

BRAINTREE DISTRICT COUNCIL

LOCAL CODE OF CORPORATE GOVERNANCE

INTRODUCTION

The Corporate Governance framework comprises of the systems and processes, culture and values by which an organisation is directed and controlled. For local authorities this includes how a council relates to the community it serves.

Good Corporate Governance requires the authority to be open, transparent, effective, inclusive of all sectors of the community, accountable to the public it serves and to demonstrate integrity.

This Code is a public statement of the ways in which the Council will achieve good corporate governance.

What is the purpose of Braintree District Council's Code of Corporate Governance and who should be complying with it?

By publishing a Code of Corporate Governance, the Council is demonstrating its commitment to ensuring the high quality of its public services.

By promoting the principles of openness, accountability, integrity and effective governance, the Council encourages public trust.

The Code provides the public with greater awareness of the Council's arrangements and equips them with the knowledge to question the Council's plans and actions, thereby becoming more involved in the running of their council.

The Code provides officers with an overview of the Council's governance arrangements and with the principles of good governance that each service and employee should be ensuring are in place.

THE PRINCIPLES OF CORPORATE GOVERNANCE

The CIPFA/SOLACE guidance “Delivering Good Governance in Local Authorities” identified six Core Principles against which local authorities should review their existing corporate governance arrangements and develop and maintain adopt a local code of governance. These principles are:

- *Focussing on the purpose of the Council and 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 and managing risk;*
- *Developing the capacity and capability of members and officers to be effective; and*
- *Engaging with local people and other stakeholders to ensure robust public accountability*

This Code of Governance has been prepared in accordance with the Guidance and will be reviewed by the Governance Committee at Braintree District Council on an annual basis.

Additionally authorities are required to prepare and publish an annual governance statement in accordance with this framework under Part 2 Regulation 6 of the Accounts and Audit (England) Regulations 2015.

The Annual Governance Statement is a key corporate document. The Chief Executive and the Leader of the Council have joint responsibility as signatories for its accuracy and completeness.

BRAINTREE DISTRICT COUNCIL: CODE OF CORPORATE GOVERNANCE

Core Principle 1 - Focussing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area		
Our aims in relation to focussing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area are to:		
1.1 Exercise strategic leadership by developing and clearly communicating the authority's purpose, vision and its intended outcome for citizens and service users		
1.2 Ensure users receive a high quality service whether directly, or in partnership, or by commissioning		
1.3 Ensure that the authority makes best use of resources and that tax payers and service users receive excellent value for money		
In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
1.1.1 Develop and promote the Council's purpose and vision	Corporate Strategy 2012-2016 Annual Plan Business/Service Plans Performance System links to objectives Policy Framework Council Website – www.braintree.gov.uk	Agree Corporate Strategy for the period 2016 to 2020 during 2015.
1.1.2 Review on a regular basis the Council's vision for the local area and its impact on the authority's governance arrangements	Corporate Strategy 2012-2016 Annual Corporate Action Plan Medium Term Financial Strategy covering four-year period. Local Code of Corporate Governance and Annual Governance Statement.	Agree Corporate Strategy for the period 2016 to 2020 during 2015. Annual update and roll-forward of the Medium Term Financial Strategy.
1.1.3 Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties	Constitution Individual partnership agreements	
1.1.4 Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance	Annual Report Statement of Accounts Council Website – www.braintree.gov.uk	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
1.2.1 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	Annual Performance Plan Performance Management Framework People's Panel Residents Surveys Annual budget consultation Annual Audit Letter Mosaic customer research tool	
1.2.2 Put in place effective arrangements to identify and deal with failure in service delivery	Performance reporting and performance indicators Data Quality Policy Corporate Complaints Procedure Internal Audit service Annual corporate quality and compliance review of all services Corporate Management Board	Address all issues highlighted from the Corporate Quality and Compliance reviews in 2014/15.
1.3.1 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	Performance reporting and performance indicators Procurement Strategy 2014 to 2018 External Audit - Annual Audit Letter Individual partnership agreements Contracts Register.	Procurement Procedure Rules to be reviewed, updated and communicated to relevant officers.

Core Principle 2 - Members and officers working together to achieve a common purpose with clearly defined functions and roles		
Our aims in relation to Members and officers working together to achieve a common purpose with clearly defined functions and roles are to:		
<p>2.1 Ensure effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function</p> <p>2.2 Ensure that a constructive working relationship exists between authority members and officers and the responsibilities of members and officers and carried out to a high standard</p> <p>2.3 Ensure relationships between the authority, its partners and the public are clear so that each knows what to expect of the other</p>		
In order to achieve our aims we have/will:	Source documents	Further work ongoing
2.1.1 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	Constitution (Cabinet terms of reference) Record of decisions and supporting materials Member/Officer Protocol Developing Democracy Group - Cabinet Sub-Group.	
2.1.2 Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and of senior officers	Constitution (Statutory Officer positions, Terms of Reference for Committees, Member roles). Protocols on planning, the representational role of Members, Chairmen, officer/members. Scheme of delegation. Conditions of employment. Council Website – www.braintree.gov.uk Member induction programme for new members.	
2.2.1 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	Constitution (Scheme of delegation). Statutory provisions.	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
2.2.2 Make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management	Chief Executive designated Head of paid Service. Constitution (Head of Paid Service responsibilities). Conditions of employment. Scheme of delegation. Performance management system. Annual Governance Statement agreed by Chief Executive.	
2.2.3 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	Constitution. Member/Officer Protocol. Chief Executive and Leader meet weekly.	
2.2.4 Make a senior officer (usually 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	Corporate Director has been nominated as the Council's Chief Financial Officer. Constitution (Statutory Officers). Job description. Report template requires consideration is given to financial implications of proposed recommendations. Corporate Director role is in accord with the CIPFA 'Statement on the role of the Chief Financial Officer'.	
2.2.5 Make a senior officer (other than the responsible financial officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations are complied with (usually the monitoring officer)	Head of Governance has been nominated as the Council's Monitoring Officer (MO). Constitution (Statutory Officers.) Report template requires consultation is undertaken in relation to legal implications.	
2.3.1 Develop protocols to ensure effective communication between members and officers in their respective roles	Member / Officer protocol. Planning Protocol. Outside Bodies advice given to Members. New Member Code of Conduct agreed (meeting requirements of Localism Act 2011). Officer Code of Conduct.	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
2.3.2 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)	Pay and conditions policies and practices. Independent Remuneration Panel's Terms of Reference and Report. Verification of members allowances. Joint Staff Consultative Committee. Pay Policy agreed and published annually.	
2.3.3 Ensure that effective mechanisms exist to monitor service delivery	Quarterly monitoring reports. Performance Reporting and Performance Indicators. Complaints Procedure. Service Plans. Corporate Management Board. Overview and Scrutiny Committee – work programme and supported by Task & Finish groups, as and when required.	
2.3.4 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	Corporate Strategy 2012 to 2016 Annual Plan Medium Term Financial Strategy covering four-year period. Asset Management Strategy. Performance Reporting and Performance Indicators. Consultation. Annual Performance Plan. Council Website – www.braintree.gov.uk Channel Strategy.	Agree Corporate Strategy for the period 2016 to 2020 during 2015. Annual update and roll-forward of the Medium Term Financial Strategy.
2.3.5 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	Constitution (Standing Orders) Individual Partnership agreements. Service Level Arrangements. Advice given to members in relation to outside bodies. Members appointed to represent the Council on outside organisations provide a report to Council on an annual basis.	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
2.3.6 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.	Constitution. Individual Partnership agreements. Service Level Arrangements. Advice given to members in relation to outside bodies. Members appointed to represent the Council on outside organisations provide a report to Council on an annual basis.	

Core Principle 3 - Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour		
Our aims in relation to promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour are to:		
3.1 Ensuring authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance		
3.2 Ensuring that organisational values are put into practice and are effective		
In order to achieve our aims we have/will;	Source documents/Processes	Further work ongoing
3.1.1 Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect	Constitution (Standing Orders) Staff Survey Performance Reviews Governance Committee has an overall view of conduct issues with a Standards Sub Committee, which is called as and when required. Member Code of Conduct. Independent Persons appointed Officer Code of Conduct. Member/Officer Protocol. Whistle blowing Policy. Anti-Fraud and Corruption Policy. Freedom of Information policy and publication scheme. Monitoring Officer undertakes initial consideration of complaint. Protocol on Council's own planning applications. Planning Protocol. Officer Register of gifts and hospitality Member Register of Interests. Regular Manager Briefings led by member of Management Board.	

In order to achieve our aims we have/will;	Source documents/Processes	Further work ongoing
3.1.2 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	Members / officers code of conduct. Performance management system. Staff performance review scheme. Complaints procedures. Anti-Fraud and Corruption policy. Member / officer protocols. Whistle blowing Policy. Information and Communication Technology Security Policy. Annual internal audit report. Statement of Core Values and Behaviours confirmed at workshops for staff held during 2013/14.	
3.1.3 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	Standing orders. Planning protocol. Member/Officer Codes of conduct. Financial Regulations. Contract Procedure Rules. Anti-Fraud and Corruption. Whistle blowing. Register of Interests (officers and members). Member declarations at meetings. Member and Officer induction and training.	Procurement Procedure Rules to be reviewed, updated and communicated to relevant officers.
3.2.1 Develop and maintain shared values including leadership values both for the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners	Codes of Conduct. Statement of Core Values. Regular Manager Briefings led by a member of Management Board. People Strategy and Workforce Development Plan.	
3.2.2 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	Codes of Conduct. Contract Procedure Rules. Anti-Fraud and Corruption. Whistle blowing. ICT Security Policy. Annual internal audit report.	Procurement Procedure Rules to be reviewed, updated and communicated to relevant officers.

In order to achieve our aims we have/will;	Source documents/Processes	Further work ongoing
3.2.3 Develop and maintain an effective standards committee (as amended by Localism Act 2011)	<p>Governance Committee has an overall view of conduct issues with a Standards Sub Committee established and appointments made, which is called as and when required.</p> <p>Member Code of Conduct.</p> <p>Monitoring Officer undertakes initial consideration of complaint.</p> <p>Independent Persons appointed.</p> <p>The number of independent/parish members exceeds statutory minimum.</p>	
3.2.4 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	<p>Decision making practices.</p> <p>Corporate Plan.</p> <p>Member/Officer Codes of conduct.</p> <p>Regular meetings between Cabinet Portfolio holders and relevant Senior Manager(s).</p>	
3.2.5 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>Individual Partnership agreements.</p> <p>Members appointed to represent the Council on outside organisations provide a report to Council on an annual basis.</p>	

Core Principle 4 – Taking informed and transparent decisions which are subject to effective scrutiny and managing risk		
Our aims in relation to taking informed and transparent decisions which are subject to effective scrutiny and managing risk are to:		
<p>4.1 Being rigorous and transparent about how decisions are taken and listening and acting on the outcomes of constructive scrutiny</p> <p>4.2 Having good-quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs</p> <p>4.3 Ensuring that an effective risk management system is in place</p> <p>4.4 Using their legal powers to the full benefit of the citizens and communities in their area</p>		
In order to achieve our aims we have/will	Source documents/Processes	Further work ongoing
4.1.1 Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the organisation's performance overall and of any organisation for which it is responsible	Scrutiny is supported by robust evidence and data analysis. Overview & Scrutiny Committee and Task & Finish groups established as required. Governance Committee. Agenda and minutes. Work programme. Training on effective budget scrutiny. Successful outcomes of reviews. Annual Audit Letter. Internal control environment.	
4.1.2 Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based	Record of decisions and supporting materials. Report template. Internal control environment. Cabinet member decisions under delegated authority are recorded and reported.	
4.1.3 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	Members Code of Conduct. Officers Code of Conduct. Officer/Member Register of Interests. Declaration of Interests. Code of Conduct Guidance to members/officers issued. Planning Protocol.	
4.1.4 Develop and maintain an effective audit committee (or equivalent) which is independent or make other appropriate arrangements for the discharge of the functions of such a committee	Governance Committee – Terms of Reference. Governance Committee – training for members to meet identified needs. Committee – agenda and minutes.	

In order to achieve our aims we have/will;	Source documents/Processes	Further work ongoing
4.1.5 Put in place effective transparent and accessible arrangements for dealing with complaints	Complaints procedure. Whistle blowing policy.	
4.2.1 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	Report template. Members' induction scheme. Training for committee chairman.	
4.2.2 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	Report template requires that consultation is undertaken with Monitoring Officer / Finance S151 officer before report considered by Members. Record of decision making and supporting materials.	
4.3.1 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	Risk Management Strategy. Cabinet Member with accountability for Risk Management. Financial standards and regulations. Corporate / service planning. Reviewed regularly by Governance Committee. Strategic and Operational Risk Registers.	
4.3.2 Ensure that arrangements are in place for whistle blowing to which staff and all those contracting with the authority have access	Whistle blowing policy (on website). Register of whistle blowing reports and actions taken. Information for contractors. Whistle blowing policy communicated to staff by leaflet.	
4.4.1 Actively recognise the limits of lawful activity placed on them by, for example the ultra vires doctrine but also strive to utilise powers to the full benefit of their communities	Constitution. Monitoring officer provisions. Statutory provision. Report templates. Internal control environment.	

In order to achieve our aims we have/will;	Source documents/Processes	Further work ongoing
4.4.2 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	Monitoring Officer provisions. Section 151 Officer provisions. Planning protocol. Training for Committee chairman. Availability of professional legal advice. Internal control environment. External inspection reports	
4.4.3 Observe all specific 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	Standing Orders Report template Constitution Statutory provision Procedure Rules Format for quasi judicial committees Monitoring Officer provisions Section 151 Officer provisions Planning protocol Internal control environment	

Core Principle 5 - Developing the capacity and capability of members and officers to be effective		
Our aims in relation to developing the capacity and capability of members and officers to be effective are:		
5.1 Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles 5.2 Developing the capability of people with governance responsibilities and evaluating their performance as an individual and as a group 5.3 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		
In order to achieve our aims we have/ will	Source documents/Processes	Further work ongoing
5.1.1 Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis	Member Training and Development. Member and Staff Induction programme. Staff Performance Review. Workforce Development Action Plan.	
5.1.2 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	Staff Performance Review. Training – Continuing Professional Development requirement of posts. Induction. Manager's handbook. Employee policies. Monitoring Officer and Section 151 Officer provisions.	
5.2.1 Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively	Staff Performance Review. Personal Development Plans. Talent Management framework for senior managers. Developing Democracy Cabinet Sub-Group. Workforce Development Action Plan. East of England Charter for elected Member Development re-awarded from the East of England Local Government Association on 28 th October 2014.	

In order to achieve our aims we have/ will	Source documents/Processes	Further work ongoing
5.2.2 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	Staff Performance Review. Personal Development Plans. Talent Management framework for senior managers. Member Training and Development Group Developing Democracy Group - Cabinet Sub-Group. Workforce Development Action Plan.	
5.2.3 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	Performance reporting and performance indicators. Staff Performance Review. People Strategy. Workforce Development Action Plan. Developing Democracy Cabinet Sub-Group	
5.3.1 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	Local Compact with Voluntary Sector. Open opportunity for members of public to ask questions at committee and Council meetings.	
5.3.2 Ensure that career structures are in place for members and officers to encourage participation and development	Succession planning Talent Management for senior managers Management Development programme for managers commenced in 2013/14	Management Development programme for senior managers concluded in Summer 2014. New programme for middle managers commenced in March 2015 and will run throughout 2015.

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

Our aims in relation to **engaging with local people and other stakeholders to ensure robust public accountability** are to:

- 6.1 Exercise leadership through a robust scrutiny function which engages effectively with local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships
- 6.2 Take an active and planned approach to dialogue with and accountability to the public ensure effective and appropriate service delivery whether directly, in partnership or by commissioning
- 6.3 Make best use of human resources by taking an active and planned approach to meet responsibility to staff

In order to achieve our aims we have/will	Source documents/Processes	Further work ongoing
6.1.1 Make clear to themselves, all staff and the community, to whom they are accountable and for what	Constitution. People's Panel. Targets and Performance monitoring. Satisfaction Surveys. Council Website – www.braintree.gov.uk	
6.1.2 Consider those institutional stakeholders to whom they are accountable and assess the effectiveness of the relationships and any changes required	Overview and Scrutiny Committee reviews examples in 2014/15 include Poverty in the Braintree district and managed Task and Finish groups investigating: the North Essex Parking Partnership and the Council's Mi-Community fund. Stakeholder identification. Statutory provisions. Stakeholder surveys.	
6.1.3 Produce an annual report on scrutiny function activity	Annual report produced to Full Council.	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
6.2.1 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	Council Website – www.braintree.gov.uk Contact publication – communicates the Council's vision and priorities and was published seven times in 2014/15. Town Team for each of the three principal towns.	

	Channel Strategy Use of social media to increase interaction and engagement with customers.	
6.2.2 Hold meetings in public unless there are good reasons for confidentiality	Public Question Time. Constitution. Access to information rules.	
6.2.3 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	Corporate Strategy 2012-2016. Business Plans. Budget and Priorities Consultation. Customer surveys. Equality Impact Assessments. Customer Service Excellence Standard achieved for all frontline services. Channel Strategy. Use of social media to increase interaction and engagement with customers.	Agree Corporate Strategy for the period 2016 to 2020 during 2015
6.2.4 Establish a clear policy on the types of issues they 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	Partnership framework. Budget and Priorities Consultation. Web casts of Council and Cabinet meetings on the Council's website.	

In order to achieve our aims we have/will	Source documents/Processes	Further work ongoing
6.2.5 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	Annual report. Annual financial statements. Annual business plan. Annual Plan.	
6.2.6 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	Constitution. Customer Service Excellence Standard. Freedom of Information Act/Publication Scheme. Officer Code of Conduct. Member Code of Conduct. Training undertaken. Whistle blowing Policy. Anti-Fraud and Corruption Policy. ICT Security Policy. Local Government Transparency Code of Practice.	
6.3.1 Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making	Joint Staff Consultative Committee. Management of Change process.	