

TONBRIDGE & MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

26 July 2021

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 The Coronavirus pandemic necessitated a strategic response from the Council to guide the Council's recovery from the pandemic. This resulted in the production of a Corporate Strategy Addendum which was adopted in 2020.

1.1.2 Throughout the course of 2020/21 the Council has also adopted or refined a number of its procedures and policies which necessitate minor amendments to the Local Code including:

- The adoption of a Climate Change Strategy and annual Action Plans
- The replacement of the Records Management policy with a Data Retention Policy, to seek to ensure compliance with GDPR regarding the duration that the Council can hold the personal data of its residents

1.1.3 Audit Committee may recall the central government review of Ethical Standards in Local Government in January 2019 which was highlighted in the last report on the Local Code (July 2020). Whilst that review 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.

1.1.4 The Council's last "Peer Review Challenge" took place in 2013/14 and it is therefore proposed that reference to this is now removed from the Local Code.

1.2 Legal Implications

1.2.1 Whilst there is no legal requirement for Councils 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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