

WARWICK DISTRICT COUNCIL PROPOSED NEW CODE OF CORPORATE GOVERNANCE 2008

1. Introduction

- 1.1 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 cultures and values, by which local government bodies are directed and controlled and through which they account to, and engage with and, where appropriate, lead their communities.
- 1.2 The Council supports the six core principles set out in *The Good Governance Standard for Public Services* (2004) developed by the Independent Commission on Good Governance in Public Services as set out in the diagram below



The Council is committed to do the following in respect of these six core principles

2. THEME 1: Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area

- 2.1 In order to exercise strategic leadership the Council will
- develop and promote the authority's purpose and vision

APPENDIX B

- review on a regular basis the authority's vision for the local area and its impact on the authority's governance arrangements
- ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties
- publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance

2.2 In order to ensure users have quality services the Council will

- decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available
- put in place effective arrangements to identify and deal with failure in service delivery

2.3 In order to ensure the Council makes best use of resources the Council will decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively. We will also measure the environmental impact of policies, plans and decisions.

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

3.1 In order to ensure effective leadership throughout the Council we will

- set out a clear statement 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
- set out a clear statement of the respective roles and responsibilities of other authority members, members generally and of senior officers

3.2 In order to ensure a constructive working relationship exists between members and officers we will

- determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the authority taking account of relevant legislation, and ensure that it is monitored and updated when required
- make a 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 section 151 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
- make the Monitoring Officer responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with

3.3 To ensure our relationships with partners and the public are clear we will

- develop protocols to ensure effective communication between members and officers in their respective roles

- set out the terms and conditions for remuneration of members and officers, and have an effective structure for managing the process including an effective job evaluation process for officers' remuneration and a remuneration panel for members.
- 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 to the authority
- when working in partnership:
 - ensure that there is clarity about the legal status of the partnership
 - ensure that representatives or organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions.

4. THEME 3: Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour

4.1 To ensure members and officers exemplify good standards of conduct 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 the 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

4.2 To ensure organisational values are put into practice we will

- develop and maintain shared values including leadership values both for the organisation and staff, to reflecting public expectations, and communicate these with members, staff, the community and partners
- put in place arrangements to ensure that procedures and operations are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice
- develop and maintain an effective standards committee
- use the organisations 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.

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

5.1 In being rigorous and transparent about how decisions are taken we will

- develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the Council's performance overall and 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 committee which is independent of the Executive
- put in place effective transparent and accessible arrangements for dealing with complaints

5.2 In order to ensure we have good quality information and advice we will

- ensure that those making decisions whether for the authority or 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 professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately

5.3 In order to ensure there is an effective system of risk management we will

- ensure that risk management is embedded into the culture of the organisation, with members and managers at all levels recognising that risk management is part of their job
- ensure that arrangements are in place for whistle blowing to which staff and all those contracting with the authority have access

5.4 In order to use our legal powers for the full benefit of the community we will

- actively recognise the limits of lawful activity placed on us by, for example the ultra vires doctrine but also strive to utilise powers to the full benefit of our communities
- recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law.
- observe all specific legislative 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 processes

6. THEME 5: Developing the capacity and capability of members and officers to be effective

6.1 To make sure members and officers have the necessary skills and resources we will

- provide induction programmes tailored to individual needs and opportunities for members 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 organisation

6.2 To develop the capability of people with governance responsibilities 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
- ensure that effective arrangements are in place for reviewing the performance of the authority as a whole and of individual members and agreeing an action plan which might for example aim to address any training or development needs

6.3 To encourage new members of the authority we will

- ensure that effective arrangements 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

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

7.1 To exercise leadership through a robust scrutiny function we will

- make clear to members, all staff and the community, to whom they are accountable and for what
- consider the institutional stakeholders to whom the council is accountable and assess the effectiveness of the relationships and any changes required
- produce an annual report on scrutiny function activity

7.2 To take an active approach to dialogues and accountability with the community we will

- ensure that clear channels of communication are in place with all sections of the community and other stakeholders including monitoring arrangements to ensure that they operate effectively
- hold meetings in public unless there are good reasons for confidentiality
- ensure arrangements are in place to enable the authority to engage with all sections of the 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
- establish a clear policy on the types of issues they we will meaningfully consult on or engage with the public and service users including a feedback mechanism for those consultees to demonstrate what has changed as a result
- on an annual basis, publish an annual report 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

APPENDIX B

7.3 In order to make best use of human resources will develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making.

8. *Communication and Review of this Code*

8.1 *This Code will be reviewed annually by the Standards Committee.*

8.2 *There will be a communication strategy for governance, which will be reviewed annually by the Standards Committee.*