



**Standards Committee**  
9<sup>th</sup> December 2014

**Report from the Director of Legal  
and Procurement**

For Action

Wards Affected:  
ALL

**Review of the Protocol for Member/Office Relations  
and the Local Code of Corporate Governance**

**1.0 Summary**

1.1 Members periodically review the Codes and Protocols which form part of the Constitution and which set out standards of conduct for members and for the Council generally. The Protocol for Member/Office Relations and the Local Code of Corporate Governance have been reviewed and some amendments are proposed to those documents.

**2.0 Recommendations**

That Members

- 2.1 endorse the changes made to the Protocol for Member/Officer relations attached as **Appendix 1**
- 2.2 endorse the changes made to the Local Code of Corporate Governance attached as **Appendix 2**.

**3.0 Detail**

*Protocol for Member/Office Relations*

3.1 The Protocol for Member/Officer Relations sets out the separation of roles between members and officers. It forms part of the various Codes for members' conduct and failure to comply with the Protocol could result in an allegation of breach of the Code of Conduct which may be investigated and reported to the Standards Committee. There is a

similar Code of Conduct in relation to Officers which can result in disciplinary proceedings. The minor changes to the Protocol shown as track changes in **Appendix 1** are to clarify the status of the document and ensure that the Codes for officers and members are consistent and clear. The Protocol forms part of the Council's Constitution and any final amended version will be presented to Full Council for agreement.

### *Local Code of Corporate Governance*

- 3.2 Councils must be able to demonstrate compliance with the principles of good governance. To assist in developing the approach to good governance, CIPFA/SOLACE issued *Delivering Good Governance in Local Government: Framework* and an accompanying guidance note in 2007. CIPFA/SOLACE has since issued an addendum and updating guidance. The 2012 guidance note provided

*The overall aim is to ensure that resources are directed in accordance with agreed policy and according to priorities; that there is sound and inclusive decision making; and that there is clear accountability for the use of those resources, in order to achieve desired outcomes for service users and communities.*

- 3.3 The Framework urges each local authority to test its approach by reviewing its governance arrangements, developing and maintaining an up to date local code of governance and reporting publically on compliance and any changes required.
- 3.4 The Audit Committee receives and considers the Council's Annual Governance Statement in which the Council reviews and publically reports on its compliance with the principles and requirements set out in the Code and identifies any areas for improvement. The Audit Committee considered the 2013/14 Annual Governance Statement at its meeting on 26<sup>th</sup> June 2014 where the Council's compliance was tested against the revised criteria set out in the updated CIPFA/SOLACE guidance.
- 3.5 It is proposed that the revised and updated Local Code of Corporate Governance attached as **Appendix 2**, which takes into account and reflects the principles and requirements set out in the more recent guidance, should replace the Code currently included in the Constitution which no longer represents the up to date position. The Code forms part of the Council's Constitution and any final amended version will be presented to Full Council for agreement.

## **4.0 Financial Implications**

- 4.1 This report contains no specific financial implications.

## **5.0 Legal Implications**

5.1 Regulation 4 of the Accounts and Audit Regulations 2011 requires the Council to review its system of internal control, to have those findings considered by the Council, or a committee of the Council (in Brent this function is delegated to the Audit Committee) and to publish an Annual Governance Statement to accompany the accounts.

## **6.0 Diversity Implications**

6.1 This report contains no specific diversity implications.

## **7.0 Staffing Implications**

7.1 This report contains no specific staffing implications.

### ***Background papers***

#### ***Brent Council Constitution***

Should any person require any further information about the issues addressed in this report, please contact Kathy Robinson, Senior Corporate Solicitor, on telephone number 020 8937 1368.

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