

Tonbridge & Malling Borough Council – Review of Governance Framework 2014-15

 Based on: *Delivering Good Governance in Local Government – guidance note for English authorities*, CIPFA/Solace, 2012 edition

Principle One: Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area

Principle / Supporting Principle	Arrangements in Plan & Evidence
Exercising strategic leadership by developing and clearly communicating the authority's purpose and vision and its intended outcomes for citizens and service users.	
Develop and promote the authority's purpose and vision.	<p>The Council's vision is to provide excellent public services, good value for money and effective community leadership.</p> <p>The Council's Key Priorities are detailed in its Corporate Performance Plan 2012/15 and include both local and national/statutory priorities.</p> <p>http://www.tmbc.gov.uk/_data/assets/pdf_file/0006/69927/PPP-2014-15-Final100714WithBookmarks.pdf</p>
Review on a regular basis the authority's vision for the local area and its implications for the authority's governance arrangements.	<p>While the Council's Corporate Performance Plan spans a three year period from 2012-15, it is subject to annual review. The annual review incorporates an update on performance against the priorities for the year and includes performance data. The review considers and may result in a revision of the priorities themselves, ongoing activities and levels of service. Following each annual review, the Corporate Performance Plan is republished; with each annual review being a standalone document, without the need to refer back to earlier versions.</p>
Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties.	<p>The Council undertakes several partnerships for the benefit of residents:</p> <ul style="list-style-type: none"> • Local Strategic Partnership • Community Safety Partnership • Voluntary and Community Sector • West Kent Partners <p>http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/partnerships/local-strategic-partnership http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/partnerships/community-safety-partnership http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/partnerships/voluntary-and-community-sector http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/partnerships/west-kent-partnership</p> <p>The Council operates with other partners in Kent in order to provide localised service arrangement these include Kent Waste Partnership, KCC Youth Services, Russet Homes and the Tonbridge and Malling Safer Towns Partnership.</p>
Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance.	<p>The Council's performance against its Key Priorities is reported on an annual basis through the Corporate Performance Plan document. The Corporate Performance Plan document incorporates an update on performance against the priorities for the year including achievement against targets, progress towards milestones and supporting performance data.</p> <p>The Corporate Performance Plan focuses on the Council's key priorities. It shows where the Council particularly aims to improve and contains a set of indicators and targets for each priority. These include satisfaction of service users. The Plan is a three-year plan, covering the financial years 2012/15. It was first published in July 2012 and republished in July 2013 to include outcomes and achievements during 2012/13. The final version will be published in July 2015, which will include outcomes and achievements during 2014/15.</p> <p>Financial performance is reported through the Annual Report within the Council's Financial Statements.</p> <p>http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/annual-accounts</p>
Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning.	
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.	<p>The Council's Corporate Performance Plan sets out the Key Priorities and progress in achieving them based on underlying progress against a range of improvement themes and projects as well as performance against a series of measures, Key Indicators, for each priority.</p> <p>Performance against the Council's agreed performance measures is monitored and reported to the Council's Cabinet on a quarterly basis. This includes both Key Indicators and other indicators of performance. Service Management Teams review performance and are responsible for taking any action required to improve performance.</p> <p>https://democracy.tmbc.gov.uk/documents/s7574/Report%20of%20Director%20of%20Central%20Services.pdf https://democracy.tmbc.gov.uk/documents/s7575/Annex.pdf</p>
Put in place effective arrangements to identify and deal with failure in service delivery.	<p>Performance against the Council's agreed performance measures is monitored and reported to the Council's Cabinet on a quarterly basis. These reports include any actions required to address under-performance, which is measured in three ways: the trend over the past five years, against the current year's target and to identify any unusually positive or negative performance during the latest quarter. They are available to the public via the Council - minutes, agendas and reports page of the Council's website.</p> <p>Performance information is included in the annual updates of the Council's Corporate Performance Plan, which is available to the public via the Performance page of the Council's website.</p> <p>The Council has a complaints procedure in place that is publicised on the website and through service specific communications to residents.</p> <p>http://www.tmbc.gov.uk/services/council-and-democracy/complaints/complaints-procedure</p>
Ensuring that the authority makes best use of resources and that tax payers and service users receive excellent value for money.	
<p>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.</p> <p>Measure the environmental impact of policies, plans and decisions.</p>	<p>The Corporate Performance Plan summarises the Council's current focus on redesigning services and further improving efficiency across all services.</p> <p>The Council has a Corporate Procurement Strategy that is supported by a suite of guidance documents for staff engaging in procurement activity that focus on the achievement of value for money.</p> <p>http://www.tmbc.gov.uk/_data/assets/pdf_file/0003/77331/StrategicProcurement_final.pdf</p> <p>As part of the Council's report template includes the requirement to consider both Policy Considerations and Equalities impact assessment.</p>

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Principle Two: Members and officers working together to achieve a common purpose with clearly defined functions and roles.

Principle / Supporting Principle	Arrangements in Plan & Evidence
Ensuring effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function	
Set out a clear statement of the respective roles and responsibilities of the executive and of the executive member's individually and the authority's approach towards putting this into practice.	<p>The Council's Constitution includes a Protocol on Member/Officer Relations which has been in place since April 2004. http://www.tmbc.gov.uk/data/assets/pdf_file/0020/172262/Part-5-Codes.-2015.pdf</p> <p>The roles and responsibilities of officers and Members are set out in the Council's Constitution. http://www.tmbc.gov.uk/data/assets/pdf_file/0007/172258/Part-2-Articles.2015.pdf http://www.tmbc.gov.uk/data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf</p> <p>There is a Job Description in place for the role of the Council's Chief Executive.</p>
Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and senior officers	<p>The roles and responsibilities of officers and Members are set out in the Council's Constitution. http://www.tmbc.gov.uk/data/assets/pdf_file/0007/172258/Part-2-Articles.2015.pdf http://www.tmbc.gov.uk/data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf</p>
Ensuring that a constructive working relationship exists between authority elected members and officers and that the responsibilities of authority members and officers are carried out to a high standard	
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.	<p>The Council's Constitution records the powers delegated to Members and Officers and specifies which decisions may be made by individuals and which are reserved for the collective. The Council's Constitution includes the council's Financial and Contract Procedure Rules setting out the council's standing orders and financial regulations.</p> <p>The Constitution is reviewed by the council's Monitoring Officer at least annually to ensure it remains reflective of current legal practice and organisational changes. http://www.tmbc.gov.uk/data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf</p>
Make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management.	<p>The Council's Chief Executive and Head of Paid Service has, along with the Directors making up the Management Team, overall responsibility for co-ordinating the operational management of the Council's functions. http://www.tmbc.gov.uk/data/assets/pdf_file/0004/172264/Part-7-Management-Structure-2015.pdf</p> <p>Specific responsibilities of the Chief Executive are defined in the Constitution, there is a detailed and up to date Job Description in place for the post and conditions of employment detailed in the contract of employment and the Council's policy framework. The Council has an appraisal scheme in place for all staff that seeks to ensure staff achieve agreed levels of performance through a link to pay progression. There are arrangements in place for appraisals of the performance of the Council's Chief Executive to be conducted by the Leader of the Council.</p>
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.	<p>The Council's Constitution includes a Protocol on Member/Officer Relations which has been in place since April 2004. http://www.tmbc.gov.uk/data/assets/pdf_file/0020/172262/Part-5-Codes.-2015.pdf</p> <p>The Council had benefitted from a longstanding and effective working relationship between the Leader and the Chief Executive. In 2012/13 changes in personnel in both posts mean that the current Chief Executive and Leader relationship is relatively new however regular liaison arrangements and very close working on a number of highly profile projects has helped to cement a shared understanding of roles and objectives in the relationship.</p> <p>There is a Job Description in place for the role of the Council's Chief Executive.</p>
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.	<p>The Council's Constitution sets out that the Director of Finance & Transformation has <i>responsibility for the Council's financial affairs for the purpose of Section 151 of the Local Government Act 1972 and Section 114 of the Local Government Finance Act 1988 and under the Constitution Article 12 sections 12.01 and 12.04. It includes any officer he/she has designated to act on his/her behalf.</i> The Constitution also sets out a number of specific responsibilities / delegated functions of the Director of Finance & Transformation.</p> <p>The post of Director of Finance & Transformation has a current Job Description.</p> <p>The Director of Finance & Transformation has completed a self assessment against the CIPFA Statement on the Role of the Chief Financial Officer in Local Government. In addition the Director of Finance & Transformation has completed a specific Assurance Statement based around the guidance for this year's Annual Governance Review process.</p> <p>The Chief Internal Auditor has completed a self assessment against the CIPFA Statement on the Role of the Head of Internal Audit in Public Service Organisations. In addition the Chief Internal Auditor has completed a specific Assurance Statement based around the guidance for this year's Annual Governance Review process. http://www.tmbc.gov.uk/data/assets/pdf_file/0007/175822/Part-4-Rules-150226.pdf http://www.tmbc.gov.uk/data/assets/pdf_file/0007/172258/Part-2-Articles.2015.pdf</p>
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.	<p>The Council's Constitution sets out that the Monitoring Officer is the Director of Central Services) as set out in the Constitution Article 12 sections 12.01 and 12.03 and includes any officer acting on his/her behalf.</p> <p>The Constitution details the statutory provisions for the Monitoring Officer Role in the Proper & Designated Officers section.</p> <p>There is a current Job Description in place for the Director of Central Services post. http://www.tmbc.gov.uk/data/assets/pdf_file/0007/175822/Part-4-Rules-150226.pdf http://www.tmbc.gov.uk/data/assets/pdf_file/0007/172258/Part-2-Articles.2015.pdf</p>
Ensuring relationships between the authority, its partners and the public are clear so that each knows what to expect of the other.	

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Develop protocols to ensure effective communication between members and officers in their respective roles.	The Council's Constitution includes a Protocol on Member/Officer Relations which has been in place since April 2004. http://www.tmbc.gov.uk/_data/assets/pdf_file/0020/172262/Part-5-Codes.-2015.pdf
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.	<p>The Council has a Scheme of Members Allowances that is subject to regular review by a Joint Independent Remuneration Panel on a cyclical process. The next review is due to be reported to Members in early 2013/14. http://www.tmbc.gov.uk/_data/assets/pdf_file/0004/183316/Part-6-Members-Allowances-Scheme-April-2015_1.pdf</p> <p>The Council's pay and conditions for officers are set out in individual Contracts of Employment, Job Descriptions and the Employee Code of Conduct. Officer pay is determined by the grade and scale point assigned to the post in line with the Salary Scales Policy. http://personnel.tmbc.gov.uk/assets/salary_scales_policy_2009.pdf http://personnel.tmbc.gov.uk/assets/TMBC_01.04.2015_plain.pdf</p> <p>The Council has documented the arrangements for determining remuneration levels in a published Pay Policy Statement. http://personnel.tmbc.gov.uk/assets/Pay_Policy_Statement2015.2016.pdf</p> <p>The Council has an established process in place for officers to appeal their grading in the event that job roles change over time. http://personnel.tmbc.gov.uk/assets/GRADING_REVIEW_AND_APPEAL_PROCEDURE_0612.pdf</p>
Ensure that effective mechanisms exist to monitor service delivery.	<p>Performance against the Key Priorities is monitored via the Key Indicators on a quarterly basis by the Council's Corporate Management Team and Cabinet and annually via the comprehensive updating and reporting of the Corporate Performance Plan.</p> <p>Service level plans include additional measures against which performance is monitored and reported through Service Management Teams to ensure any under-performance is addressed.</p> <p>See also arrangements/evidence detailed at Principle one.</p>
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.	<p>The Council's Vision and Key Priorities are developed and updated via a formal annual process that is informed by the results of previous consultation activity. Along with associated: activities, service levels, improvement themes/projects and measures, they are set out in the Council's Corporate Performance Plan. This is communicated via public reports to Overview & Scrutiny Committee, Cabinet and Council and accessible to residents via the Council's website. Paper copies of the Plan are provided to all Councillors and managers across the Council.</p> <p>The Plan is disseminated directly to all staff via email and the Council's intranet. This is accompanied and reinforced by a Staff Guide to Priorities, which complements the Corporate Performance Plan by looking ahead in more detail and focussing on specific improvement projects. It is organised by Service, enabling staff to see how their section, and their own work, contributes towards achieving our priorities. The Staff Guide is sent to all Councillors as well as all staff. Communication with staff is further reinforced by managers including relevant priorities, improvement themes/projects, Key Indicators and targets in their own service plans and discussing these via staff briefings, appraisals and team/1:1 meetings.</p> <p>See also arrangements/evidence detailed at Principle one.</p>
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. Ensure that there is clarity about the legal 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.	Each of the partnerships that the Council operates are subject to individual terms of reference.

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Principle Three: Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.

Principle / Supporting Principle	Arrangements in Plan & Evidence
Ensuring authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance.	
Ensure the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect.	<p>The Council's Officers' Code of Conduct is available to all staff on the Council's intranet. The Code has been adopted by the Council following consultation with employee representatives.</p> <p>http://personnel.tmbc.gov.uk/assets/CODE_OF_CONDUCT.pdf</p> <p>Managers are asked to confirm that their staff are aware of the Code of Conduct and that they are monitoring and encouraging compliance through their activities in their Assurance Statements as part of the Annual Governance Statement process.</p> <p>The Council's Chief Executive sets the tone of openness in the organisation by communicating directly via email with all staff. Responsibility for a range of council functions such as Procurement and IT Developments are delegated to panels of Officers through formal working groups.</p> <p>Member conduct is governed through the Members Code of Conduct, adopted by the Council. This includes specific obligations relating to the conduct of meetings, though this is also covered by the Council's Constitution.</p> <p>http://www.tmbc.gov.uk/_data/assets/pdf_file/0020/172262/Part-5-Codes.-2015.pdf</p>
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.	<p>Monitoring of employees to ensure compliance with the Officers' Code of Conduct is the responsibility of line managers. Performance against relevant codes i.e. professional bodies where appropriate is monitored through regular supervision of outputs, one to one and appraisal meetings.</p> <p>There are consistent documented induction procedures in place to ensure new staff are made aware of the standards expected of them.</p> <p>The Council has adopted an Anti-Fraud and Corruption Policy and a Whistleblowing Policy to ensure that staff, Members and the public are able to report any concerns and can be confident that the Council will investigate them appropriately.</p> <p>The Council has a complaints procedure in place that is publicised on the website and through service specific communications to residents.</p> <p>http://www.tmbc.gov.uk/services/council-and-democracy/complaints/complaints-procedure</p> <p>Partnerships agreements are subject to provide reports on expected and actual performance where appropriate.</p> <p>Member conduct is governed through the Members Code of Conduct, adopted by the Council. The Council's Standards Committee is responsible for promoting the highest standards of conduct, ensuring Members receive suitable induction and ongoing training and support, and for investigating and determining necessary action following any complaints or allegations that Member behaviour may have breached the Council's Code.</p> <p>http://www.tmbc.gov.uk/_data/assets/pdf_file/0020/172262/Part-5-Codes.-2015.pdf</p>
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.	<p>The Code of Conduct for Members is based around ethical behaviour as dictated in the seven principles of public life. Both Codes set out the requirements for objective and impartial decision making and detail the arrangements for declaring any interests that may prejudice or bias their conduct. Both also detail the requirements to declare any offers of and gifts and hospitality received.</p> <p>Members are required upon election to sign a register of interest and have a duty to update this with any new interests that may arise during their term. If a conflict or potential conflict is identified and declared, Members are required to ensure they do not participate in any decision on which their impartiality could be compromised and a failure to do so would be a matter for referral to the Standards Committee. http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/councillors-declaration-of-interest</p> <p>Officers are required to complete a Disclosure of Interest Form detailing any interest that may impact or be perceived to impact their work and managers are required to ensure that they do not do any work in an area in which they have an interest. In some sections such as Benefits and Audit/Fraud, officers are required to make a declaration of interest or 'no interest' due to the sensitive nature of their work.</p> <p>http://www.tmbc.gov.uk/_data/assets/pdf_file/0020/172262/Part-5-Codes.-2015.pdf</p> <p>Officers are required by the Code of Conduct not to accept significant personal gifts and to decline offers of hospitality, but to record the offer in the corporate register. Members are required to declare any gifts or hospitality with a value in excess of £100.</p>
Ensuring that organisational values are put into practice and are effective.	
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.	<p>The Council's Corporate Performance Plan sets out that it aims to provide excellent public services, good value for money and effective community leadership and is available on the Council's website.</p> <p>The Council's Ethical values are set out in the Code of Conduct for Members and is publically available documents on the Council's website.</p> <p>The Code of Conduct for Officers sets out the standards officers are expected to meet.</p> <p>The Council has adopted a Confidential Reporting Code (whistleblowing) to ensure that staff, Members and the public are able to report any concerns and can be confident that the Council will investigate them appropriately. There are arrangements in place for independent and impartial officers to investigate concerns raised including the Chief Internal Auditor who can report directly to the council's Management Team and Members in his own name should it be necessary.</p>
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.	<p>The Council's Codes of Conduct for Members and Officers set out the standards that are expected and there are arrangements in place to ensure that the council meets these standards in delivering its services. The Standards Committee is specifically responsible for Member Conduct while officer conduct is controlled by management through inductions, one to one and appraisal meetings.</p> <p>The Council has adopted a Confidential Reporting Code (whistleblowing) to ensure that staff, Members and the public are able to report any concerns and can be confident that the Council will investigate them appropriately.</p> <p>The Council has a complaints procedure in place to enable people to raise any concerns; this is publicised on the website and through service specific communications to residents.</p> <p>http://www.tmbc.gov.uk/services/council-and-democracy/complaints/complaints-procedure</p> <p>In addition the Council has an Internal Audit Team that operate in compliance with proper practice; the team review the council's arrangements to deliver services and this includes ensuring systems are designed in line with the council's ethical standards.</p>

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Principle / Supporting Principle	Arrangements in Plan & Evidence
Develop and maintain an effective standards committee.	<p>The Council has established a Standards Committee and has adopted arrangements under which allegations that a councillor may have breached their authority's code may be investigated and determined. These arrangements apply not only to the Borough Council, but also to all Parish & Town Councils within the Borough.</p> <p>The Terms of Reference of the Standards Committee are set out in the Constitution.</p> <p>http://www.tmbc.gov.uk/_data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf</p>
Use the organisation's shared values to act as a basis for developing positive and trusting relationships within the authority.	<p>The Council's decision making practices are governed by the Constitution with any decision making delegated to officer level controlled through service/function specific policies to ensure consistency of practice.</p> <p>Responsibility for a range of council functions such as Procurement and IT Developments are delegated to panels of Officers through formal cross-departmental working groups.</p> <p>The Code of Practice for Members is based around the seven principles of public life and is supported by a Protocol on Member/Officer Relations which has been in place since April 2004. http://www.tmbc.gov.uk/_data/assets/pdf_file/0020/172262/Part-5-Codes.-2015.pdf</p>
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' behaviour both individually and collectively.	<p>When established terms and conditions giving the objectives of the partnership are set out, outcomes are then reported back to the partnership boards.</p>

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Principle Four: Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.

Principle / Supporting Principle	Arrangements in Plan & Evidence
Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny	
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.	<p>The Council has established an Overview & Scrutiny Committee with Terms of Reference documented in the Constitution. http://www.tmbc.gov.uk/_data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf</p> <p>Agendas and Minutes of the Committee are published on the council's website. https://democracy.tmbc.gov.uk/ieDocHome.aspx?Categories=</p> <p>Reports of scrutiny reviews conducted by the Committee are published on a dedicated page on the Council's website. http://www.tmbc.gov.uk/services/council-and-democracy/elected-representatives/scrutiny</p> <p>The Council's Internal Audit Team operates in line with proper practice as defined by the Public Sector Internal Audit Standards and the CIPFA application note to the standard. The Review of the Effectiveness of the system of Internal Audit conducted in June 2014 was presented to Management Team and the Audit Committee; both concluded that the effectiveness of the Internal Audit function in place was Good.</p>
Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and consideration on which decisions are based.	<p>The Council's decision making structure is documented within the Constitution which sets out delegated decision making powers. Any decisions delegated from Members to Officers are controlled by documented policies and feed back to the appropriate board/committee/cabinet. Each decision flows from reports to the relevant committee, cabinet or Council and follow a standard template in order to assist members in decision making. All decisions made by either Cabinet or Cabinet Member are subject to a 5 day call in period.</p> <p>All reports to committees, Cabinet and the Council are published (unless they are considered under Part 2/Private) on the council's website, with decision notices being published for all key decisions made.</p> <p>Professional advice given by officers to Members to assist with decision making is documented in the minutes of meetings. Where this advice is given outside of the formal meeting structure, it is governed by the Protocol on Member/Officer Relations. http://www.tmbc.gov.uk/_data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf</p>
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.	<p>Members are required by the Code of Conduct upon election to sign a register of interest and have a duty to update this with any new interests that may arise during their term. If a conflict or potential conflict is identified and declared, Members are required to ensure they do not participate in any decision on which their impartiality could be compromised and a failure to do so would be a matter for referral to the Standards Committee. This includes a requirement to declare any relevant interest at the commencement of a council meeting which is captured in the Minutes. If it is viewed that their interest may have a prejudicial effect on the proceedings they can be requested to leave the meeting. http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/councillors-declaration-of-interest</p> <p>Officers are required by the Code of Conduct to complete a Disclosure of Interest Form detailing any interest that may impact or be perceived to impact their work and managers are required to ensure that they do not do any work in an area in which they have an interest. In some sections such as Benefits and Audit/Fraud, officers are required to make a declaration of interest or 'no interest' due to the sensitive nature of their work. http://www.tmbc.gov.uk/_data/assets/pdf_file/0020/172262/Part-5-Codes.-2015.pdf</p>
Develop and maintain an effective audit committee (or equivalent) which is independent of the scrutiny function or make other appropriate arrangements for the discharge of the functions of such a committee.	<p>The Council has an established Audit Committee that seeks to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process. The Terms of Reference of the Committee are documented within the Council's Constitution. http://www.tmbc.gov.uk/_data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf</p> <p>Details of Committee Membership are provided on the Council's website. https://democracy.tmbc.gov.uk/mgCommitteeDetails.aspx?ID=150</p> <p>Training for Members is the responsibility of the Standards Committee, however specific training has been delivered to Members prior to Audit Committee meetings on key topics such as Treasury Management.</p>
Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints.	<p>The Council has a complaints procedure in place that is publicised on the website and through service specific communications to residents. http://www.tmbc.gov.uk/services/council-and-democracy/complaints/complaints-procedure</p>
Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs.	
Ensure that those making decisions whether for the authority or the partnership are provided with information that is fit for purpose – relevant, timely and gives clear explanations of technical issues and their implications.	<p>The Council works to a calendar of meetings that includes the deadlines for officers submitting reports and for publication and distribution to Members; this is controlled and monitored by the Committee Section and through the oversight of Directors/Management Team.</p> <p>All reports to Members are distributed to the Management Team members as draft reports to ensure the adequacy, accuracy and timeliness of information provided for decision making.</p> <p>The Council's financial reporting arrangements ensure Members receive regular updates on the budget situation.</p> <p>All committee reports include an appendix which sets out the 'implications' of the decisions being recommended through the report and cover legal, financial, risks, equalities, corporate business plan and crime and disorder implications.</p>
Ensure that proper professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and is used appropriately.	<p>The Council has demonstrated its compliance with the CIPFA statement on the Role of the Chief Financial Officer in Local Government through a specific Assurance Statement completed by the Section 151 Officer for the Annual Governance Statement.</p> <p>All reports to Council Committees are recorded on the council's website (with the exception of confidential items considered in private) along with the minutes and decision notices following the meeting. Minutes reflect the content of the report and any advice given during the meeting.</p>

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Based on: *Delivering Good Governance in Local Government – guidance note for English authorities*, CIPFA/Solace, 2012 edition

Principle / Supporting Principle	Arrangements in Plan & Evidence
Ensuring that an effective risk management system is in place.	
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.	<p>The Council's Risk Management Strategy was formally approved by the Council in July 2013.</p> <p>In line with the Strategy the Council has assessed the strategic and operational risks it faces and these are documented on a Corporate Risk Register and individual Service Risk Registers; there are arrangements in place for both to be reviewed and updated on an at least annual basis.</p> <p>Details of all risks assessed as being 'high' are reported to Members along with details of actions in place and to be taken in future to manage the risk identified.</p> <p>https://democracy.tmbc.gov.uk/documents/s9327/Report%20of%20Director%20of%20Finance%20and%20Transformation.pdf</p> <p>Arrangements are in place to ensure that financial reporting is in line with financial standards and regulations; this is demonstrated through the external audit opinion on the council's financial statements and through reviews of compliance with CIPFA guidance.</p> <p>The Council's Anti-Fraud & Corruption Strategy was approved by the Council in February 2014. Resources from the Internal Audit and Benefit Investigation Teams are working directly with a number of services on key initiatives to prevent and detect fraud within the Council with outcomes reported to Members via update reports.</p>
Ensure that effective arrangements are in place for whistle-blowing to which officers, staff and all those contracting with the authority have access.	<p>The Council's Confidential obligations are delivered through a Confidential Reporting Code that is reviewed on an annual basis. The current document was approved by the Audit Committee in April 2015 and is available on the council's website via the Committee Minutes and available to staff via the Personnel Reference Manual on the intranet.</p>
Using their legal powers to the full benefit of the citizens and communities in their area.	
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.	<p>The Council's Constitution makes reference to the legislative framework in which the Council operates, and individual policies refer to specific legislation/regulations for the relevant service/function.</p> <p>The Constitution details the Statutory Provisions for key roles including the Section 151 Officer and the Monitoring Officer.</p> <p>The role of the Monitoring Officer is delivered by the Director for Central Services (formerly the Chief Solicitor) and this role is supported by a Job Description.</p> <p>There are specific provisions within the Constitution relating to the Monitoring Officer role including Data Protection.</p>
Recognise the limit of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law.	<p>The council's activities are covered by statute, the constitution and provisions for statutory officers.</p> <p>The Council's Officer Code of Conduct requires officers to work within the law.</p> <p>Council reports contain both legal and financial advice, policy and equalities impact assessments in order to aid the Members on the legality issues. The Council's standard report template for Committees includes an annex that details the implications of the report in specified areas, including legal issues.</p>
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.	<p>There are arrangements in place for senior officers to keep abreast of legislative and policy developments that may impact on the Council's activities, including professional qualification CPD, attendance at conferences/training and subscriptions to relevant profession publications.</p> <p>The Member Code of Conduct is based around the seven principles of public life, requiring Members to act fairly when making decisions. The Officer Code of Conduct requires officers to follow <i>every lawful expressed policy of the council</i>.</p> <p>Job descriptions include requirements to observe relevant legislation.</p> <p>In addition the council's Internal Audit function review compliance with legislation, regulations and Council policies and consider fair decision making in their work.</p>

Tonbridge & Malling Borough Council – Review of Governance Framework 2014-15

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Principle Five: Developing the capacity and capability of members and officers to be effective

Principle / Supporting Principle	Arrangements in Plan & Evidence
Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles.	
Provide induction programmes tailored to individuals' needs and opportunities for members and officers to update their knowledge on a regular basis.	The Council has established a Standards Committee whose Terms of Reference are set out in the Constitution. http://www.tmbc.gov.uk/data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf Induction program is held for Members following Council Elections held every four years. Specific training and briefings are provided for Members of each committee as relevant, from briefing reports through to specific training sessions. For example the Members of the Audit Committee receive regular updates via email on key topics and have received specific training on topics prior to meetings where reports on those topics are discussed, for instance Treasury Management training in advance of receiving the financial statements.
Ensure that 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.	Statutory officers are either subject to Continuing Professional Development (CPD) through their respective Professional Organisations or are subject to peer review as part of council's performance management system including appraisals. Abridged job descriptions are shown on the Council's website along with details of the council's senior management structure. http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/transparency-senior-salaries
Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group.	
Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively.	Within the Council, those charged with governance are the Management Team (including the Monitoring Officer and Chief Financial Officer), the Audit Committee and the General Purposes Committee. The Leader of the Council and the Chief Executive are required to ensure the effective management of the council's operations, including the effectiveness of the management team and its members. Monitoring the performance of individual officers is the responsibility of the council's managerial staff. The Council has a management development policy within the Council's personnel handbook. The Council has a training and development policy for both employees and members. Budget provision for training expenditure is set on the basis of salary expenditure.
Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed.	The Council's Standards Committee is responsible for advising, training or arranging training Members on matters relating to the Code of Conduct. The Terms of Reference of the committee are set out in the Constitution. http://www.tmbc.gov.uk/data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf It is the responsibility of the Chair of each committee to assess its effectiveness and to identify and refer any training requirements to the Standards Committee.
Ensure that 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 developmental needs.	Decisions made by the cabinet are subject to call in through the scrutiny process within the Council's Constitution. The Council's appraisal system identifies training needs for staff; these are agreed with staff by line management and chief officer then forwarded to Personnel and Training to identify relevant course options. In addition professionally qualified staff are encouraged to participate in continued professional development for their own professional body.
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	
Ensure that effective arrangements have been 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 has arrangements in place to ensure that services consult with key stakeholders, particularly residents and service users. Examples of current and recent consultation and engagement exercises have been used to inform the design and development of services include: <ul style="list-style-type: none"> • Establishing user panels for the Leisure Facilities where management meet with customer representatives and work to resolve service user issues. • Surveys of users of the summer Play schemes and Activate scheme. • Council Tax consultation on the Council Tax Reduction Scheme where the views of claimants, residents and 2nd home owners were used to validate the scheme being put into place. • A survey of statutory registered housing providers on the new Housing Allocations Scheme. • A first survey of the Council's Online Residents' Panel aimed at improving online services to residents. • A second survey of the Panel to measure satisfaction with services and provide results for a range of Key Indicators in the Council's Corporate Performance Plan. • An exhibition and associated consultation with residents and local groups concerning major improvements to retail and community/leisure facilities in Tonbridge. In addition Members are elected to represent the residents in their Wards and regularly bring items forward to the service areas relevant to their residents for resolution.
Ensure that career structures are in place for officers to encourage participation and development.	The council has a very low staff turnover, when and if retirements are identified succession planning is undertaken in order to maintain service delivery. The Council's Human Resources Strategy contains both workforce and management development plans which enable the provision of structured career development over the next 10 years.

Principle Six: Engaging with local people and other stakeholders to ensure robust public accountability.

Principle / Supporting Principle	Arrangements in Plan & Evidence
Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive and accountability relationships	
Make clear to themselves, all staff and the community to whom they are accountable and for what.	<p>The Tonbridge & Malling Local Strategic Partnership was formed in October 2008 and brings together a wide range of groups and organisations that operate across the borough, covering the public, private, faith, voluntary and community sectors. Details of the actions being taken are reported to the Communities Advisory Board.</p> <p>The Local Strategic Partnership is responsible for the Sustainable Community Strategy, a three year plan to address issues related to the local quality of life. The Local Strategic Partnership acts as the strategic decision making body to ensure that actions within the Sustainable Community Strategy are delivered.</p> <p>http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/partnerships/local-strategic-partnership</p>
Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required.	The Council has arrangements in place to ensure that services consult with stakeholders recently this was used in the planning of the consultation activity relating to the Council Tax Reduction Scheme and the Housing Allocations Scheme.
Produce an annual report on the activity of the scrutiny function.	<p>The Council's Overview & Scrutiny Committee with Terms of Reference documented in the Constitution.</p> <p>http://www.tmbc.gov.uk/_data/assets/pdf_file/0007/181483/150409-Part-3-responsibilities.2015.pdf</p> <p>The Committee does not currently produce an annual report; this is identified as a recommended enhancement to the Council's governance arrangements in the Annual Governance Statement 2012-13.</p>
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.	
Ensure clear channels of communication are in place with all sections of the community and other stakeholders, including monitoring arrangements, and ensure that they operate effectively.	<p>The Council provides a full range of channels by which the public and other stakeholders can access services. While encouraging a shift towards customer self service using the Council's website, all traditional access channels continue to be resourced. For example, to meet the needs of those customers that need the confidence and support that comes with face to face service, the Council provides fully staff receptions at the main offices, with partner agencies in Tonbridge (Gateway) and, at other locations, via a number of surgeries and shared facilities with partners. A language translation service is also provided where customers are unable to communicate in English.</p> <p>With regard to monitoring:</p> <ul style="list-style-type: none"> • The Council's approach to customer service has been subjected to an equality impact assessment. • Trends in customer contacts are monitored across the full range of access channels. • Customer comments and complaints are monitored. <p>Outgoing communications are guided by the Council's Corporate Communication Guidelines. These have explicit regard to plain English, diversity and equality.</p> <p>The council's communications arrangements are evidenced through:</p> <ul style="list-style-type: none"> • Customer services equalities impact assessment. • Customer Contact Statistics reports to the Council's corporate Management Team and the Innovation and Improvement Advisory Board. These reports cover the full range of access channels, including: website visitors and visits, web forms, online payments and bookings, emails to generic addresses, telephone calls, letters and face to face visits by residents and other customers. • Corporate Communications Guidelines. • Corporate complaints system.
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.	<p>The Council has operated residents' panels, with 1,000+ members for over a decade.</p> <p>Surveys of residents, customers and other stakeholders are analysed in depth using a range of statistical techniques to identify significant (real) differences between groups. This identifies different needs and priorities between groups that can be individually addressed; invaluable in times where finance and other resources are in particularly short supply. Large scale surveys of residents are complemented by small user panels, providing qualitative feedback, and other customer research via kiosks, e.g. at the leisure centres. The Council's principal public open spaces are covered by an annual programme of face to face market research.</p> <p>Consultation and engagement activity is reported to the Council's Corporate Management Team, Cabinet, Committees and Advisory Boards.</p> <p>The Council was awarded the Certificate of Best Practice from The Consultation Institute in January 2013 for the Council Tax Benefit Localisation scheme consultation.</p>
Establish a clear policy on the types of issues on which 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.	<p>The Council has a strong track record of consultation covering the full range from strategic (e.g. identification of priorities) to operational (e.g. satisfaction with services) matters.</p> <p>The Council's policy is to consult only on matters where the public or other stakeholders can genuinely influence the choice of options or the Council's actions and future performance. Matters already decided are outside the scope of consultations. This distinction is explicit in scoping documents for the more challenging consultations. Similarly, for the more complex consultations, a thorough analysis of stakeholders is undertaken. More comprehensively, the Council's best practice approach to consultation is guided by the corporate Consultation Project Guide, supported by the corporate Guide to Questionnaire Design and Sampling. Feedback to consultees, covering both the consultation results and further outcomes/actions, is an integral part of the Council's approach, explicit in the Consultation Project Guide and evidenced through newsletters to the residents' panels.</p>
Publish an annual 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.	<p>The Council's Key Priorities are detailed in its Corporate Performance Plan 2012/15 and include both local and national/statutory priorities.</p> <p>http://www.tmbc.gov.uk/_data/assets/pdf_file/0006/69927/Corporate-Performance-Plan-2012-15.pdf</p> <p>It is a three-year plan, covering the financial years 2012/15 showing where the Council particularly aims to improve, it includes a range of improvement themes and a set of Key Indicators for each priority.</p> <p>A number of the Key Indicators relate to customer satisfaction with the Council's Services. During 2013 a survey of the Council's new Online Residents' Panel measured residents' satisfaction with a range of services and thereby provided results for associated Key Indicators. Targets were achieved for five out of</p>

Principle / Supporting Principle	Arrangements in Plan & Evidence
	<p>seven indicators and the results were only just below target for the other two indicators. These results will be reported fully in the next version of the Plan. Financial performance is reported through the Annual Report within the Council's Financial Statements. http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/annual-accounts</p> <p>The Council has a strong track record in resolving complaints and this is evidenced by the very low level of complaints made about the Council to the Local Government Ombudsman. Assurance can be given on the effectiveness of the Council's complaints handling process by the fact that the council has made no local settlements in the year and the Ombudsman has not overturned any council decisions.</p>
<p>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.</p>	<p>The Council is committed to openness and accountability. This is demonstrated by:</p> <ul style="list-style-type: none"> • External publication of financial information. • Internal publication of policies to encourage whistle-blowing and prevent bullying or harassment. <p>The Council explicitly addresses the three aims of the Equality Duty through its decision making processes:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation • Advance equality of opportunity between different groups • Foster good relations between different groups <p>This extends to services provided in partnership.</p> <p>Council tax charges that the Council and the public sector partners levy are published on the Council's website. Annual bills make it clear that paper copies are available to residents on request.</p> <p>Information is published on the Council's website in line with the Government's transparency requirements including the number of employees, senior staff salaries and gross expenditure.</p> <p>The Corporate Debt Recovery Policy formalises the Council's approach to debt recovery.</p> <p>The equality impacts of Council decisions are considered and published within committee reports.</p> <p>A summary of consultations for equality impact assessments is available at http://www.tmbc.gov.uk/services/jobs-and-careers/equality-and-diversity/equalities-assessment-and-consultation</p>
<p>Making best use of human resources by taking an active and planned approach to meet responsibility to staff</p>	
<p>Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making.</p>	<p>The authority operates a Joint Employee Consultative Committee (JECC) which comprises officers from services, Management Team and Councillors. The Objectives of the committee are.</p> <ul style="list-style-type: none"> • To promote the closest understanding and cooperation between the Council and its employees, through their representatives. • To provide a systematic means of communication between the Council and its employees, through their representatives. • To give employees, through their representatives, the opportunity to discuss and express views about Council decisions which affect them. • To provide an opportunity for employees, through their representatives, to identify and consider health & safety issues <p>The terms & conditions of employment with the council are based on the National Joint Council terms & conditions (the Green Book). The council's Personnel Management are professional members of the Chartered Institute of Personnel Development and ensure the recruitment process is in line with current best practice.</p>