

Local Code of Corporate Governance 21-22

Achieving intended outcomes, while acting in the public interest at all times

1 Introduction to Delivering Good Governance

1.1 The council is committed to ensuring good governance principles and management practices are adopted in all business activities to ensure public trust. This Local Code of Governance provides a public statement that sets out the way in which the council will meet and demonstrate that commitment. It includes the political arrangements, administrative systems, policies and processes as well as the culture and values that underpin arrangements for the effective:

- Allocation of resources in accordance with agreed policies and priorities.
- Sound, transparent and inclusive decision making.
- Management of the organisation, performance and accountability for the use of those resources in order to achieve desired outcomes for service users and communities.

1.2 *Delivering Good Governance in Local Government; Framework*, published by CIPFA, provides guidance on the standards for local authority governance in the UK. This Framework sets out seven core principles of governance as detailed in the diagram below, and illustrates that good governance is dynamic and involves continuous evaluation and review



1.3 Basildon Borough Council has adopted these principles of good governance and adapted its Local Code to reflect its responsibilities. This is demonstrated through the adoption, monitoring and continued development of this document.

1.4 The council's key governance areas and how it will provide assurance that it is complying with these are set out in more detail within its Governance Assurance Framework.

- 1.5 The council recognises that establishing and maintaining a culture of good governance is as important as putting in place a framework of policies and procedures. The council expects Members and officers to uphold the highest standards of ethics, conduct and behaviour, and to act with openness, integrity and accountability in carrying out their duties.
- 1.6 This Code ensures the council is doing the right things, in the right way. Further information regarding each of the above principles and the behaviours and actions that demonstrate good governance in practice are detailed at Appendix A.
- 1.7 Similar and proportionate oversight and assurance reporting arrangements should also be put in place in respect of services outsourced to external suppliers, trading partnerships, shared service arrangements and arm's length bodies.

2 Monitoring and review

- 2.1 Regulation 6(1)(a) of the Accounts and Audit regulations 2015 require an authority to conduct a review at least once in a year of the effectiveness of its systems of internal control and include a statement reporting on the review with any published statement of Accounts. This is known as an Annual Governance Statement.
- 2.2 As such the council will monitor its governance arrangements for their effectiveness in practice and will review them on a continuing basis to ensure that they are up to date and working effectively. The council's Governance Assurance Framework sets out in more detail how the council will seek assurance on its adherence to the adopted principles of governance.
- 2.3 On an annual basis, the Chief Executive and Leader of the Council will publish an Annual Governance Statement which will:
 - Assess how the council has complied with this Code of Corporate Governance.
 - Provide an opinion on the effectiveness of the council's arrangements.
 - Provide details of how continual improvement in the systems of governance will be achieved.

3 Certification

- 3.1 We hereby certify our commitment to this Code of Corporate Governance and will ensure that the council continues to review, evaluate and develop the council's Governance arrangements to ensure continuous improvement of the council's systems.



Leader of the Council

Date: 08.07.2021



Chief Executive

Date: 08.07.2021

4 Governance Structure and Responsibilities

The Council	<ul style="list-style-type: none"> - Consists of 42 Elected Members - Approves the Council Corporate Plan, Policy and Budgetary Framework - Approves the Constitution - Appoints Committees and Sub Committees
The Mayor	<ul style="list-style-type: none"> - Is the ceremonial figurehead of the Council - Is the person in charge of managing debate when all 42 members meet - Is a non-political role - Is voted for every year by Council
Service Committees	<ul style="list-style-type: none"> - The main decision making function of the Council - Comprises various Committees who have responsibility for particular areas - Subject to general oversight of the Council - Membership is politically balanced
Audit & Risk Committee	<ul style="list-style-type: none"> - Provides independent assurance to the Council on the adequacy and effectiveness of the governance arrangements, risk management framework and internal control environment. - Approves the Local Code of Governance, Annual Governance Statement and the Statement of Accounts
Other Regulatory Committees	<p>Comprising:</p> <ul style="list-style-type: none"> - The Joint Standards Committee, which promotes high standards of member conduct - Planning Committee, which makes decisions on certain planning applications and deals with other development control issues such as enforcement. - Licensing Committee, which deals with all aspects of local licensing for which the Council is responsible
Head of Paid Service	<ul style="list-style-type: none"> - Overall corporate management and operational responsibility for the Council (including overall management responsibility for all employees) - The provision of professional advice to all parties in the decision making process and, responsibility for a system of record keeping for all the Council's decisions. Representing the Council on partnership and external bodies - The Head of Paid Service will determine how the Council's functions are discharged, the number and grade of Officers required to discharge the functions and how Officers are organised into an overall Officer structure
Chief Finance Officer (s151)	<ul style="list-style-type: none"> - Accountable for developing and maintaining the Council's governance, risks and control framework - Ensuring lawfulness and financial prudence of decision making and the administration of financial affairs - Providing advice to all Councillors on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues, and will support and advise Councillors and Officers in their respective roles - Contributes to the effective corporate management and governance of the Council.
Monitoring Officer	<ul style="list-style-type: none"> - Monitoring, reviewing and maintaining the Constitution - Ensuring lawfulness and fairness of decision making - Supporting the Joint Standards Committee and conducting investigations and undertaking other action in respect of matters referred to him/her by the Joint Standards Committee - Proper Officer for access to information - Advising whether decisions are within the budget and policy framework - Providing advice to all Councillors on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues. - Contributes to the effective corporate management and governance of the Council
Chief Audit Executive	<ul style="list-style-type: none"> - Provides independent assurance and opinion on the adequacy and effectiveness of the Council's risk management and control framework. - Through the internal audit service delivers an annual programme of risk based audit activity, including counter fraud and investigation activity and makes recommendations for the improvement in the management of risk and control
Senior Leadership Team	<ul style="list-style-type: none"> - Implements the policy and budgetary framework set out by Council and provides advice to service committees and the Council on the development of future policy and budgetary issues. - Oversees the delivery of the Council's Corporate Plan and implementation of Council policy
Head of Service and Service Managers	<ul style="list-style-type: none"> - Responsible for developing, maintaining and implementing the Council's governance risk and control framework. - Contribute to the effective corporate management and governance of the Council.

Basildon Borough Council's Local Code is based on the following principles which we are working towards with the overall aim of 'Achieving the intended outcomes while acting in the public interest at all times'

Principles	Sub-principles	Basildon's commitment to achieving good governance in practice includes:
Acting in the public interest requires a commitment to and effective arrangements for:		
<p>A. Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of the law</p>	<p>A1 - Behaving with integrity</p> <p>A2 - Demonstrating strong commitment to ethical values</p> <p>A3 - Respecting the rule of law</p>	<p>The Council('s):</p> <ul style="list-style-type: none"> ❖ Constitution, Policy Framework and HR Policies creates the conditions to enable Members and Officers to demonstrate a strong commitment to the rule of the law, and adhere to relevant laws and regulations, allowing them to utilise powers for the benefit of the community ❖ Constitution outlines the roles and responsibilities of Members and Statutory Officers (Head of Paid Services, Monitoring Officer and Section 151 Officer) in line with legislative and regulatory requirements. ❖ Ethical Framework (Code of Conduct, Declarations of Interests and Gifts and Hospitality) is built on the Seven Principles of Public Life and sets out the standards of behaviour, conduct and values the Council expects of its Members, Officers and those who work with the Council. This together with promoting the framework ensures that high standards of conduct are maintained and where appropriate safeguards are put in place, and action is taken where breaches occur. <ul style="list-style-type: none"> ○ Organisational values of Integrity, Collaboration and Commitment are communicated through the Corporate Plan and its supporting policies and procedures. ❖ Policy Framework identifies the key policies and strategies that ensure effective delivery of the Council's Corporate Plan, ensuring compliance with statutory duties/responsibilities. <ul style="list-style-type: none"> ○ Policy and strategy guidance ensures that the policy development process gives due consideration to key aspects such as sustainable economic social and environmental benefits and the long-term view ○ Council policies are considered and approved by Members ❖ Effective procurement arrangements are embedded to enable the Council to demonstrate good practice, ethical values, compliance with legislation, realise value for money and public accountability. ❖ Robust Audit and Counter Fraud procedures ensures corruption and misuse of power are dealt with effectively. ❖ Whistleblowing Policy demonstrates our commitment to review / investigate matters that may compromise the Council's values or integrity. ❖ Corporate training and induction programme ensures that Members are offered, and Officers receive appropriate training to assist them in effectively executing their duties, and understand the standards of behaviour expected of them ❖ Decision making processes ensures that Legal and ethical implications are fully considered. ❖ Company structures maximise opportunities and effectively manage risk.
<p>B. Ensuring openness and comprehensive stakeholder engagement</p>	<p>B1 - Openness</p> <p>B2 - Engaging comprehensively with institutional stakeholders</p> <p>B3 - Engaging with individual citizens and service users effectively</p>	<p>The Council('s):</p> <ul style="list-style-type: none"> ❖ Has adopted a Scheme of Delegation with the intention of giving a clear transparent, effective and accountable decision-making process. ❖ Will effectively evidence and record all decisions made in connection with the discharge of its functions and publish those appropriately. <ul style="list-style-type: none"> ○ This is achieved through the adoption of a standard reporting format in relation to committee reports, Senior Management reports and ODRs which ensures all relevant information is provided to enable transparent decision making. ○ The award of contracts are appropriately documented and the Council will maintain and publish a Contracts register. ○ All payments to suppliers over £500 are published on a monthly basis ❖ Wishes to retain the ability to work in an agile manner using a range of partnership delivery models to ensure outcomes are achieved in the most efficient and effective ways possible. <ul style="list-style-type: none"> ○ Partnership framework will ensure that there is clarity around what constitutes appropriate governance for different types of partnership working. This, in turn, will ensure accountability, both in terms of achieving outcomes, but also in terms of corporate governance and managing risks. ❖ Is committed to engaging with the community and other stakeholders on key matters affecting the Council and local communities. Our Consultation & Engagement Policy, defines the types of issues it will consult and engage on, how this will be undertaken and how we will utilise the feedback received <ul style="list-style-type: none"> ○ A survey with residents will be completed every two years so that we can access an up-to-date summary of the view of citizens on the Borough, their neighbourhood and the delivery of public services. ○ Will use various forums and groups to consult / involve communities and service users (formal and informal) to obtain their views and experiences to help determine the most appropriate and effective interventions or course of action ○ Communications Strategy sets out the plan for improving communications across the Council with employees, partners, residents and other stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear ○ Encourages, collects and evaluates the views and experiences of communities, citizens, service users and organisations of different backgrounds through groups such as the Basildon Community Diversity Council and the Basildon Disability Partnership Board and other community groups. ❖ Recognises and values the diversity of our communities and our workforce. We are committed to providing inclusive services that meet the needs of all our service users and to ensuring that we are an inclusive employer. <ul style="list-style-type: none"> ○ This is supported by our Inclusion & Diversity Policy and Strategy and Connected Communities Policy and Strategy.
<p>C. Defining outcomes in terms of sustainable economic, social, and environmental benefits</p>	<p>C1 - Defining outcomes</p>	<p>The Council('s):</p> <ul style="list-style-type: none"> ❖ Maintains a Corporate Plan which is supported by a Corporate Programme of delivery and individual Service Plans which outlines its ambitions and promises to our residents and shows how the Council will use its resources to deliver these. Outcome based approach to service planning and performance management. ❖ Produce a Publication Local Plan, in accordance with legislation and national policy that sets the overall strategic direction for the Borough for up to the next 15 years. ❖ Will work with the Association of South Essex Local Authorities (ASELA) to prepare and maintain a joint strategic plan in accordance with legislation and national policy for South Essex

Principles	Sub-principles	Basildon's commitment to achieving good governance in practice includes:
Acting in the public interest requires a commitment to and effective arrangements for:		
	C2 - Sustainable economic, social and environmental benefits	sub region for the next 20 years
D. Determining the interventions necessary to optimise the achievement of the intended outcomes	D1 - Determining interventions D2 - Planning interventions D3 - Optimising achievement of intended outcomes	The Council('s): <ul style="list-style-type: none"> ❖ Planning and control cycles cover strategic and operational plans, ensuring that key priorities/outcomes are identified, and delivery plans are in place to achieve the desired outcomes. ❖ Ensures that it forward plans key decisions and reports to allow for effective scrutiny and challenge ❖ Decision Making Guide and templates for reports ensures that all relevant implications are considered to affectively achieve the intended objectives and outcomes, and that there is a rigorous analysis of the options available. ❖ Key support services are default reviewers for any committee reports where a decision is required to be taken, thus ensuring that relevant implications have been considered. ❖ Consultation & Engagement policy sets out the Council's commitment to consider feedback from citizens and service users when making decisions about service improvements or where services are no longer required in order to prioritise competing demands within limited resources available. ❖ Comments, Compliments and Complaints Policy recognises that customer feedback is a valuable resource for improving the experiences of customers and shaping the design and delivery of our services. ❖ Business Continuity framework ensures the resilience of the organisation to any eventuality and to help ensure continuity of service to its key customers. Emergency Planning processes are in place to allow a response to an external incident as part of the Authorities duties under the Civil Contingencies Act 2004.
E. Developing the entity's capacity, including the capability of its leadership and the individuals within it	E1 - Developing the entity's capacity E2 - Developing the capability of the entity's leadership and other individuals	The Council('s): <ul style="list-style-type: none"> ❖ Leader and Chief Executive have clearly defined/distinctive leadership roles. <ul style="list-style-type: none"> ○ The Chief Executive leads in implementing strategy and managing the delivery of services and other outputs set by Members. ○ The Leader gives appropriate overall direction and policy to the Council and works with other authorities to help shape and influence National Policy. ❖ Constitution sets out the protocols on Member relations to ensure that elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship and that a shared understanding of roles and objectives is maintained ❖ Constitution and supporting delegation's database specify the types of decisions that are delegated and those reserved for the collective decision making of the governing body ❖ ICT transformation programme provides Members and Officers with efficient systems and technology that support them in performing their role and delivering against the Councils Corporate Plan ❖ Asset Management Framework ensures that all the Council's assets are compliant, sustainable, fit for purpose and support the delivery of Council services and strategic objectives. ❖ Workforce and development plan ensures the Council has a workforce which can deliver against the Corporate Plan, and that it has the right behaviours which reflect the Council's ambitions and values. <ul style="list-style-type: none"> ○ Holds staff to account for their performance and behaviour through regular 121's which take account of training or development needs. ○ Training and development programmes for both Members and Officers ensures they have the appropriate skills and knowledge to support them in fulfilling their roles and responsibilities, and that they remain up to date with current best practise and statutory requirements. ○ Health and Wellbeing policy and strategy helps maintain the health and wellbeing of the workforce and support individuals in maintaining their own physical and mental wellbeing. ❖ Governance and Assurance group assists in ensuring organisational development through shared learning as a result of lessons learnt from governance weaknesses
F. Managing risks and performance through robust internal control and strong public financial management	F1 - Managing risk F2 - Managing performance F3 - Robust internal control F4 - Managing data F5 - Strong public financial management	The Council('s): <ul style="list-style-type: none"> ❖ Risk Management Policy and Strategy recognises that risk management is an integral part of the operation of the Council and must be considered in all aspects of decision making. ❖ Health and Safety Policy supported by a strategy and management framework, seeks to ensure compliance with the law and ensure the risks associated with the Health and Safety of those engaging in Council activities are appropriately managed, regularly reviewed and investigations completed where incidents occur. ❖ Safeguarding policy, strategy and procedures actively promotes safeguarding to prevent harm and reduce the risk of abuse, neglect or exploitation to adults with care and support needs and children at risk. ❖ Performance Management framework includes a suite of outcome-based performance information which demonstrates how the Council is achieving the ambitions detailed within the Corporate Plan and how its services are performing. <ul style="list-style-type: none"> ○ Performance will be regularly reviewed by Senior Officers and Members to monitor the effectiveness of the Councils arrangements, and where appropriate, the Council will also benchmark its activities with others. ○ The Council will maintain a programme board, who will have oversight of the delivery of the Council's Corporate Programme and will be responsible for monitoring. ○ Managers regularly review and validate the quality and accuracy of performance data and narratives. ○ Internal audit regularly reviews and audit the quality and accuracy of data and narratives as part of each audit review ○ Service committees are responsible for reviewing delivery against policies to hold the Council to account ❖ Programme and Project Management Framework guides the authority on the project life cycle and sets out how key corporate programmes and service projects will be managed. <ul style="list-style-type: none"> ○ Appropriate Project Management procedures are in place to enable delivery, allow challenge, seek improvements and make effective decisions to ensure achievement of targeted outcomes. ❖ Committees, boards and meetings create a platform for Members and Senior Officers to challenge and discuss key issues before, during and after decisions are made, thus encouraging effective and constructive challenge and debate. <ul style="list-style-type: none"> ○ Committee reports are circulated to key officers and undergo a series of reviews, revisions, and comments prior to finalising. ❖ Senior Managers are responsible for putting into place an appropriate control environment to manage the risks facing their services.

Principles	Sub-principles	Basildon's commitment to achieving good governance in practice includes:
<p>Acting in the public interest requires a commitment to and effective arrangements for:</p>		<ul style="list-style-type: none"> ❖ Maintains an effective audit service. <ul style="list-style-type: none"> ○ In line with the Public Sector Internal Audit Standards and CIPFA's guide to the role of the Head of Internal Audit ○ Produces an annual report providing an opinion on the Council's adequacy and effectiveness of the framework of governance, risk management and control. ○ Services undertake self-assessment audits in relation to their professionalism such as Health & Safety and Safeguarding. ❖ Maintains an effective Audit and Risk Committee which provides a source of effective assurance regarding arrangements for managing risk, Counter Fraud and maintaining an effective control environment and governance arrangements. <ul style="list-style-type: none"> ○ Reflects the political composition of the Council. ○ Operates in compliance with CIPFA guidance on effective audit committees. ❖ Counter Fraud framework ensures that effective Counter Fraud and corruption arrangements are embedded across the Council promoting zero tolerance. <ul style="list-style-type: none"> ○ Internal Audit service is responsible for investigating suspected or identified fraud. ○ The Council participates in the National Fraud Initiative ❖ Information governance arrangements are embedded, and we will investigate suspected or identified breaches of data <ul style="list-style-type: none"> ○ The Council's Information Management Policy sets out a commitment for the safe collection, storage, use and sharing of data, underpinned by processes and developed procedures to safeguard personal data ○ The Council's ICT and Information Security Standards provide guidance on the arrangements that must be in place to ensure personal data is kept protected and secure ○ Effective information sharing arrangements are in place and operating effectively when sharing data with other bodies in accordance with the Data Protection Act, GDPR and the Council's Information Management Policy ❖ Ensure that effective financial management arrangements are embedded across the Council, which supports short, medium and long term achievement of the Council's ambitions and service provision. <ul style="list-style-type: none"> ○ Medium and Long Term Financial Strategy and budget setting process align resources to the organisation's objectives. ○ Budget development and management framework enables the Council to review and adjust its budget during the financial year to make the most effective use of resources in delivering the Council's policies and objectives
<p>G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability</p>	<p>G1 - Implementing good practice in transparency</p> <p>G2 - Implementing good practices in reporting</p> <p>G3 - Assurance and effective accountability</p>	<p>The Council(s):</p> <ul style="list-style-type: none"> ❖ Publication Scheme describes the kinds of information available, where this can be found and provides guidance about how to access personal information and submit a Freedom of Information request ❖ Forward plan of committee dates and work plans for each committee provides transparency and access to information regarding future decisions ❖ Reports for the public and other stakeholders are written and communicated in a fair, balanced and understandable style, appropriate to the intended audience and ensuring that they are easy to access and understand. ❖ Demonstrates its commitment to openness and transparency by producing an annual report covering the performance of the Council, value for money and stewardship of resources. ❖ Produces the annual financial statements in accordance with statutory best practice guidance. ❖ Reviews its governance arrangements periodically in line with its Local Code of Corporate Governance and associated Assurance Framework, and publishes its results in an Annual Governance Statement ❖ Recommendations for corrective action made by internal and external audit and other regulatory bodies are monitored to ensure that they are acted upon and progress is reported to the Audit & Risk Committee ❖ Ensures that jointly managed or shared service arrangements are appropriately governed which will ensure accountability in terms of achieving outcomes and managing risks.

For a detailed description of the key governance areas which support the Council's compliance with the Core & Sub Principles and Behaviours, please refer to the Governance Assurance Framework.