprised of a leader and 7 cabinet members each holding a portfolio of executive responsibilities. One of the cabinet members was appointed by the Leader as deputy leader. The Cabinet met eleven times during 2023/24.

All Cabinet meeting papers were published on the Council's website and meetings held in public, except for items considered exempt information within the meaning of Schedule 12A of the Local Government Act 1972 (and where it was in the public interest to withhold the information from the public). Clear reasons were given why the exemption applied in the agenda papers.

The Council appointed overview and scrutiny committees to undertake the Council's statutory function under the Local Government Act 2000 to scrutinise the executive and its decision making and undertake reviews of policy matters affecting the borough. Overview and scrutiny committees had the statutory power to "call in" for review decisions made by the Cabinet but not yet implemented.

The Council owns one subsidiary company – Thurrock Regeneration Limited (TRL). TRL is a Council wholly owned regeneration company, which was set up in 2013. It has its own subsidiary – Thurrock Regeneration Homes Limited.

The Council's prepared group accounts includes balances from these companies.

TRL is funded from loans and land sold from the Council to TRL at market value, in return for shares / equity.

Thurrock Regeneration Homes Ltd is 100% owned by TRL and provides estate management and lettings for the properties built by TRL.

The Council originally invested £30 m in bonds in <u>PWE Holdings</u> in three tranches in 2018. £20 m was outstanding when the bonds matured in December 2020. Following a refinancing the Council received a payment of £1m debt in 2022. The Council retained a debt of £2m which is being repaid as a loan, but the remainder of the debt was converted to equity making the Council the majority (94%) owner of PWE.

The Council is also the Accountable Body for Thames Freeport as well as the Accountable Body for the Grays Towns Fund and the Tilbury Towns Fund.

The governance arrangements in relation to Thurrock Regeneration Limited, PWE Holdings, Thames Freeport and Towns Funds have not been assessed as part of this 2023/24 Annual Governance Statement.

PURPOSE OF THE ANNUAL GOVERNANCE STATEMENT

Governance can be defined as 'the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved.'.

The Council is required by law to review its arrangements for internal control and governance at least once a year¹. The outcomes of the annual governance review are set out in an Annual Governance Statement (AGS hereafter), which is submitted for consideration and approval by a committee of the Council. In Thurrock, the Audit Committee has delegated authority to approve the AGS. The approved AGS is signed by the Leader and Chief Executive and published as part of the Council's accounts.

The AGS is a key document, which should provide reasonable assurance to all stakeholders that processes and systems have been established, which ensure decisions are properly made and scrutinised and that public money, is being spent economically and effectively to ensure maximum benefit to everyone who is served by the Council.

The AGS provides an overview of the controls in place to manage key governance risks and where risks are identified the actions which will be completed to make the relevant improvements.

The AGS will support the continuous improvement of governance within the Council.

This document provides Thurrock Council's 2023/24 Annual Governance Statement and Action Plan.

BACKGROUND INFORMATION

On 2 September 2022, the then Secretary of State for Levelling-up, Housing and Communities made directions under section 15(5) and (6) of the Local Government Act 1999 to implement an intervention package for Thurrock Council.

The intervention package was formed of two complementary parts:

- a. The authority's functions over managing its financial resources, exercise of the statutory requirement to arrange for the proper administration of the authority's financial affairs, and all functions associated with the strategic financial management of the authority will be overseen by Essex County Council (ECC), in the role of Commissioner.
- b. The Secretary of State exercised his powers under section 10 of the Local Government Act 999 to appoint ECC as Best Value Inspector. The scope of the inspection considered the adequacy of the Council's governance arrangements and wider control environment.

Governance structures were put in place to allow the commissioners to discharge these duties. A Finance Recovery Board, chaired by Nicole Wood, Executive Director of Corporate Resources at ECC, was established and began meeting fortnightly from 10 October 2022 (latterly this meeting has been held monthly). The terms of reference and minutes from this and other Commissioner-led boards can be found on the Boards overseeing our work section on the Thurrock Council website.

¹ regulation 6, Accounts and Audit Regulations 2015/234

From the outset of the intervention, commissioners have worked constructively with members and officers to ensure proactive engagement. In practice, Council decisions continue to be taken by the Council with commissioners' powers held in reserve and used where they deem necessary. Commissioners review all Cabinet reports and, if they are unhappy with a proposed decision, may stop it from being made. This has not happened in practice.

The directions also require the Council to produce an Improvement and Recovery Plan within three months of the start of the intervention. This plan was submitted to the Commissioners and the then Department for Levelling-up, Housing and Communities (DLUHC) in December 2022, with reporting to Commissioners on urgent financial actions beforehand to the Finance Recovery Board.

To oversee the development and delivery of the Improvement and Recovery Plan, the Improvement and Recovery Board, chaired by Gavin Jones, Chief Executive of ECC, was established and has met monthly since 1 November 2022. Membership of the Board includes commissioners, the leader and deputy leader of the Council, leader and deputy leader of the Opposition and Senior Leadership Team.

EXPANDED DIRECTIONS

In December 2022, the commissioners submitted their first update to the Secretary of State, reporting on the Council's progress against the Directions as well as their judgement on the Council's culture, governance, and capacity.

Shortly after the Commissioner's report was submitted, the Best Value Inspectors also provided an update on the progress of their inspection. The update proposed an extension to the time period set out in the appointment to allow the inspection to look into wider areas than the original scope, however the inspectors were able to make some recommendations to the Secretary of State at that point.

These reports were published by DLUHC on 24 January 2023 alongside the Ministerial response to them, which outlined that the Secretary of State was 'minded to' expand the Directions to:

- Transfer further powers to Commissioners in areas such as governance, the way the Council delivers services and the senior structure of the Council.
- Require the Council to produce an enhanced Improvement and Recovery Plan to go further into particular areas.
- Appoint a Managing Director Commissioner in order to strengthen the intervention model, and to support the Authority's capacity to deliver against its improvement plan.

After considering all representations made, the Secretary of State confirmed the expanded recommendations and appointment of Dr Dave Smith as Managing Director Commissioner on 16 March 2023, effectively replacing the original directions from 2 September 2022.

The <u>Best Value Inspection</u> report was published in June 2023 and the Council produced an enhanced Improvement and Recovery Plan, which was agreed by Full Council in October 2023.

Following the publication of the Commissioners' Second Report on 5 October 2023, the Minister announced that Essex County Council would exit its role as Commissioner, given that the first phase of the intervention concluded with the publication of the Commissioners' second report.

For the next and current phase of the intervention, Gavin Jones and Nicole Wood are appointed as Lead Commissioner and Finance Commissioner respectively, continuing their existing roles in the intervention, but on an individual basis rather than on behalf of Essex Country Council.

Updating the Improvement and Recovery Plan

As set out in the March 2023 Directions, the Improvement and Recovery Plan needed to be enhanced to cover the additional areas highlighted by the Secretary of State. Following a period of extensive officer and member engagement, the Plan was approved by Full Council on 25 October 2023.

This plan builds on the work already underway and recognised by the Minister in his letter on 5 October. By focussing on three priorities of improving leadership to accelerate change, improving governance and controls, and improving financial sustainability, this plan sets out a path for the Council to meet its best value duty.

Monitoring of the Improvement and Recovery Plan

In order to effectively track and monitor the implementation of the actions identified within the Enhanced Improvement and Recovery Plan, success criteria were agreed. The success criteria are now being tracked, monitored and reported on a quarterly basis, with the most recent outcomes being reported to Cabinet on 11 December 2024.



COMMISSIONERS COMMENTS

The following wording has been extracted from the most recent <u>Commissioners' Report</u>, which covered the period between July and December 2023:

"Good progress is being made by the Council, but the scale of the challenges facing Thurrock Council remains substantial."

"Thurrock Council continues to engage well with Commissioners and is owning its recovery and taking hard decisions when needed."

"The agreement of all Councillors to adopt the Enhanced Improvement and Recovery Plan in October 2023 was an important milestone in the intervention that demonstrated to us that there is an appetite for a whole-council approach to improvement in Thurrock."



METHODOLOGY FOR GOVERNANCE ASSESSMENT

The 2023/24 AGS has been prepared following a full governance assessment against CIPFA's <u>Delivering Good Governance in Local Government Framework (2016)</u> and in-accordance with <u>Thurrock Council's Code of Corporate Governance.</u>

The governance assessment has been set out against the following seven principles:

- **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 entity's capacity, including the capability of its leadership and the individuals within in.
- **F.** Managing risks and performance through robust internal control and strong public financial management
- **G.** Implementing good practices in transparency, reporting and audit to effective accountability

DELAYED PREPARATION OF 2023/24 ANNUAL GOVERNANCE STATEMENT

The governance review and subsequent preparation of the 2023/24 AGS was completed in November / December 2024, for reporting to Audit Committee in February 2025. The reasons for the delay in completing the governance review are as follows:

- Significant governance failings emerging during 2021/22 resulting in adverse financial exposure in excess of the Council's financial capacity and the resultant government intervention on 2 September 2022 and extended in March 2023.
- The Chief Finance Officer (and s.151 officer) issued a section 114 notice in December 2022
 which necessitated financial resources to be focussed on managing the Council's finances. It
 is an acknowledged fact in retrospect, that the resources with the Council's finance and
 governance resources were inadequate for this challenge and have since been significantly
 strengthened.
- Key personnel left Council employment leaving no resource to prepare the AGS. The
 personnel included those with knowledge of the levels of financial and governance
 assurance for the reported years and the evidence to support those assessments.
- Delays in the auditing of the Council's financial statements.
- The Best Value Inspection by Essex County Council (ECC) in September 2022 and subsequent report in March 2023.

It is noted, however, that due to the work with commissioners to develop and deliver the improvement and recovery plan as part of the statutory directions, significant governance work has been undertaken and has been subject to councillor and public scrutiny.

GOVERNANCE ASSESSMENT (2023/24)

A. BEHAVING WITH INTEGRITY, DEMONSTRATING STRONG COMMITMENT TO ETHICAL VALUES, AND RESPECTING THE RULE OF LAW

One of the criticisms contained in the Best Value Inspection report dated May 2023 was that fundamental issues had arisen in governance and decision making that had allowed decision making power to be drawn to a small group of members and officers. The poor culture and political leadership was highlighted, together with comments regarding culture and the lack of training provided to members post an initial induction on election.

The Council has put a clear ethical framework in place underpinned by the Nolan Principles of standards in public life, which frame the standards expected of councillors and officers and improve the culture of the authority. The Constitution includes a code of conduct for members based on the LGA model code, a complaints process setting out how complaints under the Code will be dealt with as required by law, and also an officer's code of conduct.

Conduct

During financial year 23/24 the Standards and Audit Committee met on 6 occasions (19 July 2023, 6 September 2023, 30 October 2023, 23 November 2023, 29 February 2024 and 21 March 2024). Reports brought to this Committee relating to matters of ethics and standards and integrity included: Gifts and Hospitality; a review of Member Code of Conduct complaints and progress on these; the Member Development Strategy; Member Training Schedule; counter fraud and associated policies and updates.

At the Standards and Audit Committee meeting in February 2024, a proposal was agreed that, from the municipal year 2024/25, there would be separate audit and standards committees, and this was agreed by Full Council in May 2024. The decision was modelled on best practice in the sector to ensure that each of these critical governance functions was given sufficient and dedicated focus by the Council. Each committee has worked successfully in the current municipal year, with each committee having a clear separate work plan.

Integrity

The Council is committed to acting with integrity and in accordance with due process in all areas.

In addition to internal audit work reported elsewhere in this statement, the Standards and Audit Committee on 6th September 2023 received:

- The Counter Fraud Annual report for 2022/23.
- The proactive counter fraud work plan for 2023/24.
- An annual report on covert surveillance activity under the Regulation of Investigatory Powers Act (RIPA) for 2022/23.

A. BEHAVING WITH INTEGRITY, DEMONSTRATING STRONG COMMITMENT TO ETHICAL VALUES, AND RESPECTING THE RULE OF LAW

The Audit Committee on 3 October 2024:

- Received the RIPA annual report for 23/24 which identified that the powers had only been utilised on three occasions.
- Approved a report reviewing and updating the council's RIPA Policy.
- Received the Counter Fraud Annual report for 2023/24 which was presented together with the work plan for 24/25 and approved the Counter Fraud and Investigation Strategy for 2024 2027 be adopted.
- The Committee also approved the updated Council policies for counter fraud, bribery and corruption; whistleblowing; and anti-money laundering.

This provides the council with a clear compliance framework for both members and officers.

During January 2024, the Investigatory Powers Commissioner's Office carried out an inspection on the management and oversight of RIPA within the council. The findings of the inspection are summarised below:

- The inspector was satisfied that the council's on-going compliance with the RIPA legislation will be maintained and there is no requirement for any further inspections this year. The next inspection will take place during 2027.
- The inspector requested that key compliance issues continue to receive the necessary internal governance and oversight. This will include policy refreshes, annual updates to Members, ongoing training and the retention of information in-line with codes of practice.
- The applications and authorisations were generally completed to a satisfactory standard and feedback was provided, aimed at further strengthening compliance.

Ethical Standards

The Council received a total of 15 complaints under the Code of Conduct for Councillors in this year. This is a significant number for a council of 29 councillors but possibly less surprising given the financial crash that occurred in 2022. A significant number were not progressed past the initial assessment stage, however. At this stage, complaints are rejected if they fall outside of the jurisdiction of the code of conduct or the complaint relates to a councillor's activities outside of their official capacity as a councillor. Except for one complaint, the remaining complaints were resolved through informal resolution between the complainant and the councillor, which is permitted under the code (and is good practice).

The Audit & Standards Committee held one hearing in respect of a complaint against a councillor. On 23 January 2024 a Member Advisory Panel hearing was convened with regard to a Code of Conduct complaint regarding social media postings by a councillor. The decision was taken that there had been a breach of the Code of Conduct and the Panel required that the councillor give a private apology to the complainants, attended

A. BEHAVING WITH INTEGRITY, DEMONSTRATING STRONG COMMITMENT TO ETHICAL VALUES, AND RESPECTING THE RULE OF LAW

training on equality and diversity and social media and for the <u>decision</u> to be forwarded to the Standards and Audit Committee. This was a demonstration that complaints under the code of conduct will be taken seriously and the Council's Independent Person commented in the <u>annual review</u> that all proper process had been followed with regard to this issue.

Since May, the Standards Committee has received and considered an ethical framework report, which collates information relevant to the Council's compliance with the code of conduct and the duties imposed on councillors under the code. This includes registered interests, declarations of interest at meetings, gifts and hospitality and updates on current complaints under the Code. The first report covered the period of 2023/24 and enabled the committee to gain an overview of the ethical health of the Council and have oversight of the work of the monitoring officer in conduct complaints.

Register of interest forms have been completed by all councillors which include details of disclosable pecuniary interests. Newly elected councillors registered their interests for the first time in May 2024 and all councillors are reminded of the obligation every three months. Gifts and hospitality records are submitted by councillors to democratic services with quarterly reminders to councillors. All records are published on the council's website. As stated above each Standards Committee receives a report collating all declarations and interests and also where members have not complied with their obligations.

Member Training

With regard to member training, the Member Training Schedule for 2024/25 was considered by Standards and Audit Committee on 29 February 2024 and noted as follows:

- Member feedback forms for training had been introduced and overall feedback was positive, although it was noted that planning training required improvement.
- Digital Academy online training had been offered to members.
- 4 senior members undertook the LGA Leadership Academy during 23/24.
- All groups had been offered LGA coaching and mentoring during the period with three group leaders and two deputy leaders taking up the
 offer.
- Development of a 'Member Passport' skills and experience document.
- Training during the period was extended beyond the period immediately following the election and was held at regular intervals over the year, covering a range of topics including finance budgets, pensions, equality impacts, modern day slavery and human trafficking awareness, recruitment, and an introduction to adult services.

A. BEHAVING WITH INTEGRITY, DEMONSTRATING STRONG COMMITMENT TO ETHICAL VALUES, AND RESPECTING THE RULE OF LAW

Culture

Following on from the Improvement and Recovery Plan, a set of IRP Outcomes and Success Criteria have been developed to measure progress, one of which is around improvement in collaboration between officers and between Members and Officers. The latest report measuring outcomes against criteria is being taken to Cabinet in December 2024 and notes that on the whole member conduct and the relationships between councillors and officers is good, with a few exceptions.



B. ENSURING OPENNESS AND COMPREHENSIVE STAKEHOLDER ENGAGEMENT

Our policy ambition relating to openness and stakeholder engagement was being developed during 2023/24, culminating in the council's strategic plan 'A fresh start for Thurrock, Our Corporate Plan, 2024-2029', which was published in summer 2024. This document communicates a commitment to residents and stakeholders about our purpose, approach, and the key objectives we will work towards. Within the plan we make specific commitment to stakeholder engagement:

- Open communication and meaningful engagement with local residents, communities and partners and with our elected members and staff.
- Co-creation of relevant services with local residents, communities and partners, so that funding flows are aligned to residents, communities and partners, and in some cases delegated directly to them and can be flexibly deployed to meet need.
- A diverse market of providers and voluntary, community, faith, and social enterprise sector (VCFSE) to enable choice, with the council focused on brokering, quality, and contract management to assure delivery.

To achieve these, we have designed a new operating model and developing plans to ensure openness and comprehensive stakeholder engagement.

Plans are ongoing to develop a 'One Council' approach (see section D) to resident participation and engagement. In 2024/25 this saw the move of the Community Engagement team from Adults and Health to the centralised Assistant Chief Executive's Office, creating an opportunity to deliver a consistent approach in line with our Corporate Plan ambitions of an enabling council.

During 2023/24, key recruitment into senior roles were ongoing with several appointments made to enable effective leadership on these activities.

During 2024, a new Communications and Engagement Strategy was developed, with the involvement of a range of stakeholders, and the oversight of the Corporate Overview and Scrutiny Committee. It was agreed by Cabinet in November 2024. The Strategy aims to ensure the whole council communicate clearly, with compassion and honesty, and with a focus on issues that matter to local people. The Strategy enables communications to be consistent, with one voice to residents.

Supporting services to improve our business-as-usual engagement with residents has been a key priority. We have challenged teams to follow best practice in terms of consultation, ensuring questions and information are accessible and in plain English, using design, communications and outreach that engage and interest them. We have seen positive results across a range of projects including the Grays Riverside Towns Fund consultation, but there is still much more we can do to ensure we are reaching all of our diverse communities with our engagement.

We are implementing a renewed commitment to collaborating and engaging with residents in their local areas. We are on track to deliver a pilot in one ward to test out what works best when working with the community to establish priorities and co-design solutions. The learning will inform the

B. ENSURING OPENNESS AND COMPREHENSIVE STAKEHOLDER ENGAGEMENT

rollout of our new approach to local prioritisation and ultimately some localised service delivery, across the borough, in line with the new operating model.

Taking place throughout 2024, a programme of ward visits has been arranged for Cabinet Members, ward councillors, and members of SLT to run through the autumn and winter months. These will provide opportunities for community stakeholders to raise issues or concerns with senior council representatives and build positive relationships with key community figures across the borough. Public question time events are also being arranged to allow the wider community to ask questions and raise issues with Cabinet and SLT, and for the council to share important information with residents, demonstrating transparency on areas like the budget and cost of living support.

We have been working to rebuild relationships with key stakeholders within the borough:

 The Council facilitated robust and extensive conversations with the Thurrock Culture Sector with the aim of producing Thurrock Plan for Culture in 2024/25 that would place the sector at the heart of delivery of the culture activity in the borough and the council providing an enabling and facilitating function.

In Autumn 2024 the Government confirmed that "Greater Essex" – i.e., the upper tier local authorities of Essex, Southend, and Thurrock - would work towards a devolution deal. This saw strong working relationships and ongoing engagement with neighbour authorities and central government. The council is committed to continuing engagement with the new government's development agenda, alongside our neighbouring authorities, to ensure the interests and needs of Thurrock are represented.

C. DEFINING OUTCOMES IN TERMS OF SUSTAINABLE ECONOMIC, SOCIAL AND ENVIRONMENTAL BENEFITS

The Council's strategic plan 'A fresh start for Thurrock, Our Corporate Plan, 2024-2029', published in summer 2024, sets out our strategic priorities. These cover the council's high-level ambitions for sustainable economic, social, and environmental benefits.

The Corporate Plan sets out how we will determine what are the right outcomes for Thurrock. This will be achieved through the development of several areas of work including a Thurrock Place Strategy, and the Better Care and Brighter Futures plans as well as opportunities presented by the Freeport a devolution.

A Social Value Framework was co-designed with the voluntary, community, faith, and social enterprise sector in 2014. Whilst pockets of good practice have developed, and some services have made progress towards achieving social value outcomes through commissioning and procurement, it has been recognised that some areas of the council could be better supported to achieve the framework's intended aims. A review was planned in 2023/24 with the intention to bring consistency to practice and review the framework whilst improving outcomes from contracts are driven by providers, suppliers, and contractors rather than council services.

The new Corporate Plan makes clear Thurrock's intention to become an enabling council. This will necessitate a revised vision for commissioning activities to ensure assurance to Directorates, the Senior Leadership Team (SLT), and members that the identified objectives are being achieved. During 2023/24 plans were undertaken to review the commissioning framework and practice across the council. In 2024/25 a review was completed and the outcome reported to the Senior Leadership Team. The review evaluated the skills of the personnel involved in commissioning, the quality of strategic commissioning plans, the strength of governance, and the ability to deliver a high-quality commissioning function that achieves transformation, efficiencies, outcomes for people, optimal use of Thurrock's resources, and meets corporate objectives. As a result, several options were presented to bring about more consistent and comprehensive practice.

D. DETERMINING THE INTERVENTIONS NECESSARY TO OPTIMISE THE ACHIEVEMENT OF OUTCOMES

The Council's Corporate Plan acts as a precursor for interventions to optimise and embed opportunities to achieve intended outcomes. It sets out a number of interventions required to realise the plans intended outcomes.

Work is ongoing to embed the plans objectives through the introduction of service planning and a new approach to performance management, at a corporate, service, and individual level. In addition, work is ongoing to bring greater dissemination of strategic objectives to policy and strategy development. These activities will ensure that operational activity is aligned with strategic aims. In 2024, the Performance Management and Assurance Framework was published with work ongoing to implement quarterly corporate performance reports, the first (quarter 2 of 2024/25 data) published in December 2024. In 2024, a Service Planning template was codesigned with services, tested and a plan for launch to cover the period of 2025/26. Once fully embedded, these processes will increase awareness and alignment of strategic aims, better coordinate activity and bring greater transparency enabling oversight, enhance consistency of practice and provide robust management of service areas.

In September 2024, the Council launched its Fresh Start for Thurrock internal communications campaign, to tell staff a new, more positive, story about Thurrock. We created a new area of the intranet where staff can access information about the four main elements of the campaign - how we work and what we do; technology and change; one council; and celebrating our staff. The content will be updated regularly and brought to life through events and webinars. In the launch week, an event was held for managers, hosted by the Chief Executive, to showcase the different elements and encourage managers to get involved.

In addition to the campaign, there has been a focus on improving the content and tone of our internal communications, using our e-newsletters and monthly all-staff briefings to showcase and celebrate the work of staff, as well as reiterating our key messages about positive change and working as one council. The development of a new operation model will see a shift in the way that the council is organised. As we work to deliver the priorities of our Corporate Plan and our new operating model, it is important we adopt a 'One Council' approach – which means all of us being clear about our corporate objectives and understanding how the contribution we make as teams and individuals impacts our council and our residents.

Activity is ongoing to implement the Council's change programme based on the new operating model and structure, centralising core services and pivoting the organisation from a delivery focused organisation to a commissioning organisation, empowering partners and communities to deliver services.

During 2024, progress was made in the re-establishment of Change board and Modernisation Board. This has given some foundations of programme grip. There is mixed delivery of projects currently across the council and some flagship projects will need to be monitored both in terms of; delivery activity, financial expenditure of resources and return.

Ongoing work will see additional governance to cohesively join up all change governance and give proper oversight including (Digital Design Authority, Culture and Workforce Board and Commissioning and Procurement Board and Operating Model Group).

Developing the entity's capacity

Senior Management Restructure

The Directions issued to Council on 16 March 2023, which expanded the scope of Intervention to provide Commissioners with powers over governance and staffing functions, included the appointment of a Managing Director Commissioner to fulfil the role of Chief Executive. A priority for this role was to put in place a senior management structure that:

responds to the Directions; supports the corporate operation of the Council; provides the capacity and capability to deliver improvement; and, change is delivered at pace and is consistent with the Council's emerging operating model.

A report proposing a revised Senior Management structure that met these requirements was presented to General Services Committee (GSC) on 5 July 2023. GSC supported the proposed structure enabling formal consultation to commence. Consultation took place between 6 July 2023 and 5 August 2023. The strategic objectives of the proposed structure were:

reduce the size of the Council's senior leadership team, improve its strategic and corporate leadership capacity, concentrate senior management on the task of realising financial sustainability, fundamentally addressing the future delivery of services and the role of the Council through a renewed partnership with the Council's senior political leadership.

reduce the tiers of senior management, right-sizing spans of control by integrating functions into a smaller number of directorates and increasing the capability and capacity in the Corporate Core. A new function was established within the Chief Executive's Office for leading change, developing strategic partnerships, enhancing the corporate policy and performance functions of the Council, and developing corporate commissioning capacity.

establishing the new senior structure would enable preparations to be made to deliver substantial changes to how the Council provides services that address need and opportunity within Thurrock. It also prepared the ground for further management cost reductions and provided a clear focus for change management through a multi-disciplinary approach.

Following this consultation, GSC was presented with a report detailing the final version of the proposed structure, which was agreed. GSC also agreed the voluntary redundancy request from the Director of Public Realm and the compulsory redundancies of the Director of HR, OD and Transformation and the Director of Strategy, Engagement and Growth. The report provided an outline of the timetable to recruit to vacant senior management positions to commence in September 2024 and included a recommendation to Commissioners on the appointment of an interim S151 Officer, pending the permanent appointment of the new Chief Finance Officer.

Developing the entity's capacity (continued)

Recruitment

The Council commissioned Tile Hill to provide executive search and selection expertise to support the process of recruitment to vacant senior management posts in the new structure. Appointments were made, with new appointments taking up their positions from the end of Q4 2023/24.

At SLT level, a permanent appointment was made to Executive Director Corporate Services and a secondment from DHLUC to the Assistant Chief Executive position for a period of two years. Appointments were not made to Executive Director Place and the Chief Financial Officer, for which long term interim arrangements are in place to provide stability and capacity to deliver change. Permanent postholders were already in place for Executive Director roles covering Adults and Health, and Children's Services. From the start of April 2024, responsibility for Housing functions was moved to the Place Directorate.

Following recruitment processes at Assistant Director level, permanent appointments were made to positions responsible for: Communications and Engagement; Strategic and Corporate Finance; Financial Management and Procurement; Chief Planning Officer; Legal and Governance/Deputy Monitoring Officer; and Chief Digital Officer. A two-year secondment was agreed with DHLUC to cover the Assistant Director Strategy Policy, Performance and Strategy.

The Assistant Director roles responsible for HR and Organisational Development, and Counter Fraud, Community Safety and Resilience were covered by internal acting-up arrangements.

Developing the capability of the entity's leadership and other individuals

Activity has primarily been driven through delivery of the Council's Improvement and Recovery Plan in the following areas:

- Improvement in responsiveness to poor performance.
- Improvement in policy and practice through the use of external expertise.

Progress on these priorities is summarised below. In addition, the Council commissioned PwC to undertake a series of reviews which culminated in four cross cutting business cases for change being forming part of the budget agreed by Full Council for 2024/25. These included a review and redesign of Corporate Services in line with the new operating model to provide a strong central core and improve efficiency through measures such as better demand management and increased digitisation.

Developing the capability of the entity's leadership and other individuals (continued)

Improvement in responsiveness to poor performance

The Council's Personal Development Review and Pay Progression Policy is in place to set out the main processes through which employees' performance is managed, appraised, and rewarded. This requires managers to hold regular one to one meetings, with a mid-year appraisal in the autumn and a year-end assessment, rating performance against objectives. To be eligible for pay progression, employees have to receive a rating of 3 or more out of 5.

Employee performance ratings are moderated at Directorate level with the outcomes reported to SLT. These have consistently shown 95% of the workforce being rated at 3 or higher, which is inconsistent with the Council's level of overall performance. When SLT considered the report on 2023/24 ratings, a review was commissioned with recommendations to be implemented from 2025/26. This will be aligned to the corporate PMAF which is currently being developed for implementation during 2024/25. A clearer link will also be made to the formal Improving Capability Policy, including when it is appropriate to trigger this policy in response to underperformance.

Improvement in policy and practice through the use of external expertise

To address the findings of the Best Value Inspection Report that a culture of insularity and complacency existed, the Council has committed to use external expertise to inform policy and strategy development and training in a way that builds capability and develops skills of postholders. This will be supported by the new senior manager cohort, who have mostly been appointed externally and will be expected to bring new perspectives and drive improvements in standards.

The Council has used or commissioned external expertise to identify improvements to services with the following bodies: CIPFA for an assessment of Finance; Planning Advisory Service (PAS) review of Planning; CIPD people assessment of HR & OD; and Centre for Governance and Scrutiny, along with CIPFA and the LGA to support develop our approach to Overview and Scrutiny. PWC was commissioned to support delivery of the Council's change programme and identify efficiencies for the 2024/25 budget.

Leadership development

In order to increase leadership capability at a senior level, an intensive programme of leadership development is being rolled out for the Chief Executive and Executive Directors, also involving Assistant Directors, with external specialists, the Leadership Centre.

Developing the capability of the entity's leadership and other individuals (continued)

At a more junior level, leadership development sessions have been delivered internally for managers during 2023. Leadership development is also due to be incorporated into the People Strategy to be published to underpin the delivery of the Corporate Plan.

Other activities

The Council undertook a number of activities to engage the workforce and managers on the development of and shape the delivery a new operating model. This was achieved by a combination of regular virtual and in-person briefings, conferences, and other events. Change Leads were engaged to lead culture change workshops with employees across all sites. During 2024/25, a new People Strategy will be developed following approval of the Corporate Plan. A restructure of the Council's HR&OD function is also planned for Q1 2024/25 to ensure the service has the necessary capabilities to support organisational development and workforce transformation activities.



F. MANAGING RISKS AND PERFORMANCE THROUGH ROBUST INTERNAL CONTROL AND STRONG PUBLIC FINANCIAL MANAGEMENT

The council continues to support Commissioners with management information and reports to help determine progress as well as the appropriate next steps within the council's intervention, recovery, and improvement.

An enhanced Improvement and Recovery Plan was produced to the satisfaction of Commissioners and agreed by Full Council in October 2023. It is this plan which forms the basis for the Council's recovery and charts the course back to being a well-run authority.

Reports are provided to Members, SLT and Commissioners outlines progress updates on the work to date to deliver the council's Improvement and Recovery Plan (IRP). In order to reflect the stage of the intervention the Council has now entered, the reporting of progress has shifted from the reporting on the activity carried out to assessing the impact the improvement plan is having on the road to becoming a well-run council. The basis for making that assessment is the 12 outcomes detailed in the IRP and their associated success criteria.

The Council's corporate plan and Performance Management and Assurance Framework is evidence based, current, realistic and enables the whole organisation's performance to be measured and held to account. To achieve this, we developed a Performance Management and Assurance Framework (PMAF), developed alongside key services, to measure and monitor corporate performance and increase the transparency of this information. In working with senior officers and Members, we have identified milestones and metrics that are current, realistic, and provide the stretch that is required to make progress at pace.

As the PMAF matures, we will have an increased focus on outcomes and in this phase, milestones have assisted us in demonstrating accountability for progress. We are in discussions with Cabinet and the Chairs of O&S committees to ensure that the publication and opportunities to interrogate this data meets their expectations.

Within the new PMAF, we intend to set up a Performance and Insight Board to scrutinise corporate performance internally. Alongside this, we will continue to work with Cabinet and Chairs of O&S committees to ensure maturity around scrutiny at public meetings that meets Members expectations and explicitly imparts performance information to the public.

We have agreed a regular reporting cycle of corporate performance data to Cabinet and O&S committees. As this matures, we will explore further opportunities to share this directly with residents.

G. IMPLEMENTING GOOD PRACTICES IN TRANSPARENCY, REPORTING, AND AUDIT TO DELIVER EFFECTIVE ACCOUNTABILITY

Implementing good practice in transparency

- Minutes of, and decisions from, all Cabinet, Full Council and Committee meetings during 2023/24 have been published on the Council's website. Any other decisions taken either by Cabinet members or officers are also published on the decisions section of the Council's website: Decisions, 23 November 2024 7 December 2024 | Thurrock Council.
- The Council maintains a forward plan to give at least 28 days' notice of key decisions taken by Cabinet during 2023/24, which complies with the statutory requirement to give notice of key decisions. The forward plan is accessible to the public on the Council's website: Forward plan Forward Plan for January 2023 Onwards | Thurrock Council. During 2024/25 an issue was identified whereby it was noted that key decisions delegated from Cabinet to officers did not then appear again on the Forward Plan prior to the delegated key decision being taken. This issue has been rectified to ensure that these decisions also appear on the Forward Plan. The introduction of ModGov also provides a system to support this happening.
- The Constitution provides urgency provisions for decisions to be taken when notice has not been given of the key decision on the Forward Plan. This is used by exception and requires appropriate notice to or sign off from the Chair of Overview and Scrutiny Committee with public notice being given of the decision where possible.
- Pursuant to Schedule 12A Local Government Act 1972 the Council may exempt information/ restrict access to parts of
 meetings to the press and public in certain circumstances, for example commercial sensitivity. Practice that has been
 adopted by the Council is to only use exemptions where necessary and continue to keep as much of reports/ meetings in
 the public domain as possible, to ensure openness and transparency, particularly by using part exemptions. For example,
 on 21 February 2024 a report was taken to Cabinet on Thames Freeport Accountable Body decisions, the report was
 public, but 3 appendices were exempt due to containing information regarding the financial and business affairs of other
 parties.
- The Council introduced ModGov in September 2024 to improve and streamline the Council's reporting arrangements.
- Officers, with responsibility for writing and communicating reports for the public are currently being provided with report writing training.
- The Council publishes key information here in compliance with the Local Government Transparency Code. Other information accessible to the public can be found here.

Implementing good practice in transparency (continued)

Save for Cabinet on 13 November 2024 when a technical issue prevented webcasting, all Cabinet, Full Council and Committee meetings are live streamed on the web. Recordings of historic meetings are either available on the Council's website or on YouTube.

G. IMPLEMENTIN	NG GOOD PRACTICES IN TRANSPARENCY, REPORTING, AND AUDIT TO DELIVER EFFECTIVE ACCOUNTABILITY
Implementing good practice in transparency (continued)	The Constitution provides for how residents can participate in public meetings of the Council, including asking questions at Full Council or presenting petitions. A Constitution review is currently being undertaken and proposes including a right for residents to ask questions at Cabinet.
Implementing good practices in reporting	The Council prepares and publishes an Annual Governance Statement (AGS), which sits alongside the Annual Accounts. The AGS is provides an assessment against the Council's governance arrangements, against CIPFA's Delivering Good Governance in Local Government Framework 2016. The AGS includes an action plan for improvement. This document is the 2023/24 Annual Governance Statement.
	There are weekly Lead Member Resources and s151 briefings which maintains good Lead Member oversight of the budget. SLT receives the monthly reported position and Members receive this quarterly. The position is detailed and includes reporting on budget outturn as well as on reserves and savings delivery.
	The Council has published several reports during 2023/24, in relation to its corporate performance. The 2023/24 End of Year Corporate Performance report went to July 2024 Cabinet.
	The Council published several reports during 2023/24. In relation to its financial performance. The <u>Provisional Financial Outturn</u> 2023/24 report went to Cabinet in July 2024.
	The Council has now published all of the outstanding financial statements up to and including 2022/23.
	Work is currently underway on the preparation of the 2023/24 financial statements.
	There continues to be challenges on divestments, which is specific to Thurrock Council.
	The Council has robust moderation and review processes in place to ensure financial statements are prepared in a consistent and timely basis.
	The Council does complete benchmarking with other similar organisations.

G. IMPLEMENTING GOOD PRACTICES IN TRANSPARENCY, REPORTING, AND AUDIT TO DELIVER EFFECTIVE ACCOUNTABILITY

Implementing good practices in reporting (continued)

The Council continues to work closely with and has regular liaison meetings with external audit.

The Council continues to work proactively to address actions arising from external audit as needed.

External Audit provide an annual opinion on the Council's value for money arrangements and stewardship of resources. In it anticipated that the draft 2023/24 External Audit report will be published and reported to presented to Members in February 2025, alongside this 2023/24 Annual Governance Statement.

Work is underway to improve the quality of reporting to decision makers, and the introduction of Mod Gov and the template for reports supports this. The report requires an options appraisal to be included and risk has also been added as a core section and also as an implication. The system provides for the report to be sent to all officers providing implications at the same time, and helps to accordingly maintain version control. The Monitoring Officer and Deputy Monitoring Officer are looking to quality assure reports and SLT review reports prior to them going to Cabinet. Training on report writing is being provided to officers. The ModGov system is yet to be rolled out to all committees and meetings, although plans are in place to complete this by the new municipal year. This is a continuing piece of work.

Risks associated with third parties delivering Council services is currently being considered as part of the refresh of the Corporate and Directorate risk registers. From 2025/26 all risks associated with contracted out services will be referenced in the annual service plans and tracked and monitored through routine contract management arrangements for each respective service / contract.

Accountabilities, when working in partnership arrangements are clearly set out in the respective contract agreements.

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G. IMPLEMENTING GOOD PRACTICES IN TRANSPARENCY, REPORTING, AND AUDIT TO DELIVER EFFECTIVE ACCOUNTABILITY

Implementing good practices in reporting (continued)

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G. IMPLEMENTIN	G. IMPLEMENTING GOOD PRACTICES IN TRANSPARENCY, REPORTING, AND AUDIT TO DELIVER EFFECTIVE ACCOUNTABILITY		
Implementing good practices in reporting (continued)	Accountabilities, when working in partnership arrangements are clearly set out in the respective contract agreements.		
Assurance and effective accountability	The Internal Audit Charter sets out the reporting arrangements to Members. The Internal Audit Charter needs to be reviewed and revised to ensure ongoing compliance with the Global Internal Audit Standards. The Audit Committee Terms of Reference and Internal Audit Charter sets out the commitment for tracking, monitoring, reporting and oversight of the implementation of agreed management actions arising from Internal Audit work.		
	All agreed management actions from Internal Audit reviews are subject to follow up. The 2023/24 Annual Report and Head of Internal Audit Opinion provided an update to Audit Committee on the progress / status on the follow up activity on all agreed actions dating back to 2020/21. All quarterly Internal Audit Progress reports to Audit Committee will from the 2025/26 financial year include, as routine, progress on all follow up activity completed and outstanding during the period.		
	The 2023/24 Standard and Audit Committee Annual Report was reported to Council in October 2024.		
	Thurrock Council participated in a Local Government Association Corporate Peer Challenge in January 2022.		
	Thurrock Council's Children's Social Care and Early Help Services received an Outstanding Ofsted Inspection outcome in October 2024.		

	2020/21 ANNUAL GOVERNANCE STATEMENT ACTION PLAN UPDATE	
ACTION	UPDATE	STATUS
To prepare and publish a Corporate Plan	The Council adopted a new Corporate Plan (2024-2029) – A Fresh Start for Thurrock on 17 July 2024.	COMPLETE
The Council to learn and manage risks arising from new ways of working arising from the Covid pandemic – what went well and areas for	There has been no specific lessons learned review following the Covid-19 pandemic to identify what worked well and what didn't. However, we have since reviewed how we work with residents and colleagues and identified an opportunity to change how and where we work. This included devising a Working Smarter Policy to compliment our Flexible Working Policy, enabling optimal flexibility, collaboration, and productivity.	
improvement	IT provision and flexible office accommodation is now available to enable officers and Members to make best use of the hybrid working arrangements. The onset of the pandemic enabled the Council to fast track it's digital strategy and the ability to work flexibility from any location has resulted in increased work-life balance for staff as well as enabling the Council to attract staff from a wider talent pool.	COMPLETE
	The Council's Medium Term Financial Plan (MTFP) is reviewed and updated on an annual basis. The 2023/24 Medium Term Financial Strategy , which incorporated the impact from Covid-19, was approved on 22 February 2023. The outcomes from the 2023/24 Internal Audit Plan are detailed in the 2023/24 Internal Audit Report and Head of Internal Audit Opinion , which was reported to Audit Committee in October 2024.	
To review medium and		
To review medium and long-term financial planning when full impact of pandemic is known	The Council prepares a Medium-Term Financial Strategy each year, which considers nationally, what issues are affecting all local authority finances and locally, the best approach to managing the accounts and funds.	COMPLETE
	The <u>2023/24 Medium Term Financial Strategy</u> was approved on 22 February 2023, as part of the wider budget report.	

2020/21 ANNUAL GOVERNANCE STATEMENT ACTION PLAN UPDATE		
ACTION	UPDATE	STATUS
MAJOR PROJECTS – CONTRACT GOVERNANCE &	The Council has recently undertaken the following activities in response to this action: • Programme Management toolkit introduced.	
MANAGEMENT Major projects to be procured and contract managed in-line with relevant laws and regulations to secure value for money and	 Project gateways introduced. The Council has a Contract Management Toolkit which is accessible to all staff. Also, quarterly contract management forums have been introduced this year 2024 to enable the sharing of best practices and learning amongst Contract Managers across the council. The Senior Leadership Team approved the setting up of Directorate Procurement Boards in Aug 2024 to enable proactive planning of procurement and contracting activities and to provide the appropriate challenge to procurement decisions, as well as providing the strategic direction for procurement and contracting activities. 	
quality services	 The Contract Register is accessible to all Contract Managers across the council. Spend data is available to Contract Managers across the council to enable monitoring of contract spend. The various procurement governance forms are approved by various officers i.e. Directors, Legal and Finance, including the Strategic Approval Panel (SAP) allowing for numerous oversight of activities. The governance forms are constantly updated to meet the needs of the council and any changes in procurement legislation. The regulation governing public procurement is set to change in 2025. To ensure the Council's procurement aligns with the change in regulation, the Councils contract procedure rule (CPR) was updated to reflect the requirements of the Procurement Act 2023 which is set to come into force in February 2025. The updated CPR was approved by full council in October 2024. 	ONGOING
Thurrock Council to develop a Local Plan	A report providing an update on the proposed timetable for the <u>Local Development Scheme 2024</u> was reported to Cabinet on 9 October 2024. The original timetable for the Local Plan has been delayed. The current plan is for the Local Plan to be published for consultation in January – March 2026, with adoption due in January – March 2028.	DELAYED

2020/21 ANNUAL GOVERNANCE STATEMENT ACTION PLAN UPDATE		
ACTION	UPDATE	STATUS
To review and improve Oracle's reporting capability to identify duplicate invoice payments	The Council is currently working with its Oracle support partners (Mastek) to develop routine reporting which identifies duplicate invoicing. Training and awareness on the risk of duplicate is currently being delivered to all key services.	IN PROGRESS
paymonto	The INT2324-10 Accounts Payable Internal Audit review did not identify any issues or concerns in relation to duplicate invoice payments.	
Internal Audit to provide independent verification on the claims submitted under the Supporting Families Programme	Internal Audit continue to complete quarterly verification checks on the Supporting Families Programme. This work is now incorporated into the Annual Audit Plan as standard.	COMPLETE
Implementation of the CIPFA Financial Management Code	This is planned for 2024/25, after the new permanent appointments have reviewed processes and procedures.	NOT YET STARTED
Implementation of the Code of Corporate Governance	Thurrock Council adopted a Local Code of Corporate Governance, in-line with CIPFA's 'Delivering Good Governance in Local Government' on 11 September 2024.	COMPLETE

	2023/24 ANNUAL GOVERNANCE STATEMENT ACTION PLAN		
SOURCE	ACTION		
2023/24 Head of Internal	To continue with agreed improvements to the Council's Risk Management arrangements. This will include the following actions:		
	To continue with the recruitment campaign to fully resource the Risk Management vacant posts.		
Audit	To recommence an annual review and report on the Council's Risk Management arrangements.		
Opinion	To commission an external peer review of the Council's Risk Management arrangements during 2025/26.		
	To consider including social risk category into the next update of the Council's Risk Management Strategy.		
	To continue with agreed improvements to the Council's Internal Audit service. This will include the following actions:		
	To develop and implement a formal training programme for the Internal Audit Team.		
	To continue implementing a consistent and constant follow up process on all agreed Medium and High management actions.		
	To facilitate an improvement in the implementation of agreed management actions arising from Internal Audit reviews.		
	To develop and implement a Quality Assurance and Improvement Programme for the Internal Audit service.		
	To ensure an increased focus by the Internal Audit Team on audit delivery.		
	Internal Audit to work towards achieving conformance with the Public Sector and Global Internal Audit Standards.		
	To continue with the ongoing Constitution review.		
	To continue the work to improve report writing.		
	To reintroduce Data Protection reviews within services and on decisions to enable continuous improvement on data use / management.		
2020/21 AGS	To continue work to ensure major projects are procured and contract managed in-line with relevant regulations to secure value for money and quality services.		
	Thurrock Council to develop a Local Plan.		
	To review and improve Oracle's reporting capability to identify duplicate invoice payments.		
	To implement the CIPFA Financial Management Code.		