ROYAL BOROUGH OF KINGSTON UPON THAMES
CODE OF CORPORATE GOVERNANCE 2019/20

INTRODUCTION

The Royal Borough of Kingston Upon Thames is committed to demonstrating the highest standards in Corporate Governance and has adopted this local Code of Corporate Governance as part of the Council's Constitution.

Good governance leads to good management, good performance, good stewardship of public funds, robust decision making, effective use of resources, good public engagement and ultimately good outcomes for our residents and service users.

The Council's Code of Corporate Governance ("the Code") consists of a range of documents, policies, procedures, cultures and values and provides the framework though which the business of the Council is directed and controlled. The Code underpins the aim of achieving good governance.
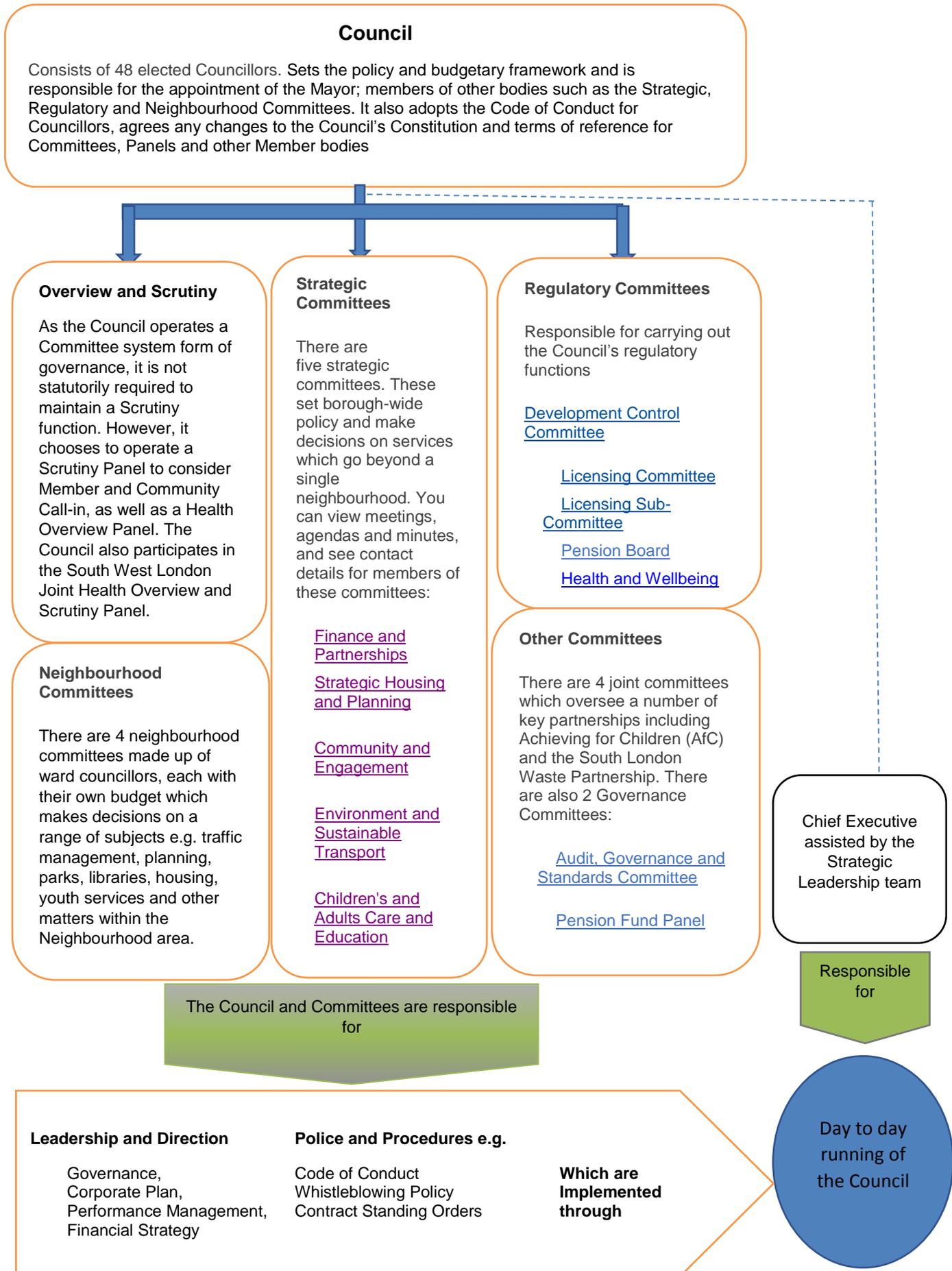
CORPORATE GOVERNANCE FRAMEWORK

The corporate governance framework is consistent with the principles of the CIPFA/SOLACE best practice framework *Delivering Good Governance in Local Government 2016*. The Code reflects the following seven core governance principles and sets out how the Council demonstrates its commitment to these:

- 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

The Code is reviewed annually to ensure that the Council is complying with the Code and to identify any areas where the governance arrangements can be improved. This feeds into the Annual Governance Statement.

The Council: How it works

Council

Consists of 48 elected Councillors. Sets the policy and budgetary framework and is responsible for the appointment of the Mayor; members of other bodies such as the Strategic, Regulatory and Neighbourhood Committees. It also adopts the Code of Conduct for Councillors, agrees any changes to the Council's Constitution and terms of reference for Committees, Panels and other Member bodies

Overview and Scrutiny

As the Council operates a Committee system form of governance, it is not statutorily required to maintain a Scrutiny function. However, it chooses to operate a Scrutiny Panel to consider Member and Community Call-in, as well as a Health Overview Panel. The Council also participates in the South West London Joint Health Overview and Scrutiny Panel.

Neighbourhood Committees

There are 4 neighbourhood committees made up of ward councillors, each with their own budget which makes decisions on a range of subjects e.g. traffic management, planning, parks, libraries, housing, youth services and other matters within the Neighbourhood area.

Strategic Committees

There are five strategic committees. These set borough-wide policy and make decisions on services which go beyond a single neighbourhood. You can view meetings, agendas and minutes, and see contact details for members of these committees:

Finance and Partnerships

Strategic Housing and Planning

Community and Engagement

Environment and Sustainable Transport

Children's and Adults Care and Education

Regulatory Committees

Responsible for carrying out the Council's regulatory functions

Development Control Committee

Licensing Committee

Licensing Sub-Committee

Pension Board

Health and Wellbeing

Other Committees

There are 4 joint committees which oversee a number of key partnerships including Achieving for Children (AfC) and the South London Waste Partnership. There are also 2 Governance Committees:

Audit, Governance and Standards Committee

Pension Fund Panel

Chief Executive assisted by the Strategic Leadership team

Responsible for

The Council and Committees are responsible for

Day to day running of the Council

Leadership and Direction

Governance, Corporate Plan, Performance Management, Financial Strategy

Police and Procedures e.g.

Code of Conduct
Whistleblowing Policy
Contract Standing Orders

Which are Implemented through

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CODE OF GOVERNANCE PRINCIPLE A

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

The core principle is underpinned by three supporting principles:
- Behaving with integrity
- Demonstrating strong commitment to ethical values
- Respecting the rule of the law

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Maintains a comprehensive and up to date Constitution with clearly defined roles and responsibilities for Members and Officers;	● Constitution
Ensures that members and officers behave with integrity and reinforce the tone of the organisation by creating a climate of openness, support and respect.	● Member Code of Conduct ● Employee Code of Conduct ● Induction and ongoing training for Members ● Staff training through Evolve
Defines the professional behaviour expected by elected Members and Officers;	● Member Code of Conduct ● Employee Code of Conduct ● Members and Officers Relationship Protocol
Puts in place arrangements to ensure that conflicts of interest are declared and if necessary, the Member/Officer does not participate in decision making;	● Member Code of Conduct ● Employee Code of Conduct ● Registers of Interest for Members and Officers ● Register of gifts and hospitality for Members and Officers ● Declaration of Interests is a standard agenda item at the start of each Committee meeting
Develops and maintains shared professional values for the organisation and communicates these with Members, Officers, the Community and partners;	● Corporate Plan 2019-2023 ● Review of organisational and development strategy which will include refreshed values and behaviours – will be engagement with staff and members and officer
Maintains an effective Audit, Governance and Standards Committee which acts as the main means to raise awareness and takes the lead in ensuring high standards of conduct are firmly embedded within the local culture;	● Audit, Governance and Standards Committee (Terms of Reference)

Has in place effective arrangements to enable Officers and others to identify any potential wrong doing and to protect Officers should they raise areas of concern;	● Whistleblowing policy (being refreshed – currently contained within the Employee Code of Conduct) ● Mechanisms for reporting fraud and corruption (report a fraud online) ● Anti-fraud and Corruption Strategy being refreshed, Anti-Bribery and Money Laundering policies (check with Kevin)
Ensure that professional advice on matters that have legal or financial implications is available in advance of decision making;	● Where decisions have legal implications, reports have to go to legal at draft and final stage for comment ● Where decisions have financial implications, reports go through the S151 officer and/or delegated representatives for comments prior to going to Committee
Ensure that all Officers and Members are appropriately trained on specific legislative and other requirements for their service/portfolio areas;	● Appraisal process (being refreshed through new O&D strategy) ● Officer and Member Development Programme ● Officer and Member induction
Has a scheme of delegated and reserved powers within the Constitution to ensure that decisions are taken at the right level;	● Scheme of Delegation ● Constitution ● Officer delegations
Maintain up to date financial procedure rules and contract standing orders;	● Contract Standing Orders ● Financial Regulations

CODE OF GOVERNANCE PRINCIPLE B	

Ensuring openness and comprehensive stakeholder engagement
 	
The core principle is underpinned by three supporting principles:
    - Openness
    - Engaging comprehensively with institutional stakeholders
    - Engaging with individual citizens and service users effectively	

Having arrangements to enable the authority to engage with all sections of the community and other stakeholders effectively. This includes a clear policy on the types of issues that the Council will meaningfully consult or engage with a feedback mechanism for those consulted.	● Constitution ● New framework for Community Engagement being developed ● Let's Talk – conversation portal ● Community Call in Process ● Online petitions ● Public participation in meetings ● Neighbourhood Forums ● Community Engagement ● Community Engagement Committee
Holding meetings in public unless there are good reasons for confidentiality with extensive opportunities for public participation during the meeting	● Council, Strategic, Neighbourhood, Regulatory and Governance Committees, Community Engagement Committee and meetings of the Scrutiny Panel are held in public unless they resolve to exclude the press and public to consider exempt information ● Minutes and audio recordings of Committee meetings are available on the website. This includes web-casting of all Strategic Committee meetings and full Council.
Maintaining and implementing a clear policy on how staff and their representatives are consulted and involved in decision making	Employee Voice (consultative forum) ● Engagement Events ● Staff Consultative Group ● Bitesize staff engagement ● Young people's network
Having a structure of Neighbourhood Committees that provide opportunities for engagement at a more local level.	● Neighbourhood Committees ● Neighbourhood Managers ● Neighbourhood Community Plans (being refreshed currently)
Considering the key partners and those institutional stakeholders to whom it is	● Kingston Strategic Partnership which meets quarterly ● Safer Kingston Partnership

accountable and assessing the effectiveness of the relationships and any changes required	● Health and Wellbeing Board ● Community Engagement
Ensure that clear channels of communication are in place with all sections of the community and other stakeholders and put in place monitoring arrangements to ensure these operate effectively.	● Council's website ● Forward plan of key decisions (Strategic Committees) ● Petition Scheme ● Online petitions ● Let's Talk – conversation portal ● Public participation at council meetings ● Freedom of Information (FOI) and Subject Access Requests (SARs) ● Whistleblowing policy (being refreshed – currently contained within the Employee Code of Conduct) ● Complaints procedure and reporting

CODE OF GOVERNANCE PRINCIPLE C Defining outcomes in terms of sustainable economic, social and environmental benefits The core principle is underpinned by three supporting principles: - Defining outcomes - Sustainable economic, social and environmental benefits	
Making a clear statement of the authority's purpose and vision and using it as a basis for strategic and service planning, with partners to shape the Corporate Plan and Medium Term Financial Strategy	- Corporate Plan 2019-2023 - Medium Term Service and Financial Plan - Transformation Programme - Forward plan (Strategic Committees)
When working in partnership, ensuring that there is a common vision underpinning the work of the partnership that is understood and agreed by all partners.	- The Kingston Strategic Partnership - Health and Wellbeing Board - Health and Care Plan with CCG
Ensuring that financial planning is integrated with strategic and service planning on a medium to long term basis, identifying the scope for making efficiencies and engaging stakeholders as appropriate;	- Medium Term Service and Financial Plan - Service Plans are being developed – linked to Corporate Plan 2019-2023 - Transformation Programme with 8 key themes (see Corporate Plan 2019-2023) - Budget setting process
Communicate on a regular basis the Council's key performance data, achievements and financial position	- Annual Audit Letter - Budget reporting to Finance and Contracts Committee on a quarterly basis - Performance reporting - New Council tax leaflet
Ensure that each service area reviews its objectives and priorities on a regular basis	- Corporate Plan 2019-2023 - Service Plans being developed linked to Corporate Plan - Appraisal process - Budget setting process
Having effective arrangements to deal with failure in service delivery;	- Complaints procedure - Performance and Risk Board – report on Risk, KPI and budget - Whistleblowing policy / Anti-fraud policy
Value for Money Setting clear objectives and targets for delivering value for money. Undertaking service reviews and transformation to deliver efficiency savings. This includes working in partnership with other organisations to carry out joint	- Corporate Plan 2019-2023 - Service Plans being developed - Medium Term Service and Financial Plan - Annual Audit Letter - Internal Audit reviews and reports

working and initiatives to achieve value for money.	● Performance reporting ● Benchmarking ● Annual accounts ● Annual Governance Statement

CODE OF GOVERNANCE PRINCIPLE D	

Determining the interventions necessary to optimise the achievement of the intended outcomes
 	
The core principle is underpinned by three supporting principles:
    -   Determining interventions
    -   Planning interventions
    - Optimising achievements of intended outcomes	

Defines and promotes its purpose and Vision	● Corporate Plan 2019-2023
Reviews annually the Council's purpose and vision ensuring that the medium term financial strategy sets the context for ongoing decisions on service delivery;	● Annual review of Corporate Plan ● Annual review of Medium Term Service and Financial Plan
Robust financial planning and budget processes with ongoing review by senior officers and members.	● Quarterly reports to Finance and Contracts Committee ● Monthly budget monitoring reports to DMTs and SLT
Communicates and reviews regular key performance data	● Performance and Risk Board – report on Risk, KPI and budget ● Performance reporting framework
Ensure that the risk management process is properly embedded at all levels of the organisation and risks are considered as part of decision making;	● Corporate and Departmental risk registers ● SLT review of Corporate Risk Register – quarterly ● Performance and Risk Board from April 2019 ● Risk reports to Audit, Governance and Standards Committee including specialist risk reports relating to key risks – 6 monthly ● Risks included within Committee reports
Ensure that each service area reviews its objectives and priorities on a regular basis;	● Service Plans linked to Corporate Plan (currently being developed) ● Appraisal objectives ● Budget setting process
Has in place effective arrangements to identify and deal with service delivery that falls below expectations	● Complaints procedure ● Contract management ● Performance and Risk Board ● Whistleblowing policy – contained within the Employee Code of Conduct) ● Mechanisms for reporting fraud and corruption (report a fraud online)
Ensures resilience with respect to business continuity in the event of unforeseen events;	● Business continuity plans ● Disaster Recovery plan

	• Emergency planning
Considers feedback from residents, service users and staff when making decisions about service improvements or significant changes to services;	• Neighbourhood conversations • Community Forums • Let's Talk- events • Let's Talk – conversation portal • Budget conversations • Staff conversations • Kingston Strategic Partnership • Annual resident surveys

CODE OF GOVERNANCE PRINCIPLE E
 	
Developing the Council's capacity, including the capability of its leadership and the individuals within it
 	
The core principle is underpinned by three supporting principles:
   - Developing the Council's capacity
   - Developing the capability of the Council's leadership and other individuals	

Ensuring that the roles and responsibilities of Members and Officers are clearly defined and understood.	• Constitution • Members and Officers Relationship Protocol • Scheme of Delegation • Scheme of Officer authorisations • Planning Protocol • Statement of Community Engagement for planning (being developed)
Ensuring that Members and Officers have the skills, knowledge, experience and resource to perform their roles. Officer and Member development includes identifying and developing leaders of the future;	• Member and Officer induction • Appraisal process (including Training and Development plans being refreshed through new O&D strategy) • Officer and Member Development Programme • Member training • Online training on Evolve (including mandatory training) • Peer review includes review of leadership capacity
Sets out how decisions are made, which decisions are reserved for full Council and which decisions are delegated. A scheme of delegation is established which formalises decision making powers and limits;	• Constitution • Scheme of Delegation • Scheme of Officer authorisations • Member and Officer training
Makes the Chief Executive responsible and accountable for all aspects of operational management;	• Head of Paid Service responsibilities set out within the Articles of the Constitution • Weekly meetings with Leader • Chairs weekly Senior Leadership Team meetings • Leader and Chief Executive Relationship Protocol
Makes the S151 officer responsible for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control;	• Responsibilities covered in the Council's Constitution and Articles of the Constitution • Regular meetings with External and Internal Audit

	• Regular meetings with the Committee Chair for Finance and Contracts Committee • All Committee reports with a Financial implication would include a comment from the S151 officer or their delegated representative
Adopts a protocol for relationships between Members and Officers which ensures proper and effective relationships;	• Constitution • Leader and Chief Executive Relationship Protocol • Protocol between Members and Officers • Member Code of Conduct • Political Awareness training • Staff and Member induction
Makes the Monitoring Officer responsible for the Council's Constitution and for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with;	• Monitoring Officer responsibilities included in the Constitution and Articles of the Constitution • All Committee reports with Legal implications would include a comment from the Monitoring Officer or their delegated representative
Sets out the terms and conditions for renumeration of both Members and Officers;	• Pay Policy • Members' allowance scheme • RBK Terms and Conditions
Ensures that there are robust arrangements for engaging with staff;	Employee Voice (consultative forum) • Engagement Events • Staff Consultative Group • Bitesize staff engagement • Young people's network • Review of organisational and development strategy will include refreshed values and behaviours

CODE OF GOVERNANCE PRINCIPLE F

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

The core principle is underpinned by three supporting principles:
- Managing risks
- Managing performance
- Robust internal control
- Managing data
- Strong public financial management

Maintains an effective Performance and Risk Board which regularly reviews and reports on performance;	● Performance and Risk Board – report on Risk, KPI and budget ● Performance reporting framework
Maintains an effective internal audit service;	● Shared audit service (South West London Audit Partnership) ● Annual Internal Audit report ● Annual risk based audit plan ● Annual Governance Statement ● Annual assessment of internal audit against the Public Sector Internal Audit Standards (PSIAS)
Maintains an effective Audit, Governance and Standards Committee;	● Audit Governance and Standards Committee (A,G& S) ● Periodic independent review of the A,G& S Committee
Ensures that an effective and accessible Complaints procedure is in place;	● Complaints procedure ● Reported to SLT ● Reported to committee
Maintains effective arrangements for recording decisions;	● Forward plan of decisions due to go to Strategic & Neighbourhood Committees ● Minutes of Council and Committee meetings ● Scheme of Delegation
Puts in place arrangements to ensure that decisions are not affected by conflicts of interest;	● Members and Officers Code of Conduct ● Register of Interests for members and officers ● Declarations of interest at every Committee meeting ● Members and Officer Registers of Gifts and Hospitality
Ensures that the risk management process is properly embedded at all levels of the organisation and risks are considered as part of decision making;	● Corporate and Departmental risk registers ● SLT review of Corporate Risk Register – quarterly ● Performance and Risk Board from April 2019

	● Risk reports to Audit, Governance and Standards Committee including specialist risk reports relating to key risks – 6 monthly ● Risks included within Committee reports
Ensures that whistleblowing arrangements are in place for employees and those contracting or working in partnership with the authority;	● Whistleblowing policy (being refreshed – currently contained within the Employee Code of Conduct) ● Mechanisms for reporting fraud and corruption (report a fraud online)
Robust financial planning and budget processes with ongoing review by senior officers and members.	● Monthly budget reports to Directors Board ● Quarterly budget reports to Finance & Contracts Committee
Ensures that professional advice on matters that have legal or financial implications is available in advance of decision making;	● Standard Committee report template includes requirement to detail financial, legal, environmental and equalities implications.
Manages data and information security in accordance with General Data Protection Regulations (GDPR)	● Information Security training – mandatory ● Information Asset Owners training ● Information Governance Board ● Data Protection Officer (Statutory officer as per the Articles of the Constitution) ● Access to Information Procedure Rules

CODE OF GOVERNANCE PRINCIPLE G
Implementing good practices in transparency, reporting and audit to deliver effective accountability
The core principle is underpinned by three supporting principles:

- Implementing good practice in transparency
- Implementing good practices in reporting
- Assurance and effective accountability

Publishes a clear statement on internal control, corporate governance and risk management as part of the Council's Annual Statement of Accounts . This includes an action plan for improvement which is reported on.	• The Annual Governance Statement (AGS) is provided in draft to External Audit by the 31st May and is reported to the Audit, Governance and Standards Committee in July • 6 monthly updates are provided to Audit Governance and Standards Committee on implementation of the AGS Action Plan.
Communicate on a regular basis the Council's key performance data, achievements and financial position	• Annual Audit Letter • Budget reporting to Finance and Contracts Committee on a quarterly basis • Performance reporting • New Council tax leaflet
Maintains an effective Audit, Governance and Standards Committee;	• Audit Governance and Standards Committee (A,G& S) • Periodic independent review of the A,G& S Committee
Has an effective internal audit service with direct access to members, providing assurance on governance arrangements and ensuring that recommendations are acted upon	• Shared audit service (South West London Audit Partnership) • Quarterly reports to Audit, Governance and Standards Committee • Head of Internal Audit regularly meets with the Chair of the Audit, Governance and Standards Committee • Follow up of internal audit recommendations reported to Audit Governance and Standards Committee at least twice a year. • Annual Internal Audit report • Annual risk based audit plan • Annual Governance Statement • Annual assessment of internal audit against the Public Sector Internal Audit Standards (PSIAS)
Makes all information public available unless it is exempt by law;	• Constitution • Access to Information Procedure Rules

	● Council's website ● FOI and SARs
Ensures that officers are regularly consulted on a wide range of issues	● Consultation with recognised Trade Unions ● Staff Briefings ● Council intranet
Holds meetings in public unless there are good reasons for confidentiality with extensive opportunities for public participation during the meeting	● Council, Strategic, Neighbourhood, Regulatory and Governance Committees, Community Engagement Committee and the Scrutiny Panels are held in public unless they resolve to exclude the press and public to consider exempt information ● Minutes and audio recordings of Committee meetings are available on the website. This includes web-casting of all strategic meetings and full Council.
Ensure that clear channels of communication are in place with all sections of the community and other stakeholders and put in place monitoring arrangements to ensure these operate effectively.	● Council's website ● Forward plan of key decisions (Strategic Committees) ● Online Petitions ● Let's Talk – conversation portal ● Public participation at council meetings ● Freedom of Information (FOI) and Subject Access Requests (SARs) ● Whistleblowing policy (being refreshed – currently contained within the Employee Code of Conduct) ● Complaints procedure and reporting
Sets out how decisions are made, which decisions are reserved for full Council and which decisions are delegated. A scheme of delegation is established which formalises decision making powers and limits;	● Constitution ● Scheme of Delegation ● Scheme of Officer authorisations ● Member and Officer training
Makes the Section 151 responsible for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records of accounts and for maintaining an effective system of internal financial controls	● Constitution ● Financial Regulations ● Where decisions have financial implications, reports go through the S151 officer and/or delegated representatives for comments prior to going to Committee
Ensuring that information is published in accordance with the Local Government Transparency Code 2015;	● Publish decisions ● Publish spend over £500 on Council website ● Fraud update reports include transparency data ● Kingston Data site (website)

Welcomes peer challenge, reviews and inspections from regulatory bodies and implements recommendations;	● Peer review recently undertaken ● The implementation of key recommendations from external inspections are monitored by DMTs and SLT. ● Complaints and FOI are included in our corporate performance reporting, DMT's receive quarterly reports and SLT receive corporate data.
Ensures that shared service arrangements are clear in relation to governance	● Shared Service Boards ● Collaboration agreements ● There are a number of joint committees including: 　● Achieving for Children Joint Committee 　● South London Joint Committee on Waste Disposal