

Tonbridge & Malling Borough Council
CODE OF CORPORATE GOVERNANCE
Draft 2013

INTRODUCTION

- 1.1 In 2001 the Chartered Institute of Public Finance & Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) published *Corporate Governance in Local Government – A Keystone for Community Governance: Framework*. The Framework outlined the need for local authorities to review their governance arrangements against a number of key principles and report on their effectiveness in practice.
- 1.2 Six core principles of good governance were advocated by the Independent Commission on Good Governance in Public Services in *The Good Governance Standard for Public Services (2004)* with support from the Office for Public Management and CIPFA. In response to subsequent changes in local government, CIPFA and SOLACE published an updated framework for good governance in local government in 2007. The framework defines governance as, 'the systems and processes, and cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities'.
- 1.3 The Independent Commission's six core principles of good governance outlined in the CIPFA-SOLACE Framework show that good governance means:
 - (i) Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area
 - (ii) Members and officers working together to achieve a common purpose with clearly defined functions and roles
 - (iii) Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
 - (iv) Taking informed, transparent decisions which are subject to effective scrutiny and managing risk
 - (v) Developing the capacity and capability of Members and officers to be effective
 - (vi) Engaging with local people and other stakeholders to ensure robust public accountability

CODE OF CORPORATE GOVERNANCE	SUPPORTING EVIDENCE
1. Good governance means focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area.	
1.1. <i>Exercising strategic leadership by developing and clearly communicating the authority's purpose and vision and its intended outcomes for citizens and service users.</i>	<p>There is a clear statement of the organisation's purpose in:</p> <ul style="list-style-type: none"> • Tonbridge & Malling Borough Council – Corporate Performance Plan 2012/15 <p>This document sets out the key priorities for the authority and how the Council will work with a range of partners and the local communities towards achieving the objectives.</p>
1.2. <i>Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning.</i>	<p>The Corporate Performance Plan also sets out how the Key Priorities will be delivered and identifies improvement plans on how these can be delivered efficiently and effectively. This will involve working with partners and contractors to achieve this. Regular update reports are given to Management and Members outlining progress towards achieving these priorities.</p>
1.3. <i>Ensuring that the authority makes best use of resources and that tax payers and service users receive excellent value for money.</i>	<p>The council works towards improving value for money through:</p> <ul style="list-style-type: none"> • Exploration of innovative ways of working including potential for joint-working and shared services. • Robust budgeting and Financial monitoring arrangements including detailed reviews of budgets and potential savings opportunities. • The work of Internal Audit • The work of External Audit • Publication of annual budget and accounts information
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2. Good governance means Members and officers working together to achieve a common purpose with clearly defined functions and roles	
2.1. <i>Ensuring that a constructive working relationship exists between authority members and officers and that the responsibilities of members and officers are carried out to a high standard.</i>	<p>The council has a protocol for relations between Members and Officers. The council's Constitution sets out clearly any delegation of responsibility from Council and the decision making powers of:</p> <ul style="list-style-type: none"> • The Council, • The Cabinet (including the Executive Leader and delegated decision-making to the Cabinet Portfolio Holders), • Regulatory Board, the Licensing Committee and other council committees.
2.2. <i>Ensuring effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles</i>	<p>The council's Constitution clearly sets out the process for holding the executive to account through the debate of items at committees and, specifically, the role of the Overview Scrutiny Committee.</p>

<i>and responsibilities of the scrutiny function.</i>	
2.3. <i>Ensuring relationships between the authority, its partners and the public are clear so that each knows what to expect of the other</i>	<p>The council is accountable to the citizens of Tonbridge & Malling in delivering its duties and responsibilities.</p> <p>The council manages relationships with partners and consults with the public through a number of mechanisms:</p> <ul style="list-style-type: none"> • Transparency agenda • Regular reporting to Members • Partnership arrangements supported by protocol agreements • Council Constitution
3. Good governance means promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.	
3.1. <i>Ensuring authority Members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance</i>	<p>The council has a code of conduct for Members. In addition the council has:</p> <ul style="list-style-type: none"> • An Equalities Policy • A Code of Conduct for staff • A Declaration of Interest Register for Members and for staff • A Register of Gifts and Hospitality offered to Members and staff • Financial Procedure Rules • Contract Procedure Rules • A publicised complaints procedure • A fraud-aware culture
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3.2. <i>Ensuring that organisational values are put into practice and are effective.</i>	<p>The council has robust arrangements in place to ensure that it does the right things, for the right people in a timely, inclusive, open, honest and accountable manner. These are monitored and publicised through:</p> <ul style="list-style-type: none"> • The council's Performance Management Framework and performance reporting arrangements, • Procedures for recruitment and training, • Decision making practices, • Data transparency arrangements, such as publication of decisions and committee meeting minutes, • Partnership governance arrangements
4. Good governance means taking informed and transparent decisions which are subject to effective scrutiny and managing risk	
4.1. <i>Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny</i>	<p>The council's Constitution sets out the clearly the decision-making powers of:</p> <ul style="list-style-type: none"> • The Council • The Cabinet (including the Executive Leader and delegated decision-making to the Cabinet Portfolio Holders), • Other council committees. <p>Feedback from the Overview Scrutiny Committee and</p>

	the council's Cabinet Committees is taken into account in decision-making.
4.2. <i>Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs.</i>	The council has a Data Quality Policy which sets the rules and standards for ensuring that high quality information is consistently achieved. The Performance Management Framework underpins this policy. The council's Financial Procedure Rules support the provision of high quality financial advice.
4.3. <i>Ensuring that an effective risk management system is in place.</i>	The council has arrangements in place to effectively monitor and manage risks to its business through the: <ul style="list-style-type: none"> • Risk Management Strategy • Corporate Risk Register • Service Risk Registers • Audit Committee role in scrutinising corporate risk • Consideration of risk in all Committee reports • Annual Governance Statement
4.4. <i>Using their legal powers to the full benefit of the citizens and communities in their area</i>	The council actively recognises the requirements and responsibilities placed on it by public law and will act to observe all specific legal requirements placed upon it when taking decisions. The council also strives to utilise its statutory powers to work in the public interest and to the full benefit of its citizens, particularly in relation to regulatory activity. All committee reports now include a section to ensure any legal implications are fully analysed when making decisions.
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5. Good governance means developing the capacity and capability of Members and officers to be effective	
5.1. <i>Making sure that Members and officers have the skills, knowledge, experience and resources they need to perform well in their roles</i>	The council has a training programme for Members and holds regular training sessions for Members on a variety of topics: <ul style="list-style-type: none"> • Induction training for all new members • Service-specific training e.g. Community Safety • Committee-specific Training e.g. Audit Committee The council has an extensive training programme for council officers including mandatory and voluntary training.
5.2. <i>Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group</i>	The council examines the capability of its people with governance responsibilities through appraisals and the Performance Management Framework and identifies any training gaps – the relevant training programmes are updated accordingly. The appraisal system for Managers is specifically competency focused.
5.3. <i>Encouraging new talent for membership of the authority so that best use can be made in individuals' skills and resources in balancing continuity and renewal.</i>	The political group leaders take a lead in this area and use the Member training programme to support this ambition as required.

6. Good governance means engaging with local people and other stakeholders to ensure robust public accountability	
<i>6.1. Exercising leadership through a robust scrutiny function which effectively engages local people & all local institutional stakeholders including partnerships, & develops constructive & accountability relationships.</i>	<p>The council is clear that it is ultimately accountable to the citizens of Tonbridge & Malling. The council's Corporate Performance Plan 2012/15 outlines the means by which local stakeholders will be engaged and how constructive, challenging relationships will be built.</p> <p>The council has put in place Committees with cross-party representation to ensure effective and robust discussion of issues.</p> <p>The council also has an Overview and Scrutiny Committee to scrutinise decisions made by Cabinet.</p>
<i>6.2. Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by the authority, in partnership or by commissioning.</i>	<p>The council has taken action to develop and support effective engagement opportunities with all groups of the local community:-</p> <ul style="list-style-type: none"> • The council promotes the TM Youth Forum that represents the views of young people living in Tonbridge and Malling • The council supports the Tonbridge & Malling Seniors' Forum (TAMS) which promotes and the needs of the older resident.
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<i>6.2 Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by the authority, in partnership or by commissioning.</i>	<p>The council being in a position to say we have a good understanding of who lives, works and plays in the borough and have mechanisms to listen to and respond to their needs, aspirations and concerns:-</p> <ul style="list-style-type: none"> • The council engages with other key stakeholders through a number of partnerships that the council has embarked upon, which are detailed in the council's Partnership Register. • The council actively uses complaints received to learn and improve services, whether through the internal complaints system or via the Ombudsman.
<i>6.3. Making best use of human resources by taking an active and planned approach to meet responsibility to staff.</i>	<p>The council has Investors' in People accreditation for the whole council and actively engages with its staff through:</p> <ul style="list-style-type: none"> • Staff talks • Team meetings • Regular performance management meetings • The Joint Staff Consultative Committee