

ANNUAL GOVERNANCE STATEMENT

Purpose of this Statement

The purpose of the Annual Governance Statement is to assess and demonstrate that there is a sound system of corporate governance throughout the organisation.

Scope of responsibility

Tonbridge & Malling Borough Council is responsible for ensuring that its business is conducted in accordance with the law covering local authority activities, and that public money is safeguarded and properly accounted for. The Council also has a duty under the Local Government Act 1999 to secure continuous improvement in the way in which its functions are carried out, having regard to a combination of economy, efficiency and effectiveness.

To discharge this, the Council must have proper arrangements for the governance of its affairs. The Council's Legal Services team prepares a Local Code of Corporate Governance which is approved and adopted annually by the Council. This statement explains how the Council complies with the Code and meets the requirements of the Accounts and Audit (England) Regulations which requires all relevant bodies to prepare this Annual Governance Statement.

The purpose of the governance framework

The governance framework comprises the systems, culture and activities through which the Council accounts to, engages with and leads its communities. It enables the authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate services and value for money. This framework has been in place for the year up to 31 March 2025 and up to the date of approval of this statement.

The system of internal control is a significant part of this framework and is designed to manage risk to reasonable levels. It cannot eliminate all risk but can provide reasonable assurance of effectiveness. The review of internal controls is based on processes designed to identify and prioritise the achievement of the Council's policies, aims and objectives, and the risks that may cause them not to be achieved.

The governance framework

The Council's Local Code of Corporate Governance sets out the arrangements in place to govern the Council's activities under seven main headings.

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

Standards of conduct are governed through specific Codes of Conduct for both Members and officers. The constitution contains the Protocol on Member/Officer Relations to ensure effective communication. Registers on declarations for officer and Member interests that may impact on the Council decision making processes are held by the Monitoring Officer. The register for Members is available on the Council's website and Members are asked to state that their register entry is up to date as part of their annual declaration of interests included within the financial statements.

The Members' Code of Conduct, communicated to all Members on induction, is based around ethical behaviour and requires objective and impartial decision making. The Joint Standards Committee is responsible for upholding Member standards and ensuring Members receive suitable training and support in respect of ethical standards.

The Officer Code of Conduct is shared and acknowledged by staff on an annual basis. An annual staff appraisal scheme ensures monitoring and achievement of agreed performance. Training and development needs, including the requirements for Continued Professional Development for qualified staff, is identified through the appraisal system.

The Council's Constitution ensures that activities are discharged by legislative requirements; these include rules covering Finance and Procurement and additional strategies and policies for activities where necessary.

Ensuring openness and comprehensive stakeholder engagement

The Constitution sets out the decision-making framework, including statutory functions and the scheme of delegated responsibilities. The Constitution is reviewed by the Monitoring Officer and Management Team, proposed changes are presented to Council for adoption, unless allowed under the Monitoring Officer's delegated authority.

Notices of Key Decisions to be taken by Members are published in advance via the Council's website. All formal Member meetings, unless considered confidential under the Local Government Act 1972, are open to the public and live streamed on YouTube.

Delegated powers for Committees, Members and Officers, including the statutory officers of Head of Paid Service (Chief Executive), Monitoring Officer and Section 151 Officer, are set out in the Council's Constitution. The Constitution also contains the Council's Financial and Contract Procedure Rules, and standing orders.

The Overview and Scrutiny Committee is responsible for reviewing and scrutinising the decisions made by, and performance of, the Cabinet and/or Committees and Council Officers. Call in procedures allow Members to challenge decisions made by Cabinet or a Cabinet Member. Scrutiny Select Committees have the power to investigate any matters they consider relevant to their work area, and to make recommendations to Cabinet as they see fit.

The Council has arrangements to communicate and consult with stakeholders on the Council's work and key policy changes and this consultation allows the development of strategic priorities and the Corporate Strategy. In addition, the Council uses its complaints procedure to understand where services can be improved.

Defining outcomes in terms of sustainable economic, social and environmental benefits

The Council's current Corporate Strategy was approved by Full Council in the Summer of 2023.

The strategy covers the period 2023 to 2027 and sets out our vision: "To be an innovative and forward-thinking council, that leads the people and businesses of the borough towards a vibrant, prosperous and sustainable future."

Supporting the Corporate Strategy is the Council's Annual Service Delivery Plan and is developed and agreed each year alongside the budget. This is a performance management tool that sets out priority actions for the year, along with key milestones and performance targets that can be used to monitor whether the Council is on track with delivery. The annual Service Delivery Plan is also aligned to the annual staff appraisal process.

The Council's Medium Term Financial Strategy (MTFS) covers both revenue and capital budgets and underpins the budget setting process for both the forthcoming year and the strategy period. The MTFS provides a sustainable plan that reflects the Council's priorities. Any funding gap identified is managed through the Savings and Transformation Strategy which provides structure, focus and direction in addressing the significant financial challenge.

Impacts covering risk, value for money, equalities and diversity, climate change and other cross cutting issues are set out in Member reports where relevant.

Determining the interventions necessary to optimise the achievement of the intended outcomes

The Council's Constitution sets out the decision making process, with all decisions being informed through reports to include officer and professional (where applicable) advice. Alternative proposals, where relevant, are provided to provide Members with options for decisions.

The Corporate Strategy acts as a reference point for decisions taken to maintain and improve services. This is supported by the Annual Service Delivery Plan, and both documents are shared with officers through the annual appraisal system.

The Council reports Key Performance Indicators which are monitored by officers and service management teams and reported to Members through the Overview and Scrutiny Committee and Cabinet.

Developing the entity's capacity, including the capability of its leadership and the individuals within it

Improving value for money is achieved by the Council through innovative use of Information Technology, joint working and shared services supported by robust financial budgeting and monitoring arrangements.

During 2024/25 the Council adopted a new Project Management Framework that provide officers with the tools to successfully deliver projects to achieve both the projects goals and the targets set in the Annual Service Delivery plan. Member training is provided on both a programmed and ad hoc basis covering general or committee specific subjects. Officer training is provided covering both mandatory and voluntary training, as well as learning and development opportunities.

The Council is now beginning to undertake several large projects within the next few years, the Refuse, Recycling, and Street Cleansing Contract, the replacement Leisure Centre and the announcement for Local Government Reorganisation being three of many, meaning that both financial and staffing resources will be under pressure to deliver. The Corporate Management Team will continue to have close oversight of these projects and provide and or divert addition resources to keep these projects managed and delivered.

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

The Audit Committee's responsibility, as set out in the Constitution, is to provide independent assurance of the adequacy of the risk management framework and associated control environment.

To do so, the Council has a Risk Management Strategy that sets out the roles of Members and officers in the identification and minimisation of risk. Cabinet appointed the Chair of the Audit Committee to be the Member Risk Champion. An Officer Risk Champions Group develops and promotes the risk management process throughout the Council. Risk Management is now a standard paragraph on Cabinet Reports and a standing item on the Council's Management Team and Service Management Teams.

The strategy and guidance explains that risks identified are scored on their likelihood and impact, and that existing controls and required actions to further mitigate risks are captured in risk registers. Where high risks are identified these are escalated through from Services to the Corporate Management Team and if necessary, onto the Strategic Risk Register for reporting to Members of the Audit Committee through the scheduled programme of meetings.

As previously mentioned, Member reports include an explanation of the risks associated with the recommended decisions being offered.

The Council's Internal Audit function is provided by Kent County Council under delegation and operates in line with proper practices which is governed by the Public Sector Internal Audit Standards and the CIPFA application note to the Standards. The Chief Audit Executive role meets the requirements as set out in the CIPFA Statement on the Role of the Head of Internal Audit in Public Service Organisations. The Audit Committee are responsible for the Council's anti-fraud, bribery and corruption arrangements including whistleblowing. The Chief Audit Executive is responsible for the maintenance of the Council's Anti-Fraud, Bribery & Corruption Policy and Whistleblowing Policy and has arrangements and resources in place to investigate any allegations made under either document.

The Council's financial information and reporting arrangements are sound and the external auditor following the 2023/24 audit identified one ongoing weakness regarding procurement under the heading of 'Improving economy, efficiency and effectiveness'. These matters were reported to the Audit Committee along with the management response in January 2025. The actions within the management response have been progressed since the committee with the Council joining the Mid Kent Procurement Partnership in April 2024 for the provision of Procurement Services to the Council. It was acknowledged by Grant Thornton, in their Value for Money Review for 2023/24, that although progress had been made they would continue to monitor the implementation of these actions and report back within the 2024/25 Value for Money review.

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

The Council has implemented the mandatory and (where cost effective) recommended principles set out in the Local Government Transparency Code.

All reports (save those which are exempt) for both historic and prospective meetings of the Council and its Committees and Boards are made available to the public through the Council's website.

Where possible, reports are written in a public-facing and non-technical manner.

The annual Statement of Accounts reports the Council's financial performance and is prepared in accordance with the CIPFA Code of Practice on Local Authority Accounting in the UK and is subject to external audit. Included within the Accounts is an opinion given by the Council's external auditors on value for money through economic, efficient and effective use of resources.

The Review of Effectiveness of the System of Internal Audit for the year 2023/24 concluded that a good system of internal audit is in place within the Council.

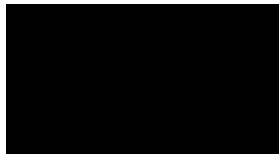
Review of effectiveness

Tonbridge & Malling Borough Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the managers within the authority who have responsibility for the development and maintenance of the governance environment, the Chief Audit Executive's Annual Report, and also by comments made by the external auditor and other review agencies and inspectorates.

The effectiveness of the Council's governance arrangements has been evaluated through a self-assessment against the principles of the CIPFA/SOLACE document, Delivering Good Governance in Local Government Framework 2016.

It should be noted that no significant governance issues were identified in the Annual Governance Review and no other areas were identified for significant further enhancement. A change was made in the year to the legal implications section of Member reports to make it clear where the commentary had been vetted by the Legal team. For completeness no audit reports received a 'no assurance' opinion.

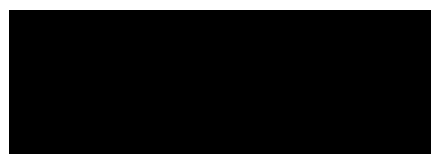
Signed



Chief Executive

Dated 31st May 2025

Signed



Leader of the Council

Dated 31st May 2025