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|  | <p style="text-align: center;">Audit Committee 18th December 2007</p> <p style="text-align: center;">Report from the Director of Finance and Corporate Resources</p> |
| <p>For Information Wards Affected: ALL</p> | |
| <p>Report Title: New CIPFA / SOLACE Corporate Governance Arrangements</p> | |

1 Summary

- 1.1 This report provides a summary of the key issues raised by the CIPFA/SOLACE document entitled, "Delivering Good Governance in Local Government – Framework¹". The report focuses on the Member specific requirements arising from the new governance framework and seeks Members' views on how these requirements may be addressed.

2 Recommendations

- 2.1 The Audit Committee note the new requirements of the framework and particularly the key role which Members play in ensuring good governance as detailed in paragraph 3.19, table 1.

3 Detail

Background

- 3.1 In June 2007 CIPFA and Solace published, "Delivering Good Governance in Local Government Framework¹". This document replaces the previous guidance on corporate governance issued in 2001². Whilst the majority of the new framework is non-statutory, it contains a pro-forma for a new statutory document which replaces the current Statement on Internal Control (SIC). This new statement is called the Annual Governance Statement (AGS). As with the SIC, it has to be signed by the Chief Executive and Leader of the Council and published with the annual accounts. The AGS is required for the 2007/08 reporting year.

- 3.2 Members will be familiar with the requirements of the Statement on Internal Control³ (SIC) and the Local Code of Corporate Governance as contained in part 7 of the Council's Constitution.
- 3.3 The new Annual Governance Statement (AGS) will replace the SIC in the 2007/08 published accounts and onwards. The Council will also need to review its current Local Code of Corporate Governance in order to comply with the recommended practice in the new framework.
- 3.4 The AGS features heavily in the new Key Lines of Enquiry (KLOE) for Use of Resources and, in order to demonstrate level 4 within the Internal Control block, the Council will need to show corporate involvement in/ownership of the process for preparing the governance statement and that governance arrangements with respect to partnerships are subject to regular review and updating. Further, it is considered likely that elements and requirements of the new framework will feature in the Comprehensive Area Assessment, given the anticipated focus on accountability to the community, partnerships and performance.
- 3.5 The new framework is seen as best practice and, in addition to the AGS, places two further requirements on Local Authorities. These are to conduct an annual review of governance arrangements and to develop and maintain a local code of governance. The Council already has a well established procedure for the SIC process, conducts annual reviews of its governance arrangements and has a Local Code of Corporate Governance. However, the new requirements will mean some changes to the current processes.
- 3.6 The following tasks will need to be completed in time for the annual accounts deadline of 30th June 2008.
- Review existing arrangements against the new framework and report to the Audit Committee
 - Redraft the existing Local Code of Corporate Governance to ensure it is fit for purpose. A new code would need to be approved by the Full Council
 - Prepare the AGS and report to the Audit Committee
- 3.7 In order to demonstrate corporate ownership of the governance agenda the Corporate Management Team⁴ have agreed to establish a Governance group to be responsible for: The preparation of the Annual Governance Statement and; reporting, on an annual basis, to the Corporate Management Team the results of the annual review of governance.

The New Framework

- 3.8 The definition of governance remains: "...the systems and processes, and cultures and values, by which local government bodies are controlled and through which they account to, engage with and, where appropriate, lead their communities".
- 3.9 This is clearly wider than the system of internal control and, therefore, the AGS will be a more comprehensive document than the current SIC. The underlying principles and dimensions from the previous framework have been replaced with four key "business roles" underpinned by six "core principles". There are a further 18 supporting principles and 59 sub requirements. The guidance note to the framework provides suggestions as to how authorities can satisfy the requirements.

3.10 The four key business roles are: Effective partnership and community leadership, provision of high quality services, stewardship and value for money and building communities.

3.11 The six core principles are:

- Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area
- Members and officers working together to achieve a common purpose with clearly defined functions and roles
- Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
- Taking informed and transparent decisions which are subject to effective scrutiny and managing risk
- Developing the capacity and capability of members and officers to be effective
- Engaging with local people and other stakeholders to ensure robust accountability

3.12 Appendix 1 shows each of the principles, together with their sub-principles and the sources of evidence suggested in the guidance note. There is much overlap with the Council's current corporate governance action plan and, where relevant, those overlaps have been referenced to the previous action plan item. The column headed "Position at May 2007" relates to the most recent review of the existing corporate governance action plan. Any completely new requirements have been highlighted and a reference to the relevant KLOE has also been noted.

Best practice in the review of governance and production of the AGS

3.13 The Annual Governance Statement (AGS) is a key corporate document. The most senior officer and the most senior member have joint responsibility as signatories for its accuracy and completeness. CIPFA recommend that as a corporate document, the AGS should be owned by all senior officers and members of the authority. It is essential that there is a buy-in at the top level of the organisation; otherwise there is a risk that the preparation of the AGS is not perceived as the important task that it is by managers and other staff. If the work is delegated to a single officer it is likely to dilute the statement's significance.

3.14 CIPFA recommend that a review body, such as an Audit or Scrutiny Committee provide critical review of the AGS and supporting documentation. The Council's Audit Committee already has this function set out in its terms of reference, which include:

- To oversee the production of the Council's Statement on Corporate Governance and Internal Control and to recommend its adoption.
- To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.

- 3.15 The Corporate Governance review will rely upon already existing documentation and information from various sources across the council. These sources will include performance information, risk management, Borough Solicitor, Service Directors, Director of Finance and Corporate Resources, Internal Audit, External Audit, Inspectorates and partners.
- 3.16 There is a strong focus on partnerships in the new framework and the Council will need to ensure that it has appropriate governance arrangements for those partnerships.
- 3.17 As part of the review the Local Code of Corporate Governance will need to be redrafted to reflect the requirement of the new framework.

Key Role of Members

- 3.18 The role of Members in ensuring good governance of the Council is absolutely vital. There is a clear focus upon Members within the framework, particularly in relation to decision making, working with officers and conduct. Member input into the six core principles which underpin the Council's operations (set out in paragraph 3.11 above, is crucial. To achieve good governance Members must:
- Focus on the purpose of the authority and on outcomes for the community
 - Work effectively with officers to achieve a common purpose, whilst understanding the clearly defined different functions and roles
 - Promote the values of the authority and demonstrate the values of good governance by upholding high standards of conduct and behaviour
 - Take informed and transparent decisions which are subject to effective scrutiny
 - Develop their own capacity and capability
 - Engage with local people and other stakeholders

3.19 Within the six principles, set out in appendix 1, there are a number which have specific Member requirements. These are detailed in table 1 below, together with suggested sources of assurance as set out in the framework.

| FRAMEWORK REQUIREMENT | SUGGESTED ASSURANCE |
|--|--|
| develop protocols to ensure that the leader and chief executive (or equivalent) negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained | new chief executive and leader pairing consider how best to establish and maintain effective communication |
| develop protocols to ensure effective communication between members and officers in their respective roles | Member/officer protocol |
| 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 | Vision, strategy, corporate plans, budgets, performance plan/regime |
| ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect | (None suggested in the guidance) |
| 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 conduct and protocols | members/officers code of conduct performance management system performance appraisal complaints procedures antifraud and corruption policy member/officer protocols |
| 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 | standing orders codes of conduct financial regulations |
| develop and maintain shared values including leadership values both for the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners | codes of conduct |
| use the organisations shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the authority | decision making practices |

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| develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the organisation's performance overall and of any organisation for which it is responsible. | Scrutiny is supported by robust evidence and data analysis |
| put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice | Members Code of Conduct |
| observe all specific legislative requirements placed upon them, 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. | monitoring officer provisions job description/specification Statutory provision |
| provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis | training and development plan induction programme update courses/information |
| assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively | training development plan |
| 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 | training and development plan reflect requirements of a modern councillor including: the ability to scrutinise and challenge the ability to recognise when outside advice is required advice on how to act as an ambassador for the community leadership and influencing skills |
| ensure that career structures are in place for members and officers to encourage participation and development | succession planning |

Table 1 – Member focused governance requirements

4 Financial Implications

4.1 None

5 Legal Implications

5.1 Regulation 4(2) of the Accounts and Audit Regulations 2003⁵ (as amended 2006⁶) requires the Council to review its system of internal control and Regulation 4(3) requires the preparation of a statement on that review in accordance with “proper practice”.

5.2 On 18th August 2006 the Department for Communities and Local Government issued further guidance to clarify what they deemed as “proper practice”. Section 7 of circular 03/2006⁷ stated that “proper practice” in relation to internal control relates to guidance contained in the following documentation:

- Statement on Internal Control in Local Government: meeting the requirements of the Accounts and Audit Regulations 2003, published by CIPFA in 2004
- Corporate Governance in Local Government: A Keystone for Community Governance (Framework and Guidance Note), produced by CIPFA/SOLACE in 2001 (recently updated)

5.3 Circular 03/2006 clears the way for the annual governance statement (originally intended as part of the 2001 framework) to be assigned proper practice status and, therefore, have statutory backing.

5.4 CIPFA has also confirmed that such status was assigned to the annual governance statement from 1st April 2007. This means that it will formally replace its proper practice association with the SIC with effect from the 2007/8 reporting year. CIPFA's earlier proper practice document of April 2004¹³ has now been replaced by the new governance framework.

5.5 In summary, the new framework gives the AGS “proper practice” status. There is no longer a requirement to produce a SIC, although in practice this is one part of the overall governance arrangements and will be subsumed into the AGS.

6 Diversity Implications

6.1 None

7 Background Papers

1. CIPFA/SOLACE (2007). Delivering Good Governance in Local Government – Framework.
2. CIPFA/SOLACE (2001). Corporate Governance in Local Government: A keystone for Community Governance – Framework and guidance note.
3. Report from the Director of Finance and Corporate Resources to the Audit Committee 20th June 2007. Statement On Internal Control 2006/07
4. Report from Head of Audit and Investigations to the Corporate Management Team 29th November 2007. New CIPFA/SOLACE Governance Requirements
5. Accounts and Audit Regulations 2003
6. Accounts and Audit (Amendment) (England) Regulations 2006
7. Department of Communities and Local Government (2006). Guidance on the Accounts and Audit regulations 2003

8 Contact Officer

Any person wishing to inspect these documents should contact Simon Lane, Finance and Corporate Resources, Room 107, Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD. Tel. 020 8937 1260.

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APPENDIX 1

CORE PRINCIPLE 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 local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 |
|--|---|-----------------------------|--|
| 1. develop and promote the authority's purpose and vision | Used as a basis for: corporate and service planning shaping the community strategy local area or performance agreements | NEW | |
| 2. review on a regular basis the authority's vision for the local area and its impact on the authority's governance arrangements | | NEW | |
| 3. ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties | | NEW 2e | The introduction of the Local Area Agreement in April 2006 provided the opportunity to review the governance arrangements and operational effectiveness of our LSP and partnership structures. A mapping of partnership activity was undertaken and a framework and guidance on effective partnership working adopted by the LSP. Significant improvements in monitoring of shared Community Plan objectives have taken place with quarterly monitoring reports on the LAA targets being considered by both the LSP and the Public Services Board. |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 |
|--|--|-----------------------------|---|
| 4. publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance | annual financial statements annual business plan formal annual report | 1a | A joint review of performance and summary of accounts was produced in August 2006. This was produced again in September 2007. |
| 5. decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available | This information is reflected in the authority's: corporate plan medium term strategy resourcing plan in order to ensure improvement | NEW | |
| 6. put in place effective arrangements to identify and deal with failure in service delivery | complaints procedure | NEW | |
| 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. | The results are reflected in authority's performance plans and in reviewing the work of the authority | NEW | |

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

| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|--|--|-----------------------------|---|---|---------------------|
| 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 | constitution record of decisions and supporting materials | 3b | Article 2 of the Constitution discusses the role of Members of the Council. Members have completed annual reports which have been published on the website. Up to date job descriptions are in place for Senior Officers. All non-confidential reports and Minutes are now on the Internet. All Executive decisions and key decisions by officers are recorded | CWG has recently agreed to look again at job profiles for members. | |
| 2. set out a clear statement of the respective roles and responsibilities of other authority members, members generally and of senior officers | constitution conditions of employment | 3b | Roles and responsibilities are covered in the Constitution. Up to date job descriptions are in place for Senior Officers. | Draft job descriptions were not formally adopted by Members however these are now to be reviewed by Constitutional Working Group (CWG). | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|--|--|-----------------------------|--|-------------------------|---------------------|
| 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 account of relevant legislation and ensure that it is monitored and updated when required | scheme of delegation statutory provisions | 3d | Clearly set out in Parts 2 and 3 of the Constitution. The Borough Solicitor maintains a register of officer authorisations which is reviewed annually. | None Required | |
| 4. make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management | job descriptions/specification performance management system | 3i | Covered in constitution and job description. | None Required | |
| 5. develop protocols to ensure that the leader and chief executive (or equivalent) negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained | new chief executive and leader pairing consider how best to establish and maintain effective communication | NEW | | | |
| 6. make a senior officer (usually the section 151 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 | Section 151 responsibilities S112/114 Local Gov't Finance Act 1988 Statutory provision Statutory reports budget documentation job description/specification | 3j | Covered in constitution and job description. Covered by statute and financial regulations. Financial comment and consultation on reports should be sought. | None Required | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|---|---|-----------------------------|--|-------------------------|---------------------|
| 7. make a senior officer (other than the Responsible Financial Officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations are complied with | monitoring officer provisions Statutory provision job description/specification | 3h | Covered in constitution and job description. Covered by statute and financial regulations. Financial comment and consultation on reports should be sought. | None Required | |
| 8. develop protocols to ensure effective communication between members and officers in their respective roles | Member/officer protocol | 3a | These are Covered in Part 7 of the Constitution and in the access to information protocol. | None Required | |
| 9. set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process including an effective remuneration panel (if applicable) | Pay and conditions policies and practices | 2h 2i | The scheme of member allowances has been reviewed by the CWG and there are been two interim reports recommending changes to the allowances scheme. Another report is scheduled to go to the Council in June 2007. New appraisal scheme and revised management competencies introduced February 2007 | | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|---|--|-----------------------------|--|-------------------------|---------------------|
| 10. ensure that effective mechanisms exist to monitor service delivery | | NEW 2b 2c | <p>The Council has now fully implemented the Performanceplus system, which has improved the speed and accuracy of performance monitoring. It has also enabled Members and senior officers to be provided with higher quality performance data and reports. During 2007 we will be linking our partners performance data for shared objectives directly into the system.</p> <p>The targets from the Corporate Strategy and Improving Brent Action Plan are being monitored through the Performanceplus system enabling the production of more comprehensive reports on the achievement of corporate objectives</p> | | |
| 11. 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 | Vision, strategy, corporate plans, budgets, performance plan/regime | 1g | <p>Brent Citizens' Panel now recruited from March 2007. Work programme for panel being developed. Includes budget, environment, civic centre consultations.</p> <p>Continuous panel recruitment to be set up using consultation database software.</p> | | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|--|--|-----------------------------|----------------------|-------------------------|---------------------|
| 12. when working in partnership ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authority | Protocols for partnership working. For each partnership there is: <ul style="list-style-type: none"> • a clear statement of the partnership principles and objectives • clarity of each partner's role within the partnership • definition of roles of partnership board members • line management responsibilities for staff who support the partnership • a statement of funding sources for joint projects and clear accountability for proper financial administration • a protocol for dispute resolution within the partnership (NB from special report ' Local Partnerships and Citizen Redress by LGO) | NEW | | | |
| 13. 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. | | NEW | | | |

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

| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|---|--|-----------------------------|---|-------------------------|---------------------|
| 1. ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect | | NEW | | | |
| 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 conduct and protocols | members/officers code of conduct performance management system performance appraisal complaints procedures antifraud and corruption policy member/officer protocols | 5a | New Code of Conduct for Officers agreed 2005 The government has published a new model code of conduct for members and the Brent member code of conduct will now be reviewed in line with that model form | | |
| 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 | standing orders codes of conduct financial regulations | 5b | Review of Members and Officers gifts and Hospitality completed and reported to Standards Committee and Director of HR The register of member's gifts and hospitality is now placed on the web site enabling easy public access | | |
| 4. develop and maintain shared values including leadership values both for the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners | codes of conduct | NEW | | | |

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| 5. put in place arrangements to ensure that procedures and operations are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice | codes of conduct | 5c | Standards of conduct for members are set out in the Constitution Protocol for member/officer relations is set out in constitution Standards Committee has remit to monitor compliance | | UOR 2008 Internal Control 4.3 L2.3.4 |
| 6. The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
| 7. develop and maintain an effective standards committee | terms of reference regular reporting to the authority | | | | UOR 2008 Internal Control 4.3 L2.3.4 |
| 8. use the organisations shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the authority | decision making practices | NEW | | | |
| 9. 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. | protocols for partnership working | NEW | | | |

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

| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|--|--|-----------------------------|--|-------------------------|---------------------|
| <p>1. develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the organisation's performance overall and of any organisation for which it is responsible.</p> | <p>Scrutiny is supported by robust evidence and data analysis</p> | <p>2c 3c</p> | <p>The Executive are responsible for the implementation of policy and ensuring the effectiveness of service delivery. Scrutiny is responsible for monitoring the performance of the Executive Key targets continue to be monitored through the Improving Brent Action Plan 2004-2006. The Improving Brent Action Plan 2004-2006 sets out the key actions and priorities derived from the Corporate Strategy and is supported by a detailed monitoring report which is assessed every six months by the Corporate Management Team and the Executive against the agreed targets. The Corporate Strategy Monitoring report went to the full Council in November 2005.</p> | | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|---|--|-----------------------------|---|-------------------------|---------------------|
| <p>2. develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based</p> | <p>decision making protocols record of decisions and supporting materials</p> | <p>1e</p> | <p>The access to information rules are set out in the Council's constitution There is a commitment to minimise the number of below the line reports and where confidential information is contained in a report, only that part of the report should be kept below the line rather than the whole report.</p> <p>Decision making meetings of the Executive are open to the public. Copies of reports and decisions are available on the intranet and through One Stop Shop and Libraries</p> <p>The Council has an access to information protocol</p> <p>A review of the Council's adherence to the Freedom of Information Act was reported to CMT in September and the Executive in October 2005. It showed that the Council is meeting its obligations under the act and that performance is generally high with regard to responding to requests within the statutory time limit.</p> <p>A report on the impact of the Environmental Information Regulations was presented to CMT in October 2005 and CMT agreed to increased co-ordination of FOI and EIR requests.</p> | | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|--|--|-----------------------------|--|-------------------------|--|
| 3. put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice | Members Code of Conduct | 5b | Review of Members and Officers gifts and Hospitality completed and reported to Standards Committee and Director of HR The register of member's gifts and hospitality is now placed on the web site enabling easy public access. | | |
| 4. develop and maintain an effective audit committee (or equivalent) which is independent or make other appropriate arrangements for the discharge of the functions of such a committee | terms of reference membership training for committee members | | | | UOR 2008 Internal Control 4.2 L 4 |
| 5. put in place effective transparent and accessible arrangements for dealing with complaints | complaints procedure | | | | |
| 6. ensure that those making decisions whether for the authority or partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications. | members' induction scheme training for committee chairs | | | | |
| 7. ensure that professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately | record of decision making and supporting materials | | | | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|---|--|-----------------------------|---|-------------------------|--|
| 8. ensure that risk management is embedded into the culture of the organisation , with members and managers at all levels recognising that risk management is part of their job | risk management protocol financial standards and regulations | 4a | <p>Identified in the 2005/06 SIC and recognised as an ongoing issue. Training has been rolled out by the Procurement and Risk Management Team. The Risk Management Group, which has senior representation from all Directorates is co-ordinating a consistent approach across the Council. New guidance has been issued relating to the identification and management of Corporate Risks, managed at a corporate level and how related service risks are identified and managed.</p> <p>Work has also been done on partnership risks by the Audit Commission in 2006/07</p> | | UOR 2008 Internal Control 4.1 L 4 |
| 9. ensure that arrangements are in place for whistle blowing to which staff and all those contracting with the authority have access | whistle blowing policy | 5d | New whistleblowing policy now in place. Publicised to staff and on intranet. New policy is more explicit regarding contractors/agents and the points of contact outside the authority. | | UOR 2008 Internal Control 4.3 L 2.3.4 |
| 10. actively recognise the limits of lawful activity placed on them by, for example the ultra vires doctrine but also strive to utilise powers to the full benefit of their communities | Constitution monitoring officer provisions Statutory provision | NEW | | | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|---|---|-----------------------------|---|-------------------------|--|
| 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 | | NEW | | | UOR 2008 Internal Control 4.1 L 2 |
| 12. observe all specific legislative requirements placed upon them, 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. | monitoring officer provisions job description/specification Statutory provision | 5k | Covered in constitution and job description. Legal comment and consultation on reports Monitoring Officer Advice Notes issued and Legislation Trackers | | UOR 2008 Internal Control 4.1 L 2 |

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

| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|---|--|-----------------------------|---|-------------------------|---------------------|
| 1. provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis | training and development plan induction programme update courses/information | NEW | | | |
| 2. ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the organisation | job description/personal specifications membership of top management team | NEW | | | |
| 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 | training development plan | 4c | IIP re-accreditation obtained April 2007. | | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|--|--|-----------------------------|----------------------|-------------------------|---------------------|
| 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 | training and development plan reflect requirements of a modern councillor including: <ul style="list-style-type: none"> • the ability to scrutinise and challenge • the ability to recognise when outside advice is required • advice on how to act as an ambassador for the community • leadership and influencing skills | NEW | | | |

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| The local code should reflect the requirements for local authorities to: | Source documents/good practice/other means that maybe used to demonstrate compliance | Previous CG Action Plan Ref | Position at May 2007 | Action Plan for 2007/08 | Responsible Officer |
|--|--|-----------------------------|---|-------------------------|---------------------|
| <p>5. ensure that effective arrangements are in place for reviewing the performance of the authority as a whole and of individual members and agreeing an action plan which might for example aim to address any training or development needs</p> | <p>performance management system</p> | <p>1b 2a</p> | <p>Standards and targets for performance are set down in the Corporate Strategy, Best Value Performance Plan and in the annual service planning process</p> <p>The Council produces a Best Value Performance Plan on a yearly basis which is reproduced on the Internet site together with additional performance information. There is no longer a requirement to produce an annual report as most of the information is included in the BV Performance Plan. A summary of the Council's performance is made available to all households in the Brent Magazine.</p> <p>The Council has published a Community Plan. Key targets continue to be monitored through the Improving Brent Action Plan 2004-2006. The Improving Brent Action Plan 2004-2006 sets out the key actions and priorities derived from the Corporate Strategy and is supported by a detailed monitoring report which is assessed every six months by the Corporate Management Team and the Executive against the agreed targets.</p> <p>The Corporate Strategy Monitoring report went to the full Council in November 2005The Council has now fully implemented the</p> | | |

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| <p>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</p> | <p>strategic partnership framework stakeholders forums' terms of reference area forums' roles and responsibilities residents panel structure</p> | <p>1d</p> | <p>Baseline data is now being collected from ACF meetings for four cycles, (one year's meetings). Some improvements have been made to Service User Consultative Forums – a revamped Brent Disabilities Forum is being re-launched in December. Improvements have been made to link outcomes of service user forums to Overview Committee. Quarterly ward meetings provide a forum for Members to discuss matters of concern with officers and shape how services are provided at the neighbourhood level. Depending on the issues being addressed, these meetings are attended by the Police and other partner agencies. Progress is communicated to residents through quarterly ward newsletters. The 2005 Residents' Attitude Survey was completed in November 2005. A full textual analysis is due from Ipsos MORI during December 2005. A Youth Parliament for Brent has been established replacing the former Youth and Children Forums. This was ratified by full council in May 2007. The Brent Youth Parliament will be formally launched on 23rd June 2007. Reporting arrangements for the BYP include the quarterly</p> | | |

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| 7. ensure that career structures are in place for members and officers to encourage participation and development | succession planning | | | | |

APPENDIX 1

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

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|---|---|-----------------------------|---|-------------------------|---------------------|
| 1. make clear to themselves, all staff and the community, to whom they are accountable and for what | community strategy | NEW | | | |
| 2. consider those institutional stakeholders to whom they are accountable and assess the effectiveness of the relationships and any changes required | | NEW | | | |
| 3. produce an annual report on scrutiny function activity | annual report | NEW | | | |
| 4. ensure that clear channels of communication are in place with all sections of the community and other stakeholders including monitoring arrangements to ensure that they operate effectively | community strategy processes for dealing with competing demands within the community | 1f | <p>Consultation Strategy 2006 – 2009 was formally launched in January 2006. Implementation is monitored by the Consultation team.</p> <p>Revised consultation training package using toolkit approach to be developed end of 2007.</p> <p>Improvements to Consultation Tracker through purchase of additional software.</p> | | |
| 5. Hold meetings in public unless there are good reasons for confidentiality. | | | | | |

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| <p>6. ensure 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</p> | | 1d | <p>Baseline data is now being collected from ACF meetings for four cycles, (one year's meetings). Some improvements have been made to Service User Consultative Forums – a revamped Brent Disabilities Forum is being re-launched in December. Improvements have been made to link outcomes of service user forums to Overview Committee. Quarterly ward meetings provide a forum for Members to discuss matters of concern with officers and shape how services are provided at the neighbourhood level. Depending on the issues being addressed, these meetings are attended by the Police and other partner agencies. Progress is communicated to residents through quarterly ward newsletters. The 2005 Residents' Attitude Survey was completed in November 2005. A full textual analysis is due from Ipsos MORI during December 2005.</p> | | |

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| 7. establish a clear policy on the types of issues they will meaningfully consult on or engage with the public and service users including a feedback mechanism for those consultees to demonstrate what has changed as a result | partnership framework communication strategy | NEW | | | |
| 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 service users in the previous period. | annual report annual financial statements annual business plan | 1a | | | |
| 9. ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so | Constitution | 1e | A review of the Council's adherence to the Freedom of Information Act was reported to CMT in September and the Executive in October 2005. It showed that the Council is meeting its obligations under the act and that performance is generally high with regard to responding to requests within the statutory time limit. A report on the impact of the Environmental Information Regulations was presented to CMT in October 2005 and CMT agreed to increased co-ordination of FOI and EIR requests. | | |

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| 10. develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making. | Constitution | NEW | | | |