Code of Corporate Governance

for the Borough of Rossendale Borough Council

March 2007

Code of Corporate Governance in Rossendale Borough Council

Updated 26th February 2007 – Version 5

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Foreword

Local Authorities have a key role in governing and leading their communities. Effective local government relies on public confidence in both elected members and officers who serve the community.

Good practices, procedures and leadership should give the public confidence in the services provided by Rossendale Borough Council. These ingredients form the principles of good corporate governance and need to be embedded in the culture of the authority and applied throughout the Council in a consistent and transparent way.

By making a statement that high standards are expected from members and officers we hope to give a lead to the public, private, voluntary sector and potential partners. We feel that this will demonstrate the Council's commitment to the principles of corporate governance and that it is a key component for community government.

The aspects of good corporate governance are many and this Code has been developed to cover the principles that it should embrace. To a significant extent the Council already conforms to the principles of good governance and so has a sound base on which to review and build. It is intended that the Leader of the Council and the Chief Executive review the Code each year by way of a report to the Standards Committee and that they implement the local code through the management structure and ensure that it is monitored to measure the effectiveness of the governance arrangements. In addition it is hoped this document can in addition act as a framework to help lead the Council through its current modernisation process.

Approach

The Council aims to develop best practice in corporate governance by adopting a Code to enable the Council to monitor and review its performance and constantly update it when necessary.

It is hoped that this Code will help demonstrate that the main principles of good governance -

- Openness and inclusivity
- Integrity
- Accountability

have been fully integrated into the conduct of the Council's business.

It is also hoped that laying the responsibility on the Leader of the Council and the Chief Executive to review and monitor the effectiveness of the Code on an annual basis will demonstrate the Council's commitment to corporate governance. Through their leadership the principles of good governance will be exercised by providing a vision for the community and leading by example in decision making and other processes and

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actions. Their example, support and monitoring will also ensure that members and officers conduct themselves in accordance with high standards of conduct.

Links with Community Leadership and Corporate Management
Corporate Governance is inextricably linked with corporate management systems as well as community leadership

The Code
The Code is based on a number of key documents that set out various agreed processes and procedures of the Council. Some of these documents have been in existence for some time and are currently being updated. Parts of the Code relate to new procedures and processes that have yet to be developed and documented and this task is ongoing. In particular an all embracing Council Constitution was adopted and published in October 2005 which outlines the Council and Officer structures, the working arrangements of the Council, for example, delegation arrangements, rules relating to Council Proceedings, financial regulations and codes of conduct affecting members and officers of the Council. Some of the main documents, to which the Code is linked, are as follows –

- The Constitution
- The Community Involvement and Engagement Strategy
- The Council Plan
- The Best Value Performance Plan
- The Corporate Improvement Plan
- Statement of Accounts
- Members and Officers Codes of Conduct
- Procedure Rules on Council and Committee Proceedings
- Contract Procedure Rules
- Roles and responsibilities of Members and Senior Officers
- Relationships between Members and Officers
- Members Allowances Scheme
- Travel and Subsistence Schemes for Members and Officers
- Financial Regulations
- Anti-Fraud Policy
- Whistleblowing Policy
- Explanation of Local Democratic Structure
- Officer Structure
- Local Performance Plan and Performance Indicators
- Annual Budget
- Medium Term Financial Plan
- Final Accounts
- Statement of Internal Control
- Audit Plan

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- Scheme for Officer Delegation
- Performance Management Arrangements including Staff Appraisal
- Procurement Strategy
- Training and Development Strategy
- Communications Strategy
- Corporate Organisational Development Plan
- Consultation Strategy
- Procurement Strategy

The Code has been developed using the guidance given by CIPFA and SOLACE and recognises the Nolan Report that drew up general principles of conduct that should underpin public service. As part of a new ethical framework for members the government has prescribed a model code of conduct for members, which is based on the specified general principles of conduct:

Selflessness

1. Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity

2. Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

3. Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

4. Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness

5. Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal Judgement

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6.   Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for Others

7.   Members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.

Duty to Uphold the Law

8.   Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship

9.   Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Leadership

10.   Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

The Code of Corporate Governance takes the form of a self-assessment on the various aspects of what may be seen as evidence of compliance with good practice. Where it is indicated that some aspects of the Council's corporate governance procedures need to be strengthened then the necessary action will be completed by appropriate officers under the leadership of the Leader of the Council and the Chief Executive.

Format of the Code

The Corporate Governance Code is broken down into five sections:

- Community Focus
- Service Delivery Arrangements
- Structures and Processes
- Risk Management and Internal Control
- Standards of Conduct

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The first three columns of each section contain the Code and what evidence the Council has to support compliance with the Code. The next two columns contain an action plan with timescales with the people accountable indicated where further work is needed to strengthen corporate governance procedures.

A commentary and the progress on the improvements to the corporate governance arrangements identified in the action plan will be incorporated in the statement of accounts and the local best value performance plan in order that as wide an audience as possible can contribute to the process of improving the effectiveness of community and corporate governance.

ROSSENDALE BOROUGH COUNCIL
CORPORATE GOVERNANCE PRINCIPLES

This Code shows how we address the principles of corporate governance for each dimension of our business. The documents supporting compliance are listed.

COMMUNITY FOCUS

Aspects of Corporate Governance to Be Achieved by Council to Reflect Best Practice.	Practical Measures Taken to Reflect Compliance	Documents / Processes in Place to Support Compliance	Further work required	By whom
Through carrying out its general and specific duties and responsibilities and its ability to exert wider influence, the Council will:				
1. Work for and with communities.	Community Strategy in place 2005-2020	Community Strategy	Review to be carried out linked to sustainability guidance to be published by ODPM	ISM
	Area Forums set up and referred to in the Constitution	Area Forums Terms of Reference	Sustainable Community Strategy to be published in October 2007.	
				LF
	The Council have recently adopted a Community Involvement & Engagement Strategy which provides an innovative approach towards developing a deeper understanding & getting closer to the various communities in Rossendale.	Strategy and Minutes	Review currently being undertaken to strengthen the role of Area Forums. Consideration through budget process to allocate Forums with £5k	
			Further work to be carried out on the role of the Area Forums with community engagement /community leadership role.	LF
	Developed links with Area Forums and Lancashire Locals whereby reports from the Forums are taken to Lancashire Local for consideration.	Minutes of Area Forums and Lancashire Local		
			Further work to be carried out on reviewing the Constitution to consider whether it currently engages the community –review of the role of Full Council. Community	
	Statement of Community Involvement (Planning)	Statement of Community		

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		Involvement	Involvement and Engagement Strategy	
	Delivering our first newsletter "know Your Ward Councillor"			
	Community Leadership Fitness Check undertaken by the I&DeA	IDeA Report		
	LSP the Government Office of the North West recently awarded a 'Green' rating, only the second in the Northwest to achieve this and the only LSP in the country getting Green status that is not in receipt of Neighbourhood Renewal Funding. The review concluded that *"The partnership comes across as one which is well structured, well led and where good communication exists between theme groups and with the Executive. Performance management has improved since last year. There is good performance in many areas and those areas needing further improvement in terms of reaching targets and fulfilling the strategy aims, have clearly defined improvement points and ownership from the relevant agency / theme group."* The Council is an active participant of the five neighbouring authorities' East Lancashire e Consultation Partnership, and has worked jointly with this partnership to undertake a number of surveys, including the statutory Best Value Survey. (Examples of surveys/ research details, outcomes & application of findings & other examples of working with partners to increase local understanding include: Elevate - the Housing Market Renewal Programme) Working closely with communities through the dedicated Neighbourhood Environmental Action Teams (NEAT teams) working in every locality in the borough to provide a highly responsive, hands on, multi-agency problem solving approach to tackling a full range of environmental issues from fly tipping to cleaning	LSP	Audit of partnership to be carried out	ISM HL

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	up graffiti. The success of the NEAT teams as an agent of community engagement and community action is well documented in a recent independent report commissioned to help the Council draw up a new Community Engagement and Consultation Strategy			
	Communications strategy	Ethnic Minority signage and documentation.		
2. Exercise leadership in the local community where appropriate.	Community Strategy in place	Community Strategy	Review being carried out next year link to sustainability criteria (as above).	ISM
	Corporate improvement Plan in place 2005-2008 Best Value Performance Plan in place	Corporate Plan /BVPP part of Corporate Improvement Plan	Corporate Improvement Plan being updated for 2007-2010	CW/LN
	Local Strategic Partnership in place E consultation panel and Community Involvement and Engagement Strategy.	Local Strategic Partnership / E.Lancs Econsultation panel		ISM
	A good example of the Council exercising effective Community Leadership to champion the needs of the local community is demonstrated through the two special Council meetings held during 2006 to seek the views of the local community on the six health re-organisations affecting the Borough & a review of the proposed health service reforms by the Council's Overview & Scrutiny Committee. Through lobbying and pushing forward the views of the people of Rossendale has led to the proposal to develop a health campus which is receiving wide spread support from both the Community and from County Councils, the PCT, the Hospitals Trust and our local MP.	Minutes of Council Meetings		
	The Council and the County Council have worked together on assessing the impacts of service delivery on both Young and Old People, resulting in the adoption of a strategy covering each of these areas to improve local outcomes for these groups	Strategies		
	The active role of members in community	Minutes of Overview and		

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	focussed activities including the reviews of litter bins, bus shelters, highways and Neighbourhood Management initiatives	Scrutiny Meetings	
	A clear assertion of community leadership through the consultation process on the Review of Fire Stations and the prevention of the closure of Haslingden Fire Station	Minutes of Overview and Scrutiny	

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COMMUNITY FOCUS (continued)

Aspects of Corporate Governance to Be Achieved by Council to Reflect Best Practice.	Practical Measures Taken to Reflect Compliance	Documents / Processes in Place to Support Compliance	Further work required	By whom
3. Undertake an 'ambassadorial' role to promote the wellbeing of the area through maintaining effective arrangements for : i) **accountability** to stakeholders and **effectiveness** in the delivery of services and the sustainable use of resources	Annual Accounts/financial statements provided with comprehensive working papers Management of Asset Base Best Value Performance plan part of corporate improvement plan Financial management action plan Medium term financial strategy Introduction of a process of consultation with a range of stakeholders on the content and format of future summary of accounts /user friendly format for annual report – press advert/web abridged versions.	Annual Report and Accounts Summary Report and Accounts Asset Management Plan BVPP/BVPIs Action plan MTFS	To take action - the use of resources feedback (see Statement of Internal Control)	PS LF/GG LN PS
ii) demonstrating **openness** and **integrity** in all its dealings	The Council promotes external accountability (See external report on Use of Resources) annual audit letter and other audit /inspectorate reports Overview and Scrutiny Committee arrangements established Recent Corporate improvement assessment and external report on Use of Resources /Inspection Report on Environment Service Constitution in place – public speaking in place at all Committees.	Annual External Audit Letter/inspectorate reports Constitution	Ongoing Review by Head of Legal and Democratic Services	CW/GG LF

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iii) developing and keeping **up to date** a corporate strategy in response to community needs.	Up to date Community Strategy in place Corporate Improvement Plan BVPP East Lancashire E. Consultation Panel regular surveys (2-4 x year) Annual community conference feedback on Council and LSP plans)	Community Strategy Corporate Plan BVPP East Lancs consultation panel/feedback		
iv) demonstrating **inclusivity** by communicating and engaging with all sections of the community to encourage active participation.	Community Strategy Focus Groups and Citizens Panel actively engaged with and listened to Community Involvement and Engagement Strategy developed and Community Cohesion. Action plan of Community Strategy in place Consultation database established Statement of Intent for Community Cohesion agreed by the Council and Partners	Community Strategy Action plans /strategies	Being reviewed to meet sustainability criteria	ISM

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SERVICE DELIVERY ARRANGEMENTS

Aspects of Corporate Governance to Be Achieved by Council to Reflect Best Practice.	Practical Measures Taken to Reflect Compliance	Documents / Processes in Place to Support Compliance	Further work required	By whom
The Council will ensure that continuous improvement is sought, agreed policies are implemented and decisions carried out by maintaining arrangements which :				
1. Discharge the Council's **accountability** for service delivery at a local level.	BVPP Best Value Reviews/ CPA assessments Corporate Improvement Plan	BVPP BVPIs Corporate Improvement Plan	2007-2010 Plan to be approved by Council in June 2007	LN CW/GG
2. Ensure **effectiveness** through setting targets and measuring performance.	Corporate Improvement Plan includes BVPIs and KSIs Performance Management and information system –covalent accessible by managers/ members. Involvement of members in business planning Scrutiny Committee Reports Individual appraisal system in operation	Corporate Improvement Plan Monitoring Process (progress reports) re: Corporate and Service Plans Scrutiny Committee Appraisal system	To ensure use of the performance management and information system. Monitoring will take place of whether appraisals are completed for all staff	CW/GG LN CW
3. Demonstrate **integrity** in dealings with service users to ensure the 'right' provision of services locally.	Budget Corporate Plan Member/Council priorities see annually. Business Plans follow Member Priorities	Corporate Plan/Budget Framework		
4. Develop partnerships to ensure the 'right' provision of services locally.	Rossendale Leisure Trust Review of Leisure Trust Local Strategic Partnership Community Strategy Action planning outcomes from CPA assessments Arrangements with Capita regarding the Revenue & Benefits functions	Partnership agreements and protocols Community Strategy Best Value Review outcomes	Development of client side role /performance management of partnering arrangements. Quarterly Monitoring of the Performance of Rossendale Leisure Trust through meetings with Client Side Team Quarterly monitoring of delivery of tenants	ISM/CT/HL

			promises by Green Vale Homes	
5. Demonstrate **openness and inclusivity** through consultation with key stakeholders, including service users.	Communication strategy Constitution Community Involvement and Engagement Strategy developed	Communication strategy Constitution Consultation Strategy	Community engagement and involvement strategy developed in partnership with Community Network Embedded with Management so that engagement is recognised as fundamental to service improvement. "You said: We did" section as part of Consultation pages on the Website.	HL LF ISM
6. Ensure that service delivery arrangements are flexible enough to ensure that they can be kept **up to date** and adapted to accommodate change and meet user wishes.	Action plans business planning incorporates recommendations of external audit reports /letter and inspectorate reports	Annual External Audit letter External Audit reports Inspectorate reports	Process to be developed for ensuring all agreed recommendations are signed off when completed	GG

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STRUCTURES AND PROCESSES

Aspects of Corporate Governance to Be Achieved by Council to Reflect Best Practice.	Practical Measures Taken to Reflect Compliance	Documents / Processes in Place to Support Compliance	Further work required	By whom
The Council will establish effective political and managerial structures and processes to govern decision making and the exercise of authority within the organisation by maintaining arrangements to :				
1. Defining the roles and responsibilities of members and officers to ensure **accountability**, clarity and ordering of the Authority's business.	Constitution /members/officers protocol/members code of conduct/defined roles within the Constitution	Constitution		
	Chief Executive, Section 151 Officer, Monitoring Officer Information is available to all staff there roles are understood by staff and members Advice on legality of matters /new legislation provided proactively member allowance scheme all within the Constitution and linked to job descriptions	Constitution Job descriptions/ delegation scheme/ condition of employment/ statutory provisions/ reports/budget requirements	Protocols For Section 151 and Monitoring Officers – December 2007	
	Recording of decisions in place/delegated decisions signed off by other Senior Management Team officers	Delegation scheme		
	Clear members training plan in place –timetable drafted for next year Including but not limited to – induction/ Constitution/community leadership/probity and planning/Chairing skills	Members Training Plan	Consultation with Members required prior to finalising the programme	
	Personal Development Plans carried out last year and to be carried out again this year.	Performance review/ appraisal		
	Reports to Committee have risks identified /financial input and legal input	Reports are signed off by Finance and Legal and contain reference to risk		

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		issues.		
2. Ensure that there is proper scrutiny and review of all aspects of performance and **effectiveness**.	Constitution- Overview and Scrutiny Committee- call in powers Timetable of council meetings to ensure effective review	Constitution Schedule of Council Meetings		
3. Demonstrate **integrity** by ensuring a proper balance of powers and authority.	Constitution	Constitution		
4. Demonstrate **openness and inclusivity** by documenting structures and processes clearly to ensure that they are communicated and understood.	Constitution Feedback to LSP on major issues/projects Regular Reviews required overview and Scrutiny /Standards Committee	Constitution Overview and Scrutiny	Ongoing review to ensure effective working of the Constitution and training will be provided to staff /members on the Constitution	LF
5. Keeping structures and				

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processes **up to date** and adapted to accommodate change		Committee and Standards Committee	

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RISK MANAGEMENT AND INTERNAL CONTROL

Aspects of Corporate Governance to Be Achieved by Council to Reflect Best Practice.	Practical Measures Taken to Reflect Compliance	Documents / Processes in Place to Support Compliance	Further work required	By whom
The Council will establish and maintain a systematic strategy, framework and processes for managing risk, and together these arrangements will :				
1. Demonstrate **accountability** by making public statements to stakeholders on the Council's risk management strategy, framework and processes.	Risk register Performance management system in place Business plan /corporate plan risks identified and regularly reviewed	Scrutiny Committee Performance management system Risk management	**(See actions listed in Statement of Internal Control for 1, 2, 3, 4 and 5)** Requirement to report risk management to appropriate committees /training required/review committee/cabinet terms of reference to deal with risk and governance remits/full council reporting to. To ensure corporate business risks are being managed	CW
2. Put in place mechanisms for monitoring and reviewing **effectiveness** against agreed standards and targets, and the operation of controls in practice.	Constitution Corporate Risk Register Job descriptions /person specifications Internal Audit /District Auditor liaison /inspectorate reports Audit Scrutiny Committee established	Contracts Procedure Rules Finance Procedure Rules Delegation Scheme Audit Committee Internal Audit Charter Corporate Risk Management Group Job Descriptions/Person Specifications Department Training Plans Internal Audit/District Auditor liaison District Auditor/ Inspectorate reports Minutes of Meetings	Link to Overview and Scrutiny relating to internal control Report to Full Council in March 2007 Identify training needs	LF

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3. Demonstrate **integrity** by having in place robust systems for identifying, profiling, controlling and maintaining all significant strategic and operational risks.	Corporate risk register Regular Management team meetings Strategic risk register	Corporate Risk Management Group Strategic Risk Profile	Working on programme management approach to corporate programme	CW
4. Display **openness and inclusivity**, by involving all those associated with planning and delivery services, including partners.	Departmental risks identified in business plans Internal Audit Planning and reporting	Departmental Risk Internal Audit planning and reporting	Need to formalise risk management arrangements with all partnerships	ISM/CT/HL
5. Provide systems to ensure that risk management and control processes are monitored for continuing compliance to ensure that the processes are adapted for change and kept **up to date.**	Risk Management system in place DA review of Internal Audit Internal Audit Performance statistics reported to cabinet Anti Fraud Strategy adopted	Risk Management Review DA review of Internal Audit Internal Audit performance statistics and report to Cabinet. Strategy		

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STANDARDS OF CONDUCT

Aspects of Corporate Governance to Be Achieved by Council to Reflect Best Practice.	Practical Measures Taken to Reflect Compliance	Documents / Processes in Place to Support Compliance	Further work required	By whom
Members and Officers of the Council will :				
1. Exercise leadership by conducting themselves as role models for others within the Authority to follow.	Council Procedure Rules Contract Procedure Rules Financial Procedure Rules Member /Officer Code of Conduct all within the Constitution	Council Procedure Rules Contract Proced. Rules Financial Proced. Rules Member/Officer Codes of Conduct		
2. Demonstrate **integrity** through maintaining objectivity and impartiality in all relationships.	Standards Committee in place System of disclosure /declaration of personal interests Training provided to members on probity issues	Standards Committee Disclosure/declaration of personal interests, related party transactions.	Work on the Local Government and Public Involvement in Health Act 2007 – October 2007	LF
3. Define standards of personal behaviour that are expected from members and staff and all those involved in service delivery.	Within the Constitution member /officer codes of conduct. Anti Fraud and Corruption Policy in place	Member/Officer Codes of Conduct Member/Officer Relations Protocol Anti Fraud & Corruption Policy	To be reviewed when new Code comes out this year – May 2007 Explore further opportunities taken by the Standards Committee and the Council more widely to publicise the standards of conduct required of members - October 2007 The signature given by members and co-opted members on their Declarations of Acceptance of Office Form also be made to refer to an acknowledgement of understanding the code of conduct as well as observing it – May 2007. Seek re-elected Councillors to confirm that there has been no change in their personal circumstances which may require amendment of the register of interests – May 2007. Update policies in respect of the use by members of Council premises, telephone and fax, photocopying facilities, stationery and headed writing paper, postage and Council transport – June 2007. Regularly reinforce the Council's policy relating to the appropriate use of the	LF

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			internet to maintain awareness and guidance for managers on misuse action – October 2007. Continue to reinforce understanding of employees' role in counter fraud and corruption via newsletters, team briefs and the internet to ensure embeddedness – Ongoing. Explore the appropriate needs of managers and other staff in understanding contract and financial procedure rules – April 2007. Review partnership working to evaluate the merits of each partnership in continuing to achieve Council objectives and to consider the support needed for representatives of the Council at member and Officer levels – Ongoing Develop Corporate Governance Web Page – June 2007	ISM

LF |
| 4. Demonstrate **accountability** by establishing systems for investigating breaches and disciplinary problems and for taking appropriate actions, including arrangements for redress | Whistleblowing policy in place

Conditions of service in place | Whistleblowing Policy

Conditions of Service | Regulation publicity (Daily Messages/Core Briefing) | |
| 5. Monitor compliance to ensure the **effectiveness** of systems. | Constitution Monitoring officer in place regular reviews of delegated authorisations /compliance with procedural rules Internal audit carried out | Constitution Monitoring Officer Internal Audit Services | | |
| 6. Ensure that standards are documented and clearly understood to display **openness and inclusivity** and are reviewed on a regular basis to ensure that they are kept **up to date**. | Delegation scheme copies of delegations held on central file/Regulation of Investigatory Procedure Act authorisations kept on central file. Registers of members interests established and maintained/officer interests/gifts and hospitality recorded | Internal systems of monitoring | Review policy, update and publicise the Employees Code of Conduct | LF |