

HIGH PEAK BOROUGH COUNCIL CODE OF CORPORATE GOVERNANCE

1 Introduction

- 1.1 High Peak Borough Council is committed to the principles of good corporate governance. This code describes what those principles are and sets out the Council's progress towards achieving them and any further work that needs to be undertaken.

2. What are the Principles of Corporate Governance?

- 2.1 Corporate Governance has been defined as 'an interrelated system that brings together an underlying set of legislative requirements, governance principles and management processes.' (Delivering Good Governance in Local Government by CIPFA – the Chartered Institute of Public Finance Accountants - and SOLACE – the Society of Local Council Chief Executives)

- 2.2 There are three overarching principles:

- openness;
- integrity; and
- accountability.

- 2.3 These principles underpin the Council's community leadership role and the Council seeks to reflect them in everything that it does. They also reflect the Council's commitment to the seven principles of public life as set out in 1995 by the Nolan Committee and later expanded to ten as part of the ethical framework introduced by the Local Government Act 2000. These are:

- selflessness;
- honesty and integrity;
- objectivity;
- accountability;
- openness;
- personal judgment;
- respect for others;
- duty to uphold the law;
- stewardship; and
- leadership.

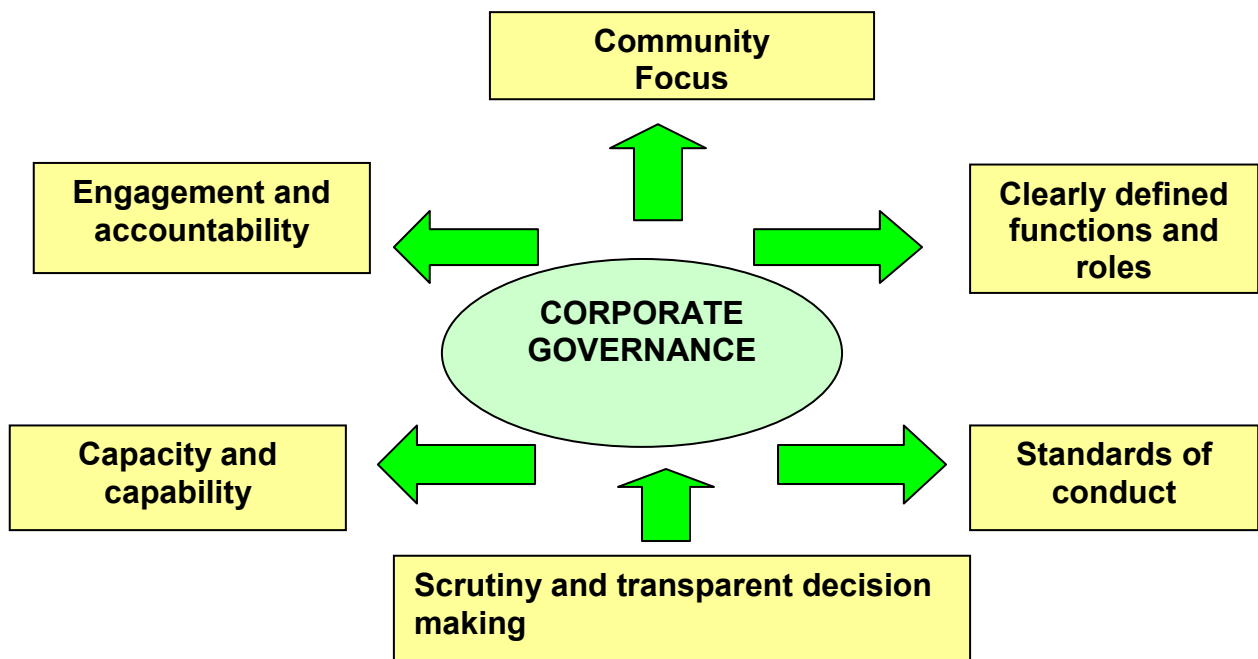
3 So, how can all these principles be translated into the Council's daily work on behalf of the communities it serves?

- 3.1 In relation to the ten principles of public life, councillors have signed up to these at the same time as the Code of Conduct when they become councillors. They receive regular training, which is overseen by the Standards Committee.

- 3.2 Effective leadership is acknowledged as an over-arching principle to Corporate Governance and the other principles can only be achieved if effective leadership is demonstrated by the Council through:
- providing vision for its community and leading by example in its decision-making and other processes and actions; and
 - councillors and officers conducting themselves in accordance with high standards of conduct.

4 So what does good governance mean to this Council?

- 4.1 The Council’s Code of Corporate Governance addresses governance from six dimensions as shown below:
- focusing on the purpose of the council and on outcomes for the community; and creating and implementing a vision for the local area;
 - councillors and officers working together to achieve a common purpose with clearly identified functions and roles;
 - promoting values for the council and demonstrating the values of good governance through 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 councillors and officers to be effective; and
 - engaging with local people and other stakeholders to ensure
 - robust public accountability.
- 4.2 [Appendix B](#) sets out the criteria against which we judge ourselves and the processes and documents through which the Council can demonstrate its commitment to good corporate governance.



- 4.3 An outline of the requirements of each core principle is shown at [Appendix A](#)
- 4.4 For each of the codes dimensions there are criteria, which need to be achieved to ensure good corporate governance. The Council has assessed itself the criteria. The Code and supporting evidence are shown at [Appendix B](#). The review has taken into consideration the Council's strategic alliance with Staffordshire Moorlands District Council.

5 Review of the effectiveness Internal Control and Risk Management in the Council

- 5.1 High Peak Borough Council has responsibility for conducting, at least annually, a review of the effectiveness of its internal control framework. The review of effectiveness is informed by the work of the senior managers within the Council who have responsibility for the development and maintenance of the governance environment. This includes the annual report on internal control by the Internal Audit Manager, and also by comments made by the external auditors and other review agencies and inspectorates.
- 5.2 The process that has been applied in maintaining and reviewing the effectiveness of internal control in the Council includes:
- a) Review of Corporate Governance arrangements. (Measured against the CIPFA/ SOLACE guidance in: "Corporate Governance in Local Government"
 - b) Review of the internal control arrangements in the Council based on guidance issued by CIPFA.
 - c) Identification of and monitoring of key performance indicators by the Alliance Management Team and the Improvement Board.
 - d) Review of the Council's operational and strategic risk registers
 - e) Assurances on internal control from directors and managers both within the Council and in High Peak Community Housing.
 - f) Performance management systems.
 - g) Development of the scrutiny role by Select committees.
 - h) The role of the Standards Committee
 - i) Review of the work of internal audit, external audit and of performance management by the Audit and Regulatory Committee.
 - j) Development of a risk management framework including a risk management group.
 - k) The work of the Improvement Board to monitor the financial affairs of the Council.
 - l) The establishment of a three-year financial strategy.
 - m) Heads of Service taking ownership of risks in their service area.
 - n) The work of Internal Audit in reviewing the effectiveness of the systems of internal control
 - o) Data Quality policy in place
 - p) Partnership Protocol in place
 - q) Whistle Blowing Policy in place
 - r) Fraud and Corruption Response Plan in place

5.3 In determining the extent to which reliance can be placed upon the systems of Internal control put in place by High Peak Community Housing the Council has undertaken the following: -

- a) Sought assurances in writing from senior management of the company as to the adequacy of internal control arrangements and asking for significant control issues to be identified.
- b) Reviewed the annual report of the company's Internal Auditors.
- c) Held regular performance meetings between the Council and the Company, which involves senior officers, Councillors and Board Members

5.4 The review found that the Council has a robust system of internal control and risk management in place however there are a number of issues that need to be monitored /addressed and these are shown below:

No	Subject	Action	Target Date
1	Strategic Alliance with Staffordshire Moorlands	Being managed through joint chief executive, directors and heads of service who have responsibilities across both Councils.. There are Councillor and officer groups in place to monitor the transformation process. Risk appraisals are an integral part of the process. There are regular meetings between the chief executive and leaders of the Councils.	Ongoing
2.	Financial IT system not fit for purpose	New Financial Management System to be implemented by April 2010.	April 10
3.	The Crescent development.	Councillors are updated with the current position at every meeting of the Audit and Regulatory Committee. Risk management includes giving a limited indemnity to Nestle in relation to Buxton mineral water; obtaining insurance; having the County Council as the accountable body for external grants; obtaining expert legal advice in relation to all elements of the deal The Audit Commission have been involved throughout the process and their advise has been sought. This issue is detailed fully in the corporate Strategic Risk Register.	Ongoing

No	Subject	Action	Target Date
4	Pavilion Gardens redevelopment	The redevelopment of the Pavilion Gardens is being managed include councillor involvement. There are short term and long-term plans being developed. Councillors are updated at each meeting of the Corporate Select Committee.	Ongoing
5	Strategic issues affected by the current global credit / financial markets. E.g. affordable housing	The situation will be closely monitored and appropriate action taken. The current economic situation and budget constraints are reflected in the Council's medium term financial strategy and budgets.	Ongoing

5.5 We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

6. Monitoring

- 6.1 The Corporate Governance Working Group will monitor progress against the Action Plan.
- 6.2 The Code is reviewed annually by the Council's Audit and Regulatory Committee.

Signed:
 Leader: Councilor Tony Ashton

Signed:
 Chief Executive: Simon Baker
 On behalf of High Peak Borough Council

Outline of the six core principles of corporate governance

Ref	Core principle	Supporting criteria
1	Focusing on the purpose of the council and on the outcomes for the community and creating and implementing a vision for the local area	Exercising strategic leadership by developing and clearly communicating the Councils purpose and vision and its intended and actual outcomes for citizens and service users
		Ensuring that users receive a high quality of service whether directly or in partnership or by commissioning
		Ensuring that the Council makes best use of resources and that tax payers and service users receive excellent value for money
2	Members and officers working together to achieve a common purpose with clearly defined functions and roles	Ensuring effective leadership throughout the Council and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function
		Ensuring that a constructive working relationship exists between authority councillors and officers and that the responsibilities of authority councillors and officers are carried out to a high standard.
		Ensuring relationships between the authority and the public are clear so that each knows what to expect of the other
3	Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour	Ensuring Council councillors and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance
		Ensuring that Council values are put into practice and are effective
4	Taking informed and transparent decisions which are subject to effective scrutiny and risk management	Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny

Ref	Core principle	Supporting criteria
		Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants / needs.
		Ensuring that an effective risk management system is in place
		The Council using its legal powers to the full benefit of the citizens and communities in the High Peak
5	Developing the capacity and capability of members and officers to be effective.	Making sure that councillors and officers have the skills knowledge, experience and resources they need to perform well in their roles.
		Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group.
		Encouraging new talent for councillorship of the Councils so that best use can be made of individuals' skills and resources in balancing continuity and renewal.
6	Engaging with local people and other stakeholders to ensure robust public accountability	Exercising leadership through a robust scrutiny function, which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships.
		Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by the Council, in partnership or by commissioning.
		Making best use of human resources by taking an active and planned approach to meet responsibility to staff.

HIGH PEAK BOROUGH COUNCIL'S CODE OF CORPORATE GOVERNANCE

1	Focusing on the purpose of the council and on the outcomes for the community and creating and implementing a vision for the local area										
1	<p>Develop and promote the council's purpose and vision.</p> <p>To develop and promote the Council's purpose and vision the Council has a five year Corporate Plan ("Improving High Peak", which identifies priorities for action. It sits under the High Peak Community Strategy, has regard to community priorities established through extensive consultation, ensures that the Council contributes to the Derbyshire LAA targets, and is underpinned by an effective performance management system. This document is used in strategic and business planning and is revised annually. Supporting the Corporate Plan are a series of individual service delivery plans, and related strategies, including the Medium Term Financial Strategy, workforce development plan, and the equalities and diversity scheme.</p> <p>The Council's vision and aims are widely publicised (e.g. through the annual report), and all employees are expected to know how their work contributes to meeting the vision and aims.</p> <p>The Council's work with the community is also shown in its partnership working and this is strengthened by its Partnership Protocol, which provides clear guidance on governance issues relating to partnerships.</p> <p>The Council has further developed its values through PRIDE:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">People First</td> <td>Putting our customers and communities first</td> </tr> <tr> <td>Respect</td> <td>Valuing our customers and colleagues, respecting people and welcoming diversity.</td> </tr> <tr> <td>Innovation</td> <td>Challenging the way we do things, being creative, looking for new and better ways of working</td> </tr> <tr> <td>Deliver</td> <td>Delivering value for money and excellent performance</td> </tr> <tr> <td>Exceed expectations</td> <td>Exceeding the expectations of customers and the community by going the extra mile.</td> </tr> </table> <p>To assist in the above the Council has achieved Investors in People 'Gold' status across the whole Council and this helps to reinforce the Council's purpose and vision.</p>	People First	Putting our customers and communities first	Respect	Valuing our customers and colleagues, respecting people and welcoming diversity.	Innovation	Challenging the way we do things, being creative, looking for new and better ways of working	Deliver	Delivering value for money and excellent performance	Exceed expectations	Exceeding the expectations of customers and the community by going the extra mile.
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2.	Review on a regular basis the council's vision for the local area and its impact on the council's governance arrangements.
	<p>The Corporate Plan is reviewed annually the last review being approved by the Council in March 2009 following extensive public and partner consultation.</p> <p>The governance arrangements in the Council have also been reviewed and the Audit and Regulatory Committee approved this review in February 2009.</p>
3.	Ensure partnerships are underpinned by a common vision of their work that is understood and agreed by all parties.
	The Council has in place a Partnership Protocol, which provides guidance on governance issues in partnerships. It assists those involved in partnerships to develop a common vision with partners in a clear and understandable framework. This document is supported by partnership registration, annual review forms and a partnership register. Also annual reporting to Select Committees on the performance of partnerships.
4.	Publish an annual report on a timely basis to communicate the council's activities its financial position and performance.
	The Council publishes an annual report and performance plan and an annual set of accounts (audited by the Audit Commission). The annual report shows the financial position of the Council.
5.	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.
	<p>The Council has in place a robust performance management framework that measures key performance indicators across the service areas of the Council. This is supported by monthly performance updates from service areas and an Improvement Board that oversees the process corporately. Where action is necessary to improve service a performance improvement plan will be put in place.</p> <p>The Council undertakes citizens' panel surveys to measure customers' satisfaction with council services and this is supported by individual service area surveys. The results are reported quarterly to the Corporate Select Committee and the Executive.</p>
6.	Put in place effective arrangements to identify and deal with failure in service delivery.
	<p>The performance management framework assists in identifying failures in service and these will be reported to the Alliance Management Team, Improvement Board, Corporate Select and the Executive. Where necessary a performance improvement plan will be put in place to address issues.</p> <p>The Council's compliments, comments and complaints procedure also identifies issues that need to be addressed.</p>

7.	Decide how value for money is to be measured and make sure that the council or partnership has the information needed to review value for money and performance effectively
	The Council has in place a performance management framework and measures itself against other authorities through its members of the CIPFA statistical service and through APSE
8.	Measure the environmental impact of policies, plans and decisions.
	The Council has been accredited every year since 2000 under the Eco Management and Audit Scheme (EMAS). There is a requirement for all formal reports and major projects that the environmental impacts of proposals are considered. Several of the National Indicators further assist the Council to measure the environmental impact of its policies, plans and decisions, and the Council is performing well against the NI targets.
2.	Members and officers working together to achieve a common purpose with clearly defined functions and roles
1.	Set out a clear statement of the respective roles and responsibilities of the executive and of the executive members individually and the council's approach towards putting this into practice.
	Roles and responsibilities of the executive and of the executive members are reviewed annually and clearly set out in the Council's Constitution. This is supported through councillor training including a comprehensive training programme following local elections. The Council has signed up to the principles of the East Midlands Councillor Development Charter and supports councillor training and development with a comprehensive programme. Within the Constitution there are also codes of conduct.
2.	Set out a clear statement of the respective roles and responsibilities of other council members, members generally and senior officers.
	See 1 above. Role descriptions for Councillors holding a variety of key positions has been adopted as per the Councillor Development Charter.
3.	Determine a scheme of delegation and reserve powers within the constitution including a formal schedule of those matters specifically reserved for collective decision by the council, taking account of relevant legislation, and ensure that it is monitored and updated when required.
	There is a clear Scheme of Delegation in the Constitution, which includes a formal schedule of those matters specifically reserved for collective decision by the Council. The Audit and Regulatory committee reviews the scheme at least annually. The Monitoring Officer has delegated authority to update it to reflect changes in legislation. The Constitution is reviewed regularly and following the new Senior Management Structure reorganisation the scheme of delegation within the Constitution was amended to reflect the new structure and the new roles within it. These amendments were then approved by the Audit and Regulatory Committee in September 2009.

4.	Make a chief executive or equivalent, responsible and accountable to the council for all aspects of operational management.
	The Chief Executive's responsibilities are clearly identified in the Scheme of Delegation and his job description.
5.	Develop protocols to ensure that the leader and chief executive negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained.
	Roles and responsibilities are clearly identified in the Scheme of Delegation. The Chief Executive meets weekly with the Leader of the Council to keep these under review There are regular meetings between the Chief Executive and the leader of the Council.
6.	Make a senior officer (section 151 officer) responsible to the council 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 control.
	This matter is addressed in the Scheme of Delegation and in the job description of the Head of Finance. There is also statutory provision for this role and the Council's financial regulations ensure that that provision is made for keeping proper financial records and accounts, and for maintaining an effective system of internal control.
7.	Make a senior officer (usually the monitoring officer) responsible to the council for ensuring that agreed procedures are followed and that all relevant law is complied with.
	There is statutory provision for this role; it is also covered in the Monitoring Officers job description and in the Monitoring Officer Protocol and Article 11 of the Constitution.
8.	Develop protocols to ensure effective communication between members and officers in their respective roles.
	Councillors and Officers will comply with their respective Codes of Conduct and the Protocol on Officer/Member Relations 'Rights and Responsibilities' set out in the Constitution
9.	Set out the terms and conditions for the remuneration of members and officers and an effective structure for managing the process, including an effective member allowances panel.
	An independent Remuneration Panel for councillors is in place. For officers pay, terms and conditions are determined through national and local agreements. The Council has in place a Pay and Workforce Development strategy.
10.	Ensure that effective mechanisms exist to monitor service delivery.
	The Council has in place the following mechanisms for monitoring service delivery: <ul style="list-style-type: none"> • Scrutiny role of select committees, holding the Executive to account • Performance Management framework • Work of Internal Audit • Comments, Compliments and Complaints system

11.	Ensure that the Council’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.
	<p>The Council’s vision is set out in the Corporate Plan and 3 year medium term financial strategy. There is extensive consultation every year as the Plan is reviewed and refreshed, including through focus groups, area forums, citizens’ panel members, the business community, young people, partners (e.g. police, Primary Care Trusts, Derbyshire County Council) and other community groups.</p> <p>The Council’s vision, strategic plans, priorities and targets are clearly shown on the Council’s website and in the annual report. There are staff and councillor briefings to ensure that everyone is aware of the priorities and our progress against targets.</p>
12.	When working with partners ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the council.
	The Council has in place “Appointment to external bodies” guidance for councillors that sets out their roles individually and collectively in relation to the partnership and the Council. There is a partnership protocol in place and partnership registration forms and annual reporting on partnerships to members.
13.	When working with partners ensure that there is clarity about the legal status of the partnerships.
	The Council’s Partnership Protocol provides guidance on these matters. There is also a register of significant partnerships.
14.	When working with partners ensure that representatives or organisations both understand and make clear to all other partners the extent of their council to bind their organisation to partner decisions.
	See 13 above.
3.	Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour
1.	Ensure that the Council’s leadership sets the tone for the organisation by creating a climate of openness, support and respect.
	The Council has in place a range of measures that reflect the Council’s leadership commitment to a climate of openness, support and respect. The Council has in place a Whistle blowing Policy (including an entry on the Council’s website), complaints etc policy, codes of conduct, Equalities and Diversity Scheme and rights and responsibilities documents. . This philosophy is reinforced by the Council’s PRIDE commitment (See 1.1 above). There is also an anti bullying code in place.

2.	<p>Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the council, its partners and the community are defined and communicated through codes of conduct and protocols.</p>								
	<p>The Council has in place standards of conduct and personal behaviour expected of councillors and officers and in its dealings with partners and the community. These codes include codes of conduct for councillors and officers, protocol for councillor / officer relations, bullying and harassment code, codes for councillors on outside bodies and the Partnership Protocol.</p> <p>The Council has in place a register of interests and a register of gifts and hospitality for councillors and officers.</p> <p>To report any wrongdoing there is a Whistle blowing Policy in place as well a Fraud and Corruption response plan.</p>								
3.	<p>Put in place arrangements to ensure that members and employees are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice.</p>								
	<p>Councillors and officers are expected not to be prejudiced, biased or open to conflicts of interest whilst conducting their duties. To ensure that councillors and officers operate to the highest standards the Council has put in place appropriate arrangements. These include those described in 1 and 2 above and additionally it has included in its Constitution the ten principles of conduct (including honest, accountability and openness). It also has in place a register of interests for councillors and officers. The Constitution also contains a decision-making process section to aid those responsible for making decisions.</p> <p>Training has also been provided to officers on governance issues and councillors cannot sit on the Development Control or Licensing Committees without first having had appropriate training.</p>								
4.	<p>Develop and maintain shared values including leadership values for both the council and its staff reflecting public expectations and communicate these with members, staff, the community and partners.</p>								
	<p>The Council has developed its values through PRIDE</p> <table border="0" data-bbox="336 1117 1456 1404"> <tr> <td data-bbox="336 1117 649 1197">People First Respect</td> <td data-bbox="672 1117 1456 1228">Putting our customers and communities first Valuing our customers and colleagues, respecting people and welcoming diversity.</td> </tr> <tr> <td data-bbox="336 1228 649 1300">Innovation</td> <td data-bbox="672 1228 1456 1300">Challenging the way we do things, being creative, looking for new and better ways of working</td> </tr> <tr> <td data-bbox="336 1300 649 1340">Deliver</td> <td data-bbox="672 1300 1456 1340">Delivering value for money and excellent performance</td> </tr> <tr> <td data-bbox="336 1340 649 1414">Exceed expectations</td> <td data-bbox="672 1340 1456 1414">Exceeding the expectations of customers and the community by going the extra mile.</td> </tr> </table>	People First Respect	Putting our customers and communities first Valuing our customers and colleagues, respecting people and welcoming diversity.	Innovation	Challenging the way we do things, being creative, looking for new and better ways of working	Deliver	Delivering value for money and excellent performance	Exceed expectations	Exceeding the expectations of customers and the community by going the extra mile.
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	<p>See also 1 above. The Council has a corporate vision of supporting people, creating jobs and prosperity, protecting the environment and improving the Council.</p> <p>The Council's PRIDE values were developed following staff consultations and they are under review following the formation of the Strategic Alliance.</p> <p>These have been communicated to officers and councillors including via the staff conference, the Alliance magazine, other presentations and through the annual report.</p>
5.	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.
	<p>Systems and processes are designed in conformity with appropriate ethical standards. The Council has in place a Standards Committee that is chaired by an independent member (not an elected councillor). The membership of the Committee also includes independent members and parish councillors as well as HPBC councillors. The terms of reference of the Committee includes "promoting high standards of conduct".</p> <p>The Codes of conduct for councillors and officers and the Personnel Practice Notes for officers also assist in ensuring appropriate ethical standards are adhered to.</p> <p>Monitoring is undertaken by the Council's Monitoring Officer and through the work of Internal Audit.</p>
6.	Develop and maintain an effective standards committee.
	See 5 above.
7.	Use the council's shared values to act as a guide for decision-making and as a basis for developing positive and trusting relationships within the Council.
	<p>The values of the Council do foster positive and trusting relationships within the Council. This is reflected in the PRIDE values (see 4 above), the revised whistle blowing procedures which confirm that staff will not be victimised in any way for whistle blowing.</p> <p>The staff survey results also reflect the positive and trusting relationships within the Council.</p>

8.	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.
	The Council has put in place a Partnership Protocol, which will assist in ensuring that partnerships are successful through the creation of values, which can be judged, and through the behaviour of partners. There is also in place a Derbyshire Compact for working with voluntary and community organisations this agreement set out a framework for the relationship between the statutory sector, voluntary and community organisations.
4.	Taking informed and transparent decisions which are subject to effective scrutiny and risk management
1.	Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the council's performance overall and that of any organisation for which it is responsible.
	<p>The Council has in place an effective scrutiny function, which encourages constructive challenge and enhances the council's performance. At the forefront of scrutiny are the Select Committees and the call in procedure.</p> <p>Select Committees and sub committees scrutinise specific issues e.g. High Peak Community Housing, anti social behaviour, Pavilion Gardens and capital expenditure. Other groups also fulfil a challenge role including: the Performance Board, Resources Board, Modernisation Board and the Corporate Governance Working Group.</p> <p>Scrutiny is supported by robust evidence & data analysis.</p>
2.	Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which they were based
	<p>All decisions made in the Council are supported by documentation with reports to Committee. Decisions are minuted. The Council in its Constitution has a decision making process in place to aid those making decisions.</p> <p>The Simply Projects methodology for managing projects provides officers with a framework for managing projects.</p>
3.	Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice.
	The Council has put in place arrangements to safeguard councillors and employees against conflicts of interest. The Council has codes of conduct for councillors and officers. There are registers of interest for councillors and officers and reminders are sent out regularly. To help ensure that they continue to operate training has been provided to councillors and officers.

4.	Develop and maintain an effective audit committee which is independent of the executive and scrutiny functions.
	<p>The Council has an Audit and Regulatory Committee whose terms of reference are included in the Constitution. No member of the Executive sits on the Committee. The Committee is chaired by one of the Independent members of the Council.</p> <p>An example of the effectiveness of the Committee is that it has required an update to the Crescent development to be presented to it at each meeting. The Crescent development is a key strategic risk to the Council.</p> <p>Members of the Committee have received bespoke training on: Local Government Finances, Internal Audit and Risk Management.</p>
5.	Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints.
	<p>The Council introduced a revised complaints policy and procedure in October 2009 , approved by the Councils Standards Committee, consistent with that operated by Staffordshire Moorlands to ensure common standards of operation. The procedure is promoted via leaflets and the web site, and staff training has been undertaken to ensure understanding within the Council. Regular reports are made to the Corporate Select Committee in respect of performance of the procedure and operation of the policy</p>
6.	Ensure that those making decisions whether for the council or a partnership are provided with information that is fit for purpose – relevant, timely and gives clear explanations of technical issues and their implications.
	<p>The Council has a Data Quality Policy, which will be reviewed by March 2010 that clearly established the need for accurate, fit for purpose, relevant and timely data. Those making decisions are given clear explanations about technical issues and the implications. There is in place a reporting template for reports to councillors. Officers have been provided with plain English training.</p>
7.	Ensure that professional advice on matters that have legal and financial implications is available and recorded well in advance of decision-making and used appropriately.
	<p>Professional advice on matters that have legal and financial implications is available and is shown in reports where relevant. All reports will report on legal and financial implications and the Management Team review all reports before they are presented to councillors.</p>
8.	Ensure that risk-management is embedded in the council’s culture, with members and managers at all levels recognising that risk management is part of their jobs.
	<p>The Council has in place a risk management policy supported by a risk management toolkit that is available to all staff via the Intranet. The Council has in place strategic and operational risk registers, which identify key risks to the Council and the service areas. A risk management group exists, which also helps to embed risk management across the Council.</p> <p>Heads of Service are responsible for risks in their business area and risk management plays an important part in the business planning processes in the Council. It is also key component in project management</p>

9.	Ensure that arrangements are in place for whistle-blowing to which staff and all those contracting with the council have access.
	Arrangements are in place for whistle blowing to which staff and all those contracting with the Council have access. The policy was revised in April 2008 and is now available on the Council's website and Intranet. It includes means of reporting confidentially. Details of the whistle blowing policy are also made known to contractors.
10.	Actively recognise the limits of lawful activity placed on them by, for example, the ultra vires doctrine but also strive to use powers to the benefit of their communities.
	<p>The Council's Monitoring Officer and Legal Team are consulted on whether proposed courses of action are legal or not. The Monitoring Officer is a member of the Management Team. When necessary external legal advice is sought. All reports contain a section about legal implications.</p> <p>The Council's Constitution assists in ensuring that the activities and decision making of the Council are lawful and in ensuring that powers are used to the benefit of the community.</p>
11.	Recognise the limits of lawful action and observe both the specific requirements of the law and the general responsibilities placed on council's by public law.
	The Council's Monitoring Officer and Legal Team are consulted on whether proposed courses of action are legal or not. The Monitoring Officer is a member of the Management Team. All reports contain a section about legal implications.
12.	Observe all specific legal requirements as well as the requirements of general law and, in particular, to integrate the key principles of administrative law – rationality, legality and natural justice – into our procedures and decision-making processes.
	<p>The Council's Monitoring Officer and Legal Team are consulted on whether proposed courses of action are legal or not. The Monitoring Officer is a member of the Management Team. All reports contain a section about legal implications.</p> <p>Officers from Democratic Services provide support, advice and guidance on administrative law to both councillors and officers including written guidance and extensive councillor training.</p>

5.	Developing the capacity and capability of members and officers to be effective
1.	Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis.
	<p>The Council's induction programmes for councillors and officers is comprehensive and there are opportunities to develop and update skills. This is demonstrated by the fact that the Council has Investors in People accreditation across the Council.</p> <p>There is a staff handbook, which they are given when they start and on the Intranet there is full access to Personnel procedure notes and other key Council Documents. Staff have an annual appraisal and learning needs assessment. The Management & Leadership Programmes (Exceeding Excellence, IDeA), joint learning and development programmes is an example of where the Council has developed skills of officers in conjunction with neighbouring authorities.</p> <p>There is a councillor handbook. There is a regular training for councillors including 1:1 ICT training. Councillors have available to them a dedicated "Councillor's Portal" on the Intranet, which includes guidance and e learning opportunities. There is a councillor induction programme and a councillor development and support group. There are councillor personal development plans.</p>
2.	Ensure that the statutory officers have the skills, resources and support necessary to perform their roles effectively and ensure these roles are properly understood throughout the council
	<p>All statutory officers have an appraisal, which will include an assessment of skills, and development needs. This is particularly relevant to the Monitoring Officer, Section 151 Head of Paid Service officers. For example, the Monitoring Officer has a budget for continuing professional development and for attending Annual Standards Assembly and other relevant events.</p>
3.	Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively.
	<p>Officer training needs are identified as part of staff appraisal. This will include an assessment of development needs to assist in officer development and in providing them with skills to undertake their roles efficiently and effectively. There is a managers competencies in place and a managers training programme. The Council encourages staff to develop their skills and knowledge.</p> <p>There is a councillor development and support group and a Councillor training programme in place including a full programme following May 07 elections. Licensing and Planning training programmes in place for councillors on these Committees. There are personal development plans for councillors.</p>

4.	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.
	A councillor training and development programme is in place. The Councillor Development and Support Group steers the process and this includes scrutiny. The “Councillors ~Portal” on the Council’s Intranet site also provides support.
5.	Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan which aims to address any training or development needs.
	<p>Effective arrangements are in place for reviewing the performance of the executive as a whole and of individual councillors. Through briefing sessions and away days any performance and training issues can be identified. The forward plan allows councillors on the scrutiny committees to effectively scrutinise the work of the Executive. There are individual learning plans for councillors. See also 4 above.</p> <p>Members of the Executive agree key priorities and tasks at the start of each year, these are linked to the corporate plan and are regularly monitored.</p>
6.	Ensure that effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the council.
	This is achieved through various mechanisms, including area forums, the Citizens Panel, focus groups and consideration of any submitted petitions. We also engage with a wide variety of community groups through our close working with the High Peak CVS. There is also the “Going Local” initiative to encourage local participation in determining the use of funds for small scale local ‘greener, cleaner and safer’ improvements. The Council has in place a Communications & Marketing Strategy, recently comprehensively reviewed, which helps to ensure that there is effective communication with the community.
7.	Ensure that career structures are in place for members and officers to encourage participation and development.
	<p>Councillors and officers are encouraged to participate in development opportunities. There is an annual training programme and staff have the opportunity to undertake professional qualification. Staff training needs are identified through staff appraisals. There is a workforce strategy in place, which includes succession planning and the exceeding excellence programme. There will be career opportunities through the strategic alliance with Staffordshire Moorlands D.C.</p> <p>For councillors there is a councillor development working group and councillor training is provided. The Council has signed up to the “Local Government East Midlands Members Development Charter”</p>

6.	Engaging with local people and other stakeholders to ensure robust public accountability
1.	Ensure that the council is clear about who is accountable and for what and makes this clear to staff and the community.
	<p>The Council's Constitution makes accountability clear. Job descriptions of officers make it clear what the duties and responsibilities of officers are. The Constitution of the Council is available on the Council's website.</p> <p>The Council on the Intranet has its compliments, comments and complaints and whistle blowing procedure which contribute to ensuring accountability.</p> <p>The Council through induction, guidance, briefings and the appraisal system make it clear to staff what their duties are with regards to accountability.</p> <p>The Council also makes itself accountable to the community through area forums, citizens' panels and friends groups.</p>
2.	Consider stakeholders to whom the council is accountable and assess the effectiveness of the relationship and any changes that may be needed.
	This is achieved through the local area forums and citizens' panels and the Local Strategic Partnership. There is consultation with business ratepayers before setting the budget. The Council works closely with the voluntary sector through a compact, which provides continuous evaluation of the Council's relationship with the voluntary sector. The Council's Communications Strategy also contributes to effective relationships between the Council and its stakeholders.
3.	Produce an annual report on the activity of the scrutiny function.
	The Council prepares an annual report, which includes a section on the role of the scrutiny function and their activities.
4.	Ensure that clear channels of communication are in place with all sections of the community and other stakeholders and put in place monitoring arrangements to ensure that they operate effectively.
	<p>This is achieved primarily through the work of the Communications & Marketing Team, which has a clear strategy for effective communication with all sections of the community. The Council communicates with stakeholders through various mechanisms, including the local area forums and citizens panels. The Council's 'Connect' magazine is issued 3 times a year which is distributed to all households and businesses in the Borough. Documents are available in alternative languages, including via the Council's website, "language line", in large print, Braille and in audio formats.</p> <p>Procedures are in place to consult with hard to reach groups. The Council also works closely with High Peak CVS to contact and engage with hard to reach groups.</p>

	<p>Area Forums request feedback from those attending, e.g. local Access Groups concerned about hard of hearing being able to follow what is happening, so we now use a large screen to type up what is being said.</p> <p>There are regular meetings with newspaper editors locally.</p> <p>Monitoring is undertaken via evaluation and feedback, e.g. feedback via citizens panel members, the Place Survey and media monitoring.</p>
5.	Hold meetings in public unless there are good reasons for confidentiality.
	<p>Scrutiny and other committees are normally held in public unless the business is considered to be confidential and part 2 business when the public and press are excluded. For this to occur strict statutory guidelines are observed.</p> <p>All statutory meetings are held in public and very little is considered to be exempt.</p>
6.	Ensure that arrangements are in place to enable the council 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.
	<p>The Council is committed to communicating with all sections of the Community. This is largely seen through the work of the Policy and Community Teams who have procedures in place for engaging with all sections of the community including hard to reach groups. Further details can be seen in 4 above.</p>
7.	Establish a clear policy on the types of issues we will consult on or engage with the public and service users about including a feedback mechanism for those consultees to demonstrate what has changed as a result.
	<p>The Council has a consultation and engagement strategy, which has recently been comprehensively reviewed. The aim is to consult on all services provided by the Council. There is feedback to Citizen Panel Members via a regular newsletter.</p> <p>In the Council's 'Connect' magazine there is a "You said ... we did" section that identifies how the Council responds to comments and suggestions made for service improvement. The Council also has in place a policy for dealing with complaints, which includes the need for contact by phone or in person by the Service Head or manager with those who are complaining, before responding.</p>
8.	Publish a performance plan annually giving information on the council's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period.
	<p>The Council does produce an annual report and performance plan in accordance with best practice. The report includes the Council's vision, achievements, performance, priorities, future plans and a summary of the annual accounts.</p>

9.	Ensure that the council as a whole is open and accessible to the community, in all its dealings, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.
	<p>The council is open and accessible to the community service users and its staff having made a commitment to openness and transparency. This can be seen in the fact that the vast majority of meetings are open to the public and through consultation via area forums and the citizens' panel.</p> <p>Staff are informed via cascading of information. The Council has Investors in People and Charter Mark accreditation.</p> <p>The Call High Peak facility via Customer Services means that customers and the community can contact the Council easily and in most cases have their queries answered / dealt with at the first point of contact.</p> <p>The partnership protocol ensures effective relationships with partners.</p> <p>Confidentiality where necessary is respected and this can be seen in the whistle blowing policy.</p>
10.	Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision-making.
	All draft policies affecting staff go to the trade unions and there is a Joint Consultative Committee (JCC) on which management and the trade unions are represented.

2008/9 Governance Code Action Plan:

Ref	Criteria	Action Needed	Lead Officer	Current Position
2.14	When working with partners ensure that they both understand the extent to which their organisation is bound by decisions of the partnership.	To develop this further	Assistant Chief Executive	ACHIEVED through annual review and Partnership Protocol.
		To review Partnerships	Members	July 2009 ACHIEVED . Members reviewed key partnerships in 2009/10.
4.7	Ensure that professional advice on matters that have legal and financial implications is available and recorded well in advance of decision-making and used appropriately.	Need ensure that the process for considering these matters is robust	Head of Legal & Democratic Services	December 2009 ACHIEVED . Legal advice is available.
4.8	Ensure that risk-management is embedded in the council's culture; with members and managers at all levels recognising that risk management is part of their jobs.	Need ensure that the process for risk management is robust	Head of Finance & Revenues	September 2009 ACHIEVED . Risk management is part of the culture of the Council and Heads of Service see it as part of their responsibilities.
6.7	Establish a clear policy on the types of issues we will consult on or engage with the public and service users about including a feedback mechanism for those consultees to demonstrate what has changed as a result.	Need to Review Consultation Strategy	Assistant Chief Executive	September 2009 ACHIEVED . Policy developed as part of the Alliance.
1.7	Decide how value for money is to be measured and make sure that the council or partnership has the information needed to review value for money and performance effectively.	To develop further Unit costing as a benchmarking and comparative tool.	Head of Finance & Revenues	September 2009 ACHIEVED managed in accordance with guidance for NI 179 for Value for Money

2.3	Determine a scheme of delegation and reserve powers within the constitution including a formal schedule of those matters specifically reserved for collective decision by the council, taking account of relevant legislation, and ensure that it is monitored and updated when required.	Review of the Constitution	Head of Legal & Democratic Services	April 2010 and ongoing ACHIEVED presented to Audit & Regulatory Committee Sept 09
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2009/10 Governance Code Action Plan:

Ref	Criteria	Action Needed	Lead Officer	Target Date
5.6	Ensure that arrangements are in place to enable the council 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.	To review the Council's Data Quality Policy.	Janet Dickinson	March 2010