

## TEST VALLEY BOROUGH COUNCIL LOCAL CODE OF CORPORATE GOVERNANCE

### Governance Defined

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, engage with and, where appropriate, lead their communities.

### Foundation

Test Valley Borough Council is committed to effective leadership, which is the foundation for effective corporate governance. To this end, the Council commits to :

- Providing a vision for the local community and leading by example in decision making and other processes and actions.
- Members and managers conducting themselves in accordance with the highest standards of conduct.

### Four Key Roles

Modern Councils have the following key roles :

- Partnerships are a key component for public service provision and Councils have a major role to play in leading partnership working. Test Valley Borough Council seeks to provide leadership to the community through its ability to act in an advocacy role and to promote the economic, social and environmental well-being of the area.
- Councils are responsible for ensuring the delivery of high quality services to their communities. In Test Valley, this includes services provided :
  - on an in-house basis
  - by private sector contractors employed by the Council
  - jointly with other Councils or agencies
  - by the voluntary sector
- Test Valley Borough Council is accountable to tax payers for its stewardship and use of resources. It seeks to :
  - provide excellent value for money
  - make the best use of the resources available to it
  - protect the interests of local people.

- Test Valley Borough Council works with others to build a strong sense of community and to encourage individual citizens to play a full and constructive part in the lives and development of their community. The Council is democratically accountable to its community.

### **Six Core Principles**

The Council embraces the following six core principles of good corporate governance identified in the CIPFA/SOLACE Guidance:-

- Focusing on the purpose of the Authority and the 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
- Developing the capacity and capability of members and officers to be effective
- Engaging with local people and other stakeholders to ensure robust public accountability

How the Council will work towards achieving these principles is set out in the accompanying document Principles of Good Governance

### **Monitoring and Maintaining the Code**

Test Valley Borough Council is committed to the principles of good corporate governance identified in the CIPFA / SOLACE Guidance and confirms its ongoing commitment and intentions through the development, adoption, monitoring and maintenance of the Local Code of Corporate Governance. The Council recognises that achieving high standards of corporate governance will encourage our stakeholders to have confidence in us and allow the Council to more effectively undertake the role of Community Leader.

### **Monitoring the Code**

Compliance should be demonstrated through the “vowel” test recommended in the CIPFA / SOLACE Guidance :

- Accountability
- Effectiveness
- Integrity
- Openness and Inclusivity, and by keeping their arrangements
- Up to date

The Chief Executive and Leader make an Annual Governance Statement giving their opinion on whether the corporate governance arrangements are adequate and are operating effectively. The Head of Legal & Democratic Services has been given responsibility for :

- Overseeing the implementation of the Code and monitoring its operation.
- Reviewing the operation of the Code in practice on an annual basis.
- Reporting at least annually to the Cabinet on compliance with the Code and any changes that may be necessary to maintain it and ensure its effectiveness in practice.

In addition, the Head of Finance has responsibility for taking the Annual Governance Statement to the Cabinet. This provides assurance on the adequacy and effectiveness of the Council's governance arrangements and, in future, of the Code and the extent of compliance with it.

The reports of the Head of Legal and Democratic Service should report on any aspects of the Code that are not yet in place and propose appropriate steps to address the areas to further enhance the corporate governance arrangements. This approach to annual reporting should ensure that the principles of corporate governance are embedded in the culture of the Council and are transparent to stakeholders and partners.

### **Maintaining the Code**

The interim and annual reports of the Head of Legal and Democratic Service should identify areas in which the Code has become out of date or irrelevant. The Head of Legal and Democratic Service will be responsible for updating the Code and for ensuring the ongoing relevance and application of the Code.

## Test Valley Borough Council: Local Code of Governance - Principles of Good Governance

Core Principle	Supporting Principle	How the Council will achieve the Principles
<p>1. Focusing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area</p>	<p>1. a) Exercising strategic leadership by developing and clearly communicating the Authority's purpose and vision and its intended outcome for citizens and service users.</p>	<p>Develop and promote the Authority's purpose and vision. Ensure partnerships are underpinned by a common vision of their work that is understood and agreed by all parties. Review the purpose and vision on a regular basis. Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance.</p>
	<p>1. b) Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning.</p>	<p>Determine how the quality of its services for users is to be measured and ensure that the information needed to review service quality effectively and regularly is available. Report regularly to Cabinet on performance against the relevant indicators. Put in place arrangements to identify and deal with failure in service delivery.</p>
	<p>1. c) Ensuring that the Authority makes best use of resources and that tax payers and service users receive excellent value for money.</p>	<p>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. Measure the environmental impact of policies, plans and decisions.</p>
<p>2. Members and officers working together to achieve a common purpose with clearly defined functions and roles</p>	<p>2. a) Ensuring effective leadership throughout the Authority and being clear about Cabinet and non-Cabinet functions and of the roles and responsibilities of the scrutiny function.</p>	<p>Set out a clear statement of the respective roles and responsibilities of the Cabinet and of the Cabinet'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.</p>

	<p>2. b) 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.</p>	<p>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.</p> <p>Make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management.</p> <p>Develop protocols to ensure that the leader and chief executive (or equivalent) negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained.</p> <p>Make a senior officer (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.</p> <p>Make a senior officer (usually the monitoring officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with.</p>
	<p>2. c) Ensuring relationships between the Authority, its partners and the public are clear so that each knows what to expect of the other.</p>	<p>Develop protocols to ensure effective communication between members and officers in their respective roles</p> <p>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 (if applicable).</p> <p>Ensure that effective mechanisms exist to monitor service delivery.</p> <p>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.</p>

		<p>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.</p> <p>When working in partnership :</p> <ul style="list-style-type: none"> <li>• ensure that there is clarity about the legal status of the partnership</li> <li>▪ ensure that representatives of organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions</li> </ul>
<p>3. Promoting values for the Authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour</p>	<p>3. a) Ensuring Authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance.</p>	<p>Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect.</p> <p>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.</p> <p>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.</p>
	<p>3. b) Ensuring that organisational values are put into practice and are effective.</p>	<p>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.</p> <p>Put in place arrangements to ensure that systems and processes</p>

		<p>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.</p> <p>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.</p>
<p>4. Taking informed and transparent decisions which are subject to effective scrutiny</p>	<p>4. a) Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny.</p>	<p>Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the authority's performance overall and also that of partnerships and other organisation with which it is involved.  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 (or equivalent) which is independent of the Cabinet and scrutiny functions or make other appropriate arrangements for the discharge of the functions of such a committee.</p> <p>Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints.</p>
	<p>4. b) Having good-quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs.</p>	<p>Ensure that those making decisions whether for the authority or the partnership are provided with information that is fit for the purpose, relevant, timely and gives clear explanations of technical issues and their implications.</p> <p>Ensure that proper professional advice on matters that have legal or financial implications is available and recorded well in advance</p>

		of decision making and used appropriately.
	4. c) Ensuring that an effective risk management system is in place.	<p>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.</p> <p>Ensure that effective arrangements for whistle-blowing are in place to which officers, staff and all those contracting with or appointed by the authority have access.</p>
	4. d) Using their legal powers to the full benefit of the citizens and communities in their area.	<p>Actively recognise the limits of lawful activity placed on them by, for example, the ultra vires doctrine but also strive to utilise their powers to the full benefit of their communities.</p> <p>Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on authorities by public law.</p> <p>Observe all legislative requirements placed upon them, 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 their procedures and decision making processes.</p>
5. Developing the capacity and capability of members and officers to be effective	5. a) Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles.	<p>Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis.</p> <p>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.</p>
	5. b) Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group.	<p>Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively.</p> <p>Develop skills on a continuing basis to improve performance,</p>

		<p>including the ability to scrutinise and challenge and to recognise when outside expert advice is needed.</p> <p>Ensure that effective arrangements are in place for reviewing the performance of the Cabinet as a whole and of individual members and agreeing an action plan which might, for example, aim to address any training or development needs.</p>
	<p>5. c) 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.</p>	<p>Ensure that effective arrangements are in place designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority.</p> <p>Ensure that career structures are in place for members and officers to encourage participation and development.</p>
<p>6. Engaging with local people and other stakeholders to ensure robust public accountability</p>	<p>6. a) 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>	<p>Make clear to themselves, all staff and the community to whom they are accountable and for what.</p> <p>Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required.</p> <p>Produce an annual report on the activity of the scrutiny function.</p>
	<p>6. b) 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.</p>	<p>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</p> <p>Hold meetings in public unless there are good reasons for confidentiality.</p> <p>Ensure that 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</p>

		<p>processes for dealing with these competing demands.</p> <p>Establish a clear policy on the types of issues they 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.</p> <p>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.</p> <p>.</p>
	<p>6. c) Making best use of human resources by taking an active and planned approach to meet responsibility to staff.</p>	<p>Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making.</p>