# Annual Governance Statement 2020/2021

**What is the Annual Governance Statement?**

Legislation requires local Authorities to prepare and publish the Annual Governance Statement, in order to report publically on the effectiveness of the Council’s governance arrangements. The statement provides an overview of the current governance framework and a summary of the review of the effectiveness of Chichester District Council’s governance framework for 2020/2021 (which coincides with the annual statement of accounts). The statement communicates significant governance issues that have been identified during the review and sets out how the authority will secure continuous improvement in these areas during the coming year.

**What do we mean by Governance?**

By governance, we mean the arrangements that are put in place to ensure the intended outcomes for local people are defined and achieved. It comprises the systems and processes, culture and values, by which local government bodies are directed and controlled. Good governance is about making sure the Council does the right things, in the right way for the right people, in a timely inclusive, open honest and accountable manner.

**Scope of Responsibility**

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

**About the Council**

Chichester District Council comprises 36 Councillors who represent 21 wards across the District. The District Council operates under a Leader and a Cabinet structure with Cabinet Members responsible for individual portfolios.

The Council employs around 561 full and part-time members of staff and provides a range of services to residents. The Head of Paid Services, The Monitoring Officer, The Section 151 Officer and the Electoral Registration and Returning Officer make up the statutory roles within the Council.



**CIPFA/SOLACE Good governance principles and the local code of governance**

In 2016 CIPFA/SOLACE issued revised best practice guidance for ‘Delivering Good Governance in Local Government’. The framework sets out seven principles that should underpin the governance of each Local Authority. The following sections look at how the Council is held to account for these seven principles.

1. **Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law.**

**The Constitution**

The constitution sets out how the Council operates; the roles and responsibilities of members, officers and the scrutiny and review functions; how decisions are made; and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. Due to the COVID pandemic certain emergency procedures were introduced on Budgets / Financial Authorisation.

**The Monitoring Officer**

The Monitoring Officer is a statutory function and ensures that the Council, its officers, and its elected members, maintain the highest standards of conduct in all they do. The Monitoring Officer is assisted when required by appointed deputies. The Monitoring Officer ensures that the Council is compliant with law and regulations, as well as internal policies and procedures. He is also responsible for matters relating to the conduct of Councillors and Officers, and for monitoring and reviewing the operation of the Council’s Constitution. The Monitoring Officer for Chichester District Council is Nicholas Bennett, the Divisional Manager Democratic Services.

**Section 151 Officer**

Whilst all council members and officershave a general financial responsibility Section 151 of the Local Government Finance Act 1972 specifies that one officer in particular must be responsible for the financial administration of the organisation and that this officer must be CCAB qualified. The Section 151 Officer for Chichester is John Ward, the Director of Corporate Services.

**Codes of Conduct**

When joining the Council, members and officers are provided with a contract outlining the terms and conditions of their appointment. All staff must sign a code of conduct and declare any financial interests, gifts and hospitality on a public register. Additionally, members are expected to declare any interests at the start of every meeting that they attend in accordance with Standing Orders. Members and officers are required to comply with the approved policies.

**Anti-Fraud & Corruption Policy**

The Council takes fraud, corruption and maladministration very seriously. The culture of the Council sets the foundation for the prevention of fraud and corruption by creating an environment that is based upon openness and honesty in all council activities. The Council’s Anti-Fraud and Corruption Policy was last updated April 2018.

**Whistleblowing Policy**

The Council is committed to high standards of openness and probity and accountability in all of its practices. The policy encourages employees and others to raise serious concerns within the Council rather than ignoring a problem or raising the matters externally. The Policy was last updated in April 2018. Any disclosures should be made in writing to the Council’s Monitoring Officer.

**Corporate Governance & Audit Committee**

The Corporate Governance & Audit Committee has responsibility for reviewing reports that deal with issues that are key to good governance and undertakes the function of an Audit Committee. The committee has an agreed set of terms of reference which sets out their roles and responsibilities of its members. The committee meets four times a year and is made up of 8 members from 3 political parties and a local alliance.

1. **Ensuring openness and comprehensive stakeholder engagement**

**Engagement and Communication**

It is recognised that people need information about what decisions are being taken locally, and how public money is being spent in order to hold the Council to account for the services they provide.

**Consultations**

The Council has a number of consultation projects in operation and invite feedback from members of the public on a number of subjects. The Council also operate a Let’s Talk Panel which members of the public can sign up to. Each time there is a new survey members of the panel are emailed to see if they would like to participate. The Council promotes the Let’s Talk Panel and surveys that are active on social media channels to encourage people to take part.

**Complaints**

There is a complaints procedure in place for the Council to receive and investigate complaints made about service delivery and against its members or staff. Details of which can be found on the Council’s website. Results of complaints investigated together with the report on all complaints dealt with by the Local Government Ombudsman are reported annually to the Corporate Governance and Audit Committee.

**Partnership Working**

There are 10 strategic level partnerships that the council is involved with to deliver improved outcomes for the residents of the District Council. Some of the partnerships do not have exit strategies in place. This is because we do not lead or manage these partnerships and we are limited in what governance can be put in place, but officers are satisfied with how the partnerships are being run. All Council run partnerships have robust governance in place.

1. **Defining outcomes in terms of sustainable, social and environmental benefits**

Although the multi-agency Sustainable Community Strategy (SCS) for Chichester District 2009-2026 is no longer a statutory document, the Council continues to be informed by the priorities identified in it. These priorities are developed further through the Corporate Plan which sets out the Council’s contribution to this partnership document. The Council measures its key priorities by a range of performance indicators which are set out within the Corporate Plan and monitored through Pentana, the Council’s performance monitoring software. Reports on the progress of these performance indicators are available on the Council’s website.

Corporate Governance & Audit Committee (CG&AC), Cabinet and then Council agreed the key financial principles of the 5 year financial strategy, which included continuing to review the Council’s costs in order to find further savings. As part of the budget process a Task and Finish Group meets once a year to discuss the forthcoming budget, reviewing what is happening in the current year any impact for the new financial year and any changes in priorities or service demands.

The Council publishes its Annual Statement of Accounts in accordance with the Chartered Institute of Public Finance and Accountantancy (CIPFA) guidelines and International Financial Reporting Standards. As uncertainty continues to surround the current economic and financial climate and in particular public sector spending plans, it is clear that central funding cuts of local councils will continue. The Council is therefore committed to delivering its own services more effectively in the light of these planned reductions.

The Council continues to track national events, quantifying local impact and taking early action to manage the impact. The objective is to put the Council in the best possible position to deal with the financial and other challenges it faces whilst still protecting the most vulnerable members of the community. It is important that the issues and the scale of the financial position are understood and the Council is committed to finding solutions and options. The Financial Strategy sets out the current financial position, the challenges and uncertainties faced by the Council, and the principles to be used to address the issues identified and the actions required, whilst adhering to the key financial principles.

The 5 year Financial Model is a medium term forecast of the financial position of the Council that has been updated to reflect current assumptions; future Government funding, council tax projections, as well as projected costs and previous planned efficiencies. It also contains the proposed three year programme of efficiency savings to be adopted to address the budget deficit as a result of the Covid-19 impact. It will be necessary to use reserves to help balance the budget over the medium term whilst the efficiencies and policy options under the Future Services Framework are implemented over a three year period.

The Financial Impact of COVID report to July 2020 Council estimated a draw against reserves for the current year of over £8m. Since then the Government have introduced a compensation scheme for Councils that have lost income from sales, fees and charges as well as other funding allocations. The model forecast that just over £3m was required from reserves for 2021-22, and £8m in total over the 5 year planning period provided that the efficiency savings identified are delivered, and subject to all the uncertainties that remain within the model. However, following Government in year support due to the pandemic, the Council ended the year with a £1.728m surplus; further information is available in the Council’s Statutory Annual Accounts.

The Fair Funding Review and the localisation of Business Rates have again been delayed by the Government until the financial settlement for 2023-24.The Government announced that the localisation of Business Rates will now not take place. The continued delay in resetting the Baseline for Business Rates is good news, as the Council continues to benefit from the growth achieved so far. The anticipated impact of the Baseline reset is that the Council will retain approximately £1.5m less per annum when this funding regime change takes place, with the next revaluation scheduled now for 2023.

**D. Determining the interventions necessary to optimise the achievement of the intended outcomes**

The Council is responsible for reviewing the effectiveness of its governance framework. The review of the effectiveness is undertaken by the work of the Corporate Management Team (which is the Strategic Leadership Team (SLT) and Divisional Managers) who have responsibility for the development and maintenance of the governance environment. The Internal Audit & Corporate Investigations Manager’s annual report and comments made by the External Auditor also adds to the effectiveness of the governance framework at the Council.

The Council adopted a Constitution to ensure it is efficient, transparent and accountable to local people. Some of these processes are required by law; others are based on decisions made by the Council. It is the responsibility of the Council’s Monitoring Officer to review the Constitution as and when required to ensure that it continues to operate effectively.

The performance of key projects by exception is undertaken by SLT and Cabinet Members. Financial Monitoring is also undertaken throughout the year and is reported to Members, and as part of the transparency agenda is available on the Council’s website, and where necessary action can be taken where appropriate.

**E. Developing the entity’s capacity, including the capability of its leadership and the individuals within it**

**Recruitment and Induction**

The Council operates a thorough interview and selection process to ensure that Officers are only appointed if they have the right level of skills and experience to effectively fulfil their role. If working with vulnerable adults they will be subject to an enhanced DBS check prior to appointment. New officers once appointed must attend an induction with HR which cover things such as Staff Handbook, Safeguarding and Health & Safety to name but a few. All members are invited to attend a comprehensive induction training session. This would range from general housekeeping issues to Constitutional and Executive Issues to Safeguarding to Finance & Budgets. Where a Councillor is appointed a member of a committee specific training is given relating to that Committee.

**Training & Development**

Officers are required to complete a number of mandatory e-learning courses including health & safety equalities and diversity and information governance. Compulsory training is provided for members who sit on committees. Other training is available to Councillors through Democratic Services.

**F. Managing Risks and performance through robust internal control and strong financial management**

**Risk Management**

The Council has a Risk Management Strategy and Policy. The Strategic Risk Group (SRG) reviews the strategic and programme board and updates risk registers annually and the high scoring organisational risk register bi-annually. The Group’s membership is drawn equally from the Cabinet and the Corporate Governance & Audit Committee. The outcomes of the reviews are reported to the Corporate Governance & Audit Committee. The SRG meet twice a year. The Strategic Leadership Team meets on a quarterly basis to discuss new and emerging risks.

**Performance Management**

Projects and performance indicators are set out each year in Service Plans. This process is led by Divisional Managers, with sign off by Directors and Cabinet Members. All content from Service Plans is loaded onto performance management software Pentana, from where is can be monitored and reported on. The Service Planning process allows for review of current projects and performance indicators as well as identification of new ones.

Divisional Managers all have access to reports for their section from Pentana. These show current progress on projects and current performance on performance indicators. Reports are available for monitoring content relevant to the various programme boards and these are reported at their meetings as required.

In addition, reports on certain key performance indicators are generated quarterly from Pentana and published on the Council’s website (<http://www.chichester.gov.uk/corporateplan>).

A half- yearly progress report on key projects relevant to the Corporate Plan is also reported from Pentana and taken to Overview and Scrutiny Committee (OSC), generally in November.

The Corporate Improvement Team also puts together the Council’s Annual Report – an overview of work on key projects and performance on performance indicators looking back over the previous year and some key items identified for next year. This is reported to Cabinet, annually in July and is informed by content from Pentana, supplemented by information from Services.

The Council publishes the Annual report which details the Council’s achievement which can be found on the Council’s website (<http://www.chichester.gov.uk/annualreport>).

**Financial Management**

The S151 Officer is responsible for the delivery of good financial management. This Officer is responsible for ensuring that:

* That public money is safeguarded at all time.
* Budgets are robust and agreed in advance.
* Value for money is provided by services.
* That the finance function is fit for purpose.
* The key financial assumptions and financial risks that the Council face are identified.

The S151 Officer advises on financial matters to both Cabinet and full Council and is involved in ensuring that the authority’s strategic objectives are delivered in line with long term financial goals. The S151 Officer together with finance staff ensure that new policies or service proposals are accompanied by a full financial appraisal and are fully funded.

The S151 officer has a statutory duty to report any unlawful financial activity or failure to set or keep to a balanced budget. He also has a number of statutory powers in order to allow this role to be carried out, such as the right to insist that the council makes sufficient financial provision for the cost of Internal Audit.

The council’s financial management arrangements conform to the governments requirements of the CIPFA Statement on “The role of the chief financial officer in Local Government (2010). The Director of Corporate Services (Chief Financial Officer and S151) works with the Chief Executive and CMT helping to develop and implement strategy and deliver the strategic objectives.

The Director of Corporate Services has an input into all major decisions, and advises on financial matters to the Cabinet.

In response to the Covid 19 pandemic changes were made to decision making and financial regulations before the end of the financial year to ensure that the Council continued to run smoothly whilst maintaining the appropriate level of control.

**Data Management**

Following the introduction of General Data Protection Regulations the council has tested compliance against these regulations. The council has a designated data protection officer (Divisional Manager Democratic Services Nicholas Bennett) and clear and established processes for ensuring data is handled appropriately. There is regular reporting to the Corporate Governance& Audit Committee on matters of information governance.

 **G. Implementing good practices in transparency, reporting and audit to deliver effective accountability**

**Transparency**

The Council and its decisions are open to the residents of the District, service users, partners and its staff. The Council has a number of formal committees these can covers the right of councillors and public to ask questions, also a Committee to look at councillor’s conduct.

Transparency can be found in processes that govern how the Council operates and also the formal roles that are held by officers and Councillors.

The Freedom of Information Act (FOI) gives anyone the right to ask information held by a public authority, which includes Chichester District Council, subject only to the need to preserve confidentially in those specific circumstances where it is proper and appropriate to do so.

All reports that require a decision are considered by the relevant department with expertise in the particular function, also the Director of Corporate Services and the Divisional Manager Democratic Services including Legal before they are sent to the relevant committee. Equality impact assessments are carried out on all major services, functions, projects and policies in order to understand whether they impact on people who are protected under the Equality Act 2010 in order to influence decision making. An annual Equality Report is produced is produced in July of each year.

**Effective Scrutiny**

The Council operates a number of Tasks and Finish groups which are established by the Overview and Scrutiny Committee which gives each Group its Terms of Reference. Topics which are chosen to be scrutinised are looked at in depth by a cross party panel of Councillors. They assess how the Council is performing in that particular area and whether improvements can be made, and where a service is being scrutinised whether they are providing the best possible, cost effective service for people of the District. Cabinet can establish task and finish groups that report to it. Four thematic panels have been set up following the COVID recovery report namely Community & Housing Recovery, Economic Recovery, Planning Health & Environmental Protection Recovery and Organisational Recovery.

**Effectiveness of Governance Arrangements**

The Council’s governance framework includes decision-making processes that are set out in the Council’s Constitution; this is continually being reviewed together with the rules.

Procedures are in place for maintaining and reviewing the effectiveness of the Council’s governance arrangements throughout the year, these include the following:

* **Elected Members** – Make decisions in accordance with the Constitution and in accordance with the aims and objectives of the Council.
* **Overview and Scrutiny Committee** – Has the ability to scrutinise decisions made and maintains an overview of Council activities.
* **Standards Committee** – Meet to consider any complaints against Councillors and to review policies and procedures for maintaining high ethical standards.
* **Internal Audit** **Section** - Has a four year audit plan which is flexible and enables internal audit to respond to changing risks and priorities of the organisation.
* **Corporate Governance & Audit Committee** – Reviews, monitors and scrutinises governance arrangements and finances of the Council, and also discusses the findings of audit reports and any other issues that relate to governance and risk management.
* **Corporate Management Team** – Review and update governance arrangements, identify and review new and emerging risks and review existing risks.
* **Strategic Risk Group** – Regularly reviews, updates and reports on the Risk Registers.
* **Internal Audit Annual Report & Opinion** – This will be presented to the Corporate Governance & Audit Committee on the 6th June 2022 in conjunction with this document which contains an assurance statement regarding internal control.
* **Divisional Manager - Democratic Services (Monitoring Officer)** - Ensures that the Council’s operations are carried out lawfully.

**Conclusion**

Whilst the impact of the COVID 19 pandemic has proved challenging for the Council with remote working, impact on staff and working remotely also changes to decision making and financial regulations our opinion that Corporate Governance, along with supporting controls and procedures, remain very strong within the Council.

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| **Ref** | **Governance Issues** | **Source** | **Action taken**  | **Responsible Officer** | **Timescale** |
| 1 | Southern Gateway Regeneration | Risk Management | COVID 19 is continuing to have an impact on the market viability of the scheme, although agents are now reporting improvements to some market sectors. Due to this and the decision by HMCTS to use the court buildings as Nightingale courts our selected developer has withdrawn from the project. Full Council in December 2021 reconfirmed its commitment to the Southern Gateway Project and work continues on land assembly for the Bus Station and Bus Depot sites. WSCC are progressing the demolition of the Old School buildings and are undertaking a feasibility study with the Sussex Community Foundation Trust and Coastal Commissioning Group for the development of a community health hub on this site. The Police Authority has also marketed the old Police Field site for disposal site. The LEP Coast to capital has agreed and extension to the grant funding until 2025 with the outcomes to be delivered by 2027.  | Director of Growth & Place | On-going |
| 2 | Financial Resilience | Risk Management | The Financial Strategy and 5 Year Financial Model helps the Council to manage the strategic risk of financial resilience. The model is reviewed by both the Strategic Leadership Team (SLT) and members in year as part of the annual budget cycle preparation; especially as there remains a great deal of uncertainty over the medium term, including future changes in local government funding and the impact on the economy from the global pandemic. To achieve a balanced budget for 2021/22 required a £2.09m contribution from reserves. The model also reflects the efficiency savings to be achieved over the next 3 years as part of the Council’s Recovery Plan under the Future Services Framework; current forecasts for 2021-22 is that savings of just under £1m will be achieved against the budget target of £749k. This is good news, but the savings to be achieved in year’s 2 and 3 may be more challenging and difficult, which is why the model only reflects 75% of the savings or income opportunities forecast to mitigate some of the risk in the targets set. The 5 year Model has been updated for the 2022-23 budget preparation to reflect known inflationary and other cost pressures, as well as the potential impact of Government policy requirements under the Environmental Bill; which has yet to fully clarify the expectations of local authorities regarding food waste and garden waste services. Based on the assumptions made in the latest update of the model this shows that there is still a potential funding gap over the medium term that SLT and members will need to address. The Fair Funding review has again been delayed, and recently the Localisation of Business rates scheme has been withdrawn from the Government’s review programme. It appears that the Government is intending to provide a multi-year funding settlement for the period 2022-23 to 2024-25, which will aid strategic financial planning and has also recently announced that the Baseline reset for the Retained Business Rates Scheme will take place in 2023, thereby removing the growth built up since the last reset in 2017. The Council’s programme remains affordable and fully funded without the need to borrow, and reserves are adequate.  | Director of Corporate Services | On-going |
| 3 | Business Continuity | Risk Management | There are different threats that can create a business continuity incident - this assessment considers the key threats but has to summarise our overall level of risk. Whilst the internal controls are good for business continuity management, the risk score remains fairly high due to the likelihood being probable. We are currently in a business continuity incident with the Covid-19 pandemic. Due to managing the impact well, by the measures we have in place, it is considered moderate rather than substantial. The risk of a concurrent event, e.g. a cyber-attack is again probable. This is because CDC, like many large organisations, continually fights against potential attacks on our IT systems. We have good mitigation against cyber-attacks; however there remains a risk due to the frequency of attempted attacks and the changing nature of cyber threats. Physical mitigation controls against loss of IT or building/s are good and would be ‘unlikely’ and therefore less of a risk. Project to create and commission our new duplicate server facility has now moved into the final construction phase. Delayed due to impacts of COVID-19, progress has been made albeit at a slower pace than originally anticipated. Since the last quarter the IT team has begun actively backing up data to the new off-site servers. Though still in test, EPH server data is now replicating every 20 minutes. Both installations of a resilient internet link (to/from Depot site) and a UPS (power savers) to protect against electricity failures to the servers have been completed. The IT has now entered the final stages of configuration ahead of a full test and process development cycle. Once fully functioning, the off-site IT disaster recovery will significantly improve the Council’s ability to recover from a business interruption involving loss of IT.The BIA (Business Impact Assessment) continues to be refreshed annually by SLT – this was last refreshed in September 2020. BC plans continue to be refreshed on a 6-monthly basis – the last programmed refresh took place in April 2021.A report by the ICT Manager has been taken to the Corporate Governance & Audit Committee which outlines the threats that the Council faces going forward and the action which is being. | Director of Planning & Environment | On-going |
| 4 | Cyber Risk Attack Across ICT Estate | Risk Management | Currently in the process of re assessment of our PSN accreditation. Project to create and commission our new duplicate server facility moving into the final construction phase. Delayed due to impacts of COVID-19, we are now actively backing up off-site server data hourly. We have completed both installations of a resilient internet link (to/from Depot site) and a UPS (power savers) to protect against electricity failures to the servers. We have now entered the final stages of configuration ahead of a full test and process development cycle. Plans are in place to conclude this by end Q2 beginning Q3. | Director of Corporate Services | On-going |
| 5  | Local Plan | Risk Management | Following the adoption of the new timetable in September work has progressed to consider key infrastructure. The key elements of the Plan are dependent upon external parties and hence the risk associated with remaining to that timetable remains high. | Director of Planning & Environment | On-going |
| 6 | Changing use of High Street in City and Rural Towns | Risk Management | Work is underway with the rural towns and the city to support delivery of a Vision for the areas which will assist with the sustainability of the high streets. Whilst the vision action plans do seek to restrict the impact of pressures on the high street and also encourage a number of projects with partners, there are still a number of pressures which are outside of the control of the partners and the national picture reflects a changing scene. If the use of the high street reduces, this directly impacts CDC through a continued reduction in parking income, potential increased pressures on services which provide support in the city and towns and a reduction in the positive impression of the area for visitors and residents which may affect inward investment. | Director of Growth & Place | On-going |
| 7 | Increase Homelessness Service Demand due to COVID Impact | Risk Management | This is a new strategic risk. This was identified in the 2021-2022 Housing Service Plan and has been agreed by SLT.  | Director of Housing & Communities | On-going |
| 8 | Skills, Capability, Capacity | Risk Management | Increased use of premia payments (market supplements) for those areas with long term establishment recruitment issues and the use of relocation package has aided recruitment for some service areas. | Director of Corporate Services | On-going |
| 9 | COVID - 19 (Coronavirus) | Risk Management | BC plans were fully invoked by all services across the Council. The majority of staff have been able to work from home and we have maintained normal access to council services for the public, with the exception of face-to-face contact where the reception area remains closed to restrict access other than in an emergency or exceptional circumstances. Works have taken place in EPH customer services centre (reception) to create a self-service facility, backed-up with contact centre staff support. This is expected to open shortly after 21st June. Whilst we had seen a significant reduction in the number of cases and hospitalisations there is currently concern about the Delta (Indian) variant of the virus. Case numbers of the variant are currently increasing and hospitalisations are slowly on the increase. Vaccinations are believed to be preventing the severity of illness currently but this continues to be the subject of close monitoring. There continues to be a threat of localised outbreaks. All members of staff are able to obtain Lateral Flow Device (LFD) rapid tests as they are widely available to members of the public. Information on where to obtain the tests has been provided to staff and they have been encouraged to make use of the testing, which is recommended twice weekly. | Director of Planning & Environment | On-going |
| 7 | Credit Cards | Internal Audit | A series of actions have been agreed in response to this audit. | Divisional Manager Financial Services | On-going reporting through an audit follow-up report. |
| 8 | Destruction of IT Equipment | Internal Audit | A series of actions have been agreed in response to this audit. | Divisional Manager Business Support | On-going reporting through an audit follow-up report. |
| 9 | Creditors | Internal Audit | A series of actions have been agreed in response to this audit. | Divisional Manager Financial Services | On-going reporting through an audit follow-up report. |
| 10 | Travel & Subsistence – Follow Up | Internal Audit | A series of action have been agreed in response to this audit. | Divisional Manager Business Support | On-going reporting through a further audit follow-up report. |