



CONSTITUTION AND STANDARDS COMMITTEE

WEDNESDAY 23 NOVEMBER 2022

REPORT TITLE:	REVISED CODE OF CORPORATE GOVERNANCE
REPORT OF:	HEAD OF LEGAL SERVICES

REPORT SUMMARY

This report provides for consideration of the recommendations of the Audit and Risk Management Committee in respect of the revised Code of Corporate Governance. The full minute of the Audit and Risk Management Committee and the associated report of the Head of Legal Services is attached.

RECOMMENDATION/S

The Audit and Risk Management Committee held on 26 October 2022 resolved to recommend that the Constitution and Standards Committee consider the following:

Resolved – That

- 1. The revised Code of Corporate Governance as appended to the report be approved; and**
- 2. Constitution and Standards Committee be asked to recommend its adoption by Full Council of the revised Code of Corporate Governance and the framework detailed therein as part of the Council's Constitution.**

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To ensure that the Council's Code of Corporate Governance is compliant with the Chartered Institute of Public Finance and Accountancy (CIPFA) / the Society of Local Authority Chief Executives and Senior Managers (SOLACE) Guidance / Framework for Delivering Good Governance in Local Government and follows best practice.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Other options have been considered as reported within the minutes of the Audit and Risk Management Committee and appended report.

3.0 BACKGROUND INFORMATION

- 3.1 The Council's current Code of Corporate Governance was last revised in 2018. The Changes to the Code reflect the Council's change in governance arrangements during that time, with the role of the Policy and Resources Committee being explained fully, alongside now fully explaining the role of the Monitoring Officer in relation to the Code. The evidence base for compliance with the Code has been updated to reflect the Council's current operating model and procedures. Minor changes such as moving the Forward to the Code to the beginning of the introductory text and streamlining the Code's framework have also been enacted. The changes have been commented on by Audit and Risk Management Committee but require approval from Constitution and Standards Committee and Council before they can be adopted.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from this report.

5.0 LEGAL IMPLICATIONS

- 5.1 In accordance with Part 3B of the Constitution (Committee Terms of Reference), the Constitution and Standards Committee has two main areas of responsibility, which are overseeing the operation of the Council's Constitution Page 46 and for promoting and maintaining high standards of ethical conduct and probity within the Council, including the exercise of all functions of the Authority in relation to ethical standards, and in particular, those under Chapter 7 of the Localism Act 2011.
- 5.2 The Constitution and Standards Committee is charged by full Council to keep the Council's constitutional arrangements under review and to make recommendations as to amendments and improvements to the Council's Constitution, including the codes and protocols. As part of the matter of business that was the subject of the report to Audit and Risk Management Committee falls under that responsibility reserved to the Constitution and Standards Committee, the Audit and Risk Management Committee's resolution is presented as a recommendation.
- 5.3 As the decision in this matter is the subject of a recommendation from another Committee, the Constitution and Standards Committee must take into account the

resolution of that Committee and give due regard to the guidance and comments made by its members. The Constitution and Standards Committee must not however, consider itself bound by that Committee's recommendations or otherwise fetter its discretion; its Members must come to their own decision. In doing so, the Committee must satisfy itself that it has been provided with all relevant information or a suitable précis to enable it to comply with its duties and make a lawful decision.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 This report is for information only and does not contain any direct resource implications.

7.0 RELEVANT RISKS

7.1 The risks were covered in the original report submitted to the Committee.

8.0 ENGAGEMENT/CONSULTATION

8.1 Engagement and Consultation were covered in the original report submitted to the Committee.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no direct environment or climate implications from this decision

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no direct community wealth implications from this decision.

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APPENDICES

Appendix 1 Report to the Audit and Risk Management Committee.
Appendix 2 Revised Code of Corporate Governance.
Appendix 3 Minute extract from the meeting of the Audit and Risk Management Committee held on 26 October 2022.

BACKGROUND PAPERS

Constitution.

CIPFA / SOLACE Guidance / Framework for Delivering Good Governance in Local Government (2016).

TERMS OF REFERENCE

This report is being considered by the Constitution and Standards Committee in accordance with Section (a) of its Terms of Reference, "To keep the Council's constitutional arrangements under review and to make recommendations as to amendments and improvements to the Council's Constitution, including the codes and protocols."

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Audit and Risk Management Committee	26 October 2022