

Mendip District Council

Local Code of Corporate Governance

1. Introduction

1.1 Corporate Governance is defined by CIPFA/SOLACE as comprising “the systems and processes for the direction and control of local authorities through which they account to, engage with and lead their communities. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.”

1.2 Mendip District Council (‘the Council’) operates through a governance framework that brings together an underlying set of legislative requirements, governance principles and management processes. These are detailed below. The framework covers all the work of the Council including partnership working.

1.3 The Council recognises the six core principles of good governance as:

- Focussing on the purpose of the Council and on outcomes for the community including citizens and service users 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 the values of the Council and demonstrating the values of good governance through behaviour;
- Taking informed and transparent decisions that are subject to effective scrutiny and risk management;
- Developing the capacity and capability of members to be effective and ensuring that officers – including statutory officers – also have the capability and capacity to deliver effectively;
- Engaging with local people and other stakeholders to ensure robust local public accountability.

1.4 ~~—~~ These principles are reflected across the four key dimensions of the Council’s business:

- ~~-~~ **Dimension 1:** To provide leadership for and with the community to engage in effective partnerships.

- **Dimension 2:** To ensure the delivery of high quality local services whether directly or in partnership or by commissioning.
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- **Dimension 3:** To perform a stewardship role that protects the interests of local people and makes best use of resources.
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- **Dimension 4:** To develop local democracy and citizenship

2. Applying the Principles of Good Governance

2.1 In order to achieve good governance, the Council will seek to apply each of the six core principals, along with their supporting principles, in the following way, representing recommended best practice:

Focussing on the purpose of the Council and on outcomes for the community including citizens and service users and creating and implementing a vision for the local area.

The Council will:

- (a) make a clear statement of the Council's purpose and vision and use it as a basis for corporate and service planning and shaping the Sustainable Community Strategy. The vision should:
 - a. be supported by clear and measurable objectives with targets and indicators
 - b. identify quality and cost drivers for deciding what services will be either provided or commissioned by the Council;
- (b) review on a regular basis the Council's vision for the local area and its impact in the Council's governance arrangements;
- (c) publish an annual report on a timely basis to communicate the Council's activities and achievements, its financial position and performance;
- (d) decide how the quality of service for users is to be measured and ensure that the information needed to review service quality effectively and regularly is available;
- (e) decide how value for money is to be measured and ensure that it has the information needed to review value for money and performance effectively;
- (f) put in place effective arrangements to deal with a failure in service delivery;
- (g) when working in partnership, ensure that there is a common vision underpinning the work of the partnership that is understood and agreed by all partners. The vision should:
 - a. be supported by clear and measurable objectives with targets and indicators
 - b. identify quality and cost drivers for deciding what services will be either provided or commissioned by the partnership.

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

The Council will:

- (a) set out a clear statement of the respective roles and responsibilities of the Council's Corporate Management Team and the Members both collectively and individually and the Council's approach towards putting this into practice;
- (b) set out a clear statement of the respective roles and responsibilities of the Council's other committees, members, senior officers and staff;
- (c) develop protocols to ensure effective communication between members and officers in their respective roles;
- (d) develop protocols to ensure that the leader and chief executive negotiate their working relationship and roles early in their relationship and that a shared understanding of roles and objectives is maintained;
- (e) set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process including an effective remuneration panel;
- (f) ensure that its 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;
- (g) when working in partnership:
 - a. ensure that there is clarity about the legal status of the partnership
 - b. ensure that the roles and responsibilities of the partners are agreed so that there is effective leadership and accountability
 - c. ensure that Council representatives make clear to all other partners the extent of their authority to bind the Council to partner decisions
- (h) ensure that effective mechanisms exist to monitor service delivery;
- (i) determine a scheme of delegated and reserved powers within the constitution and ensure that it is monitored and updated when required;
- (j) ensure that effective management arrangements are in place at the top of the organisation;
- (k) make the Chief Executive responsible and accountable to the Council for all aspects of operational management;
- (l) make the Section 151 Officer responsible to the Council 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;
- (m) make the Monitoring Officer responsible to the Council for ensuring that agreed procedures are followed and that all applicable

statutes, regulations and other relevant statements of good practice are complied with.

Promoting the values of the Council and demonstrating the values of good governance through behaviour.

The Council will:

- (a) develop and maintain shared values including leadership values both for the Council and its staff reflecting public expectations about the conduct and behaviour of individuals and groups within and associated with the Council;
- (b) use the Council's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the Council;
- (c) develop and adopt formal codes of conduct defining standards of personal behaviour;
- (d) develop and maintain an effective standards committee that acts as the main means to raise awareness and take the lead in ensuring high standards of conduct are firmly embedded within the Council's culture;
- (e) put in place arrangements to ensure that members and staff of the Council 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;
- (f) put in place arrangements to ensure that procedures and operations are designed in conformity with appropriate ethical standards, and to monitor their continuing compliance in practice;
- (g) in pursuing partnerships, agree a set of values against which decision making and actions can be judged in line with the Partnership Framework.

Taking informed and transparent decisions that are subject to effective scrutiny and risk management.

The Council will:

- (a) develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the Council's performance overall;
- (b) develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based;
- (c) put in place arrangements so that conflicts of interest on behalf of members and officers can be avoided and put in place appropriate processes to ensure that they continue to operate in practice;
- (d) put in place arrangements for whistle blowing to which staff and all those contracting with the Council have access and put in place appropriate processes to ensure that they continue to operate in practice;

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- (e) put in place effective transparent and accessible arrangements for dealing with complaints and put in place appropriate processes to ensure that they continue to operate in practice;
- (f) develop and maintain an effective audit committee which is independent of the executive and scrutiny functions;
- (g) develop and maintain an effective standards committee which lies at the heart of decision making and awareness raising on standards issues;
- (h) ensure that those making decisions are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications;
- (i) develop and maintain effective arrangements for determining the remuneration of senior officers;
- (j) ensure that professional advice on legal and financial matters is available and recorded as early as possible before decision making and used appropriately when decisions have significant legal or financial implications;
- (k) ensure that risk management is embedded into the culture of the Council, with members and officers at all levels recognising that risk management is part of their job;
- (l) actively recognise the limits of lawful activity placed on them by the ultra vires doctrine but also strive to utilise their powers to the full benefit of their communities;
- (m) observe all specific legislative requirements placed upon them, as well as the requirements of general law, and in particular integrate the key principles of administrative law – rationality, legality and natural justice into their procedures and decision making;
- (n) when working in partnership, put in place protocols for working together which include a shared understanding of respective roles and responsibilities of each organisation;
- (o) when working in partnership, ensure that there are robust procedures for scrutinising decisions and behaviour and that these decisions and behaviour are compliant with any Council rules/codes or comply with any rules/codes developed for the purpose of the partnership;
- (p) when working in partnership, ensure that;
 - partnership papers are easily accessible and meetings are held in public unless there are good reasons for confidentiality.
 - the partnership receives good quality advice and support and information about the views of citizens and stakeholders, so that robust and well reasoned decisions are made
- (q) risk is managed at a corporate and operational level.

Developing the capacity and capability of members to be effective and ensuring that officers – including statutory officers – also have the capability and capacity to deliver effectively.

The Council will:

- (a) assess the skills required by members and officers and make arrangements to agree a development plan to develop those skills and address any training gaps, to enable roles to be carried out effectively.
- (b) 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;
- (c) provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis;
- (d) 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, in line with the member development strategy;
- (e) put in place effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the Council;
- (f) consider career structures for members and officers to encourage participation and development;
- (g) when working in partnership, ensure that partners individually and the partnership collectively share responsibility for appointing people to the partnership who have the required skills and are at an appropriate level. The partnership should :
 - a. identify the capacity and capability requirements of the partnership
 - b. conduct an audit of the capacity and capability of the partnership and partners
 - c. develop an effective plan for addressing any gaps.

Engaging with local people and other stakeholders to ensure robust local public accountability.

The Council will:

- (a) make clear to themselves, all staff and the community, to whom they are accountable and for what;
- (b) consider those institutional stakeholders to whom they are accountable and assess the effectiveness of the relationships and any changes required;
- (c) establish clear channels of communication with its community and other stakeholders and put in place monitoring arrangements to ensure that they operate effectively;
- (d) put in place arrangements to enable the Council to engage with its community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands;

- (e) on an annual basis, publish an annual report giving information on the Council'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;
- (f) develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making;
- (g) produce an annual report on scrutiny function activity;
- (h) ensure that the Council 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;
- (i) when working in partnership, ensure that engagement and consultation undertaken by the partnership is planned with regard to methodology, target audience and required outcomes. Existing mechanisms and groups should be used where appropriate. In the work cycle of the partnership it must be clear and demonstrable to the public what has happened to any feedback and what has changed as a result.

3. Annual Review of Corporate Governance

- 3.1 The Corporate Management Team will report to the Chief Executive on how effectively Governance is being applied in their Groups through our performance management framework.
- 3.2 At the end of the year, the Council will produce its Statement on Governance, which includes end of year Group assurance statements and Internal Audit's opinion report. This statement will also assess the effectiveness of both the Code of Governance and its application, identifying any necessary changes to either and making recommendations to the Council.
- 3.3 As part of its governance role, the Audit Committee will undertake this review on behalf of the Council.

Background Papers: The current BwD Code of Governance; CIPFA/SOLACE Guidance 2007