



Local Code of Corporate Governance

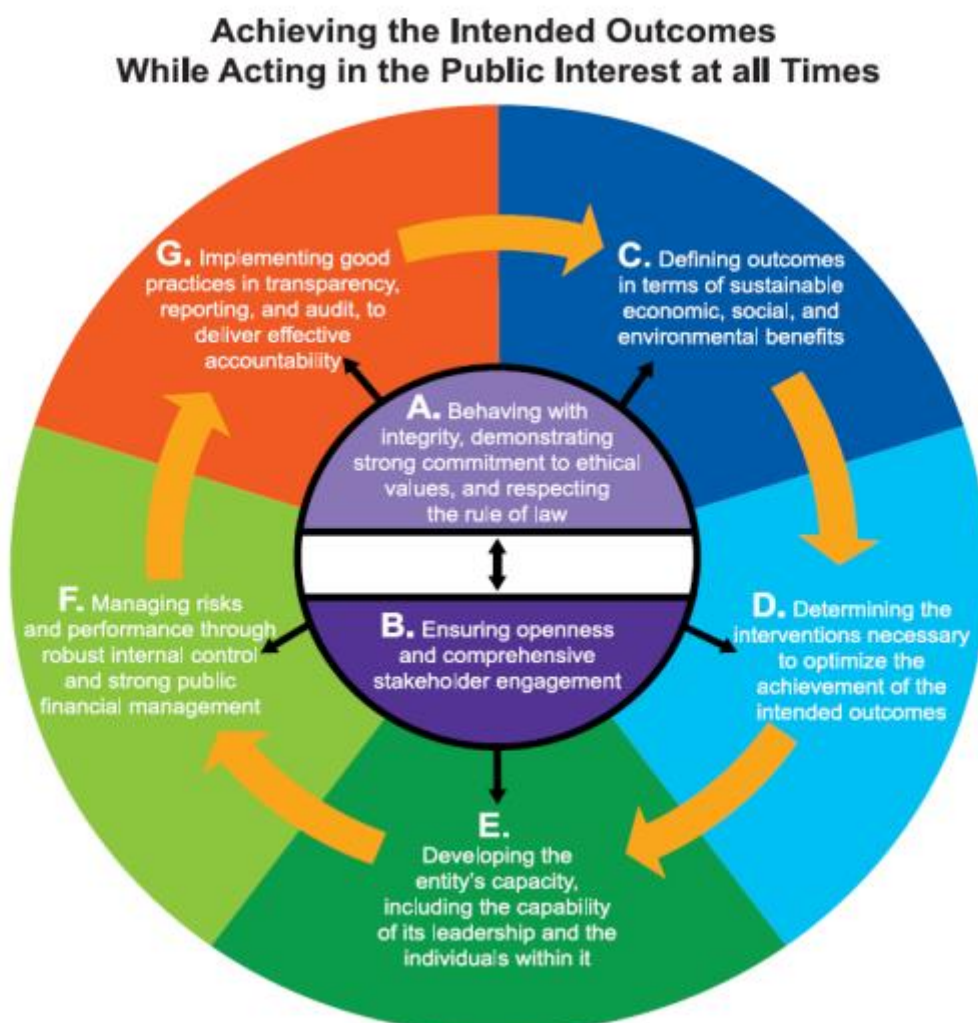
June 2024

1. Introduction to Delivering Good Governance

The council is committed to ensuring good governance principles and management practices are adopted in all business activities to ensure public trust. This Local Code of Governance provides a public statement that sets out the way in which the council will meet and demonstrate that commitment. It includes the political arrangements, administrative systems, policies and processes as well as the culture and values that underpin arrangements for the effective:

- Allocation of resources in accordance with agreed policies and priorities.
- Sound, transparent and inclusive decision making.
- Management of the organisation, performance and accountability for the use of those resources in order to achieve desired outcomes for service users and communities.

Delivering Good Governance in Local Government; Framework, published by CIPFA, provides guidance on the standards for local authority governance in the UK. This Framework sets out seven core principles of governance as detailed in the diagram below, and illustrates that good governance is dynamic and involves continuous evaluation and review



Pendle Borough Council has adopted these principles of good governance and adapted its Local Code to reflect its responsibilities. This is demonstrated through the adoption, monitoring and continued development of this document.

The council's key governance areas and how it will provide assurance that it is complying with these are set out in more detail within its Governance Assurance Framework.

The council recognises that establishing and maintaining a culture of good governance is as important as putting in place a framework of policies and procedures. The council expects Members and officers to uphold the highest standards of ethics, conduct and behaviour, and to act with openness, integrity and accountability in carrying out their duties.

This Code ensures the council is doing the right things, in the right way. Further information regarding each of the above principles and the behaviours and actions that demonstrate good governance in practice are detailed at Appendix A. 1.7 Similar and proportionate oversight and assurance reporting arrangements should also be put in place in respect of services outsourced to external suppliers, trading partnerships, shared service arrangements and arm's length bodies.

2. Monitoring and review

Regulation 6(1)(a) of the Accounts and Audit regulations 2015 require an authority to conduct a review at least once in a year of the effectiveness of its systems of internal control and include a statement reporting on the review with any published statement of Accounts. This is known as an Annual Governance Statement.

As such the council will monitor its governance arrangements for their effectiveness in practice and will review them on a continuing basis to ensure that they are up to date and working effectively. The council's Governance Assurance Framework sets out in more detail how the council will seek assurance on its adherence to the adopted principles of governance.

On an annual basis, the Chief Executive and Leader of the Council will publish an Annual Governance Statement which will:

- Assess how the council has complied with this Code of Corporate Governance.
- Provide an opinion on the effectiveness of the council's arrangements.
- Provide details of how continual improvement in the systems of governance will be achieved.

3. Certification

We hereby certify our commitment to this Code of Corporate Governance and will ensure that the council continues to review, evaluate and develop the council's Governance arrangements to ensure continuous improvement of the council's systems.

LEADER AND CE TO SIGN?

INCLUDE SECTION ON RESPONSIBILITIES?

Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
Local government organisations are accountable not only for how much they spend, but also for how they use the resources under their stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes they have achieved. In addition, they have an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, they can demonstrate the appropriateness of all their actions and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.

Sub Principles	Pendle Councils commitments to achieving good governance in practice include:
A1 – Behaving with Integrity A2 – Demonstrating strong commitment to ethical values A3 – Respecting the rule of law	The Council('s): ✓ Constitution, Policy Framework and HR Policies creates the conditions to enable Members and Officers to demonstrate a strong commitment to the rule of the law, and adhere to relevant laws and regulations, allowing them to utilise powers for the benefit of the community. ✓ Constitution outlines the roles and responsibilities of Members and Statutory Officers (Head of Paid Services, Monitoring Officer and Section 151 Officer) in line with legislative and regulatory requirements. ✓ Ethical Framework (Code of Conduct, Declarations of Interests and Gifts and Hospitality) sets out the standards of behaviour, conduct and values the Council expects of its Members, Officers and those who work with the Council. This together with promoting the framework ensures that high standards of conduct are maintained and where appropriate safeguards are put in place, and action is taken where breaches occur. For example, the Council has a Standards Hearing Panel in place (including an independent persons) to hear any alleged breaches of the Code of Conduct. ✓ Policy Framework identifies the key policies and strategies that ensure effective delivery of the Council’s Corporate Plan, ensuring compliance with statutory duties/responsibilities. • Policy and strategy guidance ensures that the policy development process gives due consideration to key aspects such as sustainable economic social and environmental benefits and the long-term view • Council policies are considered and approved by Members ✓ Robust Financial and Contract Procedure Rules and effective procurement arrangements are embedded to enable the Council to demonstrate good practice, ethical values, compliance with legislation, realise value for money and public accountability. ✓ Robust Audit and Counter Fraud procedures ensures corruption and misuse of power are dealt with effectively. ✓ Suite of Anti-Fraud, Theft and Corruption, Anti-Money Laundering, Anti-Bribery and Whistleblowing Policies demonstrate our commitment to review / investigate matters that may compromise the Council’s values or integrity. ✓ Corporate training and induction programme ensures that Members are offered, and Officers receive appropriate training to assist them in effectively executing their duties, and understand the standards of behaviour expected of them. ✓ Decision making processes ensures that legal and ethical implications are fully considered. ✓ Annual Internal Audit Plan is focussed on the organisation’s assurance framework, core and mandated reviews (including follow-up of previous review recommendations) and risk-based reviews. ✓ Complaints Policy and handling guidelines / procedures ensures that we remain accountable for our actions and can deal effectively with issues highlighted when we get it wrong.

Actions planned / needed	By who	By when
• Consider the need to provide Contract Tendering training to staff.	Head of Finance	June 2024
• Review of Complaints handling processes and policy undertaken and recommendations agreed	Monitoring Officer / Head of Policy & Commissioning	May 2024

Principle B: Ensuring openness and comprehensive stakeholder engagement

Local government is run for the public good; organisations therefore should ensure openness in their activities. Clear, trusted channels of communication and consultation should be used to engage effectively with all groups of stakeholders, such as individual citizens and service users, as well as institutional stakeholders.

Sub Principles	Pendle Councils commitments to achieving good governance in practice include:
B1 – Openness	The Council('s): ✓ Has adopted a Scheme of Delegation with the intention of giving a clear transparent, effective and accountable decision-making process. ✓ Will effectively evidence and record all decisions made in connection with the discharge of its functions and publish those appropriately. - This is achieved through the adoption of a standard reporting format in relation to committee reports which ensures all relevant information is provided to enable transparent decision making. - The award of contracts are appropriately documented and the Council will maintain and publish a Contracts register. - All payments to suppliers are published on a monthly basis. ✓ Adhere to the various requirements to publish information (in an Open Data format where possible), for example: - To comply with the Local Government Transparency Code 2015 - Draft Statement of Accounts published for public rights of inspection in compliance with Regulation 15(2)(b) of the Accounts and Audit Regulations 2015. ✓ Is committed to engaging with the community and other stakeholders on key matters affecting the Council and local communities. For example: - A survey with residents (Life in Pendle) will be completed every two years so that we can access an up-to-date summary of the view of citizens on the Borough, their neighbourhood and the delivery of public services. - Will use various forums and groups to consult / involve communities and service users (formal and informal) to obtain their views and experiences to help determine the most appropriate and effective interventions or course of action - Communications Strategy sets out the plan for improving communications across the Council with employees, partners, residents and other stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear - Undertake subject specific consultations as required, such as Local Plan, Council Tax Support Scheme, etc. - Membership of other key regional and sub-regional bodies, such as representation at Lancashire Leaders, Lancashire CFO network, etc - Use of social media and Friends groups for collecting feedback. - Corporate Complaints Policy in place. ✓ Recognises and values the diversity of our communities and our workforce. We are committed to providing inclusive services that meet the needs of all our service users and to ensuring that we are an inclusive employer. ✓ Continue fostering a culture for all staff to deal directly with members of the public as per the Community Engagement Framework. ✓ Has in place Area Committees which are a valuable tool in promoting and encouraging community engagement. ✓ Record of decision-making and Minutes are made publicly available with a public participation section at meetings where appropriate. ✓ Responds to Freedom of Information Act requests in a timely manner and the Council Publication Scheme is made available on the Council’s website.
B2 – Engaging comprehensively with institutional stakeholders	
B3 – Engaging with individual citizens and service users effectively	

Actions planned / needed	By who	By when

Principle C: Defining outcomes in terms of sustainable economic, social, and environmental benefits

The long-term nature and impact of many of local government’s responsibilities mean that it should define and plan outcomes and that these should be sustainable. Decisions should further the authority’s purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

Sub Principles	Pendle Councils commitments to achieving good governance in practice include:
C1 – Defining Outcomes C2 - Sustainable economic, social and environmental benefits	The Council('s): ✓ Maintains a Corporate Plan which is supported by an annual corporate programme of delivery and individual Service Plans which outlines its ambitions and promises to our residents and shows how the Council will use its resources to deliver these. ✓ Produce a Publication Local Plan, in accordance with legislation and national policy that sets the overall strategic direction for the Borough for up to the next 15 years. ✓ MTFP takes account for sensitivity testing across variation factors such as pay inflation, general inflation, cost of borrowing, collection rates. ✓ Capital investment strategy is linked to corporate objectives and Capital Programme resource allocation. ✓ Has a robust performance management framework in place establishing the monitoring, review and reporting arrangements for delivery of defined outcomes and outputs. ✓ Has established risk management arrangements in place which include bi-monthly meetings of the Corporate Governance Steering Group and quarterly meetings of the Accounts & Audit Committee. ✓ Records of decision-making and Minutes are made publicly available on the Council website. ✓ Utilises feedback from citizens, services users and institutional collated via various methods, such as Complaints, Life in Pendle Survey, ad-hoc consultations, etc when developing the Corporate Plan and other policies.

Actions planned / needed	By who	By when
• Customer Contact / Access Strategy to be reviewed and updated, ensuring alignment with the Council’s IT Strategy and Digital Strategy	Head of Policy & Commissioning	June 2024

Principle D: Determining the interventions necessary to optimise the achievement of the intended outcomes

Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions. Determining the right mix of these courses of action is a critically important strategic choice that local government has to make to ensure intended outcomes are achieved. They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed continually to ensure that achievement of outcomes is optimised.

Sub Principles	Pendle Councils commitments to achieving good governance in practice include:
D1 - Determining interventions D2 - Planning interventions D3 - Optimising achievement of intended outcomes	The Council('s): ✓ Planning and control cycles cover strategic and operational plans, ensuring that key priorities/outcomes are identified, and delivery plans are in place to achieve the desired outcomes. ✓ Ensures that it forward plans key decisions and reports to allow for effective scrutiny and challenge. ✓ Key support services are default reviewers for any committee reports where a decision is required to be taken, thus ensuring that relevant implications have been considered. ✓ Complaints Policy recognises that customer feedback is a valuable resource for improving the experiences of customers and shaping the design and delivery of our services. ✓ Business Continuity framework ensures the resilience of the organisation to any eventuality and to help ensure continuity of service to its key customers. ✓ Emergency Planning processes are in place to allow a response to an external incident as part of the Authorities duties under the Civil Contingencies Act 2004. ✓ Has an established Performance Management Framework which includes: • The use of a comprehensive and interactive performance management software system, Pentana, to track and report on progress on Corporate Plan priorities and milestones, strategic risks and performance indicators. • A basket of Key Performance Indicators (KPIs) which are subject to annual review by Services and Corporate Management Team. • Quarterly performance reporting to the Performance Clinic Panel and Executive. • Regular review and adaption of the framework to ensure it is an inclusive process for all services and enables timely and effective decision-making. ✓ Has in place a programme of transfer of services and facilities to Area Committees. ✓ Established reporting cycles and timescales in place. ✓ Medium Term Financial Plan (MTFP) developed and maintained showing position over 3 year rolling period. ✓ Corporate Procurement arrangements and Contract Procedure Rules.

Actions planned / needed	By who	By when
• Social value needs to be addressed more thoroughly in our business planning and commissioning arrangements. This will be undertaken as part of a review of the Council’s Constitution and Procurement arrangements.	Head of Finance	June 2024

Principle E: *Developing the entity’s capacity, including the capability of its leadership and the individuals within it*

Local government needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mind-set, to operate efficiently and effectively and achieve their intended outcomes within the specified periods. A local government organisation must ensure that it has both the capacity to fulfil its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Because both individuals and the environment in which an authority operates will change over time, there will be a continuous need to develop its capacity as well as the skills and experience of the leadership of individual staff members. Leadership in local government entities is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.

Sub Principles	Pendle Councils commitments to achieving good governance in practice include:
E1 – Developing the entities capacity E2 - Developing the capability of the entity’s leadership and other individuals	The Council(’s): ✓ Leader and Chief Executive have clearly defined/distinctive leadership roles. • The Chief Executive leads in implementing strategy and managing the delivery of services and other outputs set by Members. • The Leader gives appropriate overall direction and policy to the Council and works with other authorities to help shape and influence National Policy. ✓ Constitution sets out the protocols on Member relations to ensure that elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship and that a shared understanding of roles and objectives is maintained. ✓ Constitution and supporting delegations specify the types of decisions that are delegated and those reserved for the collective decision making of the governing body. ✓ ICT Strategy is currently in development to with the focus being to become Digital By Default, providing Members and Officers with efficient systems and technology, regardless of location, that support them in performing their role and delivering against the priorities in the Councils Corporate Plan. ✓ Asset Management Framework ensures that all the Council’s assets are compliant, sustainable, fit for purpose and support the delivery of Council services and strategic objectives. ✓ Workforce Development Plan ensures the Council has a workforce which can deliver against the Corporate Plan, and that it has the right behaviours which reflect the Council’s ambitions and values. • Holds staff to account for their performance and behaviour through regular 121’s which take account of training or development needs. • Training and development programmes for both Members and Officers ensures they have the appropriate skills and knowledge to support them in fulfilling their roles and responsibilities, and that they remain up to date with current best practise and statutory requirements. • Attendance at courses, seminars / webinars and conferences is encouraged for both officers and Members. • Investment in shared learning, training and development of senior and middle management e.g. participation in leadership development programmes, etc. • Health and Wellbeing policy and strategy helps maintain the health and wellbeing of the workforce and support individuals in maintaining their own physical and mental wellbeing. ✓ Has a suite of HR policies which are subject to periodic review and includes an Agile Working Policy, Learning & Organisational Development Strategy, management of stress and sickness policies, etc and a suite of staff benefits such as Employee Assistance Programme (EAP), free physio appointments, work/life balance policy. ✓ Encourages public participation via a variety of methods, such as a published calendar of public meetings, the bi-annual Life in Pendle survey, service specific public consultations, and adoption of a Community Engagement Framework. ✓ Makes significant use of partnerships and collaborative working arrangements to enhance the capacity, skills and experience of the organisation to deliver the priorities for Pendle, such as: • Joint Venture arrangements, PLACE, Growth Lancashire, Parish and Town Councils, Nelson & Colne College, Vision Board. • Accounts and Audit Committee that meets quarterly and has two independent members who were appointed for their audit / financial management expertise. ✓ Has a robust corporate performance management framework in place which includes holding quarterly Performance Clinics to review how each service is delivering on its priorities as identified in the Corporate Plan, KPIs and PIs, Strategic Risk Management with the resources available. ✓ Considers the effectiveness of leadership via participation in Peer Reviews and inspections.

Actions planned / needed	By who	By when
• More consistent and corporate approach to benchmarking required – options to be considered	Director of Resources	June 2024
• New Workforce Strategy under development	Director of Resources / HR and Payroll Manager	June 2024
• Annual IT Disaster Recovery / BCP testing plan to be developed	Director of Resources	May 2024
• L&OD Officer vacancy to be filled	Head of Policy & Commissioning	June 2024

Principle F: Managing risks and performance through robust internal control and strong public financial management

Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities. A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery, and accountability. It is also essential that a culture and structure for scrutiny is in place as a key part of accountable decision making, policy making and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.

Sub Principles	Pendle Councils commitments to achieving good governance in practice include:
F1 – Managing Risk F2 – Managing Performance F3 – Robust Internal Controls F4 – Managing Data F5 – Strong public financial Management	The Council('s): ✓ Risk Management Policy and Strategy recognises that risk management is an integral part of the operation of the Council and must be considered in all aspects of decision making. ✓ Health and Safety Policy supported by a strategy and management framework, seeks to ensure compliance with the law and ensure the risks associated with the Health and Safety of those engaging in Council activities are appropriately managed, regularly reviewed and investigations completed where incidents occur. ✓ Safeguarding policy, strategy and procedures actively promotes safeguarding to prevent harm and reduce the risk of abuse, neglect or exploitation to vulnerable adults and children at risk. ✓ Performance Management Framework includes a suite of outcome-based performance information which demonstrates how the Council is achieving the ambitions detailed within the Corporate Plan and how its services are performing. • Performance is regularly reviewed by Senior Officers and Members to monitor the effectiveness of the Councils arrangements. • Annual review by Corporate Management Team of full PI set, including KPIs, to ensure they remain meaningful and appropriate with performance against the basket of KPIs formally reported on to the Executive on a quarterly basis. • Managers regularly review and validate the quality and accuracy of performance data and narratives. • Internal audit regularly reviews and audits the internal controls of the organisation. ✓ Committees, boards and meetings create a platform for Members and Senior Officers to challenge and discuss key issues before, during and after decisions are made, thus encouraging effective and constructive challenge and debate. • Committee reports are circulated to key officers and undergo a series of reviews, revisions, and comments prior to finalising. • Senior Managers are responsible for putting into place an appropriate control environment to manage the risks facing their services. ✓ Ensures there is an effective internal audit service in place which operates in line with the Public Sector Internal Audit Standards (PSIAS) and CIPFA’s guide to the role of the Head of Internal Audit and produces an annual report providing an opinion on the Council’s adequacy and effectiveness of the framework of governance, risk management and control. ✓ Internal Audit provider produces a Recommendations Progress Tracker which is reported regularly to Corporate Governance Steering Group and Accounts & Audit Committee. ✓ Maintains an effective Accounts & Audit Committee which provides a source of effective assurance regarding arrangements for managing risk, Counter Fraud and maintaining an effective control environment and governance arrangements. It reflects the political composition of the Council and operates in compliance with CIFPA guidance on effective audit committees. Membership of this committee includes two independent members appointed for their audit / financial management expertise. ✓ Ensures that an Annual Accounts & Audit Committee Self-Assessment is undertaken and Annual Report compiled. ✓ Ensures that effective Counter Fraud and corruption arrangements are embedded across the Council promoting zero tolerance. • Internal Audit service is responsible for investigating suspected or identified fraud. • The Council participates in the National Fraud Initiative ✓ Information governance arrangements are embedded, and we will investigate suspected or identified breaches of data o The Council’s Information Management Policy sets out a commitment for the safe collection, storage, use and sharing of data, underpinned by processes and developed procedures to safeguard personal data o The Council’s ICT and Information Security Standards provide guidance on the arrangements that must be in place to ensure personal data is kept protected and secure o Effective information sharing arrangements are in place and operating effectively when sharing data with other bodies in accordance with the Data Protection Act, GDPR and the Council’s Information Management Policy ✓ Ensures that effective financial management arrangements are embedded across the Council, which supports short, medium and long term achievement of the Councils ambitions and service provision. ✓ Has a robust Risk Management Framework in place which includes: • having a Risk Implications section in reports. • Corporate Risk Management Working Group & Corporate Governance Steering Group in place that meet regularly. • An Officer and Member training programme delivered by the Council’s insurers. • A dynamic Strategic Risk Register which is formally reviewed on a quarterly basis with centralised monitoring and reporting via Pentana to the Performance Clinics, Account s& Audit Committee and Executive. ✓ Annual Governance Statement (AGS) Action Plan is reviewed regularly with progress reported quarterly to Accounts & Audit Committee. ✓ Reports any exemptions granted in respect of tendering requirements specified within the Contract Procedure Rules to the Accounts & Audit Committee.

Actions planned / needed

By who

By when

Principle G: Implementing good practices in transparency, reporting, and audit to deliver effective accountability
Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the organisation plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.

Sub Principles	Pendle Councils commitments to achieving good governance in practice include:
G1 - Implementing good practice in transparency G2 - Implementing good practices in reporting G3 - Assurance and effective accountability	The Council('s): ✓ Publication Scheme describes the kinds of information available, where this can be found and provides guidance about how to access personal information and submit a Freedom of Information request ✓ Forward plan of committee dates and work plans for each committee provides transparency and access to information regarding future decisions. ✓ Reports, agendas and minutes are published on council website. ✓ Reports for the public and other stakeholders are written and communicated in a fair, balanced and understandable style, appropriate to the intended audience and ensuring that they are easy to access and understand. ✓ Produces the annual financial statements in accordance with statutory best practice guidance. ✓ Reviews its governance arrangements periodically in line with its Local Code of Corporate Governance and associated Assurance Framework, and publishes its results in an Annual Governance Statement which is reviewed by the Corporate Governance Steering Group (CGSG), approved by senior management and endorsed by Accounts & Audit Committee prior to formal approval of the Executive. ✓ Annual Governance Statement also includes an annual action plan which developed to address any weaknesses identified in its governance arrangements. This is regularly monitored and progress reported quarterly to the Corporate Governance Steering Group and Accounts & Audit Committee. ✓ Recommendations for corrective action made by internal and external audit and other regulatory bodies are monitored to ensure that they are acted upon and progress is reported to the Accounts & Audit Committee. ✓ Places an emphasis on 'plain English in all reports and public documents and has defined standards for council publications. ✓ Internal audit work is undertaken by a third party which ensures objectivity and compliance with Public Sector Internal Audit Standards. ✓ Continues to strive to comply with the accessibility standards that we have to meet, namely the Website Content Accessibility Guidelines (WCAG) 2.1 Level AA. ✓ Publication of Audit Findings report from the external auditor on the Council Website. ✓ Financial procedures and framework include accountability arrangements and any Contract Procedure Rules Exemptions are reported to Accounts & Audit Committee.

Actions planned / needed	By who	By when
Consider requirement for refreshing the report writing training for staff	Director of Resources	May 2024