THE MORAY COUNCIL – LOCAL CODE OF CORPORATE GOVERNANCE

Principle of corporate governance **Principle 1. The Authority will focus on the outcomes for the area and its community and create a vision for the local area which it can play a leadership role in helping to implement**	
Supporting Principles	**Expected Requirements**
1. Exercise strategic leadership by developing and communicating the authority's purpose and vision and its intended outcome for citizens and service users.	a) Develop and promote the authority's purpose and vision; b) Review on a regular basis the authority's vision for the local area and its implications for the authority's governance arrangements; c) Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all partners; d) Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance.
2. Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning.	a) Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available; b) Put in place effective arrangements to identify and deal with failure in service delivery.
3. Ensuring that the authority makes best use of resources and that tax payers and service users receive excellent value for money.	a) Decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively; b) Measure the environmental impact of policies, plans and decisions.

Principle 2. The Authority will engage with local people and its other stakeholders to ensure robust public accountability	
Supporting Principles	**Expected Requirements**
4. Exercising leadership through a robust scrutiny function which effectively engages local people and its stakeholders, including partnerships, and develops constructive accountable relationships.	a) Make clear to themselves, all staff and the community to whom they are accountable and for what; b) Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required; c) Produce an annual report on the activity of the scrutiny function.
5. Take an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by the authority, in partnership or by commissioning.	a) Ensure that arrangements are in place to enable the authority to engage with all sections of the community effectively which includes clear channels of communication and that these processes are monitored to ensure effectiveness; b) Hold meetings in public unless there are good reasons for confidentiality; c) Establish a clear policy on the types of issues we will meaningfully consult on or engage with the public and service users about, including a feedback mechanism to demonstrate what has changed as a result; d) Publish an annual performance plan giving information on the authority's vision, strategy, plans and financial position as well as its outcomes, achievements and the satisfaction of service users in the period; e) Ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships.

Principle 2 (Contd)

Supporting Principles	**Expected Requirements**
6. Making best use of human resources by taking an active and planned approach to meet responsibility to staff.	a) Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making.

Principle 3. The Authority will foster a leadership community that sees Members and Officers working together to achieve a common purpose with clearly defined roles and responsibilities

Supporting Principles	**Expected Requirements**
7. Ensuring effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function.	a) Set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the authority's approach towards putting this into practice; b) Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and of senior officers.
8. Ensuring that a constructive working relationship exists between authority members and officers and that the responsibilities of members and officers are carried out to a high standard.	a) Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the authority, taking account of relevant legislation, and ensure that it is monitored and updated when required; b) Make a chief executive responsible and accountable to the authority for all aspects of operational management; c) Develop protocols to ensure that the leader and chief executive negotiate their respective roles and that a shared understanding of roles and objectives is maintained; d) Make a senior officer responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control; e) Make a senior officer responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with.

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Principle 3 (Contd)	
Supporting Principles	**Expected Requirements**
9. Ensuring relationships between the authority, its partners and the public are clear so that each knows what to expect of each other.	a) Develop protocols to ensure effective communication between members and officers in their respective roles; b) Set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process, including an effective remuneration panel; c) Ensure that effective mechanisms exist to monitor service delivery; d) Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated; e) When working in partnership, ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authority; f) When working in partnership, ensure that there is clarity about the legal status of the partnership and ensure that representatives of organisations both understand and make clear to all other partners the extent of their authority to bind the organisation to partner decisions.

Principle 4. The Authority will promote values and behaviours for the Authority that will demonstrate how it will uphold good governance and high standards of conduct	
Supporting Principles	**Expected Requirements**
10. Ensuring authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance.	a) Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect; b) Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff, its partners and the community are defined and communicated through codes of conduct and protocols; c) Put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice.
11. Ensuring that organisational values are put into practice and are effective.	a) Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations, and communicate these with members, staff, the community and partners; b) Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice; c) Develop and maintain an effective standards committee; d) Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the authority; e) In pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners' behaviour both individually and collectively.

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Principle 5. The Authority will take informed and transparent decisions which are subject to effective scrutiny and manage risk and opportunity	
Supporting Principles	**Expected Requirements**
12. Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny.	a) Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the authority's performance overall and that of any organisation for which it is responsible; b) Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based; c) Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice; d) Develop and maintain an effective audit committee which is independent of the executive and scrutiny functions; e) Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints.
13. Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants and needs.	a) Ensure that those making decisions whether for the authority or the partnership are provided with information that is fit for purpose – relevant, timely and gives clear explanations of technical issues and their implications; b) Ensure that proper professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately.
14. Ensuring that an effective risk and opportunity management system.	a) Ensure that risk management is embedded into the culture of the authority, with members and managers at all levels recognising that risk management is part of their jobs; b) Ensure that effective arrangements for whistle-blowing are in place to which officers, staff and all those contracting with or appointed by the authority have access.
15. Using their legal powers to the full benefit of the citizens and communities in their area.	a) Actively recognise the limits of lawful activity placed on them by, for example, the ultra vires doctrine but also strive to utilise their powers to full benefit of their communities; b) Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on authorities by public law; c) Observe all specific legislative requirements placed upon them, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – Rationality, Legality and Natural Justice – into their procedures and decision-making processes.

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Principle 6. The Authority will develop the capacity and capability of its Members and Officers to be effective and innovative.	
Supporting Principles	**Expected Requirements**
16. Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles.	a) Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis; b) Ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the authority.
17. Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group.	a) Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively; b) Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed; c) Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan which might, for example, aim to address any training or development needs.
18. Encouraging new talent for membership of the authority so that best use can be made of individuals' skills and resources in balancing continuity and renewal.	a) Ensure that effective arrangements are in place designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority; b) Ensure that career structures are in place for members and officers to encourage participation and development.