Cheltenham Borough Council

Local Code of Corporate Governance

2007/2008

## 1.0   Introduction

The local code of corporate governance

1.1 The CIPFA/SOLACE framework 'Delivering Good Governance in Local Government' sets out best practice for developing and maintaining a local code of governance and for discharging accountability for the proper code of public business, through the publication of an annual governance statement that will make the adopted practice open and explicit.

1.2 Governance is about how local government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, and honest and accountable manner. It comprises the systems and processes, and 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.

1.3 Good governance enables us to pursue our vision and corporate objectives effectively as well as underpinning these with mechanisms for the control and management of risk. We aim to meet the standards of the best and ensure that our governance arrangements are sound and also seen to be sound by our citizens.

1.4 It must permeate every level of the organisation. Governance must be owned by all stakeholders, including senior management and members, thus forming the intrinsic core of the Council. It should remain embedded in the culture of the Council and applied within a transparent framework of legislative requirements, governance principles and management processes.

1.5 Good governance leads to:

- good management,
- good performance,
- good stewardship of public money,
- good public engagement and,
- ultimately, good outcomes for our citizens and service users.

2.0   Delivering the principles of good governance

2.1 The following six core principles are taken from *The Good Governance Standard for Public Services* and have been adapted for a local authority context. The principle of leadership has been expanded to emphasise this Council's role in 'leading' our community and this concept 'overarches' the other principles. Greater emphasis has also been placed on our Cabinet and Scrutiny arrangements.

2.2 The revised Framework identifies *six* dimensions to ensure that Cheltenham Borough Council's work is carried out within its corporate governance framework.

*(*Taken from*: Delivering good governance in local government: Framework, CIPFA/Solace, 2007)*
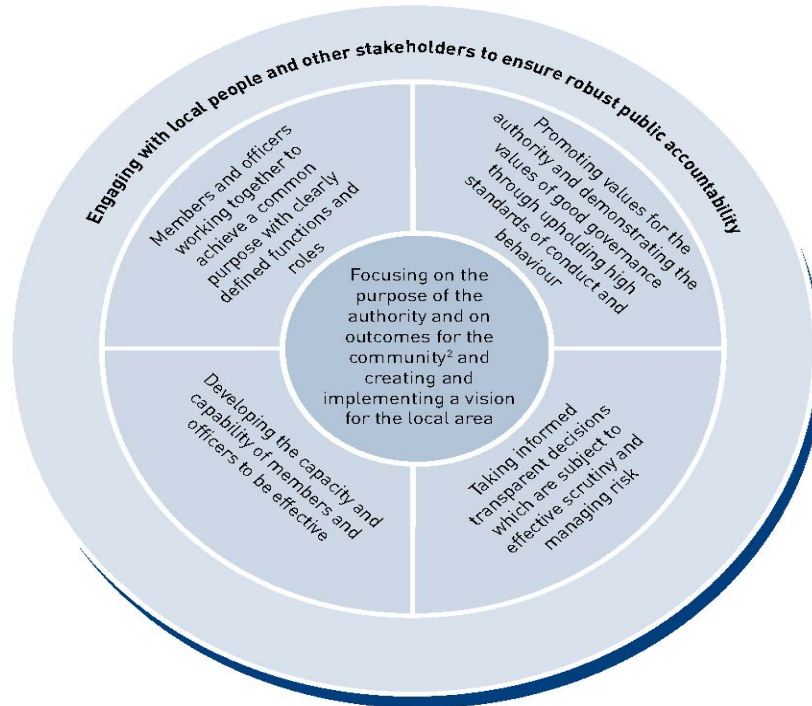
1. Focusing on the purpose of the Council and on outcomes for the community including citizens and service users and creating and implementing a vision for the local area.

The function of governance is to ensure that with other local government and external partners we fulfil our purpose and achieve our priority outcomes for citizens and service users and operate in an effective, efficient, economic and ethical manner.

2. Members and officers working together to achieve a common purpose with clearly defined functions and roles.

The governing body of an organisation has overall responsibility for directing and controlling that organisation. In local government the governing body is the full Council.

3. Promoting the values of the Council and demonstrating the values of good governance through behaviour.

Good governance flows from a shared ethos or culture, as well as from systems and structures. It cannot be reduced to a set of rules, or achieved fully by compliance with a set of requirements. This spirit or ethos of good governance can be expressed as values and demonstrated in behaviour.

Good governance builds on the seven principles for the conduct of people in public life that were established by the Committee on Standards in public Life, known as the Nolan principles. In England, the Local Government Act 2000 outlined ten principles of conduct – an additional three to those identified by Nolan – for use in local government bodies. The Nolan seven principles and additional three principles are included in the guidance notes accompanying this Framework.

A hallmark of good governance is the development of shared values, which become part of the organisation's culture, underpinning policy and behaviour throughout the organisation, from the governing body to all staff. These are in addition to compliance with legal requirements on, for example, equal opportunities and anti-discrimination.

4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.

Decision making within a good governance framework is complex and challenging. It must further the organisation's purpose and strategic direction and be robust in the medium and longer terms. To make such decisions, authority members must be well informed.

Members making decisions need the support of appropriate systems, to help to ensure that decisions are implemented and that resources are used legally and efficiency.

Risk management is important to the successful delivery of public services. An effective risk management system identifies and assesses risks, decides on appropriate responses and then provides assurance that the chosen responses are effective.

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

Effective local government relies on public confidence in authority members, whether elected or appointed, and in officers. Good governance strengthens credibility and confidence in our public services.

Authorities need people with the right skills to direct and control them effectively. Governance roles and responsibilities are challenging and demanding, and authority members need the right skills for their roles. In addition, governance is strengthened by the participation of people with many different types of knowledge and experience.

Good governance means drawing on the largest possible pool of potential members to recruit people with the necessary skills. Encouraging a wide range of people to stand for election or apply for appointed positions will develop a membership that has a greater range of experience and knowledge. It will also help to increase the diversity of authority members in terms of age, ethnic background, social class, life experiences, gender and disability.

6. Engaging with local people and other stakeholders to ensure robust local public accountability.

2.3 Local government is accountable in a number of ways. Elected local authority members are democratically accountable to their local area and this gives a clear leadership role in building sustainable communities. All members must account to their communities the decisions they have taken and the rationale behind those decisions.

2.4 All authorities are subject to external review through the external audit of their financial statements. They are required to publish their financial statements and are encouraged to prepare an annual report. Many are subject to national standards and targets. Their budgets are effectively subject to significant influence and overview by government, which has powers to intervene. Both members and officers are subject to codes of conduct.

2.5 Additionally, where maladministration may have occurred, an aggrieved person may appeal through their local Councillor or directly to the ombudsman.

3.0 Putting the principles into practice at Cheltenham Borough Council

3.1 Cheltenham Borough Council is committed to the principles of good corporate governance and wishes to confirm its ongoing commitment and intentions through the development, adoption and continued maintenance of a Local Code of Corporate Governance. This document therefore sets out and describes the Council's commitment to corporate governance. It identifies the arrangements that have been made and will continue to be made, to ensure its effective implementation and application in all aspects of the Council's work.

3.2 For the purpose of this Local Code, Cheltenham Borough Council has accepted the definition of Corporate Governance as follows:

"Corporate governance is the system by which local authorities direct and control their functions and relate to their communities".

3.3 Cheltenham Borough Council recognises that effective local government relies upon the public having a level of confidence in both elected Members and Officers of their local Council.

3.4 Setting high standards of self-governance provides a clear and demonstrable lead to both our existing and potential partners.

3.5 Each year we formally self-evaluate our current governance arrangements and produce our Annual Governance Statement which includes our improvement plan. In order to in order to review our current arrangements, we will:
o Consider the extent to which we comply with the principles and requirements of good governance set out in this local code;
o Identify systems, processes and documentation that provide evidence of compliance;
o Identify the individuals and committees responsible for monitoring and reviewing the systems, processes and documentation identified;
o Ensure management and reporting arrangements are in place to monitor governance effectiveness;
o Identify the issues that have not been addressed adequately and consider how they should be addressed;
o Identify the individuals who will be responsible for undertaking the actions required and plan accordingly;
o Ensure risk management arrangements are in place and are operating effectively; and
o Ensure systems of control are working effectively.

3.6 Our assurance framework ensures we have continuous governance arrangements in place. Assurance is obtained from a number of sources, for example, independent external inspection agencies, internal review functions and effective business management systems like performance and risk management. Maintenance and development of our assurance framework is overseen by the Standards and Audit Committees, and the Corporate Governance Group.

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

The function of governance is to ensure that authorities, other local government organisations or connected partnerships fulfil their purpose and achieve their intended outcomes for citizens and service users and operate in an effective, efficient, economic and ethical manner. This concept should guide all governance activity.

Local government bodies need to develop and articulate a clear vision of their purpose and intended outcomes for citizens and service users that is clearly communicated, both within the organisation and to external stakeholders.

1.1 Develop and promote the authority's purpose and vision
Progress to date In 2007, following extensive community consultation, the Council has adopted the shared 20 year vision for Cheltenham, as set out in the sustainable community strategy. The current draft sustainable community strategy sets out a 14 year timeframe and this is linked in with the LDF. The Council has also developed an overarching aim to inspire members and officers to work towards. Unpinning the Council's vision and overarching aim sits seven priorities, two of which focus on partnership working and one being an internal priority. A clear statement of this strategic direction is clearly communicated in the Council's three year business plan. To increase capacity the Council has introduced programme boards for major projects, improved its medium term financial strategy (MTFS) to match priorities and resources more clearly and implemented a number of key strategies such as human resources, communications and procurement.
Plans for improvement
Responsible officer Assistant Chief Executive

1.2 Review on a regular basis the authority's vision for the local area and its impact on the authority's governance arrangements
Progress to date
Plans for improvement The vision that has been created for Cheltenham's Sustainable Community Strategy (SCS) has been adopted by Cheltenham Borough Council and has only been in place since April 2007. A review process will be developed to ensure that the vision is being met through the delivery of both the Council's and the SCS priorities.
Responsible officer Assistant Chief Executive

1.3 Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties
Progress to date Progress on achieving Cheltenham's common 20 year vision is monitored through the Cheltenham Strategic Partnership and the delivery of the sustainable community

strategy.

The Council has begun a comprehensive review of its partnership arrangements using shared learning and experience from work already completed at the County Council.

Plans for improvement

Local partners, businesses and residents were engaged through the Cheltenham 2020 consultation programme, though there would be scope to extend this engagement and make it more ongoing in the future.

Responsible officer

Assistant Chief Executive

1.4 Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance

Progress to date

The Council publishes its annual report each year in June along with the annual Statement of Accounts. Each year the Council's produces and publishes an annual update of its business plan.

Plans for improvement

Responsible officer

Assistant Chief Executive

1.5 Decide how the quality of service for its users is to be measured and make sure that the information needed to review service quality effectively and regularly is available

Progress to date

The Council undertakes the customer satisfaction review and also report quarterly on its basket of national and local performance indicators. This is presented in our 'real time' performance management system, TEN, and is summarised each year in our business plan annual updates to show progress against priorities.

Plans for improvement

The current performance system, TEN, is geared towards targets and inspections and less towards service improvement or public accountability. A review of the current system would require proper resourcing but could address these issues. The Council will be developing a new suite of local performance indictors to compliment the new suite of national indicators that will be in effect from April 2008.

Currently, member access to the TEN screens, which are on the intranet, is unavailable for home working. Depending on budget constraints, improved member home working facilities will be explored during 2008/09.

Responsible officer

Assistant Chief Executive

1.6 Put in place effective arrangements to identify and deal with failure in service delivery

Progress to date

As set out in the Constitution, one of the roles of the three overview and scrutiny committees is to review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas. The overview and scrutiny committees have the mechanism to investigate and probe.

Plans for improvement

Performance management arrangements within the Council lack specific measures of success and effective monitoring arrangements.

Responsible officer

Assistant Chief Executive

1.7 Decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively.
Measure the environmental impact of policies, plans and decisions
Progress to date
The Council's procurement Strategy provides a vision and direction to strive for best practice in procurement and continually improving value for money and quality in the services and goods that are procured. The Audit Commissions 2006 use of resources work shows that the Council is performing consistently above average and continues to make progress in providing value for money. Issues arising from this assessment are communicated to the Economy and Business Improvement Overview and Scrutiny Committee (EBI).
Plans for improvement
There is scope to improve internal control arrangements.
Responsible officer
Assistant Chief Executive

2 Members and officers working together to achieve a common purpose with clearly defined functions and roles

The governing body of an organisation has overall responsibility for directing and controlling that organisation. In local government the governing body is the full Council or authority.

2.1 Set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the authority's approach towards putting this into practice
Progress to date   The roles and responsibilities of the executive and the Cabinet members are set out in the Council's constitution. Putting these into practice is supported by the member/officer protocol, the various codes of practice referred to in this Code, and training and development for members and officers. The Constitution is not a static document and is scrutinised and updated regularly.
Plans for improvement
Responsible officer   Borough Solicitor and Monitoring Officer

2.2 Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and of senior officers
Progress to date   The Council has adopted the Members Code of Conduct and the Protocol for Member/Officer Relations, (part 5C).
Plans for improvement   The Standards Committee is due to review the Protocol for Member/Officer Relations during 2007/08.
Responsible officer   Borough Solicitor and Monitoring Officer

2.3 Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the authority, taking into account of relevant legislation, and ensure that it is monitored and updated when required
Progress to date   Part 3 of the constitution contains a comprehensive description of the allocation of functions and responsibilities amongst the Cabinet, Full Council, its committees and Council Officers.
Plans for improvement   Part 3 is kept under review to ensure that it accurately reflects the position within the Council.
Responsible officer   Borough Solicitor and Monitoring Officer

2.4 Make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management
Progress to date   The Chief Executive is designated as the Head of Paid Service. Duties in this regard are set out in a job description and in the Council's constitution.
Plans for improvement

Responsible officer
Chief Executive

2.5 Develop protocols to ensure that the leader and chief executive negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained
Progress to date
The respective roles are set out in the Council's constitution, the member/officer protocol and the Chief Executive's job description.
Plans for improvement
The Standards Committee is due to review the Protocol for Member/Officer Relations during 2007/08.
Responsible officer
Borough Solicitor and Monitoring Officer

2.6 Make a senior officer (the S151 officer) responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control
Progress to date
The Chief Financial Officer is designated as the statutory Section 151 Officer. Duties in this regard are set out in a job description and the constitution.
Plans for improvement
The Financial Services team are developing a webpage which provides a single source of information and advice on financial matters.
Responsible officer
Section 151 officer

2.7 Make a senior officer (usually the monitoring officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with
Progress to date
The Borough Solicitor and Monitoring Officer is designated as the Monitoring Officer. Duties in this regard are set out in a job description and in the constitution. The Borough Solicitor has responsibility for the Democratic Services Unit which operates the system of decision making within the authority.
Plans for improvement
The system is subject to continual review in order to ensure that transparency of decision making is maintained. The last full review occurred in 2006 but it is envisaged that a further review will take place in 2007-08 with a specific focus on the issue of Cabinet decision making.
Responsible officer
Borough Solicitor and Monitoring Officer

2.8 Develop protocols to ensure effective communication between members and officers in their respective roles
Progress to date
These are set out in the Council's constitution and the Council has adopted a member/officer protocol.
Plans for improvement
The Standards Committee is due to review the Protocol for Member/Officer Relations during 2007/08.
Responsible officer
Borough Solicitor and Monitoring Officer

2.9 Set out terms and conditions for remuneration of members and officers and an effective structure for managing the process, including an effective remuneration panel (if applicable) Ensure that effective mechanisms exist to monitor service delivery.
Progress to date The Council has publicised a Member Allowance Scheme following consultation with an Independent panel. The Council has in place a structure for managing and monitoring employee related issues under the Council's constitution. The Council is implementing the national single status agreement.
Plans for improvement
Responsible officer Borough Solicitor and Monitoring Officer in consultation with AD HR&OD

2.10 Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated
Progress to date The Council's vision, priorities and targets are set out in the Council's business plan and their financial implications are highlighted in the Medium Term Financial Strategy. The Council consults and communicates with the community and stakeholders by working with the Cheltenham Strategic Partnership (CSP). The Council annual consults with the community on its budget proposals.
Plans for improvement
Responsible officer Assistant Chief Executive; Section 151 officer

2.11 When working in partnership ensure that members are clear about their roles and responsibilities both internally and collectively in relation to the partnership and to the authority When working in partnership: - ensure that there is clarity about the legal status of the partnership - ensure that representatives or organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions
Progress to date The Council has adopted the Protocol on Guidance for Councillors Appointed to Represent the Council on Outside Bodies, (Part 5G)
Plans for improvement Develop governance arrangements with significant partners.
Responsible officer Borough Solicitor and Monitoring Officer

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

Good governance flows from a shared ethos or culture, as well as from systems and structures. It cannot be reduced to a set of rules, or achieved fully by compliance with a set of requirements. This spirit or ethos of good governance can be expressed as values and demonstrated in behaviour.

Good governance builds on the seven principles for the conduct of people in public life that were established by the Committee on Standards in Public Life, known as the Nolan principles. In England, the Local Government Act 2000 outlined ten principles of conduct – an additional three to those identified by Nolan – for use in local government bodies.

A hallmark of good governance is the development of shared values, which become part of the organisation's culture, underpinning policy and behaviour throughout the organisation, from the governing body to all staff. These are in addition to compliance with legal requirements on, for example, equal opportunities and anti-discrimination

3.1 Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect
Progress to date
The new CEX and political administration have both adopted this remit. Through the member's and employee's code of conduct and BoD/Cabinet away days, the leadership work together to find ways to highlight the Council's values.
The CEX blog is updated weekly by the CEX and employees are invited to raise concerns or comment on issues that are important to them.
The annual employee sessions are designed for employees to hear about current and future challenges or issues. The sessions are delivered by the CEX and employees are invited to ask questions or comment.
Plans for improvement
Responsible officer
Chief Executive

3.2 Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the authority, its partners and the community are defined and communicated through codes of conducts and protocols
Progress to date
The Council has adopted a member code of conduct and an officer code of conduct. Compliance is supported by the codes of practice referred to in this Code, member/officer induction, training and development, and appropriate grievance and disciplinary procedures.
Plans for improvement
Creation of a competency framework
Review of the Appraisal process
Review of the Officer Code of Conduct 2007-08
Responsible officer
Monitoring Officer and Borough Solicitor in consultation with the AD HR&OD

3.3 Put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice
Progress to date
The Code of Conduct states members and employees' obligations for dealing with any prejudice, bias and conflicts that may occur.
Plans for improvement
Provision of training for Members and Officers.
Responsible officer
Borough Solicitor and Monitoring Officer

3.4 Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners
Progress to date
The Council has adopted nine corporate values that lie at the heart of everything we do to achieve our vision for Cheltenham. These are supported by the various codes of practice referred to in this Code, member/officer training and the investors in People award.   These corporate values have been tested and monitored through corporate-wide employee sessions and in November 2005; the Council took the opportunity to check that they are still relevant for the organisation. There was no suggestion from employees that any of the corporate values needed replacing or altering and general consensus suggests that these are still considered to be the principles by which we should all be operating by.
Plans for improvement
The exercise has highlighted areas for improvement to ensure that the corporate values continue to underpin the work of all employees.
Responsible officer
Assistant Chief Executive

3.5 Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice
Progress to date
The Council has established a Standard's Committee, with an independent Chair and some independent members, to advise and support the Council on ethics and standards issues.
Plans for improvement
Training for Members and the ongoing monitoring and review of the working of the Code of Conduct through the routine reporting of complaints to the Standards Committee.
Responsible officer
Borough Solicitor and Monitoring Officer

3.6 Develop and maintain an effective standards committee
Progress to date
The Council has in place an effective and influential standards committee which has establish its reputation and presence within the authority. It undertakes periodic reviews of codes of conduct and offers advice to members on ethical issues.
Plans for improvement
Ensure that members have access to training and other resources where necessary.
Responsible officer
Borough Solicitor and Monitoring Officer

3.7 Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusted relationships within the authority
Progress to date
One of the nine corporate values – Clear and Open – promotes the Council's aim to be responsive, courteous and fair and be clear and open about what we can achieve and what we cannot. We also have the value - Valuing each other – which states we will value and support everyone who works for, or represents, the Council, and give them the help they need to perform to the highest levels and to gain job satisfaction.
Plans for improvement
Responsible officer
Chief Executive

3.8 In pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners' behaviour both individually and collectively
Progress to date
All partnerships with the Council have developed Terms of Reference.
Plans for improvement
Responsible officer
Assistant Chief Executive

4 Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

Decision making within a good governance framework is complex and challenging. It must further the organisation's purpose and strategic direction and be robust in the medium and longer terms. To make such decisions, authority members must be well informed.

Members making decisions need the support of appropriate systems, to help to ensure that decisions are implemented and that resources are used legally and efficiency.

Risk management is important to the successful delivery of public services. An effective risk management system identifies and assesses risks, decides on appropriate responses and then provides assurance that the chosen responses are effective.

4.1 Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the authority's performance overall and that of any organisation for which it is responsible
Progress to date
The Council has an established three overview and scrutiny committees.
Plans for improvement
The Council is currently reviewing the function of its O&S activity and has recently implemented recommendations for change arising from its Scrutiny Champions Group.
Responsible officer
Borough Solicitor and Monitoring Officer

4.2 Develop and maintain open and effective mechanisms for documenting evidence for key decisions and recording the criteria, rationale and considerations on which decisions are based
Progress to date
The Council's forward planning process ensures that all key decisions are considered. The Constitution sets out that a key decision means an executive decision which is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the district.
Plans for improvement
Operational decisions are delegated to officers and background evidence is not provided to show how a decision is arrived at.
Responsible officer
Borough Solicitor and Monitoring Officer

4.3 Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes and ensure that they continue to operate in practice
Progress to date
The Council has a hospitality register and records member's conflicts on interest. The Council also maintains a register of employees' interests.
Plans for improvement
The system for recording employees' interests is currently being reviewed with a view

to ensuring that all employees are fully aware of their obligations.
Responsible officer Borough Solicitor and Monitoring Officer

4.4 Develop and maintain an effective audit committee which is independent of the executive and scrutiny functions or make other appropriate arrangements for the discharge of the functions of such a committee
Progress to date This is covered by the Audit Committee. The terms of reference details composition of the Committee and sets out the functions of the group. Working groups also exist beneath the Audit Committee. An officer Corporate Governance working group has also been established with its own terms of reference and makes recommendations to the Audit Committee.
Plans for improvement
Responsible officer Chief Executive

4.5 Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints
Progress to date The Council has a well publicised Complaints, Comments and Compliments form, along with section of the Council website detailing how to complain to the Council and how complaints are investigated. The Council also has a customer service standards policy, available to download from the website. The Council will, in 2008, implement a system to deal with complaints about the conduct of elected Members. This system will be administered by the Borough Solicitor.
Plans for improvement A more robust system to ensure that customer comments and complaints are captured to form an integral part of service planning.
Responsible officer Assistant Chief Executive; Borough Solicitor and Monitoring Officer

4.6 Ensure that those making decisions whether for the authority or the partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications
Progress to date The CSP has reviewed its partnership structure and this work was led by CBC.
Plans for improvement
Responsible officer Assistant Chief Executive; Borough Solicitor and Monitoring Officer

4.7 Ensure that professional legal advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately
Progress to date All reports to Council, including the Cabinet, set out the legal and financial implications of all decisions.
Plans for improvement
Responsible officer Borough Solicitor and Monitoring Officer

4.8 Ensure that risk management is embedded into the culture of the authority, with members and managers at all levels recognising that risk management is part of their jobs
Progress to date
The Council has a Risk Management Policy, supplemented by processes overseen by a Risk Management Group of officers. Internal Audit evaluates risk in compiling the Annual Audit report using a scoring assessment model. Risk is also represented in the Council's electronic performance management system and owners of the risks are encouraged to regularly monitor and update any risks they may have.
Plans for improvement
Responsible officer
Assistant Chief Executive

4.9 Ensure that effective arrangements for whistle-blowing are in place to which officers, staff and all those contracting with or appointed by the authority have access
Progress to date
The Council has a whistle-blowing policy which is available both on the intranet and internet. The Council also has an Anti Fraud and Corruption strategy which was recently revised and approved by Council. The policy has been drafted to ensure that there is a culture of anti fraud and anti corruption and everyone will have a duty to ensure that this culture is fostered. The policy has been placed on the Council's website and also on the intranet and all new employees and members are briefed on the policy during their induction.
Plans for improvement
The whistle blowing policy is due a refresh. Effective arrangements will be put in place to consult, communicate and review any changes.
Responsible officer
AD HR & OD in consultation with the Borough Solicitor and Monitoring Officer.

4.10 Actively recognise the limits of lawful activity placed on the Council by, for example, the ultra vires doctrine but also strive to utilise their powers to the full benefit of their communities
Progress to date
The legal team produces a regular legal bulletin to update officers on relevant changes in legislation. In addition training is provided in key areas of law or procedure, e.g. a programme of training in the contract standing orders was undertaken in 2007. All reports to Cabinet and Council contain legal implications which include comments relating to Vires where that is relevant.
Plans for improvement
There is room for improvement in the extent to which legal advice is sought by officers when preparing proposals on matters and undertaking operational functions such as procurement. It is hoped that the report writing procedures revised in 2006 will result in improvements in this respect.
Responsible officer
Borough Solicitor and Monitoring Officer

4.11 Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law
Progress to date
The council operates a system where all reports to Full Council, Cabinet or Individual

Member Decision are accompanied by legal implications. The legal team produces a regular legal bulletin to update officers on relevant changes in legislation. In addition training is provided in key areas of law or procedure, e.g. a programme of training in the contract standing orders was undertaken in 2007.
Plans for improvement There is room for improvement in the extent to which legal advice is sought by officers when preparing proposals on matters and undertaking operational functions such as procurement. It is hoped that the report writing procedures revised in 2006 will result in improvements in this respect.
Responsible officer Borough Solicitor and Monitoring Officer

4.12 Observe all specific legislative requirements placed upon the Council, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law - rationality, legality and natural justice - into their procedures and decision-making processes
Progress to date The council operates a system where all reports to Full Council, Cabinet or Individual Member Decision are accompanied by legal implications.
Plans for improvement There is room for improvement in the extent to which legal advice is sought by officers when preparing proposals on matters and undertaking operational functions such as procurement. It is hoped that the report writing procedures revised in 2006 will result in improvements in this respect.
Responsible officer Borough Solicitor and Monitoring Officer

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

Effective local government relies on public confidence in authority members, whether elected or appointed, and in officers. Good governance strengthens credibility and confidence in our public services.

Authorities need people with the right skills to direct and control them effectively. Governance roles and responsibilities are challenging and demanding, and authority members need the right skills for their roles. In addition, governance is strengthened by the participation of people with many different types of knowledge and experience.

Good governance means drawing on the largest possible pool of potential members to recruit people with the necessary skills. Encouraging a wide range of people to stand for election or apply for appointed positions will develop a membership that has a greater range of experience and knowledge. It will also help to increase the diversity of authority members in terms of age, ethnic background, social class, life experiences, gender and disability.

5.1 Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis
Progress to date
The Council has a well developed induction process for members and officers and there are opportunities to develop and update skills and knowledge.
Plans for improvement
Responsible officer
AD HR & OD in conjunction with Borough Solicitor

5.2 Ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that those roles are properly understood throughout the authority
Progress to date
An appraisal and performance management process is in place that includes personal development plans for individuals
Plans for improvement
The appraisal process will be refreshed in 2008.
Responsible officer
AD HR & OD in conjunction with Borough Solicitor

5.3 Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively
Progress to date
The Council has an annual training and development programme for all members. Members are required to have training before performing specific roles such as licensing and planning. Officers are expected to go through the appraisal process annually, identifying any skills or training gaps.
Plans for improvement
Revised Appraisal system to bring it more inline with the Business Plan priorities. Publication of training calendar.

Responsible officer
AD HR & OD in conjunction with Borough Solicitor

5.4 Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed
Progress to date
The Council provides induction and ongoing training development to develop skills. The Council has developed a corporate training programme which includes management development.
Plans for improvement
Creation of a competency framework. Review of the Appraisal process.
Responsible officer
AD HR and OD

5.5 Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan which might, for example, aim to address any training or development needs
Progress to date
The duty of reviewing the performance of the Council lies with the E&BI overview and scrutiny committee. Member attendance records are now published. Member development and training responsibility has been transferred to the Learning and Development manager.
Plans for improvement
Responsible officer
Borough Solicitor and AD HR and OD

5.6 Ensure that effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority
Progress to date
Plans for improvement
Responsible officer
Assistant Chief Executive

5.7 Ensure that career structures are in place for members and officers to encourage participation and development
Progress to date
Members and officers are encouraged to participate in development activities. An annual corporate training plan is produced.
Plans for improvement
Responsible officer
Borough Solicitor, and AD HR and OD

6 Engaging with local people and other stakeholders to ensure robust public accountability

Local government is accountable in a number of ways. Elected local authority members are democratically accountable to their local area and this gives a clear leadership role in building sustainable communities. All members must account to their communities the decisions they have taken and the rationale behind those decisions.

All authorities are subject to external review through the external audit of their financial statements. They are required to publish their financial statements and are encouraged to prepare an annual report. Many are subject to national standards and targets. Their budgets are effectively subject to significant influence and overview by government, which has powers to intervene. Both members and officers are subject to codes of conduct.

Additionally, where maladministration may have occurred, an aggrieved person may appeal through their local Councillor or directly to the ombudsman.

6.1 Make clear to themselves, all staff and the community to whom they are accountable and for what
Progress to date
The Council holds an open complaints procedure, details of which can be found on the corporate website and in booklets on the reception desks. Posters are also around Council owned buildings detailing how the community can comment, complain or compliment Council services.
Plans for improvement
Responsible officer
Assistant Chief Executive

6.2 Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required
Progress to date
The Council has a commitment to stakeholder consultation, participation and involvement and set out in its communications and consultation strategies.
Plans for improvement
Financial reporting: Good arrangements which could be strengthened to ensure the needs of stakeholders are met.
Responsible officer
Assistant Chief Executive

6.3 Produce an annual report on the activity of the scrutiny function
Progress to date
Plans for improvement
Responsible officer
Borough Solicitor and Monitoring Officer

6.4 Ensure clear channels of communication are in place with all sections of the

community and other stakeholders, and put in place monitoring arrangements and ensure that they operate effectively
Progress to date
The Council has a commitment to stakeholder consultation, participation and involvement and set out in its communications and consultation strategies.
Plans for improvement
Responsible officer
Assistant Chief Executive

6.5 Hold meetings in public unless there are good reasons for confidentiality
Progress to date
Meetings have been held in public for many years and openness has always been maintained. The press are also in attendance at these meetings.
Plans for improvement
Responsible officer
Borough Solicitor and Monitoring Officer

6.6 Ensure that arrangements are in place to enable the authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands
Progress to date
As well as having communications and consultation strategies, the Council is undergoing work to identify and engage with hard to reach groups. The Council has conducted comprehensive consultation with a wide variety of stakeholders to inform this process.
Plans for improvement
Responsible officer
Assistant Chief Executive

6.7 Establish a clear policy on the types of issues they may meaningfully consult on or engage with the public and service users about including a feedback mechanism for those consultees to demonstrate what has changed as a result
Progress to date
The Council has a consultation policy which sets the parameters for consultation. The Council also consults and communicates with the community and stakeholders by working with the Cheltenham Strategic Partnership.
Plans for improvement
Responsible officer
Assistant Chief Executive

6.8 On an annual basis, publish a performance plan giving information on the authority's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of the service users in the previous period
Progress to date
In June each year the Council publishes its performance plan. The current business plan runs form 2007 to 2010 and an annual update is produced each year listing progress to date and future targets.

The BVPP was published by the statutory deadline and included all the required target, outturn and prior period information.
Plans for improvement
Responsible officer Assistant Chief Executive

6.9 Ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that is has made a commitment to openness and transparency in all its dealing, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so
Progress to date The Council has made a specific commitment in its corporate values, priorities, and in the Constitution. All Council meetings permit public speaking, and members of the Council can raise questions at cabinet meetings and raise issues through scrutiny.
Plans for improvement Launch of a new, more accessible and informative web site – currently under construction.
Responsible officer

6.10 Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making
Progress to date Key HR policies have been identified for development/review as part of the HR Service plan 2007-8.
Plans for improvement HR SDP Item 4.4 – Create a modern policy framework for Formal Consultation that encourages a constructive employee relations climate in a context of ongoing organisational change.
Responsible officer AD HR and OD