

South Kesteven District Council

Draft Local Code of Governance 2008

“Ensuring we are doing the right things in the right way, for the right people, in an open, honest inclusive and timely manner”

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Local Code of Governance

Introduction

Welcome to the first edition of our Local Code of Governance.

The Local Code of Governance has been developed from a framework document produced by The Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE), but the content is very much our own. The six sections of the code define how we comply with the six principles of good governance laid down by the independent commission on good governance in public services. These are:

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- vision, forward planning and performance
- members' and officers' roles and responsibilities
- standards of conduct
- scrutiny and risk management
- developing capacity
- engaging with local people and stakeholders

What is Governance?

Sometimes there can appear to be an air of mystique about the subject of governance which can hinder improvement. To avoid this it helps to be clear about the definition of the term, so we all know what we are talking about. South Kesteven defines governance as

"Ensuring we are doing the right things in the right way, for the right people, in an open, honest inclusive and timely manner"

How important is it?

South Kesteven recognises that all democratic and public governance relies on high standards of probity. When conduct and behaviour are corrupt or improper it erodes confidence in the democratic system. The UK has a strong reputation for high standards in public life, however citizen expectations are always increasing and it is important for the future well-being of local government and democracy that these standards are not only maintained, but improved, in the future.

How does it work in practice?

South Kesteven District Council, like every other local authority, operates through a governance framework which brings together an underlying set of legislative requirements, governance principles and management processes. Over the last few years, we have put considerable effort into codifying principles and processes. Perhaps the clearest manifestation of this is our constitution, published for the first time in May 2002 and reviewed regularly thereafter. No less effort has gone into the development of protocols for our internal procedures, recently the financial regulations have been revised and a new code of members conduct introduced.

The Local Code of Governance brings all these practices together into one document and makes them open and explicit. It identifies areas where further action is required to meet changing circumstances (for example the introduction of the Local Government and Public Involvement in Health Act) and/or to ensure that we are following best practice in all aspects of governance.

The code will be reviewed annually and will support the Annual Governance Statement that we are required to approve from April 2008.

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We can not achieve our aim of providing brilliant services to our residents without the bedrock of sound governance and the commitment of members and officers to maintaining those standards. We hope that, by making explicit the underlying principles and processes, the code will assist members and officers to sustain high standards in the future.

The council commits itself to the following principles:

Principle 1 - Focusing on the purpose of the authority and on outcomes for the community including citizens and service users and creating and implementing a vision for the local area.

Leadership is exercised by clearly communicating the authority's purpose and vision and its intended outcomes for citizens and service users. We ensure that users receive a high quality of service whether directly, or in partnership or by commissioning. We also ensure that we make the best use of resources and that taxpayers and service users receive excellent value for money.

In pursuance of this principle we will ensure:

1. Both priorities and non-priorities are clear, evidenced-based, robust and understood by all staff and partners
2. All of our priorities are accompanied by a plan setting out the key outcomes
3. Priorities align with, and contribute to, the Sustainable Community Strategy and the Lincolnshire Local Area Agreement
4. The allocation of resources is driven by the priorities
5. Our residents are involved in the setting of the priorities, and informed of the targets and progress being made through an annual report
6. Our priorities are subject to an annual outcome review and refreshed
7. The contribution all services can make to our priorities is regularly reviewed through the preparation of service plans
8. When working in partnership there is a common vision underpinning the work of the partnership that is understood and agreed by all partners

Principle 2 – Members and officers working together to achieve a common purpose with clearly defined functions and roles

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Effective leadership requires clarity regarding the roles of executive and non-executive members and respect and recognition for the scrutiny function. In addition to this constructive working relationship between members and staff, mutual respect for each of these respective roles is vital. Finally we need to ensure that residents understand our role and the levels of service they can expect. This is particularly important where the district council operates alongside the county as well as parish and town councils.

In pursuance of this principle we will ensure:

1. Roles and responsibilities are defined in the constitution which is kept under regular review
2. Responsibilities delegated to particular members of the executive (such as portfolio-holders) are explained, in an appropriate way, to residents
3. Decisions taken by officers under powers delegated to them are properly recorded
4. Proper levels of resources are provided to equip the scrutiny function to perform effectively
5. Time and resources are invested to help staff and members develop their respect and mutual understanding of the different roles that they perform as part of "Team South Kesteven"
6. Customers are regularly asked for their views and, where valuable, these are translated into clear service standards
7. When working in partnership there is clarity about the legal status of the partnership, the roles and responsibilities of the partners and the extent of the authority to bind their organisation to partner decisions
8. Appropriate provision is made for the appointment of, and discharge of legal duties by, officers who hold statutory appointments (i.e. the chief executive, section 151 officer and monitoring officer)
9. Officers and members respect each others roles, establish and maintain clear boundaries, and do not exert any improper influence

Principle 3 – Promoting our values and demonstrating the values of good governance through upholding high standards of conduct and behaviour

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High standards of conduct and effective governance can only be achieved if those who hold public office have the highest standards of behaviour and encourage others to do so by providing leadership by visibly embodying our core values of listening, learning and delivering.

In pursuance of this principle we will ensure:

1. Appropriate core values are developed and communicated in such a way that both staff and members understand what they mean and support them
2. Clear and robust codes of conduct for members are developed and reviewed
3. Staff appraisals take into account our core values
4. Staff and members in positions of responsibility are encouraged to consider the consequences of their behaviour through techniques such as 360 degree appraisals
5. Our people strategy makes these behaviours explicit
6. The Standards Committee is properly resourced and effectively administered
7. Appropriate advice on conflicts of interests is provided by the monitoring officer
8. Members are not appointed to committees, or to hold office, if they do not fully accept or agree with any functions or restrictions with that particular role
9. Organisational culture is regularly monitored through the staff survey and an action plan is prepared to highlight the findings

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Principle 4 – Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

Informed decision-making is a fundamental part of good corporate governance. It requires councils to be both rigorous in their examination of options but also open to consider representation and views from all sectors of the community and policy development groups. Complementing this we need to have robust knowledge of the community needs and the quality of the services we are providing or commissioning. Finally we have to robustly manage the risks associated with these activities and ensure that we use (but do not exceed) the legal powers available.

In pursuance of this principle we will ensure:

- 1 Proper resources are provided for an effective scrutiny function both for the council itself and the wider community
- 2 Decision-making reports include advice from all statutory officers and explain the background in an open and transparent way
- 3 We conduct as much business as possible in the public domain (subject to the constraints of the Local Government Act)
- 4 We develop and maintain effective audit, standards and governance and audit committees, which are independent of the executive and scrutiny function
- 5 Reports to decision-making bodies comply with the standards template and include a formal justification for the proposed action to be taken, including explanations of technical matters together with an unambiguous recommendation
- 6 A corporate risk register is maintained and regularly reviewed
- 7 An appropriate methodology is maintained for the management of major council projects
- 8 We adopt a pro-active approach to the use of legal provisions to protect, or improve services to our residents

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Principle 5 - Developing the capacity and capability of members and officers to be effective

Ensuring that members and officers have the necessary skills to operate a multi-million pound organisation that provides a multitude of different services, often to highly dependent residents, and in addition govern the district by preparing it to meet the challenges of the future, is one of the most important aspects of governance. Setting and monitoring performance is one way of rising to this challenge.

In pursuance of this principle we will ensure:

1. Our People Strategy commits us to developing a learning organisation and a culture of continuous improvement
2. Job roles are developed for all member appointed posts
3. A formal, mandatory, training programme is provided for all members appointed to designated committees
4. Every councillor is given the opportunity to have an individual development interview to help them complete a personal development plan (PDP)
5. All staff have an annual performance development review
6. All managers are assessed annually using a thorough competency scheme
7. Development needs of the statutory officers are reviewed annually in their PDRs (personal development reviews)
8. We participate actively in leadership development and similar programmes
9. The cabinet, and all other committees, review their own performance on an annual basis

Principle 6 - Engaging with local people and other stakeholders to ensure robust local public accountability

Public authorities not only have to do things in the right way, but have to face the additional challenge of being seen to do things in the right way. This requires full engagement with local people through a process which is planned and resourced in a way that is fair. We are a “people” business providing services to people by people. People are our most important, and our most expensive asset, so a planned approach to their development is required.

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In pursuance of this principle we will ensure:

1. Proper investment is made in communications so that residents can understand clearly the functions and performance of the council
2. We work with other public sector partners to help residents understand our respective responsibilities and what we aim to achieve by working in partnership
3. We engage in consultation in a meaningful way and through mechanisms which seek to capture the views of all residents
4. We regularly monitor staff morale and initiate appropriate actions
5. We produce an annual report on all scrutiny activities
6. We seek to improve against the Equality Standard for Local Government