

TONBRIDGE & MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

25 July 2022

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 Since the last review of the Local Code of Corporate Governance took place in July 2021, a number of activities have taken place which have had consequences for the Local Code, including:

- The LGA Peer Review Challenge 2022;
- Changes to executive governance arrangements;
- Adoption of a new Kent Code of Conduct for Councillors; and
- An internal audit of the Local Code of Corporate Governance

1.1.2 The LGA Peer Review Challenge made a number of recommendations, including refocussing the Corporate Strategy and updating the HR/ Workforce Strategy, and these are reflected in the updated Code.

1.1.3 In May 2022, the Council's Leader adopted new executive governance arrangements including the setting up of three Scrutiny Select Committees. These changes to the Council's constitutional arrangements need to be accounted for in the Code.

1.1.4 The Council has adopted the revised Kent Code of Conduct for Councillors, following a Kent-wide review of the new LGA model code. This change is also reflected in the updated Code.

1.1.5 In April/ May, internal Audit reviewed the Local Code, giving an overall audit opinion of "substantial". The only outstanding action from that review was to

remove reference to the Partnership Strategy which was not pursued. That change is made in the amended Code. The current version of the Local Code has been published on the Council's website alongside the Corporate Strategy, and it is intended that this practice will continue.

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:

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

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