



**BRACKNELL FOREST BOROUGH COUNCIL
CODE OF CORPORATE
GOVERNANCE**

INTRODUCTION

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. Governance is about how the Council ensures that 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 the systems and processes, and 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.

Bracknell Forest 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.

This Code is a public statement that sets out the way in which the Council will meet that commitment.

The Code is based upon the following 6 Principles:

- Focusing on the purpose of the Council, 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 Council and demonstrating the values of good governance by 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

Each of these Principles is an important part of Bracknell Forest Borough Council's Corporate Governance arrangements. This statement describes how the Council will meet and demonstrate its commitment to good Corporate Governance.

Also described in this document is how and by whom the Council's Corporate Governance arrangements will be monitored and reviewed.

THE COUNCIL'S CORPORATE GOVERNANCE PRINCIPLES

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

1 The Council has set out its Vision as “To make Bracknell Forest a place where all people can thrive; living, learning and working in a clean, safe and healthy environment”. The vision has (following extensive consultation with the public and stakeholders) been translated into six overarching priorities for the period to 31 March 2011, namely:-

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- a town centre fit for the 21st century
- protecting and enhancing our environment
- promoting health and achievement
- create a Borough where people are safe and feel safe
- value for money
- sustain economic prosperity

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These priorities are underpinned by thirteen Medium Term Objectives and eighty two Key actions to be delivered over the period to progress the attainment of each of the priorities. The Vision, priorities and Medium Term Objectives are reviewed following elections to the Council and are promoted through the Council’s web-site, the Council’s newsletter to residents (Town and Country) and the Annual Report. Each year the Council sets out the Key Actions in its Service Plans for each Department, to be achieved in meeting the Medium Term Objectives. Progress in meeting the Action Points is monitored by Performance Monitoring Reports which are received by the Overview and Scrutiny Commission and Panels.

2. The Council will explain and report regularly on activities, performance and its financial position. Timely, objective and understandable information about the Council’s activities, achievements, performance and financial position will be provided. The Council will do this by publishing:-

- an Annual Report;
- quarterly Departmental Performance Monitoring Reports
- quarterly Corporate Performance Overview Report
- externally audited accounts; and
- independently verified performance information
- comprehensive budget papers when the Council sets the Council Tax
- the outcome of inspections conducted by external agencies

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3. The Council will aim to ensure that Council Taxpayers and service users receive excellent value for money. The Council will do this by:-

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- delivering and commissioning services to meet the needs of the local community underpinned by processes to ensure that they operate effectively
- ensuring that services are prioritised so that resources are directed to those that need services most
- developing and maintaining effective relationships and partnerships with other public sector agencies and the private and voluntary sectors
- responding positively to the findings and recommendations of external auditors and statutory inspectors and putting in place arrangements for the implementation of agreed actions

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- seeking the views of the community of Bracknell Forest on the services

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which the Council provides

- comparing information about our services with other organisations
4. The Council will continue to review and monitor the achievement of value for money.
 5. The Council will ensure that partnerships it enters into are compatible with the Council's vision and that any proposals to enter into a partnership are assessed by comparing the proposed objectives and intended outcomes of the partnership with the Council's priorities and the Sustainable Community Strategy.

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

6. The Council will ensure effective leadership throughout the authority. It will clearly identify which functions are the responsibility of the Executive and those which are the responsibility of full Council or Committees, and will support the roles and responsibilities of the Overview and Scrutiny function. To that end the Council will:-

- appoint a Leader of the Council with power to appoint Executive Members and to designate responsibilities for Executive Members
- set out in the Council's Constitution the responsibilities of Executive Members
- set out in the Council's Constitution procedures for decision making by Executive Members and a Protocol for Executive decision making
- describe the Key Roles of Members in the Council's Constitution
- appoint annually the Committees which are responsible for regulatory and other non-Executive responsibilities and describe their terms of reference in the Council's Constitution
- define in the Council's Constitution the management responsibilities and roles of senior officers

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7. The Council will ensure that a constructive working relationship exists between Council Members and officers and that the responsibilities of Members and officers are carried out to a high standard. To that end the Council will:-

- set out in the Council's Constitution a Scheme of Delegation to Committees and to the Chief Executive, Directors and other senior officers
- identify within the Council's Constitution which decisions have to be taken by the full Executive or by full Council
- regularly monitor and update the Council's Constitution through the Governance and Audit Committee
- set out in the Council's Constitution the officer management structure of the Council including the roles of the Chief Executive (with responsibility and accountability for overall management), the Monitoring Officer (ensuring that the Council acts lawfully and that appropriate procedures are observed) and the Borough Treasurer (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)

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- have a Member and officer Protocol

- have a Leader and Chief Executive Protocol which includes provisions

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ensuring that the Leader and Chief Executive establish their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained

8. The Council will:-

- set out the terms and conditions for remuneration of Members in a Members Allowances Scheme to be approved by Council following the consideration of a report from an Independent Remuneration Panel (the scheme will be published in the Council's Constitution)
- ensure that Members are clear about their roles and responsibilities when working in partnerships
- ensure that there is clarity about the legal status of partnerships
- ensure that representatives of organisations working in partnership with the Council both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions

Terms and conditions of employment will be set out in National and Local Agreements including those governed by the National Joint Council for Local Government Services and the Joint National Council for Chief Executives and Chief Officers.

The Council will promote values for the authority and demonstrate the values of good governance through upholding high standards of conduct and behaviour.

9. The Council will ensure that Members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance. The Council will do this by:-

- ensuring that the Council's leadership sets a tone for the organisation by creating a climate of openness, support and respect
- publishing the Council's Core Values
- having and reviewing a Code of Conduct for Members, a Member and officer Protocol, a Protocol for Members in Dealing with Planning Matters and an Employee Code of Conduct which, together with other arrangements, will ensure that Members and employees of the Council are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and ensure that such arrangements operate in practice.

10. The Council will ensure that the organisational values are put into practice and are effective. The Council will have in place arrangements to ensure that its values are communicated effectively to Members, officers, the community and partner organisations and that those values act as a guide for decision making and for developing positive and trusting relationships within the Council. The Council will have in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards and will monitor their effectiveness in practice. The Council will have a Standards Committee to review and advise upon Codes of Conduct and Protocols and to determine allegations of misconduct against Members.

The Council will take informed and transparent decisions which are

subject to effective scrutiny and managing risk.

11. The Council shall:-

- have, through the Overview and Scrutiny Commission and Overview and Scrutiny Panels, an effective overview and scrutiny function which encourages constructive challenge and enhances the Council's performance overall
- provide in the Council's Constitution procedures for ensuring that decisions made by collective groups are taken at meetings open to the public unless it is appropriate for the public to be excluded in accordance with statutory provisions
- set out in the Council's Constitution those occasions on which reasons must be given for decisions and when written reports are required
- have an effective audit committee (or equivalent) which is independent of the Executive and Scrutiny functions
- have an effective, transparent and accessible Corporate Complaints Procedure and procedures for the investigation of complaints in accordance with statutory requirements
- ensure that written reports requiring decisions contain advice from the Borough Solicitor and Borough Treasurer together with other appropriate professional advice, a Strategic Risk Assessment and an Equalities Impact Assessment
- ensure that legal financial and other professional advice is available to all decision makers
- ensure that risk management is embedded into the culture of the Council with both Members and Managers at all levels recognising that risk management is part of their jobs
- have in place and operate a Whistleblowing Procedure available to staff, contractors and their employees
- ensure through Members and officers seeking the advice of the Legal Services Section that the Council does not act unlawfully but that the Council is able to exploit its legal powers to full effect
- abide by the law, and follow principles of good decision making and endeavour to act without maladministration
- offer Personal Development Planning to all Members
- have a Fraud and Corruption Policy

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

12. The Council will ensure that Members and officers of the Council have the skills, knowledge and experience they need to perform well. The Council will do this by:

- providing induction and training programmes for Members and officers
- ensure that the Chief Executive, the Borough Treasurer and the Monitoring Officer have the resources and support necessary to perform their statutory roles, as set out in the Council's Constitution
- support all departments to achieve the Investor in People Standard
- conduct an annual appraisal of each individual member of staff and agree with them a Personal Development Plan
- require the Leader of the Council to submit a report to each meeting of the Council on the workings of the Executive and to answer questions on the report from any Member
- implementing a Member Development Training Programme
- have in place and implement a Member Development Strategy which includes provisions (inter alia) to encourage persons to stand as Councillors

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- have in place and implement a Community Engagement Strategy
- have in place and implement a Pay and Workforce Strategy and an Organisational Development Programme for staff
- cascading regular information to Members and staff

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

13. The Council 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
 - entering into a Local Area Agreement as provided for by the Local Government and Public Involvement in Health Act 2007
 - continuing to operate the existing well-defined process for Trades Unions and employees through Local Joint Forum
 - provide an annual report to full Council from the Overview and Scrutiny Commission on the activity of the Commission and its Panels
 - implement the Community Engagement Strategy
 - secure engagement with key stakeholders with the Council's key stakeholders through themed partnerships
 - secure feedback on Council services through Town and Country and the Council's web-site and other user forums surveys and engagement mechanisms

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14. The Council will publish information on its website to promote transparency including data on items of expenditure in excess of £500, contracts and tenders and the salaries of senior officers.

MONITORING AND REVIEW

15. The Standards Committee has responsibility for providing an overview of the implementation of member and officer codes and protocols relating to probity and conduct.
16. In addition, the Council has a Governance and Audit Committee which considers reports from the Borough Solicitor reviewing the Council's Constitution and makes recommendations for its alteration to full Council
17. Through the bodies described above or through other appropriate mechanisms agreed by the Council the Council will ensure that these arrangements are kept under continual review. Those arrangements will be supplemented 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
 - advice from the Council's Statutory Officers

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The Annual Governance Statement

18. Each year the Council will publish an Annual Governance Statement. This will provide an overall assessment of the Council's Corporate Governance arrangements and appraisals of the key controls in place to manage the

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Council's principal governance risks. The Statement will also provide details of where improvements need to be made .

19. The Annual Governance 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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Aj/f/reports/A – Draft Code of Governance - 2011