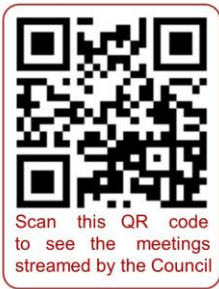


# Public Document Pack



**North East  
Derbyshire**  
District Council

Contact: Asher Bond  
Tel: 01246 217375  
Email: [asher.bond@ne-derbyshire.gov.uk](mailto:asher.bond@ne-derbyshire.gov.uk)  
Date: Tuesday, 25 October 2022

To: **Members of the Standards Committee**

Please attend a meeting of the Standards Committee to be held on **Wednesday, 2 November 2022 at 2.00 pm in the Council Chamber, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield S42 6NG**

Yours sincerely

A handwritten signature in black ink that reads "Sarah Skeneberg".

**Assistant Director of Governance and Monitoring Officer**

## **Members of the Committee**

Councillor P Antcliff (Vice-Chair)  
Councillor W Armitage (Chair)  
Councillor K Gillott  
Councillor D Hancock  
Councillor P Kerry  
Councillor H Liggett  
Councillor K Rouse  
Councillor D Ruff  
Councillor R Welton

P Coleman - Parish Council Representative  
T Collins - Parish Council Representative

**For further information about this meeting please contact: Asher Bond 01246 217375**

# **A G E N D A**

**1     Apologies for Absence**

**2     Declarations of Interest**

Members are requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item in the agenda and withdraw from the meeting at the appropriate time.

**3     Minutes of Last Meeting (Pages 4 - 6)**

To approve as a correct record and the Chair to sign the Minutes of the Standards Committee held on 13 July 2022.

**4     Local Government & Social Care Ombudsman Annual Review Letter - ADDITIONAL ITEM (Pages 7 - 13)**

Report of the Assistant Director of Transformation & Communication & SIRO.

**5     Employee Code of Conduct - Update**

Human Resources and Organisation Manager

**6     Code of Corporate Governance (Pages 14 - 37)**

Report of the Assistant Director of Governance and Monitoring Officer.

**7     Review of the Constitution - NOW PUBLISHED (Pages 38 - 42)**

Timetable and process for reviewing and revising the constitution

**8     Member Induction Programme 2023-24 - NOW PUBLISHED (Pages 43 - 44)**

Emerging Proposals from the Member Development Working Group

**9     Schedule of Meetings 2023/2024 - NOW PUBLISHED (Pages 45 - 46)**

Process for drawing up the Schedule of Meetings for 2023-24

**10    Lord Evans letter to Rt Hon Simon Clarke MP (Page 47)**

Lord Evans has written to the Rt Hon Simon Clarke MP, Secretary of State for Levelling Up, Housing and Communities, in light of the Government's recent response to the Committee's 2019 report on Local Government Ethical Standards.

**11    Complaints Update (Pages 48 - 51)**

Report of the Assistant Director of Governance and Monitoring Officer.

12 **Work Plan** (Pages 52 - 53)

Report of the Assistant Director of Governance and Monitoring Officer.

13 **Urgent Business**

To consider any other matter which the Chair is of the opinion should be considered as a matter of urgency.

## We speak your language

**Polish**  
*Mówimy Twoim językiem*

**Romanian**  
*Vorbim limba dumneavoastră*

**Urdu**  
ہم آپ کی زبان بولتے ہیں

**Chinese**  
我们会说你的语言

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please contact the Governance Team at least 72 hours before the meeting starts.



North East  
Derbyshire  
District Council



## **STANDARDS COMMITTEE**

### **MINUTES OF MEETING HELD ON WEDNESDAY, 13 JULY 2022**

#### **Present:**

Councillor William Armitage (Chair) (in the Chair)  
Councillor Pat Antcliff (Vice-Chair)

Councillor Nigel Barker  
Councillor Heather Liggett  
Councillor Richard Welton  
Pat Coleman – Parish Council Representative  
Trevor John Collins - Parish Council Representative

Councillor Pat Kerry  
Councillor Diana Ruff

#### **Also Present:**

S Sternberg	Assistant Director of Governance and Monitoring Officer
A Maher	Interim Governance Manager
A Bond	Governance Officer

#### **STA/ Apologies for Absence**

1/22-

23 Apologies for absence were received from the Legal Team Manager and Councillors Rouse and Hancock.

#### **STA/ Declarations of Interest**

2/22-

23 There were no declarations of interest at this meeting.

#### **STA/ Minutes of Last Meeting**

3/22-

23 RESOLVED – That the Minutes of the Standards Committee held on 23 March 2022 be approved as a correct record and signed by the Chair.

#### **STA/ Review of the Constitution - Part 1**

4/22-

23 Members began their annual review of the Constitution. They heard that Officers had taken the opportunity to undertake a 'housekeeping' review of the Constitution that primarily addressed issues such as incorrect titles, references to the incorrect body and various additional minor errors. These alterations were undertaken under the Monitoring Officers Delegated Decisions. Members noted that any serious issues identified would be brought before them for consideration.

The Interim Governance Manager highlighted the location of the Council's Constitution on the NEDDC website so that Members would be able to access and direct others to an updated version of the Constitution.

Members were requested to identify any areas of the Constitution that they

believed should be considered during the review and were reminded that they would be able to recommend areas for review throughout the municipal year.

Committee considered that Questions and Motions at meetings of Council should be considered as part of the review.

Members also considered that the Call-in Protocol for Planning Committee could be considered as part of the annual review but that this would be discussed with the Monitoring Officer first.

**RESOLVED** – That Members:

1. Considered the proposed programme of review for the Council's Constitution in the corporate year 2022 to 2023.
2. Suggested any additional areas for review that they considered should be included.

**STA/ 5/22-23     Standards Committee Annual Report**

The Monitoring Officer presented a report to Committee that outlined the work undertaken by the Standards Committee during the 2021/22 municipal year. This included details on the appointment of Parish/Town Representatives, Local Government Ombudsman Complaints, reports from the Council's Independent Persons and work completed on the Constitution during the municipal year.

Members heard that the report would go to the 12 September 2022 meeting of Council.

**RESOLVED** – That Members noted the report.

**STA/ 6/22-23     Complaints Update**

Committee received an update on the number of complaints that had been received for first quarter of the financial year 2022/23.

It was reported that in the quarter, four complaints had been closed and one remained open. Of the four, three were not found to have breached the Code of Conduct. One complaint was found to be in breach of the Code of Conduct within the areas of dealing with people appropriately and remaining objective. The reasons for this decision were contained within the report.

Members discussed the report and heard that when a Member was asked to deliver an apology as a result of a Complaint being lodged against them, then they would be expected to do so within a reasonable amount of time. If the Member refused to issue an apology then this could have the potential to be a further complaint.

Committee were informed that a revised Code of Conduct that could be adopted for Parish use was currently being developed.

RESOLVED – That the Standards Committee noted the Complaints Update.

**STA/ Work Programme 2022/23**

**7/22-**

**23**

Members discussed the Work Programme and noted that the date of the August meeting would be altered.

RESOLVED – That the Work Programme be noted.

**STA/ Urgent Business (public session)**

**8/22-**

**23**

Members discussed the frequency of meetings in relation to the Code of Conduct and heard that the frequency of meetings and timetable was decided by Members and that there was no requirement under the Code of Conduct to hold a certain number of meetings per year.

## North East Derbyshire District Council

### Standards Committee

2<sup>nd</sup> November 2022

### Local Government & Social Care Ombudsman Annual Review Letter

### Report of the Assistant Director of Transformation & Communication & SIRO

This report is public

Report By: Jayne Dethick

Contact Officer: Rachael Pope

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#### **PURPOSE / SUMMARY**

To review the Annual Review letter of the Local Government & Social Care Ombudsman (LG&SCO) **Appendix 1** attached to this report

#### **RECOMMENDATIONS**

That Standards Committee acknowledge the report and findings of the Local Government & Social Care Ombudsman.

Approved by the Portfolio Holder

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#### **IMPLICATIONS**

**Finance and Risk:**      Yes ☐      No ☐

The Council is at risk of reputational damage by recommendations or decisions by the Local Government & Social care Ombudsman, if complaints are not handled well.

In cases of maladministration, financial penalties can be imposed by the Local Government & Social Care Ombudsman.

In the case of complaints about Freedom of Information, Data Protection and Environmental Information requests, the information Commissioner' Office can issue decision notices and impose significant fines.

On behalf of the Section 151 Officer

---

**Legal (including Data Protection):**      Yes ☐      No ☐

The policy allows compliance with the Local Government Act 1974 and guidance set out by the Local Government & Social Care Ombudsman. It is also in line with the requirements of the

On Behalf of the Solicitor to the Council

**Staffing:** Yes ☐ No ☐  
**Details:**

On behalf of the Head of Paid Service

## DECISION INFORMATION

<b>Decision Information</b>	
<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>BDC:</b> Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> <b>NEDDC:</b> Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes  Details:

<b>Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.</b>
Transforming our Organisation – Good Governance

## REPORT DETAILS

### 1 Background

- 1.1 The Council received its Annual Review letter from the Local Government & Social Care Ombudsman on the 20<sup>th</sup> July 2022. It contains information on how many complaints and enquiries had been referred to the Local Government & Social Care Ombudsman and how many complaints were upheld or referred back for local resolution.
- 1.2 There were 11 complaints and enquiries received in total by the Local Government & Social Care Ombudsman. To provide context, the Council received 146 complaints in total during the 01<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022 whilst delivering hundreds of thousands of customer transactions in that same period.

	Ref	Authority	Category	Decided	Decision
1	20004769	NEDDC	Environmental Services & Public Protection & Regulation	30/04/2021	Upheld
2	21003269	NEDDC	Environmental Services & Public Protection & Regulation	09/06/2021	Referred back for local resolution
3	21003367	NEDDC	Environmental Services & Public Protection & Regulation	07/01/2022	Not Upheld
4	21000483	NEDDC	Planning & Development	14/04/2021	Referred back for local resolution
5	21001949	NEDDC	Planning & Development	12/05/2021	Referred back for local resolution
6	21016319	NEDDC	Planning & Development	01/03/2022	Referred back for local resolution
7	21003798	NEDDC	Planning & Development	10/12/2021	Not Upheld
8	21004604	NEDDC	Corporate & Other Services	14/10/2021	Closed after initial enquiries
9	21013832	NEDDC	Benefits & Tax	21/01/2022	Closed after initial enquiries
10	21018728	NEDDC	Benefits & Tax	23/03/2022	Referred back for local resolution
11	21000474	NEDDC	Housing	24/05/2021	Advice given

- 1.3 From the 11 complaints and enquiries received by the Local Government & Social Care Ombudsman
- 5 of these were premature complaints and referred back for local resolution
  - 1 complaint fell out of the Councils policy as it related to Rykneld Homes
  - 2 complaints were closed after initial enquiries
  - 2 complaints were not upheld
  - 1 complaint was UPHELD by the LG&SCO
- 1.4 The UPHELD complaint the recommendations were as follows:
- Complaint 20 004 756 was UPHELD by the LG&SCO this relates to the same complaint that was upheld and included in the 2020/21 Complaint 20004769 annual report due to it being concluded at the end of the financial year. There was evidence of fault causing injustice which the Council agreed to remedy.

- 1.5 This year's performance compares favourably with previous year's performance where complaints and enquiries were referred to the Local Government & Social Care Ombudsman as 1 was out of scope of our complaints system 5 complaints per premature 2 were not upheld and 2 were closed after initial enquiries.
- 1.6 This year's data will be uploaded to the LG&SCO website where all Councils performance can be seen on: <https://www.lgo.org.uk/your-councils-performance>
- 1.7 Ensuring we have a customer friendly and robust Compliments, Comments and Complaints process which aims to resolve matters prior to referral to the Ombudsman is the key priority. To continually improve this we:
- Deliver mandatory training face to face and is rolled out across the organisation. This provides a consistent approach in the way that all offices within the Council effectively deal with all Compliments, Comments and Complaints.
  - Ensure all officers dealing with complaint complete quality assurance documentation confirming they have put suitable monitoring arrangements in place as part of our learning from complaints process.
  - Arrange for officers that deal with all stages of the complaints process to attend training delivered by the LG&SCO. It is recommended that officers attend training delivered by the LG&SCO bi-annually.
  - A review of the Compliments, Comments and Complaints Policy and Procedure takes place every three years. A mini review has taken place during June 2022 with consultation via the Citizens Panel taking place during November 2022. The current Policy and Procedure is displayed on the Councils website.

## DOCUMENT INFORMATION

Appendix No	Title
Appendix A	Letter from the Local Government & Social Care Ombudsman
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Click here to enter text.	

# Local Government & Social Care OMBUDSMAN

20 July 2022

*By email*

Mr Hickin  
Director of Corporate Resources  
North East Derbyshire District Council

Dear Mr Hickin

## **Annual Review letter 2022**

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2022. The information offers valuable insight about your organisation's approach to complaints. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

### **Complaint statistics**

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

**Complaints upheld** - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

**Compliance with recommendations** - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 27 July 2022. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

### **Supporting complaint and service improvement**

I know your organisation, like ours, will have been through a period of adaptation as the restrictions imposed by the pandemic lifted. While some pre-pandemic practices returned, many new ways of working are here to stay. It is my continued view that complaint functions have been under-resourced in recent years, a trend only exacerbated by the challenges of the pandemic. Through the lens of this recent upheaval and adjustment, I urge you to consider how your organisation prioritises complaints, particularly in terms of capacity and visibility. Properly resourced complaint functions that are well-connected and valued by service areas, management teams and elected members are capable of providing valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

I want to support your organisation to harness the value of complaints and we continue to develop our programme of support. Significantly, we are working in partnership with the Housing Ombudsman Service to develop a joint complaint handling code. We are aiming to consolidate our approaches and therefore simplify guidance to enable organisations to provide an effective, quality response to each and every complaint. We will keep you informed as this work develops, and expect that, once launched, we will assess your compliance with the code during our investigations and report your performance via this letter.

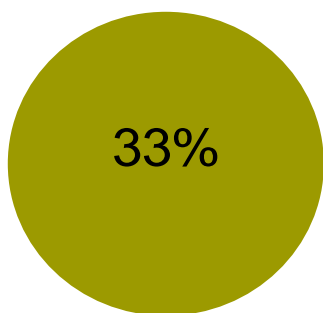
An already established tool we have for supporting improvements in local complaint handling is our successful training programme. We adapted our courses during the Covid-19 pandemic to an online format and successfully delivered 122 online workshops during the year, reaching more than 1,600 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,

A handwritten signature in black ink, appearing to be 'MK' with a stylized flourish underneath.

Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

### Complaints upheld



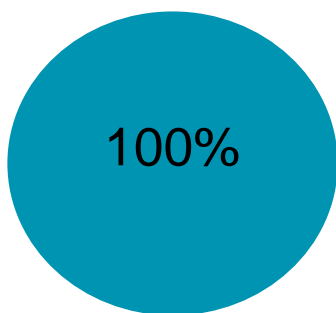
**33%** of complaints we investigated were upheld.

This compares to an average of **51%** in similar organisations.

**1**  
upheld decision

Statistics are based on a total of **3** investigations for the period between 1 April 2021 to 31 March 2022

### Compliance with Ombudsman recommendations



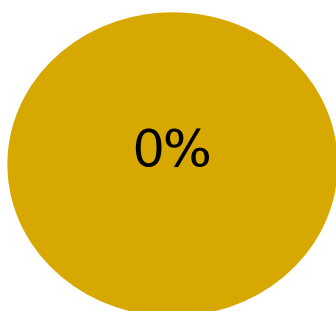
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **100%** in similar organisations.

Statistics are based on a total of **2** compliance outcomes for the period between 1 April 2021 to 31 March 2022

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

### Satisfactory remedy provided by the organisation



In **0%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **20%** in similar organisations.

**0**  
satisfactory remedy decisions

Statistics are based on a total of **1** upheld decision for the period between 1 April 2021 to 31 March 2022



# North East Derbyshire District Council

**NORTH EAST DERBYSHIRE DISTRICT COUNCIL**

**CORPORATE GOVERNANCE CODE**

## NORTH EAST DERBYSHIRE DISTRICT: GOVERNANCE CODE

### INTRODUCTION

1. The purpose of this Code is to state the importance to the Council of good corporate governance and to set out the Council's commitment to the principles involved.
2. The Code is based on guidance to all UK local authorities.
3. The Code is included in the Council's Constitution and therefore applies to all Members and employees of the Council and also to any individuals or bodies authorised to act on its behalf.
4. How the effectiveness of the Code is reviewed is set out in Section 4.
5. The Code will be reviewed in its entirety by no later than 31 March 2025, but minor reviews and updates will be made annually as required.

Approved by:

Director of Finance and Resources and section 151 Officer  
Assistant Director of Corporate Governance and Monitoring Officer

15 July 2022

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## SECTION 1: THE IMPORTANCE OF GOOD CORPORATE GOVERNANCE

1.1. Corporate Governance refers to the processes by which organisations such as the Council are directed, controlled, led and held to account. It is also about culture and values - the way that Councillors (Members) and employees think and act. In summary, if management is about running the Council, corporate governance is about seeing that it is run properly.

1.2. The Council is a complex organisation which affects all who live and work in North East Derbyshire District Council's area and businesses and organisations that are based here. It is therefore essential that there is confidence in our corporate governance, and the Council must therefore ensure that:

- as a democratic body, we engage with and account to our citizens and stakeholders effectively;
- we conduct our business in accordance with the law and to proper standards;
- public money is properly accounted for and is used economically, efficiently and effectively;
- controls are proportionate to risk so as not to impede performance;
- we continuously improve the way in which we function, in terms of effectiveness, quality, service availability, fairness, sustainability and innovation; and
- we fulfil our purpose and meet our priorities as set out in the Council Plan.

1.3. The Council is therefore committed to good corporate governance and to doing the right things in the right way for the right people in a way which is timely, inclusive, open, honest and accountable. This Code sets out that commitment and how we evidence it.

1.4. This commitment includes improving governance on a continuing basis across the Council as a whole, through a process of evaluation and review. This is detailed further in Section 4.

## SECTION 2: THE BASIS OF THIS CODE

2.1 This Code is based on guidance provided to all UK local authorities which are centred on seven Core Principles, designed to underpin the governance arrangements of all public sector bodies.

1 Delivering Good Governance in Local Government Framework 2016, issued jointly by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE).

2 From the International Framework: Good Governance in the Public Sector (CIPFA/International Federation of Accountants, 2014)

2.2 These Core Principles are as follows:

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

**B Ensuring openness and comprehensive stakeholder engagement**

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

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

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

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

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

2.3 Core Principles A and B are fundamental to the application of the other principles. Further good governance requires all of the principles to be met and through a dynamic approach good governance can be achieved.

2.4 This Code sets out our commitment to all seven of the Core Principles shown above and to the various elements of our governance framework, the policies, strategies and processes - which help us to ensure that the principles are met (Section 3).

2.6 Since effective Corporate Governance relies on the way that Councillors (Members) and employees think and act, the Code also recognises the importance of the seven "Principles of Public Life" (the Nolan Principles) which are the basis of the ethical standards expected of public office holders (Appendix A). These support the seven Core Principles of this Code which in turn underpin the Council's approach to planning fair, effective and sustainable services and its responsibilities for sustainable development.

## SECTION 3: COMMITMENTS TO GOVERNANCE PRINCIPLES

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

The Council is accountable not only for how much it spends, but also for how we use the resources under our stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes we have achieved. In addition, we 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, we can demonstrate the appropriateness of all our actions and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.

#### **To support Principle A, the Council is committed to:**

<b>Behaving with integrity</b>	<b>What is in place to support this?</b>
<p>A1. Ensuring members and officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated thereby protecting the reputation of the Council</p> <p>A2. Ensuring members take the lead in establishing specific standard operating principles or values for the Council and its staff and that they are communicated and understood. These should build on the Seven Principles of Public Life (the Nolan Principles)</p> <p>A3. Leading by example and using these standard operating principles or values as a framework for decision making and other actions</p> <p>A4. Demonstrating, communicating and embedding the standard operating principles or values through appropriate policies and processes which are reviewed on a regular basis to ensure that they are operating effectively</p>	<ul style="list-style-type: none"><li>• Agreed Values</li><li>• Organisation Development and Workforce Strategy</li><li>• Codes of Conduct for members and employees</li><li>• Registers of interests, gifts and hospitality</li><li>• Induction training for members and employees</li><li>• Members Allowances Scheme</li><li>• Financial Regulations rules</li><li>• Contract Procurement rules</li><li>• Protocol on Planning</li><li>• Standards and Audit Committees</li><li>• Anti-Fraud Bribery and Corruption Strategy</li><li>• Anti-Money Laundering Policy</li><li>• Whistleblowing Policy</li><li>• Compliments, Comments and Complaints Procedure</li><li>• Internal Audit Charter</li><li>• Safeguarding Responsibilities</li><li>• Health and Safety Policy</li><li>• Single Equality Plan and review</li><li>• Transparency around decision making</li><li>• Member Development Plan</li></ul>

<p><b>Demonstrating strong commitment to ethical values</b></p> <p>A5. Seeking to establish, monitor and maintain the Council's ethical standards and performance</p> <p>A6. Underpinning personal behaviour with ethical values and ensuring they permeate all aspects of the Council's culture and operation</p> <p>A7. Developing and maintaining robust policies and procedures which place emphasis on agreed ethical values</p> <p>A8. Ensuring that external providers of services on behalf of the Council are required to act with integrity and in compliance with high ethical standards expected by the Council</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Agreed Values</li> <li>• Organisation Development and Workforce Strategy</li> <li>• Codes of Conduct for members and employees</li> <li>• Registers of interests, gifts and hospitality</li> <li>• Financial Regulations rules</li> <li>• Contract Procurement rules</li> <li>• Protocol on Planning</li> <li>• Protocol on Gifts and Hospitality</li> <li>• Protocol for Councillors representing the Council on outside bodies.</li> <li>• Induction training for members and employees</li> <li>• Regular governance awareness raising for employees</li> <li>• Planning Principles</li> <li>• Procurement Strategy</li> <li>• Partnership &amp; collaborative working arrangements</li> </ul>
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<p><b>Respecting the rule of law</b></p> <p>A9. Ensuring members and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations</p> <p>A10. Creating the conditions to ensure that the statutory officers, other key post holders and members are able to fulfil their responsibilities in accordance with legislative and regulatory requirements</p> <p>A11. Striving to optimise the use of the full powers available for the benefit of citizens, communities and other stakeholders</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Key statutory responsibilities set out in the Council's Constitution</li> <li>• Compliance with CIPFA Statement of the ~Role of the Chief Financial Officer in Local Government)</li> <li>• Protocol on Member/Officer relations (Constitution)</li> <li>• Member and Officer Job Descriptions</li> <li>• Regular governance awareness raising for employees</li> <li>• Standards Committee</li> <li>• Audit Committee</li> </ul>
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<p>A12. Dealing with breaches of legal and regulatory provisions effectively</p> <p>A13. Ensuring corruption and misuse of power are dealt with effectively</p>	<ul style="list-style-type: none"> <li>• Anti-Fraud Bribery and Corruption Strategy</li> <li>• Anti-Money Laundering Policy</li> <li>• Whistleblowing Procedure</li> <li>• Complaints Procedure</li> <li>• General Data Protection Regulation guidance</li> <li>• Governance Codes of Practice</li> <li>• Disciplinary Procedures</li> </ul>
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## Principle B. Ensuring openness and comprehensive stakeholder engagement

Local government is run for the public good, and 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.

### To support Principle B, the Council is committed to:

Openness	What is in place to support this?
<p>B1. Ensuring an open culture through demonstrating, documenting and communicating our commitment to openness</p> <p>B2. Making decisions that are open about actions, plans, resource use, forecasts, outputs and outcomes. The presumption is for openness. If that is not the case, a justification for the reasoning for keeping a decision confidential should be provided</p> <p>B3. Providing clear reasoning and evidence for decisions in both public records and explanations to stakeholders and being explicit about the criteria, rationale and considerations used. In due course, ensuring that the impact and consequences of those decisions are clear</p> <p>B4. Using formal and informal consultation and engagement to determine the most appropriate and effective interventions/ courses of action</p>	<ul style="list-style-type: none"><li>• Constitution</li><li>• Procurement Strategy</li><li>• Contract Procedure Rules</li><li>• Whistleblowing Procedure.</li><li>• Council Plan</li><li>• External audit and inspection reports</li><li>• Directory of published information.</li><li>• Online Council Tax information</li><li>• Reporting and publishing &amp; distribution timetables</li><li>• Delegation of Powers Scheme</li><li>• Meetings open to public</li><li>• Agendas and Minutes</li><li>• Webcasting page</li><li>• Codes of Conduct for members and employees</li><li>• Public Participation in Council and Planning meetings</li><li>• Webcasting Meetings and library of Meeting recordings</li><li>• Publishing of Delegated Decisions</li><li>• Nedi News and other communications</li></ul>

<p><b>Engaging comprehensively with institutional stakeholders</b></p> <p>B5. Effectively engaging with institutional stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear so that outcomes are achieved successfully and sustainably</p> <p>B6. Developing formal and informal partnerships to allow for resources to be used more efficiently and outcomes achieved more effectively</p> <p>B7. Ensuring that partnerships are based on trust, a shared commitment to change and a culture that promotes and accepts challenge among partners and that the added value of partnership working is explicit</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Consultation and Engagement Strategy</li> <li>• Current consultations</li> <li>• Complaints Procedure</li> <li>• Partnership &amp; collaborative working arrangements</li> <li>• Clear terms of reference for partnerships and other arrangements.</li> </ul>
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<p><b>Engaging stakeholders effectively, including individual citizens and service users</b></p> <p>B8. A clear policy on the type of issues that the Council will meaningfully consult with or involve individual citizens, service users and other stakeholders to ensure that service provision is contributing towards the achievement of intended outcomes</p> <p>B9. Ensuring that communication methods are effective and that members and officers are clear about their roles with regard to community engagement</p> <p>B10. Encouraging, collecting and evaluating the views and experiences of communities, citizens, service users and organisations of different backgrounds including reference to future needs</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Consultation and Engagement Strategy</li> <li>• Medium Term Financial Plan</li> <li>• Planning Principles</li> <li>• Complaints Procedure (and compliments)</li> <li>• Employee survey</li> <li>• Partnership with partners both public, private and the Community and Voluntary sector infrastructure provider</li> <li>• Partnership with RHL for the management of the Council's social housing</li> <li>• Petition Scheme</li> <li>• Public consultation – for example on regeneration proposals for town centres</li> <li>• Ability for members of the public to ask questions at Council.</li> </ul>
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<p>B11. Implementing effective feedback mechanisms in order to demonstrate how their views have been taken into account</p> <p>B12. Balancing feedback from more active stakeholder groups with other stakeholder groups to ensure inclusivity</p> <p>B13. Taking account of the interests of future generations of tax payers and service users</p>	<ul style="list-style-type: none"> <li>• Meet the Council events</li> </ul>
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## **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.

### **To support Principle C, the Council is committed to:**

<p><b>Defining outcomes</b></p> <p>C1. Having a clear vision which is an agreed formal statement of the Council's purpose and intended outcomes containing appropriate performance indicators, which provides the basis for the Council's overall strategy, planning and other decisions</p> <p>C2. Specifying the intended impact on, or changes for, stakeholders including citizens and service users. It could be immediately or over the course of a year or longer</p> <p>C3. Delivering defined outcomes on a sustainable basis within the resources that will be available</p> <p>C4. Identifying and managing risks to the achievement of outcomes</p> <p>C5. Managing service users expectations effectively with regard to determining priorities and making the best use of the resources available.</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Council Plan Planning Principles</li> <li>• Local Plan</li> <li>• Consultation and Engagement Strategy</li> <li>• Medium Term Financial Plan</li> <li>• Half-yearly performance reports to the Cabinet</li> <li>• Risk Management Strategy</li> <li>• Report template for reports to Council meetings</li> </ul>
<p><b>Sustainable economic, social and environmental benefits</b></p> <p>C6. Considering and balancing the combined economic, social and environmental impact of policies, plans</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Medium Term Financial Plan</li> <li>• Budget consultation exercises</li> <li>• Risk Management Strategy</li> <li>• Council Plan Planning Principles</li> </ul>

<p>and decisions when taking decisions about service provision</p> <p>C7. Taking a longer-term view with regard to decision making, taking account of risk and acting transparently where there are potential conflicts between the Council's intended outcomes and short-term factors such as the political cycle or financial constraints</p> <p>C8. Determining the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits, through consultation where possible, in order to ensure appropriate trade-offs</p> <p>C9. Ensuring fair access to services</p>	<ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Procurement Strategy</li> <li>• Member workshops</li> <li>• Strategic Equality Plan</li> <li>• Equality Impact Assessments</li> <li>• Customer Focus Strategy</li> <li>• ICT &amp; Digital Strategy</li> </ul>
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## **Principle D: Determining the interventions necessary to optimise the achievement of 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

### **To support Principle D, the Council is committed to:**

<p><b>Determining necessary interventions</b></p> <p>D1. Ensuring decision makers receive objective and rigorous analysis of a variety of options indicating how intended outcomes would be achieved and including the risks associated with those options. Therefore ensuring best value is achieved however services are provided.</p> <p>D2. Considering feedback from citizens and service users when making decisions about service improvements or where services are no longer required in order to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impacts.</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Council Plan</li> <li>• Reporting requirements for Full Council and Cabinet in the report template including requirement for statutory officers' input</li> <li>• Decision making Principles (Constitution)</li> <li>• Scrutiny committees and support</li> <li>• Risk Management Strategy</li> <li>• Consultation and Engagement Strategy</li> <li>• Medium Term Financial Plan</li> <li>• Senior Management Structure</li> <li>• Officer Delegation Scheme</li> <li>• Calendar of meetings</li> <li>• Pre-meetings</li> <li>• The Forward Plan</li> <li>• Corporate complaints process</li> </ul>
<p><b>Planning interventions</b></p> <p>D3. Establishing and implementing robust planning and control cycles that cover strategic and operational plans, priorities and targets</p> <p>D4. Engaging with internal and external stakeholders in determining how services and other courses of action should be planned and delivered</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Council Plan</li> <li>• Reporting and publishing &amp; distribution timetables</li> <li>• Consultation and Engagement Strategy</li> <li>• Medium Term Financial Plan</li> <li>• Partnership &amp; collaborative working arrangements</li> <li>• Half-yearly performance reports to the Cabinet</li> </ul>

<p>D5. Considering and monitoring risks facing each partner when working collaboratively including shared risks</p> <p>D6. Ensuring arrangements are flexible and agile so that the mechanisms for delivering outputs can be adapted to changing circumstances</p>	<ul style="list-style-type: none"> <li>• Budget and Policy Framework</li> <li>• Procedure Rules</li> <li>• Budget Monitoring &amp; Control Procedures</li> <li>• Council Procedure Rules</li> <li>• Financial Regulations</li> <li>• Senior Management Structure</li> <li>• Regular Portfolio Holder meetings</li> </ul>
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**Principle E: Developing the Council'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.

**To support Principle E, the Council is committed to:**

<p><b>Developing Capacity</b></p> <p>E1. Developing and maintaining an effective workforce plan to enhance the strategic allocation of resources.</p> <p>E2. Reviewing operations, performance and use of assets on a regular basis to ensure their continuing effectiveness,</p> <p>E3. Improving resource use through appropriate application of techniques such as benchmarking and other options in order to determine how the Council's resources are allocated so that outcomes are achieved effectively and efficiently,</p> <p>E4. Recognising the benefits</p>	<p>What is in place to support this?</p> <ul style="list-style-type: none"> <li>• Scrutiny committees and support</li> <li>• Senior Management Structure and its review</li> <li>• Reviews commissioned by Senior Management</li> <li>• External audit and inspection reports</li> <li>• Partnership &amp; collaborative working arrangements</li> <li>• Corporate Land and Buildings Strategy</li> <li>• LGA Peer Review</li> <li>• Employee Celebratory Awards</li> </ul>
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<p><b>Developing the capability of the leadership and other individuals</b></p> <p>E5. Developing protocols 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</p>	<p>What is in place to support this?</p> <ul style="list-style-type: none"> <li>• Constitution</li> <li>• Protocol on Member/Officer relations (Constitution)</li> <li>• Regular meetings between Strategic Leadership Team and Lead Members</li> <li>• Delegation of Powers Scheme</li> <li>• Financial Regulation</li> <li>• Contract Procurement Rules</li> <li>• Member Job Descriptions</li> </ul>
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<p>E6. Publishing a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the governing body</p> <p>E7. Ensuring the leader and the senior management team have clearly defined and distinctive leadership roles within a structure, whereby the senior management team leads the authority in implementing strategy and managing the delivery of services and other outputs set by members and each provides a check and a balance for each other's authority</p> <p>E8. Developing the capabilities of members and senior management to achieve effective shared leadership and to enable the Council to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks by: ensuring members and staff have access to appropriate induction tailored to their role and that ongoing training and development matching individual and organisational requirements is available and encouraged, ensuring members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis, ensuring personal, organisation and system-wide development through shared learning, including lessons learnt from both internal and external governance weaknesses</p> <p>E9. Ensuring that there are structures in place to encourage public participation</p> <p>E10. Taking steps to consider the leadership's own effectiveness and ensuring leaders are open to constructive feedback from peer review and inspections</p> <p>E11. Holding staff to account through regular performance reviews which take</p>	<ul style="list-style-type: none"> <li>• Regular publication of Forward Plan.</li> <li>• Learning and Development function</li> <li>• Member Development Working Group and programme of training</li> <li>• Performance Review and Development Process</li> <li>• Consultation and Engagement Strategy</li> <li>• Organisation Development and Workforce Strategy</li> <li>• Workforce Policies</li> <li>• Code of Conduct for employees</li> <li>• Internal Communications</li> <li>• Health and Safety Policy</li> <li>• Corporate Health Standard</li> <li>• HR Policies</li> <li>• Appraisals</li> <li>• Member Inductions and midterm Member Induction refresh</li> <li>• Employee training</li> <li>• Petition Scheme</li> <li>• Consultation events on specific projects</li> </ul>
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account of training or development needs	
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**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.

**To support Principle F, the Council is committed to:**

<p><b>Managing Risk</b></p> <p>F1. Recognising that risk management is an integral part of all activities and must be considered in all aspects of decision making</p> <p>F2. Implementing robust and integrated risk management arrangements and ensuring they are working effectively</p> <p>F3. Ensuring that responsibilities for managing individual risks are clearly allocated</p>	<p><b>What is in place to support this ?</b></p> <ul style="list-style-type: none"> <li>• Risk management group</li> <li>• Risk Management Strategy, Risk and Control Registers and Internal / External audit coverage of risk management</li> <li>• Audit Committee</li> <li>• Partnership and Collaborative Working arrangements</li> <li>• Reporting requirements for Full Council and Cabinet</li> <li>• Service Continuity arrangements</li> <li>• Annual review of Constitution</li> </ul>
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<p><b>Managing Performance</b></p> <p>F4. Monitoring service delivery effectively including planning, specification, execution and independent post-implementation review</p> <p>F5. Making decisions based on relevant, clear objective analysis and advice pointing out the implications and risks inherent in the Council's financial, social and environmental position and outlook</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Council Plan</li> <li>• Service Plans and service planning guidance</li> <li>• Procurement Strategy</li> <li>• Quarterly performance reports to the Performance Management group, Audit Committee and Cabinet</li> </ul>
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<p>F6. Ensuring an effective scrutiny or oversight function is in place which encourages constructive challenge and debate on policies and objectives before, during and after decisions are made, thereby enhancing the Council's performance and that of any organisation for which it is responsible</p> <p>F7. Providing members and senior management with regular reports on progress towards outcome achievement.</p> <p>F8. Ensuring there is consistency between specification stages (such as budgets) and post implementation reporting (eg financial statements)</p>	<ul style="list-style-type: none"> <li>• Forward Work Programmes</li> <li>• Reporting and publishing &amp; distribution timetables</li> <li>• Scrutiny committees and support</li> <li>• Scrutiny reviews</li> <li>• Report template</li> <li>• Report screening (Full Council and Cabinet)</li> <li>• Member Development</li> <li>• Financial Regulations</li> <li>• Budget and Policy Framework</li> <li>• Procedure Rules</li> <li>• Budget Monitoring &amp; Control Procedures</li> <li>• Budget – Medium Term Financial Plan</li> <li>• Annual Statement of Accounts</li> </ul>
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<p><b>Robust Internal Control</b></p> <p>F9.Aligning the risk management strategy and policies on internal control with achieving objectives</p> <p>F10.Evaluating and monitoring risk management and internal control on a regular basis</p> <p>F11.Ensuring effective counter fraud and anti-corruption arrangements are in place</p> <p>F12.Ensuring additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor</p> <p>F13.Ensuring an audit committee or equivalent group or function which is independent of the executive and accountable to the governing body provides a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment and that its recommendations are listened to and acted upon</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Risk Management Strategy</li> <li>• Principal Risk Register</li> <li>• Heads of Departments Internal Control Assurances</li> <li>• Internal Audit Charter (inc Annual Plan)</li> <li>• Audit Committee Terms of Ref (Constitution)</li> <li>• Audit Committee effectiveness surveys and training</li> <li>• Financial Regulations</li> <li>• Contract Procurement Rules</li> <li>• Counter Fraud Policy &amp; Procedures</li> <li>• Anti-Money Laundering Strategy</li> <li>• Annual Governance Statement &amp; Action Plan</li> <li>• Head of Internal Audit's Annual Report</li> <li>• Audit Committee Chair's Annual Report to Cabinet and Council</li> <li>• Identification of Assurance Gaps</li> </ul>
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<p><b>Managing Data</b></p> <p>F14.Ensuring effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data</p> <p>F15.Ensuring effective arrangements are in place and operating effectively when sharing data with other bodies</p> <p>F16.Reviewing and auditing regularly the quality and accuracy of data used in decision making and performance monitoring</p>	<p><b>What is in place to support this ?</b></p> <ul style="list-style-type: none"> <li>• General Data Protection Regulation guidance</li> <li>• Appointment of qualified Data Protection Officer</li> <li>• GDPR clauses in contracts</li> <li>• Freedom of Information guidance</li> <li>• Information Management Strategy and Action Plan</li> <li>• Acceptable Use of ICT Facilities</li> <li>• ICT Security Policy and Guidelines</li> <li>• Secure Data Transfer Standards and Procedures</li> <li>• Information Security Policy</li> <li>• Records Management Policy</li> <li>• Corporate Records Retention Scheme</li> <li>• Regular data protection training</li> <li>• Appointment and training of Senior Responsible Officer (SRO) and the Senior Risk Information Officer (SIRO)</li> </ul>
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<p><b>Strong public financial management</b></p> <p>F17.Ensuring financial management supports both long-term achievement of outcomes and short-term financial and operational performance</p> <p>F18.Ensuring well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"> <li>• Regular Budget monitoring</li> <li>• Annual Governance Statement</li> <li>• External Audit reports</li> </ul>
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**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.

**To support Principle G, the Council is committed to:**

<p><b>Implementing good practice in transparency</b></p> <p>G1. Writing and communicating reports for the public and other stakeholders in an understandable style appropriate to the intended audience and ensuring that they are easy to access and interrogate</p> <p>G2. Striking a balance between providing the right amount of information to satisfy transparency demands and enhance public scrutiny while not being too onerous to provide and for users to understand</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"><li>• Report template which requires that the statutory officers review the report and the involvement of the Portfolio Holder</li><li>• Report screening (Full Council and Cabinet)</li><li>• Website including summary and easy-to-read reports</li><li>• Compliance with access requirements</li><li>• Use of Mod. Gov to record all open reports (in advance) and minutes on the website.</li><li>• Streaming of some meetings</li></ul>
<p><b>Implementing good practice in reporting</b></p> <p>G3. Reporting at least annually on performance, value for money and the stewardship of resources</p> <p>G4. Ensuring owners and senior management own the results</p> <p>G5. Ensuring robust arrangements for assessing the extent to which the principles contained in the Framework have been applied and publishing the results on this assessment including an action plan for improvement and evidence to demonstrate good governance (annual governance statement)</p>	<p><b>What is in place to support this?</b></p> <ul style="list-style-type: none"><li>• Quarterly reporting of performance</li><li>• Annual Governance Statement and Action Plan</li><li>• Risk Management Strategy</li><li>• Risk and Control Registers</li><li>• Annual Statement of Accounts</li><li>• Consideration of performance by Senior Management Team</li></ul>

G6. Ensuring that the Framework is applied to jointly managed or shared service organisations as appropriate

**Assurance and effective accountability**

G8. Ensuring that recommendations for corrective action made by external audit are acted upon

G9. Ensuring an effective internal audit service with direct access to members is in place which provides assurance with regard to governance arrangements and recommendations are acted upon

G10. Welcoming peer challenge, reviews and inspections from regulatory bodies and implementing recommendations

G11. Gaining assurance on risks associated with delivering services through third parties and that this is evidenced in the annual governance statement

G12. Ensuring that when working in partnership, arrangements for accountability are clear and that the need for wider public accountability has been recognised and met

**What is in place to support this?**

- Audit Committee Terms of Reference (Constitution)
- Regular reporting of progress on implementing audit recommendations to Audit Committee and Senior Management Team
- External audit and inspection reports
- Internal Audit Charter
- Head of Internal Audit's Annual Report
- Internal Audit self-assessment and compliance with Public Sector Internal Audit Standards
- Partnership and collaborative working arrangements
- Annual review of Constitution

#### **SECTION 4: HOW CORPORATE GOVERNANCE IS REVIEWED**

1. The Leader and Senior Management Team are required to ensure that each year, a review is undertaken to measure the extent to which the Council as a whole has met the requirements of this Code.
2. The results of the review are included in the Annual Governance Statement which is published with the Annual Statement of Accounts.
3. Where the review reveals possible gaps or weaknesses, action is agreed to ensure effective governance in future. Agreed action is monitored for implementation.
4. Where necessary, this Code will be amended as a result of the annual review, changes in best practice or statutory changes. Minor amendments to wording, titles and to details of 'what is in place' to support the principles (Section 3 above) may be approved by the Head of Finance but any substantive changes to the Code and the principles will require Cabinet approval.
5. This code will be renewed no later than 31<sup>st</sup> March 2025

## **APPENDIX A.**

### **THE SEVEN PRINCIPLES OF PUBLIC LIFE (THE NOLAN PRINCIPLES)**

These apply to anyone who works as a public office-holder. This includes people who are elected or appointed to public office, nationally and locally, and all people appointed to work in:

- the civil service
- local government
- the police
- the courts and probation services
- non-departmental public bodies
- health, education, social and care services.

#### **1. Selflessness**

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

#### **2. 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.

#### **3. Objectivity**

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

#### **4. 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.

#### **5. 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.

#### **6. Honesty**

Holders of public office should be truthful.

#### **7. Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## North East Derbyshire District Council

### Standards Committee

2 November 2022

### Reviewing the Constitution

#### Report of the (Portfolio Holder if Cabinet or the Director/Assistant Director)

Classification: This report is public

Report By: Assistant Director of Governance and Monitoring Officer

Contact Officer: Interim Governance Manager, Alan Maher: [alan.maher@ne-derbyshire.gov.uk](mailto:alan.maher@ne-derbyshire.gov.uk)

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#### **PURPOSE / SUMMARY**

To set out the proposed arrangements for reviewing and updating the Council's Constitution in preparation for the 2023-24 Municipal Year.

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#### **RECOMMENDATIONS**

1. That Standards Committee receives a report at its **Tuesday 6 December 2022** meeting explaining the technical updates to the Constitution made by the Monitoring Officer under the Council's Scheme of Delegation.
2. That a special informal meeting is organised for Standards Committee Members to consider how Councillor Roles and Responsibilities, the Code of Conduct and acceptable behaviour should be reflected in the Council's Constitution.
3. That following on from this special informal meeting Standards Committee be asked to consider and agree a range of specific amendments to the Constitution at its meeting on Wednesday **1 February 2023**, for recommendations to Annual Council on **Monday 22 May 2023**.
4. That a special informal meeting is organised for Standards Committee Members to consider how the formal operation of the Council's Member and officer decision making arrangements, and the expectations which underpin them, should be reflected in the Council's Constitution.
5. That following on from this special informal meeting, Standards Committee be asked to consider and agree a range of specific amendments to the Constitution at its meeting on **Wednesday 19 April 2023**, for recommendations to Annual Council on **Monday 22 May 2023**.

Approved by the Portfolio Holder:

Not applicable.

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## IMPLICATIONS

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**Finance and Risk:**

Yes ☐

No ☒

Details:

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):**

Yes ☐

No ☐

Details:

The Council is required under the Localism Act 2011 to prepare and keep up-to-date a Constitution. This should include its Standing Orders and the Members Code of Conduct. It should also include any other information required or directed by the Secretary of State, or which the Council considers appropriate.

On Behalf of the Solicitor to the Council

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**Staffing:**

Yes ☐

No ☒

Details:

On behalf of the Head of Paid Service

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## DECISION INFORMATION

Decision Information	
<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>NEDDC:</b> <b>Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/></b> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> <b>Leader / Deputy Leader <input type="checkbox"/> Cabinet <input checked="" type="checkbox"/></b> <b>SMT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/></b> <b>Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></b>	Yes  Details: Portfolio Holder and Senior Management of the Council

Links to Council Plan (NED) priorities, including Climate Change, Equalities, and Economics and Health implications.
N/A

## REPORT DETAILS

### 1 **Background** (reasons for bringing the report)

- 1.1 One of the main responsibilities of the Standards Committee is to undertake an annual review of the Council's Constitution. Following on from this review, it is the Council's responsibility to make recommendations and suggest specific amendments to the Constitution to recommend to the Annual Council for agreement.
- 1.2 In practice, the Committee has discharged this responsibility by considering sequentially detailed changes required to the different parts of the Constitution and the rationale for these changes. This approach has helped to focus attention on specific and practical issues which need to be addressed. However, it does now allow the Committee to consider the Constitution as a whole and in particular, whether it is still achieving those goals which the Council has set for it and whether these goals themselves now need to be re-thought to ensure that they remain fit for purpose.

## **2. Details of Proposal or Information**

- 2.1 In order to help the Committee to carry out a more holistic review of the Constitution and whether it is fit for purpose, it is proposed to adopt a three stage approach. This new approach would involve some special informal meetings (either at the Council's offices or at another venue) to allow Members to consider the issues in depth before they are then asked to agree specific recommendations to Council. The proposed three stages are set out below.
- 2.2 During **Stage One** the officers would identify and rectify any essentially factual and typographical errors in the document, such as incorrect job titles or the continued inclusion of expired powers and regulations etc. Work has taken place to identify these errors, which would be included in a technical schedule, along with the necessary revisions. The Monitoring Officer would then formally agree these revisions, as provided for under the Council's Scheme of Delegation. A summary of the changes made would then be reported back to Committee at its Tuesday 6 December 2022 meeting.
- 2.3 Following on from this, Committee would then begin **Stage Two** of the review, to consider how Councillor Roles and Responsibilities, the Code of Conduct and acceptable behaviour should be reflected in the Council's Constitution. These are important issues, with many implications. In order to enable Members to assess them fully and decide on what changes should be made, it is proposed that a special informal session be arranged (either in person or virtually). Following on from this, Standards Committee would be asked to consider and agree specific recommendations at its next scheduled meeting on Wednesday 1 February 2023.
- 2.4 **Stage Three** would allow Members to consider how the formal operation of the Council's Member and officer decision making arrangements, as well as the expectations which underpin them and how these should be reflected in the Council's Constitution. Again, an informal session would be held, so that Members could consider the issues raised in detail. Following on from this, Committee would then be asked to consider and agree a range of specific amendments to the Constitution at its meeting on **Wednesday 19 April 2023**.

## **3 Reasons for Recommendation**

- 3.1 To ensure the accuracy of the Council's Constitution
- 3.2 To ensure that it remains adequate for the governance of the Council's Member and officer governance arrangements.

#### 4 Alternative Options and Reasons for Rejection

4.1 None

##### DOCUMENT INFORMATION

Appendix No	Title
	N/A
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	

## **Developing the Member Induction Programme for 2023-24**

1. The Member Development Working Group has been looking at what form the Member Induction Programme for the 2023-24 Municipal Year might take. The Group's aim is that the programme should meet both the needs of newly elected Members and those have been re-elected.
2. Although still at the discussion stage, the Working Group hopes to achieve this by developing a three-part package.

### **Part One: Sorting out the 'housekeeping' issues for new and re-elected Members.**

3. The Working Group is keen that as many of these issues should be sorted out in the days after the local elections as possible. For example, signing the Acceptance of Office, collating the necessary contact details and other information, receiving new and updating existing ICT, providing identity and building access cards, and the on-line version of the Council Diary Pages publication. Councillors would also be encouraged to complete their Register of Interest (ROI) forms as soon as possible. (As a matter of good practice, all Councillors would be asked to do this at the start of the term, not just the new Members.) We are putting in place arrangements to complete – and subsequently update - the ROI forms on line.

### **Part Two: Core Information which all Members require.**

4. Training sessions would be organised for new Members to learn – and re-elected Members to be reminded - of the Council and Councillors roles and responsibilities. For example, the Working Group is looking at sessions to cover the Code of Conduct, the Member – officer protocol, the Council's Procedure Rules, Key Decisions and its responsibilities under the Freedom of Information and Data Protection Acts. Crucially, there would also be specific training on the Council's responsibilities for Corporate Parenting and for Safeguarding Young People and Vulnerable Adults.

### **Part Three: Role Specific Information and Training.**

5. The focus for this part of the programme would be help Members understand and contribute to the Council various decision making bodies, such as the Planning and Licensing Committees and on the Scrutiny Committees. There would also be a specific session on the role of the Standards Committee and Committee Members in overseeing the Governance arrangements of the Council.

### **Issue for Discussion**

6. The aim is that all these sessions take immediately before the first meetings of the Committees in of the new Municipal Year. **However, it would be helpful to hear from existing Standards Committee Members if they**

**might want a longer session to discuss these issues and to then help shape its work programme for the year?**

Interim Governance Manager

## The Schedule of Meetings 2023-24

1. The proposed Schedule of Meetings for the next municipal year is usually presented to Council for approval towards the end of the current year. The meetings schedule for 2022-23 was agreed by Council at its meeting on 26 April 2022. As things stand, the schedule for the 2023-24 Municipal Year will be recommended to Council for approval, at its Annual Meeting, on **Monday 22 May 2023**.
2. As always, every effort will be made to ensure that these scheduled meetings are held. However, there may be times when it is necessary to re-arrange them. This is usually because additional work is required on specific issues, or simply because of unforeseen circumstances.
3. In order to help minimise the number of changes which have to be made, we intend to prepare a Draft Schedule of Meetings, well in advance of the new Municipal Year. We will carry out extensive consultation on this during November and December 2022; Updated versions of the Draft Schedule will then be prepared, which take into account the concerns that have been raised. Following on from this consultation, we expect the Draft Schedule to be largely finalised, by **February to March 2023** – although it would remain subject to any last minute necessary amendments, until presented to and agreed by Annual Council.
4. As part of the consultation exercise, the updated versions of the Draft Schedule would be shared with Group Leaders. They would be asked to circulate and discuss these with their Members, as required. In addition, the first version of the Draft Schedule would be included on the Agenda for the Committee's next meeting - **Tuesday 6 December 2022**. Standards Committee would also receive further updates at its **1 February 2023** and **19 April 2023** meetings.
5. The following guidelines would be used for drawing up the Draft Schedule and for determining when amendments to it ought to be made.

**One:** There should be no fundamental change to the scope and pattern of the Schedule of Meetings. Each Member body should meet for the same number times, on the same day and at the same time as they were scheduled to meet in 2022-23

**Two:** The draft Schedule should build in time at the start of the year for the necessary training and other activities, required following the local elections, to take place. Members and officers must be given time to 'pause for thought' so that they can decide what now needs to be done.

**Third:** The draft Schedule should seek to build in time for Members and officers to undertake key work during the year and in particular, to ensure that the meetings of different bodies (both within and outside the Council) can take place at the right times, for the decisions required of them.

**Four:** Any changes to the draft Schedule need to be based on operational requirements. When at all possible, Members and officers would be expected to work around the suggested dates.

### **Issue for Discussion**

6. Once the Draft Schedule of meetings approaches the final version for Annual Council, then the provisional meetings would be created on Modern.gov, so that they appear on the Council's website. We would do this from **Early / Mid-March 2023 onwards**. The Draft Schedule would be of interest to the public and potentially of assistance to those candidates wishing to stand for election; as it would give them a clear idea of what meetings they may have to attend, if they were successful.
7. Similarly, provisional Outlook Meeting Requests would be sent to those Members currently serving on specific bodies in advance of the election, to help them also plan for these meetings.

### **Would Standards Committee support this approach?**

Interim Governance Manager

**Room G07,  
1 Horse Guards Road  
London  
SW1A 2HQ**

Rt Hon Simon Clarke MP  
Secretary of State for Levelling Up,  
Housing and Communities

(By email)

**Committee on  
Standards in  
Public Life**

4 October 2022

Dear Secretary of State,

I am writing in light of the government's response of March this year to the Committee on Standards in Public Life 2019 report on Local Government Ethical Standards.

While we note the government's commitment to further work to support local government, the Committee is very disappointed that many of its careful recommendations have not been accepted. We aimed in that report to produce a balanced, considered package of recommendations to strengthen the arrangements in place whilst respecting the benefits of a localised approach.

It was clear from our evidence that the sector backed our call to strengthen the arrangements in place to support high ethical standards. There is clear frustration within local authorities at the limited powers within the local government standards regime to address poor behaviour by a minority of individuals.

We would urge you to reconsider our recommendations and would welcome a conversation with you to understand how you are taking forward the government's stated aim to work with local authorities and their representative organisations to ensure that local government is supported in reinforcing its reputation for ethical local standards.

Across all tiers of local government, decisions are taken about a wide range of local services using public funds, so it is important that there are robust governance arrangements that command public confidence.

Yours sincerely.



**Lord Evans of Weardale KCMG DL  
Chair, Committee on Standards in Public Life**

## North East Derbyshire District Council

### Standards Committee

02 November 2022

### Complaint Update Report

#### Report of the Assistant Director of Governance and Monitoring Officer

Classification: This report is public.

Report By: Sarah Sternberg, Assistant Director of Governance and Monitoring Officer, [sarah.sternberg@ne-derbyshire.gov.uk](mailto:sarah.sternberg@ne-derbyshire.gov.uk)

Contact Officer: Asher Bond, Governance Officer – [asher.bond@ne-derbyshire.gov.uk](mailto:asher.bond@ne-derbyshire.gov.uk)

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#### **PURPOSE / SUMMARY**

To provide Standards Committee with an update on the number of complaints that have been received and what action has been taken on these within Quarter two of the financial year 2022/23.

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#### **RECOMMENDATIONS**

That the Standards Committee notes the complaints update.

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#### **IMPLICATIONS**

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Finance and Risk: Yes ☐ No ☒

Details:

On Behalf of the Section 151 Officer

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Legal (including Data Protection): Yes ☐ No ☒

Details:

On Behalf of the Solicitor to the Council

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Staffing: Yes ☐ No ☒

## Details:

On behalf of the Head of Paid Service

## DECISION INFORMATION

<b>Decision Information</b>	
<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>NEDDC:</b> <b>Revenue - £100,000</b> <input type="checkbox"/> <b>Capital - £250,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input type="checkbox"/> <b>Cabinet</b> <input type="checkbox"/> <b>SMT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>	No

<b>Links to Council Plan (NED) priorities, including Climate Change, Equalities, and Economics and Health implications.</b>

## REPORT DETAILS

### 1 **Background** *(reasons for bringing the report)*

- 1.1 Under Section 28 (6) and (7) of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a member or co-opted member of the Council or parish or town council within its area has failed to comply with that Authority’s Code of Conduct can be investigation and decisions made on such allegations.
- 1.2 The Council has adopted a Code of Conduct for Members. Each parish or town council is also required to adopt a Code of Conduct.

1.3 The Monitoring Officer is a senior officer of the Authority who has the statutory responsibility for administering the system in respect of complaints of member misconduct.

1.4 Standards Committee is to receive regular reports from the Monitoring Officer on the number of complaints against members, how they are progressing, what decisions have been made and what action taken.

## **2. Details of Proposal or Information**

2.1 In Quarter two of the financial year 2022/23, four new complaints had been opened and one existing complaint had been closed. There are currently a total of four ongoing complaints.

2.2 The closed complaint was not found to have breached the Code of Conduct.

## **3 Reasons for Recommendation**

3.1 Under the North East Derbyshire District Council's Constitution It is a function of the Standards Committee to receive regular update reports from the Monitoring Officer on the number of complaints received against members, how they are progressing, what decisions have been made and what actions taken.

## **4 Alternative Options and Reasons for Rejection**

4.1 There are no alternative options to consider as part of this report.

## **DOCUMENT INFORMATION**

Appendix No	Title
1	Complaint Update Report
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	

## **NEDDC COMPLAINTS MADE AGAINST MEMBERS – QUARTERLY UPDATE**

List of Cases which do not proceed to investigation

<b>DATE OF RECEIPT</b>	<b>PART OF CODE OF CONDUCT ALLEGED TO HAVE BEEN BREACHED</b>	<b>NAME OF COUNCIL</b>	<b>WHETHER A POTENTIAL BREACH WAS FOUND</b>	<b>REASONS FOR DECISION</b>
<b>30/05/22</b> <b>03/2022</b>	Behaving respectfully. / Acting in in a way which could be regarded as bullying or intimidatory	Calow Parish Council	<b>No</b>	There was not enough evidence provided to suggest that a breach of the Code of Conduct had taken place.

## NEDDC STANDARDS COMMITTEE WORK PROGRAMME 2022/23

Meeting date	Item	Comments
13 July 2022	Review of the Constitution Part 1 (a) New Forum TORs (b) Employee Code of Conduct (c) Proper Officer Provisions  Member Training Attendance  Standards Committee Annual Report  Complaints Update	
31 August 2022	Local Government Ombudsman Annual Report  Review of the Constitution Part 2 (a) (b) (c)  Complaints Update	
2 November 2022	Review of the Constitution Part 3 (a) (b) (c)  Complaints Update	
6 December 2022	RIPA Annual Review 2022  Joint Whistleblowing Policy Review 2022	
1 February 2023	Gifts and Hospitality Review 2022  Member Training Attendance  Review of the Constitution Part 4 (a) (b) (c)  Complaints Update	
19 April 2023	Review of the Constitution Part 5 (a) (b) (c)  Work Programme 2023/24	

