

# Thurrock Council

## Code of Corporate Governance 2024/25

### 1. What is Corporate Governance

Corporate governance is the systems, processes, and values by which Councils operate and by which they engage with and are held accountable to their communities and stakeholders. Thurrock Council is committed to demonstrating that it has the necessary corporate governance arrangements in place to perform effectively. Building on best practice the Council has developed and adopted a Local Code of Corporate Governance which follows the most recent guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE), “Delivering Good Governance in Local Government (2016)” (The CIPFA Framework). This code brings together in one document the Council’s governance and accountability arrangements currently in place.

### 2. The Governance Framework

2.1 This Code is a public facing document that outlines the Council’s systems, processes and standards of behaviour that deliver good governance. As good corporate governance is ever-changing and subject to the principle of continuous improvement, this Code will be a living document. The Code forms part of the Council’s Governance Framework and the cycle of continuous improvement of governance.



2.2 The outcome of this cycle is to deliver improvements in corporate governance and the management of corporate risks.

### 3. Structure & Scope

3.1 This Code sets out

- i. The Corporate Governance Principles
- ii. How the Council's Governance Framework meets the Principles
- iii. Review and Maintenance of the Code

3.2 This Code does not assess the Council's performance against this Framework. This is undertaken in the Council's Annual Governance Statement.

### 4. The Corporate Governance Principles

4.1 What does good Corporate governance look like? It is often seen as the framework by which the Council ensures it is doing the right things, in the right way, for the right people in a timely, inclusive, open, honest and accountable manner.

4.2 Good governance is vital in contributing to effective:

- i. leadership and management;
- ii. performance and risk management;
- iii. stewardship of public money; and
- iv. public engagement and outcomes for our citizens and service users.

4.3 Conversely, weak or poor governance is likely to have a detrimental impact and the Council's ability to deliver best value. The CIPFA Framework sets out the seven principles of good governance, based on the seven Standards in Public life commonly known as the Nolan Principles.



4.4 The Council's ethical standards are also underpinned by the Nolan Principles.

**Selflessness**

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

**Integrity**

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

**Objectivity**

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

**Accountability**

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

**Openness**

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

**Honesty**

Holders of public office should be truthful.

**Leadership**

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

**5. How the Council Meets its Corporate Governance Principles**

***Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law***

**The Constitutional Framework & Councillors' Conduct**

5.1 The Council's Constitution is agreed by Full Council and sets the rules by which the Council governs itself and how decisions are made. It includes a system of checks and balances to ensure decisions are scrutinised and transparent. Key elements include:

- i. The respective powers of Full Council, the Leader and Cabinet and Committees

- ii. The scheme of delegation of powers to the Council's officers
  - iii. The checks and balances provided to executive power by overview and scrutiny and audit.
  - iv. The rules of open governance in council decision making and rights of access to information by councillors, the press and public.
  - v. A Code of Conduct for Councillors and co-opted members including:
    - standards in respect of their general conduct
    - requirements to register and declare private interests and when not to participate in decisions which affect their private interests
    - requirements to disclose and publicise gifts and hospitality
    - arrangements for complaints that a councillor has breached the Code of Conduct to be made.
- 5.2 The rules are supported by guidance and protocols to support councillors and officers in meeting high standards of behaviour and conduct.
- 5.3 The Council's Ethical Framework is overseen by a Standards Committee with independent members.
- 5.4 Procedures for the management of the Council's finances, procurement and employment of officers.

## **Officers**

- 5.5 The Council's Constitution and its contracts of employment with officers provides a framework for high ethical standards and lawful performance of duties.
- 5.6 The Council's corporate management team agree schemes of delegation of powers to officers within their directorates so they can lawfully carry out their duties.
- 5.7 The Council has:
- i. Agreed values setting out expected standards of conduct of officers
  - ii. A Code of Conduct that sets standards of behaviour for officers and disciplinary and capability procedures for instances where those standards are not met.
  - iii. A requirement for officers to register and declare private interests and gifts and hospitality received in the course of their duties.
  - iv. A policy setting out politically restricted posts and a published list of those posts

## Statutory Officers

- 5.8 Council is required by law to appoint individual officers to hold the following roles to ensure the Council acts lawfully and within its financial means

| Office   | Statute                                 | Duty   |
|--|---|--|
| Head of paid service (the Chief Executive)                 | s.4 Local Government & Housing Act 1989 | To ensure the Council's resources deliver its statutory functions                |
| Chief Finance Officer (Chief Finance Officer)              | s.151 Local Government Act 1972         | To manage the Council's finances and to report unlawful expenditure              |
| Monitoring Officer (Executive Director Corporate Services) | s.5 Local Government & Housing Act 1989 | To ensure the Council acts lawfully and to report unlawful activity or omissions |

- 5.9 A report of the Chief Finance Officer and / or Monitoring Officer will suspend any unlawful expenditure or activity until the report is considered by the Council or executive.
- 5.10 The Chief Finance Officer may report where s/he consider the Council's income will be exceeded by its expenditure in a financial year and require the Council to stop all non-essential expenditure (s.114 of the Local Government Finance Act 1988).
- 5.11 The Monitoring Officer may report when he/ she believes that a proposal, decision or omission by the authority has, or is likely to, result in a 'contravention of any enactment or rule of law' . (s.5 Local Government and Housing Act 1989.)
- 5.12 The Council must ensure statutory officers have the skills, resources and support necessary to perform effectively in their roles.

## ***Ensuring openness and comprehensive stakeholder engagement***

### **Council Meetings, decisions and papers**

- 5.13 All Council, executive and committee meetings are held in public and the agendas and reports of all meetings are published in advance of the meeting and minutes and records of decisions are published after decisions are made.
- 5.14 Where resources allow, member level meetings are or will be filmed or live streamed and recordings published on the Council's website. The Council's

Constitution allows for the filming and / or recording of member level meetings by members of the public or councillors.

- 5.15 A Forward Plan of executive decisions (known as “key decisions”) is published at least 28 days before decisions are made.
- 5.16 The Council will only hold meetings in private and exclude the press and public from meeting in accordance with exceptions allowed or required under the Council’s Constitution and the statutory access to Information regime under the Local Government Act 1972.
- 5.17 The Constitution provides when members of the public can participate in meetings.

### **Public Engagement**

- 5.18 The Council’s website is the main portal for providing information about the Council’s governance and services to residents and other stakeholders.
- 5.19 The Council engages and consults with residents and stakeholders on proposed decisions and takes into account the outcome of consultation in decision making.
- 5.20 The Council works in partnership with local, regional and national public sector and private sector bodies.
- 5.21 The Council is in the process of adopting a new operating model, which will increase engagement of residents in the local delivery of services.

### **Information Governance & Complaints**

- 5.22 The Council has a two stage complaints handling and monitoring procedure, which is reported to the corporate management team for oversight and to ensure improvement of services.
- 5.23 The Council’s information governance function allows any person to make an online request for Council held information or to make a subject access request in relation to their personal data. The Council provides for an internal review of responses and an appeal to the Information Commissioner’s Office.

### ***Determining the outcomes in terms of sustainable economic, social and environmental benefits***

- 5.24 The Council is developing a Local Plan with partners and a Corporate Plan that defines its corporate priorities. The Council has a framework of plans and policies to deliver the Corporate Plan and a medium term financial strategy that priorities resources to the delivery of the Corporate Plan.

### ***Determining the interventions necessary to optimise the achievement of the intended outcomes***

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

- 5.25 The Council's budget and policy framework seeks to align the Council's priorities and its financial and other resources.
- 5.26 The Council's overall spending plans are set out in the annual budget setting report for both revenue and capital expenditure including any provision for savings.
- 5.27 The Council's decision-making pathway and process ensure evidence based decision making and focus on the delivery of Council priorities. Decision making includes the consideration of all relevant considerations and professional advice on financial, legal and equalities implications as well as risk.
- 5.28 The Council's schemes of delegation of executive and non-executive powers set out members' and officers' powers to make decisions on behalf of the Council and the Constitutional and legal requirements for making delegated decisions.
- 5.29 The Council is delivering its Improvement and Recovery Plan to meet the requirements of the statutory directions imposed by the Secretary of State. Performance is overseen by the Council's Senior Leadership team and Cabinet and reported to the Commissioners. The Commissioners report to the Secretary of State on the Council's progress every six months.
- 5.30 Delivery against the budget is monitored by services, the Senior Leadership Team and by Cabinet. Scrutiny committees and the Audit committee also provide input to ensure the effective use of resources.
- 5.31 The Council is currently adopting a new Corporate Plan. The Council will produce a Performance Management & Accountability Framework that reflects the corporate priorities of that Plan and sets clear milestones and metrics to monitor performance. The Senior Leadership Team is accountable for its delivery reporting to the Leader and Cabinet and members.
- 5.32 The Council has a People Strategy including organisational development plans in place which enable us to develop the capacity, skills and behaviour necessary to enable us to effectively deliver our services and priorities including:
- i. An annual performance appraisal framework for individual staff
  - ii. Organisational learning and development plans for services, managers and individual officers
  - iii. Health and well being support to all officers
- 5.33 The People Strategy is currently under review, which includes a review of the Council's current performance framework.

- 5.34 The Council ensures that its members receive the training, support and resources to carry out their role within the Council's resources including:
- (i) Induction upon election
  - (ii) An annual training programme for all councillors (some training is mandatory reflecting the importance and risk in those roles)
  - (iii) IT and support services
  - (iv) The Council intends to introduce a member portal through which Members can access information and training.

- 5.35 A member/officer protocol is used to aid effective communication between officers and members and to clarify their respective roles.

***Managing risks and performance through robust internal control and strong public financial management***

- 5.36 The Council has a risk management framework. The Council's Risk and Opportunity Management Policy and Strategy is currently under review in accordance with the Improvement and Recovery Plan.

- 5.37 The Council embeds risk and performance management into its Council decision making as a mandatory consideration. Scrutiny committees provide challenge as a "critical friend" to the Leader and Cabinet.

- 5.38 The Audit Committee has oversight of risk management, the Council's system of internal control and audit, which includes:

(i) Internal control processes, which support the achievement of our objectives while managing risks including;

(ii) An annual internal audit plan focussing on significant risk areas

(iii) An annual report on Internal Audit's conclusions into the overall adequacy and effectiveness of the framework of governance, risk management and control.

(iv) The implementation of, or response to improvement recommendations made by Internal and External Auditors and other external assessors.

(v) Clear policies and arrangements in respect of counter fraud and anti-corruption, including clear whistleblowing procedures.

(vi) Systems are in place for the management and security of data including personal data. This includes risk management arrangements in respect of cyber security issues.

(vii) Financial management systems are in place to deliver value for money and protect the public purse. Financial regulations are in place to provide rules and guidance to officers when managing budgets.

- 5.39 The Section 151 Officer, the Council ensures that appropriate advice is given on all financial matters, proper financial records and accounts are kept, and oversees an effective system of internal financial control.



- 5.40 The Council measures itself against the Financial Management Code (FM Code) which sets out the standards of financial management expected for local authorities and is designed to support good practice, and to assist local authorities in demonstrating their financial sustainability.
- 5.41 The Council follows the CIPFA's Prudential Code and Treasury Management Code of Practice which set out the risk framework through which the Council manages its balance sheet and makes capital investment decisions. We maintain strategies and processes detailing our approach to decision making on capital investments, and treasury management (including debt management and cash investing).

***Implementing good practices in transparency, reporting, and audit to deliver effective accountability***

- 5.42 The Council's commitment to internal and external engagement and consultation and the publication of Council held information and decision making is set out above.
- 5.43 The Council welcomes internal and external review and audit, and inspections from regulatory bodies, giving thorough consideration to arising recommendations.
- 5.44 Assurance progress reports are presented quarterly to Audit Committee, summarising the Council's performance in implementing recommendations effectively and within agreed timescales. We follow and assess ourselves against the Public Sector Internal Audit Standards (PSIAS).

**6 Monitoring & Review**

- 6.1 Every year the Council publishes an Annual Governance Statement (AGS) to accompany the Annual Accounts. The AGS provides an overview of how the Council's governance arrangements operate, including how they are reviewed annually to ensure they remain effective. Any significant governance concerns are identified and managed through an action plan.

This page is intentionally left blank