LOCAL CODE OF CORPORATE GOVERNANCE

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

Spelthorne Borough Council will:

(a)   Develop and promote the authority's purpose and vision

(b)   Review on a regular basis the authority's vision for the local area and its impact on the authority's governance arrangements

(c)   Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties

(d)   Publish an annual report on a timely basis to communicate the authority's:

⇨   activities and achievements

⇨   financial position and performance

(e)   Decide how quality for service users is to be measured and make sure that the information needed to review service quality effectively and regularly, is available

(f)   Put in place effective arrangements to identify and deal with failure in service delivery

(g)   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

Principle 2: Councillors and members of staff working together to achieve a common purpose with clearly defined functions and roles

Spelthorne Borough Council will:

(a)   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

(b)   set out a clear statement of the respective roles and responsibilities of other authority councillors, councillors generally and senior members of staff

(c)   determine a scheme of delegation and reserve powers, including a formal schedule of those matters specifically reserved for the collective decision of the authority, taking account of relevant legislation, and ensure that it is monitored and updated when required

(d)   make a chief executive or equivalent responsible to the authority for all aspects of operational management

(e)   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

(f)   make a senior officer (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

(g)   make a senior officer (usually the Monitoring Officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations and other relevant statements of good practice are complied with

(h)   develop protocols to ensure effective communication between councillors and members of staff in their respective roles

(i)   set out the terms and conditions of councillors and members of staff and an effective process for managing the process including an effective remuneration panel (if applicable)

(j)   ensure that effective mechanisms exist to monitor service delivery

(k)   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

(l)   when working in partnership ensure that councillors are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authority.

(m)   when working in partnership:

    (a)   ensure that there is clarity about the legal status of the partnership

    (b)   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

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

Spelthorne Borough Council will:

(a)   ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect

(b)   ensure that standards of conduct and personal behaviour expected of councillors and staff, of work between councillors and staff and between

the authority are defined and communicated through codes of conduct and protocols.

(c)   put in place arrangements to ensure that councillors and members of staff 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.

(d)   develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations and communicate these with councillors, staff, the community and partners

(e)   put in place arrangements to ensure that systems and process are designed in conformity with appropriate ethical standards, and to monitor their continuing effectiveness in practice.

(f)   develop and maintain an effective standards committee

(g)   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

(h)   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

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

Spelthorne Borough Council will:

(a)   develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the authority's performance overall and that of any organisation for which it is responsible

(b)   develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based

(c)   put in place arrangements to safeguard councillors and staff against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice

(d)   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

(e)   ensure that effective, transparent and accessible arrangements are in place for dealing with complaints

(f)   ensure that those making the 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

(g)   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

(h)   ensure that risk management is embedded into the culture of the authority, with councillors and managers at all levels recognising that risk management is part of their jobs

(i)   ensure that arrangements are in place for whistle blowing to which staff and all those contracting with the council have access

(j)   actively recognise the limits of lawful authority placed on them, for example, the ultra vires doctrine but also strive to utilise powers to the full benefit of their communities

(k)   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

(l)   observe all specific legislative requirements placed on them, 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 processes and decision making processes

Principle 5: Developing the capacity and capability of councillors and members of staff to be effective

Spelthorne Borough Council will:

(a)   provide induction programmes tailored to individual needs and opportunities for councillors and staff to update their knowledge on a regular basis

(b)   ensure that 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

(c)   assess the skills required by councillors and staff and make a commitment to develop those skills to enable roles to be carried out effectively

(d)   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

(e)   ensure that effective arrangements are in place for reviewing the performance of the Cabinet as a whole and of individual councillors and agreeing an action plan which might, for example, aim to address any training or development needs

(f)   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

(g)   ensure that career structures are in place for councillors and staff to encourage participation and development

Principle 6: To engage with local people and other stakeholders to ensure the Council is seen as being publicly accountable

Spelthorne Borough Council will:

(a)   make clear to themselves, all staff and the community, to whom they are accountable and for what

(b)   consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required

(d)   ensure that clear channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements to ensure that they operate effectively

(e)   hold meetings in public unless there are good reasons for confidentiality

(f)   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 processes for dealing with these competing demands

(g)   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

(h)   on an annual basis, publish a Corporate 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

(i)   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 where it is proper and appropriate to do so

(j)   develop and maintain clear policy on how staff and their representatives are consulted and involved in decision making.