

Audit Committee
04 April 2024

Monitoring Officer Report – Code of Corporate Governance

Report Author(s): Emma Hodds
Chief of Staff & Monitoring Officer
01508 533791
Emma.hodds@southnorfolkandbroadland.gov.uk

Portfolio: Leader

Ward(s) Affected: All

Purpose of the Report:

The purpose of this report is to provide an overview to the Audit Committee on the review of the Councils Code of Corporate Governance and to seek endorsement to the recommendation that Council adopts the revised Code within its Constitution.

Recommendations:

1. Recommend that Council adopt the revised Code of Corporate Governance as set out in Appendix 1.
2. Recommend that Council delegates the authority to the Monitoring Officer to approve future amendments to the Code of Corporate Governance to reflect any updates made to the corporate systems, processes and documentation referenced within it.

1. Summary

1.1 This report seeks to:

- Set out the background to the review of the Code of Corporate Governance;
- Present a revised and updated Code of Corporate Governance for review; and
- Propose that the Monitoring Officer is given delegated authority to approve future amendments to the Code of Corporate Governance to reflect any updates made to the corporate systems, processes and documentation referenced within it.

2. Background

2.1 Corporate Governance is how local government bodies ensure they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. Councils operate through a governance framework that brings together an underlying set of legislative requirements, governance principles and management processes.

2.2 A central component of this is the Council's system of governance in the form of the Code of Corporate Governance. The Code of Corporate Governance is currently set out in part 8 of the Councils Constitution and is used to form the Annual Governance Statement each year.

2.3 The Council already has a range of measures to ensure that governance in the organisation is managed effectively and it works hard to ensure that these arrangements are robust and meet best practice. This is achieved through a range of policies, plans, procedures such as the Constitution (including codes of conduct for Members and employees), the Council Plan, the Medium-Term Financial Strategy and policies on whistle blowing, tackling fraud and corruption and managing risk.

2.4 The Code of Corporate Governance does not set out to list or replicate these. Instead, it provides a framework against which these can be assessed to ensure that the principles of the Code are being met, that there are systems and processes in place to measure their effectiveness and that gaps in policies, performance or assurance are identified and appropriate actions developed.

3. Current positions/findings

3.1 Following a review of the Code, it is proposed that a revised version is adopted by Council. Appendix 1 sets out the revised Code.

3.2 To ensure we meet best practice, the Code has been refreshed to reflect the guidance from the governance framework for local authorities 'Delivering Good Governance in Local Government: Framework' (CIPFA/Solace, 2016). The refresh has included:

- Adding in examples of how we seek to achieve the key principles of good governance.
- Providing evidence to how we are meeting each principle.
- Including a RAG rating for each principle, which will in the future, be aligned to the Annual Governance Statement.

4. Proposed action

- 4.1 If adopted, an annual review will take place on the Code through the Annual Governance Statement, which will be amended to reflect the new Code. Outcomes of the annual review and recommendations for improvement are reported back into this committee each year.

5. Other options

- 5.1 Council could seek to retain the current Code of Corporate Governance, however, this is not aligned to best practice as set out in the 'Delivering Good Governance in Local Government: Framework' (CIPFA/Solace, 2016).

6. Issues and risks

- 6.1 **Resource Implications** – Adequate and effective systems of corporate governance and assurance and an effective Audit Committee, are all central components in the processes intended to help ensure that the Council operates efficiently, cost effectively and with integrity.
- 6.2 **Legal Implications** – The Accounts and Audit Regulations 2015 require a local authority to review at least once a year, the effectiveness of its system of internal control. This in turn informs the Annual Governance Statement which accompanies the Annual Statement of Accounts. The revised Code of Corporate Governance will need to be incorporated into the Council's Constitution, and will replace the existing 'code of corporate governance' set out in part 8, subject to Council approval.
- 6.3 **Equality Implications** – An effective Code of Corporate Governance will help ensure that we abide by and embrace Equality regulations within our ways of working.
- 6.4 **Environmental Impact** – None applicable to this report.
- 6.5 **Crime and Disorder** – This report is concerned with effective systems of governance and control, which are an important safeguard against the risks of theft, fraud and corruption.

6.6 **Risks** – This report also concerns the governance and assurance processes, a main purpose of which is to give assurance that risks are being managed appropriately by the business.

7. **Conclusion**

7.1 Good governance leads to good management, performance, public engagement, stewardship of public money and, through all this, good outcomes for residents and service users. Adopting the revised Code of Governance will continue to ensure that the Council embraces good governance.

8. **Recommendations**

1. Recommend that Council adopt the revised Code of Corporate Governance as set out in Appendix 1.
2. Recommend that Council delegates the authority to the Monitoring Officer to approve future amendments to the Code of Corporate Governance to reflect any updates made to the corporate systems, processes and documentation referenced within it.

Background papers:

CIPFA / SOLACE Publication: Delivering Good Governance in Local Government: Framework – April 2016 Edition

Broadland District Council

Code of Corporate Governance

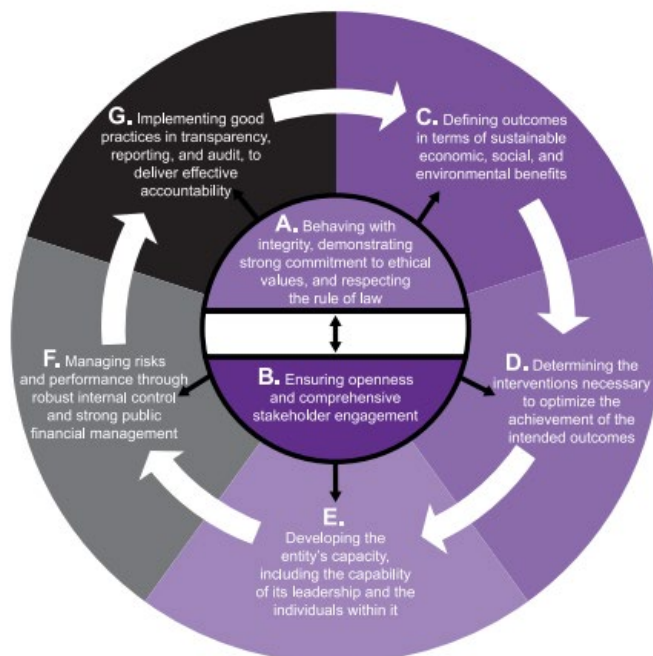
1. Introduction

The Code of Corporate Governance sets out the Council's governance standards.

The Council is committed to demonstrating that it has the necessary corporate governance arrangements in place to perform effectively.

The Code is based on seven core principles, each supported by sub principles that should underpin the governance framework of the Council. These principles are taken from best practice from the guidance issued by the [Chartered Institute of Public Finance and Accountancy](#) (CIPFA) and the [Society of Local Authority Chief Executives](#) (SOLACE).

Achieving the Intended Outcomes While Acting in the Public Interest at all Times



Source: Delivering good governance in Local Government Framework 2016 Edition

Each core governance principle includes a description of how the Council meets those principles. Where applicable, hyperlinks are also provided where you can access more information about key examples of governance in action.

The Code is reviewed annually through the Annual Governance Statement process, which identifies the actions to be taken to enhance the code or address any limitations within it. This statement is authorised by the Leader and Managing Director. Where reviews identify gaps in corporate governance, and action is taken to resolve these.

2. Roles and Responsibilities

All members and officers are expected to commit to the Council's principles of good governance; however, there are specific responsibilities for the following individuals and groups:

The following member bodies have specific responsibilities for good governance:

- Cabinet
- Standards Committee
- Audit Committee
- Overview & Scrutiny Committee

The Corporate Leadership Team (CLT) has a collective responsibility for good governance, but this is underpinned by the role of the three statutory officers of the Council:

- Head of Paid Service – Managing Director
- Monitoring Officer – Chief of Staff
- Section 151 Officer – Assistant Director Finance

Directors and Assistant Directors are responsible for the policies and procedures which form part of this code and that fall within their functional responsibilities. Each is supported by senior managers who are responsible for ensuring that the relevant policies and procedures are up to date, are being complied with and are effective in achieving good governance.

The Chief of Staff, as Monitoring Officer, will report annually on compliance with this Code and the effectiveness of the Council's governance arrangements through the Annual Governance Statement which will be published in the Council's Annual Statement of Accounts. The Annual Governance Statement will be approved by the Leader of the Council and the Managing Director.

Owner: Chief of Staff and Monitoring Officer

Adopted:

Next review date: February 2025

3. Code of Corporate Governance

Principle A - Behaving with Integrity, demonstrating strong commitment to ethical values and respecting rules of law		End of Year Assessment <i>Effective / Effective but scope for improvement / Requiring Improvement</i> <small><to be completed following the first end of year assessment for 23/24 in April 2024></small>
1 Sub Principles:	2 To achieve this, we will:	3 This is evidenced by:
<ul style="list-style-type: none"> • Behaving with integrity • Demonstrating strong commitment to ethical values • Respecting the rule of law 	<ul style="list-style-type: none"> • Publish an Annual Governance Statement which reviews the effectiveness of the Council's governance framework. • Maintain shared values which underpin an ethos of good governance. • Comply with legislation and all relevant professional standards. • Maintain formal codes of conduct defining standards of behaviour expected of both Members and Officers. • Maintain arrangements to investigate complaints against Members and Officers including alleged misconduct. • Maintain an effective Standards Committee. • Maintain a framework which addresses the risks of fraud and corruption including an Anti-Fraud & Corruption Strategy and Policy and a Whistleblowing policy. • Maintain a register of interests and seek declarations to be made at the start of Council meetings. • Complete Equality Impact Assessments to help officers meet the statutory equality and communities requirements and to embed economic, social and environmental sustainability into everything the Council does. • Recruit employees in line with the Council's policies and procedures. 	<ul style="list-style-type: none"> • Annual Governance Statement • Constitution – Code of Conduct for Members and Officers • Anti-Fraud & Anti-Corruption Strategy and Policy • Whistleblowing policy • Equalities Policy • Completed Equality Impact Assessments • Register of Interests - officers and members • Register of Gifts and Hospitality • Complaints procedures • Contract Procedure Rules • Statement of Accounts • Declaration of Interests on every committee meeting agenda & are requested at the start of every formally constituted Council meeting • Standards Committee • Complaints processes for Councillors • Overview & Scrutiny

Principle B - Ensuring openness and comprehensive stakeholder engagement		End of Year Assessment <i>Effective / Effective but scope for improvement / Requiring Improvement</i> <to be completed following the first end of year assessment for 23/24 in April 2024>
Sub Principles:	To achieve this, we will:	This is evidenced by:
<ul style="list-style-type: none"> • Openness • Engaging comprehensively with Institutional stakeholders • Engaging stakeholders effectively, including citizens and service users 	<ul style="list-style-type: none"> • Seek the views of our stakeholders, residents and businesses and respond appropriately. • Provide a variety of opportunities for the public to engage effectively with the Council. • Ensure key Council meetings are accessible. • Publish Agendas, minutes, report packs and a calendar for a full year for Council meetings. • Set a balanced budget. • Publish an Annual Statement of Accounts and Annual Auditors report to inform stakeholders and service users of the previous years achievements and outcomes. • Ensure public consultation on the annual budget. • Continue to ensure weaknesses are addressed. 	<ul style="list-style-type: none"> • Customer Charter • Customer Satisfaction Survey • Customer Panel • Compliments, suggestions and complaints • Public participation at Council meetings, supported by our Constitution • Live streams of a number of Council meetings • Budget Book • Statement of Accounts • Audit Committee • Internal Audit reports to Audit Committee
Principle C – Defining outcomes in terms of sustainable economic, social, and environmental benefits		End of Year Assessment <i>Effective / Effective but scope for improvement / Requiring Improvement</i> <to be completed following the first end of year assessment for 23/24 in April 2024>
Sub Principles:	To achieve this, we will:	This is evidenced by:
<ul style="list-style-type: none"> • Defining Outcomes • Sustainable economic, social and environmental benefits 	<ul style="list-style-type: none"> • Set the Council’s purpose and vision and use it as a basis for all strategic & service planning. • Publish on the Council’s website all annual reports to communicate the Council’s activities and achievements including its financial position and performance. • Prioritise resources to deal with competing demands and consider the impact of decisions in the medium-term financial strategy. • Identify and manage risks to the achievement of outcomes. 	<ul style="list-style-type: none"> • Council Strategic Plan and Delivery Plan • Strategic and Annual Internal Audit Plan based on priorities and risk • Performance, Finance and Risk reports (taken to Cabinet 3 times a year) • Statement of Accounts • Budget Book • Contract Procedure Rules • Risk Management Policy

	<ul style="list-style-type: none"> • Have clear, published contract procedure rules. 	
Principle D – Determining the interventions necessary to optimise the achievement of the intended outcomes		End of Year Assessment <i>Effective / Effective but scope for improvement / Requiring Improvement</i> <to be completed following the first end of year assessment for 23/24 in April 2024>
Sub Principles: <ul style="list-style-type: none"> • Determining Interventions • Planning Interventions • Optimising achievement of intended outcomes 	To achieve this, we will: <ul style="list-style-type: none"> • Set the Council’s purpose and vision and use it as a basis for all strategic & service planning. • Maintain a forward plan for reports and decisions to be made. • Regularly report on key performance Indicators (KPIs) which have been established for each service element. • Ensure budgets are prepared in accordance with organisational objectives and regularly reported upon. • Take part in regular Peer Challenges. 	This is evidenced by: <ul style="list-style-type: none"> • Council Plan and Delivery Plan • Forward Plan • Performance, Finance and Risk reports (taken to Cabinet 3 times a year) • Peer Challenge feedback reports • Transformation Plan
Principle E – Developing the Council’s capacity, including the capability of its leadership and the individuals within it		End of Year Assessment <i>Effective / Effective but scope for improvement / Requiring Improvement</i> <to be completed following the first end of year assessment for 23/24 in April 2024>
Sub Principles: <ul style="list-style-type: none"> • Developing the Council’s capacity • Developing the capability of the entity’s leadership and other individuals 	To achieve this, we will: <ul style="list-style-type: none"> • Set out a clear statement of the respective roles and responsibilities through the Constitution. • Provide regular Member and Officer training. • Provide an induction programme for both Members and Officers. • Assess officer performance and skills gaps through regular 1:1s and performance processes. • Regularly review the scheme of delegation and Constitution and update when required. • Provide effective HR services for our staff to ensure we maintain the health and wellbeing of the team. 	This is evidenced by: <ul style="list-style-type: none"> • Constitution • Member training plan • Staff and Member induction process • Staff performance management review • Scheme of delegation in Constitution

Principle F – Managing risks and performance through robust internal control and strong public financial management		End of Year Assessment <i>Effective / Effective but scope for improvement / Requiring Improvement</i> <to be completed following the first end of year assessment for 23/24 in April 2024>
Sub Principles:	To achieve this, we will:	This is evidenced by:
<ul style="list-style-type: none"> • Managing Risk • Managing Performance • Robust Internal Control • Managing data • Strong public financial management 	<ul style="list-style-type: none"> • Maintain an effective Scrutiny function. • Maintain an effective Audit function independent of executive & Scrutiny functions. • Implement our Risk Management Policy effectively, ensuring that roles and responsibilities for managing risks are identified. • Ensure publication of Agendas and minutes are published. • Maintain a transparent complaints and feedback procedure. • Conduct an annual Internal Audit programme. • Ensure effective counter fraud and anti-corruption arrangements are in place. • Ensure effective information governance arrangements are in place to support compliance with existing and emerging legislation for data protection and privacy. • Ensuring financial management and governance arrangements support decision making and provides sufficient information to support the delivery of the Councils objectives. • Provide a safe working environment. 	<ul style="list-style-type: none"> • Audit Committee • Overview & Scrutiny • Risk Management Policy • Performance, Finance and Risk reports (taken to Cabinet 3 times a year) • Mod.Gov (website) • Customer Satisfaction Survey • Compliments, suggestions and complaints • Progress, Follow Up and Annual Opinion internal audit reports to Audit Committee • Statement of Accounts • Budget Book • Anti-Fraud & Anti-Corruption Strategy and Policy • Data Protection Policy and Privacy Notices • Health and Safety Policy

Principle G – Implementing good practices in transparency, reporting, and audit to deliver effective accountability		End of Year Assessment <i>Effective / Effective but scope for improvement / Requiring Improvement</i> <to be completed following the first end of year assessment for 23/24 in April 2024>
Sub Principles:	To achieve this, we will:	This is evidenced by:
<ul style="list-style-type: none"> • Implementing good practice in transparency • Implementing good practices in reporting • Assurance and effective accountability 	<ul style="list-style-type: none"> • Maintain compliance with the local government transparency code and publish all required information in a timely manner. • Maintain effective and accessible arrangements for dealing with complaints. • Maintain an effective scrutiny function which encourages constructive challenge • Maintain an effective Audit Committee independent of the Executive & Scrutiny Committees. • Publish all Committee reports on website unless there is a legitimate need to preserve confidentiality based on the statutory test. • Ensuring performance and budget information is prepared on a consistent and timely basis. • Maintain an effective Internal Audit function. • Welcome Peer Challenges and inspection from regulatory bodies and implement recommendations. • Produce regular budget manager reports to ensure senior managers own the results. 	<ul style="list-style-type: none"> • Spending data • Requests for Information • Compliments, suggestions and complaints • Overview & Scrutiny • Audit Committee • Mod.Gov (website) • Risk Management Policy • Performance, Finance and Risk reports (taken to Cabinet 3 times a year) • Strategic and Annual Internal Audit Plan to Audit Committee • Progress, follow up and Annual Opinion internal audit reports to Audit Committee • Peer Challenge feedback reports • Monthly budget manager reports