

Service Assurance Statement 2020/21 – One Legal

Overall Assessment

During the course of the Covid-19 pandemic, this has placed a significant challenge on council services not only to respond to the impact of the pandemic but to maintain core service delivery. Whilst responding to this challenge, it is important an adequate system of internal control is exercised including arrangements for the management of risk and ensuring key governance frameworks continue to operate effectively.

It is recognised that the system of internal control can only manage, not eliminate, risk and that it cannot guarantee that any system or process is free from defect and does not prevent or detect irregularities. This service assurance statement is therefore prepared to the best of my knowledge.

Based upon the undertakings of my services during the year my assessment on the adequacy of the internal control environment has been informed by:

- The performance management arrangements for my services;
- The risk management processes in place within my services;
- Other corporate management, monitoring and review processes; and
- Review work undertaken by any third party, for example, external audit, review agencies or other assurance providers.

I confirm that within my areas of responsibility I am not aware of any of the following:

- Any irregularities in accounting practices or systems of internal control.
- The override or non-compliance of any key internal controls in place.
- Any communications from regulatory agencies concerning non-compliance with, or deficiencies in, reporting practices.
- Any non-compliance issues regarding the application of rules and regulations such as the Council's financial procedure rules or contract procedure rules.
- Any plans or intentions that may affect the valuation or classification of Council property or equipment and liabilities e.g. change in use or significant damage to an asset.
- Any large debts, fines, claims or other potential financial obligations.
- Any pending or threatened litigation relating to any of my service activities.

	Head of Service
Job Title	Head of Law
Date	24.08.21

2020/21 Service Assurance Statement		Responses			
		Yes	No	Partial	Provide comment, particularly on any responses of 'partial' or 'no'. Please feel free to add a comment on 'yes' responses to support the response.
1.Risk Management					
1.1	Whilst there is not a requirement to maintain an operational risk register I am satisfied there are arrangements in place to identify and mitigate risks where appropriate, for example in relation to any key projects.	X			OL maintains its own risk register of any legal cases that categorised as legal high risk. The register is managed and monitored by the OL management team
1.2	Any significant risks identified have been escalated to corporate management team and if necessary included within the corporate risk register.	X			As above.
2. Internal Control					
2.1	I am satisfied my service areas are kept up to date with updates and changes to relevant Council policies and procedures.	X			The OL team is kept updated, via team briefings/updates of changes to relevant council policies and procedures.
2.2	I am satisfied my services routinely monitor compliance with prescribed processes (Council policy, agreed procedures, statutory returns etc.)	X			OL operates in accordance with the relevant prescribed processes and, when advising its partner authorities, OL operates in accordance with the respective policies of its partner authorities and bodies.
2.3	I am satisfied my services fully understand and comply with all legislation that is relevant to our operations.	X			OL understands, complies with and advises on all legislation that is relevant to TBCs operations. Employees must also comply with professional standards that require understanding and compliance with legislation
2.4	Communication and reporting channels exist to allow timely reporting of operational issues to the relevant body e.g. corporate management team. Including appropriate escalation of incidents.	X			OL reports matters in accordance with the relevant prescribed processes and when advising its partner authorities, OL operates in accordance with the respective policies of its partner authorities.
2.5	I am satisfied there has been no circumvention of any key internal controls during the year or the complete removal of any key controls.	X			OL is aware of and follows all internal controls. When working for its partner authorities OL operates in accordance with the respective policies of its partner authorities.

3. Key Governance Framework					
3.1	I am satisfied my services fully understand and comply with their health and safety responsibilities.	X			The OL team is aware and comply with the requirements in respect of health and safety. OL also operates in accordance with the respective policies of its partner authorities.
3.2	I am satisfied my team comply with information management and security requirements, in particular, awareness and compliance to General Data Protection Regulation (GDPR).	X			The OL team is aware of and comply with the requirements in respect GDPR. OL also operates in accordance with the respective policies of its partner authorities and bodies the professional bodies who oversee the legal profession.
3.3	I am satisfied my services team are aware of and fulfil our responsibilities in respect of safeguarding children, young people and vulnerable adults.	X			The OL team is aware of and comply with the requirements in respect of safeguarding. OL also operates in accordance with the respective policies of its partner authorities and bodies.
3.4	Any cases of fraud or whistleblowing allegations have been reported in accordance with relevant policies and remedial action taken where necessary.	X			The OL team is aware and comply with the requirements in respect of fraud and whistleblowing. OL also operates in accordance with the respective policies of its partner authorities and bodies.
3.5	I am satisfied that any key projects are delivered in accordance with the council's project management framework.	X			Where required, OL follows and delivers in accordance with the TBC project management framework.
3.6	I am satisfied that all my service areas have awareness to and where necessary make declarations in respect of policies such as Code of Conduct, Gifts and Hospitality, other employment etc.	X			The OL team is aware of and comply with the requirements in respect of other TBC policies. One Legal also operates in accordance with the respective policies of its partner authorities and with those of the professional bodies who oversee the legal profession.
4. Financial System and Controls					
4.1	I am satisfied there is adequate budgetary and financial controls in place across my service areas particularly around the monitoring of budgets and taking appropriate action when required.	X			The OL management team oversees and monitors the OL budget and, in accordance with the OL governance arrangements, its budget is also monitored by the One Legal Joint Monitoring & Liaison Group.
4.2	In relation to the above all expenditure is legitimate and checked before authorisation – this includes expenditure types such as corporate procurement cards, travel and overtime/additional hours claims etc.	X			All claims are checked and authorised by officers at the appropriate level.
4.3	I am not aware of any instances where the council's financial procedure rules or contract procedure rules have not been complied to.	X			The OL team observe and advise on compliance with the relevant rules applicable to its partners.

4.4	All recruitment has been undertaken in accordance with the council's recruitment procedures.	X			Recruitment to vacant posts within OL is undertaken in accordance with TBC's recruitment procedures.
4.5	Any grant schemes set up or grants received have been approved in accordance with the council's financial procedure rules.	X			OL has not set up any grant schemes.
5. Control over Assets					
5.1	I am satisfied my services are aware and compliant with procedures that ensure the protection of assets from loss, damage and misuse.	X			All OL staff are briefed on the use of TBC assets
5.2	I am satisfied my services review and report instances of loss, damage and misuse of assets and take appropriate management action where necessary.	X			Any such incidents are reported to the OL management team.
5.3	I am satisfied that any disposal of assets have been approved in accordance with the council's financial procedure rules.	X			The OL management team and staff are aware of the requirements under the council's financial procedural rules.
6. Partnerships					
6.1	I am satisfied that any key partnerships which my services are part of have the necessary governance arrangements in place to ensure the effectiveness of that partnership.	X			<p>The service is provided by Tewkesbury Borough Council (as the lead authority) through an Agency Agreement, under S101 Local government Act 1972.</p> <p>A Joint Monitoring and Liaison Group (JMLG), comprising councillors and officers from each of the four partner Councils, oversees the performance and development of the shared service. The key requirements are identified as:</p> <ul style="list-style-type: none"> • The JMLG are satisfactorily fulfilling their terms of reference eg membership, frequency of meetings etc • Functions are being delivered, monitored and reported upon eg monitoring of service standards and client reporting protocols, monitoring of finance and performance information, determination of disputes, review potential expansion of the arrangement, client satisfaction etc • Complaints are handled in accordance with Tewkesbury's corporate complaints procedure • The key financial provisions are adhered to eg regular monitoring of financial plan, correct proportioning of disbursements and costs, insurance cover etc

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7. Any other issues to note *(please give details)*

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