

Swindon Borough Council's Local Code of Corporate Governance

1. What is Corporate Governance?

- 1.1 The Council has a key role in governing and leading the communities within the Borough of Swindon. Effective local government relies on public confidence in elected councillors and officials. Effective systems of corporate governance underpin the credibility and confidence in public services.
- 1.2 Corporate governance is a phrase used to describe how organisations direct and control what they do. For local authorities this also includes how a council relates to the communities that it serves. Good corporate governance requires local authorities to carry out their functions in a way that demonstrates accountability, transparency, effectiveness, integrity and inclusion.
- 1.3 Swindon Borough Council is committed to being at the forefront of those local authorities that are able to demonstrate that they have the necessary corporate governance to excel in the public sector.
- 1.4 This Code is a public statement that sets out the way in which the Council will meet that commitment.

2. Why do we need a Local Code?

- 2.1 Corporate governance is important because it is crucial to:
 - Providing high-quality public services. Nationally governance weaknesses have led to service failures and critical situations. High-performing organisations, on the other hand, have effective governance arrangements.
 - Raising public trust. The public's trust is increased when the quality of services that they and their families experience is high, and when organisations are perceived to be open and honest in communicating their performance, and in learning from their mistakes.
- 2.2 The Code is based upon the following six Principles:
 - Focusing on the Council's purpose and on 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.
- Engaging with local people and other stakeholders to ensure robust public accountability.

2.3 This Local Code of Corporate Governance sets out the means by which the Council will meet and demonstrate our commitment to good corporate governance in relation to these six principles.

3. The Principles of Corporate Governance

Focusing on the Council's purpose and on outcomes for the community and creating and implementing a vision for the local area

- 3.1 We are committed to an ambitious strategy of achieving excellence for our residents and their communities. We demonstrate this by publishing:
- Our Corporate Plan and One Swindon Delivery Plan.
 - Our Health and Wellbeing Strategy
- 3.2 We will regularly review the vision for our local communities, as it is set out in these documents, and its implications for the Council's governance arrangements.
- 3.3 We will ensure that this vision is shared with our partners through the One Swindon Partnership Board, the Swindon Strategic Partnership, the Health and Wellbeing Board, the Swindon and Wiltshire Local Enterprise Partnership.
- 3.4 The Council will aim to deliver high quality services that make the best use of resources and are value for money. The Council will do this by:
- Delivering services to meet the needs of the local community, and put in place processes to ensure that they operate effectively in practice.
 - Determining local needs and targeting resources according to the Corporate Plan.
 - Developing effective relationships and partnerships with

- other public sector agencies, including integration with local NHS bodies.
 - voluntary and community organisations.
 - the private sector, including our strategic partnership with Capita.
- Responding positively to the findings and recommendations of external auditors and statutory inspectors and putting in place arrangements for the implementation of agreed actions.
 - Carrying out an approved value for money review programmes to benchmark our services, and ensure best use is made of the resources available to the Council.
 - Delivering specific projects within an effective, corporate programme management framework, as appropriate.

Members and officers working together to achieve a common purpose with clearly defined functions and roles.

3.5 The Council will ensure that the necessary roles and responsibilities for its governance are identified and allocated so that it is clear who is accountable for decisions that are made. The Council will do this by:

- Appointing a Leader of the Council, and defining the executive responsibilities of Cabinet Members.
- Agreeing a scheme of delegated executive responsibilities to Corporate Directors, Directors and Heads of Service, and protocols that make clear the respective roles of members and officers and ensure effective communication between them.
- Annually appointing committees to discharge the Council's regulatory responsibilities.
- Annually appointing committees to discharge the Council's overview and scrutiny responsibilities.
- Setting clear role definitions for chairs of committees and councillors in their different roles.
- Undertaking an annual review of the operation of the Council's constitution.
- Making the Chief Executive (the Head of Paid Service) responsible and accountable to the Council for all aspects of operational management.

- Making a senior officer (the Monitoring Officer) responsible to the authority for ensuring the lawfulness and fairness of decision-making, and that agreed procedures are followed and that all applicable statutes and regulations are complied with.
- Making a senior officer (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.
- Ensuring partnerships and contracts with other public bodies, voluntary and community organisations, and the private sector have clear governance accountabilities, including effective and equitable financial arrangements.
- Having in place effective and comprehensive arrangements for the scrutiny of services.

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

- 3.6 The Council promotes and maintains high standards of ethical conduct of members and officers through the work of its Standards Committee.
- 3.7 The Council will foster a culture of behaviour based on shared values, ethical principles and good conduct.
- 3.8 The Council will do this by establishing and keeping under review:
- The Council's Constitution.
 - A Members' Code of Conduct.
 - An Officer's Code of Conduct.
 - A protocol governing Member/Officer Relations.
 - A Members' Planning Code of Good Practice.
 - Monitoring Officer Protocol.
 - Media Guidelines.
 - Contract Standing Orders and Financial Regulations.
 - A strategy for combating fraud and corruption.
 - A whistle blowing policy.
 - Behavioural Framework Principles

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

- 3.9 The Council will ensure that the decision-making process includes a rigorous risk assessment including:
- Financial, legal and staffing implications.
 - Sustainability implications.
 - Health Impact and Promotion implications.
 - Value for Money.
 - Implications for Partnerships.
 - Implications for Community Safety.
 - Impact on Rural Communities.
 - Diversity and racial impact assessment.
 - Risks, mitigations and opportunities.
- 3.10 The Council will be rigorous and transparent about how decisions are taken and recorded. The Council will:
- Ensure the Cabinet make decisions in an open and transparent way following due consultation in accordance with the Council's Consultation Policy, and that information relating to those decisions is made available to the public, unless statutory rules allow otherwise.
 - Ensure that all decisions of regulatory committees of the Council are made in public and that information relating to those decisions is made available to the public, unless statutory rules allow otherwise.
 - Ensure that legal and financial implications are recognised in all reports on which decisions are based.
 - Record all decisions that are made by committees and "Executive" decisions made by officers (where applicable).
 - Have rules and procedures, which govern how decisions are made.
 - Develop and maintain an effective overview and scrutiny function which encourages constructive challenge.
 - Maintain an effective Standards Committee and Audit Committee.
- 3.11 The Council will continue to develop its risk management strategy and arrangements to ensure their continued effectiveness. This enables the Council to understand, and respond to risks in order to maximise the quality of its service provision and embrace innovation and change whilst remaining resilient to threats and disruptions making a powerful contribution to continuous service improvement and the achievement of the Council's objectives.
- 3.12 The Council will ensure that the risk management system:
- Formally identifies, evaluates and manages risks.

- Involves elected Members in the risk management process.
- Includes the undertaking of a risk assessment of every decision.
- Maps risks to financial and other key internal controls.
- Incorporates business continuity planning, and
- Reviews and, if necessary, updates its risk management processes at least annually.

Developing the capacity and capability of Members and officers to be effective.

- 3.13 The Council will ensure that those charged with the leadership and governance of the Council have the skills, knowledge and experience they need to perform to a high standard. The Council will do this by:
- Maintaining Member training and development through the Member Development Advisory Group.
 - Developing leadership skills and capacity across the Council.
 - Developing our approach to workforce planning.
 - Encouraging quality mark accreditation.
 - Maintaining and developing our personal development through regular development planning and performance review systems.
 - Cascading regular information to Members and staff by paper and electronic means, having regard to diversity issues.
 - Engaging with local people and other stakeholders to ensure robust public accountability.
- 3.14 The Council is committed to increasing public involvement in decision-making and devolving power to individuals and local organisations. We will seek and respond to the views of stakeholders and the community. The Council will do this by:
- Forming and maintaining relationships with the leaders of other organisations.
 - Ensuring openness and accessibility to citizens, service users and staff, including partner organisations.
 - Implementing the Council's corporate Consultation Policy and utilising an appropriate range of consultation methods.
 - Making use of local forums at ward, parish, locality and neighbourhood level to maintain communication with all the Borough's communities and other stakeholders.
 - Encouraging and supporting the public in submitting requests for Scrutiny.
 - Maintaining and reviewing an effective complaints procedure.
 - Developing One Swindon and the Stronger Together Locality programmes.

4. Monitoring and Review

- 4.1 Good corporate governance requires the active participation of Members and employees across the authority. The Corporate Governance Review Working Group has responsibility at Member level for reviewing the arrangements set out in this code. The Monitoring Officer has responsibility at officer level for monitoring and reviewing this Code and reporting to Members on its operation and on any proposed changes.
- 4.2 The Council has two committees that have responsibilities for monitoring and reviewing the Council's corporate governance arrangements – the Standards Committee and the Audit Committee.
- 4.3 The purpose of the Audit Committee is to provide independent assurance to the Council on the following responsibilities:
- the effectiveness of the Council's risk management, internal control and its overall assurance framework.
 - the effectiveness of the Council's financial and non-financial performance.
 - the performance of the Council's Internal Audit section.
 - the receipt and review of external audit reports and liaison with external auditors on significant matters identified.
 - the effective scrutiny of treasury management policies and practices including the annual investment strategy.
 - advise upon and/or review the effectiveness of any other matters referred to the Audit Committee by the Cabinet, the Overview and Scrutiny and Regulatory Committees.
- 4.4 The Standards Committee has responsibility to Council for:
- the promoting and maintaining high standards of conduct.
 - approving, and providing an overview of the implementation of, Member and officer codes and protocols relating to probity and conduct.
 - approval of the anti-fraud and corruption strategy and whistle-blowing procedures.
- 4.5 Through these committees the Council will ensure that these arrangements are kept under continual review by:
- the work of Internal Audit.
 - reports prepared by managers with responsibility for aspects of this Code.
 - External Audit opinion.
 - other review agencies and Inspectorates.
 - opinion from the Council's Statutory Officers.

The Annual Governance Statement

- 4.6 Each year the Council will publish an Annual Governance Statement. This will provide an overall assessment of the Council's Corporate Governance arrangements and an appraisal of the key controls in place to manage the Council's principal governance risks. The Statement will also provide details of where improvements need to be made.
- 4.7 The Annual Governance Statement will be reviewed and agreed by the Audit Committee, for signing by the Leader of the Council and the Chief Executive.
- 4.8 The Statement will be published as part of the Council's Annual Statement of Accounts and will be audited by our external auditors.

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