

TONBRIDGE & MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

27 July 2020

Report of the Chief Executive and Director of Central Services

Part 1- Public

Matters for Recommendation to Council

1 LOCAL CODE OF CORPORATE GOVERNANCE

This report informs Members of the outcome of the annual review of the Local Code of Corporate Governance.

1.1 Introduction

- 1.1.1 In April 2017 the Local Code of Corporate Governance was heavily amended, and the Council's Constitution was comprehensively re-written, and adopted by Full Council on 31 July 2018. The Local Code was revisited at that time to ensure no further amendments were necessary as a result of adoption of the new Constitution.
- 1.1.2 The coming into force of the General Data Protection Regulation (GDPR) in May 2018, and the Data Protection Act 2018 subsequently, required the adoption of new procedures and some minor updates to the Local Code in 2019.
- 1.1.3 The adoption by the Council of a Corporate Enforcement Policy (to guide the Council's enforcement activities in all of its regulatory functions) in 2019, and updated Corporate Strategy for 2020-2023 requires some minor updates to the Local Code to reflect these documents.
- 1.1.4 Audit Committee may also be aware of the central government review of Ethical Standards in Local Government in January 2019. Whilst the report has made a number of recommendations, these will require implementation through primary legislation before they take effect, if Government decides to adopt any or all of them. At the time of writing, no action had been taken by central government in this regard and therefore no changes are proposed on these matters.
- 1.1.5 The Council is due to adopt a Climate Change Strategy in 2020 and this may result in the need for further changes to the Local Code for 2021/22.

1.2 Legal Implications

- 1.2.1 Whilst there is no legal requirement for Council's to develop a Local Code of Corporate Governance, such a Code provides a public document that

demonstrates how the Council ensures it operates in a proper way and in accordance with the law.

1.3 Financial and Value for Money Considerations

1.3.1 There are no financial and value for money considerations arising from the Code.

1.4 Risk Assessment

1.4.1 Adoption of a Local Code of Corporate Governance is seen as good practice in that it demonstrates how the Council ensures it operates in a proper way and in accordance with the law and as such is subject to annual review to ensure it remains fit for purpose. Not to do so may attract unwelcome criticism.

1.5 Equality Impact Assessment

1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.6 Recommendations

1.6.1 Members are asked to **approve** the amendments to the Local Code of Corporate Governance set out at **Annex 1** and **commend** it to Council for adoption.

Background papers:

contact: Kevin Toogood

CIPFA/SOLACE – “Delivering Good Governance in Local Government Framework 2016”

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