## **LOCAL CODE OF CORPORATE GOVERNANCE**

### Introduction

The International Framework: Good Governance in the Public Sector (CIPFA/IFAC 2014) defines governance as follows:

'Governance comprises the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved.'

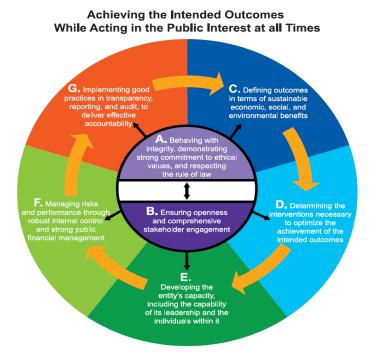
The International Framework also states that:

'To deliver good governance in the public sector, both governing bodies and individuals working for public sector entities must try to achieve their entity's objectives while acting in the public interest at all times.' Acting in the public interest implies primary consideration of the benefits for society, which should result in positive outcomes for service users and other stakeholders.

## **Good Corporate Governance**

Staffordshire County Council is committed to achieving good corporate governance and this Local Code describes how the council intends to achieve this in an open and transparent way. The Local Code is based upon the CIPFA SOLACE framework 'Delivering Good Governance in Local Government (April 2016) which replaced the document published in 2007 and amended in 2012. As laid out in the guidance it 'is intended to assist authorities individually in reviewing and accounting for their own unique approach. The overall aim is to ensure that resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision making and that there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities'.

The Local Code is based on the following 7 principles, the first 2 of which underpin the remaining 5 with the overall aim of:



### MONITORING AND REVIEW

The Code of Corporate Governance is reviewed on an annual basis to ensure that it is kept up to date. Where the review identifies that changes are required to the Code, the revised Code will be submitted to the Audit & Standards Committee for comments and amendments before including on the Council's intranet.

It is the philosophy of the County Council that responsibility for ensuring good corporate governance is embedded within the organisation, lies with all employees and they take the appropriate steps to ensure their behaviour reflects these values at all times.

The Audit & Standards Committee has responsibility for monitoring and reviewing the Corporate Governance arrangements. The Committee is responsible for approving the Council's annual accounts and responding to the External Auditor's Annual Audit Letter. It also oversees the effectiveness of the Council's governance and risk management arrangements, the internal control environment and associated anti-fraud and anti-corruption arrangements. The standards element of its remit covers the responsibility for promoting and maintaining high standards of conduct amongst Members. The detailed terms of reference are included in the Constitution.

In addition, the wider Committee arrangements support how the Council uses its resources effectively and efficiently to deliver services for Staffordshire residents.

The Council ensures that corporate governance arrangements are kept under continual review by updating, as appropriate, these Committees on:

- The work of Internal and External Audit
- The opinion of other review agencies and inspectorates
- Opinions from the Council's Statutory Officers
- General matters relating to the implementation of the Code
- The production of the Annual Governance Statement and actions planned to address rising governance issues.

#### The Annual Governance Statement

Each year the Council will publish an Annual Governance Statement to accompany the Annual Accounts. The Statement provides an overall assessment of the Council's corporate governance arrangements and how it adheres to the governance standards set out in this Code. Evidence relating to the principles of this Code is reviewed and analysed to assess the robustness of the Council's governance arrangements. This includes assessments such as:

- Review of the Constitution
- Annual Statement Member Standards
- Annual Scrutiny Report to Council
- Head of Internal Audit Annual Report and overall opinion
- External Audit Annual ISA 260 Report

- Other Inspectorate Reports
- Statutory Complaints & Corporate Complaints (including Ombudsman's Reports) Annual Report
- Information Governance Annual Report
- Health and Safety Annual Report
- Annual Pay Policy Statement
- Statements from the Monitoring Officer and Section 151 Officer regarding the use of their statutory powers.

The Statement includes an appraisal of the key controls in place to manage the Council's principal governance risks and the effectiveness of systems and processes governing decision making and financial control. The Statement also provides details of where improvements need to be made. Actions to address significant governance issues are identified and recorded in an action plan. The Annual Governance Statement is audited by the Council's External Auditors as part of the audit of the annual accounts.

The following tables detail how the Council meets the core principles and the systems, policies and procedures it has in place to support this.

Core Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.

# **Current Arrangements**

# Action Plan 17/18

Local government organisations are accountable not only for how much they spend, but also for how they use the resources under their stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes they have achieved. In addition, they have an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, they can demonstrate the appropriateness of all their actions and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.

# Behaving with integrity

- Codes of conduct for Members & Officers developed and included in key governance document [the Constitution] to ensure that high standards of conduct are understood/maintained.
- An Officer Code of Conduct is included within the GO Corporate Training system and behaviours are reinforced through the performance appraisal process (My Performance Conversation).
- Induction process for all new Members includes information on the standard of behaviour expected.
- Procedure in place for reporting and administrating complaints against Members including breaches of the Member Code of Conduct.
- Member Allowances are determined and approved by the Independent Remuneration Panel.
- The Audit and Standards Committee is responsible for overseeing the conduct of Members and identifying any training needs of members in relation to the Code of Conduct. The Committee receives a report as appropriate regarding the progress of complaints'/investigations. An Annual Report of Member Conduct is produced and reported to the Audit & Standards Committee.
- Decision making practices include standard formats for executive officer/portfolio holder/Cabinet decisions to assist in ensuring that decisions are taken only when necessary information has been made available including community impact assessments for key decisions.
- Constitution includes an employee and Member policy for the acceptance of gifts and hospitality. A register is maintained and published on the County Council website.
- All Members declare their interests and these are published on the County Council website which is refreshed annually.
- Members' declaration of interests are a standing item on all agendas. Minutes show declarations of interest were sought and appropriate

Consideration for the development of a protocol for Council Representation on Outside Bodies.

**Lead**: Head of Law and Democracy - September 2017.

<ul> <li>declarations made.</li> <li>Whistleblowing and Integrity policies are in place. Policies available to members of the public, employees, partners and contractors via the internet and in appropriate contract documentation.</li> <li>Statutory and corporate complaints procedures and electronic reporting forms are available on the County Council's website. An Annual Report is produced.</li> </ul>	The Annual Complaints report should be published on the County Council website.  Lead: Customer Feedback and Complaints Manager –
	September 2017
<ul> <li>Demonstrating strong commitment to ethical values</li> <li>The Constitution sets out         <ul> <li>the need to act within the law</li> <li>delegations of the executive, committees and senior officers, and the decision making process to be applied</li> <li>Terms of Reference for committees</li> <li>Scrutiny Function to support ethical decision making</li> </ul> </li> </ul>	Consideration should be given to ensuring that external providers of services on behalf of the organisation are required to act with integrity and in compliance with high ethical standards and values expected by the organisation as part of contractual documentation.  Lead: - Head of Commercial Services – September 2017.
<ul> <li>Respecting the rule of law</li> <li>The Constitution identifies the Statutory Officers of the County Council namely the Head of Paid Service, Monitoring Officer, Chief Financial Officer (Section 151 Officer), Director of Adult Social Care, Director of Children's Services, Scrutiny Officer and the Director of Public Health and sets out the respective roles.</li> <li>A Fraud, Bribery and Corruption Policy is published on the web site</li> </ul>	•
together with the Anti-Money Laundering Policy. There is a	

whistleblowing hotline together with a concern reporting form which is forwarded on to Internal Audit for review.

# Core Principle B: - Ensuring openness and comprehensive stakeholder engagement

Local government is run for the public good; organisations therefore should ensure openness in their activities. Clear, trusted channels of communication and consultation should

be used to engage effectively with all groups of stakeholders, such as individual citizens and service users, as well as institutional stakeholders

#### **Openness**

- Strategic and Delivery Plans describe direction including Vision, Values and Council priorities.
- Adoption of a Freedom of Information Act publication scheme
- Online council tax information Authority Transparency pages available on website.
- Agendas, reports and minutes are published on the Council's website.
   Meetings are open to the public unless in the case of exempt items.
- The Community Impact Assessment toolkit is used for all key decisions and helps ensure that the decisions taken consider a range of potential impacts/risks. Where appropriate, background papers are cited in the standard report format.
- Dates for submitting, publishing and distributing timely reports are set and adhered to.
- Record of decision making and supporting materials published on the County Council website.
- The Strategic Plan together with the annual Business Plan sets out the priorities and strategic direction for the Council.

# Engaging comprehensively with institutional stakeholders

- All the Councils priority outcomes are contained within the Strategic Plan which is published and communicated to all relevant stakeholders.
- The County Council regularly consults with a wide range of stakeholders depending on the topic and relevant audience. Key stakeholders include our local MPs, elected Members, district Leaders and Chief Executives, other public sector organisations and our voluntary and community sector bodies.
- The relationship with the other 9 local councils is overseen by the monthly meeting of the 10 Chief Executive's and quarterly meetings of the Leaders. The strategic engagement with the NHS is now overseen though the Sustainability and Transformation Plan Programme Board

Consideration of a Partnership Governance Protocol that sets out the governance and processes for partnership working arrangements.

**Lead**: Director of Strategy, Governance & Change – December 2017.

C Defining outcomes in te	<ul> <li>that is driving change across the whole system.</li> <li>All consultations are conducted in line with the best practice guidance set out by the Cabinet Office in 2016 (https://www.gov.uk/government/publications/consultation-principles-guidance). High priority consultations identified through the business planning process are supported by a Corporate Consultation Manager with appropriate support from other support services. In order to ensure consistency and transparency all consultations are hosted on the County Council webpage.</li> <li>A communications strategy which sets out how the Council will inform and engage with employees, partners, residents and other stakeholders is in place, agreed annually by the Senior Leadership Team and Members of Cabinet.</li> <li>Engaging stakeholders effectively, including individual citizens and service users</li> <li>A Record of public consultations undertaken is published on the Website.</li> <li>All consultations are delivered using best practice guidelines from the Cabinet Office (https://www.gov.uk/government/publications/consultation-principles-guidance</li> <li>The Council seeks the views from individuals, organisations and businesses on a number of areas.</li> <li>All Council surveys are delivered online using the corporate approved software called Citizen Space.</li> <li>Consultation activities are scheduled in line with the Business Plan priorities and MTFS commitments.</li> <li>The Council has arrangements to engage with all sections of the community including hard to reach groups.</li> </ul>	
The long-term nature and impact of many of local government's	<ul> <li>Defining outcomes</li> <li>The Strategic Plan sets out the council's vision and priorities which</li> </ul>	
responsibilities mean that it should define and plan outcomes	have been produced following community engagement and involvement.	

and that these should be sustainable. Decisions should further the authority's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

- Three priority outcomes have been defined -
  - 1. Be able to access more good jobs and feel the benefit of economic growth.
  - 2. Be heathier and more independent.
  - 3. Feel safer, happier and more supported in and by their community.
- The annual Business Plans support the delivery of the commissioning priority outcomes outlined in the Strategic Plan.
- The Senior Leadership Team and Cabinet receive performance monitoring reports at regular intervals based on progress towards delivery of the business plan priority outcomes.

## Sustainable economic, social and environmental benefits

- Capital investment is structured to achieve appropriate life spans and adaptability for future use or those resources (e.g. land) are spent on optimising social, economic and environmental wellbeing. This is outlined in the Medium Term Financial Strategy and detailed in the capital programme.
- Development of the People Helping People agenda and Digital by Design to help address rising levels of demand for Council Services.
- The Stoke-on-Trent and Staffordshire Local Enterprise Partnership (SSLEP) brings businesses and local authorities together to drive economic growth and create jobs.
- The SSLEP has a single inward investment team 'Make it Stoke-on-Trent and Staffordshire' and an Education Trust, which is working with education providers and businesses to address the skills gap, while Destination Staffordshire is working with tourism businesses to market the county as a place to work and visit. To ensure the best achievement for the area the LEP is working with Government and other organisations to secure funding and improve access to finance for businesses.
- Sustainable Procurement incorporates the achievement of environmental, economic and social outcomes throughout procurement processes. The evaluation of Social and Environmental Value is considered as part of the evaluation criteria in all procurements and is designed to assist commissioners and procurers to maximise opportunities to improve the social, economic and environment

Consideration of the development of a Social Value policy.

**Lead:** Head of Commercial Services – December 2017.

	condition of our local area through effective commissioning and procurement.	
D -Determining the interven	ntions necessary to optimise the achievement of the intended outcomes	
Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions.  Determining the right mix of these courses of action is a critically important strategic choice that	<ul> <li>Determining interventions</li> <li>The Commissioning Cycle is applied to ensure clear alignment to need and improving outcomes.</li> <li>The format of decision making reports ensures all relevant information is considered such as analysis of options, resource implications, and outcomes. Options are clearly defined and analysed to ensure decisions are based on the best possible information.</li> <li>Planning interventions</li> </ul>	
local government has to make to ensure intended outcomes are achieved They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed continually to ensure that achievement of outcomes is optimised.	<ul> <li>The Business Plan supported as necessary by Delivery Plans, is the means by which the Council's strategic priority outcomes are translated into action and delivered.</li> <li>The Council is committed to involving local people in its most important decisions through community engagement.</li> <li>It seeks opportunities to get local people involved in the running of services and assets through relevant consultation and our bespoke approach to engaging communities, 'People Helping People'.</li> <li>The MTFS is linked to our Business Plan to ensure resources are available to deliver priority outcomes. Member Led challenge sessions are held to scrutinise the robustness of the financial proposals.</li> <li>Strategic Risks associated with partnership and joint working arrangements are identified and recorded in the strategic risk register.</li> <li>Contract management arrangements are in place to manage delivery of service requirements.</li> <li>Change control mechanisms are in place to ensure that Contracts/Partnership arrangements continue to deliver the Council's priority outcomes.</li> <li>KPIs have been established and approved for each priority area, included in the business plan and reported upon regularly to SLT and Cabinet.</li> </ul>	

	Reports include detailed performance results and highlight areas where	
	corrective action is necessary.	
	<ul> <li>Optimising achievement of intended outcomes</li> <li>The annual budget is prepared in line with agreed priorities and the MTFS which is approved by Cabinet and Full Council. The council publishes its Financial Strategy annually to set an indicative five year rolling financial plan to fit the longer term strategic vision as well as a detailed one year budget.</li> </ul>	
	<ul> <li>A key development of the People helping People agenda is that service plans demonstrate consideration of 'social value'.</li> <li>All Managers are supported in the delivery of their financial objectives via their Finance Business Partner.</li> </ul>	
E - Developing the entity's	capacity, including the capability of its leadership and the individuals w	ithin it
	Developing the entity's capacity	
Local government needs appropriate structures and leadership, as well as people with	Regular reviews of activities, outputs and planned outcomes including acting upon the outcome and recommendations contained within Inspectorate Reports.	
the right skills, appropriate qualifications and mind-set, to operate efficiently and	Development of demand management through digital by design, people helping people and commercialisation work streams.  The Council has a Learning & Development strete and including the use.	
effectively and achieve their intended outcomes within the specified periods. A local	<ul> <li>The Council has a Learning &amp; Development strategy including the use of a digital learning management system GO available to the whole workforce covering, statutory and mandatory training, health and safety, ICT, Change Management and key knowledge and soft skills.</li> </ul>	
government organisation must ensure that it has both the capacity to fulfil its own	<ul> <li>Utilisation of research and CIPFA benchmarking exercises where appropriate.</li> <li>Effective operation of partnerships which deliver agreed outcomes.</li> </ul>	
mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Because both individuals and the environment in which an authority operates will change over time,	<ul> <li>Developing the capability of the entity's leadership and other individuals</li> <li>Job descriptions are in place for Officers which have been correctly evaluated using the agreed Job Evaluation criteria and processes.</li> <li>Role descriptors for Member roles.</li> <li>Induction arrangements for Officers/Members.</li> <li>A Protocol on Member/Officer Relations to achieve good working</li> </ul>	To update the current Schemes of Delegation to ensure that they are fit for purpose in light of revised organisational requirements.

there will be a continuous need to develop its capacity as well as the skills and experience of the leadership of individual staff members. Leadership in local government entities is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.

relationships in the conduct of council business.

- Schemes of delegation reviewed regularly in the light of legal and organisational changes.
- Procurement and Financial Regulations, which are reviewed on a regular basis, are in place.
- Officers/Members are updated on legal and policy changes as required.
- Development and training plans for employees is identified through the annual My Performance Conversation appraisal process.
- Access to update courses/ information briefings on new legislation.
- Efficient systems and technology used for effective support.
- Implementing appropriate human resource policies (including Thinkwell) and ensuring that they are working effectively.
- HR policies and procedures developed incorporating relevant guidance on equalities and diversity requirements, safer recruitment, pre-employment checks.
- Development of an Apprenticeship Programme offering training, skills and experience in Local Government.
- Health and Safety policies designed to protect and enhance the welfare of staff are actively promoted and monitored.

**Lead:** Director of Strategy, Governance and Change – December 2017.

D

Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance

# Managing risk

- Risk management strategy/ policy formally approved and adopted by the Audit & Standards Committee. These documents are reviewed and updated on a regular basis by the Corporate Governance Working Group chaired by the Director of Strategy, Governance and Change.
- The strategic risk register is periodically updated, reviewed by the Corporate Governance Working Group prior to being scrutinised by the Audit & Standards Committee.
- The County Council has entered into a partnership arrangement with Staffordshire Civil Contingencies Services Unit who provide a comprehensive civil contingencies service including regular

To refresh the risk management policy and strategy.

**Lead:** Chief Internal Auditor – December 2017.

management system and crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities. A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery, and accountability. It is also essential that a culture and structure for scrutiny is in place as a key part of accountable decision making. policy making and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.

training exercises with Key Partners.

## Managing performance

- Key indicators have been identified which support the Council's Strategic and Delivery plans. The Strategic Leadership Team oversee the monitoring and delivery of performance measures in support of the priority outcomes.
- Publication of agenda, associated papers and minutes of public meetings on the County Council website. The Forward Plan will contain all matters which the Leader of the Council has reason to believe will be the subject of a Key Decision to be taken by the Cabinet during the forthcoming four month period. It may also include decisions that are not key decisions but are intended to be determined by the Cabinet.
- The Constitution, through its Overview and Scrutiny rules has
  opportunities for the Council's four Select Committees to challenge and
  debate policy and objectives before, during and after decisions are
  made. The work programme for each Committee reflects the delivery of
  the County Council's and partner's main outcome priorities; areas where
  their involvement could help improve performance and/or priorities and
  concerns raised by the public.
- Agenda, minutes of Select Committees and any associated reports with recommendations to the Executive are available via the County Council's website.
- Overview and Scrutiny training for members is provided initially at induction, also on an annual basis or on specific subjects within Select Committee meetings.
- The County Council has both Procurement and Financial Regulations which set out the council's arrangements and ensure that processes continue to operate effectively and efficiently.

### Robust internal control

- Risk management arrangements/ policy have been formally approved and adopted and are reviewed and updated on a regular basis.
- An annual report is produced by Internal Audit which provides an opinion on the council's control environment, and a self-assessment of its arrangements against the public sector internal audit standards and

A self-evaluation assessment based on the CIPFA best practice criteria will be performed by the Audit & Standards Committee.

<ul> <li>CIPFA's guide to the role of the Head of Internal Audit.</li> <li>Compliance with the Code of Practice on Managing the Risk of Fraud and Corruption (CIPFA 2014).</li> <li>Anti-Fraud and Corruption Strategy which is subject to regular review and is approved by the Corporate Governance Working Group. The annual outturn report summaries anti-fraud activity in the year.</li> <li>Annual governance statement prepared with senior management support and consideration by Audit and Standards Committee.</li> <li>An effective internal audit service is resourced and maintained. Internal Audit prepares and delivers a risk based audit plan in line with international auditing standards which is kept under review to reflect changing priorities and emerging risks.</li> <li>Audit and Standards Committee oversees the management of governance issues, internal controls, risk management and financial reporting. It meets approximately four times per year and is adequately supported in respect of its roles/responsibilities.</li> <li>There are frameworks in place in relation to child and adult</li> </ul>	Lead: Director of Finance & Resources – March 2018.
safeguarding.  Managing data	
The following arrangements are in place:  i. Designated data protection officer  ii. Data protection policies and procedures  iii. Acceptable Use Policy  iv. Information Sharing Protocol  v. Protective Marking Scheme  vi. Mandatory privacy training  vii. Designate Senior Information Risk Owners (SIRO's).  The Council's Information Governance Framework provides guidance on the arrangements that must be in place to ensure personal data is kept protected and secure.  Effective information sharing is undertaken in accordance with the Data Protection Act and the Staffordshire Information Sharing Protocol.  Data Subjects are informed why their personal information is being collected and how it will be processed (including when shared with other bodies) through the Council's overall Privacy Notices published on our	

website and individual Privacy Statements on forms, in booklets etc. • Information Sharing Agreements, are reviewed on a regular basis, are in place to document the sharing of information using national agreements or the template in the Staffordshire Information Sharing Protocol. Strong public financial management • Financial management supports the delivery of services and To present the updated transformational change as well as securing good stewardship through Financial Regulations to the Audit & Standards modern and up to date HR & Financial management systems. Committee for approval. • The Medium Term Financial Strategy is in place which covers a rolling 5 Subsequently ensure that year period. the Business is fully aware • Financial procedures are documented in the Financial Regulations. of the new requirements • Procurement procedures are documented in the Procurement and adherence to them is Regulations. monitored. • Regular budget monitoring reports are produced and provided to Accountable Budget Holders who are supported by Finance Business **Lead:** Director of Finance & Partners in the management of their delegated budgets. Resources – September • The financial position is reported quarterly to Cabinet and Corporate 2017. Review Select Committee. G - Implementing good practices in transparency, reporting, and audit to deliver effective accountability Accountability is about ensuring Implementing good practice in transparency that those making decisions and Agendas, reports and minutes are published on the Council's website. delivering services are answerable Compliance with the Local Government Transparency Code 2015. for them. Effective accountability Required data is published on the County Councils web site. is concerned not only with Implementing good practices in reporting Annual Governance reporting on actions completed. • The Annual Governance Statement sets out the Council's governance Statement to be separately but also ensuring that published on the Councils framework and the results of the effectiveness of the council's stakeholders are able to arrangements. The AGS includes areas for improvement. website. understand and respond as the Annual Financial Statements are compiled, published to timetable and organisation plans and carries out Lead: - Director of Finance included on the council's website. This includes the External Auditors audit its activities in a transparent & Resources – September opinion on the Council's financial statements and arrangements for securing manner. Both external and 2017. Value for Money.

internal audit contribute to

effective accountability	<ul> <li>Assurance and effective accountability</li> <li>Recommendations in the Annual Governance Statement inform positive improvement within the Council's governance arrangements.</li> <li>Compliance with CIPFA's Statement on the Role of the Head of Internal Audit (2010).</li> <li>Compliance with Public Sector Internal Audit Standards.</li> <li>An effective Internal Audit Service is resourced and maintained. The Service has direct access to Members and provides assurance on governance arrangements via an annual report containing an opinion on the Council's internal control arrangements.</li> </ul>	
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