

SWT Special Audit, Governance and Standards Committee

Monday, 10th August, 2020,
6.15 pm

The logo for Somerset West and Taunton, featuring the text "Somerset West and Taunton" in white on a teal background with a white swoosh.

[SWT VIRTUAL MEETING WEBCAST LINK](#)

Members: Lee Baker (Chair), Derek Perry (Vice-Chair), Simon Coles, Hugh Davies, Caroline Ellis, Martin Hill, Janet Lloyd, Steven Pugsley, Vivienne Stock-Williams, Andrew Sully and Terry Venner

Agenda

1. Apologies

To receive any apologies for absence.

2. Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

3. Public Participation - To receive only in relation to the business for the Extraordinary Meeting

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

Temporary measures during the Coronavirus Pandemic

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding

meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will either be answered by the Chair of the Committee, or the relevant Portfolio Holder, or be followed up with a written response.

4. SWAP Internal Audit - Independent External Assessment Report 2020

(Pages 5 - 16)

The purpose of this report is to provide members with the outcomes from the recent independent external assessment for SWAP Internal Audit Services.

5. Draft Annual Governance Statement 2019/20

(Pages 17 - 46)

The purpose of the report is to present the Committee with the Annual Governance Statement 2019/20 (Appendix A) and accompanying Action Plan (Appendix B).

6. Consultation on National Model Code of Conduct

(Pages 47 - 72)

A short presentation regarding the recent seminar held by the LGA on the draft Model Code of Conduct and to discuss the Council's response to the consultation which closes on 17th August 2020.

7. Information Management Update

A short presentation regarding the SWT Information and Records Management Programme.



JAMES HASSETT
CHIEF EXECUTIVE

Please note that this meeting will be recorded. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you are advised otherwise, by taking part in the Council Meeting during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact the officer as detailed above.

Following Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will be live webcasting our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, but you can also access them on the [Somerset West and Taunton webcasting](#) website.

If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 2 clear working days before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Thursday prior to the meeting.

The Governance and Democracy Case Manager will take the details of your question or speech and will distribute them to the Committee prior to the meeting. The Chair will then invite you to speak at the beginning of the meeting under the agenda item Public Question Time, but speaking is limited to three minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group.

Please see below for Temporary Measures during Coronavirus Pandemic and the changes we are making to public participation:-

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will be answered by the Portfolio Holder or followed up with a written response.

Full Council, Executive, and Committee agendas, reports and minutes are available on our website: www.somersetwestandtaunton.gov.uk

For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please email: governance@somersetwestandtaunton.gov.uk

Report Number: SWT 105/20

Somerset West and Taunton Council

Audit, Governance and Standards Committee – 10 August 2020

SWAP Internal Audit – Independent External Assessment Report 2020

This matter is the responsibility of Executive Councillor Ross Henley

Report Author: Alastair Woodland, Assistant Director, SWAP

1 Executive Summary / Purpose of the Report

- 1.1 The purpose of this report is to provide members with the outcomes from the recent independent external assessment for SWAP Internal Audit Services.

2 Recommendations

Members are asked to note the content of the report.

3 Risk Assessment (if appropriate)

- 3.1 N/A

4 Background and Full details of the Report

- 4.1 The Public Sector Internal Auditing Standard (PSIAS) and the International Standards for the Professional Practice of Internal Auditing require that an external quality assessment (EQA) of an internal audit activity must be conducted at least once every five years by a qualified, independent assessor or assessment team from outside the organisation.
- 4.2 The principle objective of the EQA was to assess SWAP's conformance with the Standards and the Code of Ethics.
- 4.3 The report contains 8 actions to strengthen compliance to the Standards and Code of Ethics. These actions have been integrated into our Quality Assessment and Improvement Plan (QAIP) and are monitored by the SWAP Board. Progress on these actions will be reported back to this Committee at a later date.

5 Links to Corporate Strategy

- 5.1 Delivery of the corporate objectives requires strong governance, risk management and internal control. Internal Audit plays a role in providing assurance to senior management and members on how well the governance, risk management and control arrangements are working to ensure objectives and statutory duties are delivered.

6 Finance / Resource Implications

- 6.1 There are no specific finance issues relating to this report.

7 Legal Implications (if any)

- 7.1 There are no specific legal issues relating to this report.

8 Climate and Sustainability Implications (if any)

- 8.1 There are no direct implications from this report.

9 Safeguarding and/or Community Safety Implications (if any)

- 9.1 There are no direct implications from this report.

10 Equality and Diversity Implications (if any)

- 10.1 There are no direct implications from this report.

11 Social Value Implications (if any)

- 11.1 There are no direct implications from this report.

12 Partnership Implications (if any)

- 12.1 There are no direct implications from this report.

13 Health and Wellbeing Implications (if any)

- 13.1 There are no direct implications from this report.

14 Asset Management Implications (if any)

- 14.1 There are no direct implications from this report.

15 Data Protection Implications (if any)

- 15.1 There are no direct implications from this report.

16 Consultation Implications (if any)

- 16.1 There are no direct implications from this report.

17 Scrutiny Comments / Recommendation(s) (if any)

N/A

Democratic Path:

- **Corporate Governance and Standards Committees – Yes**
- **Cabinet/Executive – No**
- **Full Council – No**

Reporting Frequency: Quarterly

List of Appendices (delete if not applicable)

Appendix A	SWAP Independent External Assessment Summary Report 2020
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Contact Officers

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SWAP - Independent External Assessment Report Summary

March 2020

Assessment Team:

Alix Wilson, BA/IPFA, Head of South West London Audit Partnership
Russell Banks CMIIA, Chief Internal Auditor, Orbis

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1. Introduction
 2. Objectives
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1 Introduction

1.1 The Public Sector Internal Auditing Standard (PSIAS) and the International Standards for the Professional Practice of Internal Auditing require that an external quality assessment (EQA) of an internal audit activity must be conducted at least once every five years by a qualified, independent assessor or assessment team from outside the organisation. The qualified assessor or assessment team must demonstrate competence in both the professional practice of internal auditing and the EQA process. The EQA can be accomplished through a full external assessment or a self-assessment with independent validation.

1.2 SWAP Internal Audit Services (SWAP) conducted a self-assessment of its internal audit activity and selected Orbis and South West London Audit Partnership (SWLAP) as the qualified, independent external assessment team to conduct a validation of the self-assessment by SWAP. In addition, the assessment team was also asked to consider, drawing on their previous extensive partnership experiences, what actions might be taken to further improve the overall quality and effectiveness of the service.

1.3 The assessment team was made up of Russell Banks, Chief Internal Auditor for Orbis and Alix Wilson, Head of SWLAP. Orbis deliver internal audit and counter fraud services to Surrey County Council, East Sussex County Council and Brighton & Hove City Council, as well as to range of external clients, including emergency services and district/borough councils. SWLAP is a 5 Borough shared audit service covering the Royal Borough of Kingston and the London Boroughs of Richmond, Wandsworth, Sutton and Merton. SWLAP also delivers internal audit services to a number of external clients including Achieving for Children, a wholly owned community interest company providing children's services to Kingston, Richmond and Windsor and Maidenhead councils.

2 Objectives

2.1 The principle objective of the EQA was to assess SWAP's conformance with the Standards and the Code of Ethics.

2.2 In addition, the assessment team has sought to draw on its own experiences of delivering professional internal audit services, in a partnership capacity, to a range of public sector organisations to help identify any further opportunities to improve the overall quality and effectiveness of the services delivered by SWAP.

3 Executive Summary

3.1 SWAP is a high performing and well managed internal audit partnership, delivering professional and high-quality services to its partner/client organisations in conformance with Public Sector Internal Audit Standards. Whilst some areas of partial conformance with the Standards have been identified, none of these are considered to be significant.

3.2 Interviews with stakeholders were overwhelmingly positive about the service they receive from SWAP, recognising the value and professionalism of the service. In the interest of continuous improvement, something quite rightly seen as being of great importance to the Chief Executive and SWAP management, we have taken the opportunity as part of this review to identify areas where the organisation can further improve and develop. In many cases, these are simply suggestions for management to consider as in some cases, they may not be appropriate for every internal audit service provider.

3.3 To demonstrate how the service is viewed we have captured a flavour of some of the comments made to us:

- + *“The quality of reports is good and the recommendations are proportionate and well explained”* – s.151 Officer
- + *“The auditors have good knowledge of the organisation and its risks. The organisation recognises that they have skills that can be used and trust their advice”* – Monitoring Officer
- + *“Internal audit brings insight from other clients and a wider knowledge”* – s.151 Officer
- + *“They are treated as a critical friend and are seen to add value”* – Executive Director

4 PSIAS Statement of Conformance

4.1 Based on the work carried out it is our overall opinion that SWAP generally conforms with the Standards and the Code of Ethics. A summary of Evaluation Actions to be taken by SWAP to address areas for improvement against individual Standards and the Code of Ethics is shown in *Section 5*.

4.2 The IIA's Quality Assessment Manual for the Internal Audit Activity suggests a scale of three rankings when opining on the internal audit activity:

DEFINITIONS	
Generally Conforms	The internal audit activity has a charter, policies, and processes that are judged to be in conformance with the <i>Standards</i> and the Code of Ethics.
Partially Conforms	Deficiencies in practice are noted that are judged to deviate from the <i>Standards</i> and the Code of Ethics; however, these deficiencies did not preclude the internal audit activity from performing its responsibilities in an acceptable manner.
Does Not Conform	Deficiencies in practice are judged to deviate from the <i>Standards</i> and the Code of Ethics, and are significant enough to seriously impair or preclude the internal audit activity from performing adequately in all or in significant areas of its responsibilities.

(Ref: Institute of Internal Auditors)

4.3 A detailed description of conformance criteria can be found in *Appendix A*.

5 Evaluation Actions Summary

There were a small number of areas where partial conformance was identified. These were minor observations, none of which were significant enough to affect the overall opinion. Some were captured across more than one of the attribute standards or are recommendations for improvement, rather than failures in conformance. A summary of the actions agreed relating to these areas are as follows:

Task
Regular meetings will be held with all Audit Committee Chairs to further strengthen relationships and ensure that they are kept up to date with any issues outside of formal meetings. (Attribute Standard 1000)
We will consider establishing an Internal Audit Strategy which sits alongside the Charter and annual plan, which will cover the objectives and remit of the service, and how it will be delivered. This will include service and staff development. (Attribute Standard 2010)
There will be a consolidation of the templates used as part of the engagement planning process, to ensure that the fraud risks are properly considered. The pre-audit questionnaire will be reviewed and updated, the template loaded onto MK Insight and formally rolled out. The process of reviewing Audit Terms of Engagement will consistently include reviewing the results of the pre-audit questionnaire, to ensure that risks have been properly identified and reflected in the scope of the review. (Attribute standard 1210)
The Internal Audit Charter will be extended to cover the type of consultancy work which could be provided, and how independence will be maintained. This detail will also be reflected within the Internal Audit Strategy, once developed. (Attribute standard 2200)
Whilst it may not be proportionate to report the QAIP (Quality Assessment Improvement Plan) in its entirety to Audit Committees, an update on progress will be included in the annual opinion reports going forward. (Attribute Standards 1300, 1310, 1311, 1320 and 2450)
The inclusion of significant issues identified in AGS (Annual Governance Statement) reports helps ensure that internal audit provides holistic assurance of the organisation, particularly where there are known concerns. The identification of other sources of assurance aim to ensure that work is co-ordinated with other assurance bodies and limited resources are not duplicating effort. The Audit manual will be updated to ensure that the AGS forms part of the audit planning risk assessment process, and other sources of assurance are duly considered. (Attribute standard 2010 and 2050)
The Audit Manual and accompanying power point slides that have been embedded in the induction will be made accessible on the Intranet to all staff. (Attribute Standard 2020)
The QAIP will be maintained as a live document and reported to the Board and respective Audit Committees. (Attribute Standards 1300, 1310, 1311, 1320 and 2450)

The PSIAS can be viewed at <https://www.cipfa.org/policy-and-guidance/standards/public-sector-internal-audit-standards>.

Appendix A – Rating Definitions

GC – “Generally Conforms” means that the assessor or the assessment team has concluded that the relevant structures, policies, and procedures of the activity, as well as the processes by which they are applied, comply with the requirements of the individual standard or elements of the Code of Ethics in all material respects. For the sections and major categories, this means that there is general conformity to a majority of the individual standard or element of the Code of Ethics and at least partial conformity to the others within the section/category. There may be significant opportunities for improvement, but these should not represent situations where the activity has not implemented the Standards or the Code of Ethics and has not applied them effectively or has not achieved their stated objectives. As indicated above, general conformance does not require complete or perfect conformance, the ideal situation, or successful practice, etc.

PC – “Partially Conforms” means that the assessor or assessment team has concluded that the activity is making good-faith efforts to comply with the requirements of the individual standard or elements of the Code of Ethics, or a section or major category, but falls short of achieving some major objectives. These will usually represent significant opportunities for improvement in effectively applying the Standards or the Code of Ethics and/or achieving their objectives. Some deficiencies may be beyond the control of the internal audit activity and may result in recommendations to senior management or the board of the organisation.

DNC – “Does Not Conform” means that the assessor or assessment team has concluded that the internal audit activity is not aware of, is not making good-faith efforts to comply with, or is failing to achieve many or all of the objectives of the individual standard or element of the Code of Ethics, or a section or major category. These deficiencies will usually have a significantly negative impact on the internal audit activity’s effectiveness and its potential to add value to the organisation. These may also represent significant opportunities for improvement, including actions by senior management or the board.

Report Number: SWT 106/20

Somerset West and Taunton Council

Audit, Governance and Standards Committee – 10 August 2020

Annual Governance Statement 2019/20

This matter is the responsibility of the Leader of the Council, Cllr Federica Smith-Roberts

Report Author: Amy Tregellas, Governance Manager

1 Executive Summary / Purpose of the Report

- 1.1 To present the Committee with the Annual Governance Statement 2019/20 (Appendix A) and accompanying Action Plan (Appendix B).

2 Recommendations

- 2.1 That the Committee approves the draft Annual Governance Statement and Action Plan for 2019/20.

3 Risk Assessment (if appropriate)

- 3.1 Failure to have robust governance arrangements in place could impact on the Council's control environment and ability to operate in an economic, efficient and effective manner. This could lead to recommendations being made by Internal and External Audit.

4 Background and Full details of the Report

- 4.1 The Annual Governance Statement (AGS) is a statutory document which provides assurance on the governance arrangements and control environment within the Council.
- 4.2 The Accounts and Audit Regulations 2015 set out that 'a relevant authority must, each financial year: (a) conduct a review of the effectiveness of the system of internal control; and (b) prepare an annual governance statement
- 4.3 The Statement is prepared in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA)/Society of Local Authority Chief Executives (SOLACE) guidance titled '*Delivering Good Governance in Local Government: Guidance Notes for English Authorities and Framework.*'
- 4.4 The Framework defines the principles that should underpin governance as:
 - A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

- B. Ensuring openness and comprehensive stakeholder engagement
- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits
- D. Determining the intervention necessary to optimise the achievement of the intended outcomes
- E. Developing the entity's capacity, including the capability of its leadership and the individuals within it
- F. Managing risks and performance through robust internal control and strong public financial management
- G. Implementing good practices in transparency, reporting, and audit, to deliver effective accountability

4.5 The Annual Governance Statement includes an Action Plan to address any governance issues identified as a result of the review of the effectiveness of the system of internal control. Details of the Council's Governance Framework is included as part of the Annual Governance Statement (Appendix A).

4.6 In order to ensure that the actions are being delivered it is important that the Committee review progress against the Action Plan, and update reports will be brought to the Committee in December 2020 and March 2021.

4.7 The final version of the Annual Governance Statement will be presented to the Committee at the meeting in November where the Annual Statement of Accounts are considered – in order to make any amendments following the External Audit process.

5 Links to Corporate Strategy

5.1 Having a robust, effective and efficient governance framework in place is a fundamental element of being a 'well managed' council and avoiding recommendations from Internal and External Auditors.

6 Finance / Resource Implications

6.1 None arising from this report

7 Legal Implications (if any)

7.1 None arising from this report

8 Climate and Sustainability Implications (if any)

8.1 None arising from this report

9 Safeguarding and/or Community Safety Implications (if any)

9.1 None arising from this report

10 Equality and Diversity Implications (if any)

10.1 None arising from this report

11 Social Value Implications (if any)

11.1 None arising from this report

12 Partnership Implications (if any)

12.1 None arising from this report

13 Health and Wellbeing Implications (if any)

13.1 None arising from this report

14 Asset Management Implications (if any)

14.1 None arising from this report

15 Data Protection Implications (if any)

15.1 None arising from this report

16 Consultation Implications (if any)

16.1 None arising from this report

Democratic Path:

- **Audit, Governance and Standards Committee – Yes**
- **Cabinet/Executive – No**
- **Full Council – No**

Reporting Frequency: Annually

List of Appendices (delete if not applicable)

Appendix A	Annual Governance Statement
Appendix B	Action Plan

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Annual Governance Statement (2019/2020)

The logo for Somerset West and Taunton Council, featuring the text "Somerset West and Taunton" in white on a teal background with a white swoosh.

1.0 Introduction

- 1.1 This is the first Annual Governance Statement for Somerset West and Taunton Council.
- 1.2 Everything the Council does is focused around delivering our ambitious vision for Somerset West and Taunton and to ensure that we deliver the best possible services and outcomes for our Community whilst providing good value for our stakeholders
- 1.3 This statement provides an overview of how the Council's governance arrangements operate.
- 1.4 Corporate governance refers to the processes by which organisations are directed, controlled, led and held to account. It is also about culture and values - the way that Councillors and employees think and act.
- 1.5 The Council's corporate governance arrangements aim to ensure that it does the right things in the right way for the right people in a way that is timely, inclusive, open, honest and accountable.
- 1.6 This statement describes the extent to which the Council, has, for the year ending 31st March 2020, complied with its Governance Code and the requirements of the Accounts and Audit Regulations 2015. It also describes how the effectiveness of the governance arrangements have been monitored and evaluated during the year and sets out any changes planned for the 2020-2021 period.
- 1.7 The Statement has been prepared in accordance with guidance produced in 2016 by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE).

2.0 Key elements of governance

- 2.1 Somerset West and Taunton Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards. It is also responsible for ensuring that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. It also has a duty to continuously improve the way that it functions, having regard to effectiveness, quality, service availability, fairness, sustainability, efficiently and innovation.

- 2.2 To meet these responsibilities, the Council acknowledges that it has a duty to have in place sound and proper arrangements for the governance of its affairs, including a reliable system of internal control, and for reviewing the effectiveness of those arrangements.
- 2.3 The key elements of the Council's governance framework are highlighted in Appendix A.
- 2.4 The Governance framework comprises the systems and processes, culture and values by which the Council is directed and controlled, and through which it is accountable to, engages with and leads the community. It enables the Council to monitor the achievement of the strategic themes and expected outcomes as set out in our Corporate Strategy.
- 2.5 The Council's Local Code of Corporate Governance, which was last reviewed and approved in March 2020.
- 2.6 The document included a section on actions for 2020/21 to strengthen the Council's governance arrangements. These actions have been included in the Action Plan which can be found at Appendix B.

Our commitment to good governance is made across the following core principles:

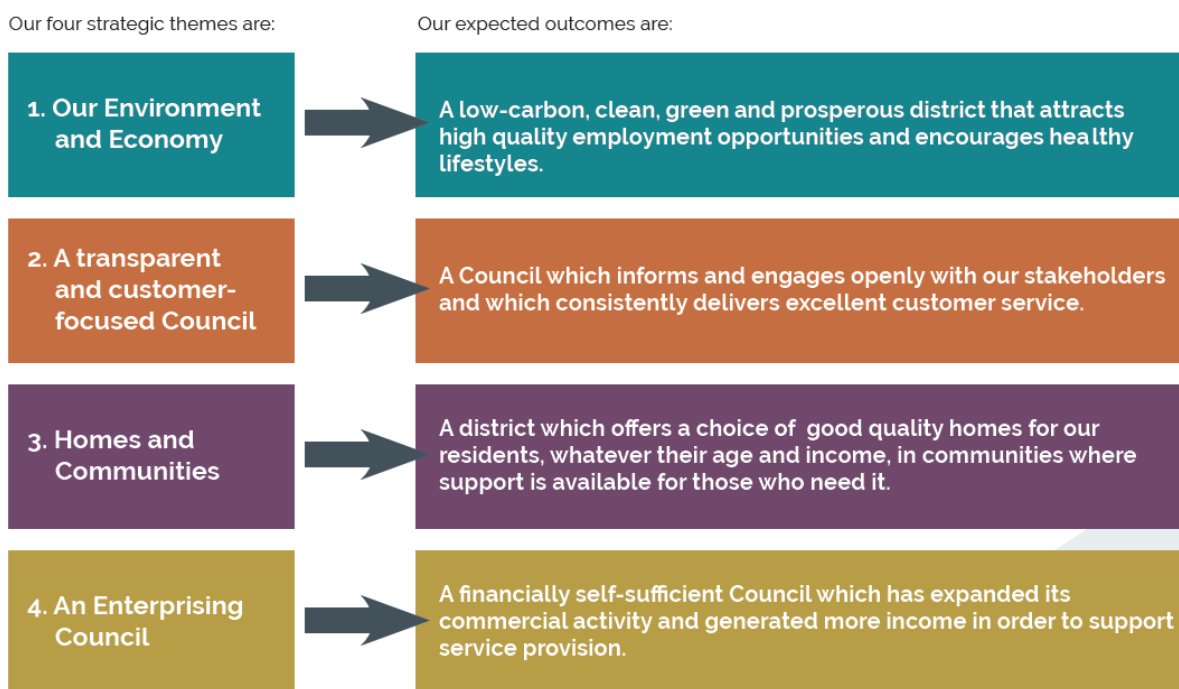
- A. Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law
- B. Ensuring openness and comprehensive stakeholder engagement
- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits
- D. Determining the interventions necessary to optimise the achievement of the intended outcomes
- E. Developing the entity's capacity, including the capability of its leadership and the individuals within it
- F. Managing risks and performance through robust internal control and strong public financial management
- G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability

3.0 Evidence based opinion

3.1 Some of the key pillars of the Council's governance framework are:

3.2 Corporate Strategy & Business Planning

3.2.1 The Council's Corporate Strategy for 2020-24 contains the four priority strategic themes and outcomes, as follows:



3.2.2 The Corporate Strategy helps us to focus our resources and drive improvement, and sets out where we will focus our energies and our increasingly limited resources and how we will measure our success.

3.2.3 An annual plan has been produced which focuses on what the Council has delivered in the 2019/20 year and also to outline the key priorities and areas of focus for the 2020/21 financial year.

3.2.4 Directors are currently working on producing Business Plans for their directorate. Once this work has been completed it will be rolled out across the organisation.

3.2.5 A number of recommended actions are included within the Action Plan to strengthen and improve the Council's governance arrangements in this area

3.3 Evaluating Performance

3.3.1 The Business Intelligence and Performance Manager is working with each Director to draw up a Directorate Performance Scorecard. Once this work has been completed it will be rolled out across the organisation.

- 3.3.2 Two Performance Reports went before Members in 2019/20.
- 3.3.3 There are a number of actions relating to Performance Management within the Action Plan (attached as Appendix B), which will strengthen the Council's arrangements in respect of Performance Management.
- 3.3.4 A Performance Framework has been drafted. An Improvement, Performance and Risk Board has been set up and this involves the Senior Management Team, Assistant Directors and other appropriate officers meeting monthly to consider performance amongst other things.
- 3.4 Managing Risk
- 3.4.1 The management of risk is key to achieving what is set out in the Corporate Strategy and to ensuring that we meet all of our responsibilities.
- 3.4.2 Our Risk and Opportunity Management Strategy is fundamental to the system of internal control and forms part of a sound business operating model. It involves an ongoing process to identify risks and to prioritise them according to likelihood and impact.
- 3.4.3 The Key Business Risk Register is reviewed and challenged by the Senior Management Team on a regular basis, and new and emerging risks are added to the Register.
- 3.4.4 All members and managers are responsible for ensuring that risk implications are considered in the decisions they take. This is especially important in meeting the Council's financial challenges.
- 3.4.5 In 2020/21, the Key Business register will be reviewed and challenged by Members as part of the Performance and Risk Report that will go before Committee on a quarterly basis. This is to ensure that, as far as possible all significant risks have been identified and that the controls manage the risks efficiently, effectively and economically.
- 3.4.6 There are a number of actions relating to Risk Management within the Action Plan (attached as Appendix B), which will strengthen the Council's governance arrangements in respect of Risk Management.
- 3.4.7 The South West Audit Partnership have recently completed a Health Check review of the Council's Risk Management arrangements and have confirmed that the items in the Action Plan are appropriate actions to strengthen our governance arrangements.
- 3.4.8 As outlined above, an Improvement, Performance and Risk Board has been set up and this also considers risk including the key business risks.

3.5 Financial Management

- 3.5.1 The Assistant Director for Finance is responsible for the proper administration of the Council's financial affairs, as required by Section 151 of the Local Government Act 1972, and our financial management arrangements are compliant with the governance requirements set out in the Chartered Institute of Public Finance and Accountancy's 'Statement on the Role of the Chief Financial Officer in Local Government' (2016).
- 3.5.2 The Medium Term Financial Plan sets out the Council's strategic approach to the management of its finances and outlines some of the financial issues that we will face over the next three years.
- 3.5.3 Our Treasury Management arrangements, where the Council invests and borrows funds to meet its operating requirements, follow professional practice and are subject to regular review.
- 3.5.4 The Reserves Strategy enables the Council to meet its statutory requirements and sets out the different types of reserve, how they may be used and the monitoring arrangements.
- 3.5.5 Budget monitoring reports have been taken to Committees on a regular basis in 2019/20 and have set out any variances.
- 3.5.6 All members and officers are responsible for ensuring that financial implications are considered in the decisions they take.
- 3.5.7 The Action Plan includes actions relating to strengthening the Council's financial arrangements as well as delivering on actions arising from Internal Audit reports.

3.6 Climate Emergency

- 3.6.1 The Council declared a Climate Emergency in March 2019.
- 3.6.2 The Council's Corporate Strategy includes the priority strategic theme of 'Our Environment and Economy' and has the objective of:

1

Work towards making our District carbon neutral by 2030 - deliver projects based on a Carbon Neutrality and Climate Resilience Plan that work toward this goal (for example installing electric vehicle charging points across the District) .

- 3.6.3 The Council has set up a Members Working Group on Climate Change and officers are working with this Group on the Somerset West and Taunton Carbon Neutrality and Climate Resilience Plan. This document will set out the actions that the Council will deliver in terms of Climate Change.
- 3.6.4 The Action Plan has now been drafted and officers are now working on the delivery of the actions.

3.6.5 Member representatives are on Countywide Groups working on the Somerset Climate Change Strategy.

3.6.6 All members and officers are responsible for ensuring that climate change implications are considered in the decisions they take.

3.7 Decision Making and Responsibilities

3.7.1 The Council consists of 59 elected Members, with an Executive consisting of the Leader and nine Portfolio Holders who are supported and held to account by the Scrutiny Committee.

3.7.2 Our Constitution sets out how the Council operates, how decisions are made and the procedures for ensuring that the Council is efficient, transparent and accountable to local people. It contains the basic rules governing the Council's business, and a section on responsibility for functions, which includes a list of functions which may be exercised by officers. It also contains the rules, protocols and codes of practice under which the Council, its Members and officers operate.

3.7.3 The Articles and Terms of Reference within the Council's Constitution clearly define the roles and responsibilities of:

- Full Council
- The Cabinet
- Scrutiny Committee
- Audit, Governance and Standards Committee
- Planning Committee
- Licensing Committee

3.7.4 The Constitution is updated at least annually to take account of changing circumstances. A Member Working Group has been set up to review the Constitution and any recommendations for change will be made to the Audit, Governance and Standards Committee and then Full Council.

3.7.5 The Constitution sets out the functions of key governance officers, including the statutory posts of 'Head of Paid Service' (Chief Executive), 'Monitoring Officer' (Governance Manager) and 'Section 151 Officer' (Strategic Financial Advisor and S151 Officer) and explains the role of these officers in ensuring that processes are in place for enabling the Council to meet its statutory obligations and also for providing advice to Members, officers and committees on staff management, financial, legal and ethical governance issues.

3.8 Openness and Transparency

3.8.1 Article three of the Council's Constitution sets out citizens' rights in respect of:

- (a) Voting and petitions;
- (b) Information;
- (c) Public Participation; and
- (d) Complaints

3.8.2 A number of petitions have been presented to the Council in 2019/20.

3.8.3 Agendas and papers for all Committee meetings are published at least five clear working days before the meeting and members of the public are able to participate in meetings through Public Question Time.

3.9 Ethical Behaviour and Conduct

3.9.1 Our Codes of Conduct for Members and for Officers set out the standards of conduct and behaviour that are required. They are regularly reviewed and updated as necessary and both groups are regularly reminded of the requirements.

3.9.2 These include the need for Members to register personal interests and the requirements for employees concerning gifts and hospitality, outside commitments and personal interests.

3.9.3 The Council also has an Audit, Governance and Standards Committee which is responsible for promoting and maintaining high standards of conduct by Councillors.

3.9.4 An Audit of ethical behaviour and conduct is currently taking place and this includes a survey which has gone out to Officers and Members.

3.10 Member Training and Development

3.10.1 Following the District Council elections in May 2019, a programme of Induction Training was rolled out for all Councillors.

3.10.2 All Councillors have been invited to have a one to one session to talk about personal development so that any training and development needs can be identified. A Member Training Plan will then be produced.

3.10.3 Regular Member Briefings are held to keep them updated on matters of importance.

3.11 Equality

3.11.1 The Council is committed to delivering equality and improving the quality of life for the people of the District. We have nine Corporate Equality Objectives for 2019-2023, which are:

Objective 1: Councillors and officers will fully consider the equality implications of all decisions they make.

Objective 2: Those with protected characteristics feel empowered to contribute to the democratic process and any Council activity that affects them; their input is used to inform the planning and delivery of services.

Objective 3: Communities with protected characteristics are able to access services in a reasonable and appropriate way.

Objective 4: Actions are taken to identify and reduce any inequalities faced by our staff or our potential employees.

Objective 5: Work with communities and voluntary sector groups to address inequalities experienced by low incomes families and individuals.

Objective 6: Improve the opportunities for integration and cohesion.

Objective 7: Improve understanding of mental health and access to support.

Objective 8: Work with the Gypsy and Traveller community to improve the provision of pitches.

Objective 9: Create an Equality Working Group for Staff in the Public Sector in Somerset.

3.11.2 In order to meet these objectives, the Council has a Corporate Equalities Action Plan, which sets out what we are already doing to support each objective as well as actions we will take to deliver against the equality objectives.

3.11.3 Any new Council policy, proposal or service, or any change to these that affects people must be the subject of an Equality Impact Assessment to ensure that equality issues have been consciously considered throughout the decision making processes.

3.11.4 All members and officers are responsible for ensuring that equality implications are considered in the decisions they take.

3.12 Procurement of goods and services

3.12.1 The Council recognises the value of considering different service delivery options in delivering our Council Plan. The effective commissioning and procurement of goods, works and services is therefore of strategic importance to our operations, while robust contract management helps to provide value for money and ensure that outcomes and outputs are delivered.

3.12.2 Operational procedures for tendering, contract letting, contract management and the use of consultants are included in the Contract Procedure Rules which form part of the Council's Financial Regulations.

3.13 Whistleblowing

3.13.1 People who work for or with the Council are often the first to realise that there may be something wrong within the Council. However, they may feel unable to express their concerns for various reasons, including the fear of victimisation.

3.13.2 The Council has a Whistleblowing Policy that advises staff and others who work for the Council how to raise concerns about activities in the workplace. Full details are provided on the Council's website.

3.14 Counter Fraud

3.14.1 We recognise that as well as causing financial loss, fraud and corruption also detrimentally impact service provision and morale, and undermine confidence in the Council's governance and that of public bodies generally.

3.14.2 The Council has an Anti-Fraud and Anti-Corruption Policy which adopts a zero tolerance approach to fraud and corruption.

3.15 Audit and Audit Assurances

3.15.1 South West Audit Partnership (SWAP) are the Council's Internal Auditors.

3.15.2 During the 2019/20 financial year, SWAP have carried out a number of Audits across the Council and given their opinion on the level of assurance as well as risk and priority in terms of taking action in terms of any recommendations, as follows:

Assurance Definitions	
None	The areas reviewed were found to be inadequately controlled. Risks are not well managed and systems require the introduction or improvement of internal controls to ensure the achievement of objectives.
Partial	In relation to the areas reviewed and the controls found to be in place, some key risks are not well managed and systems require the introduction or improvement of internal controls to ensure the achievement of objectives.
Reasonable	Most of the areas reviewed were found to be adequately controlled. Generally, risks are well managed but some systems require the introduction or improvement of internal controls to ensure the achievement of objectives.
Substantial	The areas reviewed were found to be adequately controlled. Internal controls are in place and operating effectively and risks against the achievement of objectives are well managed.

Definition of Corporate Risks		Categorisation of Recommendations	
Risk	Reporting Implications	In addition to the corporate risk assessment it is important that management know how important the recommendation is to their service. Each recommendation has been given a priority rating at service level with the following definitions:	
High	Issues that we consider need to be brought to the attention of both senior management and the Audit Committee.	Priority 1	Findings that are fundamental to the integrity of the service's business processes and require the immediate attention of management.
Medium	Issues which should be addressed by management in their areas of responsibility.	Priority 2	Important findings that need to be resolved by management.
Low	Issues of a minor nature or best practice where some improvement can be made.	Priority 3	Finding that requires attention.

3.15.3 SWAP report regularly to the Audit, Governance and Standards Committee, highlighting any areas of concern.

3.15.4 Any overdue Priority one recommendations are also reported to the Audit Committee.

3.15.5 As well as delivering the Audit programme in 2019/20, SWAP carried out a review of the Transformation Programme, focusing on lessons learnt, that was carried out by Taunton Deane and West Somerset District Councils. This report was discussed by a joint Scrutiny and Audit, Governance and Standards Committee and then Executive in early 2020.

4.0 New and Emerging issues since March 2020

- 4.1 The Council has taken action to play its part in dealing with the Coronavirus Pandemic.
- 4.2 The Council's continuing priorities during the Coronavirus outbreak are to:
- Preserve critical services;
 - Safeguard the public; and
 - Ensure our most vulnerable residents are supported.
- 4.3 Regular weekly meetings take place to discuss Risks, Actions, Issues and Decisions and these have been recorded in one document. Resources have been diverted to focus on delivering the priorities above.
- 4.4 The Council website has a Coronavirus information and advice page for members of the public and weekly newsletters have been going out to District Councillors, Town and Parish Councils, the Business Sector and the Voluntary and Community Sectors. Officers have also been kept up to date with regular internal communications and a staff page on the Sharepoint site.
- 4.5 Since the end of April, the Council has held virtual Committee meetings to ensure that the business of the Council can continue. These meetings are live streamed so that members of the public can watch at home.

5.0 Significant governance issues

- 5.1 At the current time, there are no significant governance issues but a number of recommendations for improvement are set out in Appendix B. The action plan details the governance issues that have been identified, the proposed action, the responsible officer and the target date for completion.
- 5.2 The work of Internal Audit identified 6 systems that were classed as giving partial or no assurance – Payroll, Information Management Project, Bank Arrangements, Treasury Management, Main Accounting System and Debtors.
- 5.3 Three follow up audits were carried out in 2019/20 due to partial or no assurance for these areas in 2018/19 – Fire Safety Management, Supplier Resilience and Bereavement Services.
- 5.4 The Audit, Governance and Standards Committee will continue to review progress against any audit recommendations classed as Priority 1 or 2.

6.0 Conclusion

- 6.1 Currently we can provide partial assurance that the Somerset West and Taunton Council's governance arrangements are fit for purpose.

6.2 However, addressing the issues set out in the Action Plan (Appendix B) will bring the Council's arrangements up to being substantially fit for purpose.

Signed

.....

James Hassett
Chief Executive Officer
Date:

.....

Cllr Federica Smith-Roberts
Leader of the Council
Date:

APPENDIX A - CORPORATE GOVERNANCE FRAMEWORK

Corporate Governance comprises the systems and processes, cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities

Key Documents: Annual Review/Production:

- Annual Governance Statement
- Annual Statement of Accounts
- Business Plans
- Committee report procedure
- Constitution
- Corporate Plan
- Performance Report
- Corporate Risk Register
- Delegations from/to Senior Management Team
- Equality Information
- Medium Term Financial Plan
- Members Allowances Scheme
- PSIAS Checklist
- Treasury Management Strategy
- Annual Investment Strategy

Key Documents: Ad-hoc Review/Production:

- Corporate Strategy 2019-2023
- Anti-Fraud and Corruption Policy
- Business Continuity Plans
- Community Engagement Framework
- Declarations of Independence
- Financial Regulations
- Contract Procedure Rules
- Health and Safety Policies
- Information Governance Framework
- Member/Officer Relations Protocol
- Members' Code of Conduct
- Officer Employment Procedure Rules
- Officers' Code of Conduct
- Record of Decisions
- Risk & Opportunity Management Policy
- Whistleblowing Policy

Contributory Processes/ Regulatory Monitoring:

- Audit, Governance and Standards Committee
- Budget Monitoring Process
- Corporate Governance Officer Group
- Corporate Health & Safety Committee and processes
- Corporate Intranet
- Council Tax leaflet
- Customer feedback process
- External Audit
- Joint Independent Remuneration Process
- Internal Audit
- Job Descriptions
- Job Evaluation Process
- Law & Governance
- Member Training Scheme
- Monitoring Officer
- Partnership Arrangements
- Schedule of Council meetings
- Scrutiny Framework
- Staff Induction
-

Appendix B – Annual Governance Statement Action Plan

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
Corporate Governance			
Now that the Council has been operating for 12 months the Constitution is due to be reviewed	A Member Working Group is set up to work with the Monitoring Officer to review and update the Constitution including the Terms of Reference, Council Procedure Rules, Financial Regulations, Contract Standing Orders, Members' Code of Conduct, Officers' Code of Conduct and Member Officer Protocol	Governance Manager and Monitoring Officer	31/12/20 Invitations have gone out to the Constitution Working Group to commence work on the review
The procedure for dealing with complaints about Councillors needs to be reviewed and updated	Review and update the procedure for dealing with complaints about Councillors	Governance Manager and Monitoring Officer	31/10/20 This will be reviewed through the Constitution Working Group
The information on the Council website relating to complaints about Councillors needs to be reviewed and updated	Review and update the information on the Council website in respect of complaints about Councillors	Governance Manager and Monitoring Officer	30/09/20 Information for website has been designed and needs to be updated
The Officer Scheme of Delegation is as up to date as it can be but needs to be amended following the finalising of the staff alignment exercise	Review and update the Officer Scheme of Delegation following the staff alignment into the new Directorates	Governance Manager and Monitoring Officer	31/07/20 and ongoing

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
<i>Corporate Strategy and Business Planning</i>			
The Corporate Plan is high level and aspirational	Produce an Annual Plan which sits below the Corporate Strategy and sets out what the Council will do in the next 12 months	Director for Internal Operations	30/06/20 Completed
There is currently no 'golden thread' in terms of Corporate and Business Planning and Individual appraisals	Produce Directorate/Service Business Plans which link to the Corporate Strategy Ensure that the staff appraisal process includes the 'golden thread' so that staff can see how they link to the achievement of the Council's objectives Relaunch of Performance Management in September. Tracking and quality checking will be carried out by the People Business Partners	Director for Internal Operations	30/09/20
Staff are not aware of what the Corporate objectives are	Ensure that staff are reminded of the Corporate Priorities on a regular basis	Director for Internal Operations	30/06/20 and ongoing Covered in the CEO team talks in week commencing 22/06/20
The Council's doesn't yet have a vision and mission statement	Develop a vision and mission statement for the Council	Senior Management Team	31/07/20 Completed - Mission statement is 'Public Service Excellence'

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
No annual report is produced setting out how the Council has performed against the Corporate Strategy objectives	At the end of each year produce an annual report setting out the Council's achievements against the Annual Corporate Plan targets	Director for Internal Operations	31/07/20 Complete – draft annual plan for 2020/21 includes a look back to 2019/20
Performance Management			
The Council's Performance Management framework needs to be documented	Document the Performance Management Framework	Business Intelligence and Performance Manager	30/09/20 On track to meet this target
The Council doesn't currently have a Data Quality Policy	Draft a Data Quality Policy	Business Intelligence and Performance Manager	30/10/20
Performance Reporting needs to be improved	Produce a Performance Scorecard for each Directorate	Business Intelligence and Performance Manager	30/06/20 Score cards produced and in ongoing development with Directors

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
Reporting on performance, risk and finances needs to be improved	Ensure that Senior Management Team receive monthly reporting on Performance Indicators, key business risks, budget monitoring and progress against internal audit recommendations	Business Intelligence and Performance Manager	Monthly from 31/05/20 Completed – monthly SMT performance meetings set up and sequenced with the Committee cycle. Covers risk, finance, programmes, audit actions, performance, people and H&S
Reporting on performance, risk and finances needs to be improved	Ensure that there is quarterly reporting to the Executive on Performance Indicators, key business risks and budget monitoring and progress against internal audit recommendations	Business Intelligence and Performance Manager	Quarterly from 30/06/20 Now timetabled and ready for reporting from September
Reporting on performance, risk and finances needs to be improved	Ensure that there is half yearly reporting to the Scrutiny Committee and for them to complete an in-depth review of performance indicators, key business risks and budget monitoring	Business Intelligence and Performance Manager	Half yearly in September and February On track to meet this target

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
Only overdue priority 1 Audit recommendations are reported to the Audit, Governance and Standards Committee	Ensure that the progress against all Internal Audit recommendations classed as level 1 or 2 are reported to the Audit, Governance and Standards Committee on a quarterly basis	Governance Manager and Monitoring Officer	Quarterly from 30/06/20 On track – first report taken on 08/06/20 and scheduled for remainder of the year
<i>Risk Management</i>			
The Corporate Risk Register is currently not reported to Members	Ensure that the any risks scoring 15 or above are reported to the Members on a quarterly basis as part of the Performance and Risk Report	Director of Internal Operations	Quarterly from 30/09/20 On track to meet this target
The level and detail of risks captured at operational and service level is weak	Service risk assessments need to be produced and held in a central repository Any service risks scoring 15 or more should be included as part of the key business risk register	Director of Internal Operations	31/12/20
Health and Safety risks need to be linked to the Corporate Risk Register	Ensure that Health and Safety risks are identified and held in a central repository Any H&S risks scoring 15 or more should be included as part of the key business risk register	Health and Safety Officer	30/09/20

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
Project risks need to be linked to the Corporate Risk Register	<p>Ensure that Project risks are identified and held in a central repository</p> <p>Any Project risks scoring 15 or more should be included as part of the key business risk register</p>	Director of Internal Operations	30/09/20
Staff have not received risk management training recently	Run a number of training sessions for officers on Risk Management, ensuring it aligns to the Risk and Opportunity Management Strategy	Director of Internal Operations	30/09/20
Risk language used throughout the Council is not consistent in all areas, nor is the method of risk assessment or scoring	<p>Internal comms to get the key messages about risk assessment and management across to staff</p> <p>Carry out risk assessment training for officers that carry out service risk assessments</p>	Director of Internal Operations	30/09/20
There isn't effective challenge from Members on how well Risk Management is working within the organisation	Run a number of Risk Management training sessions for Members	Director of Internal Operations	30/09/20
<i>Openness and Transparency</i>			
The information on public participation on the website is hard to find and is basic	Review and update the information on the Council website relating to public participation and getting involved in local democracy including how decisions are made at Committee (especially for Planning)	Governance Manager and Monitoring Officer	31/08/20 Public participation to be discussed as part of the work of Constitution Working Group

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
Currently we do not publish the feedback from complaints on the website	'You said, we did' on the website to demonstrate what we have changed as a result of complaints and feedback	Assistant Director for Customer	30/09/20
Currently this is confusing for Members of the public and we need to change our approach in favour of transparency	Give a better explanation re public interest test v confidential session. Use better wording on agendas and at Committees. Give more information on the website	Governance Manager and Monitoring Officer	31/08/20
There is currently no performance data published on the website	Set up a page on the website on performance and ensure that the quarterly reports are available for the public to see	Business Intelligence and Performance Manager	31/12/20
Information relating to accessing information is currently not in one place on the website or easy to find	Set up a page on the website called 'Access to Information'. This to include Data Protection information including Privacy Statements, Freedom of Information including disclosure log, publication scheme and transparency code requirements	Governance Manager and Monitoring Officer	30/09/20
We do not currently publish our responses to FOI requests	Publish a Freedom of Information Disclosure log on the website	Assistant Director for Customer	30/09/20
We do not currently video record or live stream our Committee meetings	Video record and live stream Committee meetings from the start of the new Municipal Year	Governance Manager and Monitoring Officer	31/05/20 Completed

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
<i>Member Training and Development</i>			
Ethical awareness needs to be improved	Ethical awareness training for Councillors at least twice a year	Governance Manager and Monitoring Officer	31/07/20 and 31/03/21
Need to get feedback from Members on training and development that we currently offer	Invite all Members in for a one to one session to get their feedback on how things have been for them since the May 2019 elections and also to discuss their training and development needs	Governance Manager and Monitoring Officer	30/09/20 Some were completed prior to lockdown but the rest will be carried out via Zoom
We do not currently have a training policy for Councillors	Produce a training policy for Councillors	Governance Manager and Monitoring Officer	30/09/20
We don't currently have a Members training plan	Feed the information from the Members training and development requirements into a Member training plan and use this to source future training	Governance Manager and Monitoring Officer	30/10/20
We don't currently have a group set up to focus on training and development	Set up a Member Development Group to focus on training and development	Governance Manager and Monitoring Officer	31/07/20
We don't currently have the Member Development Charter	Apply for the Member Development Charter	Governance Manager and Monitoring Officer	31/03/21
Don't currently record Members feedback	Carry out an annual survey to all Members asking for their views on their working relationships with officers	Governance Manager and Monitoring Officer	31/12/20

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
<i>Ethical Standards</i>			
Ethical awareness needs to be improved	Monitoring Officer to send quarterly updates to Officers and members reminding them to declare any interests and gifts & hospitality	Governance Manager and Monitoring Officer	Quarterly from 30/06/20
Ethical awareness needs to be improved	Quarterly ethical update newsletter for Councillors	Governance Manager and Monitoring Officer	Quarterly from 30/06/20
<i>Member Communications</i>			
Member communication could be improved – officer to member and member to member	Set up a Member Working Group to focus on IT and Communications	Governance Manager and Monitoring Officer	31/07/20
Members are not currently getting feedback from reps on outside bodies	Continue to send the weekly newsletter for Members and include sections on local ward matters and updates from outside bodies	Governance Manager and Monitoring Officer	31/07/20 Expand and change the focus of the SWT newsletter
<i>Policies and Procedures</i>			
Policies are in need of review and update	Review and update the: Whistleblowing Policy Anti-Bribery Policy Anti-Fraud Strategy Anti-Money Laundering Policy	Governance Manager and Monitoring Officer	31/01/21

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
The Complaints process needs to be reviewed in accordance with new Directorate Structure	Review complaints process - do we want to go back to a two stage process with the first stage being the Service Manager and second stage being Assistant Director	Assistant Director for Customer	30/09/20
We do not currently have an up to date Communications Strategy	Need to draft a Communications Strategy	Director of Internal Operations	31/12/20
<i>Contracts and Partnership Working</i>			
We do not currently have an up to date Procurement Strategy	Need to draft a Procurement Strategy	Strategic Procurement Specialist	30/09/20
The Contracts Register is out of date	Ensure that the Contract Register is reviewed and updated	Strategic Procurement Specialist	30/09/20
We do not currently have a register of Partnerships	Ensure that we have a Partnership register	Strategic Procurement Specialist	31/12/20
Regular contract management is needed	Contract management - need to ensure that we have performance measures and SLAs in place to ensure contracts deliver	Strategic Procurement Specialist	30/09/20
The SHAPE Legal contract needs to be reviewed and updated	Review the partnership arrangements with SHAPE Legal	Governance Manager and Monitoring Officer	31/12/20

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
Officers need to have training in the procurement process	Training for officers on the procurement process	Strategic Procurement Specialist	31/10/20
<i>People Management</i>			
The Council doesn't currently have a People/Workforce Strategy that aligns with the Corporate Strategy and MTFP	Develop a People/Workforce strategy	HR Business Partner	31/12/20
HR Policies and procedures are out of date	Ensure that all HR policies and procedures have been updated to be relevant for SWT	HR Business Partner	31/03/21
Job descriptions are generic	Job descriptions to be updated to include job related person specifications and wording to make it clear that all staff are responsible for Health and Safety, FOI and Complaints	HR Business Partner	31/12/20
There needs to be a Corporate Training plan	Produce an overarching training and development plan focusing on mandatory training, CPD training and other training	HR Business Partner	30/09/20
The Induction process needs to be improved	Review and update the Induction process for officers and focus on basic things that all officers need to know and tailored induction for items that are more job specific.	HR Business Partner	30/09/20
We currently do not have a corporate appraisal process (forming the 'golden thread')	Appraisals - have a corporate approach and ensure that they focus on the Councils values and behavioural framework as well as tasks	HR Business Partner	30/09/20

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
Survey staff to get a picture as to how staff are feeling	Carry out annual staff survey and then communicate to staff what actions will be taken as a result of the feedback	HR Business Partner	31/12/20 First survey completed Oct 19
<i>Community Engagement</i>			
We don't currently have an up to date Community Engagement Strategy	Draft a Community Engagement Strategy to include the type of issues that we will meaningfully consult on or involve communities, individual citizens and service users.	Director for Housing and Communities	31/03/21
We do not currently publish feedback on consultation on the website	When we carry out consultation need to ensure that the results of the consultation are published on the website along with how this has been taken into account by the Council	Director of Internal Operations	As soon as we carry out consultation
We do not currently ask the public for their views on the Council	Carry out an annual customer survey	Director of Internal Operations	31/03/21
<i>Project Management</i>			
Our current processes and procedures for managing projects needs to be improved	Review the processes and procedures in place to manage projects including a robust business case, performance measures, risk assessment and logs and benefits realisation	Director of Internal Operations	30/09/20

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
Project Management needs to be led corporately by a dedicated officer	Ensure that the Project Management Office (PMO) function is delivered at a Corporate level	Director of Internal Operations	30/09/20 There is a Corporate PMO role within the structure
Finance			
The structures on E5 are out of date	Ensure that the way the finance system is set up aligns with the new Directorates structure	Assistant Director for Finance	31/07/20
Budget monitoring does not currently go before Members on a quarterly basis	Ensure that budget monitoring reports go before Members on a quarterly basis	Assistant Director for Finance	Quarterly from 30/09/20
The MTFP needs to be amended as a result of Coronavirus	Ensure that the MTFP is reviewed and updated to take account of the reduced income streams and potential increase in expenditure	Assistant Director for Finance	31/05/20 MTFP being regularly reviewed by SMT and reports to Members in September 20
Internal Audit Reports			
The Payroll Audit Report only gives partial assurance	Ensure that recommendations set out in the report are delivered within the timescales set out	Director for Internal Operations	As per timescales in the report
The Information Management Project Audit Report only gives partial assurance	Ensure that recommendations set out in the report are delivered within the timescales set out	Director for Internal Operations	As per timescales in the report

Issue Identified	Action to be taken	Lead Responsible Officer	Deadline
The Banking Arrangements Audit Report only gives partial assurance	Ensure that recommendations set out in the report are delivered within the timescales set out	Assistant Director for Finance	As per timescales in the report
The Treasury Management Audit Report only gives partial assurance	Ensure that recommendations set out in the report are delivered within the timescales set out	Assistant Director for Finance	As per timescales in the report
The Main Accounting System Audit Report only gives partial assurance	Ensure that recommendations set out in the report are delivered within the timescales set out	Assistant Director for Finance	As per timescales in the report
The Debtors Audit Report only gives partial assurance	Ensure that recommendations set out in the report are delivered within the timescales set out	Assistant Director for Customer	As per timescales in the report
<i>IT Policies and Procedures</i>			
IT Policies and Procedures need to be reviewed in light of the change to working arrangements	To carry out a review of all IT Policies and Procedures	IT Manager	End March 2021

Local Government Association Model Member Code of Conduct

Introduction

The Local Government Association (LGA) is providing this Model Member Code of Conduct as part of its work on supporting the sector to continue to aspire to high standards of leadership and performance.

The role of councillor in all tiers of local government is a vital part of our country's system of democracy. In voting for a local councillor, the public is imbuing that person and position with their trust. As such, it is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. The conduct of an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to and want to participate with. We want to continue to attract individuals from a range of backgrounds and circumstances who understand the responsibility they take on and are motivated to make a positive difference to their local communities.

All councils are required to have a local Member Code of Conduct. This Model Member Code of Conduct has been developed in consultation with the sector and is offered as a template for councils to adopt in whole and/or with local amendments. The LGA will undertake an annual review of the Code to ensure it continues to be fit-for-purpose, particularly with respect to advances in technology, social media and any relevant changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code, whilst the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

As a councillor we all represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent everyone (in our ward/town/parish), taking decisions fairly, openly, transparently and with civility. Councillors should also be treated with civility by members of the public, other councillors and council employees. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations. This Code, therefore, has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.



Councillor Izzi Seccombe OBE
Leader, LGA Conservative Group



Councillor Nick Forbes CBE
Leader, LGA Labour Group



Councillor Howard Sykes MBE
Leader, LGA Liberal Democrats Group



Councillor Marianne Overton MBE
Leader, LGA independent Group

Purpose

The purpose of this Code of Conduct is to assist councillors in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct against which appropriate action may be taken. It is also to protect yourself, the public, fellow councillors, council officers and the reputation of local government. It sets out the conduct expected of all members and a minimum set of obligations relating to conduct. The overarching aim is to create and maintain public confidence in the role of member and local government.

Application of the Code

The Code of Conduct applies to you when you are acting [or claiming or giving the impression that you are acting]¹ in [public or in]² your capacity as a member or representative of your council, although you are expected to uphold high standards of conduct and show leadership at all times. The Code applies to all forms of member communication and interaction, including written, verbal, non-verbal, electronic and via social media, [including where you could be deemed to be representing your council or if there are potential implications for the council's reputation.] Model conduct and expectations is for guidance only, whereas the specific obligations set out instances where action will be taken.

The seven principles of public life

Everyone in public office at all levels – ministers, civil servants, members, council officers – all who serve the public or deliver public services should uphold the seven principles of public life. This Code has been developed in line with these seven principles of public life, which are set out in appendix A.

Model member conduct

In accordance with the public trust placed in me, on all occasions I will:

- act with integrity and honesty
- act lawfully
- treat all persons with civility; and
- lead by example and act in a way that secures public confidence in the office of councillor

In undertaking my role, I will:

- impartially exercise my responsibilities in the interests of the local community
- not improperly seek to confer an advantage, or disadvantage, on any person
- avoid conflicts of interest
- exercise reasonable care and diligence; and
- ensure that public resources are used prudently and in the public interest

Specific obligations of general conduct

This section sets out the minimum requirements of member conduct. Guidance is included to help explain the reasons for the obligations and how they should be followed. These obligations must be observed in all situations where you act [or claim or give the impression that you are acting] as a councillor [or in public], including representing your council on official business and when using social media.

Civility

- 1. Treating other councillors and members of the public with civility.**
- 2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.**

Civility means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a civil manner. You should not subject individuals, groups of people or organisations to unreasonable or excessive personal attack.

In your contact with the public you should treat them courteously. Rude and offensive behaviour lowers the public's expectations and confidence in its elected representatives.

In return you have a right to expect courtesy from the public. If members of the public are being abusive, threatening or intimidatory you are entitled to close down any conversation in person or online, refer them to the council, any social media provider or if necessary, the police. This also applies to members, where action could then be taken under the Member Code of Conduct.

Bullying and harassment

- 3. Not bullying or harassing any person.**

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. The bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and not always be obvious or noticed by others.

The Equality Act 2010 defines harassment as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.

Impartiality of officers of the council

- 4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.**

Officers work for the council as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. Although you can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

Confidentiality and access to information

- 5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.**
- 6. Not preventing anyone getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and

printed materials are open to the public except in certain circumstances. You should work on this basis but there will be times when it is required by law that discussions, documents and other information relating to or held by the council are treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

Disrepute

7. Not bringing my role or council into disrepute.

Behaviour that is considered dishonest and/or deceitful can bring your council into disrepute. As a member you have been entrusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on other councillors and/or your council.

Your position

8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the council provides you with certain opportunities, responsibilities and privileges. However, you should not take advantage of these opportunities to further private interests.

Use of council resources and facilities

9. Not misusing council resources.

You may be provided with resources and facilities by the council to assist you in carrying out your duties as a councillor. Examples include office support, stationery and equipment such as phones, and computers and transport. These are given

to you to help you carry out your role as a councillor more effectively and not to benefit you personally.

Interests

10. Registering and declaring my interests.

You need to register your interests so that the public, council employees and fellow members know which of your interests might give rise to a conflict of interest. The register is a document that can be consulted when (or before) an issue arises, and so allows others to know what interests you have, and whether they might give rise to a possible conflict of interest. The register also protects you. You are responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise.

It is also important that the public know about any interest that might have to be declared by you or other members, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained. Discuss the registering and declaration of interests with your Monitoring Officer/Town or Parish Clerk and more detail is set out in appendix B.

Gifts and hospitality

11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.

12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.

You should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you

because you are a member. However, you do not need to register gifts and hospitality which are not related to your role as a member, such as Christmas gifts from your friends and family, or gifts which you do not accept. However, you may wish to notify your monitoring officer of any significant gifts you are offered but refuse which you think may have been offered to influence you.

Note – items in square brackets [x] refer to recommendations made by the Committee on Standards in Public Life and may be part of a future Government consultation. This includes possible future sanctions and appeals processes.

Breaches of the Code of Conduct

Most councillors conduct themselves appropriately and in accordance with these standards. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations.

Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. Each local authority must publish a code of conduct, and it must cover the registration of pecuniary interests, the role of an 'independent person', and sanctions to be imposed on any councillors who breach the Code.

The 2011 Act also requires local authorities to have mechanisms in place to investigate allegations that a member has not complied with the Code of Conduct, and arrangements under which decisions on allegation may be made.

Failure to comply with the requirements to register or declare disclosable pecuniary interests is a criminal offence. Taking part in a meeting or voting, when prevented from doing so by a conflict caused by disclosable pecuniary interests, is also a criminal offence.

Political parties may have its own internal standards and resolution procedures in addition to the Member Code of Conduct that members should be aware of.

Example

LGA guidance and recommendations

Internal resolution procedure

Councils must have in place an internal resolution procedure to address conduct that is in breach of the Member Code of Conduct. The internal resolution process should make it clear how allegations of breaches of the Code of Conduct are to be handled, including the role of an Independent Person, the appeals process and can also include a local standards committee. The internal resolution procedure should be proportionate, allow for members to appeal allegations and decisions, and allow for an escalating scale of intervention. The procedure should be voted on by the council as a whole.

In the case of a non-criminal breach of the Code, the following escalating approach can be undertaken.

If the breach is confirmed and of a serious nature, action can be automatically escalated.

1. an informal discussion with the monitoring officer or appropriate senior officer
2. an informal opportunity to speak with the affected party/ies
3. a written apology
4. mediation
5. peer support
6. requirement to attend relevant training
7. where of a serious nature, a bar on chairing advisory or special committees for up to two months
8. where of a serious nature, a bar on attending committees for up to two months.

Where serious misconduct affects an employee, a member may be barred from contact with that individual; or if it relates to a specific responsibility of the council, barred from participating in decisions or information relating to that responsibility.

Endnotes

1. CSPL recommend that “Section 27(2) of the Localism Act 2011 should be amended to state that a local authority’s code of conduct applies to a member when they claim to act, or give the impression they are acting, in their capacity as a member or as a representative of the local authority”.
2. CSPL recommend that “councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly accessible social media. Section 27(2) of the Localism Act 2011 should be amended to permit local authorities to presume so when deciding upon code of conduct breaches.”
3. Subject to footnotes 1 and 2 above
4. See CSPL website for further details www.gov.uk/government/news/the-principles-of-public-life-25-years
5. ACAS’s definition of bullying

Appendices

Code Appendix A

The principles are :

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Code Appendix B

Registering interests

1. Within 28 days of this Code of Conduct being adopted by the council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests).
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Table 1 or 2, or of any change to a registered interest, notify the Monitoring Officer.

Declaring interests

3. Where a matter arises at a meeting which directly relates to an interest in Table 1, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
4. Where a matter arises at a meeting which directly relates to an interest in Table 2, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

5. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
6. Where a matter arises at a meeting which affects –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body covered by table 1 below

you must disclose the interest.

7. Where the matter affects the financial interest or well-being to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Table 1: Disclosable Pecuniary Interests

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 .
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
Corporate tenancies	Any tenancy where (to the councillor’s knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*'director' includes a member of the committee of management of an industrial and provident society.

*'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;	
Any Body—	(a) exercising functions of a public nature;
	(b) directed to charitable purposes; or
	(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
of which you are a member or in a position of general control or management.	



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please contact us on 020 7664 3000.
We consider requests on an individual basis.

LGA Consultation on Draft Model Member Code of Conduct

Thank you for taking the time to complete this consultation. This Model Member Code of Conduct [[Model Member Code of Conduct.pdf](#)] aims to be concise, written in plain English and be understandable to members, officers and the public. The Model Member Code is designed to aid members in all tiers of local government model the behaviours and high standards that anyone would expect from a person holding public office. Equally, it articulates behaviour which falls below the standards that would be expected of council members. It is designed to help set a framework for public and councillor interaction, emphasising the importance of civility and that councillors should be protected from bullying, intimidation and abuse.

The LGA has reviewed the existing Model Member Code of Conduct and updated it here incorporating the recommendations from the Committee on Standard's in Public Life's recommendations on Local Government Ethical Standards and the representation from its membership. Part of the Committee's recommendations were the introduction of sanctions for breaches of the code, alongside an appeals process. This aspect is out of scope of this consultation, as it requires legislative changes by Government, but the LGA has sought to reflect some of the possible changes by using square brackets where legal changes would be necessary. The LGA is continuing to take soundings from the sector on the issue of sanctions in anticipation of a Government response to the Committee's recommendations.

This consultation addresses key areas that the LGA would like a view on to help finalise the Code. It is aimed at councillors and officers from all tiers of local government. If you would like a wider discussion about the code, please do sign up to one of the forthcoming Webinars the LGA are holding as part of this consultation. Details will be posted on our [LGA events website](#).

Instructions and privacy notice

You can navigate through the questions using the buttons at the bottom of each page. Use the 'previous' button at the bottom of the page if you wish to amend your response to an earlier question.

All responses will be treated confidentially. Information will be aggregated, and no individual or authority will be identified in any publications without your consent. Identifiable information may be used internally within the LGA but will only be held and processed in accordance with our [privacy policy](#). We are undertaking this consultation to aid the legitimate interests of the LGA in supporting and representing authorities.

Please complete your response in one go - if you exit before submitting your response your answers may be lost. If you would like to see an overview of the questions before completing the consultation online, you can access a PDF [here](#).

About you

Your name _____

Are you...

- ☐ A councillor
- ☐ An officer
- ☐ Answering on behalf of a whole council (Please provide council name below)
- _____
- ☐ Other (please specify below)
- _____

Please indicate your council type

- ☐ Community/Neighbourhood/Parish/Town
- ☐ District/Borough
- ☐ County
- ☐ Metropolitan/Unitary/London Borough
- ☐ Other (please specify below)
- _____

Application of the Code

Under the Localism Act 2012, the Code of Conduct applies to councillors only when they are acting in their capacity as a member. The LGA believes that because councillors are elected by the public and widely recognised by the public, it makes sense for them to continue to model these behaviours when they are making public comment, are identifying as a councillor and when it would be reasonable for the public to identify them as acting or speaking as a councillor. The Committee on Standards in Public Life supported this approach in their report into Local Government Ethical Standards. Whilst the LGA is waiting for Government's response to these recommendations the option has been added in square brackets as it would need changes in legislation.

Q1. To what extent do you support the proposal that councillors demonstrate the behaviours set out in the Code when they are publicly acting as, identifying as, and/or giving the impression that they are acting as a councillor, including when representing their council on official business and when using social media?

- ☐ To a great extent
- ☐ To a moderate extent
- ☐ To a small extent
- ☐ Not at all
- ☐ Don't know/prefer not to say

Q1a. If you would like to elaborate on your answer please do so here:

Q2. Is it sufficiently clear which parts of the Model Code are legal requirements, which are obligations, and which are guidance?

- ☐ Yes
- ☐ No
- ☐ Don't know

Q3. Do you prefer the use of the personal tense, as used in the Code, or would you prefer the passive tense?

- ☐ Personal tense ("I will")
- ☐ Passive tense ("Councillors should")
- ☐ No preference

Specific obligations

The Code lists 12 specific obligations – these set out a minimum standard councillors are asked to adhere to.

Each obligation or group of obligations is put into a wider context to explain why that particular obligation is important.

Q4. To what extent to you support the 12 specific obligations?

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
1. Treating other councillors and members of the public with civility.					
2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.					
3. Not bullying or harassing any person.					
4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.					
5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.					
6. Not preventing anyone getting information that they are entitled to by law.					
7. Not bringing my role or council into disrepute.					
8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.					

9. Not misusing council resources.					
10. Registering and declaring my interests.					
11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.					
12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.					

Q5. If you would like to propose additional or alternative obligations, or would like to provide more comment on a specific obligation, please do so here:

Q6. Would you prefer to see the obligations as a long list followed by the guidance, or as it is set out in the current draft, with the guidance after each obligation?

- ☐ As a list
- ☐ Each specific obligation followed by its relevant guidance
- ☐ No preference

Q7. To what extent to you think the concept of 'acting with civility' is sufficiently clear?

- ☐ To a great extent
- ☐ To a moderate extent
- ☐ To a small extent
- ☐ Not at all
- ☐ Don't know/prefer not to say

Q7a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:

Q8. To what extent do you think the concept of 'bringing the council into disrepute' is sufficiently clear?

- ☐ To a great extent
- ☐ To a moderate extent
- ☐ To a small extent
- ☐ Not at all
- ☐ Don't know/prefer not to say

Q8a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:

Q9. To what extent do you support the definition of bullying and harassment used in the code in a local government context?

- ☐ To a great extent
- ☐ To a moderate extent
- ☐ To a small extent
- ☐ Not at all
- ☐ Don't know/prefer not to say

Q9a. If there are other definitions you would like to recommend, please provide them here.

Q10. Is there sufficient reference to the use of social media?

- ☐ Yes
- ☐ No
- ☐ Don't know/prefer not to say

Q10a. Should social media be covered in a separate code or integrated into the overall code of conduct?

- ☐ Separate code
- ☐ Integrated into the code
- ☐ Don't know/prefer not to say

Q10b. If you would like to make any comments or suggestions in relation to how the use of social media is covered in the code please do so here:

Registration and declarations of interests

The law at present requires, as a minimum, registration and declaration of 'Disclosable Pecuniary Interests' - that is matters which directly relate to the councillor and their partner if applicable.

The LGA is proposing that all councillors are required to declare interests where matters also relate to or affect other family members or associates. The LGA has broadened the requirement to declare interests beyond this current statutory minimum in line with a recommendation from the Committee on Standards in Public Life. These specific provisions are set out in **Appendix B** of the Code.

Q11. To what extent to you support the code going beyond the current requirement to declare interests of the councillor and their partner?

- ☐ To a great extent
- ☐ To a moderate extent
- ☐ To a small extent
- ☐ Not at all
- ☐ Don't know/prefer not to say

Q11a. If you would like to elaborate on your answer please do so here:

Q12. Should the requirement to declare interests be in the main body of the code or in the appendix where the draft model code currently references it?

- ☐ In the main body of the code
- ☐ In the appendix
- ☐ Other (please specify below)
- ☐ Don't know/prefer not to say

Q12a. If you would like to make any comments or suggestions in relation to how the requirement to declare interests is covered in the code please do so here:

It is also suggested that more outside interests should be registered than is the current statutory minimum. These are set out in **Table 2 of the Appendix** and are designed to demonstrate to the community transparency about other bodies with which the councillor is engaged.

Q13. To what extent do you support the inclusion of these additional categories for registration?

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
Any organisation, association, society or party of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council					
Any organisation, association, society or party that exercises functions of a public nature of which you are a member or in a position of general control or management					
Any organisation, association, society or party directed to charitable purposes					
Any organisation, association, society or party of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)					

Q13a. If you would like to propose additional or alternative **categories** for registration, please provide them here:

Q14. To what extent to you support the proposed requirement that councillors do not accept significant gifts as set out in Obligation 11?

- ☐ To a great extent
- ☐ To a moderate extent
- ☐ To a small extent
- ☐ Not at all
- ☐ Don't know/prefer not to say

Q14a. If you would like to elaborate on your answer please do so here:

Q15. The draft code proposes £25 as the threshold for registering gifts and hospitality. Is this an appropriate threshold?

- ☐ Yes
- ☐ Yes, but the amount should be reviewed annually with the code's review
- ☐ No, it should be lower (please specify amount) _____
- ☐ No, it should be higher (please specify amount) _____
- ☐ Don't know/prefer not to say

Q16. The LGA will be producing accompanying guidance to the code. Which of the following types of guidance would you find most useful? Please rank 1-5, with 1 being the most useful.

- _____ Regularly updated examples of case law
- _____ Explanatory guidance on the code
- _____ Case studies and examples of good practice
- _____ Supplementary guidance that focuses on specific areas, e.g., social media
- _____ Improvement support materials, such as training and e-learning packages

Q16a. If you would like to suggest any other accompanying guidance please do so here:

Q17. If you would like to make any further comments about the code please do so here:

Once you press the 'Submit' button below, you will have completed your response.

Many thanks for taking the time to respond to this consultation. You are in control of any personal data that you have provided to us in your response. You can contact us at all times to have your information changed or deleted. You can find our full privacy policy here: [click here to see our privacy policy](#)

For information only - Do not complete

