

### KIRKLEES COUNCIL

#### Local Code of Corporate Governance

Good corporate governance is based on openness, inclusiveness, integrity and accountability and is demonstrated through the systems by which a local authority directs and controls its functions and relates to its communities.

It is about the leadership of communities and developing confidence, through the way that councillors and officers establish strategies, objectives and policies measure their achievement and operate the business of the council.

In Kirklees, this is led by the Council's [Corporate Plan](#) with its emphasis on working with People, Partners and Place and the Council's 7 shared outcomes. Kirklees Council recognises the climate emergency and has committed to being aware of and minimising the impact of all of its policies and operations on the climate.

**Note** – The Code takes account of the principles of the current framework containing in CIPFA/SOLACE *'Delivering Good Governance in Local Government: Framework (2016 Edition)'*

#### This involves:

- Focusing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area;
- Taking informed, transparent and accountable decisions which are subject to effective scrutiny, monitoring of achievement of performance and the management of risk;
- Engaging with local people and other stakeholders to ensure robust public accountability;
- Councillors and officers working together effectively to achieve outcomes;
- Achieving a common purpose with clearly defined functions and roles;

- Developing the capacity and capabilities to provide effective leadership;
- Promoting the values of the Authority and demonstrating good governance;
- Upholding high standards of conduct and behaviour, ethical standards and legal compliance.

Delivering these objectives involves both **community focus** and **service provision**, in the context of establishing **standards of conduct** for those involved, business **structures and processes** and **internal control and risk management**. These standards are dealt with in more detail in the sections below.

This Code is underpinned by the seven key principles set out in the current revised framework '*Delivering Good Governance in Local Government: Guidance notes for English Authorities (2016 Edition)*', published by CIPFA and SOLACE.

The table below summarises how the various principles for good governance in the public sector relate to each other and how we at Kirklees can show that they are achieved. Principles A and B permeate implementation of principles C to G as they provide the overarching requirements for acting in the public interest. Principles C to G focus on the implementation of governance and achievement of outcomes. The table also illustrates that good governance is dynamic and that an entity as a whole should be committed to improving governance on a continuing basis through a process of evaluation and review.

<b>Principle A – Behaving with Integrity, demonstrating strong commitment to ethical values, and respecting the rule of law</b>		
<b>Supporting Principles</b>	<b>To achieve this, Kirklees Council will:</b>	<b>This is evidenced by:</b>
<ul style="list-style-type: none"> <li>• Behaving with Integrity</li> <li>• Demonstrating Strong Commitment to Ethical Values</li>   <li>• Respecting the rule of law</li> </ul>	<ul style="list-style-type: none"> <li>• Publish an Annual Governance Statement which reviews the effectiveness of the Council's governance framework.</li> <li>• Comply with legislation and all relevant professional standards.</li> <li>• Maintain formal codes of conduct defining standards of behaviour expected of both Members and Officers.</li> <li>• Maintain a Gifts and Hospitality register.</li> <li>• Maintain a policy framework to address the risks of fraud and corruption including a Counter Fraud, Bribery &amp; Corruption Policy, &amp; Whistleblowing policy.</li> <li>• Maintain effective systems to protect the rights of staff, including whistleblowing policies that are accessible and regularly communicated.</li> <li>• Maintain effective systems to protect the rights of staff, including whistleblowing policies that are accessible and regularly communicated.</li> </ul>	<ul style="list-style-type: none"> <li>• Annual Governance Statement</li> <li>• Code of Conduct for members</li> <li>• Officer Code of Conduct</li> <li>• Webcasting of Council Meetings</li> <li>• Council Meeting Minutes</li> <li>• Counter Fraud, Bribery and Corruption Policy</li> <li>• Whistleblowing Policy</li> <li>• Audit Charter</li> <li>• Internal Audit Reports</li> <li>• Register of Interests</li> <li>• Register of Gifts and Hospitality</li> <li>• Complaints process</li> <li>• Contract Procedure Rules</li> <li>• Financial Procedure Rules</li> <li>• Statement of Accounts</li> <li>• External Inspection of the Statement of Accounts</li> <li>• Standards Committee</li> <li>• All Committee Reports include detailed analysis of all implications and the required Equalities Impact Assessment</li> <li>• Schemes of Delegation to Officers</li> <li>• Appointment and Dismissal of Staff</li> <li>• Procurement Strategy</li> </ul>

	<ul style="list-style-type: none"><li>• Maintain a register of interests and require member declarations to be recorded.</li><li>• Maintain arrangements to investigate complaints against Members and Officers including alleged misconduct.</li><li>• Maintain an effective Standards Committee.</li><li>• Deliver the People Strategy which sets the expectations of the values, skills and behaviours we expect from staff working for Kirklees Council.</li><li>• Complete Integrated Impact Assessments to help Kirklees Council meet the statutory equality and communities requirements and to embed economic, social and environmental sustainability into everything the council does.</li><li>• Publish a Modern Slavery Act Transparency Statement.</li><li>• Have an agreed Procurement Strategy that ensures suppliers procure and commission services, works and supplies and to develop effective solutions that deliver quality, value-for-money goods and services and broader economic</li></ul>	
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	<p>social and environmental outcomes.</p> <ul style="list-style-type: none"><li>• Recruit and select employees in line with the Council's policies and procedures.</li><li>• Ensure that partnerships are established with common aims and with clear outputs and outcomes.</li></ul>	
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<b>Principle B – Ensuring openness and comprehensive stakeholder engagement</b>		
<b>Supporting Principles</b>	<b>To achieve this, Kirklees Council will:</b>	<b>This is evidenced by:</b>
<ul style="list-style-type: none"> <li>• Openness</li> <li>• Engaging comprehensively with Institutional Stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• Seek the views of its stakeholders and respond appropriately.</li> <li>• Provide a variety of opportunities for the public to engage effectively with the Council as set out in article 3 of the constitution including rights to information, participation and how to complain or comment.</li> <li>• Ensure key Council meetings are accessible.</li> <li>• Publish Agendas, minutes, report packs and a calendar for a full year for Council meetings and a formal notice of each meeting will be displayed at Council offices.</li> <li>• Ensure compliance with requirements under the transparency code – published</li> </ul>	<ul style="list-style-type: none"> <li>• Clik survey</li> <li>• Public attendance at Council meetings</li> <li>• Webcasting of Council meetings</li> <li>• Constitution</li> <li>• The Council’s website</li> <li>• Open Data Platform</li> <li>• Communications Strategy</li> <li>• Medium Term Financial Strategy (MTFS)</li> <li>• Statement of Accounts</li> <li>• External Inspection of the Statement of Accounts</li> <li>• Involve tool and the Kirklees Consultation website</li> </ul>

	<p>on the Councils website and Open Data platform.</p> <ul style="list-style-type: none"><li>• Set a balanced budget.</li><li>• Publish an Annual Statement of Accounts and Annual Auditors report to inform stakeholders and service users of the previous years achievements and outcomes.</li><li>• Encourage and assist citizens to inspect the Statement of Accounts in accordance with regulations.</li><li>• Ensure public consultation on the annual budget.</li></ul>	
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<b>Principle C – Defining outcomes in terms of sustainable economic, social, and environmental benefits</b>		
<b>Supporting Principles</b>	<b>To achieve this, Kirklees Council will:</b>	<b>This is evidenced by:</b>
<ul style="list-style-type: none"> <li>• Defining Outcomes</li> <li>• Sustainable economic, social and environmental benefits</li> </ul>	<ul style="list-style-type: none"> <li>• Make a clear statement of the Council’s purpose and vision and use it as a basis for all corporate &amp; Service planning.</li> <li>• Publish on the Council’s website all annual reports to communicate the Council’s activities and achievements including its financial position and performance.</li> <li>• Prioritise resources to deal with competing demands and consider the impact of decisions in the medium-term financial strategy.</li> <li>• Identify and manage risks to the achievement of outcomes.</li> <li>• Have a clear, published Procurement Strategy.</li> </ul>	<ul style="list-style-type: none"> <li>• Council Plan</li> <li>• Kirklees Council Budget and Spending</li> <li>• Statement of Accounts</li> <li>• External Inspection of the Statement of Accounts</li> <li>• Financial Strategy (MTFS)</li> <li>• Corporate Risk Reports</li> <li>• Procurement Strategy</li> <li>• Environment Strategy</li> <li>• Kirklees Economic Strategy</li> </ul>



<b>Principle D – Determining the interventions necessary to optimise the achievement of the intended outcomes</b>		
<b>Supporting Principles</b>	<b>To achieve this, Kirklees Council will:</b>	<b>This is evidenced by:</b>
<ul style="list-style-type: none"> <li>• Determining Interventions</li> <li>• Planning Interventions</li> <li>• Optimising Achievement of intended outcomes</li> </ul>	<ul style="list-style-type: none"> <li>• Make a clear statement of the Council’s purpose and aims and use this as a basis for corporate and service planning.</li> <li>• Maintain a forward plan for reports and decisions to be made.</li> <li>• Regularly report on key performance Indicators (KPIs) which have been established for each service element.</li> <li>• Ensure budgets are prepared in accordance with organizational objectives and regularly reported upon.</li> <li>• Provide senior managers and members with timely financial and performance information.</li> </ul>	<ul style="list-style-type: none"> <li>• Council Plan</li> <li>• Corporate Performance Reporting</li> <li>• Publishing key performance data</li> <li>• Financial Strategy</li> <li>• Regular finance and performance reporting</li> <li>• Cabinet Forward Plan</li> </ul>

<b>Principle E – Developing the Council’s capacity, including the capability of its leadership and the individuals within it</b>		
<b>Supporting Principles</b>	<b>To achieve this, Kirklees Council will:</b>	<b>This is evidenced by:</b>
<ul style="list-style-type: none"> <li>• Developing the Council’s capacity</li> <li>• Developing the capability of the entity’s leadership and other individuals</li> </ul>	<ul style="list-style-type: none"> <li>• Set out a clear statement of the respective roles and responsibilities of the Council’s Executive, Full Council, and individual Members through the Constitution.</li> <li>• Maintain an effective workforce plan to enhance the strategic allocation of resources.</li> <li>• Maintain officer and member induction programme.</li> <li>• Assess the skills required by officers through the performance process and address any training gaps to enable roles to be carried out effectively.</li> <li>• Develop member training.</li> <li>• Regularly review the scheme of delegation and Constitution and update when required.</li> <li>• Ensure structures are in place to encourage public participation.</li> </ul>	<ul style="list-style-type: none"> <li>• Constitution</li> <li>• Induction Programme</li> <li>• Member – Officer training</li> <li>• Clik survey</li> <li>• Public Participation arrangements</li> <li>• Sickness Absence policy</li> <li>• Schemes of delegation for members and officers</li> </ul>

	<ul style="list-style-type: none"> <li>• Ensure arrangements are in place to maintain the health and wellbeing of the workforce.</li> </ul>	
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<b>Principle F – Managing risks and performance through robust internal control and strong public financial management</b>		
<b>Supporting Principles</b>	<b>To achieve this, Kirklees Council will:</b>	<b>This is evidenced by:</b>
<ul style="list-style-type: none"> <li>• Managing risk</li> <li>• Managing performance</li> <li>• Robust Internal Control</li> <li>• Managing Data</li> <li>• Strong public financial management</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain an effective Corporate Governance &amp; Audit Committee independent of executive and scrutiny functions.</li> <li>• Maintain an effective Scrutiny function.</li> <li>• Ensure robust and integrated risk management arrangements are in place and responsibilities for managing individual risks are clearly allocated.</li> <li>• Ensure effective performance management supported by regular Corporate Performance reporting that informs improved service delivery.</li> <li>• Ensure publication of Agendas and minutes.</li> </ul>	<ul style="list-style-type: none"> <li>• Corporate Governance and Audit Committee</li> <li>• Regular risk reports</li> <li>• Risk Management Policy and Strategy</li> <li>• Standards Committee</li> <li>• Corporate Performance Reporting</li> <li>• Publication on the Council's website</li> <li>• Terms of Reference</li> <li>• Regular Member Training</li> <li>• Financial Regulations</li> </ul>

	<ul style="list-style-type: none"> <li>• Maintain regular training for the Corporate Governance &amp; Audit Committee to enable effective performance.</li> <li>• Maintain financial regulations to ensure consistency and clear financial protocols.</li> <li>• Maintain a transparent complaints and feedback procedure.</li> <li>• Internal Audit annual risk-based programme of internal audits informed by the council's risk register.</li> <li>• Individual audits take account of service/ project risks, and each assurance report provides an opinion on how risks are being managed.</li> <li>• Ensure effective counter fraud and anti- corruption arrangements are in place.</li> <li>• Ensure effective information governance arrangements are in place to support compliance with existing and emerging legislation for data protection and privacy.</li> </ul>	<ul style="list-style-type: none"> <li>• Complaints processes and reporting</li> <li>• Regular Internal Audit reports including <ul style="list-style-type: none"> <li>- Head of Internal Audit report</li> <li>- Follow up reports</li> <li>- Regular reports on Internal Audit work</li> </ul> </li> <li>• Counter Fraud, Bribery and Corruption</li> <li>• Annual Governance Statement</li> <li>• Regular Finance and performance reporting</li> <li>• Medium term Financial Strategy</li> <li>• Quarterly budget monitoring</li> <li>• Privacy Notices</li> <li>• Information requests</li> <li>• Health and Safety Policy</li> </ul>
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	<ul style="list-style-type: none"><li>• Ensuring financial management supports decision making and provides sufficient information to support the delivery of the Councils objectives.</li><li>• Ensuring governance arrangements support decision making and provides sufficient information to support the delivery of the Council's objectives.</li><li>• Maintain Corporate Panels to assure processes re contracts and capital.</li><li>• Provide a safe working environment including a health &amp; safety framework and system.</li></ul>	
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<b>Principle G – Implementing good practices in transparency, reporting, and audit to deliver effective accountability</b>		
<b>Supporting Principles</b>	<b>To achieve this, Kirklees Council will:</b>	<b>This is evidenced by:</b>
<ul style="list-style-type: none"> <li>• Implementing good practice in transparency</li> <li>• Implementing good practices in reporting</li> <li>• Assurance and effective accountability</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain compliance with the local government transparency code and publish all required information in a timely manner.</li> <li>• Maintain effective and accessible arrangements for dealing with complaints.</li> <li>• Maintain an effective scrutiny function which encourages constructive challenge.</li> <li>• Maintain an effective Corporate Governance and Audit Committee independent of the Executive &amp; Scrutiny Committees.</li> <li>• Publish all Committee reports on the Council's website unless there is a legitimate need to preserve confidentiality based on the statutory test.</li> <li>• Maintain and regularly communicate whistleblowing policies.</li> <li>• Ensuring performance information is prepared on a consistent and timely basis.</li> </ul>	<ul style="list-style-type: none"> <li>• Open Data Platform.</li> <li>• Regular Information Governance and complaints reports including performance and benchmarking.</li> <li>• Complaints Annual Update Report.</li> <li>• Scrutiny Committees.</li> <li>• Corporate Governance and Audit Committee.</li> <li>• Council's website</li> <li>• Whistleblowing Policy.</li> <li>• Corporate Performance Reporting.</li> <li>• Annual Governance Statement.</li> <li>• Audit Charter.</li> <li>• Regular internal audit reports.</li> <li>• Opportunity for Corporate Governance and Audit Committee</li> </ul>

	<ul style="list-style-type: none"> <li>• Maintaining the Statutory Officers Group.</li> <li>• Maintain an effective Internal Audit function which conforms to the Public Sector Internal Audit Standards (PSIAS).</li> <li>• Welcome Peer Reviews and inspection from regulatory bodies and implement any recommendations.</li> <li>• Produce regular finance and budget and monitoring reports for members reporting on performance, value for money and stewardship of resources.</li> <li>• Produce regular reports for managers and members on the Council's performance in responding to data requests, both Freedom of Information Act requests and Subject Access Requests.</li> </ul>	<p>members to meet both internal and external auditors privately.</p> <ul style="list-style-type: none"> <li>• Peer Challenges.</li> <li>• Medium Term Financial Strategy.</li> <li>• Budget monitoring reports.</li> <li>• Regular Information Governance reports.</li> </ul>
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## **Community Focus**

In carrying out its duties and responsibilities, Kirklees Council will promote wellbeing by:

- Working for and with the Kirklees community;
- Exercising leadership, where appropriate, developing its approach to working in local areas;
- Working collaboratively through the City Region and the West Yorkshire Combined Authority;
- Maintaining effective arrangements for:
  - o accountability to stakeholders for its performance and the effectiveness in delivering its services and the sustainable use of resources;
  - o demonstrating integrity in its dealings with other public agencies, the private and voluntary sectors to build effective relationships and partnerships;
  - o demonstrating openness in all its dealings;
  - o demonstrating inclusiveness through effective communication and engagement with the local community;
  - o development of a clear vision and corporate strategy in response to corporate needs.

## **Service Delivery Arrangements**

Kirklees Council will monitor the implementation of its agreed policies and decisions and aim to achieve continuous improvement in the procurement and delivery of services by maintaining arrangements which:

- Demonstrate accountability for service delivery;



- Ensure effectiveness through measurement of performance;
- Prioritise the use of resources;
- Demonstrate integrity in its dealings with service users and partnerships to ensure the "right" provision of services locally;
- Work with partners to specify, and monitor delivery of services which are effective;
- Demonstrate openness and inclusiveness through its consultation with key stakeholders, including service users;
- Are flexible and can be kept up to date, and adapted to accommodate change and meet user wishes;
- Investigate any complaints fairly, and openly, and address any shortcomings.

### **Standards of Conduct**

Kirklees Council will:

- Exercise leadership by conducting itself as a role model for others to follow;
- Define standards of personal behaviour to be expected of Councillors and staff and those involved in service delivery;
- Require equal standards from partners, contractors and agents;
- Put in place arrangements that ensure:
  - o effectiveness, through monitoring compliance;
  - o integrity, by ensuring objectivity and impartiality are maintained in all relationships;
  - o accountability, through establishing clear and open processes and systems for investigating breaches and disciplinary problems, and taking action where appropriate (including arrangements for redress);

- o openness and inclusiveness, through the documentation of standards, and their regular review;
- o Avoidance or mitigation of prejudice, bias or conflict of interest.

### **Structures and Processes**

The Council will put into place effective political and managerial structures and processes to govern its decision-making and the exercise of its authority, through:

- Defining roles and responsibilities of Councillors and officers to ensure accountability, clarity and ordering of its business;
- Ensuring there is proper scrutiny and review of all aspects of performance and effectiveness , including formal Scrutiny, and call in powers;
- Demonstrating integrity by securing a proportional balance of power and authority;
- Documenting its structures and procedures and ensuring they are communicated and understood to demonstrate openness and are inclusive;
- Ensuring these structures and processes are kept up to date and adapted to meet change.

### **Internal Control and Risk Management**

Kirklees Council will establish and maintain effective business control systems and an effective strategy, framework and processes for managing risk which:

- Regularly update Financial Procedure Rules and Contract Procedure Rules

- Establish mechanisms to monitor and review effectiveness against agreed standards and targets and the operation of controls in practice through internal control and internal audit;
- Include public statements on its risk management strategy, framework and processes to demonstrate accountability;
- Demonstrate integrity by being based on robust systems for identifying, profiling, controlling and monitoring all significant strategic and operational risks;
- Include mechanisms to ensure the risk management and control process is monitored for compliance and that changes are accommodated;
- Display openness and inclusiveness through the involvement of those associated with the planning and delivering of services, including partners.

## **Delivery**

Kirklees Council will deliver the above outcomes through:

- Annually defining a series of local procedures and practices which together create the framework for good corporate governance;
- Nominating a lead officer for each area of activity who will be responsible for assessing effectiveness in practice.

The Service Director of Legal, Governance and Commissioning, working with the Corporate Governance and Audit Committee, has overall responsibility for Corporate Governance and will assess operational practice and behaviour, and prepare the overall Annual Governance Statement.

The key policies and procedures that will comprise the core of this process are listed below:

- The Council Constitution (including the Members and Officers Code of Conduct, Financial Procedure Rules and Contract Procedure Rules);

- Internal Audit Charter;
- Human Resource policies;
- Anti-Fraud, Anti-Corruption and Anti-Bribery Strategy;
- Whistleblowing Policy;
- Corporate Performance Management System;
- Health and Safety policies;
- Information Governance Framework;
- Procurement Strategy;
- Corporate Plan;
- Officer/Councillor Protocol;
- Partnership policies.
- Constitution, Financial Procedure Rules, Contract Procedure Rules