



# **Local Code of Corporate Governance**

## **LOCAL CODE OF CORPORATE GOVERNANCE**

### **Introduction**

Angus Council operates through a governance framework based on legislative requirement, governance principles and management processes. Over the last few years the council has put effort into ensuring that its governance arrangements are robust and lead to good practice.

In 2001 a local code of corporate governance was adopted, that code being based on a governance framework document published by CIPFA/SOLACE. In 2008, CIPFA/SOLACE produced a new framework 'Delivering Good Governance in Local Government'. As a result, the council has reviewed its governance arrangements and revised the local code of corporate governance.

The code is set out in two parts:

The first part describes the principles of good governance and how the council aims to achieve these.

The second identifies the council's policies and procedures that are essential to demonstrate compliance with these principles.

Compliance with the code will be assessed on an annual basis by an officer working group on corporate governance chaired by the Assistant Chief Executive and comprising the Head of Law & Administration, Head of Finance, Corporate and Community Planning Manager. The Chief Internal Auditor will also be invited to attend meetings of the group to provide advice. The results of that assessment will be reported to the Scrutiny and Audit Sub-Committee and will incorporate recommendations for additions and/or improvements to the code to reflect any changes in the way in which the council does business or new legislation affecting the council's governance arrangements. The working group's assessment of compliance will also be reflected in an Annual Governance Statement which the Leader of the Council and the Chief Executive are required to produce as part of the auditing of the council's annual accounts. In addition the council's Internal Audit team will also conduct an annual independent audit reviewing the adequacy, effectiveness and extent of compliance with the code.

**PRINCIPLE 1: Focusing on the purpose of the Council and on outcomes for the community and creating and implementing a vision for the local area.**

*Rationale: Local government bodies need to develop and articulate a clear vision of their purpose and intended outcomes for citizens and service users that is clearly communicated, both within the organisation and to external stakeholders.*

<b>Good Governance is about:</b>	<b>To demonstrate its commitment to good governance the Council will:</b>
Exercising strategic leadership by developing and clearly communicating the Council's purpose and vision and its intended outcome for citizens and service users.	<ul style="list-style-type: none"> <li>• Develop and promote our purpose and vision.</li> <li>• Review on a regular basis our vision for the local area.</li> <li>• Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all partners.</li> <li>• Publish an annual report on a timely basis to communicate our activities and achievements, financial position and performance.</li> </ul>
Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning.	<ul style="list-style-type: none"> <li>• Make sure that the information needed to review service quality effectively and regularly is available.</li> <li>• Put in place arrangements to identify and deal with failure in service delivery.</li> </ul>
Ensuring that the Council makes best use of resources and that tax payers and service users receive excellent value for money.	<ul style="list-style-type: none"> <li>• Review the use of resources and monitor service delivery.</li> </ul>

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

*Rationale: A constructive working relationship between members and officers, with clear roles and responsibilities, is essential to the achievement of our vision.*

<b>Good Governance is about:</b>	<b>To demonstrate its commitment to good governance the Council will:</b>
Ensuring effective leadership throughout the Council and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function.	<ul style="list-style-type: none"> <li>• Set out a statement of the respective roles and responsibilities of members and of senior officers.</li> </ul>
Ensuring that a constructive working relationship exists between Council members and officers and that the responsibilities of members and officers are carried out to a high standard.	<ul style="list-style-type: none"> <li>• Determine a scheme of delegation and reserve powers, taking account of relevant legislation, and ensure that it is monitored and updated when required.</li> <li>• Make the Chief Executive responsible and accountable to the Council for all aspects of operational management.</li> <li>• Ensure the Leader and Chief Executive are clear on their respective roles and that a shared understanding of roles and objectives is maintained.</li> <li>• Make the Head of Finance (section 95 officer) responsible for ensuring appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining effective systems of internal financial control.</li> <li>• Make the Head of Law and Administration (monitoring officer) responsible for ensuring that agreed procedures are in place.</li> </ul>
Ensuring relationships between the Council, its partners and the public are clear so that each know what to expect of the other.	<ul style="list-style-type: none"> <li>• Develop protocols to ensure effective communication between members and staff in their respective roles.</li> <li>• Ensure that an established scheme for remuneration of members and staff and an effective structure for managing the process is in place.</li> <li>• Ensure that effective mechanisms exist to monitor service delivery.</li> <li>• Ensure that our vision, corporate plan, 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.</li> <li>• When working in partnership ensure that members are clear about respective roles and responsibilities both individually and collectively.</li> <li>• When working in partnership, ensure that there is clarity about the legal status of the partnership; and ensure that representatives of organisations both understand and make clear to all other partners the extent of their ability to bind their organisation to partner decisions.</li> </ul>

**PRINCIPLE 3: Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour.**

*Rationale: A hallmark of good governance is the development of shared values, which become part of the culture, underpinning policy and behaviour throughout the organisation.*

<b>Good Governance is about:</b>	<b>To demonstrate its commitment to good governance the Council will:</b>
<p>Ensuring Council members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance.</p>	<ul style="list-style-type: none"> <li>• Ensure that our leadership sets a tone for the organisation by creating a climate of openness, support and respect.</li> <li>• Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the Council, its partners and the community are defined and communicated through codes of conduct and protocols.</li> <li>• Put in place arrangements to ensure that members and staff 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.</li> </ul>
<p>Ensuring that organisational values are put into practice and are effective.</p>	<ul style="list-style-type: none"> <li>• Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations, and communicating these with members, staff, the community and partners.</li> <li>• 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.</li> <li>• Develop and maintain an effective standard of conduct mechanism.</li> <li>• Use our shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the Council.</li> </ul>

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

*Rationale: Officers need the support of appropriate systems to help to ensure that decisions are well informed, implemented and that resources are used legally and efficiently. An effective risk management system identifies and assesses risks, decides on appropriate responses and then provides assurance that the chosen responses are effective.*

<b>Good Governance is about:</b>	<b>To demonstrate its commitment to good governance the Council will:</b>
<p>Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny.</p>	<ul style="list-style-type: none"> <li>• Ensure effective scrutiny arrangements are in place which encourage constructive challenge and enhance our performance overall and that of any organisation for which we are responsible.</li> <li>• Ensure that there are open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and consideration on which decisions are based.</li> <li>• Ensure that there are arrangements to safeguard members and staff against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice.</li> <li>• Maintain an effective independent audit committee.</li> <li>• Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints.</li> </ul>
<p>Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs.</p>	<ul style="list-style-type: none"> <li>• Ensure that those making decisions are provided with information that is fit for purpose – relevant, timely and gives explanations of technical issues and their implications.</li> <li>• Ensure that professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately.</li> </ul>
<p>Ensuring that an effective risk management system is in place.</p>	<ul style="list-style-type: none"> <li>• Ensure that risk management is embedded, with members and managers at all levels recognising that risk management is part of their job.</li> <li>• Ensure that arrangements are in place for whistle-blowing to which staff and all those contracting with the Council have access.</li> </ul>

<b>Good Governance is about:</b>	<b>To demonstrate its commitment to good governance the Council will:</b>
<p>Using legal powers to the full benefit of the citizens and communities in the area.</p>	<ul style="list-style-type: none"> <li>• Actively recognise the limits of lawful activity placed on the Council by, for example, the ultra vires doctrine but also strive to utilise powers to the full benefit of the communities.</li> <li>• Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on the Council by public law.</li> <li>• Observe all specific legislative requirements placed upon the Council, and in particular integrate the key principles of good administrative law – rationality, legality and natural justice – into our procedures and decision-making processes.</li> </ul>

**PRINCIPLE 5: Developing the capacity and capabilities of members and officers to be effective**

*Rationale: Authorities need people with the right skills to direct and control them effectively. In addition, governance is strengthened by the participation of people with many different types of knowledge and experience.*

Good Governance is about:	To demonstrate its commitment to good governance the Council will:
<p>Making sure that members and officers have the skills, knowledge, experience and resources they need to perform their roles well.</p>	<ul style="list-style-type: none"> <li>• Provide induction programmes tailored to individual needs and opportunities for members and staff to update their knowledge on a regular basis.</li> <li>• 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 Council.</li> <li>• Facilitate learning and development opportunities for members and staff.</li> </ul>
<p>Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group.</p>	<ul style="list-style-type: none"> <li>• Assess the skills required by members and staff and make a commitment to develop those skills to enable roles to be carried out effectively.</li> <li>• 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.</li> <li>• Ensure that effective arrangements are in place for addressing any training or development needs.</li> </ul>
<p>Encouraging new talent for membership of the Council so that best use can be made of individuals skills and balancing continuity and renewal.</p>	<ul style="list-style-type: none"> <li>• Ensure that effective arrangements are in place designed to encourage individuals from all sections of the community to engage with and contribute to our work.</li> </ul>

**PRINCIPLE 6: Engaging with local people and other stakeholders to ensure robust public accountability.**

*Rationale: Elected members are democratically accountable to their local area and provide a clear leadership role in building sustainable communities. Local government bodies are responsible for ensuring that their business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.*

<b>Good Governance is about:</b>	<b>To demonstrate its commitment to good governance the Council will:</b>
<p>Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships.</p>	<ul style="list-style-type: none"> <li>• Be clear to our staff and the community about what we do.</li> <li>• Consider those institutional stakeholders with whom we engage and assess the effectiveness of the relationships and any changes required.</li> <li>• Ensure the outcomes of our scrutiny function are open to the community and other stakeholders where appropriate.</li> </ul>
<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 Council, in partnership or by commissioning.</p>	<ul style="list-style-type: none"> <li>• Ensure channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements to ensure that they operate effectively.</li> <li>• Hold meetings in public unless there are good reasons for confidentiality.</li> <li>• Ensure that arrangements are in place to enable us 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.</li> <li>• Consult with the public and service users on our services and have a feedback mechanism to demonstrate what has changed as a result.</li> <li>• On an annual basis publish a range of information showing our performance in relation to service delivery and finance.</li> <li>• Ensure that we are open and accessible to the community, service users and staff and ensure that we make a commitment to openness and transparency in all of our dealings, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.</li> </ul>
<p>Making best use of human resources by taking an active and planned approach to meet responsibility to staff.</p>	<ul style="list-style-type: none"> <li>• Develop and maintain arrangements for consulting and involving staff in decision making.</li> </ul>

## Policies, Procedures and other Evidence

	Core Principles					
	1	2	3	4	5	6
ACCESSline	•					•
Angus Community Planning Partnership	•	•				
Angus Life	•		•			•
Angus Matters			•			•
Annual Report and Accounts & SPI Supplement	•	•				•
Anti Fraud and Corruption Policy			•			
Audit Committee/Audit Sub-Committee				•		
Briefing/Cascade Arrangements				•		•
Budget Planning Process/Documentation	•	•				
Capital Budget Sub-Group		•		•		
Citizens Panel/Survey	•					
Committee Reports		•	•	•		
Communication Strategy	•	•				•
Community Meetings						•
Community Plan (2007-12)	•	•			•	•
COMT (Chief Officers Management Team)	•	•		•		
Consultation Exercises (service specific)	•					•
Consultation and Involvement Strategy	•					
Consultative Committees						•
Corporate Guidance - Environmental Impact of Policies and Decisions	•					
Corporate Guidance - "Hard" and "Soft" Savings	•					
Corporate Performance Management Framework (Draft)					•	•
Corporate Plan (2007-12)	•	•				•
Council and Committee Minutes				•		•
Course Planner					•	
Cross-Cutting Plans		•				
Customer Care Toolkit	•					
Customer Charter						•
Customer Complaints Procedure and CC1 Form (Customer Complaint Form)	•		•	•		•
Declarations of Interest				•		•
Departmental Annual Reports			•			•
Departmental Schemes of Delegation		•				
Discipline Procedure			•			
Efficiency and Improvement Strategy	•					
Excelsis (performance management system and reports)		•				
External Assurance Reports/Action Plans	•					
Financial Regulations		•	•			
Freedom of Information Act/Team						•
Grievance Procedure			•			
Have Your Say	•					
Induction Training					•	•
Inspectorate Reports	•					
Internal Audit Reports	•	•				
Internal Quality Assurance	•					
Job Descriptions/Person Specifications		•			•	
Local Code of Corporate Governance (annual review, assurance statements reports and arrangements with partners)	•	•	•			

	Core Principles					
	1	2	3	4	5	6
Local Negotiation Committees						•
Meetings between Chief Executive and Leader of the Administration		•				
Member/Officer Protocol		•	•			
Monitoring Group	•			•		
Member/Officer/Employee Code of Conduct		•	•	•		•
Ombudsman & Standards Commission			•			
Option Appraisal Arrangements (Best Value Guidance)	•					
Order of Reference of Committees		•	•			
Performance Appraisal and Development Guidelines/Process		•			•	
Performance Indicators		•				
Personal Development Plans (Members and Officers)					•	
PMSG (Programme Monitoring Sub-Group)	•					
Pre-agenda Meetings				•		
Press Releases	•					•
Programme of Best Value and Management/Efficiency Reviews	•					
Public Meetings			•			•
Public Notification of Council Meetings						•
Putting You First	•		•			•
Register of Complaints against Elected Members (including registerable interests and declarations of interest)			•			
Register of Gifts and Hospitality			•	•		
Risk Management Strategy				•		
Risk Registers (corporate and departmental/service)		•		•		
s95 Officer and Monitoring Officer		•				
Scheme of Delegation to Officers		•	•			•
Scheme of Establishment of Community Councils					•	•
Scheme of Members' Remuneration, Allowances & Expenses		•				
Self Assessment - Angus Improvement Model	•	•				
Senior Management Teams	•					
Service Committees	•					
Service Plans and Service Planning Guidance	•	•				•
Single Outcome Agreement	•					•
Standing Orders		•	•		•	
Statement of Internal Financial Control	•					
Strategic Policy Committee		•	•			
Statutory Provisions				•		
Statutory Reports		•				
Elected Member Surgeries						•
Timetable of Council Meetings						•
Trade Unions						•
Training for Elected Members		•			•	
Website	•					•
Whistle-Blowing Policy			•	•		