

Audit Committee – 6 January 2014

Corporate Governance Review

Summary of report

This report details the council's current strategic review of its corporate governance arrangements, including the background to the establishment of the review, the terms of reference and work plan for the Corporate Governance Forum; and the revised Local Code of Governance.

Background papers

Audit Committee minutes, Grant Thornton's Annual Audit Letter for Walsall Metropolitan Borough Council 2013, the terms of reference and work plan for the Corporate Governance Forum and the revised Local Code of Governance.

Recommendations

1. To note the council's current strategic review of its governance arrangements.
2. To approve the terms of reference and work plan of the Corporate Governance Forum.
3. To approve the revision to the Local Code of Governance.



Paul Sheehan – Chief Executive
20 December 2013

Resource and legal considerations

Sound corporate governance arrangements contribute to ensuring that resources are directed in accordance with agreed policy / procedures and according to the priorities agreed by the Council; that there is sound and inclusive, fair, 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.

Grant Thornton have, in their Annual Audit Letter dated October 2013 which was presented to Audit Committee on 11 November 2013, made recommendations under Section 11(3) of the Audit Commission Act 1998 that the Council should:

- review existing governance processes and procedures to provide assurance that the existing governance framework is fit for purpose; and
- investigate how governance is applied across the Council, to ensure that expected ethical standards are reinforced and that a culture of compliance is embedded throughout the organisation.

This report supports the Audit Committee's role in ensuring that those recommendations are successfully implemented.

Governance issues

The Audit Committee has an integral role that is central to the Council's governance framework. The purpose of the Audit Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment; independent scrutiny of the authority's financial and non financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment; and to oversee financial reporting. Most notably in relation to this report, the Audit Committee's powers and functions include being satisfied that the council's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions taken to improve it; to review the effectiveness of key control strategies including the local code of governance; and consider external audit reports. This report supports the Audit Committee in exercising those functions.

Citizen impact

Good governance means focusing on the purpose of the authority and on outcomes for the community, creating and implementing a vision for the local area. It is about engaging with local people and other stakeholders to ensure robust public accountability. The work of the Audit Committee is intended to ensure that effective governance arrangements are in place. It maintains public confidence in the fair distribution of resources, and achieves best value in the delivery of services.

Performance and risk management issues

Performance and risk management form part of the corporate governance framework. Part of the Audit Committee's role is to seek assurance that the council's performance and risk management arrangements are robust and operating effectively.

Equality implications

Good governance means promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.

Having good governance arrangements in place supports the council in its commitment to equality of opportunity both operationally and in terms of the service and resources provided to the people of Walsall.

Consultation

The terms of reference and work plan for the Corporate Governance Forum; and the revised Local Code of Governance have been consulted on with the external Auditors Grant Thornton, Executive Directors and directorate management teams. This is a strategic document that provides overarching principles that the council will apply and embed across the organisation.

Authors

Paul Sheehan

Chief Executive

☎ 01922 652000

✉ sheehanp@walsall.gov.uk

Tony Cox

Monitoring officer

☎ 01922 6524822

✉ coxa@walsall.gov.uk

James Walsh

Chief Finance Officer

☎ 01922 652102

✉ walshj@walsall.gov.uk

Strategic Review of Corporate Governance

Background

As a result of failures in internal control noted in preparation for the Annual Governance Statement 2012/13, a meeting, chaired by the Chief Executive, was held on the 17th May 2013. The objective of the meeting was to review what might be learnt from these events and to assess any implications for the council's governance and risk management arrangements moving forwards. The group initially comprised of the following officers:

- Paul Sheehan, Chief Executive;
- Rory Borealis, Executive Director for Resources;
- Tony Cox, Monitoring Officer;
- James Walsh, Chief Finance Officer;
- Vicky Buckley, Head of Finance; and
- Rebecca Neill, Head of Internal Audit.

This group met again on 25 June 2013 to continue these deliberations. A number of key themes were noted by the group, concerning failures of control in human resources and social care & inclusion. Whilst these appeared to arise from the actions of individuals which were contrary to the council's code of conduct and other policies / procedures, it was decided that it was essential to carry out a corporate review of governance to establish whether or not these were isolated incidences, or whether there was a fundamental problem with corporate governance and the way it is embedded across the council. It was concluded that although there were control issues identified in both investigations, without this action on behalf of the senior individuals involved, it was highly unlikely that the serious failures of control would have been experienced or at least, any failures of control would not have been as significant in nature.

It was agreed by the group that there was a need to re-energize and embed an organization wide understanding of the council's expectations around appropriate behavior and ensure that the council's governance arrangements were well understood, in order to optimize delivery of services within policy and procedure. It was agreed that it would be timely to check the effectiveness of all of the component parts of the arrangements for governance.

This would further enable the organization to ensure that it's governance systems are fit for purpose in a world which has changed significantly in recent years and is likely to change even more fundamentally over the next few years. A need was identified to have arrangements that are clear and robust, but which allow for the innovation and creativity that will be necessary to resolve problems of a different scale to those previously experienced, arising from the substantial funding reductions in train and planned. It was therefore decided to establish the Corporate Governance Forum to carry out this review.

The Corporate Governance Forum

The Corporate Governance Forum (the 'Forum') having been established formally in June, met on 30 July 2013 and again on 27 September 2013. The Forum is chaired by the Chief Executive (or the Executive Director, Resources in his absence). The purpose of the Forum is as follows:

- To review existing governance processes and procedures including a review of how governance is applied across the Council and specifically champion and reinforce the expected standards of ethical behaviours of employees and elected members in carrying out their work. The purpose of this review is to ensure that our arrangements are as much as possible fit for purpose and fit for the future.
- This review will form part of the production of the Annual Governance statement for 2013/14.
- The Forum will identify any gaps in governance and make recommendations to rectify the same.
- The Forum's actions will be reported back to elected members through Audit Committee.

The Forum's current membership is as follows:

- Paul Sheehan, Chief Executive;
- Rory Borealis, Executive Director for Resources;
- Tony Cox, Monitoring Officer;
- Steve McGowan, Head of Human Resources;
- James Walsh, Chief Finance Officer;
- Vicky Buckley, Head of Finance;
- Rebecca Neill, Head of Internal Audit; and
- Carol Williams, Head of Programme Management & Governance
- Grant Thornton, External Auditors.

The Forum's terms of reference is detailed at **Appendix 1**.

The overall objective of the group is to provide independent assurance to the Council, its stakeholders that the governance framework is robust yet flexible enough to permit the Council to deliver services in a fair and transparent manner, whilst ensuring proper stewardship of public money. The Governance Forum is charged with the implementation and s delivery of the review.

The Forum's current work plan is detailed at **Appendix 2**.

As part of work completed to date, the Forum has reviewed the Local Code of Governance. This is detailed at **Appendix 3**.

The council's existing corporate governance framework together with map to the review is detailed at **Appendix 4**.

Grant Thornton

The Forum believed that the council's external auditors, Grant Thornton, could provide value to the work by applying their independent, external and national perspective to the organization's existing governance arrangements as well as what changes might assist in improving these so that they are fit for purpose for the future. To this end, Grant Thornton were invited to attend the 18 November 2013 meeting of the Forum, where their input was discussed and agreed.

Grant Thornton provided the council with a project specification for their work on 5 December 2013. Their planned approach which has been agreed with the Chief Executive is to:

- review the outcomes of the Governance Forum in terms of the Council's overall governance procedures;
- comment on how they compare with best practice;
- assess the levels of understanding, compliance and attitude towards proper governance at the council.
- comment on the implications for the (revised) governance framework, training and communications plans and ongoing adequacy of the Council's planning monitoring and review arrangements.

Grant Thornton will also be attending the scheduled Governance Forum meetings.

A fee structure for this work has yet to be finalised at the time of writing this report. The committee will be informed of the figure once this has been agreed.

Walsall Council

Terms of Reference for the Corporate Governance Forum

The Corporate Governance Forum will complete a detailed strategic review of the existing corporate governance framework as a result of concerns about governance failure that were identified during the compilation of the Annual Governance Statement, and unplanned audit work carried out by the council's internal audit team. This failure in governance appears to be due to individual non-compliance with established policies and procedures rather than a systemic failure of governance however this will be examined as part of the review.

The purpose of the review is to provide assurance to the council, elected members, officers, local people and our stakeholders that the council's governance framework is robust, but flexible enough to allow the council to provide services in a fair and transparent manner. Ensuring that the council makes the best use of resources, and puts high ethical standards at the heart of everything it does. This review is supported by the council's external auditors Grant Thornton as part of their annual audit letter.

The review will be conducted in conjunction with the production of the Annual Governance Statement (AGS), and have due regard to the principles of good governance as set out in the CIPFA/Solace publication "Delivering Good Governance in Local Government" 2012. The Forum meet on a monthly basis and will continue indefinitely as part of the annual AGS process, however the frequency of meetings will be kept under review.

Objectives

- the governance framework is up to date and fit for purpose for the organisation it serves, as it evolves.
- People know what behaving properly means and there are, and the public perceive there to be, high ethical standards across the organisation. There is a high level of understanding of, and compliance with, the governance framework and local code of governance across the organisation.
- There is a continuous review of governance.
- The risk of governance failure is minimised.

The Corporate Governance Forum will be responsible for the successful delivery of the strategic review of governance and will identify required activity which supports the objectives above.

The Forum will meet monthly to review the measures and methods being applied to evidence progress towards the objectives through activity being undertaken.

The Forum will report progress to Audit Committee, who will have oversight of the project.

Membership of the Corporate Governance Forum:

The Chief Executive will chair the Forum. The Executive Director Resources will chair the Forum in the Chief Executive's absence.

The Forum comprises senior officers of the council who have a significant role and strategic responsibility for reviewing the governance framework and ensuring compliance with the same.

- Chief Executive
- Executive Director (Resources)
- Chief Finance Officer (s151 Officer)
- Head of Legal and Democratic Services (Monitoring Officer)
- Head of Human Resources and Development
- Head of Internal Audit
- Head of Finance
- Representatives - Client Departments
- Head of Programme Delivery and Governance
- Communications (as appropriate)

The Head of Programme Delivery & Governance will provide advice on the change activity approach and methods being applied to deliver the outcomes.

Other attendees may be invited to present or discuss particular issues, when appropriate.

Reporting and Meeting:

The Corporate Governance Forum will meet monthly to review:

- (a) Progress of activities towards achieving objectives
- (b) Activity about to start/end or change
- (c) Resource requirements
- (d) Interdependencies between activities
- (e) Risks associated with change activity
- (f) Communications messages

The Forum will provide progress updates to Audit Committee as necessary and will ensure that communications to key stakeholders are established and maintained.

The Role of Corporate Governance Forum Members:

1. The role of members of the Corporate Governance Forum is to successfully deliver change activity which contributes towards the objectives of review above.
2. Collectively the Forum will review, challenge and ensure appropriate capacity and expertise is available to deliver change activity and encourage cross collaborative working where a number of activities demonstrate they are contributing towards specific outcomes.
3. Individually, where Forum members are responsible for the successful delivery of an activity or Forum of activities they will report progress at the Forum meetings.

Members of the Corporate Governance Forum will:

1. Be familiar with the elements of the Governance Framework and Local Code of Governance, and how their own areas of responsibility, policies and procedure contribute to the totality of the framework.
2. Implement an appropriate level of governance throughout the organisation.

3. Utilise Business Change resources to provide advice, support and facilitation to assist with the scoping and approach to change activity and to establish an appropriate level of governance arrangements.
4. Promote a leadership culture to embed high ethical standards across the organisation by behaving in ways that exemplify high standards of conduct and effective governance.
5. Communicate the outcomes of the review to all stakeholders including employees, elected members and the public.
6. Facilitate and support the Head of Programme Delivery & Governance to ensure that:
 - a. New activity is endorsed by the Forum prior to its commencement and inclusion in any workplan. Each new activity will have a scope, an approach and a designated leader.
 - b. Governance arrangements are in place to ensure that we do not break the law and can evidence:
 - i. Progress
 - ii. Measures
 - iii. That change activity continues to evidence its contribution towards the council's priority outcomes
 - iv. That appropriate resources including expertise, tools and techniques are accessible
 - v. A risk assessment is carried out
 - vi. That the Performance Management Framework and the Walsall Change Approach are being applied appropriately.

19.12.13

Corporate Governance Forum: Work Plan		
Theme	Actions	Responsibility & Timescale
Establishment of Corporate Governance Forum	<ol style="list-style-type: none"> 1. Agree membership. 2. Agree terms of reference. 3. Agree work programme. 4. Submit agreed terms of reference and work programme to Audit Committee for endorsement. 5. Deliver work programme. 6. Agree frequency of review and reporting / accountability arrangements, including that to Audit Committee and enact. 7. Review effectiveness of Forum. 	<p>Forum, July 2013 (Complete) Forum, Dec 2013 (Complete) Forum, Dec 2013 (Complete) Chief Executive, Jan 2014</p> <p>Forum, May 2014 Forum, Dec 2013 and ongoing to May 2014.</p> <p>Grant Thornton, May 2014</p>
Review of Local Code of Governance & Associated Governance Framework	<ol style="list-style-type: none"> 1. Undertake review of Local Code of Governance. 2. Consult on review. 3. Submit revised Local Code of Governance to Audit Committee for endorsement. 4. Complete review of existing governance framework (policies, procedures, systems) against the revised Local Code of Governance. 5. Establish and undertake work required to update existing governance framework to revised Local Code of Governance. 	<p>Forum, Sep 2013 (Complete) Forum, Nov 2013 (Complete) Chief Executive, Jan 2014</p> <p>Forum, Jan 2014</p> <p>Forum, March 2014</p>
Grant Thornton (GT)	<ol style="list-style-type: none"> 1. Invite GT to attend the Forum. 2. Agree scope of GT's 'Independent Challenge and Review'. 3. Report scope of GT's work to Audit Committee. 4. GT to undertake agreed work. 5. GT to report findings to Forum and Audit Committee. 	<p>Forum, Nov 2014 (Complete) Forum, Dec 2014 XX, Jan 2014 GT, Jan-May 2014 GT, May 2014</p>
Internal Audit (IA) of Corporate Governance	<ol style="list-style-type: none"> 1. Undertake internal audit of existing corporate governance arrangements. 2. Report action plan to the Forum. 3. Agree IA action plan and inform this work plan. 4. Implement agreed actions. 	<p>Head of IA, Nov 2014 (Complete)</p> <p>Head of IA, Nov 2014 (Complete) Forum, Jan 2014 TBA, March 2014</p>
Review and Update Corporate Risk Number 12 – Governance Failure	<ol style="list-style-type: none"> 1. Risk owner to keep this risk under regular review and refresh as a result of the work of the Forum. 	Monitoring Officer, May 2014
Communication, Leadership and	<ol style="list-style-type: none"> 1. Agree 'hearts and minds' approach, how do we embed what we have learned about governance into the organisation. 	Forum, Feb 2014

Corporate Governance Forum: Work Plan		
Theme	Actions	Responsibility & Timescale
Training	2. Enact.	Forum, May 2014
Annual Governance Statement (AGS) 2013/14	3. Work of the Forum to inform the preparation of the AGS 2013/14.	Forum, May 2014
	4. Head of IA to prepare Annual Report of the Adequacy of the Control Environment and submit to Audit Committee.	Head of IA, June 2014
	5. Monitoring Officer (MO) to prepare and submit report.	MO, June 2014
	6. Prepare statement of accounts.	Head of Finance, June 2014
	7. Senior Information Responsible Officer (SIRO) to submit report on information governance arrangements.	SIRO, June 2014
	8. Collate results of other regulatory inspections to inform AGS.	Head of Finance, June 2014
	9. Complete AGS and submit for approval by the Chief Executive and Leader.	Head of Finance, Sept 2014
	10. Submit AGS to Audit Committee.	Chief Finance Officer, Sept 2014

Local Code of Governance

The purpose of governance is to support the local authority in delivering outcomes to the community it serves by ensuring there are high standards of conduct and leadership; placing responsibility on elected members and officers to demonstrate leadership by behaving in ways that exemplify high standards of conduct, thereby setting an example for the rest of the organisation. This will ensure that we do the right things, in the right way, for the right people in a timely, inclusive, open, honest and accountable manner.

Governance is about our people just as much as it is about the systems and processes we have in place. This includes our organisational heart and values, the way we manage our business internally, and the way in which we engage with, and where appropriate lead our communities. It is essential that both officers and members ensure that they comply with all aspects of council governance in every action they take to deliver services. If they fail to comply they will be held accountable for any such failure.

The fundamental principles underpinning all aspects of corporate governance are:

- OPENNESS
- INCLUSIVITY
- INTEGRITY
- ACCOUNTABILITY

Appendix 1 sets out how the council will put these principles into practice based on the Chartered Institute of Public Finance & Accountancy (CIPFA) / Society of Local Authority Chief Executives (SOLACE) 'Delivering Good Governance in Local Government 2012 edition'.

It is important that corporate governance is not static as the challenges facing local government change significantly and rapidly, which means the council has to adapt meet these challenges in order to deliver the level of services our customers want in a fair and transparent manner, dependent upon available resources.

Governance will be reviewed on an annual basis to ensure it is flexible yet robust. Preparation of the Annual Governance Statement will support this annual review and provide a brief public report on how the council complies with its own Local Code of Governance. This includes detail of how the Council has monitored and evaluated the effectiveness of governance arrangements throughout the year, and provides comment on any proposed changes to governance. This process will also improve the effectiveness of corporate governance and the internal control framework. It is important that any changes to governance are properly evaluated and risk assessed in the context of the aims and objectives of the council going forward, whilst reflecting the environment the council is operating in.

The Annual Governance Statement itself provides a brief communication regarding the review of governance that has taken place, and the role of the governance structures involved (such as the authority itself, the audit committee, and other

committees). It will be high level, strategic and written in an open and readable style. It will be focused on outcomes, value for money, and relate to the authority's vision for the area.

As a public body the Council is responsible for ensuring that its business is conducted with the highest ethical and legal standards, and that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. Both Members and Officers have to work together to ensure that this duty is properly discharged.

The CIPFA/SOLACE framework for delivering good governance identifies six key principles of good governance, which the council will follow:

- 1. Focusing on the purpose of Walsall Council and on outcomes for the community, and creating and implementing a vision for the local area.**
- 2. Elected Members and Officers working together to achieve a common purpose with clearly defined functions and roles.**
- 3. Promoting Values for Walsall Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour.**
- 4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.**
- 5. Developing the capacity and capability of Elected Members and Officers to be effective**
- 6. Engaging with local people and other stakeholders to ensure robust public accountability.**

As part of its annual review of governance arrangements the Council will review the Local Code of Governance to ensure it meets organisational needs and accords with best practice as identified by the CIPFA/Solace framework as amended.

Appendix 1

The key principles that support the authority's governance arrangements and how they are supported by processes and procedures are:

Principle 1- Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area.

Supporting Principles:

- (i) Exercising strategic leadership by developing and clearly communicating Walsall Council's purpose and vision and its intended outcome for citizens and service users;
- (ii) Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning;
- (iii) Ensuring that Walsall Council makes best use of resources and that tax payers and service users receive excellent value for money.

Walsall Council will:

- Develop and promote the authority's purpose and vision.
- Review on a regular basis the authority's vision for the local area and its implications for the authority's governance arrangements.
- Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all partners.
- Publish and communicate the authority's activities and achievements, including its financial position and performance.
- Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available.
- Put in place effective arrangements to identify and deal with failure in service delivery.
- Decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively.
- Measure the environmental impact of policies, plans and decisions.

Principle 2 – Members and Officers working together to achieve a common purpose with clearly defined functions and roles

Supporting Principles:

- (i) Ensuring effective leadership throughout Walsall Council and being clear about executive and non executive functions and of the roles and responsibilities of the scrutiny function;
- (ii) Ensuring that a constructive working relationship exists between members and officers and the responsibilities of members and officers are carried out to a high standard;
- (iii) Ensuring relationships between Walsall Council, its partners and the public are clear so that each knows what to expect of the other.

Walsall Council will:

- Set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the authority's approach towards putting this into practice.
- Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and senior officers.
- Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the authority taking account of relevant legislation and ensure that it is monitored and updated when required.
- The Chief Executive will be responsible to the authority for the manner in which the discharge of the functions of the Council is co-ordinated, ensuring that appropriate advice is given on all aspects of operational management.
- Develop protocols to ensure that the Leader and Chief executive (or equivalent) negotiates their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained.
- Make a senior officer (the section 151 officer) responsible to the authority for 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.
- Make a senior officer (usually the monitoring officer) responsible to the authority for ensuring that appropriate advice is given in respect of the lawfulness of actions taken by the authority.

- Develop protocols to ensure effective communication between members and officers in their respective roles.
- Set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process including an effective remuneration panel.
- Ensure that effective mechanisms exist to monitor service delivery.
- Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated.
- When working in partnership, ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authority.
- Ensure that there is clarity about the legal status of the partnership.
- Ensure that representatives or organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions.

Principle 3 – Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour

Supporting Principles:

- (i) Ensuring members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance;
- (ii) Ensuring that organisational values are put into practice and are effective.

Walsall Council will:

- Ensure that the authority's political and managerial leadership sets a tone for the organisation by creating a climate of openness, support and respect.
- Ensure that standards of conduct and personal behaviour expected of members and staff; between the authority, its partners and the community are defined and communicated through codes of conduct and protocols.
- Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations, and communicate these with members, staff, the community and partners.

- Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice.
- Develop and maintain an effective standards committee.
- Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the authority.
- In pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners' behaviour both individually and collectively.

Principle 4 – taking informed and transparent decisions which are subject to effective scrutiny and managing risk.

Supporting Principles:

- (i) Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny;
- (ii) Having good-quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs;
- (iii) Ensuring that an effective risk management system is in place;
- (iv) Using their legal powers to the full benefit of the citizens and communities in their area.

Walsall Council will:

- Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the authority's performance overall and that of any organisations for which it is responsible.
- Have systems to ensure that decisions are properly recorded and evidenced including as appropriate the criteria, rationale and considerations that formed part of the decision making process.
- Put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders, and put in place processes to ensure that they act in a way that is consistent with the "Nolan Committee's – Seven Principles of Public Life".

- Develop and maintain an effective audit committee (or equivalent) which is independent of the executive and scrutiny functions, or make other appropriate arrangements for the discharge of the functions of such a committee.
- Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints.
- Ensure that those making decisions, whether for the authority or the partnership, are provided with information or professional advice that is fit for the purpose, relevant, timely and gives clear explanations of any technical, legal or financial issues and their possible implications.
- Ensure that risk management is embedded into the culture of the authority; with members and managers at all levels recognising that risk management is part of their jobs.
- Ensure that effective arrangements for whistleblowing are in place to which officers, staff and all those contracting with or appointed by the authority have access.
- Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law.
- Ensure the organisation observes all legislative requirements placed upon it, including the requirements of common law. The key principles of natural justice, including rationality, lawfulness, and proportionality will be reflected in any decision making processes.

Principle 5 – Developing the capacity and capability of members and officers to be effective.

Supporting Principles:

- (i) Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles;
- (ii) Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group;
- (iii) Encouraging new talent for membership of Walsall Council so that best use can be made of individual's skills and resources in balancing continuity and renewal.

Walsall Council will:

- Provide induction programmes and training tailored to meet the individual needs of members and officers, that also allows them to deliver effectively to achieve the aims of the corporate plan.
- Ensure that the statutory officers have the necessary skills, resources and support to perform their roles effectively.
- Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed.
- Ensure that arrangements are in place for reviewing the performance of the executive cabinet as a whole, and of individual members. If required develop an action plan, which might for example aim to address any training or development needs.
- Ensure that effective arrangements are in place designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority.
- Ensure that career structures are in place for members and officers to encourage participation and development.

Principle 6 – engaging with local people and other stakeholders to ensure robust public accountability.**Supporting Principles:**

- (i) Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships;
- (ii) Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by Walsall Council, in partnership or by commissioning;
- (iii) Making best use of human resources by taking an active and planned approach to meet responsibility to staff.

Walsall Council will:

- Ensure organisationally that all employees, members and the community are clear to whom they are accountable and for what.
- Consider institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and implement any changes that may be required.

- Ensure the effectiveness of the scrutiny function and report on the same.
- Ensure clear channels of communication are in place with all sections of the community and other stakeholders, including monitoring arrangements, and ensure that they operate effectively.
- Ensure that arrangements are in place to enable the authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands.
- Establish a clear policy on the types of issue on which they will meaningfully consult on or engage with the public and service users, including a feedback mechanism for those consultees to demonstrate what has changed as a result.
- Annually publish our outcomes measured in accordance with our performance framework, explaining what we have accomplished in achieving the authority's vision, strategy, plans, and how this has improved customer satisfaction with the service they received over the relevant period.
- Ensure that the authority is open and accessible to the community, its service users, and its staff, and is open and transparent in all its dealings, including where working in partnership, subject only to the need to maintain confidentiality in circumstances where it is proper and appropriate to do so.
- Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making.

19.12.2013

Current Governance Framework

Framework - Key Documents/Process Guidelines

Performance Management, Corporate Planning Process, Budget and Budgetary Control Processes, Code of Corporate Governance, Project Management/Risk Management/Counter Fraud Policy, Ethical Governance, Policies, Procedures, Constitution, Codes of Conduct, Partnership Arrangements

