

Report Title:	Local Code of Corporate Governance 2020/21
Contains Confidential or Exempt Information?	No - Part I
Lead Member	Councillor Johnson, Leader of the Council
Meeting and Date:	Corporate Overview and Scrutiny Panel, 27 May 2020
Responsible Officer(s):	Duncan Sharkey, Managing Director Mary Severin, Monitoring Officer
Wards affected:	All

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REPORT SUMMARY

The Chartered Institute of Public Finance and Accountancy, (“CIPFA”) and the Society of Local Authority Chief Executives (“SOLACE”) published a framework document for Corporate Governance in Local Government in April 2016. The Royal Borough of Windsor and Maidenhead is committed to the principles of good corporate governance through the adoption and maintenance of a Local Code of Corporate Governance, as recommended by the CIPFA/SOLACE Framework. The 2020/21 version is attached for noting by the Panel.

1. RECOMMENDATION

RECOMMENDATION: That Corporate Overview and Scrutiny Panel notes the Local Code of Corporate Governance 2020/21 attached as Appendix A.

2. FOR RECOMMENDATION AND OPTIONS CONSIDERED

The Local Code of Corporate Governance provides a simple and transparent way to communicate to the Council’s stakeholders how it is meeting the requirements of the CIPFA/SOLACE Framework. The adoption of this document by the Council will in turn enable the streamlining and simplification of the 2019/20 Annual Governance Statement.

Options

Table 1: Options arising from this report

Option	Comments
To note the attached Local Code of Corporate Governance 2020/21 This is the recommended option	This will ensure that the Council demonstrates its compliance with the CIPFA/SOLACE Framework and provide a reference point in the Annual Governance Statement 2019/20
Not to note the attached Local Code of Corporate Governance 2020/21	This will result in the Council not complying with the CIPFA/SOLACE Framework, and not providing a

Option	Comments
	reference point in the Annual Governance Statement 2019/20

3. FINANCIAL DETAILS / VALUE FOR MONEY

3.1 No financial implications

4. LEGAL IMPLICATIONS

4.1 None

5. POTENTIAL IMPACTS

5.1 Equalities. No equality impacts are relevant.

5.2 Data Protection/GDPR: None

5.3 Climate change/sustainability. None

6. TIMETABLE FOR IMPLEMENTATION

6.1 The Local Code of Corporate Governance must be noted before the Annual Governance Statement is approved on 27th July 2020.

7. APPENDICES

7.1 This report is supported by one Appendix:

- Appendix A - Local Code of Corporate Governance 2020/21:

8. BACKGROUND DOCUMENTS

8.1 This report is supported by a framework document 'Corporate Governance in Local Government, April 2016 published by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE):

9. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Johnson	Leader of the Council	18/05/20	18/05/20
Duncan Sharkey	Managing Director	14/05/20	14/05/20
Adele Taylor	Director of Resources/S151 Officer	14/05/20	14/05/20
Elaine Browne	Head of Law	14/05/20	14/05/20
Karen Shepherd	Head of Governance	14/05/20	14/05/20

REPORT HISTORY

Decision type: For noting	Urgency item? No	To Follow item? No
Report Author: Mary Severin, Monitoring Officer		

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Royal Borough
of Windsor &
Maidenhead

LOCAL CODE OF CORPORATE GOVERNANCE

2020/21

Introduction

1. Governance is about how the Council ensures it is doing the right things, in the right way, for the right people in a timely, inclusive, open, honest and accountable manner. It comprises systems, processes, cultures and values by which the Council is directed and controlled and through which it accounts to, engages with and, where appropriate, leads the community. The Leader of the Council and Managing Director have a special relationship role as custodians of the Council's governance arrangement, but good governance is also the responsibility of all Members and Officers.
2. The Chartered Institute of Public Finance and Accountancy, ("CIPFA") and the Society of Local Authority Chief Executives ("SOLACE") have published a framework document for Corporate Governance in Local Government, April 2016. The Royal Borough of Windsor and Maidenhead is committed to the principles of good corporate governance through the adoption and maintenance of a Local Code of Corporate Governance, as recommended by the CIPFA/SOLACE Framework.
3. This Local Code of Corporate Governance therefore sets out and describes the Royal Borough of Windsor and Maidenhead's commitment to corporate governance and identifies arrangements that will ensure its effective implementation and application in all aspects of the Council's work. . This Local Code of Corporate Governance will be reviewed by the Statutory Officers Group at least annually.

Policy Statement

5. In conducting its business, the Royal Borough of Windsor and Maidenhead is fully committed to upholding the highest possible standards of good corporate governance, believing that good governance leads to high standards of management, strong performance, effective use of resources, increased public involvement and trust in the council.
6. Good governance flows from a framework of shared values, culture and behaviour and from systems and structures. This code of corporate governance is a public statement that sets out the framework through which the council meets its commitment to good corporate governance. It is underpinned by the CIPFA/SOLACE seven core principles of good governance.

The seven Core Principles of Good Governance

The seven core principles of good governance as recognised by the CIPFA/SOLACE framework that will be adopted by the Council are as follows:-

Core Principles of Good Governance	
A.	Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
B.	Ensuring openness and comprehensive stakeholder engagement
C.	Defining outcomes in terms of sustainable economic, social, and environmental benefits
D.	Determining the interventions necessary to optimise the achievement of the intended outcomes
E.	Developing the entity's capacity, including the capability of its leadership and the individuals within it
F.	Managing risks and performance through robust internal control and strong public financial management
G.	Implementing good practises in transparency, reporting, and audit to deliver effective accountability

Applying the Principles of Good Governance

To achieve good governance, the Council will seek to apply each of the seven core principles, along with their supporting principles.

Review the Council's Corporate Governance Arrangements

The Council takes its Corporate Governance arrangements seriously and, as a result, has put in place a rigorous process of reviewing the arrangements on a regular basis. The process of review is set out below:-

Full Council

The Full Council has a responsibility to act upon the recommendations made by the Corporate Overview and Scrutiny Panel, (COSP) via the Cabinet, in relation to the Council's Local Code of Corporate Governance (LCCG). This will be subject to any such recommendations being made by Cabinet.

Cabinet

Cabinet has overall responsibility, and will be the main member review, for the Council's governance arrangements. However, Cabinet has delegated authority to the COSP to

review and recommend approval of the Annual Governance Statement (AGS) to the Leader and Managing Director.

Corporate Overview and Scrutiny Panel

The COSP will review on an annual basis the effectiveness of the Council's corporate governance arrangements and will, where necessary, make recommendations to the Council and Cabinet on any issues arising. The COSP has the responsibility to:-

- review the annual report on corporate governance through the AGS and recommend to the Leader and Managing Director for approval and publication with the Annual Statement of Accounts.
- oversee a comprehensive, inclusive and risk management approach to the AGS process,
- monitor the effective development and operation of Corporate Governance in the Council,
- support the assurance in the AGS and;
- oversee the governance process to ensure that strategic risks are being reviewed at Corporate Leadership Team (CLT) and across each Directorate.

Monitoring Officer

The Monitoring Officer will ensure compliance with established policies, procedures, laws and regulations. After consulting with the Head of Paid Service (Managing Director) and the Director of Resources and S151 Officer (The Chief Financial Officer), the Monitoring Officer is empowered under s5 Local Government and Housing Act 1989 to report to the Full Council any proposal, decision or omission that would give rise to unlawfulness or mal-administration.

Statutory Officers Group

The Statutory Officers Group (SOG) will comprise of the Managing Director, Head of Finance and s151 Officer, Head of Legal, Head of Governance, and Monitoring Officer. From a governance perspective, one of the roles of SOG is to review the Council's governance arrangements and to contribute to, and agree, the content of the AGS prior to reporting to the COSP.

Chief Financial Officer (Director of Resources and s.151 Officer)

CIPFA has issued its Statement on the *Role of the Chief Financial Officer in Local Government (2016)*. The Statement draws heavily on the Statement on the Role of the CFO in Public Service Organisations and applies the principles and roles set out in that document to local government. It sets out five principles that define the core activities and behaviours that belong specifically to the role of the CFO and the governance requirements needed to support them. The CFO within the authority is the Director of Resources and s.151 Officer.

Directorate Management Teams (DMTs), Service Meetings and 121 Meetings

All Officers meet regularly and review governance arrangements within their directorates, services and individually, including business and service planning, financial management, performance management and risk management. Directors and Heads of Service are required to report any issues raised at such meetings to the Statutory Officers Group and any office may raise a governance concern through a range of measures, if they wish to.

The Annual Governance Statement (AGS)

The preparation and publication of an integrated AGS is undertaken in accordance with the CIPFA/SOLACE Framework, and the statutory requirement set out in Regulation 6(1)(b) of the Accounts and Audit Regulations 2015.

The AGS, a formal document setting out how the Council will comply with governance arrangements, is signed by the Leader of the Council and the Managing Director.

The COSP will review and approve the AGS for signature during May/June of each year and the Statement will be published with the Council's Annual Statement of Accounts.

Applying the Principles of Good Governance

To achieve and maintain good governance, the Council will seek to apply each of the six core principles above, along with their supporting principles, in the following way, representing recommended best practice:

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

- The Council's values are embedded in the [Council Plan](#).
- There are Member and Officer Codes of Conduct which can be found in the [Council's Constitution](#).
- Councillors are also bound to declare certain interests, as well as any gifts and hospitality. These can be found on the [Council's website](#).
- The Council operates a Whistleblowing regime.

Principle B: Ensuring openness and comprehensive stakeholder engagement.

- Subject to certain statutory exemptions, the Council conducts all meetings in public, with Minutes of those meetings published on the [Council's website](#).
- The Council publishes information under its [publication scheme](#).
- E-Petitions can be found on the [Council's website](#).
- The Council regularly consults with its stakeholders. Details of current consultations can be found on the [Council's website](#).
- The Council complies with its obligations under the Freedom of Information Act 2000, details of which can be found on the [Council's website](#).

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Review date: [one year from implementation date]

Author: Mary Severin, Monitoring Officer

Principle C: Defining outcomes in terms of sustainable economic, social and environmental benefits.

- The Council's vision is described in the [Council Plan](#).
- The Medium Term Financial Plan details the medium viability of the Council.
- The 'Value for Money Statement' can be seen here.

Principle D: Determining the interventions necessary to optimise the achievement of the intended outcomes.

- The [Council Plan](#) and its annual review details actions required to deliver the Council's Vision and Priorities.
- The Council's Vision and Priorities are referenced and monitored in all reports to [Cabinet](#).
- The Council has a statutory duty to publish certain [performance plans](#), the purpose of which is to explain overall priorities and objectives, current performance and proposals for further development.
- The Council's [partnership working](#) is subject to strict performance monitoring. All partnerships must have a clear and open governance framework.

Principle E: Developing the entity's capacity, including the capability of its leadership and the individuals within it.

- All Members and Officers are subject to an Induction programme when joining the Council.
- Members are provided with mandatory training before sitting on certain Panels. Details can be found in para. 29.4, Part 2C of [Constitution](#).
- The Directors are obliged to monitor officer staff activity to ensure training is provided, para. F3.127 Part 8C of Constitution
- All Officers are given mandatory routine training on health and safety, data protection, mental health awareness and equality and diversity which is monitored as part of the council's 121 policy.

Principle F: Managing risks and performance through robust internal control and strong public financial management..

- The Council has a clear [risk management policy](#).
- An annual report is conducted which monitors the effective development and operation of risk management and corporate governance in the Council.
- The Council's Corporate Risk Register is included in the Audit Plan and reviewed on a rolling basis by the COSP.
- The Council details its Financial Regulations and Procurement and Contract rules and Procedures in Part 8 C of the [Council's Constitution](#).
- The annual accounts and other financial data can be found on the [Council's website](#).

Principle G: Implementing good practices in transparency, reporting, and audit to deliver accountability

- [Transparency data and the Council's publication scheme](#) give information about how the Council operates.
- The responsibility for services is detailed for [Cabinet Members](#), and [Officers](#).
- The Complaints process and policy can be found on the [Council's website](#).
- The Council's [Overview and Scrutiny Panels](#) holds Cabinet decisions to account. This includes undertaking policy development and review performance monitoring, and external Scrutiny.
- COSP reviews the work of management, internal and external audit.