

Delivering Good Governance In Local Government

PRINCIPLE 1 – Focusing on the purpose of the authority, on outcomes for the community and creating and implementing a vision for the local area

| The code should reflect the requirement for local authorities to: | Source documents/good practice/other means that may be used to demonstrate compliance: |
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| 1.1 Develop and promote the authority's purpose and vision | 1.1.1 Local area or performance agreements 1.1.2 Community strategy 1.1.3 Corporate and service planning |
| 1.2 Review on a regular basis the authority's vision for the local area and its impact on the authority's governance arrangements | 1.2.1 Code of Governance |
| 1.3 Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties | 1.3.1 Partnership protocol 1.3.2 Code of Governance |
| 1.4 Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance | 1.4.1 Annual financial statements 1.4.2 Annual business plan 1.4.3 Annual report 1.4.4 A timetable for completing the above |
| 1.5 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 | 1.5.1 This information is reflected in the authority's: a) Corporate plan b) Annual operating plan c) Medium Term Financial Strategy d) Integrated Performance Reports e) Customer Surveys f) Equality Impact Assessments |
| 1.6 Put in place effective arrangements to identify and deal with failure in service delivery | 1.6.1 Complaints procedure 1.6.2 Scrutiny process |
| 1.7 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. | 1.7.1 The results are reflected in authority's performance plans and in reviewing the work of the authority. 1.7.2 Scrutiny process |

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

| The local code should reflect the requirement for local authorities to: | Source documents/good practice/other means that may be used to demonstrate compliance: |
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| 2.1 Set out a clear statement of the respective roles and responsibilities of the executive and of the executive members individually and the authority's approach towards putting this into practice | 2.1.1 Constitution 2.1.2 Record of decisions and supporting materials |
| 2.2 Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and senior officers | 2.2.1 Constitution |
| 2.3 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 | 2.3.1 Constitution |
| 2.4 Make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management | 2.4.1 Conditions of employment 2.4.2 Scheme of delegation 2.4.3 Statutory provisions 2.4.4 Job descriptions/specification 2.4.5 Performance management system and report to Cabinet. |
| 2.5 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 | 2.5.1 New chief executive and leader pairing consider how best to establish and maintain effective communication |
| 2.6 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 | 2.6.1 Section 151 responsibilities 2.6.2 Statutory provision 2.6.3 Statutory reports 2.6.4 Budget documentation 2.6.5 Job description/specification |
| 2.7 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 | 2.7.1 Monitoring officer provisions 2.7.2 Statutory provision 2.7.3 Job description/specification 2.7.4 Scrutiny process |

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| 2.8 Develop protocols to ensure effective communication between members and officers in their respective roles | 2.8.1 Member/officer protocol |
| 2.9 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) | 2.9.1 Pay and conditions policies and practices 2.9.2 Scrutiny process |
| 2.10 Ensure that effective mechanisms exist to monitor service delivery | 2.10.1 Scrutiny process |
| 2.11 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 | 2.11.1 Community Strategy 2.11.2 Corporate plans 2.11.3 Budgets 2.11.4 Performance plan/regime 2.11.5 Scrutiny process |
| 2.12 a) 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 b) Ensure that there is clarity about the legal status of the partnership c) Ensure that representatives of the partner organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions | 2.12.1 For each partnership there must be a partnership agreement that: a) Sets out each partner's role within the partnership. b) Clearly states the principles and objectives of the partnership. c) Defines the role of partnership board members. d) Sets out the line management responsibilities for staff who support the partnership. e) Includes a statement of funding sources for joint projects and clear accountability for proper financial administration. f) Includes a protocol for dispute resolution within the partnership. NB: from special report <i>Local Partnerships and Citizen Redress</i> , Local Government Ombudsman (2007) |

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

| The local code should reflect the requirement for local authorities to: | Source documents/good practice/other means that may be used to demonstrate compliance: |
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| 3.1 Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect | 3.1.1 Scrutiny process 3.1.2 Organisational values |
| 3.2 Ensure that standards or 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 | 3.2.1 Members'/officers' code of conduct 3.2.2 Performance appraisal 3.2.3 Complaints procedures 3.2.4 Anti-fraud and anti-corruption policy 3.2.5 Member/officer protocols 3.2.6 Whistleblowing policies |
| 3.3 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 | 3.3.1 Codes of conduct 3.3.2 Financial Procedure Rules 3.3.3 Contract Procedure Rules |
| 3.4 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 | 3.4.1 Codes of conduct 3.4.2 Scrutiny process |
| 3.5 Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice | 3.5.1 Codes of conduct 3.5.2 Scrutiny process |
| 3.6 Develop and maintain an effective standards committee | 3.6.1 Terms of reference 3.6.2 Regular reporting to the council |
| 3.7 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 | 3.7.1 Decision-making practices 3.7.2 Values Statement |
| 3.8 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 | 3.8.1 Protocols for partnership working |

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

| The local code should reflect the requirement for local authorities to: | Source documents/good practice/other means that may be used to demonstrate compliance: |
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| 4.1 Develop and maintain an effective scrutiny function that encourages constructive challenge and enhances the authority's performance overall and that of any organisation for which it is responsible | 4.1.1 Scrutiny is supported by robust evidence and data analysis |
| 4.2 Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based | 4.2.1 Decision-making protocols 4.2.2 Record of decisions and supporting materials |
| 4.3 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 | 4.3.1 Members' code of conduct |
| 4.4 Develop and maintain an effective audit committee (or equivalent) which is independent of the executive and scrutiny functions or make other appropriate arrangements for the discharge of the functions of such a committee | 4.4.1 Terms of reference Membership 4.4.2 Training for committee chairs/members |
| 4.5 Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints | 4.5.1 Complaints procedure |
| 4.6 Ensure that those making decisions whether for the authority or a partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications | 4.6.1 Members' induction scheme 4.6.2 Training for committee chairs 4.6.3 Report writing protocols |
| 4.7 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 | 4.7.1 Record of decision making and supporting materials |
| 4.8 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 | 4.8.1 Risk management protocol 4.8.2 Financial Procedure Rules |

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| The local code should reflect the requirement for local authorities to: | Source documents/good practice/other means that may be used to demonstrate compliance: |
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| 4.9 Ensure that arrangements are in place for whistle-blowing to which staff and all those contracting with the authority have access | 4.9.1 Whistle-blowing policy |
| 4.10 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 | 4.10.1 Constitution 4.10.2 Monitoring officer provisions 4.10.3 Statutory provision |
| 4.11 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 | 4.11.1 Monitoring officer provisions |
| 4.12 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 | 4.12.1 Monitoring officer provisions 4.12.2 Job description/specification 4.12.3 Statutory provision |

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

| The local code should reflect the requirement for local authorities to: | Source documents/good practice/other means that may be used to demonstrate compliance: |
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| 5.1 Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis | 5.1.1 Training and development plan. 5.1.2 Evidence of feedback and action 5.1.3 Induction programme 5.1.4 Update courses/information |
| 5.2 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 authority, with proper management and supervision by top management | 5.2.1 Job description/personal specifications 5.2.2 Membership/access to top management team 5.2.3 Staff review and development interviews |
| 5.3 Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively | 5.3.1 Training development plan for officers 5.3.2 Members Development Working Group |
| 5.4 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 | 5.4.1 Training and development plan reflecting the skills a modern councillor needs including: a) The ability to scrutinise and challenge. b) The ability to recognise when outside advice is required. c) Advice on how to act as an ambassador for the community. d) Leadership and influencing skills. |
| 5.5 Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan which might, for example, aim to address any training or development needs | 5.5.1 Performance management system 5.5.2 Scrutiny process 5.5.3 Members Development Working Group. |
| 5.6 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, and improve publicity regarding the right of the public to attend committee meetings | 5.6.1 Strategic partnership framework 5.6.2 Terms of reference for stakeholder groups. 5.6.3 Area fora roles and responsibilities 5.6.4 Residents' panel structure 5.6.5 Public information protocols |
| 5.7 Ensure that career structures are in place for members and officers to encourage participation and development | 5.7.1 Succession planning |

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

| The local code should reflect the requirement for local authorities to: | Source documents/good practice/other means that may be used to demonstrate compliance: |
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| 6.1 Make clear to themselves, all staff and the community to whom they are accountable and for what | 6.1.1 Community strategy |
| 6.2 Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required | 6.2.1 Strategy Partnerships |
| 6.3 Produce an annual report on the activity of the scrutiny function | 6.3.1 Annual scrutiny report |
| 6.4 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 | 6.4.1 Community strategy 6.4.2 Processes for dealing with competing demands within the community 6.4.3 Annual survey |
| 6.5 Hold meetings in public unless there are good reasons for confidentiality | 6.5.1 Compliance with legislation |
| 6.6 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 | 6.6.1 Communications Strategy 6.6.2 Involvement and partnership Strategy 6.6.3 Parish Council protocol |
| 6.7 Establish a clear policy of 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 | 6.7.1 Partnership framework 6.7.2 Communication strategy 6.7.3 Scrutiny process |
| 6.8 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 | 6.8.1 Annual report 6.8.2 Annual financial statements 6.6.3 Corporate plan 6.6.4 Annual operating plan |

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| 6.9 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 | 6.9.1 Constitution |
| 6.10 Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making | 6.10.1 Constitution |