



## **GATESHEAD COUNCIL**

# **LOCAL CODE OF GOVERNANCE**

# Gateshead Council Local Code of Governance

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# Local Code of Governance

## Introduction

Welcome to the Council's Local Code of Governance.

The Local Code of Governance has been developed from a framework document produced by CIPFA and SOLACE, but the content is very much the Council's own. The six sections of the Code define how the Council complies with the six principles of good governance laid down by the independent commission on good governance in public services. These are:

1. vision, forward planning and performance,
2. roles and responsibilities of councillors and officers,
3. standards of conduct,
4. scrutiny and risk management,
5. developing capacity,
6. engaging with local people and stakeholders.

Gateshead Council, like every other local authority, operates through a governance framework which brings together an underlying set of legislative of requirements, governance principles and management processes. The Council has put considerable effort into codifying its principles and processes. Perhaps the clearest manifestation of this is the Council's constitution, published for the first time in May 2002 and reviewed annually thereafter. No less effort has gone into the development of protocols for the Council's internal procedures and for working with partners; processes for ensuring financial probity and managing risks; and code of ethical behaviour for elected councillors and employees. These developments have covered partnership work and the engagement of citizens as well as the conduct of the Council's own business.

The Local Code of Governance brings all these practices together into one document and makes them open and explicit. It identifies areas where further action is required to meet changing circumstances and/or to ensure that we are following best practice in all aspects of governance.

The Code will be reviewed annually and will support the Annual Governance Statement that the Council is required to approve.

The Council could not have achieved its success in regenerating the Borough and providing high quality services without a bedrock of sound governance and the commitment of councillors and officers to maintaining those standards. We hope that, by making explicit the underlying principles and processes, the Code will assist councillors and officers to sustain high standards in the future.

# Local Code of Governance

**Section 1 - Focusing on the purpose of the authority and on outcomes for the community including citizens and service users and creating and implementing a vision for the local area.**

1. Leadership is exercised by clearly communicating the authority's purpose and vision and its intended outcomes for citizens and service users. We ensure that users receive a high quality of service whether directly, or in partnership or by commissioning. We also ensure that the authority makes the best use of resources and that taxpayers and service users receive excellent value for money.

**REQUIREMENT - Make a clear statement of the authority's purpose and vision and use it as a basis for corporate and service planning and shaping the community strategy**

2. The Council and partners' shared vision for Gateshead is expressed in Gateshead's Sustainable Community Strategy 'Vision 2030': *"Local people realising their full potential, enjoying the best quality of life in a healthy, equal, safe, prosperous and sustainable Gateshead."* This vision is supported through the Council's priorities detailed in the Council Plan 2015-2020.
3. Vision 2030 is the borough's overarching strategy that brings together and shapes the focus of strategies and plans that are produced by a number of organisations and partnerships in Gateshead. The Strategy was refreshed during 2015 to have a clear focus on what can be achieved over the next 5 years.  
<http://www.gateshead.gov.uk/DocumentLibrary/People/Strategies/Vision-2030.pdf>
4. In response to the significant financial challenges Gateshead Council is facing, a refresh of the Council Plan also took place in 2015 to enable the Council, along with partners, to be better placed to achieve positive outcomes for the people of Gateshead and deliver the ambition of Vision 2030 over the next 5 years.
5. The Council Plan 2015-2020 sets the major policy directions for the Council, influencing decisions on future budget proposals and the development of service business plans for each of the Council's services:
  - Prosperous Gateshead – a thriving economy for all
  - Live Love Gateshead – a sense of pride and ownership by all
  - Live Well Gateshead – a healthy, inclusive and nurturing place for all

The full version of the Council Plan 2015-2020 can be found here:

<http://www.gateshead.gov.uk/DocumentLibrary/council/strategy/CouncilPlan.pdf>

6. Vision 2030 and the Council Plan are central to the Council's corporate and service business planning framework.
7. The Council's Corporate Performance Management Framework supports the delivery of the Council's priorities within Vision 2030 and the Council Plan.
8. A summary annual report of the Council's performance is published on the internet and available on request.
9. As part of the corporate reporting process monthly revenue monitoring to services and quarterly reporting to Cabinet is prepared. Reports show; income, expenditure, projected outturn and variance by service. The statement of accounts is approved by the Accounts Committee. It is proposed that for 2015/16 onwards the statement of accounts will be presented to the Audit and Standards Committee and any comments by it will be presented to the Accounts Committee for consideration.
10. Prepared annually the Budget Plan and Medium Term Financial Strategy (MTFS) are a key part of the Council's Policy Planning and Improvement Framework which aims to ensure that all revenue resources are directed towards delivery of Vision 2030. The MTFS establishes how available resources will be allocated to services in line with Council priorities. The MTFS covers three years and is reviewed annually.

#### **Evidence**

- Joint Strategic Needs Assessment.
- The Gateshead's Sustainable Community Strategy, Vision 2030.
- The Council Plan 2015-2020.
- The Council's Corporate Performance Management Framework.
- Delivery and Performance Reports.
- Annual Report.
- Medium Term Financial Strategy.
- Budget Plan.
- Statement of Accounts.
- Summary of Accounts.
- Council Tax and NNDR leaflet.
- Service Business Plans.

#### **11. Future**

- During 2017, a refresh of the corporate approach to performance management will be undertaken as part of the corporate Change Programme to ensure it is supporting the delivery of the Council Plan 2015-2020.
- Strengthening the Value for Money Framework.
- Present the statement of accounts to the Audit and Standards Committee prior to its consideration by the Accounts Committee.

**REQUIREMENT - 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. The authority must ensure that this information is reflected in its Corporate Plan, Medium Term Strategy and Resourcing Plan in order to ensure improvement.**

12. Service excellence remains a Council wide priority and is included in every business plan. Quality of service is monitored through the portfolio meetings, the performance management cycle and scrutinised through the Overview and Scrutiny Committees and Cabinet.
13. The Council has an agreed Policy and Performance Management Framework. The quality of service is measured using strategic indicators and this is reported through the scrutiny process.
14. The Council has implemented a Council wide performance management ICT system which seeks to bring together all performance indicators, actions and financial information to provide real time reporting.

#### 15. Evidence

- Corporate Performance Annual Assessment.
- Service Business Plans.
- Service Reviews.
- Overview and Scrutiny Reviews.
- Strategic indicators and targets monitored through group management teams, Strategy Group and then reported to councillors, OSC and Cabinet on a six monthly basis.
- There is a Senior Management Group whose primary focus is performance.

#### 16. Future

- During 2017, a refresh of the corporate approach to performance management will be undertaken as part of the corporate Change Programme to ensure it is supporting the delivery of the Council Plan 2015-2020.

**REQUIREMENT - Decide how value for money is to be measured and make sure that it has the information needed to review value for money and performance effectively is available. Ensure that the results are reflected in authorities' performance plans and in reviewing the work of the authority.**

17. The Council has embarked on a 5 year Change Programme to ensure that resources are directed to deliver the Council's priorities in the challenging economic context, by supporting and facilitating activities and projects needed to deliver the transformation of council services. Progress is reported on a regular basis to the Change Programme Board and key initiatives from the programme are taken to Cabinet for approval.
18. To provide a framework for the Strategic Director, Corporate Resources to exercise his delegated powers, the Council agrees a three year Treasury Management Policy & Strategy, which is reviewed at the start of each financial year. The Treasury Policy and Strategy are prepared taking into account the Local Government Act 2003, Communities and Local Governments (CLG) Guidance on Local Government Investments, CIPFA's Prudential Code for Capital and CIPFA's Revised Code on Treasury Management. In line with CIPFA's Code of Practice, performance is reported mid-year and annually. Compliance with Prudential Indicators is reported on a monthly basis to the Treasury Management Strategy Group and to councillors on a quarterly basis.

19. The Council has implemented a Council wide performance management ICT system which seeks to bring together all performance indicators, actions and financial information to provide real time reporting.

## 20. Evidence

- Business plans.
- Annual Report – which complies with the necessary performance plan requirements.
- VFM inspection.
- Priority themes are identified each year and the work of the Efficiency and VFM Group is focused on these themes.

## 21. Future

- The development of the VFM Framework.
- The continued assessment of the corporate performance management ICT system and its value to services.

<b>REQUIREMENT - Put in place effective arrangements to deal with failure in service delivery.</b>
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22. The Council's corporate performance management framework is continually reviewed to ensure it is effective, fit for purpose and sustainable. It is a positive tool for employees, managers and councillors to use to take appropriate action, allocate resource and drive improvement. The approach and application of performance management incorporates:

- A clear distinction between the three linked factors of performance management – Strategic, Management Oversight and Operational – this approach formalises roles, responsibilities, expectations and consequences of poor performance and prompts constructive challenge and risk based escalation.
- Reporting of performance is focused and structured around the individual role and remit of each Overview and Scrutiny Committee and the outcomes of the Council Plan.

The approach and application of performance management will help deliver priorities within Vision 2030 and the Council Plan 2015-2020.

23. In practical terms there is an annual performance management reporting cycle, which includes setting targets for 2020 in line with the aims of the Council Plan 2015- 2020 with performance reporting that highlights key areas where actions are necessary to improve performance and limit failure in service delivery. The Council has a corporate set of strategic target and tracker indicators that are monitored through Group Management Teams, Strategy Group, Overview and Scrutiny Committees and reported to Cabinet and Council. In addition, monitoring of operational indicators is undertaken within Group Management Teams. Service Directors are responsible for these indicators which form part of their Service Business Plan.

24. The Council has a robust corporate compliments and complaints procedure. Service improvements are highlighted as a result of justified complaints and are highlighted in service plans if any further action is

necessary. An annual report relating to compliments, complaints and service improvements is considered by the Corporate Resources Overview and Scrutiny Committee and Cabinet.

25. The Council Plan 2015-2020, sets out the Council's programme for improvement. It is based on a range of improvement actions that are drawn from:

- Joint Strategic Needs Assessment
- Council's own reviews e.g. service reviews, OSC reviews, Change Programme
- External inspections such as Ofsted, Care Quality Commission, External Auditor, Peer Reviews
- Issues arising from the Council's ongoing Performance Management Systems (including scrutiny)
- Consultation exercises

These actions, in common with everything the Council does, are directed towards the achievement of the Council's vision.

26. There are four Overview and Scrutiny Committees and two Sub Committees who support the work of the Cabinet and the Council as a whole. They make recommendations and reports to the Cabinet and the Council on its policies, budget and service delivery. They may comment on forthcoming decisions and on policies and budgets that are in the course of development.

27. Overview and Scrutiny Committees also monitor the decisions of the Cabinet. They can 'call in' a decision that has been made by the Cabinet but not yet implemented and if they think it appropriate may ask the Cabinet to think again. They can also hold reviews and inquiries into matters of local concern, involving other agencies in Gateshead as well as the Council.

## **28. Evidence**

- The application and approach of the Council's corporate performance management framework
- Service Business Plans.
- Service reviews.
- Overview and Scrutiny Committees.
- Strategic indicators monitored through Group management teams, Strategy Group and then reported to councillors six monthly.
- Operational performance monitored via Group Management Teams.
- There is a Senior Management Group whose primary focus is performance.

## **29. Future**

- During early 2017, a refresh of the corporate approach to performance management will be undertaken as part of the corporate Change Programme to ensure it is supporting the delivery of the Council Plan 2015-2020

**REQUIREMENT - When working in partnership ensure that there is a common vision underpinning the work of the partnership that is understood and agreed by all partners.**

30. Gateshead Council has embraced fully the drive to improve service planning and delivery through increased partnership working. Without doubt, working in partnership can assist the Council in achieving its objectives and delivering service improvements for the benefit of Gateshead residents. In practical terms this is supported by the development of a guide to partnership working.
31. Gateshead's Sustainable Community Strategy "Vision 2030" was developed to ensure there was a common vision with clear targets, which was understood and agreed by all partners.

### **32. Evidence**

- Refreshed "Guide to Partnership Working" (January 2015) achieved
- Refreshed Protocol on Partnerships (no 15). (February 2015) achieved
- Gateshead Strategic Partnership (GSP) handbook (including operational arrangements, decision making, meetings, chairs and vice chairs and councillors' roles, terms and conditions, membership, frequency of meetings, access to agendas and meetings) (Revised 2014).

### **33. Future**

- Review the Council's Strategic Partnership arrangements to ensure all 'add value' and effectively utilise partner resources.
- Responding to Government policy initiatives impacting on the Council's community leadership role and its role as convener of services.

# Local Code of Governance

## Section 2 – Councillors and officers working together to achieve a common purpose with clearly defined functions and roles

**REQUIREMENT – Set out a clear statement of the roles and responsibilities of the Executive and its councillors and the authority’s approach towards putting this into practice.**

1. The Council has a Leader and Cabinet Executive. Their roles and responsibilities are set out in Article 7 of the Constitution. The Cabinet is collectively responsible for developing the Council’s budget and policy framework, and ensuring that Council policy is implemented by taking executive decisions within that framework.
2. Cabinet members are appointed and allocated portfolios by the Leader. Within their portfolio area, Cabinet members represent the Council, leading change through the review and development of services and publicly presenting issues and policies as they develop. They do not however have individual decision-making powers; all matters that are the responsibility of the Cabinet are determined by the Cabinet collectively.

### 3. Evidence

- Formal, public meetings of the Cabinet.
- Regular briefings of the Leader and Cabinet by the Chief Executive.
- Regular meetings of Cabinet members with the relevant Strategic Director and other senior staff, who support their portfolio area.
- The Protocol on Councillor-Officer Relations, which gives advice on the working relationships between all councillors and senior managers.
- The Gateshead Council Constitution - <http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>

### 4. Future

- The Localism Act 2011 maintained provision for a Leader and Cabinet Executives. There are flexibilities within the legislation, for example, the delegation of functions to individual members, which can be utilised by the Council if required.

**REQUIREMENT – Set out a clear statement of the respective roles and responsibilities of other authority councillors, councillors generally and senior officers.**

5. Article 2 of the Constitution sets out councillors’ key roles, ranging from dealing with case work and representing the interests of their ward, to participating in the governance of the Council and (collectively in Council) acting as the ultimate policy-makers.

6. The Council has agreed a statement on the role of the ward councillor as community champion. This defines their role as:
  - being the lead advocate for local communities,
  - identifying service needs specific to neighbourhoods in their ward and exploring how those needs can be met,
  - monitoring service delivery and raising issues about performance,
  - working with local people and organisations to develop community partnerships,
  - carrying out case work and helping to resolve people’s problems,
  - being the focal point for the “Community Call for Action”.
7. This is supported by a protocol which sets out standards for officers to observe in consulting and communicating with councillors.
8. Article 13 of the constitution sets out the roles of employees and particularly of strategic directors. Officers at service director level and above have specific responsibility for managing human and financial resources and taking decisions under delegated powers – **see paragraphs 37-39.**

#### 9. Evidence

- Gateshead Council Constitution - <http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Statement on the role of the Ward Councillor as Community Champion.
- Protocol for Consultation and Communication with Councillors.
- Protocol on Councillor/Officer Relations.
- Training course for officers working with councillors.

#### 10. Future

- A Councillor Engagement and Development Framework has been developed and will continue to be embedded across the Council.

**REQUIREMENT – Develop protocols to ensure effective communication between councillors and officers in their respective roles.**

11. Officers are required to consult ward councillors, as well as the relevant Cabinet member on matters affecting their wards that require to go to Cabinet or a committee for decision, or on which they are intending to take a decision under delegated powers. Officers are also required to acknowledge councillors’ enquiries by the end of the next working day and to provide a full reply within five working days (or an explanation as to why a reply cannot be given within that timescale).
12. The Protocol on Councillor-Officer Relations also gives guidance on what councillors can and cannot expect in terms of advice and information from officers.

#### 13. Evidence

- Councillor-Officer Relations.
- Protocol for Consulting and Communicating with Councillors.
- Councillor Engagement and Development Framework.

#### 14. Future

- Training has been developed to assist officers in their presentational skills at meetings involving Councillors and will continue to be provided.

**REQUIREMENT – Develop protocols to ensure that the Leader and Chief Executive negotiate and maintain their respective roles early in their relationship and have a shared understanding of roles and objectives.**

15. The roles of the Leader and the Chief Executive are set out in the Constitution (Articles 7 and 13 respectively). Formally, guidance on the relationship between officers (including the Chief Executive) and the Leader is given in the protocol on Councillor-Officer Relations. However, the relationship between Leader and Chief Executive is to some degree a personal one and by its nature cannot be entirely expressed in a written protocol.

#### 16. Evidence

- Gateshead Council Constitution, articles 7 and 13 – <http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>

#### 17. Future

- Ensure that the relationship is kept under review.

**REQUIREMENT – Set out the terms and conditions for remuneration of councillors and officers and an effective structure for managing the process including an effective remuneration panel.**

18. Councillors' remuneration is agreed by the Council on the recommendation of an Independent Remuneration Panel constituted under the Local Authorities (Members' Allowances) Regulations 2003. The Panel, currently chaired by a representative of the local business community, carries out the reviews of councillors' remuneration. This allows changes in councillors' duties and changing trends in allowances nationally, to be reflected in the Council's allowances scheme.

19. The pay structure for employees at service director level and above is agreed by the Council's Contracts Committee. Other employees are paid in accordance with national conditions of service. A job evaluation scheme for all employees below service director level has been undertaken. This provided a robust foundation for fair and equitable remuneration across the board.

20. In accordance with the Localism Act 2011 the Council produces an annual pay policy statement which is approved by Council and publicised on the Council's website.

#### 21. Evidence

- Councillors' Allowances (Report of the Independent Remuneration Panel, to Council March 2015 report).

- Gateshead Council Constitution – Terms of Reference of Contracts Committee  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Pay Policy Statement.

## 22. Future

- An Independent Remuneration Panel to carry out further reviews in future years.
- As required the Council will review its pay policy statement at least annually.

**REQUIREMENT – Ensure that the Council’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 anticipated and disseminated.**

23. The vision for Gateshead is set out in the Gateshead Strategic Partnership’s Sustainable Community Strategy ‘Vision 2030’ which was first developed in 2007. It was subsequently refreshed in 2010 following widespread public and partner consultation, and in 2015 using evidence and analysis from the Joint Strategic Needs Assessment, Economic Assessment, Community Safety Assessment, consultations and Resident Survey data. The Council Plan 2015-2020 is Gateshead Council’s statement of intent – our priorities and action to deliver Vision 2030.

24. The outcomes set out in the Council Plan are supported by the service business plans for each service (updated annually by Service Directors) and a series of statutory and non-statutory plans that comprise the Council’s policy framework (listed in Article 4 of the Constitution). Plans are approved by the Council following consultation with the public, partners and stakeholders. When we consult, we do so using a set of consultation principles as a guide. As well as consulting with residents on specific issues, we work in partnership to carry out longer term engagement. This involves working closely with communities to ensure they are empowered, supported and developed to be involved in decisions that affect their lives.

25. The Council has a well developed Medium Term Financial Strategy which forms part of the Council’s Plan. The MTFs is refreshed on an annual basis taking into consideration changes in service demands and legislation. The principles of the MTFs, a robust budget setting process with detailed consultation and a monthly revenue monitoring process, underpin the overall process.

## 26. Evidence

- Council Plan 2015-2020.
- Gateshead’s Sustainable Communities Strategy “Vision 2030”.
- Gateshead Council Constitution – Article 4  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- The Council’s Consultation Principles.

## 27. Future

- Business plans reviewed annually to link to Gateshead’s Sustainable Community Strategy “Vision 2030” and Council Plan 2015-2020 outcomes.

- Review of Gateshead Communities Together Strategy (planned for 2017).

**REQUIREMENT – When working in partnership ensure that:**

- **there is clarity about the legal status of the partnership**
- **the roles and responsibilities of the partners are agreed so that there is effective leadership and accountability**
- **representatives or organisations make clear to all other partners the extent of their authority to bind their organisation to partner decisions.**

28. Article 10 of the Council's Constitution identifies partnership working as a growth area and, recognising the benefits to be derived, undertakes to take further steps to facilitate effective working at a local level with other structures and agencies.

29. The Council has produced a guide to partnership working for the benefit of council officers and partners, to ensure that they have the knowledge and the skills necessary to realise the full potential of partnership working at its best. The guide provides a definition of a partnership and standards and principles that should be adhered to, and considered, when forming a partnership.

30. The Council also holds a Partnerships Register which sets out information on its key partnerships (including their legal status). The register acts as:

- a reference guide for councillors, members and officers,
- an audit tool, to ensure that there is minimal duplication in the work of partnerships and that adequate governance arrangements are in place and are accessible.

31. The register is continuously reviewed and updated and contains details of membership, resources for which the partnership is responsible, governance arrangements (including accountability), purpose, benefits and the identity of the lead officer, who is answerable for the effectiveness of the partnership in question.

**32. Evidence**

- Council Plan 2015-2020
- Gateshead's Sustainable Community Strategy "Vision 2030".
- Gateshead Council's Constitution  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Partnership Register
- Guide to Partnership Working (revised January 2015)

**33. Future**

- Undertake an internal audit review of partnership arrangements to ensure effective leadership and governance is in place (annually).

**REQUIREMENT – Ensure that effective mechanisms exist to monitor service delivery.**

34. Service delivery is monitored in a variety of ways:

- Through performance indicators that are used by managers to support improved service delivery and reported to Overview and Scrutiny Committees and Cabinet.
- Through deficiencies being brought to the attention of managers by councillors and the public.
- Through the corporate complaints system, which is used by managers to identify weaknesses in services and to drive improvements (an annual report on complaints, and action taken in response, is submitted to Cabinet and the Corporate Resources Overview and Scrutiny Committee).
- By Overview and Scrutiny Committees carrying out reviews of performance.

35. Evidence

- Annual Report on Corporate Complaints.
- Six monthly reports on performance in achieving the outcomes of the Council Plan 2015-2020 and Vision 2030.

36. Future

- Annual review in line with any changes.

**REQUIREMENT – Determine a scheme of delegated and reserved powers within the constitution, including a formal schedule of those matters referred for collective decision of the authority taking into account of relevant legislation and ensure that it is monitored and updated when required.**

37. Part 3 of the Constitution sets out formally and in detail the matters that are delegated to the various committees of the Council and to strategic directors and service directors. It also lists the matters that are reserved for decision by the full Council.

38. Article 16 of the Constitution places a duty on the Chief Executive and the Monitoring Officer to monitor and review the Constitution to ensure that its aims and principles are given full effect. Article 16 also sets out the procedure for changing the Constitution.

39. In practice, an annual review of the Constitution is carried out, led by the Democratic Services Manager and reported the Cabinet and full Council. A detailed procedure for carrying out the review is set out in the Corporate Services and Governance Quality Management System. This ensures that the Constitution remains up to date in terms of changes to Council policy, revised delegations and on points of detail such as updated references to legislation.

40. The Health and Social Care Act 2012 resulted in the restructure of public health nationally and locally. The Council has approved arrangements for the transfer of public health functions from the NHS to the Council and the establishment of the Health and Wellbeing Board. Parts 2 and 3 of the Constitution have been amended to reflect these requirements.

#### 41. Evidence

- Council Constitution  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Report to Council (July 2016) on Annual Review of Constitution.
- Report to the Council on the transfer of the public health functions (March 2013)

#### 42. Future

- Continue to undertake the annual review of the Constitution.

**REQUIREMENT - Ensure that effective management arrangements are in place at the top of the organisation.**

43. By law and under Article 13 of the Constitution, the Chief Executive is required to report to full Council on the manner in which the discharge of the Council's functions is coordinated, the number and grade of employees required for the discharge of functions and the organisation of employees. Similarly, the Chief Executive is responsible for advice to the Council and Cabinet on strategy, policy management and organisation.

44. Ensuring that effective management arrangements are in place and that there is effective succession planning, is a key role of the Chief Executive, which is discharged through:

- discussion with the Leader and Strategic Directors;
- the Contracts Committee, which is responsible for appraisal, remuneration and contracts of service for senior managers; and
- the Special Appointments Committee, which is responsible for the appointment of chief officers.

45. The Council has always recognised the need for its management arrangements to be efficient, effective, and responsive to current and foreseeable needs. This is achieved by ongoing review of those arrangements, and the development of appropriate proposals for change.

#### 46. Evidence

- The Council Constitution  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Functional Review implemented from October 2014 and changes to the Senior Management Structure agreed by Council in December 2015.

#### 47. Future

- Continue to review the Council Constitution annually.
- The Chief Executive and Strategy Group will continue to keep management arrangements and succession planning under review.

**REQUIREMENT – Make the Chief Executive responsible and accountable to the authority for all aspects of operational management.**

48. Under Article 13 of the Constitution, the full Council is required to engage a person to be Chief Executive and head of the Council's paid service. He/she is the head of the Council's employee structure and has authority over every employee. He/she is responsible for advice to the Council and Cabinet on strategy, management, policy and organisation. He/she reports to the Council on the manner in which the discharge of the Council's function is co-ordinated the number and grade of employees required for the discharge of the function and the organisation of employees.
49. Under Article 13 the Chief Executive has primary responsibility for ensuring that all decisions taken by the Council, the Cabinet or any other Council body are taken according to a proper process and after full consideration of all relevant facts and circumstances. She may call a meeting of the Council, Cabinet or any other Council body if she or the Monitoring Officer considers it necessary.
50. Also under Article 13 the Chief Executive may put any item on the agenda of the Council, Cabinet or any other Council body if it appears to be necessary and will be given the opportunity to comment on every report submitted to a decision-making body. The Monitoring Officer and the Chief Finance Officer can require a report to be taken to Cabinet or Council where they have concerns over the lawfulness of a Council decision, actual or proposed.

**51. Evidence**

- Council Constitution – articles 13 and 14  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>

**52. Future**

- Keep the effectiveness of these arrangements under review.

**REQUIREMENT – Make a senior officer (usually the Director of Finance) responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper records and accounts, and for monitoring an effective system of internal financial control.**

53. Under Article 13 of the Constitution, the Strategic Director, Corporate Resources is designated as the Council's Chief Finance Officer with responsibility for the administration of the Council's financial affairs under section 151 of the Local Government Act 1972. The Chief Finance Officer's (CFO) responsibilities are set out in Article 13 as:
- ensuring the lawfulness and financial prudence of decision making, with a duty to report to the Council and the external auditor if he/she considers that any proposal or decision will involve incurring unlawful expenditure,
  - administration of the Council's financial affairs, including acting as the Council's designated Money Laundering Reporting Officer,
  - contributing to corporate management,

- providing advice, particularly on financial impropriety, probity and budget and policy framework issues,
- giving financial information.

54. The CFO holds a relevant professional qualification and their core responsibilities include those as set out in the CIPFA Statement on the role of the CFO in Local Government. The CFO has a responsibility to ensure these principles and responsibilities are fully understood throughout the organisation.

55. The CFO leads the promotion and delivery by the whole Council of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively. The CFO also has a line of professional accountability for finance staff throughout the organisation.

56. Under the management of the CFO, budget guidance is issued on an annual basis and takes into consideration issues identified in the Medium Term Financial Strategy. The budget is loaded into the Council's financial ledger and both income and expenditure are monitored monthly by services and reported quarterly to Cabinet.

#### 57. Evidence

- Council Constitution, article 13  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- CIPFA Statement on the Role of the CFO in Local Government.

#### 58. Future

- Keep the effectiveness of these arrangements under review.

**REQUIREMENT – Make a senior officer (usually the Monitoring Officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations and other statements of good practice are complied with.**

59. Under Article 13 of the Constitution, the Strategic Director, Corporate Services and Governance is designated as the Council's Monitoring Officer, with the following responsibilities:

- Ensuring the lawfulness of decision making, with a duty to report to the Council or Cabinet if he/she considers that any proposal or decision would give rise to unlawfulness.
- Conducting investigations into matters referred by ethical standards officers and making reports to the Audit and Standards Committee, and receiving reports from ethical standards officers and case tribunals.
- Acting as the proper officer for access to information.
- Maintaining the Constitution.
- Determining whether executive decisions are within the budget and the policy framework.
- Providing advice on a range of issues, including the scope of powers and authority to take decisions.
- Supporting the Audit and Standards Committee in promoting and maintaining high standards of conduct.

## **60. Evidence**

- Council Constitution – article 13  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>

## **61. Future**

- Keep the effectiveness of these arrangements under review.

# Local Code of Governance

## Section 3 – Promoting the values of the authority and demonstrating the values of good governance through behaviour

**REQUIREMENT – Ensuring councillors and officers exercise leadership by behaving in ways that uphold high standards of conduct and exemplify effective governance and also ensuring that organisational values are put into practice and are effective.**

1. Councillors and officers strive to develop and maintain shared values, including leadership values both for the Council and its employees, reflecting public expectations about the conduct and behaviour of individuals and groups, within and associated with, the Council. The Council's values are formally expressed in the Council Plan 2015-2020.
2. The Sustainable Community Strategy "Vision 2030" and the Council Plan collectively set out the Council's vision, supported by its priorities over the next five years and more detailed service business plans.
3. Values of good governance are emphasised in training for councillors (ethics and probity) and officers.

#### 4. Evidence

- Review of Partnerships.
- The corporate performance management framework
- General Principles of Conduct for Members of Local Authorities.
- Councillor Engagement and Development Framework.
- Councillors' Code of Conduct – Code of Conduct for Councillors of Gateshead Council.
- Development Control – Protocol on Good Practice.
- Regulatory Committee – Protocol on Good Practice.
- Licensing Committee – Protocol on Good Practice.
- Code of Conduct for Local Government Employees – Gateshead Council.
- Protocol on the Role of the Monitoring Officer.
- Protocol on Councillor-Officer Relations.
- Protocol on Petitions.
- Constitution of the Council, Parts 1 to 4.
- Counter Fraud and Corruption Policy
- Statement on the Prevention of Bribery

#### 5. Future

- Review these arrangements in the light of Government policy proposals.

**REQUIREMENT - Use the Council's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the Council.**

6. The Council's success in regenerating the borough and in delivering high quality services has been built largely on positive relationships between councillors and officers based on shared values.

**7. Evidence**

- Ongoing training and development for councillors and officers.

**8. Future**

- Continue to keep these relationships under review.

**REQUIREMENT – Develop and adopt formal codes of conduct defining the standards of personal behaviour.**

9. The Council has developed a number of formal codes of conduct to provide guidance to all those representing the Council across all areas. These codes ensure that everyone is aware of what is expected of them and what may be applicable in all situations.

**10. Evidence**

- As per paragraph 4 above, plus:
- Human Resources policies and procedures:
  - Appraisal and development – expectation, roles and responsibilities
  - Bullying, harassment and grievances including the Whistle Blowing Policy
  - the Counter Fraud and Corruption Policy and Statement on the Prevention of Bribery
  - Conduct, capability and disciplinary including the Whistle Blowing Policy
  - Equalities and Diversity
  - Health, Safety and Wellbeing
  - Data Protection, Freedom of Information and Communications including Computer Security Policy

**11. Future**

- Keep policies and procedures under review.

**REQUIREMENT - Develop and maintain an effective Standards Committee which acts as the main means to raise awareness and take the lead in ensuring high standards are firmly embedded within the local culture.**

12. The Council has put in place arrangements to deal with the requirements of the Localism Act 2011 in respect of complaints. These include the establishment of an Audit and Standards Committee, which is responsible for maintaining high standards of conduct in the Council and for arranging training in the Code of Conduct (**see also paragraph 39, section 4**). The Council has also adopted a code of conduct for members of the Council.

### 13. Evidence

- Constitution Article 9, which sets out its role and function and includes the promotion and maintenance of high standards of conduct, training of councillors and monitoring the operation of the Councillors' Code of Conduct. It also contains specific commitments, at Article 9.04 for the Leader of the Council and the Chief Executive to "personally promote and maintain high standards of conduct among councillors, co-opted members and officers, and will liaise with the Audit and Standards Committee, from time to time, on how this is to be achieved".
- The track record on Ombudsman complaints and councillor investigations.
- Terms of reference of the Audit and Standards Committee.
- Agenda and minutes of the Audit and Standards Committee.

### 14. Future

- Review and re-provide training in the light of any changes to standards regime.

**REQUIREMENT - Put in place arrangements to ensure that councillors and employees of the Council 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.**

15. There are currently a number of national and local measures in place safeguarding against unfair bias, prejudice or conflicts of interest among employees and councillors when involved with stakeholders. These are set out in more detail in **paragraphs 10-13 of section 4.**

### 16. Evidence

- Councillor Engagement and Development Framework.
- General Principles of Conduct for Members of Local Authorities.
- Code of Conduct for Councillors of Gateshead Council.
- Development Control – Protocol on Good Practice.
- Regulatory Committee – Protocol on Good Practice.
- Licensing Committee – Protocol on Good Practice.
- Gateshead Council – Code of Conduct for Local Government Employees.
- Protocol – The Role of the Monitoring Officer.
- Protocol on Councillor/Officer Relations.
- Contract Procedure Rules.
- Gateshead Strategic Partnership Members Handbook – Membership Roles.
- Code of Conduct for Employees.
- Councillors' Register of Interests.

### 17. Future

- Keep the effectiveness of these arrangements under review.

**REQUIREMENT - Put in place arrangements to ensure that the Council's procedures and operations are designed in conformity with appropriate ethical standards and to monitor their continuing compliance in practice.**

18. The Council's Monitoring Officer and his staff undertake a continuous overview of procedures, operations, plans and strategies to ensure that they comply with ethical standards.

19. The Chief Finance Officer also has arrangements in place to ensure that the systems and processes for financial administration, financial control and protection of the Council's resources and assets are designed in conformity with appropriate ethical standards. These procedures are also continuously monitored and are subject to regular testing by the Internal Audit Service.

## 20. Evidence

- Constitution Article 9: The Audit and Standards Committee  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Protocol – The Role of the Monitoring Officer.
- Constitution Article 14: Decision Making.
- Constitution Article 13: Employees of the Council.
- Constitution Article 3: Citizens and the Constitution.
- Constitution Article 2: Members of the Council.
- Constitution Article 1: The Constitution.

## 21. Future

- Keep the effectiveness of these arrangements under review.

**REQUIREMENT - 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 alive and demonstrated by partners' behaviour both individually and collectively.**

22. The Council pursues a partnership vision and can demonstrate this through a number of approaches set out in revised approaches to partnership working agreed by Cabinet and the GSP Steering Group in October 2011.

## 23. Evidence

- Review of partnership working (January 2015 - completed)

## 24. Future

- Adhere to Audit Commission guidance on the governance of partnerships, using External and Internal Audit as a critical friend, to refine approach.
- Keep arrangements under review.

# Local Code of Governance

## Section 4 – Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

**REQUIREMENT – Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the Authority’s performance overall.**

1. The Council has four overview and scrutiny committees, which between them cover all the activities of the Council. There are also two sub-committees – Corporate Parenting sub committee and a Community Safety sub committee. The Overview and Scrutiny Committees review decisions and call decision-makers to account; review the performance of council services; carry out policy reviews and review the activities of outside bodies whose actions affect the lives and well being of Gateshead residents. To ensure that scrutiny activity is co-ordinated and that the greatest value is extracted from the available resources, annual work programmes are drawn up and kept under review. This does not however preclude other, more urgent, items being added to the programme.
2. The Chief Finance Officer has delegated responsibility to maintain an adequate internal audit of the Council’s financial affairs as required by Section 151 of the Local Government Act 1972. The Accounts and Audit Regulations 2011 also require Councils to make provision for Internal Audit. It is the responsibility of the Chief Finance Officer and Chief Internal Auditor to ensure the Internal Audit Service is effective and adequately resourced. An annual review of the effectiveness of the system of internal audit is carried out and considered by the Audit and Standards Committee.
3. **Evidence**
  - Council Constitution – Article 6 and OSC procedure rules  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
  - Audit Charter
  - Annual review of the system of Internal Audit
  - Annual report of the Audit and Standards Committee to Cabinet
  - Review of the Council’s Decision Making Structures (May 2014)
4. **Future**
  - Keep scrutiny arrangements under review.

**REQUIREMENT – develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based.**

5. All decisions of the Council, its committees and the Cabinet are based on full written reports which include all relevant evidence and reasons for adopting the proposed course of action, with details of any alternative options considered. These reasons are then recorded in the minutes of the body concerned.
6. Senior managers who take key decisions under delegated powers are required to make a record of the exercise of delegated function setting out, among other things, the reasons for their decisions.
7. All agendas and minutes are open to public inspection, subject to any lawful exemptions under access to information rules.
- 8. Evidence**
  - Council constitution Article 14  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
  - Council protocol 3 – report formats and preparing reports.
  - Agendas and minutes of Council, Cabinet and committees.
- 9. Future**
  - No specific action but procedures will be kept under review.

**REQUIREMENT – put in place arrangements so that conflicts of interest on behalf of councillors and employees can be avoided and put in place appropriate processes to ensure that they continue to operate in practice.**

10. Councillors are required to register their interests (as defined in the Councillors' Code of Conduct) in a register maintained by the Monitoring Officer. They are also required to declare an appropriate interest when a matter in which they have an interest comes up for discussion at a meeting at which they are present.
11. The register of interests is regularly reviewed by the Monitoring Officer/Deputy Monitoring Officer.
12. Officers are subject to rules on conflicts of interest which are set out in the Code of Conduct for Employees and in Section 117 of the Local Government Act 1972. In addition, for some categories of post where there is an exceptionally high risk of conflict of interest, such as development control officers and auditors, there is a requirement to complete a register of interests.
13. The rules on conflicts of interest are reinforced in training sessions for both councillors and officers. The frequency with which councillors and officers approach the Monitoring Officer and her staff with enquiries about matters relating to interests suggests that they are aware of the importance of this issue.

#### 14. Evidence

- Code of Conduct for Councillors.
- Code of Conduct for Employees.
- Councillors' Register of Interests.
- Statement on the Prevention of Bribery

#### 15. Future

- Keep the effectiveness of these arrangements under review.

**REQUIREMENT – put in place arrangements for whistleblowing to which staff and all those contracting with the authority have access.**

16. The Council has a Whistleblowing Policy which is set out in the employee handbook.

17. The procedure has not specifically been extended to contractors although there is no reason why a relevant issue raised by a contractor could not be dealt with under the procedure.

#### 18. Evidence

- Whistleblowing Policy

#### 19. Future

- Keep under review.

**REQUIREMENT – put in place effective transparent and accessible arrangements for dealing with complaints.**

20. The Council has an effective complaints and compliments procedure, which allows complaints to be resolved at the most appropriate level:

Step 1 - an immediate response by the staff concerned with the aim of resolving the problem.

Step 2 - investigation by appropriate service manager.

Step 3 - review by the Chief Executive.

21. Further, the complainant is informed that if they are not satisfied with the outcome of the Chief Executive's review, they may take their complaint to the Local Government Ombudsman.

22. The complaints system is highly accessible. Complaints leaflets are made available at civic buildings throughout the Borough. Complaints may also be made via the Council's website.

23. The progress of responses to complaints is tracked through a computerised tracking system. A key objective of the procedure is to enable the Council to identify and learn from failures in service delivery. Ongoing monitoring of performance by service managers via the tracking system enables early identification of any service failure.

24. A designated officer in Corporate Services and Governance is responsible for monitoring the overall performance of the corporate complaints system, working with complaints officers in groups and services. An annual report is submitted to the Cabinet and the Corporate Resources Overview and Scrutiny Committee on the Council's performance in handling complaints, broken down by groups and services, and on lessons learned from complaints. The Scrutiny Committee holds individual service managers to account for the performance of their service in respect of complaints resolution and the delivery of service improvements.
25. With regard to complaints against councillors, the Monitoring Officer has been appointed as the Proper Officer to receive complaints of a failure by a councillor (the definition of which includes a co-opted member of the Council and a Parish councillor or co-opted member of the Parish Council) to comply with the code of conduct.
26. The Monitoring Officer has power, after consulting the Independent Person, to decide if a complaint merits formal investigation and, if it does, to arrange such investigation.
27. The Monitoring Officer is required to seek resolution of complaints without formal investigation wherever practicable but has discretion to refer decisions about investigations to the Audit and Standards Committee where he feels it is inappropriate to make the decision.
28. In deciding if a complaint should be investigated the Monitoring Officer will take into account a pre-set assessment criteria.
29. If an investigation takes place but finds no evidence of a failure to comply with the code, the Monitoring Officer will consult the Independent Person about the investigation report and its findings and report the findings to the Audit and Standards Committee who may decide that a hearing is nevertheless called for. A copy of the report will be provided to the complainant and the councillor concerned.
30. If an investigation finds evidence of a failure to comply with the Code, the Monitoring Officer, in consultation with the Independent Person, will report the findings to the Audit and Standards Committee for a local hearing.
- 31. Evidence**
- Council complaints and compliments form "Have Your say".
  - Annual reports on the Council's corporate complaints system.
  - The Audit and Standards Committee's delegated powers.
- 32. Future**
- The effectiveness of arrangements to be kept under review.

**REQUIREMENT – Develop and maintain an effective audit committee, which is independent of the executive and scrutiny functions or make other appropriate arrangements for the discharge of these functions.**

33. In May 2006 the Council established an audit committee to take an overview of the Council's arrangements for audit and risk management. It meets seven times a year

and is supported by the Strategic Director, Corporate Resources and the Chief Internal Auditor.

34. In May 2014, the Council undertook a review of its decision making structures merging the Audit and Standards Committee. Its terms of reference are set out in the Council's constitution. Membership of the committee is politically balanced and includes three independent persons. There can be no more than two Cabinet members on the committee, and its chair cannot be either a Cabinet member or an Overview and Scrutiny Committee chair.

#### 35. Evidence

- Terms of reference of the Audit and Standards Committee.
- Agenda and minutes of Audit and Standards Committee.
- Annual Report of the Audit and Standards Committee to Cabinet.
- Annual review of the effectiveness of Internal Audit including the Audit and Standards Committee
- Review of the Council's Decision Making Structures (May 2014)

#### 36. Future

- No specific action required but the effectiveness of the Audit and Standards Committee should be kept under review.

**REQUIREMENT – develop and maintain an effective Standards Committee, which lies at the heart of decision-making and awareness raising on standards issues.**

37. The Localism Act 2011 came into force on 15 November 2011. The Act contained provisions to abolish the current standards regime including Standards Board for England, the prescribed Code of Conduct and Compulsory Standards Committees and Sub-Committees. These provisions came into force on 1 July 2012.

38. The Act introduces a duty on Councils to “promote and maintain high standards by members and co-opted members of the Authority.

39. The requirement to have a Standards Committee and Sub-Committees, with the powers provided by legislation, was removed. However, the Council agreed to set up a politically balanced Standards Committee, as it was felt that in the light of the statutory duty to maintain high standards, that there would be standards issues such as receiving investigation reports, to deal with. The Council subsequently agreed to merge the Audit and Standards Committee in May 2014.

#### 40. Evidence

- Council Constitution, article 9  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Delegated powers of Audit and Standards Committee.
- Agendas and minutes of Audit and Standards Committee.
- Review of the Council's Decision Making Structures (May 2014)

#### 41. Future

- Continue to monitor the business of the Audit and Standards Committee.

**REQUIREMENT – ensure that those making decisions are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications.**

42. All reports to decision-making bodies are required to include a formal justification for the proposed action to be taken, including explanations of technical matters.

43. The Council operates a system for ensuring that reports are included on agendas in a timely fashion and only after full consultation. Reports must be submitted to Democratic Services by the due date with a covering sheet, showing, among other things, who has been consulted.

#### 44. Evidence

- Council Constitution, Article 14  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Council Protocol 3 – report formats and preparing reports.

#### 45. Future

- No specific action but the effectiveness of these arrangements should be kept under review.

**REQUIREMENT – develop and maintain effective arrangements for determining the remuneration of senior staff.**

46. There is a pay structure for Service Directors which was established following job evaluation and market advice from an external consultant.

47. The Council has a Contracts Committee, made up of the most senior councillors, which is responsible for appraisal, remuneration and contracts of service for senior managers.

#### 48. Evidence

- Agenda and minutes of Contracts Committee (note – these are confidential).
- Pay structure for senior management as set out in the Council's pay policy statement which is required in accordance with Section 38(1) of the Localism Act 2011

#### 49. Future

- The effectiveness of these arrangements should be kept under review.
- Annual review of the Council's pay policy statement.

**REQUIREMENT – ensure that professional advice on legal and financial matters is available and recorded well in advance of decision-making and used appropriately when decisions have significant legal or financial implications.**

50. Officers are required, when preparing reports, to consult the Strategic Director, Corporate Services and Governance and Strategic Director, Corporate Resources on the legal and financial implications of those reports respectively. The covering sheet for reports (paragraph 43) must state which officers have been consulted. The Council's standard format for Cabinet reports includes a standard paragraph on financial implications, which must be completed by a representative of the Strategic Director, Corporate Resources.

51. Chief Financial Officer future decision-making is supported by the Medium Term Financial Strategy (MTFS) and level and adequacy of reserves; considered as part of the annual refresh of the MTFS and as part of final accounts in accordance with CIPFA's Local Authority Accounting Practice Bulletin No. 99. In addition, budgeted use of reserves is managed and reviewed as part of the annual budget setting process.

## **52. Evidence**

- Council Constitution, Article 14  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Council Protocol 3 – report formats and preparing reports.

## **53. Future**

- No specific action but the effectiveness of these arrangements should be kept under review.

**REQUIREMENT – ensure that risk management is embedded into the culture of the authority, with councillors and managers at all levels recognising that risk management is part of their job.**

54. Risk management is embedded into the culture of the Council, with councillors and managers at all levels recognising that risk management is part of their job. Risk management is closely aligned to the Council's strategic objectives with a clear focus on those significant risks that would prevent the Council achieving its key business objectives.

55. At service level, managers are able to identify and manage those operational risks that could inhibit the effective delivery of services to users.

56. The Council's risk management arrangements are sufficiently flexible to respond to the dynamic nature of its operating environment in terms of risks, which evolve due to changes in objectives and service delivery arrangements or in response to local issues or national policies.

57. The Council has approved a Corporate Risk Management Policy, which is subject to an annual review.

58. The Risk Management Policy includes the requirement to:

- identify strategic and operational risks
- assess the risks for likelihood and impact
- identify mitigating controls
- allocate responsibility for the mitigating controls.

59. The Council maintains and reviews a register of its business risks, linking them to strategic business objectives and assigning ownership for each risk. The risks identified from within partnerships and other joint working arrangements are identified both as part of this process and in the case of partnership risks, also identified within specific partnership risk registers. The risk register is supported by a series of Service risk registers that identify and assign the lower level operational risks.
60. The Audit and Standards Committee has specific responsibility included in its terms of reference to review the Council's arrangements both for corporate risk management and for reviewing the effectiveness of its system of internal controls, both financial and non-financial.
61. All reports for decision-making highlight the risk management implications of the proposal. Project initiation documents contain a full risk assessment and identify risk control measures that will mitigate any associated risk.
62. The Council's risk management process, which is underpinned by its Risk Management Policy, is reviewed comprehensively on an annual basis. Quarterly realignment reviews are also conducted to facilitate in-year development and adherence to best practice.
63. Corporate risk management awareness training is provided for all councillors with additional guidance provided, where appropriate, for councillors with specific responsibility for risk management, i.e. members of the Audit and Standards Committee. Training is delivered both via external risk management practitioners and in-house expertise.
64. As regards employees, risk management awareness is an integral part of the Council's Employee/Management Competency Framework. To this end a comprehensive employee training programme has been developed to facilitate dedicated training to Service Directors and other senior managers as well as to all other appropriate staff. Specific training programmes have also been developed for Service Risk Co-ordinators who act as local risk champions, business continuity planning and for managers engaged in partnership working on managing the inherent risks of such a delivery vehicle. Training is delivered via external risk management practitioners and in-house expertise.
65. The Audit and Standards Committee, as the responsible councillor committee, receive quarterly reports on risk management and take appropriate action to ensure that corporate business risks are being actively managed, reporting to Council as appropriate. The Audit and Standards Committee also receive the Annual Corporate Risk Management Report and agree the soundness of the Council's risk management arrangements as part of the Annual Governance Statement.

66. Under the Council's Constitution (Financial Regulation 16.1), the Strategic Director, Corporate Resources is the designated senior officer champion with the overall responsibility for embedding risk management throughout the Council.

#### 67. Evidence

- Corporate Risk Management Policy.
- Audit and Standards Committee terms of reference.
- Audit and Standards Committee agendas and minutes.
- Risk Management Group agendas and minutes.
- Strategic and Operational Risk Registers.
- Business Continuity Plans.
- Service Business Plans.
- Training and development records.
- Annual corporate risk management reports.
- Reports for decision-making.
- Project initiation documents.
- Annual Governance Statement.

#### 68. Future

- Continue annual reviews of the Corporate Risk Management Policy.
- Keep training for councillors and officers under review.

**REQUIREMENT – actively recognise the limits of lawful activity placed on them by the ultra vires doctrine but also strive to utilise their powers to the full benefit of their communities.**

69. This is dealt with through the full and early involvement of the Strategic Director, Corporate Services and Governance and senior legal staff in all major council projects, so that they can identify any issues of vires but at the same time seek out practical and lawful solutions to the benefit of the community.

70. The Council's record in promoting and implementing imaginative regeneration and cultural projects suggests that it has been successful in addressing these issues.

#### 71. Evidence

- Council Constitution, Article 14  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>

#### 72. Future

- No specific action but the effectiveness of these arrangements should be kept under review.

**REQUIREMENT – Observe all specific legislative requirements placed on them, as well as the requirements of general law, and in particular to integrate the key principles of administrative law – rationality, legality and natural justice – into their procedures and decision-making.**

73. As with the previous requirement, this is dealt with through the full and early involvement of the Strategic Director, Corporate Services and Governance and senior legal staff in all major issues, so that they can contribute their expertise in these matters.

#### **74. Evidence**

- Council Constitution, Article 14  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>

#### **75. Future**

- No specific action but the effectiveness of these arrangements should be kept under review.

**REQUIREMENT – when working in partnership, put in place protocols for working together which include a shared understanding of respective roles and responsibilities of each organisation.**

76. The Council recognises the importance of ensuring each partnership in which it is involved has suitable governance arrangements which make clear each of the partner's respective roles and responsibilities. This applies to all forms of partnership working, with the complexity of each partnership's governance arrangements depending upon the nature of the relationship (e.g. pooling of resources will usually warrant more robust arrangements than a partnership based on information sharing and co-ordination of activity). The Council has developed a Partnerships Register, which documents all existing partnerships involving the Council and records (along with other information) the nature of their governance arrangements. The Register is kept under review and updated as appropriate.

#### **77. Evidence**

- Partnerships Register.

#### **78. Future**

- The register will continue to be reviewed annually and updated as appropriate.
- The effectiveness of this arrangement should be kept under review.

**REQUIREMENT – when working in partnership, ensure that there are robust procedures for scrutinising decisions and behaviour and that these decisions and behaviour are compliant with any local authority rules/codes or comply with any rules/codes developed for the purpose of that partnership.**

79. The Council's service planning process will meet this requirement by keeping under review the performance of each partnership in complying with the Council's policies and procedures, as well as effectively meeting its priorities. In accordance with the relevant Council Protocol, the Council's lead officer for each partnership will be responsible for the

Council's involvement in that partnership and in particular will ensure that all proposals, plans and strategies are reported to the Cabinet and Council, as necessary, for approval. Lead officers must keep full records of all persons attending, issues discussed and decisions made at partnership meetings, and should brief senior officers on partnership activities as necessary (including compliance with policies and procedures). Officers are required to bring to the attention of senior officers any issues, which might have significant implications for the Council.

#### 80. Evidence

- Service Business Planning process.
- Council Protocol 15 – Partnership Working.

#### 81. Future

- The effectiveness of these arrangements should be kept under review.

**REQUIREMENT – when working in partnership, ensure that partnership papers are easily accessible and meetings are held in public unless there are good reasons for confidentiality. The partners must ensure that:**

- **The partnership receives good quality advice and support and information about the views of citizens and stakeholders, so that robust and well-reasoned decisions are made.**
- **Risk is managed at a corporate and operational level.**

82. In relation to Gateshead Strategic Partnership (GSP), all agendas and minutes are published on the Council's website. Meetings are not open to the public. This is in accordance with the operational arrangements agreed by the GSP.

83. As stated above, each partnership has a Council lead officer who will, where the Council is the lead partner, ensure that the partnership receives good quality advice and support from the Council, and receives appropriate information on the views of citizens and stakeholders. Where another organisation is the lead partner, the lead officer will seek to ensure that the lead partner provides a similar level of advice, support and information; and where any lack of such support is at risk of impacting upon the partnership's performance, the lead officer will raise this with senior officers so that it can be discussed with the lead partner at the appropriate level.

84. As regards risk management, the Council's Corporate Risk Management Policy ensures that risk within all partnership working is managed at a corporate and operational level, by requiring clear reporting procedures and regular risk reviews.

#### 85. Evidence

- Gateshead Council Corporate Risk Management Policy.

#### 86. Future

- The effectiveness of these arrangements should be kept under review.

# Local Code of Governance

**Section 5 - Developing the capacity and capability of councillors to be effective and ensuring that officers – including the statutory officers - also have the capability and capacity to deliver effectively.**

**REQUIREMENT – Making sure that councillors and officers have the skills, knowledge, experience and resources they need to perform well in their roles.**

1. The Council is committed to ensuring that its councillors and employees have opportunities to continuously adapt to improve service delivery, and to meet the challenges and changes faced in line with external drivers.
2. A Councillor Engagement and Development Framework had been developed to ensure that councillors have the knowledge and skills to carry out their role effectively, to represent their wards and the Council and contribute to internal and external forums.
3. To support the Council's strategic priorities, there will be a process for identifying learning and development needs at all levels
  - Individual.
  - Role specific/constitutional.
  - Corporate.
4. The Councillor Support and Development Group ensures that the effectiveness of training for councillors is reviewed regularly and training needs can be discussed with officers.
5. Every councillor is given the opportunity to have an individual development interview to help them complete a personal development plan (PDP), which enables them to focus their development requirements based on their existing skills and experience levels, as well as looking at specific roles within the Council eg chair or vice chair of a committee or decision making committee.
6. Role descriptors have been drawn up for all councillors' roles to ensure that councillors are aware of what is expected of them, and these can be also referred to within their PDP meeting.
7. Appraisal and Development (A&D) is the name of Gateshead Council's appraisal scheme. All employees have an annual A&D interview with a six monthly follow up. It is a review and planning process where managers and employees get together to discuss past performance and plan for the future and everyone gets feedback on how they are doing, understands how their work is linked to the objectives of the Council, and receives the right guidance, support and development. Training needs for the next 12 months are specifically discussed. A review of the current A&D scheme was undertaken in 2016 and a new A&D scheme with training for managers will be launched in 2017.

## 8. Evidence

- The A&D scheme (2016 update)
- The Learning and Development Policy.
- Councillors' Personal Development Plan.
- Councillors' Support and Development Group.
- Councillor Engagement and Development Framework.
- Councillors' Role Descriptors.
- Protocol for Councillors' Learning and Development

## 9. Future

- Continue to review councillors' training needs on a regular basis.
- Implement revised A&D scheme in 2017.

**REQUIREMENT – 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.**

10. There are three statutory officers within the Council, the Head of Paid Service (Chief Executive), the Monitoring Officer (Strategic Director, Corporate Services and Governance) and the Chief Finance Officer (Strategic Director, Corporate Resources).

11. All three officers would be expected, on appointment, to hold relevant professional qualifications and have substantial local government experience but are given further development through seminars and conferences organised by their respective professional bodies. The roles are understood at certain levels of employees within the Council and form part of management training. Action is undertaken to give wider knowledge throughout the Council through articles in the Team Brief, the corporate briefing sessions and as part of the corporate induction process.

## 12. Evidence

- Council Constitution – Article 13  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Protocol on Role of the Monitoring Officer.

## 13. Future

- Continue to develop proposals for ensuring that the roles of the statutory officers are more widely understood.

**REQUIREMENT – Provide induction programmes tailored to individual needs and opportunities for councillors and officers to update their knowledge on a regular basis.**

14. All new councillors are offered an induction programme. It is a series of sessions with officers that take place in the weeks following election and is intended to help councillors:

- find out their basic rights and responsibilities,
- start the process of learning about the Council,
- establish their learning and development needs to inform their future development and influence the range of activities that are offered.

15. The induction programme contains a range of information including:

- How the Council works;
- Ethics and Probity;
- Race;
- Equalities and Diversity;
- Health and Safety;
- Local Government Finance;
- Meeting senior management;
- Participation on panels and committees;
- Details of allowances and expenses;
- IT requirements.

16. All councillors are required to attend the following training, at least once during their term:

- Ethics, probity and Code of Conduct
- Training relating to committee membership
- Equalities
- Children's and Adults Safeguarding
- Emergency Response

17. Councillors also have the opportunity to update their knowledge by attending in house seminars and training, as well as external conferences and courses relevant to their needs and positions of responsibility within the Council.

18. The Council's induction programme applies to all employees newly appointed to a vacant position. This includes external appointments and existing employees changing jobs within the organisation. It is the responsibility the employee's line manager to plan and organise a programme that will introduce the employee in a relevant way to their immediate working environment and their job including colleagues, expectations of conduct and performance. The "Manager's Guide to Induction" is available to assist in this process.

19. Officers' needs to update their knowledge are discussed as part of the A&D process. These needs are met through a mixture of in-house and external training.

#### **20. Evidence**

- Induction programme for Councillors.
- The Managers Guide to Induction.
- Protocol for Councillors' Learning and Development.

#### **21. Future**

- Continue to review the councillor induction process.
- Continue to review the corporate induction.

**REQUIREMENT – 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.**

22. A wide range of methods is used to meet learning and development needs for individuals and groups using both internal and external resources. Internal methods include:

- access to Intranet
- e-learning
- training courses
- mentoring
- briefing sessions
- briefing notes
- seminars

The above methods provide up-to-date information on a variety of issues, including new legislation, policies and procedures.

23. External methods include:

- national leadership programmes,
- peer support/councillor mentoring,
- focussed visits,
- workshops,
- regional and national training courses,
- seminars and conferences.

24. The Council achieved the North East Charter for Elected Member Development which ensures the embedding of good practice, stakeholder involvement, and further focus councillor training and development activity. The Councillors' Support and Development Group plays an important role in identifying councillors training needs and meets on a quarterly basis.

25. The Council has a Workforce Plan that ensures employees at every level are equipped with the skills and competencies required to perform effectively in their role and deliver effective services.

26. Council employees have their needs identified through A&D and the service planning process. Needs are met in a variety of ways including:

- leadership development,
- management development programmes,
- training courses,
- qualification training,
- workshops,
- e-learning packages,
- seminars and conferences.

27. With regard to training for scrutiny, both councillors and officers participate in courses arranged by NEREO and other internal and external courses. The Council is a member

of the NEREO Scrutiny Network and is therefore well placed to take advantage of these training opportunities.

#### **28. Evidence**

- A&D.

#### **29. Future**

- Keep the current arrangements under review.

**REQUIREMENT – Put in place arrangements for reviewing performance of the executive as a whole and of individual councillors and agreeing an action plan, which might for example aim to address any training or development needs.**

30. There is no formal process for reviewing the performance of Cabinet members but there is the opportunity for individuals to identify development needs as set out above. Role descriptors have been agreed for all councillors' roles.

#### **31. Evidence**

- There is a system for appraising Strategy Group and Service Directors based on the corporate A&D process which is subject to review. Other managers are appraised as part of the A&D process.
- Councillors' Personal Development Plans.

#### **32. Future**

- Keep role descriptors under review.
- Implement the revised A&D system.

**REQUIREMENT – Put in place effective arrangements designed to encourage individuals from all sectors of the community to engage with, contribute to and participate in the work of the authority.**

33. The Council has established four Partnership Boards and developed approaches to area and neighbourhood working that encourage the involvement of all sectors of the community by ensuring councillors' community leadership role.

34. The Council also actively encouraged other groups such as the Gateshead Youth Assembly and the Gateshead Older People's Assembly, to become established and to engage with the Council on a wide range of issues.

35. The membership of the Diversity Forum has increased in recent years reflecting the diverse communities in Gateshead.

36. The Council has developed an online Consultation Portal to enable residents, businesses and stakeholders to contribute to consultations to inform the decision-making process.

#### **37. Evidence**

- Terms of reference of Partnerships.

#### **38. Future**

- Keep arrangements under review to ensure their effectiveness.

**REQUIREMENT – Consider career structures for councillors and officers to encourage participation and development.**

39. There are no specific career structures for councillors at present. However, a set of role descriptors have been developed for councillors, which, along with PDPs, assist in identifying development needs and encourage participation in development events.
40. For some officers there are career structures but only up to a certain level. Senior and middle managers are developed through specific development programmes, PSA master classes, coaching and mentoring schemes. Succession planning and talent management strategies continue to be developed.

**41. Evidence**

- Appraisal and Development.
- Workforce Plan
- Councillors' Personal Development Plans.

**42. Future**

- Continue to review councillors' role descriptors as required.
- Continue to develop succession planning and talent management strategies.

**REQUIRED – When working in partnerships, ensure that partners individually, and the partnerships collectively, share responsibility for appointing people to the partnerships who have the required skills and are at an appropriate level.**

43. **Section 2, Paragraphs 28-31**, of this Local Code of Governance sets out how the Council will take steps to facilitate effective partnership working. The Gateshead Strategic Partnership carried out an audit, which included capacity and learning issues. Since then, individual partners have carried out self-assessments and produced learning and development plans.

Findings from the 2011 review of partnership working highlighted the need for streamlined partnership structures which maximised the role and capacity of organisational representatives.

**44. Evidence**

- Council Plan 2015-2020.
- Gateshead's Sustainable Communities Strategy "Vision 2030".
- Council Constitution

<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>

**45. Future**

- Respond to learning and development needs through the implementation of revised partnership structures.

# Local Code of Governance

## Section 6 - Engaging with local people and other stakeholders to ensure robust local public accountability.

### **REQUIREMENT – Make clear to themselves, all staff and the community, to whom they are accountable and for what.**

1. The Council's vision (shared by the GSP), priorities and values are articulated in the Council Plan. Performance against the priorities is reported at six monthly intervals to Overview and Scrutiny Committees and to Cabinet.
2. The Council Plan 2015-2020 identifies the Council's values which define how we work as a Council and help to inform important decisions and choices:
  - INTEGRITY*  
We will always work with integrity – demonstrating fairness and respect every day and in every way
  - INCLUSIVE*  
We will be inclusive – ONE COUNCIL working together and engaging people to get better results and ensure equality of opportunity
  - INSPIRATIONAL*  
We will be inspirational – thinking creatively, being dynamic and motivating and empowering everyone to do the things that make a real difference for the people of Gateshead.
3. The Service Charter sets out the Council's commitments for the services delivered and the standards expected.
4. We must ensure we consider institutional stakeholders, recognising who they are accountable to and assess the effectiveness of the relationships and any changes that may be required.
5. **Evidence**
  - Council Plan 2015-2020.
  - Annual Report.
  - Local Decision Making and Voting Charter.
6. **Future**
  - Keep under review.

### **REQUIREMENT – Establish clear channels of communication with all sections of the community and other stakeholders and put in place monitoring arrangements to ensure that they operate effectively.**

7. The Council has a strategy to develop quality communications (communications which are fit for the intended purpose) with all of its stakeholder groups, the public, service

users, councillors, employees, trade unions and other statutory and independent agencies (including press and media and all specialist and external groups within these categories). Improving its communications will make the Council better able to inform and involve its stakeholder groups, target its resources, be responsive, carry out its statutory functions and duties effectively, and be clear and accountable in its decision-making.

## 8. Evidence

- Communications policy statement.
- Communications strategy and action plan.
- Protocol for Communicating and Consulting with Councillors.
- Media Training has taken place with senior councillors and officers.

## 9. Future

- Take forward the actions identified in the Communications Strategy Action Plan.
- Strengthen communications planning across the Council by a detailed annual communications plan.

**REQUIREMENT – Put in place arrangements to enable the authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands.**

10. The Council is pro-active in its approach to community engagement. Our aim is to ensure all local people are well informed about the Council; actively involved in service planning and development, and able to influence what happens in their local area.

11. When the Council is consulting with residents and other stakeholders we will, whenever possible:

- Make it clear what the consultation is about and why we are seeking views.
- Choose the most appropriate method(s) of consultation for the intended audience.
- Raise awareness of consultations in the most effective way, make it as easy as possible to take part and ensure that we provide enough time and information for people to give their views.
- Consult at a time when proposals are still at a formative stage so views can be listened to and considered before making decisions. \*
- Carefully analyse consultation responses so that results are accurate and reliable
- Publish consultation results and provide feedback on any decisions taken or next steps.
- Monitor and evaluate the effectiveness of our consultations so that we can continue to improve.
- Work in a co-ordinated and joined up way within the council and with our partners to ensure that consultations are carried out in the best way possible.

12. It is the role of councillors to make decisions. These are based on a number of factors including results from consultations, government legislation or guidance, the needs of different groups now and in the future and the Council's available budget..

13. As well as consulting with residents on specific issues, we work in partnership to carry out longer term engagement. This involves working closely with communities to ensure that they are empowered, supported and developed to be involved in decisions that affect their lives. The Gateshead Communities Together Strategy – ‘Nothing about the community without the community’ sets out how the Council and partners work together to achieve this.

#### 14. Evidence

- [The Council’s Consultation Principles](#).
- [The Gateshead Communities Together Strategy](#) (framework agreed 20/02/2017).
- Details of consultations carried out and feedback

#### 15. Future

- Continue to monitor the effectiveness of the arrangements.
- Refresh of Gateshead Communities Together Strategy (2017)

**REQUIREMENT – Establish a clear policy on the types of issues they will meaningfully consult or engage with the public and service users including a feedback mechanism for those consulted.**

16. The Council aims to consult and engage local people to seek their views on proposed changes to council services, plans, policies and other important decisions that affect their lives.

17. The Council’s approach to consultation is set out in our [Consultation Principles](#) (see **section 6, paragraph 11**). This ensures that consultation is undertaken in a consistent and meaningful way. .

18. The Council’s ethos of openness and accountability leads to a number of issues being consulted on in a co-ordinated way. The [Council Budget](#) and Priorities are regularly consulted upon and innovative approaches are used to consult on local issues to form [Neighbourhood Plans](#). Consultation is an integral part of any project plan, large or small, such as the Town Centre or resident parking schemes.

19. The Council’s [consultation principles](#) complement and support the role that councillors have within communities, ensuring that individual and community views on specific issues help inform Council decisions. Effective consultation can help councillors achieve a greater understanding of the views of the residents they represent, on a wide range of issues. This in turn can help them to decide how to respond to conflicting views of consultees. It is the councillors’ role to take into account the views of residents along with other factors such as resources, statutory requirements and the views of partner organisations when facing decision making situations.

20. There is an ongoing programme of consultation and engagement which includes:

- “Viewpoint” - the Council’s online Residents Panel, where residents tell us what they think about Council services and issues that affect them and their local area. This is carried out using a combination of online surveys and discussion groups.
- Specific forums for user groups e.g. tenants, business and diversity.
- Reviews of services, including Scrutiny – with consultation a key component.
- Council News, the Council’s newsletter, reaching 88,000 households includes details of key consultations and provides feedback.
- Council’s online consultation system – providing access to [current](#) and [past](#) consultations on the Council’s website. This includes the ability to sign up to receive consultation email ‘alerts’.
- ‘Gateshead Now’ monthly e-news introduced to communicate with residents and raise awareness and engagement in consultations.

21. Feedback includes articles in Council News, press releases and individual feedback through forums and existing mechanisms such as the Council’s website. The corporate consultation system provides a standard consultation feedback template to provide easy access to feedback from [past consultations](#).

## 22. Evidence

- [The Council Plan 2015-2020](#).
- [The Council’s Consultation Principles](#).
- [Details of consultations carried out and feedback](#)

## 23. Future

- Continue to review the Council’s approach to consultation and communication with hard to reach groups.
- Further development of the corporate consultation system and expansion of the Viewpoint Online Residents Panel.

**REQUIREMENT - Put in place effective systems to protect the rights of staff. Ensure that policies for whistle blowing which are accessible to staff and those contracting with the authority, and arrangements for the support of whistleblowers, are in place.**

24. The Council has an agreed Workforce Strategy which aims to ensure that it has an engaged and empowered workforce, equipped with skills and knowledge to deliver the best possible outcomes for our customers and confident in the responsibilities they have.

25. The Council is determined to ensure that its employees provide the best levels of service and act properly. The whistleblowing policy gives employees the chance to draw attention to concerns about wrong or unacceptable practice. **See also section 4, paragraphs 16 to 19.**

## 26. Evidence

- The Workforce Strategy (approved by Council in July 2015).
- The Whistleblowing Policy.
- The Bullying and Harassment Policy.

## 27. Future

- Continue to review the effectiveness of the code, policy and strategy.

**REQUIREMENT – Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making.**

28. Engaging with employees at all levels and consulting them over key decisions promotes innovation and joint problem solving and encourages people to embrace change. To support this, the Council aims to modernise and improve employee relations, structures and processes and work in close partnership with Trade Unions. Whilst addressing employee relations through traditional consultative bodies and formal working groups has been largely successful, this approach needs to be modernised and streamlined.
29. We will evaluate our progress in achieving the vision and strategic aims through regular 'health checks' with our customers and users and employee attitude surveys.
30. We have relaunched a corporate Employee Forum in 2016 to increase internal communications and engage with officers.

**31. Evidence**

- Council's Constitution – Article 14 Decision Making  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Workforce Strategy (approved by Council in July 2015).
- Employee attitude survey.
- Team briefs.

**32. Future**

- Keep arrangements under review.
- Internal Communications Review - 2017

**REQUIREMENT – Produce an annual report on scrutiny function activity.**

33. Update reports are considered at Overview and Scrutiny Committees every six months detailing the impact of scrutiny reviews.
34. An annual report on the work of all non-executive committees, including the scrutiny committees, is prepared and circulated to all councillors. The work of the Overview and Scrutiny function also feeds into the Council's Annual report.

**35. Evidence**

- Six monthly updates to Overview and Scrutiny Committees and Cabinet.
- Article 6 of the Council Constitution  
<http://www.gateshead.gov.uk/Council%20and%20Democracy/Councillors-and-committees/Constitution.aspx>
- Annual report on the work of the non-executive committees.

**36. Future**

- Review arrangements for the content and publication of the annual report on the work of non-executive committees.

**REQUIREMENT - Ensure that the authority as a whole is open and accessible to the community, service users and its staff and sure that it has made a commitment to openness and transparency in all its dealings, including partnerships subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.**

37. Citizens have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own processes.

Citizens have the right to:

- vote at local elections if they are registered;
- contact their local councillor about any matters of concern to them;
- obtain a copy of the Constitution;
- attend meetings of the Council, Council committees and decision-making meetings of the Cabinet except where personal or confidential matters are being discussed;
- petition to request a referendum on a mayoral form of executive;
- participate in the Council's question time and present petitions to the Council meeting;
- find out, from the Cabinet's schedule of decisions, what major decisions are to be discussed by the Cabinet or decided by the Cabinet or officers, and when;
- see reports and background papers, and records of decisions made by the Council, its committees and the Cabinet, subject to rules on disclosure of personal or confidential information;
- access recorded information held by the Council under the terms of the Freedom of Information Act 2000;
- take the matter up through the Council's complaints procedure if they are dissatisfied with the standard of service provided by the Council or with the actions (or lack of action) of the Council or its employees;
- complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints procedure;
- complain to the Monitoring Officer if they have evidence which they think shows that a Councillor has not followed the Council's Code of Conduct; and
- inspect the Council's accounts, ask the Council's external auditor questions about the accounts and make objections to the accounts in accordance with the law.

38. To ensure that the Council complies with its obligations under the Freedom of Information Act, the Council has appointed an Information Rights Officer and has designated information champions within each group of services. An annual report on performance in dealing with FOI requests is submitted to the Corporate Resources Overview and Scrutiny Committee.

39. Democratic Services employees are trained and experienced in the legal requirements regarding access to committee papers and in practice reports are only excluded from the public part of Cabinet/Committee agendas when there is an overriding requirement for confidentiality.

40. The Council has followed the key principles of transparency set out in the

Code of Recommended Practice for Local Authorities on Data Transparency since January 2012, as shown on the finance section of the Council's website.

#### 41. Evidence

- Access to Information rules.
- Freedom of Information Act statement.
- Data protection statement.
- Budget and policy framework rules.
- Finance section of the Council's website.

#### 42. Future

- Continue to develop access to services, including improving and increasing digital access where appropriate.

**REQUIREMENT - When working in partnership, ensure that engagement and consultation undertaken by the partnership is planned with regard to methodology, target audience and required outcomes. Existing mechanisms and groups should be used where appropriate. In the work cycle of the partnership it must be clear and demonstrable to the public what has happened to any feedback and what has changed as a result.**

43. The Council works in partnership to carry out longer term engagement. This involves working closely with communities to ensure that they are empowered, supported and developed to be involved in decisions that affect their lives. The Gateshead Communities Together Strategy – 'Nothing about the community without the community' sets out how the Council and partners work together to achieve this. This strategy shares a commitment to the Council's consultation principles (**see section 6, paragraph 11**).

44. The Council, with its partners, is continuing to develop systems for accessing and sharing data and intelligence. This includes the Council's consultation system, enabling better management and coordination of consultation activity, new and innovative ways of involving local people and more robust feedback mechanisms.

#### 45. Evidence

- [The Council's Consultation Principles](#).
- [The Gateshead Communities Together Strategy](#) (framework agreed 20/02/2017).
- Guide to working in partnership.
- [Details of consultations carried out and feedback](#)
- Consultation programme around the development of the Sustainable Community Strategy "Vision 2030".

#### 46. Future

- Further development of the corporate consultation system involving Council services and partners of the GSP.
- Refresh of the Gateshead Communities Together Strategy - 2017