

APOLOGIES Committee Services  
Email: [Committee.clerk@maldon.gov.uk](mailto:Committee.clerk@maldon.gov.uk)

DIRECTOR OF STRATEGY,  
PERFORMANCE AND  
GOVERNANCE  
Paul Dodson

2 June 2021

Dear Councillor

You are summoned to attend the meeting of the;

**PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE**

on **THURSDAY 10 JUNE 2021** at **7.30 pm**

in the **Council Chamber. Maldon District Council Offices, Princes Road, Maldon.**

Please Note that due to social distancing and space limitations, we require any members of the public or press who wish to attend physically and observe or speak under Public Participation rules at this meeting to complete [a request form](#) (to be submitted by 12noon on the working day before the Committee meeting). This will be reviewed and managed according to capacity of the meeting and whether any other persons have already registered.

The Committee meeting will still be live streamed via the [Council's YouTube channel](#) for ease of viewing.

A copy of the agenda is attached.

Yours faithfully



Director of Strategy, Performance and Governance

**COMMITTEE MEMBERSHIP:**

CHAIRMAN	Councillor Mrs J C Stilts
VICE-CHAIRMAN	Councillor K W Jarvis
COUNCILLORS	R G Boyce MBE M R Edwards Mrs J L Fleming, CC M S Heard A L Hull J V Keyes S P Nunn E L Stephens





**AGENDA**  
**PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE**  
**THURSDAY 10 JUNE 2021**

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1. **Chairman's Notices**

2. **Minutes** (Pages 5 - 10)

To confirm the minutes of the meeting held on 12 March 2021, (copy enclosed)

3. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interest or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6 – 8 of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interest as soon as they become aware should the need arise through the meeting.)

4. **Public Participation**

To receive the views of members of the public, of which prior notification in writing has been received (no later than noon on the Tuesday prior to the day of the meeting).

Should you wish to submit a question please complete the online form at:  
[www.maldon.gov.uk/publicparticipation](http://www.maldon.gov.uk/publicparticipation).

5. **Review of Corporate Risk - Quarter 4** (Pages 11 - 18)

To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).

6. **Review of Corporate Performance - Quarter 4** (Pages 19 - 40)

To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).

7. **Health and Safety Update - Quarter 4** (Pages 41 - 46)

To consider the report of the Director of Service Delivery (copy enclosed).

8. **Draft Annual Governance Statement - 2020/21** (Pages 47 - 62)

To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).

9. **Annual Governance Statement Actions Update** (Pages 63 - 66)

To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).

10. **Annual Report on Whistleblowing Policy** (Pages 67 - 68)

For further information please see [the Council's website](#).

To consider the report of the Director of Resources (copy enclosed).

11. **Section 106 Update** (Pages 69 - 72)

To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).

12. **Appointment of Representatives on Liaison Committees/Panels** (Pages 73 - 74)

To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).

13. **Any other items of business that the Chairman of the Committee decides are urgent**

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### **NOTICES**

#### **Recording of Meeting**

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session. At the start of the meeting an announcement will be made about the recording.

#### **Fire**

In the event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

#### **Health and Safety**

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#### **Closed-Circuit Televisions (CCTV)**

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**MINUTES of  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
25 MARCH 2021**

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**PRESENT**

Chairman	Councillor Mrs J C Stilts
Vice-Chairman	Councillor K W Jarvis
Councillors	Mrs P A Channer, M S Heard, A L Hull, J V Keyes, S P Nunn, N G F Shaughnessy and W Stamp, CC
In Attendance	Councillor C Morris

**349. CHAIRMAN'S NOTICES**

The Chairman welcomed everyone to the remote meeting, held under new regulations which came into effect on 4 April 2020 in response to the COVID-19 pandemic. She took Members through the etiquette for the meeting and then asked Officers and Councillors in attendance to introduce themselves.

This was followed by a roll call of Committee Members present.

**350. MINUTES**

**RESOLVED**

- (i) That the Minutes of the meeting of the Committee held on 25 February 2021 be received.

**Minute No. 8 – Review of Corporate Performance – Quarter 3**

Pg. 4, paragraph 3 final bullet point add 'with' after Conversation to read 'Conversation **with** 80 businesses'.

**RESOLVED** that subject to the above amendment the Minutes of the meeting of the Committee held on 25 February 2021 be confirmed.

**351. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor M W Helm.

**352. DISCLOSURE OF INTEREST**

Councillor Mrs P A Channer, CC, declared a non-pecuniary interest as a Member of Essex County Council in relation to any items on the agenda pertaining to that organisation.

### **353. PUBLIC PARTICIPATION**

No requests had been received.

### **354. EXTERNAL AUDIT FEES UPDATE**

The Committee received a verbal update on External Audit Fees from the Director of Resources. He reminded the Committee that a briefing had been circulated to all Members covering the outcomes from a meeting on 16 March 2021 with the Public Sector Audit Appointments Limited (PSAA), the Chairman and Vice-Chairman of the Performance Governance and Audit Committee together with the Director of Resources.

He then summarised the headline issues from that meeting:

- Following discussions with the External Auditors the fee originally set at £100,00 had now been reduced to £88,500.
- That £6,000 of that reduction related to the delay in implementation of a new accountancy standard. That charge will now apply in the following year when the accounting standard comes into force.
- That of the £15m grant from central government in respect of audit fees the Council could anticipate an allocation of circa £12,000. This was a crude estimate based on population statistics.
- That PSAA recognised significant changes to the audit market taking place and that original scale fees would need to increase. They will be conducting independent research to determine what represents a reasonable fee variation.
- That the PSAA had not yet looked at 2020/21 audit fees, however, the Council had conveyed its concerns regarding the fee levels.
- In terms of the process for approving the fees, once the audit was completed towards the end of this calendar year External Audit will submit the proposals to the PSAA. The PSAA will question auditors as appropriate on fee variations, seek further information and may request to review audit files if required.
- Finally, the PSAA will speak to the Council again to check if it has any further concerns/queries before making a final decision.

### **355. INTERNAL AUDIT REPORTS - PROGRESS; FOLLOW-UP OF RECOMMENDATIONS AND PAYROLL AUDIT**

The Committee considered the report of the Director of Resources and associated appendices that covered three reports from the Internal Auditors BDO LLP namely, the *Progress Report*, the *Follow-up of Recommendations Report* and the *Payroll Audit report*.

The Chairman introduced the reports and deferred to the Internal Audit Manager to present the detail. She took the Committee through the *Progress Report* that summarised Internal Audit's progress against the 2020/21 internal audit plan. The

*Payroll Audit* report was finalised since the last committee and on today's agenda, the *Knowledge Management Audit* was underway and audits on *Housing Needs and Affordable Housing* together with *Management of Property* were in the planning stage. The *Annual Plan* for next year had been approved at the last meeting and work on that was in the planning stage to be reported at the meeting on 29 July 2021. Internal Audit was also on track to deliver its *Internal Audit Report* ahead of Internal Audit opinion, this would be considered at the meeting on 29 July 2021.

The *Follow-up of Recommendations* report had one recommendation relating to flood risk management which had been implemented and one overdue on Building Control. The remaining recommendations on the table were not yet due for completion. The Specialist Services Manager then provided an update regarding the overdue Building Control recommendation which was largely due to capacity issues and the impact of COVID. Currently two staff members covered this area and a new staff member was due to start in May 2021. This would free up the Senior Specialist to complete the actions required. In response to a query from Councillor Heard regarding the completion date it was clarified that work would be completed by the end of September 2021, which was a realistic timeline.

The Internal Audit Manager then presented the *Payroll Audit* report which had a level of assurance of substantial in both design and operational effectiveness. This included a review of starters, leavers, overtime claims, Member expenses and allowances. The report was positive with no significant weaknesses found.

A query was raised by Councillor Nunn regarding two staff leavers who were paid the annual increase which had not been approved until after their leaving date. Officers clarified that procedures had been followed in accordance with the national pay award. It was agreed that the wording in the report on page 28 be changed with reference to 'Council' removed and replaced by 'Officers' to clarify the decision makers in this instance.

There being no further discussion the Chairman moved the recommendations, to include the amendment to the report under recommendation (iii) as outlined above and these were seconded by Councillor Nunn. She then put the recommendations to the Committee and they were agreed by assent.

**RESOLVED** by assent that the Committee considered, commented and approved the:

- (i) Internal Audit Progress Report - March 2021 at Appendix 1;
- (ii) Follow-up of Recommendations Report – March 2021 at Appendix 2, and,
- (iii) the Payroll Audit Report – February 2021 at Appendix 3 with the amendment to page 28 removing reference to the 'Council' and replacing it with 'Officers'.

### **356. ANNUAL AUDIT SUMMARY LETTER ON THE 2019/2020 EXTERNAL AUDIT**

The Committee considered the report of the Director of Resources that provided the Performance, Governance and Audit Committee with the audit summary letter from Deloitte LLP, the Council's External Auditor, for the audit of the 2019/20 financial year, attached at Appendix 1.

The Chairman introduced the item and deferred to the Audit Partner from Deloitte LLP to present the detail. The Audit Partner reported that this was the annual audit letter summarising all the audit reporting to this committee previously, amalgamated into an

executive summary for ease of access. He advised that it contained nothing new in terms of conclusions or findings to date.

The Chairman moved the recommendation in the report and this was seconded by Councillor Jarvis.

In response to questions raised Officers reported the following:-

- That the concerns around valuations of property assets had been covered previously and appropriate actions taken. External Audit (EA) found variations two years in a row that elevated this area to a significant audit risk. EA then extended the work, working with the Council and the valuers to determine the cause and look at historical valuations. External Audit were now satisfied all was now in order. Officers had met with the valuers to review the process. An approval timetable had been agreed that ensured sufficient checking time for a robust review of information received to take place as part of the process and expectations were clear on both sides. The valuations for this year had already been submitted to the valuers. Further External Audit recommendations around this area would be picked up with officers during the course of the next audit.
- That a detailed analysis of additional audit fees had been submitted to the Council. These were largely due to the increased risk on a number of individual balances as a result of COVID. For example, potential increased risks caused by remote working and the possibility of not following procedures; delays in receipt of supplies, etc. As a result, External Audit had to develop a new set of procedures to take account of these in the audit which resulted in additional fees.
- That ultimately the PSAA would have the final say on audit fee levels, however, taking into consideration the amount of additional work undertaken by the External Auditor the Senior Management was satisfied the service represented value for money.

There being no further queries the Chairman put the recommendation to the Committee and it was agreed by assent

**RESOLVED** by assent that the Committee considered and reviewed the content of the letter.

### **357. STAFF SURVEY HEADLINE RESULTS**

The Committee considered the report of the Director of Strategy Performance and Governance that updated Members on the recent staff survey results and gathered Committee feedback on the associated action plan at Appendix A, that had been put together by the Management team.

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She advised that the report was presented to the Committee as an update on the recent staff survey, which ran between September and November 2020. This was the second year that the survey had been run internally, affording the opportunity to now benchmark year on year.

She drew Members attention to section 3.2, that showed a good response rate of 72%, and overall the responses to the survey represented a positive increase in staff satisfaction between 2019 and 2020. Additional questions were included this year around the impacts of COVID on staff and preferences for future ways of working, which have also been fed into associated workstreams. Section 3.3 showed the areas where staff satisfaction had increased, and also where it was at its lowest.

In response to this, the Extended Leadership Team met in January 2021 to review the full results, together with feedback, and identified an Action Plan to address some of the staff concerns. The Action Plan is attached at Appendix A to give Members reassurance that staff feedback was being addressed and the high level actions taken. Behind this, detailed action plans and areas of responsibility had been identified, in order to implement the plan operationally. The Communications Team and the internal 'One Team' champions have also been working on turning the plan into a format of 'you said, we did' to be launched shortly to staff.

Officers responded to questions as follow:-

- That the Management Team Workshop to review the full analysis and trends on feedback was held in January 2021, not 2020.
- That the Action Plan would address the problem areas highlighted in the feedback. A key action will be to unbundle the low satisfaction rates around workload to determine the extent of the impact of COVID and/or determine whether there were organisational structure issues impacting the low rates.
- That a further 8 roles had been appointed to in Service Delivery that had not been in place when the survey was completed. These had relieved some of the pressure and staff would continue to monitor resource levels.
- That the performance management process was working well and with the recent refresh of the Corporate Plan, a clear vision had been set for the organisation. The Golden thread from Corporate Plan to Service Plans to Individual Staff Objectives was working well. Staff appraisals to set individual objectives, determine training needs and explore development opportunities had taken place despite the pandemic. The Council, through this process, was embedding the new corporate objectives.
- That in addition to appraisals, regular 1 to 1s were held every 6-8 weeks. These provided the opportunity to discuss wellbeing, progress on objectives, personal development, career progression etc. Training had continued via TEAMS with positive feedback.

Councillor Nunn said this was very important work but that it was imperative to read staff surveys in context. Referring to some low satisfaction levels he said it was inevitable that COVID would be a factor on staff morale and equally new ways of working. The Action Plan should be read in tandem with the full report which contained some real positives with wellbeing levels increased, which was a credit to Senior Management. He noted that development and direction seemed to be down, however, overall the highest negatives were low, between 18-28% and the highest positives were high, between 91-94%. Taking all of that into account he asked if officers felt it would be helpful for this Committee to monitor implementation of the Action Plan.

The Director of Strategy Performance and Governance said he would be happy to bring a further report covering progress on actions taken and the results of the 'You said, we did' exercise. He reminded Members that the information would also be available through the Balance Scorecard and final results would only be known when next year's survey results were available to do a comparison analysis. The major positives were the improvement in response rates from previous years and the introduction of the Action Plan to address issues arising from the survey.

Councillor Stamp congratulated the staff on the report, she was heartened by the staff response to the survey and management's awareness of the need for a work life

balance. She concluded by saying she welcomed Councillor Nunn's suggestion to monitor progress against the Action Plan.

There being no further discussion the Chairman moved the recommendations in the report and these were seconded by Councillor Nunn. She then put them to the Committee and they were agreed by assent.

**RESOLVED by assent**

- (i) That the committee reviewed and commented on the staff survey results and associated action plan at Appendix A;
- (ii) That Members confirmed that through this, they were assured the staff survey response was being managed effectively.

**358. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT**

This being the last meeting of this committee prior to Statutory Annual Council the Chairman thanked all officers and committee members for their support to her in the role of Chairman.

The meeting closed at 3.06 pm.

MRS J C STILTS  
CHAIRMAN



**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
10 JUNE 2021**

## **QUARTERLY REVIEW OF CORPORATE RISK**

### **1. PURPOSE OF THE REPORT**

- 1.1 The Risk Management Policy requires this Committee to undertake a quarterly review of the Corporate Risk Register as assurance that the corporate risks are being managed effectively. **APPENDIX 1** is attached to the report for this purpose.

### **2. RECOMMENDATIONS**

- (i) That Members review the Corporate Risk Register in **APPENDIX 1** and provide comment and feedback for consideration;
- (ii) That Members are assured through this review that corporate risk is being managed effectively;
- (iii) That Members challenge risk where the Committee feels that the Council's corporate goals may not be achieved.

### **3. SUMMARY OF KEY ISSUES**

- 3.1 **APPENDIX 1** shows a table of the Corporate Risk Register, the latest ratings and officer commentary.

3.1.1 Summary of risk direction / changes since Quarter Three (Q3)

- There are two risks that have seen a decrease in score:  
R9 – failure to have a co-ordinated approach to supporting inward investment and maximising business rates growth  
R30- May 2021 elections during the Covid pandemic- risk to successfully deliver
- There are three risks that have seen an increase in score:  
R10- failure to develop jobs to support the growing population  
R7- failure to maintain a five year supply of housing land  
R29- failure to deliver services as a result of Covid-19
- There is one risk that has been recommended for potential closure:  
R13- failure to manage the impact of organisational change

#### 4. CONCLUSION

- 4.1 Overall, no major Corporate Risk Register concerns have been raised. COVID-19/The Pandemic is a constant presence on the landscape thus far, however the Council continues to mitigate any risks caused by this. The risk around the failure to deliver the five year supply of housing land has been realised by Council and work around this is ongoing. Work continues to ensure all risks are mitigated, and where possible, working towards their closure.

#### 5. IMPACT ON STRATEGIC THEMES

- 5.1 It is important that risk is monitored and managed effectively, to ensure that Maldon District Council progresses towards and/ achieves its stated outcomes.

#### 6. IMPLICATIONS

- (i) **Impact on Customers** – Those risks in the Corporate Risk Register are defined as having a wider impact on our customers and delivery. The monitoring and mitigation of these will reduce the impact on customers.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – If risk is not managed effectively by the Council, it puts the Council's strategic delivery at risk and increases unnecessary exposure to potential, operational, reputational or regulatory consequences.
- (iv) **Impact on Resources (financial)** – All risk management is undertaken within existing planned budget. Exceptions being for a potential enactment of a recommendation outside of pre-defined resource.
- (v) **Impact on Resources (human)** – All risk management is undertaken within existing planned budget. Exceptions being for a potential enactment of a recommendation outside of pre-defined resource.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers: None.

Enquiries to: Paul Dodson, Director of Strategy, Performance and Governance.

# Corporate Risk Report Q4 – Appendix 1

10th June 2021

\*Please note risks are sorted in 'Overall Risk Rating' descending order\*

# Risk Assessment Scale



Title	Risk Description	Likelihood	Impact	Overall Risk Rating	Rating direction	Commentary
R7	Failure to maintain a 5 year supply of Housing Land	5	5	25	Risk Rating Increased	Q4 - Risk is realised. LDP Review approved by Council March 2021 triggered by failure to maintain a 5YHLS. 'Call for sites' published on MDC website 18 March 2021 for 8 weeks for landowners to submit sites for consideration to boost the supply of land for housing (and employment). Housing Delivery Test (HDT) ok and passed.
R15	Failure to plan and deliver balanced budgets over the medium term	4	5	20	Risk Rating Unchanged	Q4 - The current MTFS shows the general fund balance falling below the minimum level of £2.6m by the end of 23/24. This is based on a number of assumptions, such as funding, which are kept under review. Proposals to address the budget gap are being developed and will come forward as part of the budget setting process.
R8	Failure to meet the affordable housing need	4	5	20	Risk Rating Unchanged	Q4 - The Council is unclear as to what additional structures and paraphernalia, of a similar degree, would likely to have been present through the lawful use. However, Full Council has agreed the need for a strategy on the use of commuted sums to ensure the best delivery of affordable housing in the District; this should assist.
R10	Failure to develop jobs to support the growing population	4	4	16	Risk Rating Increased	Q4 – Covid-19 still remains the dominant force on the economic landscape and the full impact and implications of pandemic and related restrictions continue to be unknown. With this risk persisting likelihood has been increased. The Covid-19 Economic Recovery and Transformation Plan has been created and actions are being progressed.
R25	Failure to deliver finances associated to transformation programme.	4	4	16	Risk Rating Unchanged	Q4 - There was a budget shortfall at end of year in unachieved savings and income, reflecting the ongoing challenges of the covid emergency, work prioritised in 21/22 to review opportunities and activity

Title	Risk Description	Likelihood	Impact	Overall Risk Rating	Rating direction	Commentary
R29	Failure to deliver services as a result of COVID- 19	4	4	16	Risk Rating Increased	Q4 - The Council has maintained services throughout the pandemic and responded to Government requests to administer grant schemes to support business. CLT/ELT have adjusted resources as required but recruitment of specialists has been challenging throughout. Conditions remain challenging as we move to recovery and a Member Working group has been formed to assist officers in responding and planning recovery activity at a corporate, business and community level
R5	Failure to deliver the required infrastructure to support development arising from the LDP	4	4	16	Risk Rating Unchanged	Q4 - Infrastructure Delivery Group continues to make progress on monitoring S106 payments. The S106 Master Spreadsheet is reconciled with MDC and ECC finance for monitoring, receiving and spending S106 payments for all infrastructure supporting development arising from the LDP. IDP Review document is still awaited. LDP is to be reviewed. The risk rating should be reviewed?
R1	Failure to safeguard children and vulnerable adults	3	5	15	Risk Rating Unchanged	Q4 - We have implemented a new Safeguarding Case management system which resolves a concern from the Safeguarding Audit. We will be monitoring the new system to see how it embeds and to train DSOs in its use. Partnership meetings continue to progress with good feedback and casework discussion. More work is still needed to resolve our contractor/partnership arrangements.
R9	Failure to have a coordinated approach to supporting inward investment and maximising business rate growth	3	5	15	Risk Rating Decreased	Q4 - Following the review of the Council's Corporate Plan a Maldon District Investment Prospectus will be created to provide coordination and support inward investment and business growth. This work will also align with any future activity from ECC and the Council's review of the LDP. As the full impact of Covid is not known yet it is important this work is appropriately resourced and undertake expediently.

Title	Risk Description	Likelihood	Impact	Overall Risk Rating	Rating direction	Commentary
R3	Failure to target services/influence partners effectively to support identified housing needs of increasing aging population	3	4	12	Risk Rating Unchanged	Q4 - Housing continues to work with our Local development partners to support the housing needs within the District. We are due to review our SHMA - Strategic Housing Market Assessments to help give us fresh perspective on what the districts needs are and to ensure we are making sure developers scheme support us in those needs. We have also learned lessons from a recent Bellway development which provided units but not in keeping with our needs. While we will certainly make use of these with our housing partners, it does highlight the need for more diligent oversight of developments.
R4	Failure to influence Community Safety partners to address the key areas of public concern (including rural crime) and the negative perception of crime	3	4	12	Risk Rating Unchanged	Q4 - the Council and partners are taking steps to address the increase in anti-social behaviour which has become a concern during lockdown. Activity for 2021 has been set based upon the strategic assessment
R14	Unable to recruit and retain staff with specific skills sets in specialist areas to meet the demands of the service(i.e.) Planners	3	3	9	Risk Rating Unchanged	Q4 - The Council has some success in recruiting staff who live outside of the district or County who are able to undertake the duties required. The overall situation however remains challenging to recruit specialist staff and the situation remains under review
R11	Failure to protect personal or commercially sensitive data	2	4	8	Risk Rating Unchanged	Q4 - Information Asset registers due to be reviewed. New information to be provided to managers to confirm their roles and responsibilities in relation to data management. FOI Training has been provided to caseworkers. Training due to be provided to housing team.

Title	Risk Description	Likelihood	Impact	Overall Risk Rating	Rating direction	Commentary
R2	Failure to target services and influence partners with the aim of having an effective outcome on the identified (health and wellbeing) needs of the vulnerable population	2	4	8	Risk Rating Unchanged	Q4 - Corporate plan updated with strong reference to Health and Wellbeing, and partnerships, creating the foundation for the work to be prioritised. Ongoing work with Mid Essex Health and Wellbeing Board to progress, and mainstream learning from Covid. Also to be picked up through community recovery plans.
R30	May 2021 Elections during Covid-19 pandemic - There is a major risk to successfully delivering the May 2021 Elections and Referendum's during the ongoing Covid crisis. This could lead to financial strain and reputational risk for MDC	2	4	8	Risk Rating Decreased	Q4 - All planning and tasks on track
R13	Failure to manage impact of organisational change	2	3	6	Risk Rating Unchanged	Q4 - Corporate Plan updated, resource review undertaken and additional post funding introduced in February budget. Potential to close risk.
R16	Corporate policies not managed and reviewed	2	2	4	Risk Rating Unchanged	Q4 - Policies continue to be reviewed in a timely manner



**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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to  
**PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
10 JUNE 2021**

## **REVIEW OF CORPORATE PERFORMANCE – QUARTER 4**

### **1. PURPOSE OF THE REPORT**

- 1.1 The Corporate Performance framework requires this Committee to undertake a quarterly review of the Thematic Strategies performance, as assurance that performance is being managed effectively to achieve the corporate outcomes as set out in the Council's Corporate Plan 2019 - 2023, and for recommended changes and improvements to be reported to the Strategy and Resources Committee in February 2021. **APPENDIX 1** to this report provides an overview of performance as of the end of Quarter 4 (January - March 2021).
- 1.2 Online versions are available to view on the Members SharePoint site.

### **2. RECOMMENDATIONS**

- (i) That Members review the information as set out in this report and **APPENDIX 1** with priority focus given to the Strategic Outcome level performance.
- (ii) That Members confirm they are assured through this review that corporate performance is being managed effectively.

### **3. SUMMARY OF KEY ISSUES**

- 3.1 Following the agreement of the Corporate Plan and Thematic Strategies in 2019, key outcomes, activities and priority measures have been identified for monitoring at a corporate level. All measures and associated targets are therefore subject to change. This is to ensure the Council is monitoring and progressing the correct activity for the associated outcome.
- 3.2 Since the strategies were adopted however, the Council has had to respond to the local impacts of the Covid-19 pandemic. At all levels in the organisation, this resulted in redeployment and reprioritisation of resources to respond to the community's needs; many of which were not forecast to be priorities in 2019. This has already started to impact on some strategy short-term performance, however it is too early to identify medium-longer terms impacts.
- 3.3 Any concerns affecting the corporate outcomes are set out in **APPENDIX 1** for the three Thematic Strategies. To summarise:
- **Community:** Overall the performance delivery is broadly on track, however there are a few outcomes and activities which have been impacted by Covid-19, however no actionable concerns are reportable for Q4 and when

restrictions lift, outcomes are expected to start to return to their normal course, subject to the government roadmap.

- **Place:** Overall the performance delivery is mainly on-track, however a few outcomes and activities have been impacted by Covid-19. The Implementation of AQMA Action Plan Measures shows initial concern for review.
- **Prosperity:** Overall the performance delivery is broadly on track, however there are some outcomes and activities which have been impacted by Covid-19. The Outcomes which show initial concerns in delivery are (A) Delivery of strategic employment sites in accordance with the Local Delivery Plan and (B) Partnership Working to Provide an Enterprise Centre.

3.4 The following indicators have been annotated as 'At Risk' for Q4:

Community Thematic Strategy	<ul style="list-style-type: none"> <li>• Leisure participation remains at zero due to Covid-19 issues.</li> </ul>
Place Thematic Strategy	<ul style="list-style-type: none"> <li>• Keeping Britain Tidy Green Flag Award (for well managed parks and open spaces).</li> <li>• Implementation of AQMA Action Plan Measures</li> <li>• The Five Year Housing Land Supply remains at risk and not on track.</li> </ul>
Prosperity Thematic Strategy	<ul style="list-style-type: none"> <li>• None</li> </ul>

#### 4. CONCLUSION

- 4.1 Most of the reported performance measures at Q4 were illustrating a positive direction of travel despite resource re-direction due to Covid-19. Where hindrances and data gaps are being experienced, solutions will be explored by officers to enable work to progress towards achieving the Corporate Plan outcomes.
- 4.2 Following on from this quarter 4 report, officers will work to analyse the impact of COVID 19 on our strategies, and how we manage this going forward.

#### 5. IMPACT ON STRATEGIC THEMES

- 5.1 It is important that performance is monitored and managed effectively, to ensure that Maldon District Council progresses towards and/ or achieves its stated outcomes.

#### 6. IMPLICATIONS

- (i) **Impact on Customers** – Performance management covers the monitoring of corporate outcomes. The Corporate Plan includes delivery for our customers.

- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – If performance is not managed effectively by the Council, it puts the Council's corporate outcomes' delivery at risk and increases unnecessary exposure to potential, operational, reputational or regulatory consequences.
- (iv) **Impact on Resources (financial)** – All performance management is undertaken within existing planned budgets.
- (v) **Impact on Resources (human)** – All performance management is undertaken within existing planned budgets.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers: None.

Enquiries to: Paul Dodson, Director of Strategy, Performance and Governance.

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# Corporate Performance Report Q4 – Appendix 1

10th June 2021



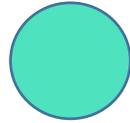
# Appendix Context

- The following slides detail the performance of each corporate outcome, supported by the individual measures agreed in the Thematic Strategies
- An overhaul of the performance measures reported has taken place, to ensure that we are only reporting performance related to the corporate plan
- Focus should begin at the outcome level summary, which leads to individual indicator level detail if required.
- The narrative against each outcome indicates if the measures are illustrating the correct direction of travel.
- Where challenges or concerns have impacted the outcomes performance, this will be highlighted in the outcome summary, along with any supporting action if required.

# Visual Key

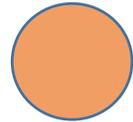


On Track or On Track – All Elements

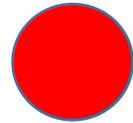


On Track – Conditional Elements

\*Note: Conditional elements of `On Track` meaning: not all data received due to frequency, or progress happening but awaiting data conformation\*



Under Review



At Risk



Not Started

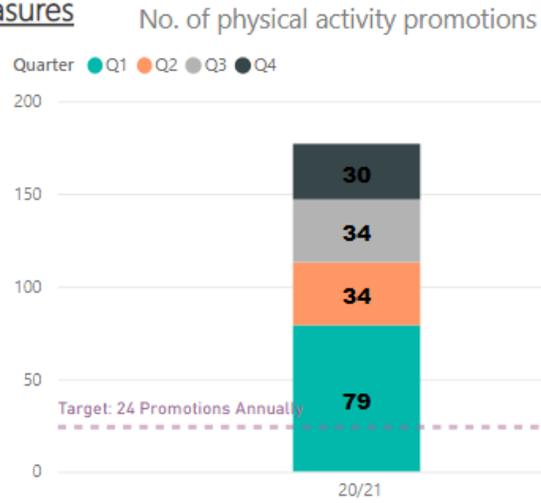
# Community Strategic Performance

## Community Outcomes

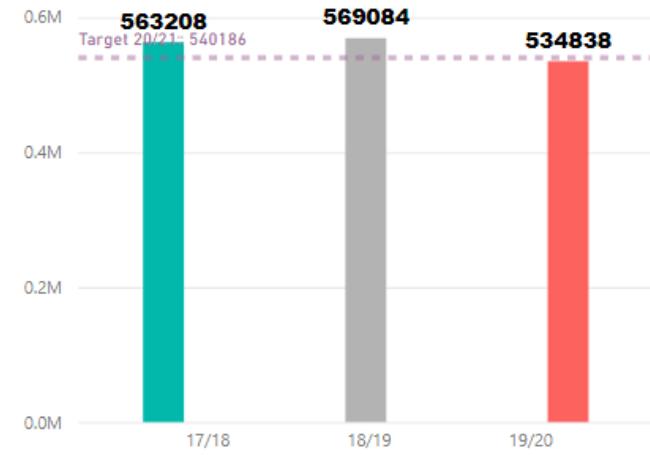
Reference	Title	Status	Commentary
A	Working with communities and partners to support our health and wellbeing priorities: Obesity	Ontrack - Conditional Elements	Q4 - We have continued to surpass our annual target of physical activity promotions. We have continued to work with our partners throughout this quarter to engage with our residents virtually, and promote physical activity and wellbeing through local, regional and national campaigns.
B	Working with communities and partners to support our health and wellbeing priorities: Mental Health	Ontrack - Conditional Elements	Q4- Throughout the last quarter we have continued to work in partnership with community organisations and Essex County Council to promote mental health resources to our residents. We have also released the COVID-19 Community Guide that lists resources that can offer support to our residents.
C	Working with communities and partners to support our health and wellbeing priorities: Social Isolation & Loneliness	Ontrack - Conditional Elements	Q4- We have continued to exceed our target for promoting social isolation initiatives. Given that lockdown restrictions have eased over the past quarter we have been promoting the CVS programmes to physically connect our shielding residents.
D	Working with communities and partners to support our health and wellbeing priorities: Older peoples health	Ontrack - Conditional Elements	Q4 - Maldon District Dementia Action Alliance (MDDAA) has populated an action plan. Cllr Anne Beale has been appointed as member representative to attend the MDDAA. MDC are working with the Alzheimer's Society to create an dementia action plan for MDC.
E	Partnership working to safeguard vulnerable adults, children & families	Ontrack - Conditional Elements	Q4- Work towards this corporate outcome continues to perform and progress.
F	Effective engagement to support strong and resilient communities	Ontrack - Conditional Elements	Q4- Some of the work to support this outcome has been put on hold through COVID-19. ABCF has not been operating throughout this time. However, we have surpassed our targets for the number of engagements with Parish and Town Councils.

Community Performance Measures

A) Obesity

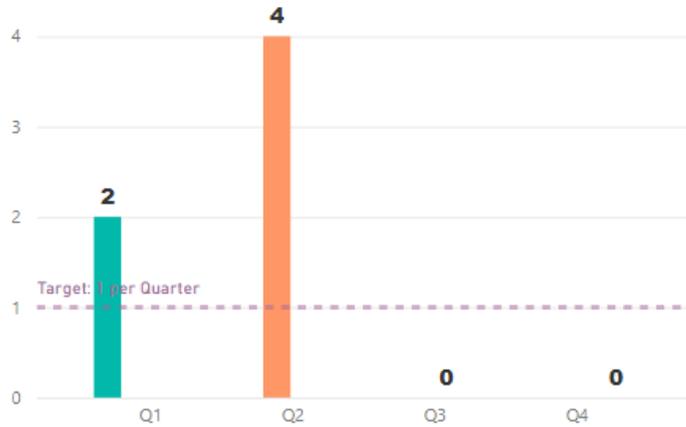


Participation at Maldon leisure centres



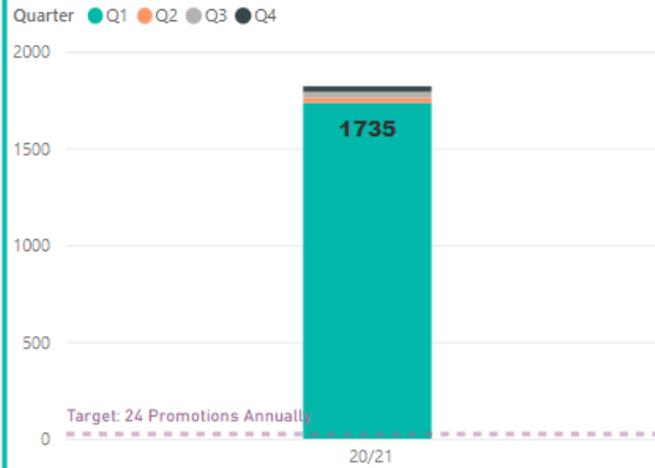
B) Mental Health

Targeted MAC\* (Multi Agency Centres) supporting vulnerable residents



C) Social Isolation/Loneliness

Promotion of social isolation initiatives



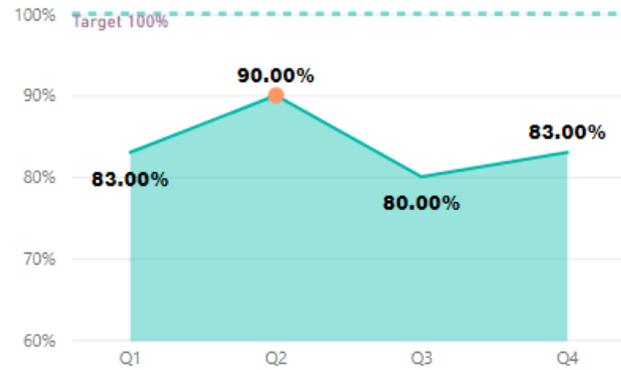
D) Older Health

% of known Maldon District dementia friendly groups/ services promoted



E) Partnership working to safeguard

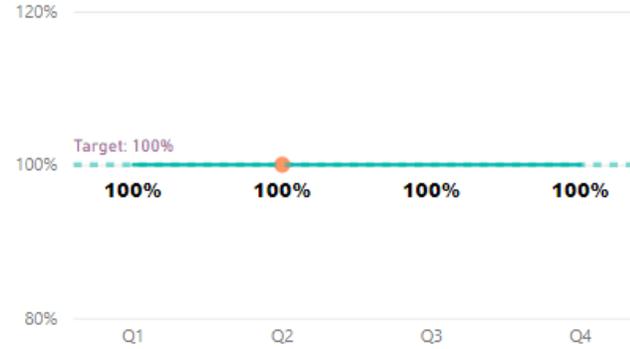
% of customer facing staff who have received MECC\* training



Staff completion of e-learning modules on Safeguarding and GDPR



% of safeguarding cases are dealt with in accordance of Southend, Essex and Thurrock (SET) guidelines for adults and children

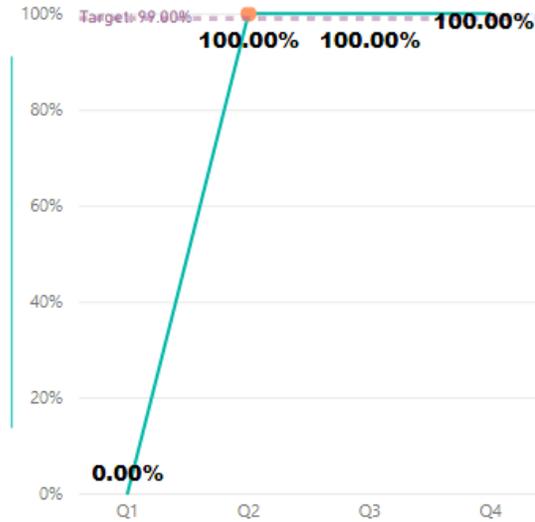


F) Community Engagement

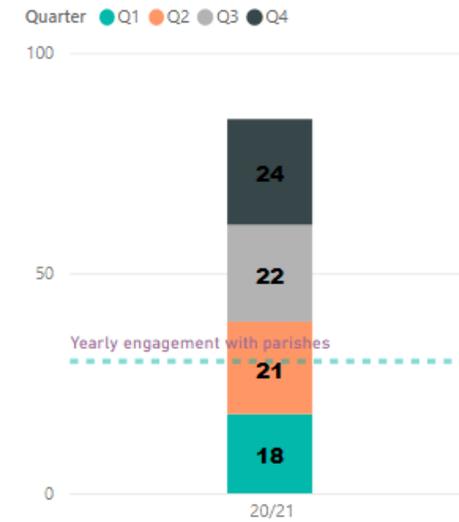
Annual Better Care Fund spend



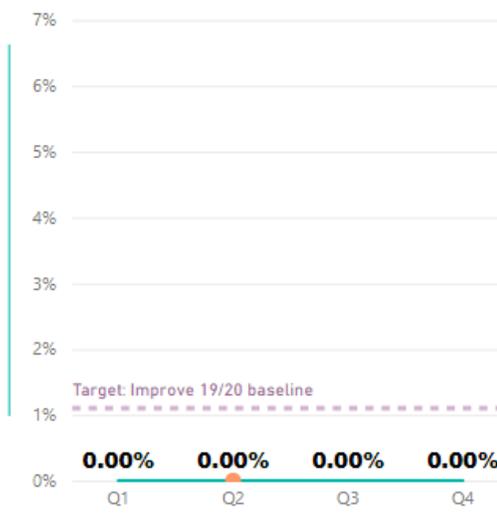
Customer evaluation survey (MDC) – private sector housing grants/ loans



No. of Parish and Town Council engagements by Community team



MDC assistance to use digital service/ payment at Council Offices



## Community Supporting Plans

Supportive Outcome	Community Actions Plans	Status	Highlights/Low Lights	Target
A) Support health and wellbeing priority: Obesity	Campaign delivery for physical activity	On Track 	Q4 - Similarly, work on physical activity campaigns has been stalled due to the covid restrictions. However, we have looked to engage with residents through different means including online sessions etc.	2 Campaigns per year
A) Support health and wellbeing priority: Obesity	Parishes covered by community weight management sessions	On Track 	Q4 - These have provisionally stopped due to covid restrictions	Support existing weight management sessions
B) Support health and wellbeing priority: Mental Health	Primary Schools supported by MDC Y6 transition template	On Track 	Q4 - Work has continued to progress on this outcome. The last quarter has seen the Transition Tool Working Group deliver a presentation to Essex Emotional Wellbeing and Mental Health Coordinators, Primary School Leads and Headteachers in the view of a further roll-out of the Transition Tool across Essex. We have set-up a small working group to review the tool against Essex County Council approaches and to consider a pilot on a larger scale.	To onboard 2 new schools per year
C) Support health and wellbeing priority: Social isolation/loneliness	Campaign delivery for social isolation	On Track 	Q4 - Work on social isolations campaigns has been stalled due to the covid restrictions. However, we have looked to engage with residents through different means including online sessions etc.	1 Campaign per year
C) Support health and wellbeing priority: Social isolation/loneliness	The number of intergenerational projects in the District	Not started 	Q4 - No inter-generational projects this quarter due to schools and care services priorities being elsewhere.	1 new school participating in intergenerational projects per year
D) Support health and wellbeing priority: Older people's health	Health drop-ins for older people's groups provided	On Track 	Q4 - Health drop in's have stalled due to the covid restrictions. However, we have provided support for our residents through the covid-19 community pack and worked with partners to support their services.	To increase older health drop in sessions, 1 per quarter

# Place Strategic Performance

## Place Outcomes

Reference	Title	Status	Commentary
A	 A clean and tidy District	Ontrack - Conditional Elements	Q4 - Significant increase in flytipping probably due to time taken to queue at public waste disposal sites. Clean up rate on target.
B	 Reduced Household waste	Ontrack - Conditional Elements	Q4 - Slight decrease in recycling and slight increase in residual waste to landfill. Climate Action Strategy to address/message way forward to improvement.
C	 Our open spaces maintained for the enjoyment of all	On hold	Q4 - Throughout the year, the service priority has been responding to the pandemic. Management Plans remain on hold.
D	 Improved air quality	Ontrack - Conditional Elements	Q4 - Slow progress of AQMA actions: traffic levels need to be at pre-Covid levels to assess traffic flows. Project remains aligned with High St recovery and Welcome Back Funding and future DEFRA funding rounds.
E	 Partnership working to protect our countryside and coastline	Ontrack - Conditional Elements	Q4 - Some progress achieved despite furlough affecting wider partner organisations.
F	 Sound and tested environmentally friendly initiatives delivered	Ontrack - Conditional Elements	Q4 - Climate Action Strategy preparation underway. Environmental Campaigns delivered.
G	 A five -year housing land supply maintained	At risk	Q4 - LDP Review commenced March 2021 to address. Call for Sites published.
H	 Strategic sites delivered in accordance with the Local Development Plan bought forward	Under review	Q4 - LDP Review commenced March 2021 to address housing delivery. Infrastructure delivery progressing.
I	 Affordable housing targets in the Local Development Plan achieved	Ontrack - Conditional Elements	Q4 - On track to meet 20/21 target.

# Place Strategic Performance

## Place Outcomes

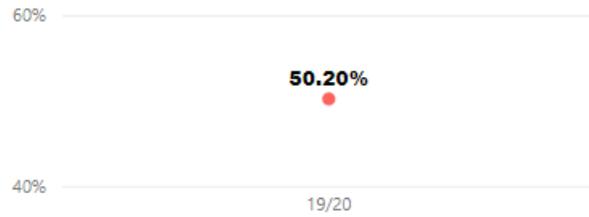
Reference	Title	Status	Commentary
J	 Section 106 planning agreements are effectively discharged	Ontrack - Conditional Elements	Q4 - S106 monitoring on track with developer triggers and payments to infrastructure providers/recipient organisations.
K	 Partnerships are developed to maintain coastal defences	Ontrack - Conditional Elements	Q4 - Progress maintained with partners and projects.
L	 Improved access to Superfast Broadband across the District	Ontrack - Conditional Elements	Q4 - On track and progressing.

Place Performance Measures

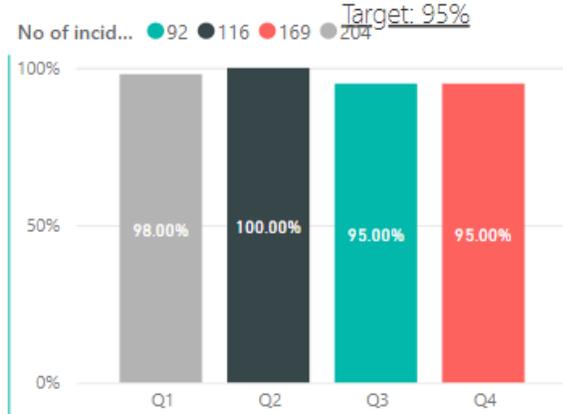
A) Clean and Tidy District

Public satisfaction to cleanliness & tidiness of the District

Target: Improve baseline

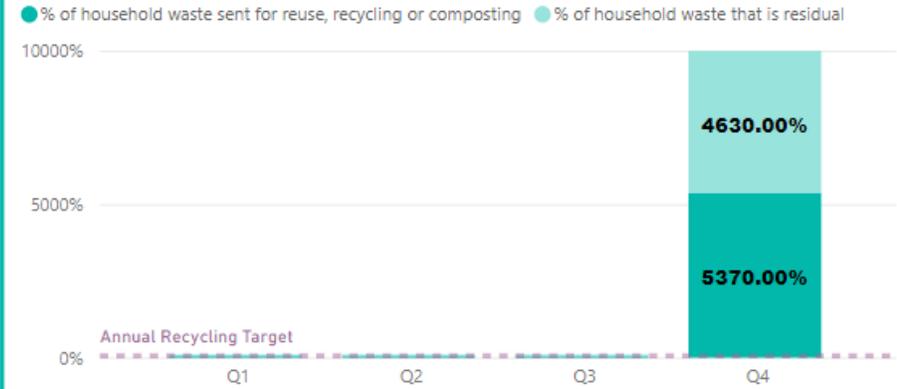


% Fly Tips Removed within 24hrs & No of fly tipping incidents



B) Household Waste Reduction

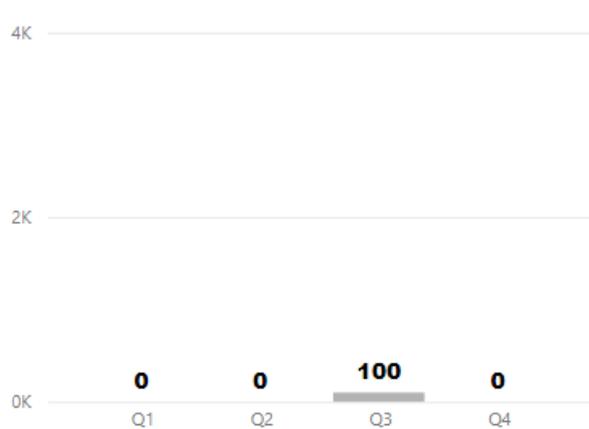
Residual Waste V Recycled Waste



C) Open Spaces

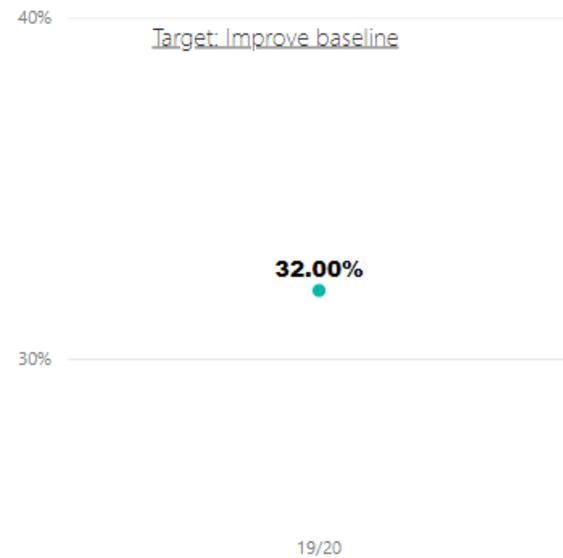
Local volunteering activity facilitated/organised by MDC(Hrs)

Annual Target: 5000



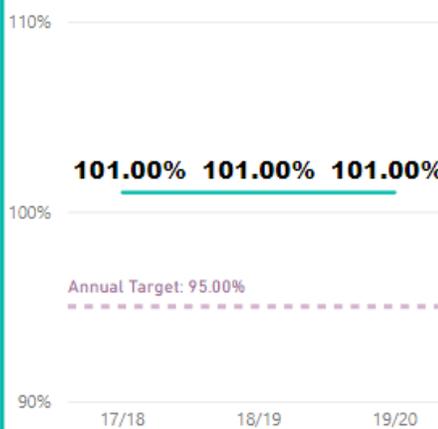
Public satisfaction to Flagship open spaces

Target: Improve baseline



G) Housing Land Supply

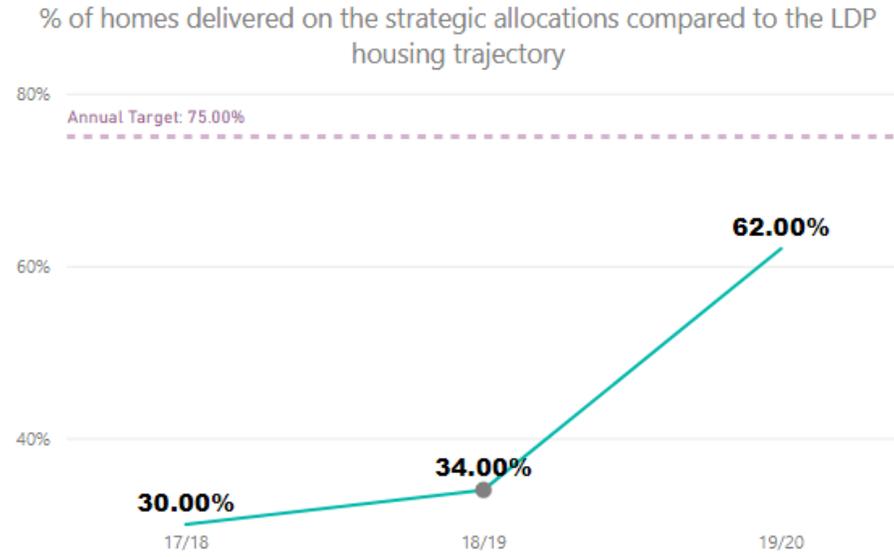
Housing Delivery Test (HDT\*) result



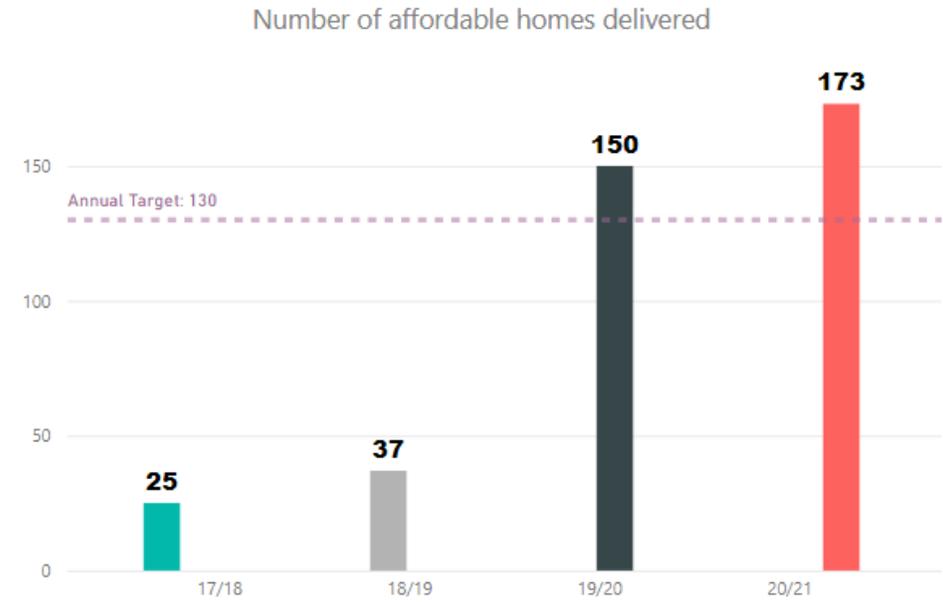
5Yr housing land supply



### H) Strategic Site Development



### I) Affordable Homes



## Place supporting plans

Supportive Outcome	Place Actions Plans	Status	Highlights/Low Lights	Target
C) Maintaining open spaces	Keep Britain Tidy 'Green Flag' award (well managed parks and open spaces)	At Risk 	Q4 - Throughout the year the service priority has been responding to the covid crisis & delivering BAU with limited resources (due to positive covid cases, self-isolation, etc). It has therefore not been possible to update all park management plans. These management plans need to be in place before an application for green flag status can be submitted. It is anticipated that performance measure will be reviewed for deliverability in 21/22	Two applications submitted
C) Maintaining open spaces	Progress implementation of the Green Infrastructure Strategy [GINS] findings / projects - adopted by Council May 2019	On Track 	Q4 - As per Q3 and Q2 linking GI Projects with other strategic plans (e.g CAMP etc.) Q2 - GI projects being linked to CAMP and Health & Wellbeing projects. Proposed meeting with National Trust has not taken place due to ongoing Covid-19 (and particularly wide-ranging impacts on BAU and NT/Charity sector as a whole) Greenways/ex-railway related projects slowly developing, particularly around "re-use your railway" funding bid in relation to the Blackwater Rail Trail (ex- Maldon to Witham LNER line)	Progress priority approach to Green Infrastructure project delivery, with the support of Infrastructure Delivery Plan(IDP review/CIL funding)
D) Improved air quality	Development of AQMA Action Plan	On Track 	Q4 - The Air Quality Action Plan has been agreed with various actions contained being delivered as set out within the document.  The need for a traffic flow assessment was made key to supporting evidence relating to the AQMA. ECC Highways are assigned to lead on this but have yet to deliver due to covid effect on traffic levels. As yet there is not definitive date by which this will be delivered.	Council adoption in 2020
D) Improved air quality	Implementation of AQMA Action Plan measures	At Risk 	Q4 - MDC recently failed in its application for grant funding by DEFRA Air Quality. There are a number of actions within the Air Quality Action Plan which could be affected by the loss of funds. As such, these actions may need to be paused until fresh bidding can be made next year 2022/2023	Implemented in accordance with agreed action plan time table.
E) Protect our countryside and coastline	Development of a Blackwater Nature Conservation Strategy	On Track 	Q4 - Natural England have brought forward an 'Opportunity mapping project' for the project to take place around the blackwater. This was discussed in January 2021 however covid impacts on wider partner organisations (which have had staff furloughed) has impacted on the partnership developing and achieving progress in 20/21	TBC
F) Environmental Initiatives	Develop and adopt an Environment and Climate Change Strategy	On Track 	Q4 - MDC has now declared a climate emergency. This has altered what the focus and need of our Climate Strategy could be. Georgina Button is supporting in pulling partners together to review the needs of the strategy with resources being allocated to help pull the strategy together.	Submit draft Strategy to Committee by December 2020

## Place supporting plans

Supportive Outcome	Place Actions Plans	Status	Highlights/Low Lights	Target
F) Environmental Initiatives	Successfully deliver promotional campaigns to support a sustainable Place	On Track 	Q4 - Despite the ongoing Covid-19 campaigns to support the Government campaigns and the delivery of the vaccine programme at the MDC offices, PCR Testing and we have still managed to deliver some campaigns aimed at fly-tipping, mental health, waste and recycling, regular covid updates together with the community guide. We have actively been promoting the grants which have been made available to businesses.	Deliver three campaigns annually
H) Strategic sites development	Infrastructure delivered in relation to the strategic allocations in accordance with Policy S3 and S4 and the negotiated and signed S.106 agreements	On Track 	Q4 - Further developer -led on site provision has been achieved - e.g. Cycle route provision and play space etc. Payments have been received for Health Service improvements and the current balances informed to the NHS but their spending has been curtailed as NHS staff are unable to prepare project plans. There are still good time frames on this s106 expenditure. Ditto Youth facilities provision but s106 officer will press for timetabling of projects for the MDC delivery team. Affordable Housing progress reported elsewhere and £8,000 payment to be made for Allotment improvements to Burnham T.C. before end April 2021	Delivery in accordance with the Infrastructure Delivery Plan
J) Section 106 planning agreements effectively discharged	All s106's are monitored in accordance with the signed legal agreement	On Track 	Q4 - Monitoring is ongoing and up to date - but is reliant on good intelligence from the developers. We are also improving info sharing within the Council to help maintain pressure on the developers for prompt notification of triggers. Better ECC information sharing on their s106 receipts would be of assistance in the monitoring process.	100% implementation
K) Maintaining coastal defences	To monitor delivery of the agreed 2019 Maldon District Strategic Flood Projects and Maintenance Partnership Plan and maximise grant opportunities towards local coastal defences.	On Track 	Q4 - MDC Flood Groups are all functioning again with Shirley Hall back and providing much valued support in ensuring the strategic projects are met and grant opportunities are maximised.	80% of works/maintenance projects put forward annually are completed in accordance with the project timescales
L) Improved access to Superfast Broadband	To work with Partners to accelerate and maximise the rollout of Superfast Broadband across premises in the District.	On Track 	Q4 - Project end at December 2021 may extend to March 2022 due to contractual issues (further investment in Phase 4b contract), wayleave progress and Covid-19 restrictions to flats and business premises. 97% coverage is complete as at February 2021 and 99.8% planned to premises in the Maldon District by March 2022.	99% superfast broadband coverage by December 2021.

# Prosperity Strategic Performance

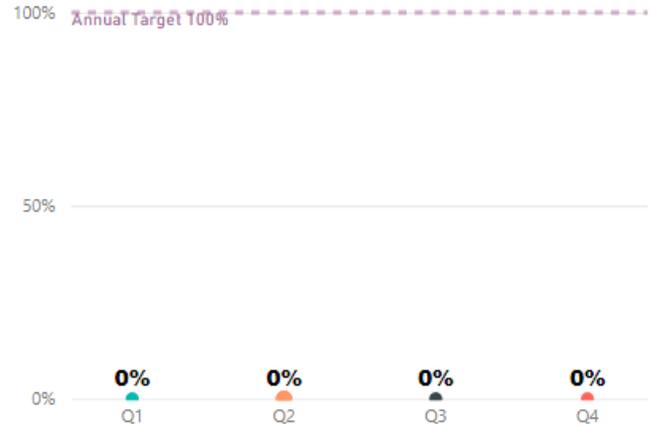
## Prosperity Outcomes

Reference	Title	Status	Commentary
A	 Delivery of strategic employment sites in accordance with the Local Development Plan	On Track - Conditional Elements	Q4 - Following the review of the Council's Corporate Plan this objective will be reshaped as "Enabling future economic investment and new jobs", delivered through the development of a Maldon District Investment Prospectus, aligned with new Corporate Objectives, local strategic plans and the District's review of the Local Development Plan. It will also be aligned with anticipated activity from ECC.
B	 Partnership working to provide an Enterprise Centre	Under Review	Q4 - Following the review of the Council's Corporate Plan this objective will be removed and would only proceed at a later date if approved by the Projects Board.
C	 Rural business and diversification supported	Under Review	Q4 - Following the review of the Council's Corporate Plan this objective will be progressed as part of 'supporting existing local businesses' and 'enabling inward investment and new jobs'. Activity will progress as part of the development of the Maldon District Businesses Network under Sense of Place.
D	 Tourism supported and encouraged	On Track - Conditional Elements	Q4 - Following the review of the Council's Corporate Plan "tourism" remains a priority area for the Council and this objective will be reshaped to "Enhancing and promoting the district's visitor economy". While 'Normal' promotional activity remains on-hold in line with national guidance, recovery work is underway including the development of a new website and direct support for our heritage and cultural assets.
E	 Efficient and effective engagement with businesses	On Track - Conditional Elements	Q4 - Following the review of the Council's Corporate Plan this objective remains a priority for the Council as "supporting existing local businesses". Delivery, through partnership with Sense of place continue with the further development of the Maldon District Business Network and the formation of the Burnham Business Board.

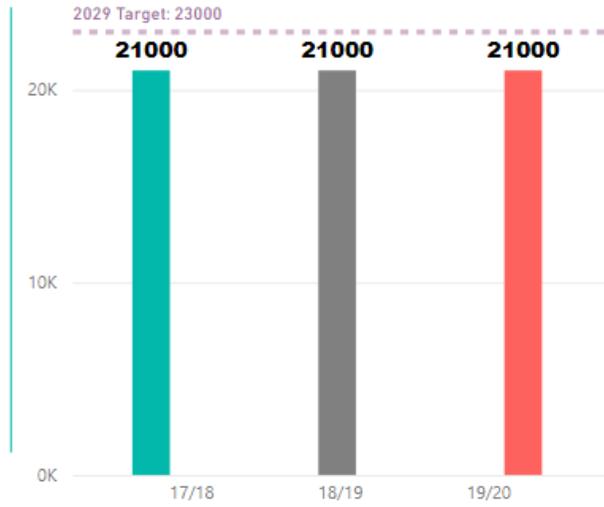
Prosperity performance measures

A) Delivery of strategic employments sites

% of identified sites promoted through partners

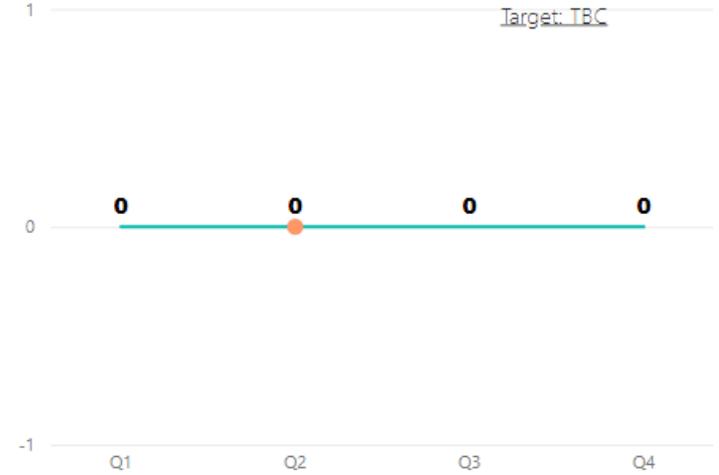


Job Creation



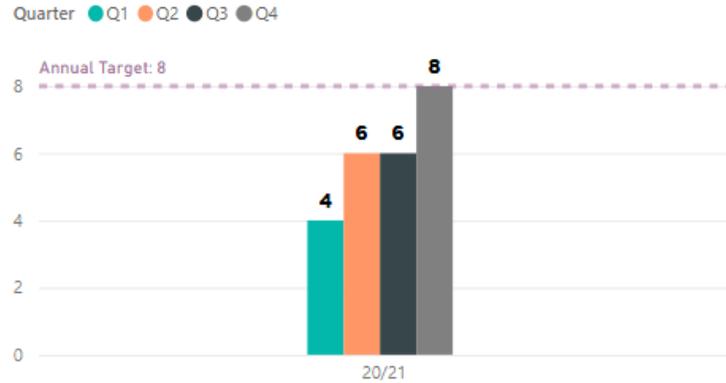
B) Partnership working to provide an Enterprise Centre

Occupancy in the Enterprise hub

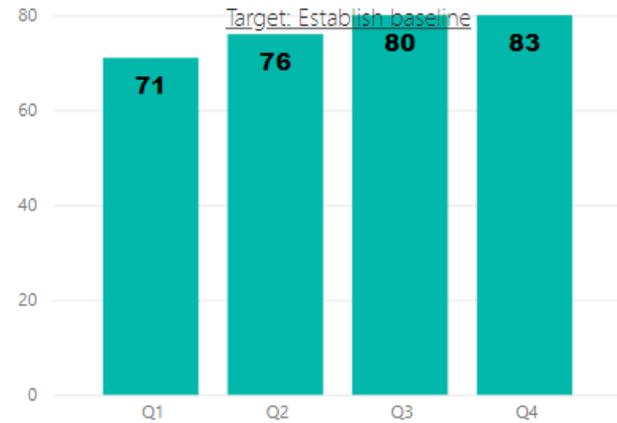


E) Efficient & Effective engagement with Businesses

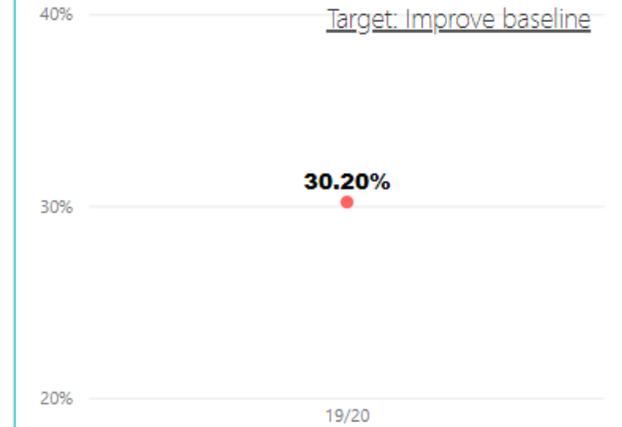
Number of business groups engaged and networked through Sense of Place



Members of the LinkedIn Maldon District - "Sense of Place" Business Group



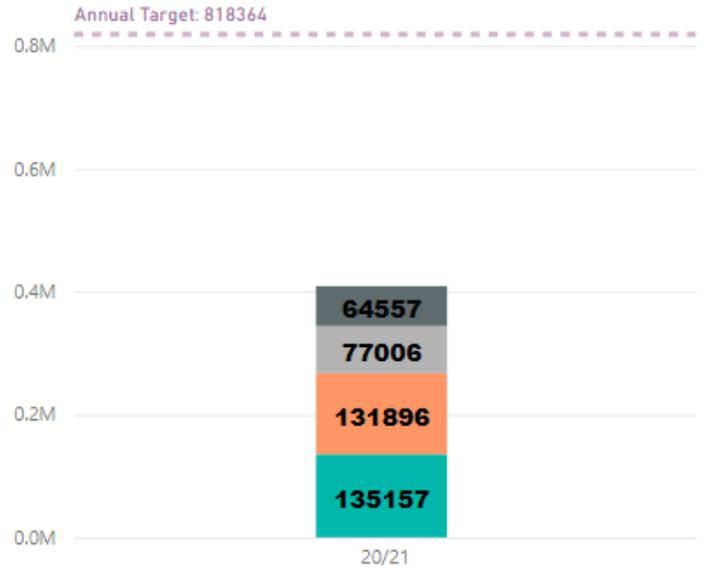
Business satisfaction with MDC services



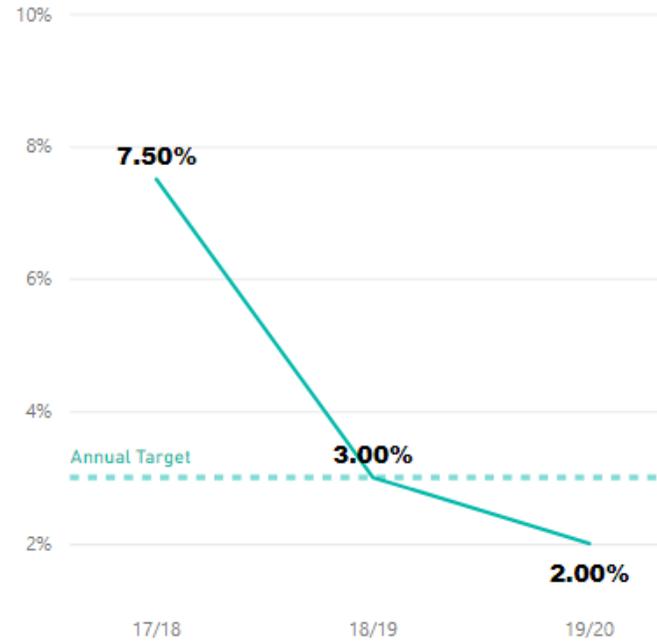
## D) Tourism supported and encouraged

### Visitors to Maldon Website

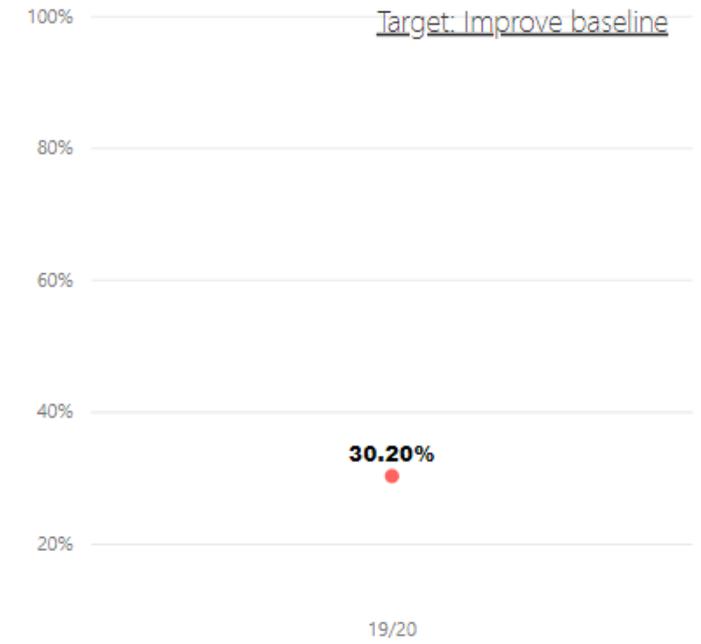
Quarter ● Q1 ● Q2 ● Q3 ● Q4



### Tourism Growth



### Business Tourism Benefit



## Prosperity supporting plans

Supportive Outcome	Prosperity Actions Plans	Status	Highlights/Low Lights	Targets
B) Partnership working to provide an Enterprise Centre	Deliver Enterprise Centre	Not Started 	Q4 - Currently there are no resources allocated to the delivery of this project	Enterprise Centre delivered by 2025
B) Partnership working to provide an Enterprise Centre	Deliver Enterprise Hub based in Maldon District Council's building	Not Started 	Q4 - due to the on-going presence of the NHS vaccination centre & the impact of covid it has not been possible to progress this initiative in 2020/21. Work is on-going to ascertain the future use & occupancy of the building so the deliverability of the enterprise hub will be under review within the first 2 quarters of 21/22	Enterprise Hub delivered by 2020
C) Rural and coastal business supported	Bradwell B project	Completed 	Q4 - Formal engagement with the BRB workstreams was paused at the developer's instruction during this quarter. Work will recommence as and when required.	Engagement with BRB through the Bradwell B Development Consent Order process
C) Rural and coastal business supported	Establish Maldon Rural Business Growth Strategy	Under Review 	Q4 - Owing to the review of the Council's Corporate Plan this action is under review. Whilst we continue to support them, we are reviewing how we do it post covid-19.	Contractual SoP Objectives met
D) Tourism supported & encouraged	Digital Tourism campaigns delivered	On Track 	Q4 - Although Covid has meant businesses have had to close, the main focus for the team this quarter has been to develop the work for the new Tourism website which is moving to a new platform and will be launched in late spring. We have been supporting the tourism businesses to overcome the difficulties of Covid-19 and supporting them for when they can re-open, for example, suggesting they look at online tours of their venues. We have been dealing with Prom Park Covid issues (People management) the Government roadmap staged re-opening & the start of summer peak season or what a perceived 'normal' summer might be this year. We have had to be quite reactive rather than proactive but this has still needed a high level of staff resources in order to keep up to date, especially with our growing Prom Park Facebook page with 6466 followers!	5 Campaigns annually

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**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
10 JUNE 2021**

**HEALTH AND SAFTY UPDATE - QUARTER 4**

**1. PURPOSE OF THE REPORT**

- 1.1 To provide an update on health and safety statistics and activity during quarter 4 (1 January 2021 to 31 March 2021).

**2. RECOMMENDATIONS**

- (i) That Members review the information as set out in the report and associated appendices;
- (ii) That Members confirm they are assured that through this update health and safety is being managed effectively.

**3. SUMMARY OF KEY ISSUES**

- 3.1 There was 1 accident and 1 near miss during this quarter, both involving staff: whilst shoring up a grave, a piece of equipment fell on the employee working within the grave and a Council vehicle reversed into an employee's parked car causing damage to it.
- 3.2 There were 0 incidents of unacceptable behaviour.
- 3.3 There has been no further progress with the health and safety action plan during quarter 4, due to other commitments, e.g. Covid response.
- 3.4 Amendments are being made to the first aid arrangements which will better reflect the current structure and job roles.
- 3.5 Risk assessments are being undertaken or reviewed and updated, for example, elections.

**4. CONCLUSION**

- 4.1 There were very few accidents or near misses during quarter 4 and no incidents of unacceptable behaviour.
- 4.2 There has been no proactive work on the Health and Safety Action Plans (attached at **APPENDIX 1 and 2**) this quarter due to other priorities. It is hoped progress can be made during 2021 as Covid demand eases in line with the Government roadmap.

4.3 Other health and safety work that has been undertaken: -

- risk assessment for elections;
- arrangements around first aid that better reflects the current structure and job roles.

## 5. IMPACT ON STRATEGIC THEMES

5.1 Managing health and safety well helps protect the workforce and wider community who may be affected by the Council's activities ensuring that communities stay safe and healthy.

## 6. IMPLICATIONS

- (i) **Impact on Customers** – Good health and safety management reduces the number of accidents and injuries to both customers and employees alike. Reduced staff absence resulting from work related injuries or ill health ensures a better service is provided to customers.
- (ii) **Impact on Equalities** – None
- (iii) **Impact on Risk** – Poor management of health and safety can lead to accidents, injuries, occupational ill health or dangerous occurrences. This may result in avoidable sickness absence and these incidents may be investigated by the Health and Safety Executive (HSE). This could result in prosecution with fines or custodial sentences and an award of costs if found guilty by the courts. In addition, the HSE has adopted a “Fee for Fault” policy in which it recharges the cost of investigations if liability is identified. Civil claims by individuals could lead to significant pay outs which in turn could lead to increased insurance premiums. It can also lead to poor publicity, reputational damage and impacts on staff morale.
- (iv) **Impact on Resources (financial)** – No additional resources required, however, by managing health and safety, there should be less impact on financial resources as identified in (iii) above.
- (v) **Impact of Resources (human)** – No additional resources are required, however, by preventing accidents and ill health, there should be less impact on human resources.
- (vi) **Impact on the Environment** – Good health and safety management of the workplace, for example, management of asbestos and legionella, helps provide a safer and healthier environment in which to live and work.
- (vii) **Impact on Strengthening Communities** - None

Background Papers: accident and incident reports (data protected)

Enquiries to: Gill Gibson, gill.gibson@maldon.gov.uk

## HEALTH AND SAFETY ACTION PLAN 2020-21

Subject	Action Required	Timescale
Health and Safety Arrangements	<p>To review all the corporate health and safety procedures falling due during 2020-21, ensuring they are relevant to the structure following transition, and to update the health and safety policy</p> <p>Hand arm vibration policy drafted / awaiting stakeholder input.</p>	<p>March 2021</p> <p>Drafted December 2020 / January 2021</p>
Risk Assessments	<p>To update and amend risk assessments for service delivery, ensuring they reflect the new organisational structure: -</p> <ul style="list-style-type: none"> <li>• Priority to be given to the Parks Team due to the high level of risk and outdated procedures, if necessary, contracting external assistance to complete the task - initial assessment - completion</li> </ul> <p>Risk assessments have been undertaken for hand arm vibration and Covid 19.</p>	<p>June 2020 March 2021</p> <p>Completed Oct 2020 and ongoing</p>
Training	<p>To deliver health and safety training where required, to include: -</p> <ul style="list-style-type: none"> <li>• refresher first aid training and training for new first aiders Community Protection, Parks and Countryside Officers have attended training</li> <li>• training for new workstation assessors</li> </ul> <p>Parks and maintenance staff attended IOSH Working Safely training</p> <p>Hand arm vibration training has been undertaken by all employees who may be exposed to this risk and managers</p>	<p>When required Completed quarter 3</p> <p>October 2020</p> <p>Completed Oct 2020</p> <p>Completed Dec 2020</p>

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## HEALTH AND SAFETY ACTION PLAN 2021-22

Subject	Action Required	Timescale
Health and Safety Arrangements	<p>To review all the corporate health and safety procedures, ensuring they are relevant to the structure following transition, and to update the health and safety policy</p> <p>Amend the draft health and safety policy following stakeholder feedback and submit to Members for approval.</p>	<p>December 2021</p> <p>With quarter 3 report</p>
Risk Assessments	<p>To update and amend risk assessments for service delivery, ensuring they reflect the new organisational structure: -</p> <ul style="list-style-type: none"> <li>• Priority to be given to the Parks Team due to the high level of risk and outdated procedures, if necessary, contracting external assistance to complete the task - initial assessment - completion</li> <li>• To review the management of hand arm vibration (HAVS) hazards to ensure recommendations by the HSE are being implemented and reserved.</li> </ul>	<p>March 2022</p> <p>March 2022</p>
Training	<p>To deliver health and safety training where required, to include: -</p> <ul style="list-style-type: none"> <li>• refresher first aid training and training for first aiders</li> </ul>	<p>When required</p>

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**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
10 JUNE 2021**

**DRAFT ANNUAL GOVERNANCE STATEMENT - 2020/21**

**1. PURPOSE OF THE REPORT**

1.1 To provide an Annual Governance Statement for review and adoption.

**2. RECOMMENDATIONS**

- (i) That the Performance, Governance and Audit Committee approve the Annual Governance Statement at **APPENDIX A**;
- (ii) That the Performance, Governance and Audit Committee monitor the progress of the action plan;
- (iii) That a quarterly report of Annual Governance actions is provided for Performance, Governance and Audit committee review.

**3. SUMMARY OF KEY ISSUES**

- 3.1 The Annual Governance Statement for Maldon District Council (MDC) has been put together according to Chartered Institute of Public Finance and Accountancy (CIPFA) best practice, which is the second time we have reported it this way.
- 3.2 The document reviews the criteria for good governance and the activity that has taken place within these criteria over the 2020-21 financial year, as well as giving the internal audit statement/ review of the year.
- 3.3 The document also highlights areas where further improvements could be made to improve governance and work to do as new practices emerge, such as the Financial Management Code.
- 3.4 It is provided as separate to the statement of accounts, for the authority to recognise the importance of the document in supporting our governance arrangements, which underpin the way our financial reporting is produced.

**4. CONCLUSION**

- 4.1 The draft Annual Governance Statement is provided for committee review and adoption, and to define a recommended action plan for improved governance over the next financial year.

## 5. IMPACT ON STRATEGIC THEMES

- 5.1 A good approach to governance will underpin more robust challenge on performance of the strategic plan.

## 6. IMPLICATIONS

- (i) **Impact on Customers** – Better governance approach allows us to deliver better services for our customers.
- (ii) **Impact on Equalities** – n/a
- (iii) **Impact on Risk** – good governance includes good risk management and will have a positive impact.
- (iv) **Impact on Resources (financial)** – n/a
- (v) **Impact on Resources (human)** – n/a
- (vi) **Impact on the Environment** – n/a
- (vii) **Impact on Strengthening Communities** – n/a

Background Papers:

Enquiries to: Cheryl Hughes, Programmes, Performance and Governance Manager

## Annual Governance Statement 2020-21, Maldon District Council

**Summary: How our governance arrangements at Maldon District Council underpin delivery of the corporate plan and outcomes.**

### Achievements for 2020/21

**Over the financial year, the following governance framework improvements have taken place:**

- Move to remote meetings broadcast publicly through YouTube and available thereafter.
- Annual resident and business survey ran in October – 303 responses received
- Annual staff survey- 72% response rate
- Development of an internal balance scorecard reported monthly to the management team to track operational delivery. This also includes customer driven data, such as complaints and online form feedback.
- Creation and delivery of an exceptions report to Performance, Governance and Audit committee as a mechanism for the management team to raise operational delivery issues, an action plan for their address for members to review and challenge.
- Staff risk management training in January 2021
- Staff project management training in November 2020
- Member Chair and Vice Chair training in November 2020
- Member remote meeting protocol document to support good meeting management.
- As of January 2021, Members have agreed an annual training and development plan, which is being supported in delivery by the Local Government Association
- Continual process improvement work taking place, and more robust processes implemented throughout the year across 56 sprints/ individual processes.
- Implementation of a new overview and scrutiny form for all members to submit suggested items, underpinned by a new process where a working group of the committee review these and report back suggested items for inclusion to the workplan to Committee.
- Adoption of a refreshed Corporate Plan and updated staff objectives form in March 2021, to also include core shared values across Members and staff.

### Internal audit summary – supplied by BDO

The role of internal audit is to provide an opinion to the Council, through the Audit Committee (AC), on the adequacy and effectiveness of the internal control system to ensure the achievement of the organisation's objectives in the areas reviewed. The annual report from internal audit provides an overall opinion on the adequacy and effectiveness of the organisation's risk management, control and governance processes, within the scope of work undertaken by our firm as outsourced providers of the internal audit service. It also summarises the activities of internal audit for the period. The basis for forming my opinion is as follows:

- An assessment of the design and operation of the underpinning Assurance Framework and supporting processes;

- An assessment of the range of individual opinions arising from risk-based audit assignments contained within internal audit risk based plans that have been reported throughout the year.
- This assessment has taken account of the relative materiality of these areas and management's progress in respect of addressing control weaknesses; and,
- Any reliance that is being placed upon third party assurances.

Overall, we are able to provide moderate assurance that there is a sound system of internal control, designed to meet the Council's objectives and that controls are being applied consistently. In forming our view, we have taken into account that:

- In the current year the majority of audits provided substantial assurance in the design of controls (Substantial: 3, Moderate: 2), 2019/20: (Substantial: 2, Moderate: 6, Limited: 1).
- In the current year the majority of audits provided substantial assurance in the operational effectiveness of controls (Substantial: 3 Moderate: 2), 2019/20: (Substantial: 0, Moderate: 7 and Limited: 2).
- We did not issue any limited assurance reports this year, showing an improvement upon the previous year.
- There are currently two remaining audits with fieldwork in progress. It is unlikely that their outcomes will change the overall audit opinion:
  - Knowledge Management
  - Affordable Housing & Housing Need
- Some areas of weakness have been identified through our reviews, including opportunities for improvement in the management of third party contractors and volunteers in the safeguarding process and also the absence of defined responsibilities for the information asset owners and gaps identified in the Council's information management policies and defined procedures; however, the Council is already working to address the issues identified.
- The Council have implemented the majority of audit recommendations from the prior years (50 out of 55 eligible for follow up), however two recommendations remain outstanding from 2018/19 (Safe & Clean Environment and Building Control). The delay in the implementation of these recommendations has been impacted by operational staff capacity due to Covid however; we would expect these to be completed by mid-2021 as the Council returns to business as usual.
- The remaining prior year recommendations (3) and the current year recommendations (6) were not yet due for implementation as at 31 March 2021
- Overall, while there remain some gaps and risks, our work has concluded that the Council has generally been able to maintain reasonable controls, particularly given the significant impact of Covid on operations and political leadership changes during

the year. In some areas, such as payroll and workforce the Council has developed good practice arrangements.

**Action plan: What we will do more of in 2021/2022:**

In compiling the annual governance statement, we have identified areas for further improvement over the next financial year.

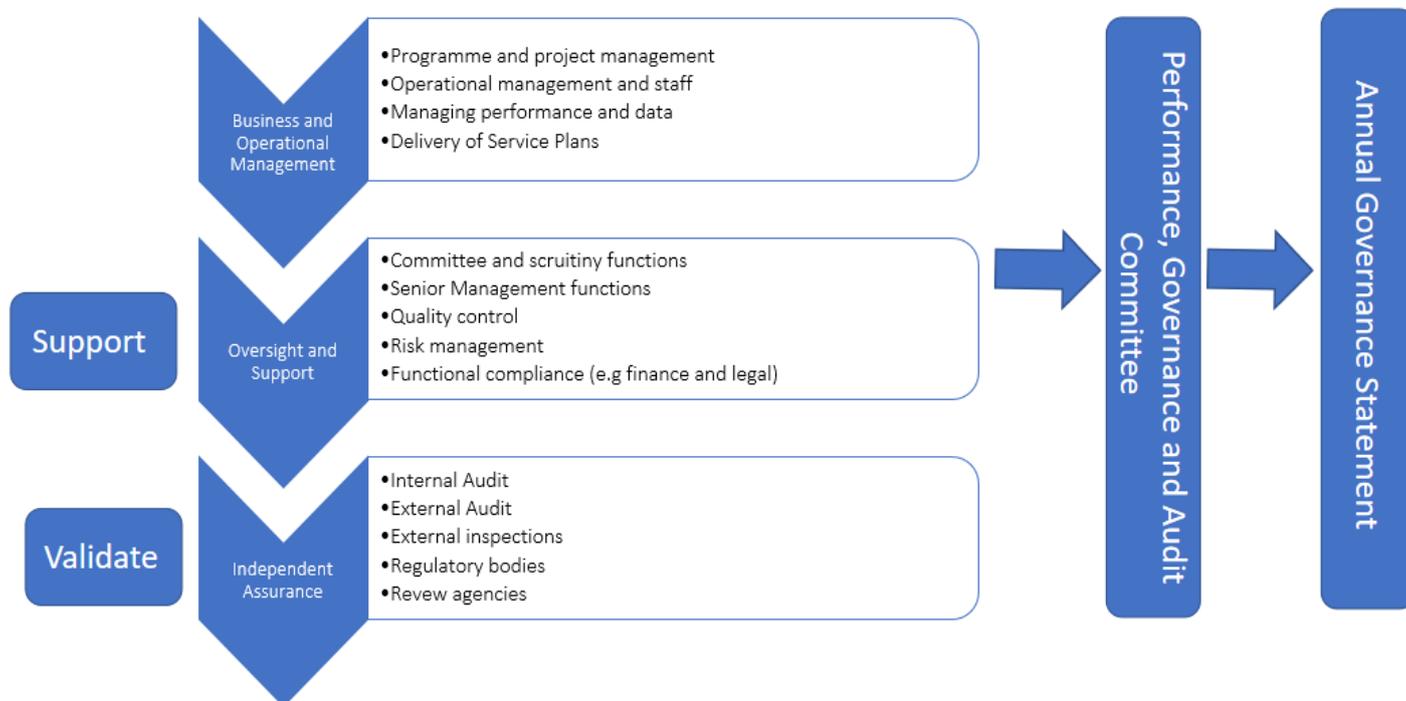
The delivery of the action plan below will be tracked at our Performance, Governance and Audit committee:

NB Asterix denotes rolled over actions from 2019/20 annual governance statement

<b>Action</b>
Implement the member training and development plan with the Local Government Association
Assess the impact of Covid on our services and delivery including through internal audit
Implement a refreshed Corporate Plan.
Implement revised performance tracking accordingly.
Draw out and link all of our policies and their objectives through a review of the Local Development Plan (e.g. Corporate Plan, Climate Change)
Review remote meeting arrangements and future options for online participation.
Increase public consultation as part of the budget setting process.
Implement a programme of Continual Improvement
*Review our Audit committee arrangements in light of the Redmond review (i.e Performance, Governance and Audit committee)
*A review of the Corporate Risk Register, to map Risk Management to the corporate outcome delivery
* Monitor the impact of the COVID crisis on the governance arrangements * Public involvement and budget consultation as part of our Annual Strategic Cycle

**Background information**

Our arrangements for Governance support



At Maldon District Council, our Governance arrangements are underpinned by a mix of business and operational management, oversight and support activities and independent assurance. The activity is fed into the Performance, Governance and Audit Committee and then into full Council.

An analysis of this work and the plan for the following year is what forms the Annual Governance Statement.

**Progress made on last AGS actions -**

In the 19/20 AGS, although no significant issues were identified, we developed an action plan based on best practice for Governance arrangements. These actions have been tracked and reported to the Performance, Governance and Audit committee [8 Annual Governance Statement Actions Update.pdf \(maldon.gov.uk\)](#)

Some of these actions are captured in the action table above as they continue to be relevant.

CIPFA / SOLACE ‘**Delivering Good Governance in Local Government framework** - 2016 Edition’ good practice guidance, highlights seven key areas for good corporate governance, as shown in the diagram below:



This year, the following activity has taken place within this Governance Framework:

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

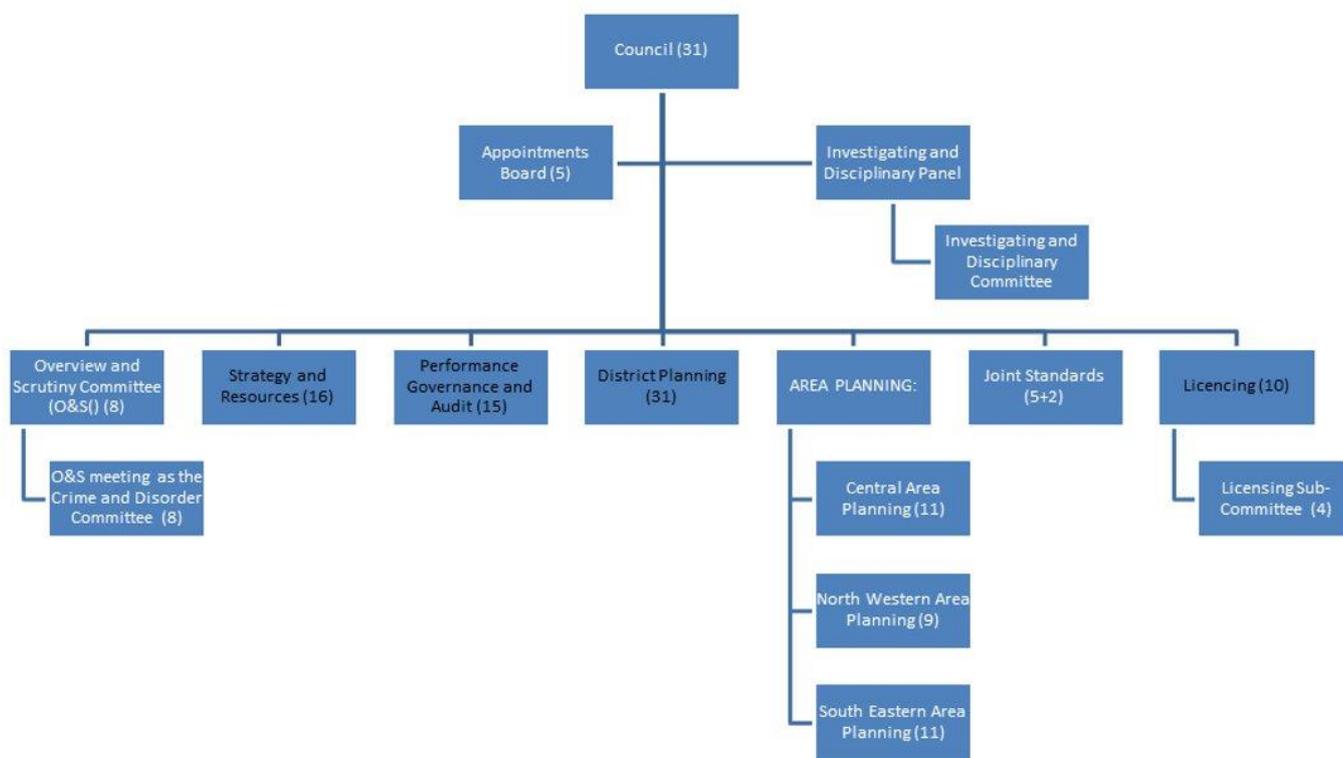
A committee structure as set out below has been in place in 2020/21.

The Corporate Governance working group reported to Council in September 2020 with some recommended improvements including:

- Adjusting the size of PGA and S&R committees
- Setting membership of committees so that no member of O&S should be serving on these programme committees

The principle of this is that the Overview and Scrutiny committee can more effectively challenge the work of the programme committees

In October 2020, a Member submission form and an Overview and Scrutiny working group was also established, all members are invited to submit items for scrutiny, and the working group reviews and considers whether these are recommended to be put forward to the Committee workplan.



Our committee structure has a joint standards committee. Nine district councillor and no parish councillor conduct complaints were considered by the committee in the financial year 20/21.

In response to the pandemic, at an extraordinary Council meeting on 17 March 2020 the decision was taken to begin operating under emergency powers which meant that going forwards any one of the three directors would be able to make decisions about council business. This decision making was in consultation with the Leader of the Council, Leader of the Opposition and Chairman of the Council. This group of six people met regularly as the Interim Measures Group to discuss any business that needs to be dealt with and to discuss any decisions made. Any decisions that would have ordinarily been the business of Full Council had papers published five working days clear to the IMG meeting to allow all other members to review and comment to those in the meeting, and to also allow for public transparency.

Remote committee meetings of Council commenced on 28<sup>th</sup> May 2020 with the Performance, Governance and Audit Committee commencing remotely on 25<sup>th</sup> June 2020.

The Council has a Whistle Blowing Policy, which was last reviewed in January 2018 by the Finance and Corporate Services Committee. It sets out the arrangements for employees to disclose allegations of malpractice internally, in relation to staff, Members, contractors, suppliers or consultants in the course of their work for the Council, without fear of victimisation, discrimination or disadvantage.

We launched a Staff survey in December 2019, and ran this again between September and November 2020, with a response rate of 72%. The survey gave some honest areas of staff

feedback for management to address and allows the organisation to review areas of improvement or reduction in satisfaction between years.

The Council has adopted a number of codes and protocols which set out the parameters for the way in which it operates, in particular a Member/Officer Relations Protocol intended to clarify roles and promote effective communication.

The Council's Financial Regulations provide the framework for managing the Council's financial affairs. They identify the financial responsibilities of the Council, the Committees, and key officers. The Section 151 Officer (under the Local Government Act 1972), is responsible for ensuring that sound financial management systems are maintained, and expenditure is lawful and appropriate, and this appointment is normally held by the Director of Resources.

The Council's constitutional arrangements include a Code of Conduct for elected Members based on the Principles of Public Life (the Nolan Principles). This was originally adopted in 2012 and revised in 2016. Officers are subject to a Code of Conduct, the policy for which was adopted with effect from 18 November 2013 and last revised in April 2018.

Registers of gifts and hospitality are maintained for both Members and Officers. A statutory register of interests is maintained for Members, and the staff Code of Conduct requires staff to disclose interests. Periodic reminders are issued about the need to avoid potential conflicts of interest and protocols for the acceptance of gifts and hospitality.

The Council has a series of approved policies and strategies relating to good governance, including, for example, the Code of Corporate Governance, anti-fraud and corruption, whistle-blowing, data quality, Freedom of Information, and corporate equality policies, all of which are accessible via the Council's intranet.

BDO LLP under their remit of Internal Auditors consider fraud as part of their audit workplan. This ensures we conform to the Code of Practice on Managing the Risk of Fraud and Corruption (CIPFA 2014).

The revised Corporate Plan, adopted at the meeting of Council 18<sup>th</sup> March 2021 now includes shared values across elected Members and Staff which are:

## OUR CORE VALUES

In delivering the Corporate Plan, we promise we will all...



## **B. Ensuring openness and comprehensive stakeholder engagement**

We ran the annual residents survey in October 2020, which was available online, and it was also promoted in the October waste letters that were delivered to all households. Specific questions in the survey are used to measure the delivery of the corporate plan outcomes.

We additionally ran the annual staff survey which gives internal stakeholder feedback. Both of these surveys included additional questions to help establish the impact of Covid 19.

Public are invited to speak at committee meetings, and with meetings held remotely we have also introduced provision for live public participation which has largely been taken up in Planning Committees.

We have an internal audit plan, which reviews our controls and risk and provides opportunity for improvements to be identified and addressed. In 2020/21 five internal audits took place in the areas of:

- Financial Systems (Payroll)
- Information Management
- Workforce Management
- Safeguarding
- CIPFA FM Code Readiness

The Council undertakes consultation with particular interest groups, including our Friends Groups, Parish Clerks' Forum, Developer Forum, Landlord Forum, Business Forums, Community Safety Partnership and Park Watch scheme members.

The Council engages with the appropriate equality groups in order to ensure that it meets its obligations under the Equality Act 2010. The Council produces Equality Impact Assessments (EIA) in line with legislation.

## **C. Defining outcomes in terms of sustainable economic, social, and environmental benefits**

We continue our quarterly corporate performance reporting which is reported to the Performance, Governance and Audit Committee and that measures the delivery of the outcomes in the corporate plan.

The Corporate Plan is underpinned by the thematic strategies of:

1. Prosperity
2. Place
3. Community

And align to the economic (Prosperity), social (Community) and environmental (Place) outcomes.

With the adoption of a refreshed Corporate Plan in March 2021, work is now underway to redefine these outcomes and update the Corporate Performance Reporting accordingly. Outcomes will be aligned to these three key areas.

The Corporate Plan details the vision, goals, objectives and core values that guide the direction, work and achievements of the authority. It is the Council's core internal strategic planning document, from which supporting strategies can be developed and published, including the Medium Term Financial Strategy, ICT Strategy and Workforce Development Plan, all of which underpin the Council's ambition to transform the way it delivers its services in the future. The latest version covering 2021- 2023 is available at <https://democracy.maldon.gov.uk/documents/s22966/Appendix 1.pdf>

At an operational level, each service produces a Level 2 business plan. These are not submitted to Committee but facilitate effective performance and risk management within the Directorates including the setting of individual staff objectives and completion of performance reviews.

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

The Performance, Governance and Audit Committee is provided with a quarterly performance report for delivery of the outcomes. They are invited to challenge and focus delivery of these.

With the emerging pandemic, the Corporate Leadership Team committed to regular review and updating of the Corporate Risk Register to identify areas of risk to service delivery, and Risk Reporting is also quarterly reviewed and challenged by the Performance, Governance and Audit Committee.

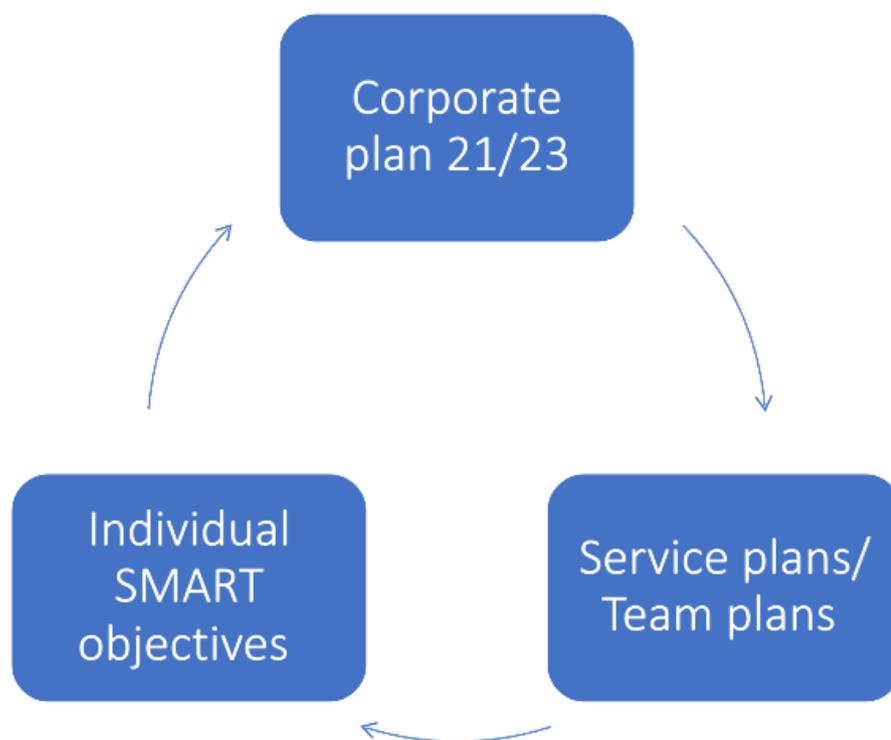
In 2019/20, we established a Project Management Office (PMO) in the Council restructure, to standardise project reporting and support good quality project delivery. In 2020/21, we have also launched a monthly Extended Leadership Team project board as part of this. This means that there is now monthly oversight and reporting of projects, and where appropriate, risks and issues can either be addressed or escalated further to Members.

Building on the 18/19 and 19/20 Full Council transformation work which reduced staff headcount and increased sustainability, the Council has also committed to a long-term programme of continual improvement. This includes defining over 150 business processes that will be reviewed and updated in line with best practice and modern technology. This work is being done using the DMAIC (Define, Measure, Analyse, Improve and Control) approach, and Value Add methodologies. Key results and learning from this work are fed back to the Leadership Team.

An emerging ICT strategy is also in development alongside this, to help define our vision and the use of Technology in our processes for the next 5 years.

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

In 2020/21, we put in place a new process for linking the Corporate Plan objectives, through to delivery right down to the individual staff. Now that the Corporate Plan has been refreshed, the diagram below shows how this then links down to team service plans, and individual staff objectives.



To underpin objectives, and support staff and members in delivery of their role, we have also developed and delivered:

- Chair and Vice Chair training following our Annual meeting in November 2020.
- Budget Training for members.
- A full member training and development programme, supported by the Local Government Association, and with Member feedback to help define and shape this, which will also run into 2021/ 22.
- Internal Audit and Performance training for the Performance, Governance and Audit Committee.
- Annual Strategic Cycle training for the Leadership team, and a way to track the items due within this each month.
- Project Management Office training for project managers and the senior leadership team, including measuring project performance and outcome delivery.
- Working with elected member and committee processes training slides accessible on Freshservice for all staff.

#### **F. Managing risks and performance through robust internal control and strong public financial management**

Maldon District Council has a drive to be more performance-led. This year we have continued to build on Corporate performance reporting, and implemented a monthly internal Balance Scorecard report for Senior Management review and scrutiny. We have also developed tailored reporting for specific services.

A new Risk Management Policy was adopted in November 2019. It addressed actions that were highlighted in a Risk Management internal audit that took place earlier in the year. Further work to address these audit actions has carried into 2020/21, and these are all now fully complete.

In January 2021, all staff Risk Management training took place, and a recording of this is available to all staff as an ongoing reference point. This highlights the areas where all staff are responsible for Corporate Risk, and the internal processes we have to monitor and manage risks.

A Quarterly Corporate Risk register review goes to Performance, Governance and Audit committee.

Risks are a regular item of discussion in the monthly Extended Leadership Team meetings.

One of the most significant risks for the Council is the uncertainty of its future funding. This does not allow the Council to plan its future service delivery with any certainty.

Since the Coronavirus pandemic reached the United Kingdom in early 2020, the Government has had to redirect its resources to planning for this. As a result of this there has continued to be a delay to the implementation of a new Business Rates Retention Scheme (BRRS) for local government and to the implementation of the outcome of the Fair Funding Review. This has had an impact on the announcement on the future financial settlement. And, as it was for 2020/21, it became a one-year settlement announced for 2021/22. This included a one-off New Homes Bonus payment, however the ongoing allocations of the New Homes Bonus Scheme is also under consultation. The delay in a 4-year settlement, along with all the uncertainties around what the BRRS, Fair Funding Review and NHBS outcomes, would appear to have given local authorities no framework within which to work over the medium term. This in itself has presented a significant financial risk over the medium term.

However, the Council is in a good position to address this uncertainty due to having had sound financial management and planning in place. It has managed to build up a prudent level of reserves to enable it to manage the medium-term uncertainty. The Council will be responding to all Government consultations to ensure the interests of the Council and our residents are strongly represented.

There is also continued uncertainty over impacts on the Council that the departure of the UK from the European Union on 31 December 2021 and the continuing global pandemic over the medium term, but the Council will be monitoring all developments during the months and years to come to ensure any potential financial impacts on the Council are anticipated.

In response to Coronavirus the government has provided financial support to businesses and individuals like never before, with the most initiatives occurring in 2020/21 but many continuing into 2021/22. Local government has been working to deliver Central Government policies and legislation e.g. paying out grants to small businesses and businesses in the retail, hospitality and leisure industries as the Government has locked down the country. Local government has needed to deliver what is required to respond to the pandemic and is in an uncertain position with losses in income as income generating services have been closed or heavily impacted e.g. car parking and leisure services. To date the Government have paid the council a grant of £899k in 2020/21 to fund COVID-19 budget pressures and

are contributing 71% towards certain income losses. However, there is still a significant gap between this and the actual financial impact that the council has experienced in the 2020/21 financial year and will continue to experience into 2021/22.

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

All committee meetings are open for the public to attend.

As part of the Emergency Powers with the Pandemic first forcing a move to remote meeting, all decisions made by the Corporate Leadership Team were published to the website.

In the move to remote meetings from June 2020, all Committee meetings have been live streamed to our YouTube channel for public viewing.

Initially, we invited written public participation to be read out in these meetings, but since October 2020, public participants that register are invited to make their own representations live in the meeting.

We updated to our Constitutional and procedural documents have been made to allow for these arrangements.

This year we implemented a full cycle of quarterly performance reporting to align it to the corporate outcomes defined in the Corporate Plan.

Members are invited to review the performance information and challenge where they feel delivery of the Corporate Plan outcomes is at risk. The internal process around producing this performance documentation also allows greater visibility for the senior managers around how staff are progressing agreed action plans.

An internal audit plan is defined according to areas of Corporate Risk. We have a quarterly update of internal audit progress, including audit actions due with officers, and this is reported to the Performance, Governance and Audit Committee.

## **CONCLUSION**

The Council is satisfied that appropriate governance arrangements have been maintained in 2020/21. These have been successfully adapted and reviewed as a response to the global pandemic and changes in governance arrangements.

The Council, recognises however that these arrangements are designed only to manage risk down to a reasonable level and cannot provide absolute assurance that the Council will successfully deliver all of its policies, aims and objectives.

We remain committed to maintaining and where possible improving these arrangements, by:

- Addressing issues identified by Internal Audit
- Focussing on key risks and areas for improvement
- Continuing regular, open and transparent engagement with local people.



**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
10 JUNE 2021**

**ANNUAL GOVERNANCE STATEMENT ACTIONS UPDATE**

**1. PURPOSE OF THE REPORT**

1.1 To update the Committee on the actions identified in the 19/20 Annual Governance Statement

**2. RECOMMENDATION**

(i) To review the AGS action table and updates below and challenge where necessary .

**3. SUMMARY OF KEY ISSUES**

3.1 The Annual Governance Statement in its new format was approved by the Performance, Governance and Audit committee on 30 July 2020. In line with the Chartered Institute of Public Finance and Accountancy (CIPFA) best practice, it was reflective of governance matters for 2019/20, and forward looking about where we could make improvements for 2020/21.

3.2 For the first time, the report has an action plan for the year looking forwards and the Committee agreed that progress on the actions would be reported to and reviewed by the Committee.

3.3 The Action Plan is held on our SharePoint system and updated by responsible officers.

3.4 The current table of actions and officer updates are detailed below for Member consideration

<b>Title</b>	<b>Owner</b>	<b>Status</b>	<b>Target Completion</b>	<b>Commentary</b>
Be more performance driven. Focus has been on establishing measures and reporting at an outcome level, the programme for the next year will be to review and revise these measures	Cheryl Hughes	Completed		Balance scorecard has been launched for internal performance, and exceptions are reported to the Performance, Governance and Audit committee
Internal balance scorecard reporting has been put	Paul Dodson	Completed	26/02/2021	Action Complete

together and will start to be used at leadership meetings-enabling swift decision-making				
Overall PMO reporting and lessons learned utilised at extended leadership team and to inform future budget considerations	Paul Dodson	Completed		Monthly project board now reviews closure reports and discusses lessons learned as part of final sign off for projects
A review of the Corporate Risk Register, to map Risk Management to the corporate outcome delivery	Cheryl Hughes	Ongoing	15/02/2021	Review of the Risk register according to the revised corporate plan will take place in June 21 when the full outcome mapping has been completed
Plan the internal audit programme according to the weaknesses in outcome delivery	Chris Leslie	Completed	31/03/2021	The audit plan for 2021/22 has been approved by Committee. The plan considered the corporate risk register which identifies risks around service delivery. Monitoring of progress against the plan will be reported to Committee on a regular basis throughout the year.
Monitor and improve commercial income delivery, and tracking the benefits of the Transformation programme	Steven Butcher	Ongoing		Finance are also doing an exercise to re-conciliate budgets, which will feed into the Overview and Scrutiny report that reviews the Transformation programme (due May 2021)
Review our Audit committee arrangements in light of the Redmond review (i.e Performance, Governance and Audit committee)	Cheryl Hughes	Ongoing	30/01/2021	Still awaiting the final report to feed in, so will roll this into the 2021/22 AGS actions
Analyse our preparedness for the CIPFA financial management code and put necessary measures in place for 2021 <a href="https://www.cipfa.org/policy-and-guidance/publications/f/financial-management-code">https://www.cipfa.org/policy-and-guidance/publications/f/financial-management-code</a>	Annette Cardy	Completed	31/03/2021	Action Complete

Public involvement and budget consultation as part of our Annual Strategic Cycle	Chris Leslie	Ongoing	31/12/2021	A draft budget consultation has been prepared and is currently being finalised. This will be built in to the budget setting timetable.
Peer review of our scrutiny arrangements	Cheryl Hughes	Completed	30/01/2021	Although not a peer review, we consider this reassurance around our enhanced scrutiny arrangements
Governance internal audit actions	Cheryl Hughes	Completed	31/12/2020	All recommended audit actions have now been completed and signed off
Further roll out of risk management training	Cheryl Hughes	Completed	22/01/2021	Office training delivered Jan 2021 and well attended. we also recorded the session and have promoted to all staff that it is available on Freshservice
Monitor the impact of the COVID crisis on the governance arrangements	Paul Dodson	Ongoing		We are currently reviewing governance arrangements in light of the ongoing social distancing measures; alongside remote committee legislation being withdrawn

#### 4. CONCLUSION

- 4.1 The information provided gives progress updates against the key actions defined in the 2019/20 Annual Governance Statement

#### 5. IMPACT ON STRATEGIC THEMES

- 5.1 Good governance will enable delivery of strategic priorities going forwards.

#### 6. IMPLICATIONS

- (i) **Impact on Customers** – – Not applicable (NA).
- (ii) **Impact on Equalities** – NA
- (iii) **Impact on Risk** – good governance will help minimise our corporate risk for the future

- (iv) **Impact on Resources (financial)** – the monitoring and delivery of this item is provided within existing resources
- (v) **Impact on Resources (human)** – – the monitoring and delivery of this item is provided within existing resources
- (vi) **Impact on the Environment** – NA
- (vii) **Impact on Strengthening Communities** - NA

Background Papers: 2019/20 Annual Governance Statement

Enquiries to: Cheryl Hughes, Programmes, Performance and Governance Manager.



**REPORT of  
DIRECTOR OF RESOURCES**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
10 JUNE 2021**

**ANNUAL REPORT ON WHISTLEBLOWING POLICY**

**1. PURPOSE OF THE REPORT**

1.1 To give an annual update to the Committee

**2. RECOMMENDATION**

(i) To consider the report

**3. SUMMARY OF KEY ISSUES**

3.1 The purpose of the Policy is to provide a procedure for employees to disclose any concerns about malpractice by any colleague or councillor. The “whistle-blower” is assured that there will be no discrimination or discipline against her / him providing the concern is honestly held. The policy was reviewed in 2018 and so is up-to-date.

3.2 Malpractice would include a criminal offence, fraud or corruption, damage to the environment, safeguarding concerns, negligence, theft or misuse of public money or failure to follow the Council’s finance, contract or other rules.

3.3 In practice this will cover matters such as unauthorised use of public funds; unauthorised disclosure of confidential information; physical and sexual abuse; health and safety risks to both staff and members of the public; and the acceptance of bribes. However, these are only examples of the types of conduct that are likely to fall within the relevant types of wrong doing, and this is not an exhaustive list.

3.4 During the last municipal year there have been no “whistle-blower” concerns registered with the Section151 Officer (Chris Leslie), the Head of Paid Service (Richard Holmes) or the Monitoring Officer (Simon Quelch) or concerns about the adequacy of the policy.

**4. CONCLUSION**

4.1 It is an encouraging sign that no whistleblowing matters have been raised

**5. IMPACT ON STRATEGIC THEMES**

5.1 None

## 6. IMPLICATIONS

- (i) **Impact on Customers** – None
- (ii) **Impact on Equalities** – None
- (iii) **Impact on Risk** – Positive
- (iv) **Impact on Resources (financial)** – None
- (v) **Impact on Resources (human)** – None
- (vi) **Impact on the Environment** – None
- (vii) **Impact on Strengthening Communities** - None

Background Papers: None

Enquiries to: Simon Quelch



**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
10 JUNE 2021**

**SECTION 106 UPDATE**

**1. PURPOSE OF THE REPORT**

1.1 To present an update of the Section 106 records.

**2. RECOMMENDATIONS**

- (i) That Members review the information in this report and **APPENDIX 1**;
- (ii) That Members confirm they are assured that S106 is being managed effectively.

**3. SUMMARY OF KEY ISSUES**

- 3.1 The collection and disbursement of developer funding arising from S106 agreements continues, however, the service has been affected by the series of “peaks and troughs” arising from various types of Covid related delay which have been encountered over the last year.
- 3.2 While a number of sites have carried on building normally, anecdotal evidence suggests that the pandemic has seen some developers having to hold back on completions and house sales – possibly for financial/cashflow reasons. Similarly, several major sites have been the subject of amending applications and requests for deeds of variation to alter S106 agreements – essentially to restructure the timing of S106 payments.
- 3.3 There have been some movements since the last report in December 2020 and there are signs of some important commencements and thresholds being reached during the next quarter. Following a meeting with Essex County Council (ECC) it has been agreed that information received from developers by each organisation will be shared, this should assist in monitoring of sites and supplement the monitoring that already takes place in-house, such as site visits, information from building control and in-house intelligence received from officers. Following the relaxing of Covid restrictions, officers will be undertaking site visits again during June / July 2021 to ensure the monitoring function is up to date.

**4. CONCLUSION**

- 4.1 Income side: As the briefing note explains the S106 records are up to date with the intelligence gathered between the two phases of lockdown and with the collaboration of those developers willing to declare their progress. The forthcoming round of post

lockdown site visits will reveal any shortcomings and, if necessary, facilitate a further round of billing.

- 4.2 S106 disbursement side: Expenditures timetabling is monitored by the Officer Implementation Group on a Red Amber Green basis which anticipates any funding payback dates. There are currently no imminent payback dates relating to any of the projects which the Council oversees. The Council has formally notified the NHS of the money which it is holding to support health infrastructure in the District and which are needing to be spent. Other disbursements are set out in the briefing note.
- 4.3 Details of the current s106 position may be found in the spreadsheet at the Council's web site using the following link  
[https://www.maldon.gov.uk/info/20048/planning\\_policy/9810/infrastructure\\_delivery/4](https://www.maldon.gov.uk/info/20048/planning_policy/9810/infrastructure_delivery/4)

## 5. **IMPACT ON STRATEGIC THEMES**

S106 projects contribute to the delivery of all of the Council's Strategic Themes, through funding of projects to mitigate the impact of development.

## 6. **IMPLICATIONS**

- (i) **Impact on Customers** – None
- (ii) **Impact on Equalities** – None
- (iii) **Impact on Risk** – None
- (iv) **Impact on Resources (financial)** – S106 developer funding is essential to resourcing the Infrastructure Delivery Plan
- (v) **Impact on Resources (human)** – None
- (vi) **Impact on the Environment** – None
- (vii) **Impact on Strengthening Communities** - None

Background Papers: None

Enquiries to: Stephen Andrews, S106 Officer

## Section 106 Update Briefing Note

### Background

Since the last update on S106 was provided to Committee in December 2020 the Council has published its first Infrastructure funding statement and the S106 Officer has completed a round of Seminars for Members and new staff. He also participated in the Council's developer forum, on 22 April 2021, with a view to maintaining good contact and reminding developers and their agents of the need to engage positively with the monitoring process.

The Council has adopted the "RAMs SPD" \* as a means of helping to protect the important habitats of the Essex coastline from the recreational disturbance that is associated with the continuing development within the County.

[\*The RAMs SPDs is more properly known as Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document.]

### Key Issues

The full reconciliation of s106 records was completed in October 2020 and the outcomes were included in the Infrastructure Funding Statement for 31 December 2020. The records have been maintained but monitoring site visits have not been possible due to Covid working arrangements. However, information has been gathered from the Council tax and Building control records, in house intelligence from officers and the developers have also been able to notify the Council of several trigger points. This has resulted in the receipt of £256,984,47 during the financial year 2020/2021 into the S106 budget.

The IFS reporting year (31 December annually) is staggered with the financial year. This report uses the financial year end figures which are reconciled with the figures kept in the published S106 spreadsheet.

#### Key expenditures table during 2021/22

Project	Amount to be disbursed	Money to be paid to	Notes
Improvements to Burnham on Crouch Allotment facilities.	£8,000	Burnham on Crouch Town Council	Funding currently in the process of being sent
Ecological projects, Blue House Farm and Fambridge Playing fields.	£49,808.45	Essex Wildlife Trust	Funding currently in the process of being sent in consultation with Fambridge P.C.

The Council is also holding the following sums for expenditure.

Project	Amount to be disbursed	Money to be paid to	Notes
Various Health projects	£369,895.51	NHS	An itemised, Health-only Spreadsheet

			has been sent to the NHS to aid them with project prioritisation.
Allotments, Leaps Neaps, Public Open Space and youth shelters etc.	£312,608.64	MDC in house expenditure	The projects are in hand but are being prioritised against other post lockdown works. There are no clawback issues at this stage.
Affordable Housing	£431,348.72	MDC Affordable Housing delivery scheme/s	These funds are committed towards the cost of land procurement.

List of affordable homes completed since last reporting (December 2020 to end May 2021)

Location	Housing Association	Homes derived from s106 development
Handley Gardens, Limebrook Way, Maldon	Peabody HA	22 Affordable Rented
Grangewood Park, Broad Street Green, Southminster Road, Burnham on Crouch	CHP HA	1 Shared Ownership
Theedhams Farm, Southminster.	CHP HA	7 Rented
Kings Road, Southminster	Moat HA	6 Rented

RAMs Agreements and Payments to 31 March 2021

With 9 other Essex Councils, Maldon DC collects a sum for every new property, using an individual s106 to gather the money separately from any other s106 for a site. These do not appear on the main s106 spreadsheet and are recorded as part of a new system that is still under construction.

Since adoption the RAMs payments have risen from £125.58 to the sum collected currently which is £127.30 for the year 2021/22. RAMs is monitored as part of the work in monitoring housing across the District. The Section 106 Officer reconciles the information and income prior to the funding being made available to the Countywide group for the implementation of the RAMs projects. The Council will be making a payment of £1738.16 for the period ending 31 March 2021 and the S106 Officer will be contacting developers as necessary to ensure correct payments are being made where cross reference to Council records and site visits or building control records indicates that a start has been made on site and payments have not been received.



**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
10 JUNE 2021**

**APPOINTMENT OF REPRESENTATIVES ON LIAISON COMMITTEES / PANELS**

**1. PURPOSE OF THE REPORT**

1.1 The purpose of this report is to remind Members of the existing representatives on Liaison Committees / Panels, and for new appointments to be made for the municipal year to May 2022.

**2. RECOMMENDATION**

(i) That the Committee appoints representatives to the outstanding bodies detailed below, for the municipal year to May 2022.

**3. SUMMARY OF KEY ISSUES**

Members are asked to nominate representatives to serve on the following Liaison Committees / Panels, aligned to the Performance, Governance and Audit (PGA) Committee, for the ensuing municipal year, to May 2022.

<b>Body</b>	<b>Current Representative(s)</b>	<b>Change proposed from May 2021</b>
Maldon Citizens Advice Bureau Liaison Committee	Councillors K W Jarvis, J V Keyes and F G Shaughnessy	Three Members from the Performance, Governance and Audit Committee
Maldon District Museum Liaison Committee	Councillors A Hull and J V Keyes	Two Members from the Performance, Governance and Audit Committee
Parish Clerks' Forum	Chairman of the PGA Committee <i>Substitute: Vice-Chairman of the Community Services Committee</i>	Chairman of the Performance, Governance and Audit Committee <i>Substitute: Vice-Chairman of the Performance, Governance and Audit Committee</i>
River Crouch Coastal Community Team (Management Team) <b>NB: This body aligns with both the PGA and Strategy &amp; Resources Committees</b>	Councillor J C Stilts, Chairman and Councillor K W Jarvis, Vice-Chairman of the Performance, Governance and Audit Committee.	Chairmen and Vice-Chairmen of the Performance, Governance & Audit and Strategy & Resources Committees

Background Papers: None.

Enquiries to: Berna Casey, Committee Services Officer.

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