

TAMWORTH BOROUGH COUNCIL

CODE OF CORPORATE GOVERNANCE 2012/13

Introduction

Governance is about how Local Government Bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

It comprises the systems and processes, and culture 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.

The core principles of good governance are:

- Focusing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area;
- Members and Officers working together to achieve a common purpose with clearly defined functions and roles;
- Promoting values for the Authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
- Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- Developing the capacity and capability of Members and Officers to be effective;
- Engaging with local people and other stakeholders to ensure robust public accountability.

Each of these core principles is strengthened by supporting principles.

Tamworth Borough Council is committed to ensuring that the principles of good corporate governance are embedded within its culture and applied within a defined management process which is transparent to all stakeholders. By making explicit our high standards of self-governance we aim to provide a lead to potential partners, to the public, private or voluntary services and to our citizens. In order to meet this commitment we aim to observe the Code (attached **Appendix A**).

Core Principle 1: Focusing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area.

Supporting principle 1.1: Exercising strategic leadership by developing and clearly communicating the Authority's purpose and vision and its intended outcome for citizens and service users.

We will

- Develop and promote the Authority's purpose and vision through robust performance management mechanisms which will be clearly articulated and disseminated;
- Review on a regular basis the Authority's vision for the local area and its implications for the Authority's governance arrangements;
- Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all partners;
- Publish an Annual Report or similar documentation a timely basis to communicate the Authority's activities and achievements, its financial position and performance. The Annual Report will include statements explaining our responsibility for the financial statements, confirming that we will comply with relevant standards and codes of corporate governance and on the effectiveness of our system of good governance;
- Put in place proper arrangements for the independent review of our financial and operational reporting processes;
- In developing our business ensure services are sustainable and meet the needs of our citizens.

Supporting principle 1.2: Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning.

We will

- Set standards and targets for performance in the delivery of services on a sustainable basis and with reference to equalities policies;
- Put in place sound systems for providing management information for performance measurement purposes;
- Monitor and report performance against agreed standards and targets and develop comprehensive and understandable performance plans;
- Put in place arrangements to allocate resources according to priorities;
- Foster effective relationships and partnerships with other public sector agencies and the private and voluntary sectors, and consider alternative means of service delivery where it is efficient and effective to do so, to

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meet the needs of the local community, and put in place processes to ensure that they operate effectively in practice;

- Respond positively to the findings and recommendations of external auditors, statutory inspectors and any other peer reviews or assessments and put in place arrangements for the effective implementation of agreed actions.

Supporting principle 1.3: Ensuring that the Authority makes the best use of resources and that tax payers and service users receive excellent value for money.

We will

- Decide how value for money is to be measured and make sure that the Authority or any Partnership has the information needed to review value for money and monitor performance effectively;
- Measure the environmental impact of policies, plans and decisions;
- Ensure services are reviewed and waste eliminated where it is identified.

Core Principle 2: Members and officers working together to achieve a common purpose with clearly defined functions and roles.

Supporting principle 2.1: 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.

We will

- Have in place clearly documented protocols of the respective roles and responsibilities of the Executive and of the Executive's members individually and the Authority's approach towards putting this into practice;
- Ensure that the respective roles and responsibilities of other Authority Members, Members generally and of Senior Officers are clearly defined;
- Work together to provide clear leadership and direction for the authority and its partners.

Supporting principle 2.2: 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.

We will

- Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically

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reserved for collective decision making of the Authority, taking account of relevant legislation, and ensure that it is monitored and updated when required;

- Make the Chief Executive responsible and accountable to the Authority for all aspects of operational management;
- Develop protocols to ensure that the Leader and Chief Executive negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained;
- Make the Executive Director – Corporate Services (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 to ensure compliance with all applicable statutes, regulations and relevant statements of best practice and to ensure that public funds are properly safeguarded and are used economically, efficiently and effectively, and in accordance with the statutory and other authorities that govern their use;
- Make the Solicitor to the Council (Monitoring Officer) responsible to the Authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with.

Supporting principle 2.3: Ensuring relationships between the Authority, its partners and the public are clear so that each knows what to expect of the other.

We will

- Develop protocols to ensure effective communication between Members and Officers and their respective roles;
- Set out terms and conditions for remuneration of Members and Officers and an effective structure for managing the process, including an effective remuneration panel;
- Ensure that effective mechanisms exist to monitor service delivery;
- 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;
- When working in partnership, ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and the Authority;
- When working in partnership:
 - ensure that there is clarity about the legal status of the partnership
 - ensure that representatives of organisations both understand and make clear to all other partners the extent of their authority to bind their

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organisation to partner decisions.

Core principle 3: Promoting values for the Authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.

Supporting principle 3.1: Ensuring Authority Members and Officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance.

We will

- Ensure that the Authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect;
- 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 community are defined and communicated through codes of conduct and protocols;
- 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;
- Provide the necessary training and development to all Officers and Members to ensure that the behaviours and values of the Authority are adhered to.

Supporting principle 3.2: Ensuring the organisational values are put into practice and are effective.

We will

- 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;
- 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;
- Develop and maintain an effective standards committee;
- Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the Authority;
- 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;
- Provide training on those values to ensure they are fully understood and that Members and Officers can demonstrate competence in those areas.

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Core principle 4: Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.

Supporting principle 4.1: Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny.

We will

- 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;
- Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based;
- 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;
- Develop and maintain an effective Audit & Governance Committee which is independent of the Executive and Scrutiny functions;
- Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints.

Supporting principle 4.2: Having good-quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs.

We will

- Ensure that those making decisions whether for the Authority or any partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications;
- Ensure that proper professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately.

Supporting principle 4.3: Ensuring that an effective risk management system is in place.

We will

- 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;
- Ensure that effective arrangements for whistle-blowing are in place and that officers, staff and all those contracting with or appointed by the Authority have access;

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- Provide training, guidance and support in risk management to all officers where appropriate.

Supporting principle 4.4: Using their legal powers to the full benefit of the citizens and communities in their area.

We will

- Actively recognise the limits of lawful activity placed on us by, for example, the ultra vires doctrine but also strive to utilise our powers to the full benefit of our communities;
- Recognise the limits of lawful action and observe both the specific requirement of legislation and general responsibilities placed on authorities by public law;
- Observe all specific legislation requirements placed upon us, 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 our procedures and decision-making.

Core Principle 5: Developing the capacity and capability of Members and Officers to be effective

Supporting principle 5.1: Making sure that Members and Officers have the skills, knowledge, experience and resources they need to perform well in their roles.

We will

- Provide induction programmes tailored to individual needs, and opportunities for Member and Officers to update their knowledge on a regular basis;
- Ensure that the 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;
- Make available training and development opportunities where gaps in knowledge and skills are identified.

Supporting principle 5.2: Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group.

We will

- Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively;
- 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;

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- Ensure that effective 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 aim to address any training or development needs.

Supporting principle 5.3: Encouraging new talent for membership of the Authority so that best use can be made of individuals' skills and resources in balancing continuity and renewal.

We will

- Ensure that effective arrangements are in place which are designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the Authority;
- Ensure that career structures are in place for Members and Officers to encourage participation and development.

Core Principle 6: Engaging with local people and other stakeholders to ensure robust public accountability.

Supporting principle 6.1: Exercise leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships.

We will

- Make clear to ourselves, all staff and the community to whom we are accountable and for what;
- Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required;
- Produce an Annual Report on the activity of the Scrutiny function.

Supporting principle 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.

We will

- Ensure clear channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements and ensure that they operate effectively;
- Hold meetings in public unless there are good reasons for confidentiality;
- Ensure that arrangements are in place to enable the Authority to engage with all sections of the community effectively. These arrangements will recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands;

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- Establish a clear policy on the types of issues we 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;
- On an annual basis, publish a 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;
- 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.

Supporting principle 6.3: Making the best use of human resources by taking an active and planned approach to meet responsibility to staff.

We will

- Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making.

This information can be produced on request in other formats and languages. Please contact Internal Audit Services on 01827 709234 or email enquiries@tamworth.gov.uk

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