Corporate Governance Local Code

Adopted by Council April 2008

PRINCIPLE 1 - **Focusing on our purpose and on outcomes for the community and creating and implementing a vision for the local area**	
Develop and promote the authority's purpose and vision	This is demonstrated within the annual report "Spotlight" that is available to all stakeholders http://www.tmbc.gov.uk/cgi-bin/buildpage.pl?mysql=1096
Review on a regular basis the authority's vision for the local area and its impact on the authority's governance arrangements	This is contained within the annual Corporate Governance Statement that is required to be approved by Members and published annually (From 2008)
Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties	The Council is producing a Partnership Protocol which will include the Governance arrangements for dealing with partnerships. This will form part of the Council's Constitution.
Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance	This is demonstrated within the annual report "Spotlight" http://www.tmbc.gov.uk/cgi-bin/buildpage.pl?mysql=1096 and within the Financial Statements of the Council http://www.tmbc.gov.uk/cgi-bin/buildpage.pl?mysql=1108
Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available	The Council's annual report "Spotlight" sets out the Council's priorities and reports on the previous year's outcomes.
Put in place effective arrangements to identify and deal with failure in service delivery	The Council has a comprehensive complaints procedure http://www.tmbc.gov.uk/cgi-bin/buildpage.pl?mysql=1579 The Executive monitors quarterly performance data such that corrective action can be instigated if necessary.
Decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively. Measure the environmental impact of policies, plans and decisions.	The Council definition for Value for Money is included within Spotlight. As part of the Use of Resources annual audit the Council considers its costs against others and ensures that Value for Money is an ongoing consideration. At a lower level Management Team receive regular reports on budget and service performance with a view to constantly reviewing Value for Money. The Council report template includes a number of impact factors on the decision making process including environmental impact.

PRINCIPLE 2 - **Members and officers working to get her to achieve a common purpose with clearly defined functions and roles**	
Set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the authority's approach towards putting this into practice Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and senior	The Council Constitution sets out these roles and is reviewed on a regular basis with the full Council approving changes. The Committee system ensures that a record is kept of all decisions made and these are reported to all Members.

officers	
Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the authority, taking account of relevant legislation, and ensure that it is monitored and updated when required	The Council Constitution includes all delegated powers.
make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management	CE is responsible for all operational management as set out in the Constitution
Develop protocols to ensure that the leader and chief executive (or equivalent) negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained	An informal arrangement has existed for a number of years that works satisfactorily.
Make a senior officer (the S151 officer) responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control	This role is set out in the Constitution and supported by the Council's Financial Rules. The internal control environment is reported on annually within the Corporate Governance Statement.
Make a senior officer (usually the monitoring officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with	This role is set out in the Constitution.
Develop protocols to ensure effective communication between members and officers in their respective roles	The protocols are set in the Constitution and this contains the responsibility and reporting lines for Council responsibilities.
Set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process, including an effective remuneration panel (if applicable) Ensure that effective mechanisms exist to monitor service delivery	The remuneration of Members is advised by the use of an Independent Remuneration Board comprising of independent members. Officer remuneration is considered annually by Members with advice from the Central Services Director. Service delivery is monitored on an ongoing basis and reported annually in the Council report "Spotlight".
Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated	The vision of the Council is reported in the annual Council report "Spotlight" and is developed through Member and Officer input and with consultation with stakeholders using stakeholder panels. These decisions are supported by the reporting template, performance management and the Medium Term Financial Strategy.
When working in partnership ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authority When working in partnership: • ensure that there is clarity about the legal	The Council is producing a Partnership Protocol which will include the Governance arrangements for dealing with partnerships. This will form part of the Council's Constitution.

status of the partnership • ensure that representatives or organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions.	

PRINCIPLE 3 - Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour	
Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect	The standard of Members' behaviour and leadership is set out in the Members' Code of Conduct. The Standards Committee is charged with the responsibility for investigating concerns raised. Members are also expected to comply with the Council's Anti-Fraud Strategies.
Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the authority, its partners and the community are defined and communicated through codes of conduct and protocols	These requirements are included within the Codes of Conduct for Members and Officers and are supported by the overall Governance Policies and Strategies contained within the Council framework.
Put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice	These requirements are included within the Codes of Conduct for Members and Officers and are supported by the overall Governance Policies and Strategies contained within the Council framework.
Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners	These are included the Human Resources Strategy, Constitution and Codes of Conduct and are supported by the overall Governance Policies and Strategies contained within the Council framework.
Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice	Isn't this about the Code of Conduct again?
Develop and maintain an effective standards committee	The responsibilities of the Standards Committee are set out in the Constitution. This includes the responsibility of monitoring behaviour against the Members Code of Conduct.
Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the authority	The Council's decision making process includes a reporting template that considers shared values. These values are underpinned by the overall Governance systems in place within the Authority.
In pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners'	The Council is producing a Partnership Protocol which will include the Governance arrangements for dealing with partnerships. This will form part of the Council's

behaviour both individually and collectively.	Constitution. The council has adopted a set of Guiding Principles to underpin its partnership working.

PRINCIPLE 4 - Taking informed and transparent decisions which are subject to effective scrutiny and managing risk	
Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the authority's performance overall and that of any organisation for which it is responsible	The Council discharges these functions via its Scrutiny Committees that has the ability to call-in and review any decision taken by the Council or Committee.
Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based	The Council has a computerised agenda and minutes system where copies of reports and decisions are freely available to all stakeholders.
Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice	This is covered by the Codes of Conduct and is supported by the overall Governance arrangements that are reviewed on a regular basis. All Members and Officers are required to declare any potential conflicts of interest.
Develop and maintain an effective audit committee (or equivalent) which is independent of the executive and scrutiny functions or make other appropriate arrangements for the discharge of the functions of such a committee	The Constitution contains the terms of Reference for the Audit Committee which are formed upon consideration of recognised best practice. Training has been given by CIPFA to Audit Committee Members on the Best Practice in Audit Committees.
Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints	The Council operates a Complaints procedure which is available to all stakeholders and includes the complaints procedure from initial complaint to Ombudsman arbitration.
Ensure that those making decisions whether for the authority or the partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications	All Members are given induction training that is enhanced by specific training for individual Committees. All reports to Committees include a template to ensure that relevant matters are disclosed as part of the decision making process.
Ensure that professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately	All Committee reports include advice on risk, finance and legal implications. All reports are issued in advance of Committee meetings in order to allow sufficient Member consideration.
Ensure that risk management is embedded into the culture of the authority, with members and managers at all levels recognising that risk management is part of their jobs	The Council has a Risk Management Strategy that is reviewed on a regular basis. Members are given Risk Management Training and all Committee reports consider risks. All Service Managers are required to produce risk registers that are reviewed at least annually. Any incidents that arise are reported to Members and Officers to enhance the opportunity to reduce risks. It is a requirement of the Appraisal system for all

	staff to acknowledge their responsibilities for risk management.
Ensure that arrangements are in place for whistle-blowing to which staff and all those contracting with the authority have access	The Council has a Confidential Reporting Code that is available to all stakeholders. It is reviewed annually and circulated to stakeholders.
Actively recognise the limits of lawful activity placed on them by, for example, the ultra vires doctrine but also strive to utilise powers to the full benefit of their communities	The Monitoring Officer has responsibility for this role and legal implications are considered within all Committee reports. The Council has shown itself willing, eg through the use of CPOs, to utilise in full powers for the benefit of its communities.
Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law	The Monitoring Officer has responsibility for this role and legal implications are considered within all Committee reports. In addition specific training is given for some areas such as Corporate Manslaughter and Recruitment.
Observe all specific legislative requirements placed upon them, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – rationality, legality and natural justice – into their procedures and decision-making processes.	This is covered within the Constitution as delegated power to the Monitoring Officer and Heads of Service. Where required specific training is given such as PACE training for officers who carry out investigations.

PRINCIPLE 5 - Developing the capacity and capability of members and officers to be effective	
Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis	For Members and staff, induction process are in place supported by specific training in areas identified as requiring it. Officer training needs are considered within the appraisal system where their individual training needs are reviewed on a regular basis. Corporate training needs are also identified and met.
Ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the authority	Results of training needs identified within the appraisal process are fed back to the Council's Training and Development Officer who arranges training that is considered appropriate. Offices are also encouraged to participate in Continuing Professional Development schemes where appropriate. Training needs will also be considered as part of the Council's Capability Procedure.
Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively	Individual Committee Members and officers are given training in order to perform their roles effectively as required. There is a commitment to development underpinned by a consistently funded training budget. The authority is IiP recognised.
Develop skills on a continuing basis to	Officers are given training in order to perform

improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed	their roles effectively as required. There is a history of engagement of external advice demonstrating the capacity to recognise need when it arises.
Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan which might, for example, aim to address any training or development needs	Members' training needs are discussed with the Leader on a regular basis. Reviewing the performance of the executive is intrinsic to the Council's systems of governance.
Ensure that effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority	The Council uses a residents' panels and questionnaires to engage with stakeholders. There is a consultation strategy which stands over these processes.
Ensure that career structures are in place for members and officers to encourage participation and development	This forms part of the appraisal function where needs are considered annually in order to encourage career development. Succession planning is in place where appropriate.

PRINCIPLE 6 - Engaging with local people and other stakeholders to ensure robust public accountability	
Make clear to themselves, all staff and the community to whom they are accountable and to and for what. Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required	The Council has a rigorous system for identifying priorities and informing staff and external stakeholders about them and performance against them. There are several means of engaging with institutional stakeholders particularly through formalised partnerships such as the CDRP and the LSP.
Produce an annual report on the activity of the scrutiny function	Reported annually to Council
Ensure that clear channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements to ensure that they • operate effectively • hold meetings in public unless there are good reasons for confidentiality • ensure that arrangements are in place to enable the authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands	The Council Constitution sets out these roles and is reviewed on a regular basis with the full Council approving changes. The Committee system ensures that a record is kept of all decisions made and these are reported to all Members. Meetings are held in public other than private items and there is a culture of openness. The Council has adopted a Guide on dealing with Hard to Reach Groups.
Establish a clear policy on the types of issues they will meaningfully consult on or engage with the public and service users about including a feedback mechanism for those consultees to demonstrate what has changed as a result	There is a Consultation Strategy which addresses this issue. Members of the residents' panel receive feedback on consultations. .

On an annual basis, publish a performance plan giving information on the authority's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period	This is demonstrated within the annual report "Spotlight" that is available to all stakeholders http://www.tmbc.gov.uk/cgi-bin/buildpage.pl?mysql=1096
Ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so	This is included in the overall Governance arrangements for the Council and within the reporting process. Part 2 items deal with confidentiality where it is proper and appropriate to do so.
Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making	There is a Joint Employee Consultation Committee which meets regularly and includes both trade union and departmental representatives.