



## Corporate Governance Committee

<b>Date:</b>	Wednesday, 26 October 2011
<b>Time:</b>	5.00 pm
<b>Venue:</b>	Committee Room 1 - Wallasey Town Hall

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## SUPPLEMENTARY AGENDA 2

4. COMPREHENSIVE WORK PROGRAMME (Pages 1 - 14)

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## WIRRAL COUNCIL

### CORPORATE GOVERNANCE CABINET COMMITTEE

26 OCTOBER 2011

<b>SUBJECT:</b>	<b>CORPORATE GOVERNANCE: COMPREHENSIVE WORK PROGRAMME</b>
<b>WARD/S AFFECTED</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>CHIEF EXECUTIVE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR STEVE FOULKES</b>
<b>KEY DECISION:</b>	<b>NO</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 Following the resolution of Cabinet on 22 September, this report identifies a comprehensive programme of activities, for the Cabinet Committee's consideration, to address the weaknesses identified in the recent Corporate Governance Report. The programme identifies key areas, key lines of enquiry to be pursued, interdependencies within the programme (whole systems approach) and therefore the necessary skill sets needed in a turnaround team to undertake this work.
- 1.2 Whilst the Corporate Governance Report demands significant progress by April 2012, the approach of self-assessment and external validation (peer review) to manage and monitor improvements should be embedded in the organisational culture and managed corporately across all services of the Council beyond that timescale, as part of a wider programme.

#### 2.0 RECOMMENDATION

- 2.1 That a programme to achieve improvements in corporate governance be approved by the Cabinet Committee.
- 2.2 That a detailed timeline identifying future meetings, key activities and milestones be developed to reflect decisions made at this Cabinet Committee meeting.
- 2.3 The Chief Executive reports to each meeting of the Cabinet Committee with progress against the programme and timeline in delivering improvements in corporate governance.
- 2.4 That Cabinet Committee considers the creation of a specific budget to support delivery of the programme.

### **3.0 REASON FOR RECOMMENDATION**

- 3.1 The reason for these recommendations is to respond to the findings of the AKA Report on Corporate Governance by developing a work programme to address identified weaknesses in corporate governance.

### **4.0 BACKGROUND**

#### **Programme**

- 4.1 A report elsewhere on this agenda details why the Council needs to develop a comprehensive work programme to strengthen corporate governance.
- 4.2 The proposed programme is at Appendix 1.
- 4.3 The principles and approach adopted in developing the programme are that it is:
- Owned by the whole organisation including Members and officers;
  - A comprehensive, whole systems, integrated approach to ensure step change rather than incremental improvement;
  - Led by Chief Executive, reporting to this Cabinet Committee;
  - Co-ordinated through a single point of management control and reporting ;
  - Resourced appropriately to achieve both task and timelines thereby delivering a quality output and outcome which takes account of best practice in other organisations;
  - Delivered using project management tools and techniques with clear allocation of accountability and responsibility, time limited tasks, and identifying, where appropriate, how the improvement activities will be transferred to 'business as usual'.
- 4.4 The programme is predicated on the principles of self-assessment, validation and peer review. This is consistent with the approach adopted by the Interim Director of Adult Social Services (DASS) in response to criticisms raised by the Care Quality Commission in 2010. It is understood that the approach will be appropriate to meet the anticipated Council-wide self-regulation process from April 2012. It is therefore essential to ensure an integrated approach in order to strengthen the council's learning and development of an effective self-inspection regime.

#### **Resources**

- 4.5 The programme envisages a nucleus of senior staff tasked with driving forward each line of enquiry. Some of these senior staff will need to be sourced externally; others may require a permanent addition to the establishment. This will become clearer as the programme delivery progresses. The work will be co-ordinated and led centrally on behalf of

the Chief Executive by the Deputy Chief Executive and reported to the Corporate Governance Cabinet Committee in accordance with agreed timescales. The programme of activity will require input from other Chief Officers and their teams; consequently, they may need to adapt their ways of working.

- 4.6 The programme will need to operate at a number of levels. Clearly, support to the Cabinet Committee will be provided by the Chief Executive, Deputy Chief Executive/Director of Finance and the Monitoring Officer. I propose that the Deputy Director of Finance works on the Cabinet Committee's behalf to lead the delivery team (turnaround team), and it is at this level that additional resources will be required. It is possible to identify some resources to work at this senior level from within the organisation. However, there will be significant implications to existing services of this approach of using internal resources. There will, additionally, need to be significant input from other officers across the Council.
- 4.7 An approach often adopted by organisations in these circumstances is to supplement internal capacity and skills. The qualities required at the senior level include, but are not restricted to: ability to represent the 'corporate conscience'; political awareness; standing and experience of corporate governance improvement; gravitas; initiative within a team environment; ability to identify outcomes and deliver effective proposals to meet them; project management skills. Sourcing help externally will have budgetary implications, and the Cabinet Committee may wish to consider creating a specific budget to support the programme.

### **Cultural Change**

- 4.8 The programme plan includes process change but recognises that it will be essential for the Council to develop an appropriate cultural change programme in parallel. This will ensure that Members and Officers can articulate, role model and reinforce "how we do business" in an organisation where the importance of adhering to evidenced based good governance and probity in public office (as Members and Officers) is recognised as the norm, all day, every day.
- 4.9 The initial focus on process recognises that cultural change takes longer to achieve and relies upon winning "hearts and minds". It is intended that this programme of cultural change will be developed by enabling members to lead by example and, additionally, through some facilitated "open door" feedback sessions with staff and external stakeholders.
- 4.10 At the request of Cabinet, the author of the Corporate Governance Report is briefing Members of the Council on the issues. This will be an important step to developing a plan to address some of the Member Capacity issues raised in the report.

## **5.0 RELEVANT RISKS**

- 5.1 Failure to develop and implement effectively an appropriate, comprehensive programme may mean that the weaknesses in corporate governance identified in the Corporate Governance report are not appropriately addressed.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 None: the programme addresses issues raised in the Corporate Governance Report.

## **7.0 CONSULTATION**

- 7.1 Opportunities for Members to review progress by engaging with officers and citizens are included in the programme.
- 7.2 Where appropriate, external agencies, councillors and officers from other authorities will be consulted and asked to share knowledge.

## **8.0 RESOURCE IMPLICATIONS: FINANCIAL; STAFFING; ASSETS**

- 8.1 **FINANCIAL:** There will be a cost to the Council if external resources to implement the programme are acquired.
- 8.2 **IT:** None identified at this stage.
- 8.3 **STAFFING:** Significant senior resources will be required to implement the programme.
- 8.4 **ASSETS:** None identified at this stage.

## **9.0 LEGAL IMPLICATIONS**

- 9.1 None identified at this stage.

## **10.0 EQUALITIES IMPLICATIONS**

- 10.1 None identified at this stage.

## **11.0 CARBON REDUCTION IMPLICATIONS**

- 11.1 None.

## **12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 12.1 None.

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**Appendices: Draft Programme**

**SUBJECT HISTORY (last three years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet	22 September 2011

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## Draft Programme to Achieve Improvements in Corporate Governance

The objective of the programme is to deliver improvements in Wirral Council's corporate governance arrangements. To achieve these improvements the Council's governance arrangements must ensure that:

- Authority policies are implemented in practice
- Authority values and ethical standards are met
- Laws and regulations are complied with
- Required processes are adhered to
- Published information is accurate and reliable
- Human, financial and other resources are managed efficiently and effectively
- High-quality services are delivered efficiently and effectively

Issue/Key Line of Enquiry	What needs to be done	Timelines	Resources	Interdependencies
Alignment of corporate planning and budget making process.	Lead Officers for KLOE: CX & DoF/DCX <ul style="list-style-type: none"> <li>• Agree the process with Members</li> <li>• Agree the process with Officers</li> <li>• Embed the assessment of risk in the process</li> <li>• Initiate the process before end October 2011</li> </ul>	<ul style="list-style-type: none"> <li>• Corporate plan agreed by Cabinet December 2011</li> <li>• Service plans and developments agreed by Officers during Jan 2012</li> <li>• Detailed budget available and proposed by Cabinet by Feb 2011</li> </ul>		<ul style="list-style-type: none"> <li>• Budget process</li> <li>• Officer assessment of priorities/non priorities (cleared by Exec Team with CX and statutory officers discussing with Lead Members along the way)</li> <li>• Member assessment of priorities/non priorities</li> <li>• Change programme</li> <li>• Asset management strategy</li> <li>• Capital strategy and Member approved annual capital plans</li> <li>• Procurement and commissioning strategy</li> </ul>

Issue/Key Line of Enquiry	What needs to be done	Timelines	Resources	Interdependencies
				<ul style="list-style-type: none"> <li>• Pay review</li> <li>• Financial implications of investment requirements to strengthen corporate governance requirements</li> <li>• Assessment of risks and compliance with current and possible legal requirements</li> <li>• Departmental service reviews</li> </ul>
<p>Review and refresh of Code of Corporate Governance, outstanding actions from Annual Governance Statement and associated policies and procedures, ensuring that they are communicated, understood and complied with throughout the organisation.</p>	<ul style="list-style-type: none"> <li>• Determine Lead Officer and support for KLOE: – DDoF with nominated support from Legal Services (HoLS)</li> <li>• Secure other authorities' documents identified as best practice and benchmark against Wirral documents to answer the following questions: <ul style="list-style-type: none"> <li>○ Does WBC have the right policies, procedures and plans (including asset management and capital plans) based on up to date legal requirements?</li> <li>○ Have the statutory officers been consulted and have the policies been through the appropriate approvals processes?</li> <li>○ Are they fit for purpose?</li> <li>○ Are they being adhered to consistently and appropriately?</li> </ul> </li> <li>• Recommendations for change and approval of supporting guidance</li> <li>• Design of supporting Member and Staff</li> </ul>		<ul style="list-style-type: none"> <li>• Internal Audit to undertake groundwork</li> <li>• Legal</li> <li>• Communications</li> <li>• Training</li> </ul>	<ul style="list-style-type: none"> <li>• Impact upon the manner in which the Council as a whole operates currently and will need to operate in the future</li> <li>• Links to Audit Commission qualification on VfM, concerns about Asset Management</li> <li>• EHRC concerns</li> <li>• Impact upon outstanding requirement for review of constitution</li> <li>• Information governance and management</li> <li>• Risk Management Strategy</li> </ul>

Issue/Key Line of Enquiry	What needs to be done	Timelines	Resources	Interdependencies
	briefings to support/reinforce Council requirements <ul style="list-style-type: none"> <li>• Follow-up of application in practice to ensure compliance</li> <li>• Consideration of the practices of Members and Officers in adhering to ethical standards both in the public and private domains.</li> <li>• Analysis of complaints and concerns made/raised by Members, Officers and Trades Unions regarding behaviours and actions.</li> </ul>		<ul style="list-style-type: none"> <li>• All Group Leaders and Deputies, Committee and Scrutiny Chairs, CX, Chief Officers in first instance.</li> <li>• Statutory Officers</li> </ul>	<ul style="list-style-type: none"> <li>• Links to vision and values for the organisation which are modelled by Leading Members and Chief Officers to ensure there is leadership by example.</li> </ul>
Relationship between devolved and central corporate functions eg <ul style="list-style-type: none"> <li>- HR</li> <li>- Legal</li> <li>- Procurement</li> <li>- Finance</li> <li>- Policy</li> <li>- Communications</li> <li>- Performance</li> <li>- Asset management</li> <li>- Information governance and management</li> </ul>	Determine Lead Officer for KLOE <ul style="list-style-type: none"> <li>• Design the roles and responsibilities of the corporate vs devolved functions (having regard to best practice in other organisations) with Members and Chief Officers</li> <li>• Review current structures and posts each in department and corporately</li> <li>• Make recommendations for change</li> <li>• Approvals of change and supporting guidelines</li> <li>• Staff briefings</li> </ul>		<ul style="list-style-type: none"> <li>• Heads of Corporate Functions in the first instance</li> </ul>	<ul style="list-style-type: none"> <li>• Pay review</li> <li>• Corporate planning</li> <li>• Medium term financial strategy</li> </ul>

Issue/Key Line of Enquiry	What needs to be done	Timelines	Resources	Interdependencies
Review of Internal Audit	Lead Officer – DDoF <ul style="list-style-type: none"> <li>• Discussion with Lead Members, Audit Committee, Chief Officers and District Auditor as to role and function of Internal Audit together with relationships with compliance, corporate governance, performance, procurement and change team i.e. compliance function</li> <li>• Benchmarking externally with authorities known for best practice</li> </ul>	Proposals for December 2012 meeting	<ul style="list-style-type: none"> <li>• DoF/DCX</li> <li>• DDoF</li> <li>• External Support</li> </ul>	Other compliance functions as listed.
Review of Policy	Lead Officer for KLOE: CX <ul style="list-style-type: none"> <li>• Discussion with Lead Members and Chief Officers as to role and function of Policy Function</li> <li>• Benchmarking externally with authorities known for best practice</li> </ul>		CX, DoF/DCX. Lead Members	<ul style="list-style-type: none"> <li>• Budget Making Process</li> <li>• Role of performance function</li> <li>• Links to corporate and devolved responsibilities</li> <li>• Code of corporate governance</li> </ul>
Review of Committee Services	Determine Lead Officer for KLOE <ul style="list-style-type: none"> <li>• Discussion with Lead Members and Chief Officers as to role and function of Committee Services</li> <li>• Benchmarking externally with authorities known for best practice</li> </ul>		DoLHRAM, Members External advisor	<ul style="list-style-type: none"> <li>• Role of performance function</li> <li>• Links to corporate and devolved responsibilities</li> <li>• Code of corporate governance</li> </ul>
Review of committee reports over last 3 months	Determine Lead Officer for KLOE <ul style="list-style-type: none"> <li>• Identify reports.</li> <li>• Identify process for approval/comment prior to submission.</li> <li>• Evidence of approval/comment?</li> <li>• Why was the report submitted? Was it necessary under the constitution/delegated authority including scrutiny committee programme?</li> </ul>		<ul style="list-style-type: none"> <li>• DDoF, HoLS</li> <li>• Cttee clerk</li> <li>• Need for discussion with:               <ul style="list-style-type: none"> <li>○ Lead Members</li> <li>○ Scrutiny Members</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Review of committee services</li> <li>• Code of corporate governance</li> <li>• Relationship between devolved and central corporate functions</li> </ul>

Issue/Key Line of Enquiry	What needs to be done	Timelines	Resources	Interdependencies
	<ul style="list-style-type: none"> <li>• Was it in the forward plan?</li> <li>• How do you know what should have gone to committee and hasn't</li> <li>• Structure, content, relevant information, clarity and relevance of reports (are they easily understood)?</li> <li>• Reason for submission?</li> </ul>		<ul style="list-style-type: none"> <li>○ Chief Officers</li> </ul>	
Review of Performance (Corporate)	<p>Determine Lead Officer for KLOE</p> <ul style="list-style-type: none"> <li>• Agree with Lead Members and Statutory Officers the TOR including:               <ol style="list-style-type: none"> <li>1. The role of the corporate unit and its transfer to the Finance Department</li> <li>2. The corporate performance management framework - including culture, values, behaviours, responsibilities and accountabilities, appraisals, scope of monitoring regime, links to corporate planning (e.g. service and team plans, outcome and output measures across the whole system) and reporting</li> <li>3. Integrated performance reporting (outputs, outcomes and finance)</li> <li>4. Member and Officer roles, responsibilities and relationships</li> </ol> </li> <li>• Undertake fundamental review, assess benchmark authorities and processes</li> <li>• Develop consultation drafts of recommendations, protocols and guidelines</li> <li>• Formal recommendations to Members</li> </ul>		<ul style="list-style-type: none"> <li>• Lead Members, CX, DoF/DCX, DDoF</li> <li>• May require fundamental rethink of the resources available both for the review and for the corporate unit</li> </ul>	<ul style="list-style-type: none"> <li>• Links to the corporate planning framework</li> <li>• Links to corporate and devolved responsibilities</li> <li>• Code of Corporate Governance</li> <li>• Risk Management Strategy</li> </ul>

Issue/Key Line of Enquiry	What needs to be done	Timelines	Resources	Interdependencies
Review of Performance (Departmental)	Determine Lead Officer for KLOE <ul style="list-style-type: none"> <li>• Discuss and agree with lead Members and Chief Officers the need to gain assurance/bottom the issues in relation to the following areas which have been highlighted by external stakeholders or are reflected in the Annual Governance Statement (not dealt with above) e.g.:               <ul style="list-style-type: none"> <li>○ HESPE</li> <li>○ DASS</li> <li>○ Partnership register and legal status</li> <li>○ Asset Management</li> <li>○ Whistle blowing</li> <li>○ Impact of the EVR/VS programme on service delivery</li> </ul> </li> </ul>			<ul style="list-style-type: none"> <li>• Links to the corporate planning framework</li> <li>• Code of corporate governance</li> <li>• Risk Management Strategy</li> </ul>
Change team/programme	Determine Lead Officer for KLOE <ul style="list-style-type: none"> <li>• Determine the role of the change programme going forward. i.e. delivery of projects that will fundamentally alter the way in which Wirral as a Council functions within the financial context</li> <li>• What are the linkages between change, corporate performance monitoring and compliance?</li> <li>• How does the current process for assessing projects to be included in the change programme deliver in practice eg links to corporate planning, corporate priorities/non priorities, delivery of financial savings etc?</li> <li>• Assessment of effectiveness of change programme in terms of delivery of outcomes</li> </ul>		<ul style="list-style-type: none"> <li>• DoF/DCX</li> <li>• Lead Members</li> </ul>	<ul style="list-style-type: none"> <li>• Corporate Planning</li> <li>• Budget Setting Process</li> <li>• Service Planning</li> </ul>

Issue/Key Line of Enquiry	What needs to be done	Timelines	Resources	Interdependencies
	<ul style="list-style-type: none"> <li>• Once the above is agreed, what resources, processes and systems are required to service the change programme?</li> </ul>			
Member Capacity	<p>Determine Lead Officer for KLOE</p> <ul style="list-style-type: none"> <li>• Informal discussions with Members to capture areas of development and concern e.g.:               <ul style="list-style-type: none"> <li>○ Understanding of Officer reports, risks and need for verification/evidence</li> <li>○ Tools to enable Members to ask questions/defer reports where the analysis is unclear etc</li> <li>○ Broader understanding of the role of Officers and realistic expectations of Members</li> <li>○ Understanding the legal boundaries of Members' authority</li> </ul> </li> <li>• Development activities which enable Members to more robustly undertake their roles and responsibilities:               <ul style="list-style-type: none"> <li>○ Questioning techniques</li> <li>○ Political Leadership</li> <li>○ Governance framework</li> </ul> </li> </ul>			
Equalities	<p>Determine Lead Officer for KLOE</p> <ul style="list-style-type: none"> <li>• Agree a series of discussion forums with service managers across the Council which will answer the following questions (and more), and report back as to findings.</li> </ul>		<ul style="list-style-type: none"> <li>• Equalities Officer</li> <li>• Head of Legal Services</li> <li>• Head of HR</li> </ul>	<ul style="list-style-type: none"> <li>• Corporate planning framework</li> <li>• Trades Unions</li> <li>• EVR/VS scheme</li> <li>• Community Engagement</li> <li>• Risk Management Strategy</li> </ul>

Issue/Key Line of Enquiry	What needs to be done	Timelines	Resources	Interdependencies
	<ul style="list-style-type: none"> <li>○ How well is the equalities and diversity legislation understood by Members and Officers?</li> <li>○ How does the Council ensure that policy development, service delivery and recruitment processes, meet the requirements of Equalities and Diversity legislation together with meeting community needs?</li> <li>● Benchmark Wirral's policies, procedures and practice with those identified by the EHRC as "best practice"</li> <li>● Make recommendations for improvement</li> </ul>			
How does the Council learn from past experience?	<p>Determine Lead Officer for KLOE</p> <ul style="list-style-type: none"> <li>● What are the mechanisms used and how is this shared corporately? <ul style="list-style-type: none"> <li>○ Use of post implementation reviews</li> </ul> </li> <li>● Identification of two areas</li> </ul>			
Fees and charges	<p>Determine Lead Officer for KLOE</p> <ul style="list-style-type: none"> <li>● Identification of fees and charges raised across the Council</li> <li>● Identification of the approvals processes and risk assessment to enable each fee/charge to be raised in full awareness of the community, legal, service and financial impact</li> <li>● Review of current position and recommendations for future</li> </ul>		<ul style="list-style-type: none"> <li>● Under the overall direction of DoF/DCX</li> <li>● Internal Audit</li> <li>● Each Chief Officer supported by Internal Audit and Committee Services</li> </ul>	<ul style="list-style-type: none"> <li>● Budget</li> <li>● Corporate Planning</li> <li>● Service Planning</li> <li>● Risk Management Strategy</li> </ul>