

Annual Governance Statement (2020/21)

This gives the results of our yearly assessment of how well we are managing and controlling risks, achieving our aims and meeting the responsibilities we have by law.

We are responsible for making sure that we:

- carry out our business in line with the law and proper standards;
- protect public money and account for it properly; and
- use public money economically, efficiently and effectively.

Regulation 6(1)(a) of the Accounts and Audit Regulations 2015, require an authority to conduct a review at least once in a year of the effectiveness of its system of internal control, and to include a statement reporting on the review with any published Statement of Accounts. Regulation 6(1) (b) of the Accounts and Audit Regulations 2015 require that for a local authority in England the statement is an Annual Governance Statement.

In England, the Accounts and Audit Regulations 2015 stipulate that the Annual Governance Statement (AGS) must be “prepared in accordance with proper practices in relation to accounts”. Therefore for a local authority in England this requires the statement to be in accordance with Delivering Good Governance in Local Government: Framework (2016) and the CIPFA/LASAAC Code of Practice on Local Authority Accounting for 2020/21. In preparing and publishing this Statement, we therefore meet these statutory requirements.

The framework is intended to assist authorities individually in reviewing and accounting for their own unique approach. The overall aim is to ensure that resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision making and that there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of Mid Devon District Council’s policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised. It ensures they are managed efficiently, effectively and economically.

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The review of internal controls provides assurance that the Statement of Accounts gives a true and fair view of the Authority's financial position at the reporting date and its financial performance during the year.

The assurance opinions derived from the work of Internal Audit are among the significant items that inform the AGS. The Head of Internal Audit's Opinion statement for 2020/21 stated:

Overall, based on work performed during 2020/21 and our experience from previous years audit, the Head of Internal Audit's Opinion is of "Reasonable Assurance" on the adequacy and effectiveness of the Authority's internal control framework.

The governance framework has been in place for the whole of the year ended 31 March 2021 and up to the date of approval of the Statement of Accounts. MDDC continually seeks to improve its governance arrangements and evidence of continued "best practice" is found within the governance review below. Arrangements are reviewed on a continual basis and where weaknesses have been found they are addressed as is demonstrated below in the Action Plan.

The Policy Development Groups are asked to feedback areas of concern to Cabinet, the Scrutiny Committee can and does challenge Cabinet decisions and the Audit Committee can and does challenge management over areas of concern identified in audit reports throughout the year.

The areas where improvements are required are highlighted in the Action Plan accompanying the AGS. The action plan includes reference to the lead officers for each action and the target date for completion. During the year progress against the previous year's AGS Action Plan is taken to every Audit Committee so that the action points can be monitored, most of the action points from the 2019/20 AGS Action Plan have been completed at this time, any which were only partially addressed are included below in the Action Plan for 2020/21.

Overall the Authority has a robust Governance Framework and is not afraid to subject itself and its decisions to scrutiny or Peer review, this enables the Council to have assurance that its governance arrangements are sound but also treated as a live and evolving framework which can respond to the environment it finds itself in.

Covid 19

The Authority has of course been significantly affected by the Coronavirus pandemic, the main impacts were not felt until March 2020 although planning to deal with the effects of the pandemic had started before then. A separate section at the end (H) specifically addresses the Authority's Coronavirus response and any resultant governance changes and new risk areas.

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CIPFA Financial Management Code

In December 2019, CIPFA introduced a Financial Management Code (FM Code). The FM Code has been introduced because the exceptional financial circumstances faced by local authorities have revealed concerns about fundamental weaknesses in financial management, particularly in relation to organisations that may be unable to maintain services in the future. The FM Code is designed to support good practice in financial management and to assist local authorities in demonstrating their financial sustainability. Each local authority must demonstrate that the requirements of the code are being satisfied. Demonstrating this compliance with the FM Code is a collective responsibility of elected members, the chief finance officer (S151) and their professional colleagues in the leadership team.

Local authorities are required to apply the requirements of the FM Code with effect from 1 April 2020. CIPFA considers that the implementation date of April 2020 should indicate the commencement of a shadow year and that by 31 March 2021, local authorities should be able to demonstrate that they are working towards full implementation of the code. The first full year of compliance with the FM Code will therefore be 2021/22.

The authority has carried out a self-assessment against the 17 Standards of the FM code and has identified no areas of concern with regard to compliance with the FM Code.

Conclusion

Following a review of the sources of assurance and evidence to support the AGS, it is the opinion of the Group Manager for Performance, Governance and Health & Safety that the Council's control environment was adequate in the 2020/21 financial year.

😊 = Assurance Received 😞 = Some additional work required

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Approved by the Leader of the Council

Bob Deed


Date

Approved by the Chief Executive

Stephen Walford

Date

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Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law		
How We Meet these Principles	Where You Can See Governance in action	Assurance Received and Issues Identified
<p>Behaving with integrity</p> <ul style="list-style-type: none"> • We operate an appraisal scheme for all staff to identify development and skills needs and assess performance. • We provide new Members and staff with induction training on appointment. • We have Codes of Conduct for Members and Staff • Declarations of interest made at meetings are published with minutes and on our website. • We have registers of interests and gifts & hospitality for Members and Staff. • Our Whistleblowing policy was reviewed in March 2021. • We have a clear complaints procedure on our website and an up-to-date Customer Care Policy. • We take the Health and Safety of our 	<p>This is now being monitored via the Learning Management System on-line</p> <p>New Councillors Induction Programme</p> <p>Staff Induction Policy</p> <p>Constitution</p> <p>Your Councillors - MIDDEVON.GOV.UK</p> <p>Complaints Procedure</p> <p>Customer Care Policy</p>	<p style="text-align: center;"></p> <p>Gifts & Hospitality and Declarations are audited regularly by Internal Audit</p> <p>Adherence to legislation is confirmed in each audit review undertaken</p> <p>The Code of Conduct for Councillors and Co-opted Members was recommended to Full Council for Approval in April 2017 New LGA model code of conduct to be considered in 2021</p> <p>Members Code of Conduct training is carried out by the Monitoring Officer</p> <p>Procedures embedded. Risk assessments in place. 1:2:1s / team meetings used to address this.</p> <p>Increased ethics awareness training in the staff induction process.</p> <p>Comprehensive review of policy and</p>

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<p>Staff extremely seriously.</p> <ul style="list-style-type: none"> • We evaluate the training needs of Members and run briefings on key topics to ensure they have the knowledge and information to make effective decisions. • We operate a protocol to govern the relationship between Members and officers that ensures access to appropriate information. <p>Demonstrating strong commitment to ethical values</p> <p>The Council has the following documents which are relevant:</p> <ul style="list-style-type: none"> • Officers' Code of Conduct • Members' Code of Conduct • Protocol on Member/Officer Relations • Guidance for Members and staff on hospitality and gifts • Protocol of good practice for councillors dealing in planning matters • Staff Charter to communicate expected values and behaviours. • Financial regulations 	<p><u>Member Development Policy</u></p> <p><u>Protocol on Member/Officer Relations</u></p> <p>In the Constitution</p> <p><u>Constitution</u></p> <p>Staff Charter</p>	<p>strategy in 20/2021, including the CIPFA code and the Fighting Fraud and Corruption Locally Strategy (a strategy for the 2020s), which was reviewed by DAP's Audit and Counter Fraud Team.</p> <p>New staff members are required to complete a comprehensive suite of courses related to H&S and other related areas such as manual handling.</p>
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<p>Respecting the rule of law</p> <ul style="list-style-type: none">• The Constitution is under continuous review any significant changes re taken through the Standards Committee.• We ensure we comply with Statutory Provisions.• Compliance with CIPFA's <i>Statement on the Role of the Chief Financial Officer in Local Government</i> (CIPFA, 2015)• We have effective and up-to-date anti-fraud and corruption policies and procedures• Legal advice is given either as a stand-alone piece of advice or in relation to a case on which Legal Services are instructed to advise.• We recognised the importance of having effective arrangements in place for the Monitoring Officer function by updating and strengthening the role of the Monitoring Officer in the Council and recruiting a suitably qualified person for the post.	<p>Constitution</p> <p>The role of the Chief Financial Officer in local government</p>	
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Principle B: Ensuring openness and comprehensive stakeholder engagement		
How We Meet these Principles	Where You Can See Governance in action	Assurance Received and Issues Identified
<p>Openness</p> <ul style="list-style-type: none"> • We publish agendas and minutes for all our meetings on our website. • We publish key decisions on the website • We have a FOI publication scheme • We have a calendar of dates for submitting, publishing and distributing timely reports. • Procurements are competed through Pro Contract, and details of all our contracts are held on the system. • Engaging comprehensively with institutional stakeholders • We meet with our local colleges of FE and key local employers to discuss how the Council can support their work <p>Engaging with individual citizens and</p>	<p>Browse Meetings, MIDDEVON.GOV.UK</p> <p>Forthcoming Decisions</p> <p>Publication Scheme - MIDDEVON.GOV.UK</p> <p>Community Engagement Strategy and Media and Social Media Policy were recommended for approval by Community PDG on 23 March 2021</p>	<p style="text-align: center;"></p> <p>We publish recordings of all our meetings on the website (with the exception of Part 2 business and in certain other limited circumstances on an exceptional basis).</p> <p>We are committed to working in partnership and will consult other agencies as and when necessary.</p> <p>The DAP audit report on procurement provided a Reasonable Assurance.</p> <p style="text-align: center;"></p> <p>The DAP audit report on Digitalisation: Electronic payments, online forms and Social Media received a limited assurance audit opinion. The main reason was:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>There is no high level strategy that would help the Council maximise opportunities to engage more effectively with the general public and help to</p> </div>


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<p>service users effectively</p> <ul style="list-style-type: none"> • We publish details of consultations and petitions on our website • We have policies for communication and Social Media • We have an active Tenant involvement group – Tenants Together which produces regular newsletters • Mid Devon Gypsy and Traveller Forum established 	<p>Consultation & Involvement</p> <p>Communication strategy</p> <p>Tenants Survey</p> <p>Customer Engagement Officer</p>	<p>inform the Social Media policy including the relevant controls that need to be in place.</p>
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Principle C: Defining outcomes in terms of sustainable economic, social, and environmental benefits		
How We Meet these Principles	Where You Can See Governance in action	Assurance Received and Issues Identified
<p>Defining outcomes</p> <ul style="list-style-type: none"> We have a new focus for the Corporate Plan 2020-2024: Sustainability We have an agreed Corporate Plan for 2020-2024 <p>Sustainable economic, social and environmental benefits</p> <ul style="list-style-type: none"> We have a capital asset management group which aims to maximise the return on our capital assets Optimising sustainability and taking a long term view We treat everyone fairly and equally. Climate Change Declaration made at Full Council on 26 June 2019 	<p>The new Corporate Plan for 2020-2024 was recommended to Council for adoption by Cabinet and was duly adopted on 26 February 2020</p> <p>Asset Management & Capital Plan</p> <p>10 year design plan for open spaces</p> <p>Medium Term Financial strategy</p> <p>Equality and Diversity</p> <p>The Climate Change Strategy and Action Plan were approved by Cabinet on 1 October 2020</p>	<p style="text-align: center;"></p> <p>Regular reports on progress against the Corporate Plan including a set of agreed standard measures</p> <p>Corporate plan priorities and targets are cascaded throughout the Council</p> <p>There were 3 meetings of the Equality forum during 2020/21</p> <p>Assurance on Climate Change work was provided in the DAP report in February 2021, which provided a Reasonable Assurance.</p>


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Principle D: Determining the interventions necessary to optimise the achievement of the intended outcomes		
How We Meet these Principles	Where You Can See Governance in action	Assurance Received and Issues Identified
<p>Determining interventions</p> <ul style="list-style-type: none"> • Our governance structure is based on the strong leader and Cabinet with Policy Development Groups (PDGs) and Scrutiny Committee providing robust challenge. • The call in process for Scrutiny and reviews of performance by PDGs. • 3 Rivers shall prepare a Business Plan to include such content as the Council may require from time to time and notify to 3 Rivers in writing. The Business Plan shall cover a period of 5 years and shall be updated annually <p>Planning interventions</p> <ul style="list-style-type: none"> • Calendar of dates for developing and submitting plans and reports that are adhered to. • We publish details of consultations and petitions on our website. 	<p>These Executive arrangements were reviewed in 2020/21 with a decision made by Council in March 2021 to continue the current arrangements.</p> <p>Committee Report Procedure</p> <p>Consultation & Involvement</p>	<p style="text-align: center;"></p> <p>Regular reports on progress against the Corporate Plan including a set of agreed standard measures to Councillors and staff</p> <p>The process for aligning service budgets, plans and objectives has been reviewed and is more effective</p> <p>Financial information is now regularly included in performance and risk reports</p> <p>Internal Audit progress reports showing areas reviewed, assurance opinion and key actions arising. Recommendations are tracked to completion to confirm control weaknesses are resolved.</p> <p>External Auditors report on the Statement of Accounts, including a commentary on Value for Money arrangements for the Council.</p>


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<ul style="list-style-type: none"> • Key Performance Indicators have been established and approved for each service element and included in the service plan and are reported upon regularly to Committees. <p>Optimising achievement of intended outcomes</p> <ul style="list-style-type: none"> • budgeting medium term • financial strategy • process is all-inclusive, taking into account the full cost of operations over the medium and longer term • Risk management and performance monitoring are key measures to support interventions. • The Audit Committee is supported by independent internal audit assurance reports provided by Internal Audit (DAP), and the External Auditors' annual opinion on the statement of accounts. 	<p>Medium Term Financial Plan</p> <p>Audit Committee meetings are held in a public forum.</p> <p>The plans of work for both Internal and External Audit are considered and approved by the Committee.</p> <p>The Committee will receive regular update reports from both sets of Auditors and will hold management to account for any correcting action that may be required.</p>	<p>The governance Action Plan for 3 Rivers Developments has been largely completed; 32 of the 33 recommendations.</p> <p>Action to implement these and internal audit recommendations was validated by a DAP report in March 2021.</p> <p>The DAP audit report on Commercial Rents received a limited assurance audit opinion. The main reason was: There are a number of instances where controls and procedures do not adequately mitigate the risks identified. Existing procedures need to be improved in order to ensure that they are fully reliable. Recommendations have been made to ensure that organisational objectives are not put at risk.</p>
<p>Principle E: Developing the entity's capacity, including the capability of its leadership and the individuals within it</p>		


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How We Meet these Principles	Where You Can See Governance in action	Assurance Received and Issues Identified
<p>Developing the entity’s capacity</p> <ul style="list-style-type: none"> We are committed to improving staff welfare which should reduce our sickness absence which is a direct cost to the Council. All Managers have been put through a Management Training Programme <p>Developing the capability of the entity’s leadership and other individuals</p> <ul style="list-style-type: none"> We provide all staff with job descriptions setting out their duties clearly and document the personal qualities and attributes required for each post. We operate an appraisal scheme for all staff to identify development and skills needs and assess performance. We operate a protocol to govern the relationship between Members and officers which ensures access to appropriate information. 	<p>Constitution</p>	<p style="text-align: center;"></p> <p>A programme of training and briefing sessions for elected Members has been agreed to ensure Members remain up to date with current issues, are clear about their roles, and have sufficient information to make informed decisions.</p> <p>Members have signed up to the Developing Your Leadership Potential Programme being run as part of a shared Member development service with other Devon and Somerset Authorities.</p> <p>The qualifications, skills, behaviours and personal attributes required by staff in their roles are identified and documented, and reviewed regularly.</p> <p>The new Workforce Data Report is presented to Leadership Team monthly and monitors key information about staff including turnover and vacancies by Directorate</p> <p>New staff members are required to complete a comprehensive suite of</p>

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<ul style="list-style-type: none"> • We treat everyone fairly and equally. • We take the Health and Safety of our Staff extremely seriously. • We provide new Members with induction training on appointment. • We evaluate the training needs of Members and run briefings on key topics to ensure they have the knowledge and information to make effective decisions. • The Corporate Peer Challenge report in 2017 identified the extent to which we have radically-improved and confirms that we are in a strong position to address future challenges. • The Head of Paid Service has an annual appraisal and is set performance targets by the Cabinet 	<p><u>Equality and Diversity</u></p> <p>New Councillors Induction Programme</p> <p><u>Member Development Policy</u></p>	<p>courses related to this and other related areas such as manual handling.</p> <p style="text-align: center;"></p> <p>The current economic situation is likely to continue to cause a reduction in the number of staff employed by the Authority. We have identified that this presents a potential risk to our ability to retain the skills and experience needed.</p>
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Principle F: Managing risks and performance through robust internal control and strong public financial management		
How We Meet these Principles	Where You Can See Governance in action	Assurance Received and Issues Identified
<p>Managing risk</p> <ul style="list-style-type: none"> • All reports which go to Committee include a risk assessment as part of the required components on our report template. • Our Risk & Opportunity Management Strategy was reviewed and approved by Audit Committee on 19 March 2019. • Risks on our risk register are allocated to individual managers who are named on reports. • The Audit Committee actively monitors risks and controls at their meetings in accordance with Audit Committees: Practical Guidance for Local Authorities and Police (CIPFA, 2013). • DAP provides risk based internal audits where it provides assurance of control effectiveness against risks to delivery of business objectives. 	<p>Report Template</p> <p>Risk & Opportunity Management Strategy</p>	<p style="text-align: center;"></p> <p>The Leader’s annual report to Scrutiny is mapped against the Corporate Plan priorities to make the link easier to see.</p> <p>The internal annual audit report and opinion supports this as does training provided by Devon Audit Partnership to the Audit Committee.</p> <p>Assurance has been provided through audit assignment reports, AC progress reports and Annual report at overall ‘Reasonable Assurance’</p> <p>Housemark - the Housing Service subscribes to this. This may assume greater importance should the Government implement changes mooted in the Social Housing Green Paper last year.</p>

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<p>Managing performance</p> <ul style="list-style-type: none"> • Our Performance has been mapped to the Corporate Plan; all our Aims have performance measures. • Benchmarking information is included where available; a Council –wide subscription to LG Inform Plus is improving the use of benchmarking and is regularly promoted at Group Manager Team meetings. • Calendar of dates for submitting, publishing and distributing timely reports that are adhered to. • All agenda and minutes of Scrutiny committee are published on our websites, including recordings of the meetings. • 3 Rivers shall ensure that the Managing Director shall attend meetings or parts of meeting(s) up to a maximum of four times per year as the Council may require on not less than 5 Business Days’ notice and shall answer questions put by the Council and 	<p>Performance is monitored through PDG and Scrutiny processes.</p> <p>Meetings, agendas, and minutes - MIDDEVON.GOV.UK</p> <p>Risk & Opportunity Management Strategy</p>	
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<p>Managing data</p> <ul style="list-style-type: none">• We have Data Protection and Information Security Policies in place.• We have mandatory Data Protection and Information Security training for all staff, Members and contractors (with access to our computer network)• We have a Data Quality Policy in place.• We check performance information as part of every audit we do. <p>Strong public financial management</p> <ul style="list-style-type: none">• We publish a Medium Term Financial Strategy covering 5 years each year.• We publish Monitoring Reports from July to February each year• The budget book is published on the website	<p>medium term financial strategy</p> <p>Budgets - MIDDEVON.GOV.UK</p>	
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Principle G: Implementing good practices in transparency, reporting, and audit to deliver effective accountability		
How We Meet these Principles	Where You Can See Governance in action	Assurance Received and Issues Identified
<p>Implementing good practice in transparency</p> <ul style="list-style-type: none"> We publish our Statement of Accounts on our website. <p>Implementing good practices in reporting</p> <ul style="list-style-type: none"> We report regularly on our performance to PDGs, Cabinet, Audit and Scrutiny Committees We publish our Annual Governance Statement and Action Plan on our website and take Progress reports on the Action Plan to every audit Committee meeting. <p>Assurance and effective accountability</p> <ul style="list-style-type: none"> Our Internal Audit Manager complies with the CIPFA Statement on the Role of the Head of Internal audit <p>We completed our annual self-assessment against the Public Sector</p>	<p>Statement of Accounts</p> <p>Annual Governance Statement</p> <p>The Role of the Head of Internal Audit CIPFA</p>	


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Internal Audit Standards		
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H: Operational and Governance matters due to the Covid 19 Pandemic		
Impact on Governance	What we have done	Assurance Received and Issues Identified
<p>Significant organisational disruption with new emergency responsibilities, increased staff absence and also staff working from home</p> <p>Impact on business as usual was considerable during the early stages of the pandemic but services were largely delivered for most of the year.</p> <p>Our Leisure centres were closed on and off from 20 March 2020 they cannot fully reopen until we reach stage 4 of the Roadmap.</p> <p>Public Health have been under resource pressure having assisted with local test and trace and supporting safe reopening for businesses alongside their existing regulatory work.</p> <p>New areas of activity as part of the national response to coronavirus and any governance issues arising</p> <p>Implementation of new policies and processes</p>	<p>We have held regular Incident Management Meetings since 6 March 2020, these are currently fortnightly</p> <p>Staff numbers are currently around 55% working on site, 30% working from home, very few remain furloughed</p> <p>Chief Executive is making operational decisions to respond effectively to emergency situation.</p> <p>Daily briefings to Members were initiated by the Chief Executive on 12/03/20 and these continued until the end of April. (Since then reverting to regular, but lower, frequencies depending on requirements).</p> <p>Leaders and Chiefs from across Devon working collaboratively to ensure shared visibility and commonality of approach wherever possible.</p> <p>Redeployment of staff to assist with the business grant schemes</p> <p>Working with CHAT, Navigate and local</p>	<p style="text-align: center;"></p> <p>We were able to claim for furloughed staff from HMRC</p> <p>Data sharing agreements and privacy notices have been updated as necessary to reflect different ways of working and new initiatives</p> <p>Significant work was done to balance the budgets for 2020/21 and 2021/22 successfully</p> <p>An Internal Audit report on Safe Staff Operations during Covid 19 stated “The Council has shown a real concern for staff during this period and made significant effort to support them. We have found that the Council has provided good support to its staff since the start of the emergency whilst balancing the need to deliver its core services.”</p> <p>Hybrid meetings are likely to continue for the long term with a mix of on site and</p>

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<p>Emergency assistance New collaborative arrangements Grant payments and associated fraud risks</p> <p>The funding and logistical consequences of delivering the local government response</p> <p>Changes to decision making arrangements and the conduct of meetings Funding and cash flow challenges</p> <p>Assessment of the longer term disruption and consequences arising from the coronavirus pandemic</p> <p>Existing projects and programmes have been put on hold New priorities and objectives introduced New risks identified or existing risks escalated</p>	<p>supermarkets to support vulnerable residents</p> <p>Several Committee meetings were cancelled but they re-commenced virtually from 23 April once legislation was changed to permit remote attendance</p> <p>Issued £39m of government grants, ensuring effective due diligence was undertaken to reduce the risk of fraud and error related to the grant money</p> <p>Cashflows have been successfully managed</p> <p>Recovery and enforcement work was postponed but is now more like business as usual</p> <p>Risk assessments created for the different business areas to reduce the Covid-19 risk to staff and the public from the business operations.</p>	<p>remote attendance. This may be seen as affecting the democratic process as debate may be reduced but business can and is being conducted. Feedback from members of the public has been favourable</p> <p style="text-align: center;"></p> <p>Significant loss of income from Leisure centres and other fees and charges including parking charges</p> <p>Funding has been received but does not cover the full extent of the losses</p> <p>There have been some frustrations in obtaining grant funding and guidance from Central government which has slowed down payments of grant funding to businesses</p> <p>There was some frustration with IT equipment and telephony, particularly at the start of the pandemic, which is not surprising considering ways of working had to change overnight, but this is being addressed as part of the hybrid working project going forward</p>
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