

Cabinet

Date: Thursday 8 April 2021
Time: 1.45 pm
Venue: Microsoft Teams

Membership

Councillor Isobel Seccombe OBE (Chair)
Councillor Peter Butlin
Councillor Les Caborn
Councillor Jeff Clarke
Councillor Andy Crump
Councillor Colin Hayfield
Councillor Kam Kaur
Councillor Jeff Morgan
Councillor Heather Timms

Items on the agenda: -

1. General

(1) Apologies

(2) Members' disclosure of Pecuniary and Non-Pecuniary Interests

(3) Minutes of the Previous Meeting

To approve the minutes of the meeting held on 18 March 2021.

5 - 10

(4) Public Speaking

To note any requests to speak on any items that are on the agenda in accordance with the Council's Public Speaking Scheme (see footnote to this agenda).

2. Revenue Investment Funds 2020/21

A report that seeks Cabinet approval for the funding of a series of initiatives through the Revenue Investment Fund.

11 - 16

Cabinet Portfolio Holder – Councillor Peter Butlin

- 3. Code of Corporate Governance** 17 - 36
The Code of Corporate Governance was last reviewed and approved by Cabinet December in 2016 following the issue by CIPFA of their revised framework and guidance. The need to revise our present Code has arisen as a result of feedback from our Auditors through the Annual Governance Statement (AGS) examination.

Cabinet Portfolio Holder – Councillor Kam Kaur
- 4. Member Code of Conduct** 37 - 66
The Council adopted its current Code of Conduct in 2012 based on the then model code published by the LGA. Officers have reviewed the new model code of conduct published by the LGA against the Council’s existing code and against the current legislative framework.

Cabinet Portfolio Holder – Councillor Kam Kaur
- 5. Fire Control Replacement Systems** 67 - 72
This report seeks Cabinet approval for the allocation of up to £1.86 million from the Council Change Fund for the replacement of Fire Control Room Systems.

Cabinet Portfolio Holder – Councillor Andy Crump
- 6. Establishment of a Dynamic Purchasing System for Business Support Services** 73 - 76
This report seeks Cabinet approval to establish a Dynamic Purchasing System to facilitate the delivery of a range of business support services and programmes in support of the County Council’s Covid-19 Recovery Plan and the Economic Growth Strategy.

Cabinet Portfolio Holder – Councillor Izzi Seccombe
- 7. Approval to Tender the Integrated Community Equipment Service** 77 - 82
This report seeks Cabinet approval to proceed with an appropriate procurement process to jointly re-commission the Integrated Community Equipment service with the Clinical Commissioning Group.

Cabinet Portfolio Holder – Councillor Les Caborn
- 8. Strategic Risk Management Framework** 83 - 106
The new Strategic Risk Management Framework aims to build on the council’s established risk management practice and strengths, by delivering improvements at a strategic and whole Council level.

Cabinet Portfolio Holder – Councillor Peter Butlin

9. Exclusion of the Press and Public

To consider passing the following resolution:

‘That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972’.

10. Exempt Minutes of the Meeting of Cabinet Held on 18 March 2021

107 - 108

To consider the exempt minutes of the meeting of Cabinet held on 18 March 2021.

Monica Fogarty
Chief Executive
Warwickshire County Council
Shire Hall, Warwick

To download papers for this meeting scan here with your camera



Disclaimers

Disclosures of Pecuniary and Non-Pecuniary Interests

Members are required to register their disclosable pecuniary interests within 28 days of their election of appointment to the Council. A member attending a meeting where a matter arises in which s/he has a disclosable pecuniary interest must (unless s/he has a dispensation):

- Declare the interest if s/he has not already registered it
- Not participate in any discussion or vote
- Must leave the meeting room until the matter has been dealt with
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

Non-pecuniary interests must still be declared in accordance with the Code of Conduct.

These should be declared at the commencement of the meeting

The public reports referred to are available on the Warwickshire Web

<https://democracy.warwickshire.gov.uk/uuCoverPage.aspx?bcr=1>

Public Speaking

Any member of the public who is resident or working in Warwickshire, or who is in receipt of services from the Council, may speak at the meeting for up to three minutes on any matter within the remit of the Committee. This can be in the form of a statement or a question. If you wish to speak please notify Paul Williams paulwilliamscl@warwickshire.gov.uk 01926 418926 in writing at least two working days before the meeting. You should give your name and address and the subject upon which you wish to speak. Full details of the public speaking scheme are set out in the Council's Standing Orders.

Cabinet

Thursday 18 March 2021

Minutes

Attendance

Committee Members

Councillor Isobel Seccombe OBE (Chair)
Councillor Peter Butlin
Councillor Les Caborn
Councillor Jeff Clarke
Councillor Andy Crump
Councillor Colin Hayfield
Councillor Kam Kaur
Councillor Jeff Morgan
Councillor Heather Timms

Others Present

Councillors Helen Adkins, Sarah Boad and Jerry Roodhouse

1. General

(1) Apologies

Apologies were received from Councillors Keith Kondakor and Dave Parsons.

(2) Members' disclosure of Pecuniary and Non-Pecuniary Interests

There were no declarations of interest made at the meeting.

(3) Minutes of the Previous Meeting

The minutes of the meeting of Cabinet held on 11 February 2021 were agreed as an accurate record.

(4) Public Speaking

There were no public speakers at the meeting.

2. Revenue Investment Funds

Councillor Peter Butlin (Deputy Leader – Finance and Property) summarised the key elements of the published report explaining that Cabinet was being asked to approve two projects for funding and to note two others.

There were no questions from the floor.

Resolved:

That Cabinet:

- 1) Supports the progress made on the Climate Change strategy and Place Shaping strategy with the Climate Change Impact Assessment and Stoneleigh Bridge design project approved by Corporate Board under the authorisation delegated to Chief Executive at a cost of £0.010m and £0.051m respectively.
- 2) Approves the bids as detailed in section 2.1 and 2.7, amounting to £0.990m from the Place Shaping Investment Fund and £0.340m from the Sustaining Prevention Fund.
- 3) Authorises the Strategic Directors for People and Communities to procure and enter any agreements to give effect to the above proposals on terms and conditions acceptable to the Strategic Director for Resources.

3. Service Estimates 2021/22

Councillor Peter Butlin explained to the meeting that the report on service estimates follows on from the February budget setting meeting. Its purpose is to show how budgets and the work to be undertaken by the council are realigned following the budget decision. It was emphasised that further adjustments may be necessary in the future.

Councillor Jeff Clarke (Portfolio Holder for Transport and Planning) welcomed the report especially the support for large capital schemes in Nuneaton and Bedworth. He recognised that it was not possible for all schemes to be progressed at once but stated that it is important to know that the funds are available when they are required.

Councillor Peter Butlin concluded by congratulating officers on their swift work post budget, undertaken at a challenging time.

Resolved:

That Cabinet:

- (i) Approves the detailed revenue budget, savings plan and capital programme for each of the Authority's services set out in Appendices A to M; and
- (ii) Notes the adjustments to service revenue and capital budgets as a result of the realignment of budgets within and between directorates since the budget was set on 8 February 2021, as outlined in Section 3 and Appendix N.

4. Capital Programme - Re-purposing of facility at The Warwickshire Academy

This report was deferred to a later meeting.

5. SEND & Inclusion Change Programme: Report of Task and Finish Group

Councillor Colin Hayfield (Portfolio Holder for Education and Learning) commended the task and finish review as a good example of this type of work. Evidence gathering meetings had been well attended and had received good support from officers. Councillor Andy Crump (Portfolio Holder for Fire & Rescue and Community Safety) commended the report stating that it was an excellent piece of work. Councillor Pam Williams considered that the recommendations contained in the report point in the right direction.

Councillor Helen Adkins (Leader of the Labour Group) expressed her satisfaction at working in a cross-party environment. She agreed that officers had been very supportive. Regarding the establishment of a members SEND panel she asked that this be undertaken as soon after the election as possible. This latter point was agreed by Councillor Izzi Seccombe.

Resolved:

That Cabinet approve the recommendations of the SEND & Inclusion task and finish group as set out in Section 2 of the report.

6. Child Friendly Warwickshire

Councillor Jeff Morgan (Portfolio Holder for Children's Services) introduced the item explaining that Warwickshire County Council intends to be an outstanding authority for children and families to grow up in. The document before Cabinet provides an umbrella for all children and family activities. Around £4m has been provided by the Department for Education for children and families and £343k has been earmarked for this initiative.

Leeds City Council was cited as an exemplar in this subject area. In particular its use of restorative practices was noted.

Cabinet's attention was drawn to a series of performance measures and it was recognised that these will need to be refined and developed further.

The reference on page 88 of the document pack to a Children's Mayor was highlighted. Cabinet was informed that this is not to be a political post and should perhaps best be described as a champion role.

Councillor Jerry Roodhouse (Leader of the Liberal Democrat Group) commended the report and welcomed the additional funding from government. Referencing page 89 of the pack Councillor Roodhouse asked for an update on the Child Poverty Strategy. In reply he was told that this will be reviewed, and a new strategy produced.

Councillor Pam Williams welcomed the report as did Councillor Peter Butlin who commented on the challenges that the last year have presented to children.

Resolved:

That Cabinet endorse the Child Friendly Warwickshire initiative and action plan.

7. Change of Status of Dunchurch Infant School

Councillor Colin Hayfield explained that the matter before Cabinet was a simple change of status of the infant school at Dunchurch to bring it into line with the junior school. Although responses to the consultation that was undertaken were limited it was the collective view of the governors that the change of status should be made.

Resolved:

That Cabinet approves that Dunchurch Infant School, a Foundation school, be closed and simultaneously replaced by a new Voluntary Aided school (with no change to pupils, staff or buildings).

8. A452/A46 Developer Improvement Works

Councillor Jeff Clarke introduced the published report. He noted that the scheme at the interchange will help in the delivery of the K2L cycleway project. Referencing paragraph 2.11 Cabinet was informed that the meeting referred to had been held on 16 March. At the meeting the developer had recognised that the cost of the project had increased and agreed to pay a larger contribution towards the delivery of the scheme.

Resolved:

That Cabinet recommends that Council:

Approves the use of Capital Investment Funding of up to £6.6m to forward funding road improvements on the A452/A46 interchange to enable the proposed development in the area, on the basis that any of the funding which is not spent on those improvements will be refunded to the Capital Investment Fund and any which is spent will be recovered from local developer(s) through Section 106 funding.

9. Exclusion of Press and Public

Resolved:

That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

10. Land at Stratford Park and Ride

Resolved:

That Cabinet agrees to recommendations as set out in the exempt report.

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Cabinet

18.03.21

The meeting rose at 14.23

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Chair

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Cabinet

8 April 2021

Revenue Investment Funds 2020/21

Recommendations

That Cabinet:

- 1) Support the progress made on the Place Shaping strategy with the Social Enterprise Support project approved by Corporate Board under the authorisation delegated to Chief Executive at a cost of £0.039m.
- 2) Approve the bids as detailed in section 2.1 and 2.9, amounting to £0.103m from the Climate Change Investment Fund and £0.622m from the Place Shaping and Economic Growth Fund.
- 3) Authorise the Strategic Director for Communities to procure and enter any agreements to give effect to the above proposals on terms and conditions acceptable to the Strategic Director for Resources.

1. Purpose of the report and context

- 1.1. The Chief Executive has asked for this report to come to Cabinet in April in particular due to the timing around the two economic recovery bids, which need funding in place before they can begin to implement initiatives to support business development coming out of national lockdown. To delay funding decisions until June Cabinet would reduce the effectiveness of such efforts by moving the possible start dates beyond the end of the planned national restrictions. In addition, the recommendations in the report relate to funding requests for initiatives within the scope of existing programmes and in that context are aligned with the strategic direction already agreed by the Council in these priority areas.
- 1.2. As part of the 2021/22 budget, Council approved the refocusing of the remaining amounts in the Revenue Investment Funds into three funds aimed at Preventing Vulnerability, Tackling Climate Change and Place Shaping & Economic Growth. The funds provide opportunities to run initiatives to meet the Council's objectives outside of services' core delivery budgets.

1.3. The breakdown of these funds is below:

Council Investment Funds	Current Resource £000s	Agreed Future Commitments £000s	Total £000s
Preventing Vulnerability – A fund to pump-prime upfront investment in demand management and early intervention initiatives prior to the financial benefits accruing.	5,021	(2,094)	2,927
Climate Change Fund – A fund to invest in priorities flowing from the Climate Change Task and Finish Group and Council Plan 2025	2,959		2,959
Place Shaping and Economic Growth – A fund to deliver investment in growth and commercial outcomes for Warwickshire	9,813	(1,591)	8,222
Total MTFS Allocation	17,793	(3,685)	(14,108)

1.4. The funds are outside of core budgets, and members approved a four-stage approval process for projects seeking funding:

- **Stage 1:** A project proposal document is developed and reviewed by Gateway Group/Corporate Board as to the strategic fit with the priorities in the Council Plan;
- **Stage 2:** The business case for the project is then prepared and an Investment Panel, made of representatives from Finance, Project Management Office and managers from services across the organisation, provides a technical evaluation and commentary on the proposal;
- **Stage 3:** Gateway Group use this technical evaluation alongside their own analysis of project governance and feasibility, to recommend the projects to Corporate Board if under £0.1m per project, or Cabinet if over this value for approval; and
- **Stage 4:** Cabinet approve/reject the allocations over £0.1m and note the projects under this value approved by Corporate Board. If the project is approved, funding is transferred to the service, and if savings have been identified flowing from the investment these are built into the medium-term financial strategy.

1.5. The schemes detailed in section 2 of this paper have been considered for strategic fit by Gateway Group, and for robustness of plans by the Investment Panel. Subject to Cabinet's decision today the amounts remaining unallocated in the three Investment Funds will be as below:

Preventing Vulnerability Fund	£2.927m
Climate Change Fund	£2.856m
Place Shaping and Economic Growth Fund	£7.562m

2. Description of the Investment Fund bids

Safe and Active Travel project

- 2.1. Corporate Board recommend approval of £103,000 from the Climate Change fund for the Safe and Active Travel project with the project sponsor being the Assistant Director, Strategic Commissioning for Communities.
- 2.2. The Safe and Active Travel Project is an element of SAFER (Safe and Active Travel Focusing on Environment and Road Safety) programme aiming to encourage residents and communities to take up more physical activity for travel, promote safe walking and cycling, change public attitudes and habits around safe and active travel and encourage businesses to sign up to become Safe and Active Workplace accredited businesses. The primary objectives supported include: increasing the number of employees using safer, sustainable travel on the journey to and from work, increasing knowledge and understanding of healthy lifestyles, road safety and sustainable travel, use safe and active activities to link with existing programmes and providing a safer, cleaner less congested environment in the vicinity of work premises to benefit everyone.
- 2.3. It is noted that the funding is temporary for 2 years though the project may in the future request permanent funding. Any permanent funding requirement will need to be addressed as part of the annual MTFs refresh process, once there is evidence of the benefits delivered by the temporary funding, including the savings expected elsewhere in the Council's budget.

Start Up Support - Jump Start Project

- 2.4. Corporate Board recommend approval of £107,524 from the Place Shaping fund for the Jump Start project with the project sponsor being the Assistant Director, Strategic Commissioning for Communities.
- 2.5. The project is one of two economic recovery projects designed to help people start a business and to increase the number of sustainable new businesses. This community-based project will offer support to individuals considering starting a business for the first time who need additional support. It will complement the county-wide start-up service delivered on behalf of the Council by focusing on underrepresented groups and hard-to-reach individuals in deprived wards. The funding will be used to provide a grant to the Coventry and Warwickshire Reinvestment Trust (CWRT) to enable delivery of the programme until the end of 2023/24.

- 2.6. In their review, the panel have highlighted the opportunity to incorporate green ideas into new business start-up planning, and this feedback has been taken on board by the project team.

Tourism and Leisure Business Support Project

- 2.7. Corporate Board recommend approval of £513,622 from the Place Shaping fund for the Tourism and Leisure Business Support project with the project sponsor being the Assistant Director, Strategic Commissioning for Communities.
- 2.8. The project will establish and deliver a dedicated business support programme to support the recovery and future growth of the tourism & leisure sector. This initiative builds on the existing business support offer of Survive, Sustain and Grow programme which offers industry-specific support to tourism business and complements the new “Visit Warwickshire” marketing campaign which will promote the county as a safe, open destination for visitors. Both of these initiatives have previously been approved for investment funding by Cabinet.
- 2.9. The full cost of the project is £776,264; the Council’s investment of £513,622 will enable the organisation to access £262,642 grant funding from the European Regional Development Fund for this initiative. This funding cannot be accessed without commitment of match funding from the Council.

Social Enterprise Support project

- 2.10. Corporate Board has approved £38,514 from the Place Shaping Fund for the Social Enterprise project with the project sponsor being the Assistant Director, Strategic Commissioning for Communities.
- 2.11. The project will support Coventry and Warwickshire Co-operative Development Agency (CWEDA) with the delivery of their social enterprise support programme in Warwickshire for a further 12 months along with a small number of new services to be developed specifically for social enterprises in the county. The funding will bridge the gap between current budgets which end in March 2021 and the commissioning of WCC’s new third sector support contracts from April 2022.

3. Environmental Implications

- 3.1. The safe and active travel and jump start projects are anticipated to have positive impacts on the environment, by promoting greener approaches to

travel and business. There are no other environmental issues or concerns arising from the initiatives proposed in this document.

4. Financial Implications

- 4.1. All projects have exit strategies in place and there is no assumption of, or commitment to, funding beyond the level set out in the report for any of the projects. If, as a result of evaluating the benefits from the investment, these are found to be sufficiently material to warrant further funding being approved, Services will look to reprioritise existing resources in the first instance. If this is not possible then approval of future funding will be brought forward to Members for consideration.

5. Background Papers

None

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Report Authors	Andrew Healey	andrewhealey@warwickshire.gov.uk
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Cabinet Portfolio Holder	Councillor Peter Butlin	cllrbutlin@warwickshire.gov.uk

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Cabinet

Code of Corporate Governance

8 April 2021

Recommendations

1. That the Cabinet approves the draft Code of Corporate Governance.
2. That the Strategic Director for Resources is authorised to update the Code to reflect periodic or any necessary changes in our governance control processes.

1. Executive Summary

- 1.1 The Code of Corporate Governance was last reviewed and approved by Cabinet December in 2016 following the issue by CIPFA of their revised framework and guidance (Delivering Good Governance in Local Government, based on seven principles of good governance).
- 1.2 The need to revise our present Code has arisen as a result of feedback from our Auditors through the Annual Governance Statement (AGS) examination. It has become increasingly apparent that as our current code combines two of the CIPFA principles (Principles B and G), our Auditors require our Annual Governance Statement to contain lengthier explanations about how we meet those principles so that they can track our activity against the seven CIPFA principles.
- 1.3 The opportunity has therefore been taken to review and update the Code to reduce the increased burden in producing the annual AGS, to update the Code and to align it with our Integrated Planning Framework and approach. The 20/21 AGS will review the effectiveness of governance arrangements during the period of the pandemic and will identify any actions that require a change to the proposed code.
- 1.4 The revised Code is attached at Appendix 1 together with a “How we Evidence our Code of Corporate Governance” summary in Appendix 2. The revised Code has been benchmarked against the most recently issued codes of other authorities.
- 1.5 The Audit and Standards Committee considered the Code at its meeting on 25 March 2021 and recommended the Code to Cabinet for approval.
- 1.6 To ensure the Code remains current it is recommended that the Strategic Director for Resources is authorised by Cabinet to update the Code to reflect

changes in our governance control processes on an ongoing basis. Formal reviews of the Code should continue to take place on a 4-year cycle unless there are significant changes warranting earlier review.

2 Financial Implications

None

3 Environmental Implications

None

4 Supporting Information

- 4.1 The suggested new code is based explicitly on the seven principles set out in the CIPFA guidance, which should reduce the burden on the need for additional explanation in the annual AGS. Much of the material will be familiar either from the current Code or the AGS.
- 4.2 The Code is aimed to be a fairly stable document not requiring annual reviews, only periodic reviews on a 4-year cycle or where there are major changes warranting earlier review.
- 4.3 The Code has been updated to reflect external assurance requirements, organisational arrangements, policies/strategies, systems, and protocols of the Council. These include:
- Adoption and re-writing of the Code, using the seven core principles in the CIPFA guidance.
 - Demonstrating how our governance arrangements secure economy, efficiency and effectiveness in our use of resources.
 - Updates to reflect organisational changes and current strategies and policies.
 - Update to the one page “How we Evidence our Code” summary.
 - Presentational changes to make the Code more user friendly.
- 4.4 A Communication and dissemination plan is being drawn up, aimed at:
- Raising general awareness of the Code and its relevance amongst staff and Members
 - Incorporating awareness and relevance within induction processes and linked to more detailed information for those needing it.
 - Developing e-learning packages and bite size training sessions
 - Continuing to raise its awareness through the annual ‘Do the Right Thing’ campaigns.
 - A common style and branding to cover the Code and the AGS.
 - Posting it on WCC’s intranet.

- 4.5 In revising the Code, it has become apparent that we will also need to update our Partnerships Governance Guide and it is intended that this will be done as the next phase, with an aim for its completion by December 2021, including its dissemination and assurance trail to ensure robustness of governance arrangements within our key partnerships.

5 Timescales associated with the decision and next steps

- 5.1 If approved by Cabinet then the next step would be to develop the communication and dissemination plan.

Appendix

1. Draft Code of Corporate Governance and Evidencing our Code of Corporate Governance Summary

Background Papers

None

Supporting Paper

CIPFA Delivering Good Governance in local Government Framework 2016 Edition and Guidance Notes for English Authorities 2016 Edition

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Report Author	Jane Pollard, Sushma Soni and Lynn Todman	sushmasoni@warwickshire.gov.uk lynntodman@warwickshire.gov.uk janepollard@warwickshire.gov.uk
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The report was not circulated to members prior to publication.

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DO THE RIGHT THING

The Code of
Corporate
Governance for
Warwickshire
County Council

1. What is 'governance'?

- 1.1** Governance is about how the County Council ensures it is doing the right things, in the right way, at the right time to deliver our objectives. It is made up of all the systems, processes, culture and behaviours which direct and control the way in which we work and through which we account to, engage with and lead our communities.
- 1.2** This Code of Corporate Governance applies to the Council's elected members, officers and partnership arrangements. This Code is accessible on the Council's intranet and internet.

2. Why we do it?

- 2.1** The way in which Warwickshire County Council is 'governed', affects our performance and the outcomes we deliver. Good governance ensures our resources are directed in accordance with our priorities and that we make the best use of those resources. It determines our ability to achieve our vision through sustainable economic, social and environmental outcomes for our customers and communities.
- 2.2** Good governance is about delivering on our promise to make a real and lasting positive difference to the people living and working in Warwickshire and it is about doing that in a timely, inclusive, open, honest and accountable manner.
- 2.3** Governance is about the way that WCC is directed and controlled and through which it is accountable to and engages with the community.



3. What is our framework:

The Governance Framework comprises the Governance principles, systems, processes, culture and values by which the Council is directed, controlled and through which it is accountable to and engages with the communities of Warwickshire. The key policies and systems which underpin and evidence the Code are in Appendix 1.

Our code is aligned to the CIPFA/SOLACE Framework Delivering Good Governance in Local Government (2016) and illustrated here. Principles A and B, in the inner circle, permeate and are evidence in how we apply Principles C to G.

Good Governance is dynamic, as illustrated, and is based on continuous review and evaluation. A description of the arrangements which we

have put in place to secure robust corporate governance against each of the seven principles is summarised in Section 4.

We are committed to ensuring our approach to Corporate Governance is understood by all, actively communicated and is easily accessible by our staff and the community. The Code will be shared widely with the Community on-line and with our partners and stakeholders. We will also use a variety of communications, messages and channels to promote some common themes which underpin the code (such as trust in WCC to deliver, integrity, accountable, solutions-based approach) and can also maximise opportunities to make links with our Council Plan/Covid-19 Recovery Plan and strategic priorities.

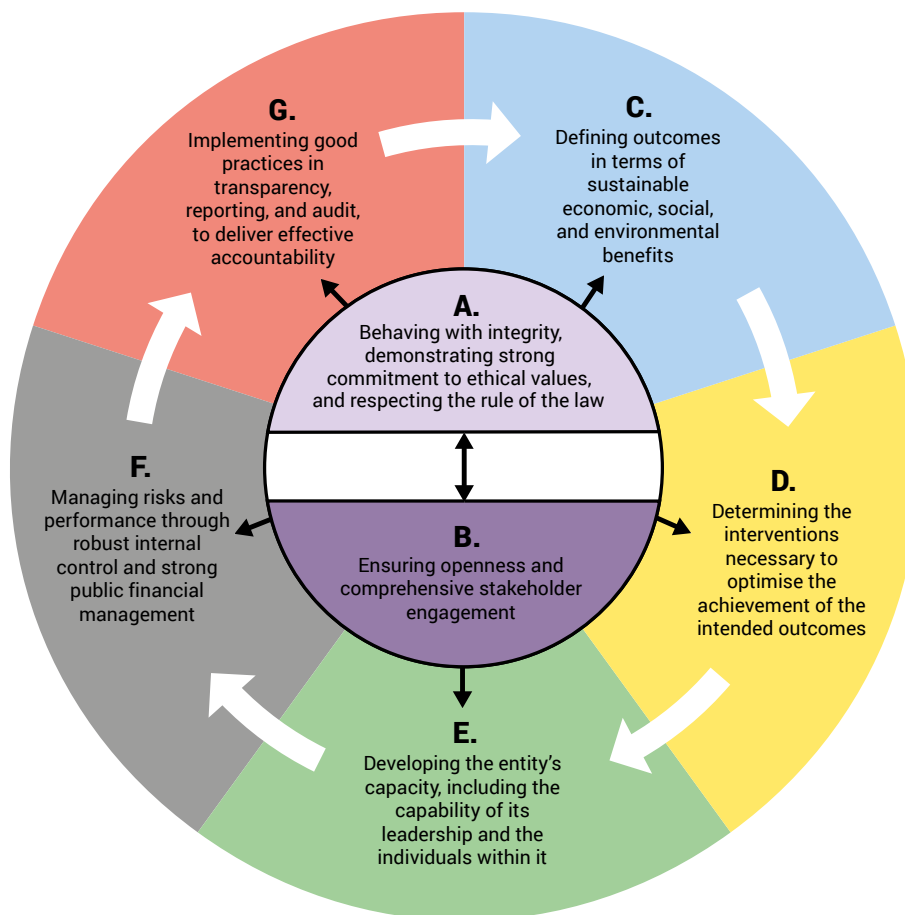


Figure 1
CIPFA's Principles of Good Governance

Our Behaviours and Values

3.1 How we behave underpins how we govern ourselves. We put people at the heart of everything we do and are committed to following behaviours and shared values that help to define our culture. We aim to apply these behaviours to everything we do, including how we engage with our partners, stakeholders and our customers. We ensure our expected behaviours are kept in view when we review our performance.

Our Behaviours



Figure 2 Warwickshire's Six Key Behaviours

Our Values



Figure 3 Warwickshire's Five Key Values

4. How we do it and do it right?

4.1 Our Corporate Governance Arrangements

We are committed to ensuring we are doing the right things, in the right way for the benefit of our communities. This means having good governance arrangements in place that deliver the Core principles of the CIPFA Framework.

Sub Principles	Arrangements the Council has in place
Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law	
Behaving with integrity	<ul style="list-style-type: none"> • Integrity is embedded in our Six Behaviours and the supporting Values of being accountable and trustworthy. • To ensure our behaviours are upheld we have codes of conduct for officers and members, registers of gifts and hospitality, registers of financial interests, and policies on anti-fraud and whistleblowing. Constitution
Demonstrating strong commitment to ethical values	<ul style="list-style-type: none"> • We include ethical values in policies and procedures for all areas including procurement and partnership working. http://www.warwickshire.gov.uk/conduct • We have a Complaints Policy and a corporate complaints and feedback procedure to ensure that all complaints are investigated properly and are responded to as quickly as possible. http://www.warwickshire.gov.uk/complaints • We appreciate the diversity of our customers, workforce and the wider Warwickshire community and are committed to Equality, Diversity and Inclusion and fulfilling our Public Sector Equality Duty. This is integral to everything we do including policy development, service delivery and partnership working to ensure that we do not unlawfully discriminate in the services we deliver or commission. http://www.warwickshire.gov.uk/equality
Respecting the rule of law	<ul style="list-style-type: none"> • Our Constitution sets out the decision-making framework to ensure that all officers, key post holders and Members are able to fulfil their responsibilities in accordance with legislative requirements Constitution • All our reports to member bodies receive financial and legal checks prior to submission to ensure they comply with regulatory requirements. • Our Monitoring Officer receives weekly reports to alert her to any legal issues. The Head of Paid Service, Section 151 Officer and Monitoring Officer meet regularly to ensure any regulatory requirements are addressed.

Sub Principles	Arrangements the Council has in place
	<ul style="list-style-type: none"> • A formal induction programme for members is undertaken following each quadrennial election which covers the legal principles governing decision-making and the code of conduct. All officers with budget responsibilities receive training on financial policies, procedures and propriety. • We are registered as a data controller under the Data Protection Act as we collect and process personal information and we have a named Data Protection officer. We have General Data Protection Regulation (GDPR) compliant procedures that explain how we use and share information and arrangements for members of the public to access information. • We have adopted the model publication scheme produced by the Information Commissioner's Office (ICO), in accordance with the Freedom of Information Act 2000. https://www.warwickshire.gov.uk/Publications-scheme-and-transparency • We have consistent governance arrangements for our trading companies and wholly owned companies: <ul style="list-style-type: none"> ◦ We have a shareholder agreement with each company which governs our relationship with the company and sets out which decisions require shareholder approval; ◦ Annual General Meetings are held to ensure the Council is fully informed of the company's performance; and ◦ Directors of each company have received "conflict of interest" awareness training and we actively monitor the risk of potential conflicts.
Principle B: Ensuring openness and comprehensive stakeholder engagement	
Openness	<ul style="list-style-type: none"> • We have a Consultation and Engagement Framework for public engagement which provides staff with up to date guidance and tools for planning and conducting consultation activities. The Ask Warwickshire website is a portal for public consultation exercises taking place within Warwickshire. www.warwickshire.gov.uk/ask • The Warwickshire Youth Council, represents the voice of young people in Warwickshire about their priorities. The Youth Council are elected by young people aged 11-18. Each area of Warwickshire also has a youth forum which represents young people at a more local level. https://www.warwickshire.gov.uk/services-children-young-people/targeted-youth-support-tys/4 • We have an active COMPACT with the voluntary and third sector and an overarching COMPACT with Town and Parish Councils.

Sub Principles	Arrangements the Council has in place
<p>Engaging with stakeholders effectively, including our local communities, our customers and our employees.</p>	<ul style="list-style-type: none"> • We have an Employee Engagement Strategy to ensure employees have a voice, managers and leaders are focusing, coaching and developing their people and there is clear communication about where our authority is going. This is supported by staff forums and regular staff surveys, check in surveys which measure employee engagement and our direction of travel against a number of staff related measures. https://www.warwickshire.gov.uk/employeeengagement • Regular feedback is provided to staff through various mechanisms, for example through briefings, Working 4 Warwickshire, staff intranet pages etc. • We are members of a number of sub-regional partnerships and groups which have member and / or officer representation. Each partnership has its own governance arrangements in place. http://www.warwickshire.gov.uk/partnerships • WCC, as “Corporate Parents”, have high aspiration for our children in care and care experienced young people. We are committed to hearing the voice of children in care through engagement with the Children in Care Council who seek to improve services for children. https://www.warwickshire.gov.uk/childrenincare • The Warwickshire Pension Fund engages with its employers and members through the LGPS Local Pension Board which has representatives from employers and members, and through direct communications for example directly sharing new policies such as the Funding Strategy Statement for comment. LGPS Local Pension Board
<p>Principle C: Defining the vision and outcomes for the local area and determining the actions necessary to achieve the intended outcomes</p>	
<p>Defining outcomes</p>	<ul style="list-style-type: none"> • The Council Plan/Covid-19 Recovery Plan has been developed with members and in consultation with our stakeholders and communities and defines priority outcomes and key strategic objectives. https://www.warwickshire.gov.uk/strategies • The Council Plan is supported by specific Strategies, Strategic Plans and programmes, all geared to delivering our Council Plan/Covid Recovery plan outcomes.
<p>Determining actions for the delivery of outcomes</p>	<ul style="list-style-type: none"> • The Strategies are supported by Business Plans, key change projects and investments to develop the actions needed to deliver the outcomes. Projects and investments are scrutinised to ensure they deliver required outcomes. • The Council has a rolling five-year Medium-Term Financial Strategy which is established on sound assumptions to deliver a sustainable balanced budget in the short and medium term. • The Council’s Capital Programme is directed by our Integrated Capital Strategy, aligned to the Council Plan.

Sub Principles	Arrangements the Council has in place
	<ul style="list-style-type: none"> In 2019 the Council declared a climate emergency. Priorities and a programme of actions for addressing the climate emergency are included in the Council Plan/Covid-19 Recovery Plan and all Council reports identify financial and environmental implications.
Principle D: Determining the interventions necessary to optimise the achievement of the intended outcomes	
Determining interventions	<ul style="list-style-type: none"> Arrangements are in place to report critical management information on the key aspects of the delivery of the Council Plan, including finance, risk and performance to Corporate Board and on a quarterly basis to Cabinet and Overview & Scrutiny Committees. Our Performance Framework, supports the delivery of the Council Plan, and includes mechanisms to assess progress, inform actions and interventions to achieve intended outcomes. Outcome Delivery Groups, supported by the Programme Management Office, monitor project delivery against plans and flag actions needed to manage escalated risks and deliver project objective. Each Directorate has escalation arrangements in place to its Directorate Leadership Team. Our Service Business Continuity Plans and procedures set out mitigating actions and contingency plans in response to business interruption events. We work in partnership with Coventry and Solihull Councils as part of the CSW Resilience Team, linking with the Warwickshire Local Resilience Forum to actively manage Civil Contingency requirements and responses. https://cswprepared.org.uk/
Optimising outcomes	<ul style="list-style-type: none"> Delivery of our Council Plan outcomes is achieved through our business plans, strategies and programmes/projects and our Strategy and Commissioning and performance management frameworks. This is supported by our Target Operating Model, our Commissioning Support units, including business insight and strategy and policy functions. We have an appraisal system which links the Council objectives to the personal objectives and personal development plans of individuals. All proposed and active projects, funded through our investment funds, are managed in the VERTO system, which includes change control and reporting functionality to track the delivery of realisable benefits and outcomes. Our Strategies and programmes address specific challenges and opportunities as they arise.

Sub Principles	Arrangements the Council has in place
Principle E: Developing the entity's capacity, including the capability of its leadership and the individuals within it.	
Developing capacity	<ul style="list-style-type: none"> • Our People Strategy ensures our workforce can deliver the organisation's Target Operating Model and stays aligned with our vision and outcomes. Direction and progress continues to be governed and monitored by the How We Work/ Outcome Delivery Group. The Staff and Pensions Committee provides overall oversight. • Our How We Work programme invests in and delivers the right resources and tools to work as efficiently and effectively as possible. It promotes and encourages the behaviours that help to define our culture. • Our Agile Working Principles set out how employees can work as efficiently and productively as possible, whilst maintaining a priority focus on service needs.
Developing the capability of the Council's elected Members and employees	<ul style="list-style-type: none"> • Our People Strategy recognises our staff as being our primary talent to enable the delivery of exceptional services to our communities. It is aimed at delivering our vision for the Council to be a great place to work where diverse and talented people are enabled to be their best. The Strategy is our mechanism to have an effective approach to workforce planning, reward and recognition, embedding our values, behaviours and a high-performance culture, leadership and talent development and supporting our organisational design. • We have a corporate process for annual appraisals and Personal Development Plans supported by regular 1:1 conversations. This provides the necessary clarity of expectations and behaviour, direction, support and opportunities for growth and development and allows employees and managers to have constructive discussions on performance, progress against outcomes, wellbeing and development. • Our corporate appraisal process is aligned to the Behaviours Framework and our recruitment process for senior managers applies a behavioural assessment process, which included leadership capability and identifies personal development areas. • We have a Senior Leadership Forum of our top three management tiers for sharing, shaping and developing our strategic direction, change plans and to support the delivery of those plans. • A member induction and development programme is arranged each year to ensure the core development needs of members, aligned to their respective roles, are met and to take account of new and emerging issues. • We invest in the health and wellbeing of our employees with a Workplace Wellness Strategy, and supporting processes including those to manage sickness absence and return to work.

Sub Principles	Arrangements the Council has in place
Principle F: Managing risks and performance through robust internal control and strong public financial management	
Strong public financial management	<ul style="list-style-type: none"> • Strong financial management is achieved through a robust Medium-Term Financial Strategy process which includes comprehensive involvement of our Members and Corporate Board to enable the delivery of the outcomes and objectives we set out in our Council Plan and achieving a balance between robustness of financial management and achieving our ambitions. • Our Budget is set as part of a 5-year Medium Term Financial Strategy and reviewed annually to ensure we remain prudent, robust and ambitious, whilst being flexible and responsive to emerging situations. • Our robust and integrated approach to achieving strong financial management includes: <ul style="list-style-type: none"> ◦ Agreed strategies and approaches to Treasury Management, Investment, Capital resources, the effective use of Reserves and Council taxation to ensure an appropriate balance in delivering our medium term goals and long term sustainability. ◦ Attracting Inward Investment to the County and maximising social value for our communities through our Commercial Strategy. ◦ Achieving the best use of both capital and revenue investment funding by ensuring all investment proposals are supported by robust business cases and realisable benefits to enable decisions on funding. ◦ Continuing our drive to achieve efficiencies and savings and deliver services in more cost-effective ways through our plans to change and transform services, utilise technology, agile working and innovative ways of doing things. • Specific policies, processes and practices supporting all this include: <ul style="list-style-type: none"> ◦ Regular budget monitoring and variance reporting at service and corporate level, ensuring the Council is alert to and managing emerging financial risks. ◦ Corporate Board undertaking deep dive analysis of problematic budget areas alongside the plans to manage these in order to inform further actions. ◦ Financial Regulations and our financial management framework guide adherence to policies, procedures and propriety. They outline the financial roles and responsibilities for staff and Members and provide a framework for financial decision-making. Where there are specific statutory powers and duties the Financial Regulations seek to ensure these are complied with, as well as reflecting best professional practice and decision-making. https://www.warwickshire.gov.uk/standingorders ◦ Contract Standing Orders promote good procurement practice, public accountability. Contract Standing Orders ◦ Our S48 Scheme of Delegation for maintained schools, enables assurance of schools management of delegated budgets. ◦ Robust management of Pension Fund Investment through our Investment Strategy Statement and our Responsible Investment and Climate Risk Policy. The Pension Fund Investments Sub Committee is supported by external financial advisers and additional independent financial advisers. Pension Fund Investments

Sub Principles	Arrangements the Council has in place
Robust internal control	<ul style="list-style-type: none"> • Internal audit provide advice to service areas and change projects to ensure the control environment remains strong. • We have adopted the CIPFA Code of Practice for Managing the Risk of Fraud & Corruption and this is reflected in our anti-fraud policy. http://www.warwickshire.gov.uk/antifraud • Regular reporting on audit assurance outcomes to A&S • We gain assurances on internal control from: <ul style="list-style-type: none"> ◦ Assistant Director annual assurance statements ◦ Social care quality assurance policy and procedures ◦ External sources of assurance including external audit opinions, statutory inspections and whole council or service specific peer reviews.
Managing Risk	<ul style="list-style-type: none"> • Risk management is an integral part of good management and corporate governance and is therefore at the heart of what we do. Our approach to managing risk is explained in the Risk Management Framework. http://www.warwickshire.gov.uk/riskmanagementstrategy
Managing Performance	<ul style="list-style-type: none"> • Our Performance Framework, supports the delivery of the Council Plan/ Covid-19 Recovery, and includes the following mechanisms to assess progress, inform actions and interventions to achieve intended outcomes: <ul style="list-style-type: none"> ◦ progress against the Council Plan and the MTFS is assessed through Key Business Measures (KBMs) to assess the delivery of outcomes for reporting to Overview & Scrutiny Committees and Cabinet on a quarterly basis. ◦ a suite of reports and dashboards provides HR, finance and performance data to Strategic Directors, Assistant Directors and third tier managers for their areas of responsibility. This enables managers to interrogate information quickly and efficiently and identify any interventions needed • Programme and Project performance is monitored by Delivery Groups • Actions plans arising from peer reviews and inspections are owned and monitored by Directorate Leadership Teams.
Principle G: Implementing good practices in transparency, reporting and audit to deliver effective accountability	
Good practice in transparency and reporting	<ul style="list-style-type: none"> • We have a forward plan which provides information about the key decisions that the Council has scheduled. • Formal agendas, reports and minutes for all committee meetings are published on our website which ensures that people know what decisions the Council is planning to take, and the decisions taken. Live and recorded Webcasts of formal public meetings are available. http://www.warwickshire.gov.uk/democracy • Each year we publish information on our website outlining how we spend Council Tax income. http://www.warwickshire.gov.uk/counciltaxspending

Sub Principles	Arrangements the Council has in place
	<ul style="list-style-type: none"> • We are implementing a council-wide lessons learnt approach that embeds lesson capture within all projects and regularly surfaces actions and lessons to decision makers and project teams.
<p>Assurance and effective accountability</p>	<ul style="list-style-type: none"> • Our Corporate Board, supported by Directorate Leadership Teams, take responsibility for providing overall leadership and setting the strategic direction and specifically, for ensuring: <ul style="list-style-type: none"> ○ That the Council meets its statutory obligations and exercises sound corporate governance and effective resource management ○ The performance of the Authority is managed effectively, including the delivery of key aspects of our change programs. • Overview and Scrutiny Committees act as a critical friend and hold Cabinet to account for its decisions. The terms of reference for all O&S Committees are defined in the Constitution. http://www.warwickshire.gov.uk/scrutiny • The Audit and Standards Committee has oversight of internal and external audit matters, the Council's arrangements for corporate governance and risk management and any other arrangements for the maintenance of probity. Audit & Standards Committee • All Council Decision reports are subject to Finance and Legal Services approval before they are published. • The Internal Audit Manager is designated as the Head of Internal Audit. There is an Internal Audit Board and the internal audit service is subject to PSIAS external quality assessments. http://www.warwickshire.gov.uk/audit

4.2 Oversight of the Governance Framework

The Council has put in place the following arrangements to review the effectiveness of the Code of Corporate Governance.

A The Council:

- is responsible for approving key corporate governance documents and policies such as the Council's Constitution and its Standing Orders
- appoints an Audit and Standards Committee which includes independent members
- considers the Council's annual governance statement which is based on assurance statements from Assistant Directors
- receives annual reports on the effectiveness and impact of scrutiny
- receives annual reports on the work of the Audit and Standards Committee.

B The Audit and Standards Committee:

- has an independent Chair and a second independent member
- is responsible for maintaining and promoting high standards of conduct and for compliance issues
- has responsibility for monitoring the operation of Codes of Conduct, assessing the effectiveness of the Council's control environment, risk management and corporate governance arrangements
- receives regular reports on internal audit assurance work including an internal audit annual report.

C Our External Auditor:

- provides an overall opinion on the Council's control environment and
- the annual accounts, value for money and the Annual Governance Statement.

D The Leader and Cabinet:

- have collective responsibilities for corporate governance and law and probity
- appoints an executive portfolio holder with a governance brief
- monitors progress through the Council's performance management arrangements
- approves amendments to the Code of Corporate Governance.

E Overview and Scrutiny Committees:

- report annually to full Council on the effectiveness of scrutiny;
- monitor the performance of the Council to identify areas for improvement
- publish the outcomes of their reviews.

F Internal Audit:

- undertakes risk-based reviews of internal control procedures across all Directorates and across all functions of the Council, in line with the Internal Audit Charter
- gives opinions on the standards of internal control as part of the review process
- reports on the standards of the Council's internal control arrangements to the Audit and Standards Committee
- the Internal Audit Manager undertakes an annual review of the effectiveness of internal control.

4.3 The Annual Governance Statement

Each year the Council publishes an Annual Governance Statement (AGS) to accompany the Annual Accounts. The AGS is audited by the Council's external auditors, scrutinised by the Audit & Standards Committee and approved by Council before it is published.

The Statement provides an overall assessment of the Council's Corporate Governance arrangements and its adherence to the Governance standards and principles set out in this Code. Evidence to support the assessment is gathered, reviewed and analysed to assess the robustness of the governance arrangements.

The assessment includes an appraisal of the key controls in place to manage the Council's principal governance risks and the effectiveness of systems and processes in place to govern decision making, performance and financial management.

The Statement identifies any significant governance issues, challenges and areas where improvements to governance arrangements can be made to better control risks. Since 2019-20, actions to deliver improvements are captured in an Annual Governance Plan.

(Updated 2021)

Appendix 1. How we evidence our Code of Corporate Governance

1. Integrity & Ethics	2. Openness & Engagement	3. Vision & Outcomes
<p>Our Behaviours and Values Member Code of Conduct Employee Code of Conduct Registers of Interests Declarations of Interests Whistleblowing Code Anti-Fraud & Corruption Policy Member & Officer Protocols Complaints Policy Equality, Diversity and Inclusion policies and impact assessment (decisions) Audit & Standards Committee Constitution</p>	<p>Forward Plan Published agendas, reports, minutes Standing Orders Information governance policies Publication Scheme and Transparency Consultation and engagement framework Have your Say consultations Ask Warwickshire website Petitions Scheme Employee Engagement Strategy Voluntary and third sector compact Town and Parish Councils compact</p>	<p>Council Plan Business Plans Strategies: Medium Term Financial Strategy Capital Treasury Management & Investment Strategy Commercial Property Our People Digital & Technology Customer Experience CSW sub-regional Procurement Local Transport Plan & supporting strategies CWLEP Strategic Economic Plan & CWLEP Skills Strategy WCC Economic Growth, Visitor Economy & Rural Growth Plan Warwickshire Municipal Waste Management and WCC Waste Core Strategy Flood Risk Management Strategy Community Safety Agreement Youth Justice Plan Warwickshire Education Strategy and Special Education Needs & Inclusion, Nuneaton Education, Outdoor Education Strategies Warwickshire Careers Strategy Education Sufficiency Strategy Integrated Risk Management Plan (W Fire & Rescue Services) Health and Wellbeing Strategy and supporting strategies Better Care Fund Plan Corporate Parenting Policy Early Help Strategy Joint Adult Learning Disability Statement of Intent & Commissioning intentions Joint Adult Carers Strategy Connecting Communities, VCS Strategy Heritage & Culture Strategy</p>

4. Determining Interventions	5. Capacity & Capability	6. Risk, Control, Performance & Finance	7. Assurance & Accountability
<p>Medium Term Financial Strategy Capital Programme Quarterly Performance reports Budget monitoring reports Performance dashboards Business Insight Verto Project Management system Complaints reports Risk Management Strategy Local Flood Risk Management Strategy Covid19 Recovery Plan Climate Change Emergency Plan Business Continuity Plans Civil Contingency Plan</p>	<p>Constitution Scheme of Delegations Induction Programmes Personal Development Plans Appraisals Partnership Working Our People Strategy How we work programme Workplace Wellness Strategy Apprenticeship Framework Commercial Strategy</p>	<p>Corporate Risk Register Service & Project Risk Registers Financial Regulations Performance Management Contract Standing orders HR Policies & Procedures Health & Safety Policies Internal Audit Annual Plan Internal Audit Update Reports Data Protection Policy Treasury Management, Budget monitoring, Capital & Revenue Investment Funds Performance, quarterly and year-end/out turn reports Safeguarding Policies and procedures Corporate Parenting Policy Committee/Cabinet report templates Safeguarding policies & procedures Education Sufficiency Annual Update</p>	<p>Code of Governance Annual Governance Statement (AGS) Annual Internal Audit Report Annual External Audit Letter Statement of Accounts Council Tax Leaflet Pay Policy Statement Performance Reports Overview & Scrutiny Committees Audit & Standards Committee Internal Audit External Inspections Peer Reviews Annual Infrastructure Statement Warwickshire Safeguarding Annual Report</p>

Cabinet

8 April 2021

Member Code of Conduct

Recommendation

That the Cabinet decides what observations or recommendations it would wish to make to Council on the proposals for a revised code of conduct as set out in Appendix 1

1. Executive Summary

- 1.1 The LGA published in December 2020 its new model code of conduct (Appendix 2). The new model code is guidance only and Councils are free to adopt any part or all of its content.
- 1.2 The Council adopted its current Code of Conduct in 2012 based on the then model code published by the LGA. Officers have reviewed the new model code of conduct published by the LGA against the Council's existing code and against the current legislative framework.
- 1.3 The legislation underpinning the Code remains unchanged. The Government response to the recommendations by the Committee on Standards in Public Life (CSPL) are still awaited. Some of the changes recommended by the CSPL can only be given effect by legislation.
- 1.4 The proposed changes to the Council's existing code are contained in Appendix 1. In making the proposed changes, officers have worked from the premise that our existing Code has provided a sound platform for both promoting high standards of conduct amongst members and enabling us to deal effectively with the very few complaints about members' conduct that the Council receives. The proposals therefore include some of the new additions from the model Code but do not propose that we adopt the new LGA Code on a wholesale basis.
- 1.5 In addition, there are some areas of the new model Code which we would not recommend implementing as they cannot be enforced under current legislation. Further analysis of these issues is addressed later in this report.
- 1.6 The LGA new model is attached as Appendix 2. A copy of our current code is attached for reference as Appendix 3.

- 1.7 The Audit and Standards Committee considered the proposed revisions to our code in Appendix 1 and the new LGA model Code in Appendix 2. There was a robust discussion concluding in a view that the proposed changes in Appendix 1 should be incorporated in the Councils Member Code of Conduct with some minor changes in presentation. These changes have been incorporated in Appendix 1. The proposals have also been shared with the Group Leaders of the political parties and the feedback received has also been incorporated in Appendix 1. The observations from the Cabinet and any other feedback received will be considered for inclusion in the final proposals presented to Council for approval.
- 1.8 Due to the Council's quadrennial elections taking place proposals for changes to the existing code will be considered by the new Council after the elections.

2. Financial Implications

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

3. Environmental Implications

- 3.1 None

4. Supporting Information

- 4.1 The new model Code is a mix of guidance as well as 'promises' by the member concerned. It is therefore much lengthier than our current code. Officers are recommending retaining a code which is short and concise and focuses on the specific obligations of members and providing any guidance separately.
- 4.2 It should be noted that the new Model Code has had a mixed reception from Monitoring Officers nationally with only 20% of Monitoring Officers indicating they will adopt the Code, 25% indicating they may adopt some parts and 55% indicating that they will not seek to adopt the Code.
- 4.3 There are certain elements of the LGA code which we consider would require legislative change before they could be adopted and the additional classifications of other interests brings in our view an unwelcome level of complexity and bureaucracy into Code. These issues are discussed further in the following paragraphs.
- 4.4 Our existing Code has provided a solid platform for both promoting high standards of conduct amongst members and enabling us to deal effectively with the very few complaints about members' conduct that we receive. However, there are some amendments which it would be useful to incorporate into our Code. These are shown in red in Appendix 1.

- 4.5 We have removed the requirement in our current code for each councillor to sign and date the code as the Code automatically binds each member. As indicated above we consider that the guidance is best dealt with separately.
- 4.6 Certain elements of the code would in our view require legislative changes prior to adoption i.e.
- the implication in the wording of the model code that it may be appropriate in some circumstances for members to use council resources for political purposes when there is a statutory bar against doing so
 - including '[any unpaid directorship]' within the statutory pecuniary interests table as this is not a Disclosable Pecuniary Interest. Only DPIs are subject to criminal sanctions and this is likely to confuse.
 - the concept of bringing the Council into 'disrepute' as this may extend the code into members private lives and this currently could not be achieved without legislative change and would be misleading to members of the public.
- 4.7 The current Code only applies when a councillor is acting in their official capacity or on council business. It is quite possible that a councillor could commit an offence in their private life which is not actionable under the Code of Conduct. Extension of the code to private life would require primary legislation.
- 4.8 We consider other elements of the Code bring an unwelcome element of bureaucracy. In particular we are concerned about the approach to 'other interests'. These are potentially very wide ranging and cover many different types of circumstances. They also incorporate some of the previous definitions from the pre-2012 code which were difficult to interpret in practice e.g. 'close associate'.
- 4.9 The approach in the model code is to automatically bar members with an 'other interest' from speaking unless members of the public have rights to speak at that meeting and to bar them from voting without a dispensation. Officers do not consider that this approach provides any benefits over our current arrangements. We currently deal with such interests by bespoke advice tailored to the particular circumstances based on the application of the common law of bias and pre-determination. In addition our experience and organisational culture is that members readily declare such interests and readily seek advice on whether such interests prevent them from taking part in council meetings. Officers would therefore not recommend inclusion of
- The definition of 'other registrable interests' and the establishment of an 'other interests register'
 - The definition of 'non-registrable other interests'
- 4.10 The elements that we suggest are incorporated are set out below.

- Reframing the code so that councillors understand it automatically applies and is not a matter of choice.
- Clarifying that where a member gives the impression s/he is acting as a councillor or misuses their position the Code will apply
- Including a specific requirement not to bully, harass or unlawfully discriminate against anybody or seek to compromise the impartiality of officers
- A requirement to register offers of gifts and hospitality with an estimated value of £50 even if declined
- A requirement not to prevent people from accessing information to which they are lawfully entitled
- Explicit requirements to undergo training, co-operate with investigations and not intimidate those who are involved in investigations.
- Explicit requirement to be truthful.

4.11 The elements that we prefer to leave unchanged in our current code subject to the above changes are

- Retaining the original definitions of the principles of public life
- Keeping the guidance elements separate from the Code itself

4.12 The Audit and Standards Committee has previously taken the view that a cycle of 4-yearly reviews of the Code should be sufficient or where there is a need to do so due to local circumstances or statutory changes.

5. Timescales associated with the decision and next steps

5.1 It is proposed that the views of the Cabinet and any other feedback will be forwarded onto to Council.

Appendices

1. Appendix 1 Revised Member Code of Conduct
2. Appendix 2 LGA Model Code of Conduct
3. Appendix 3 WCC Current Member Code of Conduct

Background Papers

None

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The report was circulated to the following members prior to publication:

Local Member(s): N/A

Other members: Councillors Seccombe, Roodhouse, Adkins and Chilvers

Appendix 1

Member Code of Conduct 2021 Warwickshire County Council

This Code applies to all elected and co-opted members of the Warwickshire County Council. The term 'councillor' in this Code means both elected and co-opted members. This Code of Conduct applies when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor

As a Councillor:

1. I will represent the interests of the whole community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

2. I will behave in a manner that is consistent with the following principles to achieve best value for all our residents and maintain public confidence in the Council, any other body to which I am appointed by the Council and the office of councillor:

a. SELFLESSNESS: I will act solely in terms of the public interest. I will not act in such a way as to gain financial or other material benefits for myself, my family, or my friends.

b. INTEGRITY: I will not place myself under any financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.

c. OBJECTIVITY: I will make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits

d. ACCOUNTABILITY: I will be accountable for my decisions and actions to the public and to the Council and must submit myself to whatever scrutiny is appropriate to my office.

e. OPENNESS: I will be as open as possible about all the decisions and actions I take. I will give reasons for my decisions and restrict information only when the wider public interest or the law clearly demands.

f. HONESTY: I will be truthful and I will declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interests.

g. LEADERSHIP: I will promote and support these principles by leadership and example.

3. As a Councillor I will act in accordance with the principles in paragraph 2 and in particular, I will

- a. Champion the needs of the whole community and all my constituents, including those who did not vote for me and put the public interest first.
- b. Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- c. **Not bully, harass or unlawfully discriminate against anyone or seek to compromise the impartiality of officers of the Council**
- d. Not allow other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the Council or the good governance of the Council in a proper manner.
- e. Exercise independent judgement and not compromise my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a **councillor. This includes not accepting gifts or hospitality which could give rise to a perception of influence over the way I perform my duties.**
- f. Take account of all relevant information, including advice from statutory and other professional officers. I will remain objective and make decisions on merit.
- g. Be accountable for my decisions and cooperate when scrutinised internally and externally, including by local residents.
- h. Contribute to ensuring that decision-making processes are as open and transparent as possible to make sure the community understands the reasoning behind decisions and are informed when holding me and other **councillors** to account.
- i. Behave in accordance with all my legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures, including on the use of the Council's resources.

- j. Not disclose confidential information (be that confidential by virtue of legislation or otherwise) without express authority and/ or unless the law requires it.
 - k. **Not prevent people gaining access to information to which they are lawfully entitled.**
 - l. Value my colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
 - m. Always treat people with respect, including the organisations and the public I engage with, fellow members and those I work alongside.
 - n. **Undertake Code of Conduct training provided by my local authority, cooperate with any Code of Conduct investigation and/or determination.**
 - o. **Not intimidate or attempt to intimidate any person who is likely to be involved with any investigation or proceedings.**
 - p. Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Council.
4. I will register and disclose those interests that I am required by law to declare. I will complete and submit a signed declaration of my interests to the Monitoring Officer. I will keep the register updated and acknowledge that its contents are open to the public to inspect.
5. **I will register any gifts and hospitality I am offered (even if declined) with an estimated value of £50 or more within 28 days of receipt with the Monitoring Officer.**



Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidating or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

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SECTION 1 - MEMBERS' CODE OF CONDUCT

Every county councillor and co-opted member is required to agree and sign the following:

I.....

being a duly elected councillor/co-opted member for Warwickshire County Council hereby declare that I will undertake my duties as follows:

1. I will represent the interests of the whole community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

2. **As a holder of public office** and as required by law I will behave in a manner that is consistent with the following principles to achieve best value for all our residents and maintain public confidence in the council, any other body to which I am appointed by the council and the office of councillor:

a. **SELFLESSNESS:** I will act solely in terms of the public interest. I will not act in such a way as to gain financial or other material benefits for myself, my family, or my friends.

b. **INTEGRITY:** I will not place myself under any financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.

c. **OBJECTIVITY:** I will make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits

d. **ACCOUNTABILITY:** I will be accountable for my decisions and actions to the public and to the Council and must submit myself to whatever scrutiny is appropriate to my office.

e. **OPENNESS:** I will be as open as possible about all the decisions and actions I take. I will give reasons for my decisions and restrict information only when the wider public interest or the law clearly demands.

f. **HONESTY:** I will declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interests.

g. **LEADERSHIP:** I will promote and support these principles by leadership and example.

3. **As a member of the Council** I will act in accordance with the principles in paragraph 2 and, in particular, I will:

a. Champion the needs of the whole community and all my constituents, including those who did not vote for me and put the public interest first.

- b. Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
 - c. Not allow other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the council or the good governance of the council in a proper manner.
 - d. Exercise independent judgement and not compromise my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of the council.
 - e. Take account of all relevant information, including advice from statutory and other professional officers. I will remain objective and make decisions on merit.
 - f. Be accountable for my decisions and cooperate when scrutinised internally and externally, including by local residents.
 - g. Contribute to ensuring that decision-making processes are as open and transparent as possible to make sure the community understands the reasoning behind decisions and are informed when holding me and other members to account.
 - h. Behave in accordance with all my legal obligations, alongside any requirements contained within the council's policies, protocols and procedures, including on the use of the council's resources.
 - i. I will not disclose confidential information (be that confidential by virtue of legislation or otherwise) without express authority and/or unless the law requires it.
 - j. Value my colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
 - k. Always treat people with respect, including the organisations and public i engage with, fellow members and those i work alongside.
 - l. Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this council.
4. I will register and disclose those interests that I am required by law to declare. I will complete and submit a signed declaration of my interests to the monitoring officer. I will keep the register updated and acknowledge that its contents are open to the public to inspect.
5. I will comply with any code of conduct for members that is properly established by the council.

Signed:

Full name:

Date:

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Cabinet

8 April 2021

Fire Control Replacement Systems

Recommendations

That Cabinet

1. Approves the allocation of up to £1.86 million for the replacement of Fire Control Room Systems, as outlined in this report.
2. Authorises the Strategic Director for Resources to determine the allocation of funding as he considers appropriate between the Fire Transformation Fund and the Corporate Change Fund and in the event that any costs can be capitalised, the Capital Investment Fund.
3. Authorises the Chief Fire Officer to procure and enter into all necessary contracts to give effect to the proposals set out in this report on terms and conditions acceptable to the Strategic Director for Resources.

1. Executive Summary

- 1.1 Fire and Rescue Service Control Room Systems (CRS) are fundamental to ensuring an effective fire and rescue service response to an emergency. Warwickshire Fire and Rescue Service (WFRS) is seeking £1.86 million investment to provide new CRS. The current systems - Capita Integrated Communications Control System - ICCS (DS3000) and Capita CAD (Vision 4) are past end of life and currently supported on best endeavours. This presents an ever-increasing risk to critical mobilising operations and is not a sustainable position longer term.
- 1.2 The need for a new CRS is also a fundamental and legislative requirement to enable WFRS to link to the central government's new Emergency Services Network (ESN) critical communications system. The new CRS solution procured, as one of the essential requirements, will ensure compatibility with the ESN system This will enable WFRS to embrace new and innovative technology and functionality to support essential functions.
- 1.3 The ESN will transmit fast, safe and secure voice, video and data across the 4G network and give first responders immediate access to life-saving data, images and information in live situations and emergencies on the frontline. ESN's high-speed mobile technology will mean communication between the emergency services will take priority over all other network traffic, even at peak times in busy urban locations. It will enable emergency services and

other first responders to share vital data, information and expertise quickly and securely from the frontline when it is needed most. There is a requirement on WFRS to comply with the Home Office (HO) national modernisation plan to replace the existing Airwave system used across police, fire and ambulance services in England, Scotland and Wales used for communications between control rooms with the government's new ESN system.

- 1.4 ESN will enable interoperability between all Blue Light services and partner agencies. This will enable the management of interdependencies with other partners, projects within WFRS and the region, and where possible seek efficient synergies. It will also greatly reduce the risk of cyber security vulnerabilities and downtime from failures and provide additional opportunities to optimise new applications and technologies leading to improved efficiencies in service delivery.
- 1.5 The move to ESN does not require individual emergency services to have the same control room systems but does require the ability to connect to and integrate into the new ESN. The current CRS in Warwickshire is unable to connect to ESN without significant upgrade.
- 1.6 An alternative option is to refresh the current legacy system. This has been considered however has been discounted as it would cost circa £1.5 million, but this would not provide the functionality, resilience and links to the national ESN project required.
- 1.7 A 'do nothing' option has also been considered. This option has also been discounted due to the significant operational risks that would be associated with retaining the existing control room operating system which is at end of life and would result in the system being run without the necessary systems maintenance and support in place. Any resulting failure of control and mobilising systems would result in an increase in the time taken to mobilise the correct resources (fire engines, special appliances and incident commanders) to an emergency incident. This is very likely to result in increased levels of damage to domestic and commercial property and could potentially result in increased severity of injury and or loss of life
- 1.8 The optimum solution to secure public safety and maximise resilience over the longer term is therefore to invest in procuring replacement CRS utilising the benefits of cloud technology and an integrated ESN roadmap. The proposal is to let a contract for a 5 year contract period but with flexibility to extend for a further period at the Council's discretion. It is acknowledged that with today's rapid changes in technology, ICT systems have a much shorter life span than previously and although innovation and flexibility will be critical factors in our selection it is likely that we will have the option to consider new technology which will be available in 5 years.
- 1.9 The new CRS will provide resilient and future proof functionality that meets the needs of WFRS whilst underpinning transformation, as well as aligning with the Council's Digital and Technology Strategy. It will enable operational and financial efficiencies with access to real-time data, resulting in streamlined

communications, reducing demand on control staff; improved availability and accuracy of information to ground crews at incidents increasing public safety; more efficient and dynamic use of resources resulting in improved response times; and reduced reliance on ICT support.

1.10 Supporting transitioning to ESN and the development of new ways of working will also allow WFRS to make the most of the latest technologies opening many areas of opportunity, including:

- Aligning with the WFRS property strategy to enable maximum flexibility in providing geographically remote, control room environments. Currently due to the extensive hardware and infrastructure within the control room it would be a complex and costly task to relocate. A cloud-based solution will provide the flexibility required by WFRS, in that it will facilitate any future relocation of the control room and minimise costs of relocation by relying on access to our secure network to connect to our cloud provider;
- Improved business continuity working e.g. operating from an alternative location in event of evacuation;
- Increased multi-level resilience, retaining incident response capability in the event of a control room IT system failure; and
- Opportunities to provide enhanced remote working.

1.11 This is a critical project and there are robust governance arrangements in place, with a skilled and experienced multidisciplinary project team, involving ICT, reporting directly to the Fire Continuous Improvement and Change Group led by the Assistant Chief Fire Officer. The project team will assess the most effective procurement route and evaluation criteria to be applied. The procurement will be based on an open, competitive process which will secure a value for money solution. Cyber security issues related to data being stored in the cloud will also be a key consideration for the project team and the stringent measures required to gain an ESN code of connection will ensure that the highest level of security standards are put in place.

1.12 A detailed bid has been evaluated by the Capital Investment Fund Technical Panel, consisting of experts from Finance, Legal, Property, PMO and Directorate Service Teams. The panel evaluated and endorsed the bid however it is recommended that revenue funding is sought to fund the procurement of the new CRS rather than capital due to the cloud-based functionality being procured.

2. Financial Implications

2.1 The funding of up to £450,000 will be requested from the Fire Transformation Funding and the remaining £1.409 million for this scheme is requested from the Council Change Fund, which exists for investment in initiatives to improve

the internal systems, processes or structures within the organisation, to help it more effectively achieve its objectives through the organisation's Change Programme. Corporate Board has considered these proposals and supports the recommendation that Cabinet approves the allocation of funding for this initiative.

- 2.2 The balance in the Council Change fund is currently £4.756 million. There is a balance of £450,000 in the Fire Transformation Fund. The project is requesting £1.859 million for purchase and implementation of the cloud-based system, comprising of £1.62 million for software replacement and £0.239 million for backfilled/external staffing and legal charges to complete the project. This allocation also includes the first year of licence fee, while subsequent years will be funded through the service's core budget as allocated through the annual budgeting process. Once procurement is underway, WFRS and Finance will be able to establish if any of the cost can be capitalised and funded from the Capital Investment Fund, at which point the Council Change Fund can be refunded by the amount capitalised.
- 2.3 The bid includes a 10% contingency for project and software costs, so funding above the amount requested should not be required, but if this is the case in the future the service will look to reprioritise existing resources in the first instance; if this is not possible then approval of future funding will be brought forward to Members for consideration.

3. Environmental Implications

- 3.1 The CRS will enable real time location, availability and mobilising of fire and rescue resources, leading to greater efficiency in the deployment of people and vehicle resources and reduced environmental impact. Where appropriate, any equipment decommissioned will follow the County Council's protocols.

4. Timescales associated with the decision and next steps

- 4.1 Approval is sought from Cabinet to enable WFRS to commence procurement processes for the CRS as soon as possible.

Background Papers

None

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The report was not circulated to members prior to publication.

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Cabinet

8 April 2021

Establishment of a Dynamic Purchasing System for Business Support Services

Recommendations

That Cabinet:

- 1) Approves the establishment of a Dynamic Purchasing System to facilitate the delivery of a range of business support services and programmes in support of the County Council's Covid-19 Recovery Plan and the Economic Growth Strategy.
- 2) Approves commencing with the procurement and delegates authority for the Strategic Director for Communities to negotiate, and to enter into, all contracts on terms and conditions acceptable to the Strategic Director for Resources.

1.0 Background and Key Issues

- 1.1 The County Council commissions (and manages or delivers) a wide range of business support services and programmes, and we also support a small number of partner organisations with their activities. This includes start-up support, a range of support for established businesses and specialist support for Warwickshire's priority sectors. It also includes a number of new activities and programmes established in the last 6-12 months to support the immediate recovery phase of the Covid-19 Recovery Plan.
- 1.2 The Council has used a range of commissioning routes for these services and programmes. This includes different procurement routes (both above and below the Public Contract Regulations thresholds) and supporting partner organisations with their work via grant or service level agreements as well as internal delivery.
- 1.3 It is appropriate that the Council now considers its approach to commissioning future business support services and programmes. There are a number of reasons for this:
 - The Council agreed a new Economic Growth Strategy in early 2020. This includes priorities and high-level actions around supporting business and our priority sectors.
 - The Council has ambitious plans to support economic recovery via its Covid-19 Recovery Plan. This includes new programmes and activities such as the proposed Warwickshire Recovery and Investment Fund

(WRIF) which will require additional, specialist expertise to supports its delivery.

- The establishment of the Investment Funds including the Place Shaping and Economic Recovery Fund.
- A number of our current business support services and programmes are time-limited and due to end within the next 9-12 months.
- Others were established quickly in response to the Covid-19 crisis via the quickest possible procurement route and they are also due to come to an end. Moreover, Covid-19 has demonstrated the need for the Council to be able to act quickly to establish new support programmes and to be able to support a wider range of sectors.
- It is well recognised, both pre-Covid and during the pandemic, that some service needs are difficult to scope in advance and demand can vary quite significantly. Certain contracts and funding agreements can be scaled up quickly if/ when required. However, others can be limited by the value or scope of the original procurement exercise and contracts have to be re-tendered. This is time-consuming and expensive in terms of officer time. It can also leave gaps in service.
- Finally, the Government recently announced more information about new funding programmes including the Levelling Up Fund, the Community Renewal Fund and the UK Shared Prosperity Fund (UKSPF) designed to replace the European Structural Funds. All three funds envisage a key role for local authorities.

- 1.4 There are also new procurement routes available to the Council. This includes Dynamic Purchasing Systems which typically last for five years. The initial requirements for joining a DPS can be simpler than other procurement routes. Suppliers can also join at any time during the lifetime of a DPS which allows new entrants to a market to apply without having to wait until contracts are re-procured. Finally, a DPS allows for multiple smaller contract lots and work packages which makes it attractive for both the procuring body and suppliers including smaller suppliers.

2.0 Options and Proposal

- 2.1 Do nothing – This option would involve the Council continuing to use its existing procurement approaches and routes when current services and programmes come to an end or new ones need establishing. However, this would not address the issues of speed and officer time identified above. It also would not give the Council the flexibility it needs across a range of sectors and specialisms to deliver its ambitious plans for the recovery and future growth of the Warwickshire economy.
- 2.2 Establish a DPS – This option would involve the Council establishing a DPS for Business Support Services. A single procurement exercise would give the Council the ability to extend a number of existing projects and programmes when they come to an end and also to commission a range of new activities in support of the Covid-19 Recovery Plan, the WRIF and the Economic Growth Strategy. In particular, a DPS would give the Council the ability to respond quickly and flexibly as service needs emerge and change. Finally, it would

ensure the Council is well positioned to take advantage of – and lead on – future Government funding programmes.

- 2.3 It is recommended that Cabinet supports the establishment of a Dynamic Purchasing System to facilitate the delivery of a range of business support services and programmes in support of the County Council's Covid-19 Recovery Plan and the Economic Growth Strategy. It is also recommended that the Council commences with the procurement quickly as a number of services and programmes are due to end and potential new requirements (e.g. in support of the WRIF) are emerging.
- 2.4 Work is ongoing to finalise the exact scope of the new DPS. However, it is expected that it will cover start-up support, business support, the specialist access to finance advice needed to support delivery of the WRIF and support for Warwickshire's priority sectors.

3.0 Financial Implications

- 3.1 There are no direct financial implications with the establishment of the DPS (other than officer time in Economy & Skills, Strategic Procurement and other services such as Infrastructure & Sustainable Communities). In some cases, there are also no new additional financial requirements as the DPS will be used to deliver future services and programmes that are funded by existing budgets (whilst making some savings in terms of officer time). There is also no requirement to use the full range and scope of services in a DPS once it has been established.
- 3.2 However, there are clearly wider financial implications arising from a decision to establish a DPS. In some cases, budgets will need to be identified to deliver priorities and actions in the Covid-19 Recovery Plan or any new activities to support the Economic Growth Strategy. Any new investment by the Council is expected to be funded by the Place Shaping and Economic Recovery Fund. All new investment will be subject to approval and considered in the context of the Medium-Term Financial Strategy.
- 3.3 In addition, opportunities for Government and other external funding will continue to be explored along with the potential to align and integrate activities commissioned by the Council with those of our partners. This could include giving certain, identified local partners the ability to make use of the Council's DPS.
- 3.4 It is expected that expenditure via the DPS will be £0.2 to £0.4 million per annum. However, it could be higher depending on the final scope and the future delivery arrangements for new Government funding programmes.

4.0 Environmental Implications

- 4.1 The establishment of a DPS for Business Support Services will not have a major impact on the environment. However, it will give the Council greater

ability to support businesses including supporting the growth of the low carbon economy

5.0 Timescales associated with the decision and next steps

5.1 The procurement will commence in April. It is expected that the DPS will be established in June and that it will be in place for five years.

Background Papers

None

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This report was circulated to the following members prior to publication:

Councillors Golby, Fradgley, Holland, Kondakor, Shilton

Cabinet

8 April 2021

Integrated Community Equipment Service – Approval to Tender

Recommendations

- 1) That Cabinet approves proceeding with an appropriate procurement process to jointly re-commission the Integrated Community Equipment (ICE) service with the Clinical Commissioning Group (CCG) or their successor in title.
- 2) That Cabinet approves and authorises the Strategic Director for People to enter into all relevant contracts for the provision of the Integrated Community Equipment service on terms and conditions acceptable to the Strategic Director for Resources.
- 3) That Cabinet approves and authorises the Strategic Director for People to enter into a new section 75 agreement with the CCGs or their successor in title to manage the joint commissioning on terms and conditions acceptable to the Strategic Director for Resources.
- 4) That Cabinet approves the ICE procurement activity to incorporate the following linked services: telecare service, assistive technology (AT) and the self-assessment / self-purchase solution (currently contracted with Disabled Living Foundation – Ask Sara).

1. Executive Summary

Background

- 1.1 The ICE service delivers equipment to residents in Warwickshire and out of county service users registered with a Warwickshire GP. The contract also offers an Assistive Technology offer incorporating a Telecare service and performs minor adaptations. The service is jointly commissioned under a section 75 agreement between the Council (as the lead authority) and the three CCGs, which are likely to become a single entity by the time any new agreement is entered into.
- 1.2 From the Council's perspective, the service meets care and support needs for both vulnerable adults and children encouraging and enabling residents to remain independent in their own homes. From the CCGs' perspective the service meets a range of health needs, including timely discharge from hospital.

- 1.3 Millbrook Healthcare Ltd was awarded a 5 + 2 year contract commencing 1st September 2014 to deliver the requirements specified within the ICE contract specification. The contract has been extended to 31st August 2022.
- 1.4 During 2019/20 financial year, just over 20,000 individuals were served with equipment. In total 104,181 pieces of equipment were delivered. 37% of all deliveries were made either on the same day or next day.

Key issues

- 1.5 Millbrook Healthcare Ltd is contracted to deliver the community equipment service until 31st August 2022. There is no option to extend the contract further.
- 1.6 The ICE service not only supports the Council's priorities; to help Warwickshire people to stay safe, and be healthy, independent and engaged with their communities; but also helps reduce pressures on Social Care and Health front line services. Equipment supplied helps prevent admission to and facilitates discharge from hospital. The service has grown in popularity year on year measured in terms of the equipment ordered and the number of beneficiaries.
- 1.7 Given that the contract expires at the end of August 2022 and with due consideration to its complex nature; value and importance, commissioning activity is to commence imminently pending Cabinet approval.
- 1.8 CCG colleagues will seek approval from their respective governance process to re-commission the service and to enter into a new section 75 agreement with the Council.
- 1.9 Under the current Section 75 agreement, Warwickshire County Council is the lead authority. Having been the lead commissioner for some 15 years, it is proposed that this will remain the case going forward, subject to approval for the section 75, as the Council has the expertise and infrastructure in place to continue in this role.
- 1.10 Warwickshire County Council are lead commissioner for number of integrated services to support the delivery of health and care outcomes for our population and to ensure effective market management. Current arrangements are underpinned by specific legal agreements and managed and delivered by experienced commissioning, procurement, finance, contracting and legal specialists. As we work towards implementation of the Department of Health and Social Care's legislative proposals for a Health and Social Care Bill, specifically the development of an Integrated Care System, we expect joint and lead commissioning arrangements to increase and strengthen. This means that the tender approach and section 75 agreement will be future proofed to support ICS development as we move through the contract period.

- 1.11 A section 75 approach is beneficial to this service as it offers improved economies of scale and efficiencies are achieved through joint commissioning and procurement. It is a service that naturally lends itself to integrated working between Health and Social Care and effective systems and processes have been established to enable this. This approach also helps manage the situation where there is a cross-over between Health and Social Care for equipment provision.
- 1.12 Coventry City Council was approached with a view to tendering this contract jointly but Coventry's preference is to continue with their existing inhouse provision.
- 1.13 A working group has been set up to steer the commissioning and tender activities in accordance with the tender project plan. The group consists of officers from People Strategy & Commissioning, Commissioning Support Unit, Social Care and Health. It will be supported by Insight Team, Finance and Legal Team as and when required. The group will meet monthly, and progress will be reported to ICE Board via the Commissioner and health boards through the CCG links.
- 1.14 As part of the re-commissioning activity, the existing specification will be reviewed to update and incorporate agreed changes to support improved provision. This will ensure the specification is effective and fit for purpose, subject to final contract model, going forward.
- 1.15 As part of the review, there will be an analysis of the activity levels, which will provide detailed analysis of existing demand levels by service speed and a forecast of future service demands.
- 1.16 Qualitative data will be gathered through customer engagement sessions to better understand what's working well and where there is opportunity for improvement. There will also be an analysis of customer comments, compliments and complaints, the learning from which will help inform future specification.
- 1.17 A survey will also be sent to professionals that are either directly or indirectly involved with the service for their feedback.
- 1.18 As part of the review a benchmarking activity will be carried out with other Local Authorities that have been out to tender during the last 12 months with a view to sharing best practice and identifying different models and approaches.
- 1.19 Market engagement is being carried out to open up dialogue with existing providers as well as potential new entrants into the marketplace. There are 4 key providers in the market. The market engagement aims to identify new providers and new ways of working through innovation.
- 1.20 The contract model will be based on achieving the most effective tender process resulting in increased competitiveness, enabling new market entrants to bid, promoting innovation and achieving value for money. The model will

set out contracting options for the community equipment service, telecare service, assistive technology and the self-assessment / self-purchase solution.

- 1.21 The traditional telecare service has been responsive to need upon activation of the alarm. Through recent technological advances, this service has developed further to offer a more proactive approach in managing people's safety and independence in their own homes. This procurement activity will seek to identify a future proof service.
- 1.22 Assistive technology is a term used to describe any standalone device or system that can help a person to increase the ease or safety of any aspect of daily living to make life easier e.g. remembering to take medication.
- 1.23 Assistive technology products and services offer value for money and outcome focused solutions for people with care and support needs. Effective and appropriate use of assistive technology helps to reduce cost pressures, and also increases independence and control for service users.
- 1.24 Innovation in assistive technology is moving at pace. Recent developments include digital technology to monitor user behaviour allowing proactive intervention; keeping people engaged; smart homes. This procurement activity will aim to identify appropriate assistive technology solutions for Warwickshire residents.
- 1.25 Warwickshire County Council currently offers Ask Sara, which is a self-assessment tool contracted through the Disabled Living Fund. This offers residents with a need to self-purchase equipment to support their independence within their own homes. This provision supports the Council's core objectives and the procurement activity will look to secure a self-assessment provision for the future.

Contract length

- 1.26 It is proposed that the contract is let for a period of 5 years with the option to extend for up to a further 5 years. This would allow a long-term relationship to be developed between the Council and the contracted provider to deliver an increasingly personalised service and to be innovative and creative in how services are provided.

2. Financial Implications

- 3.1 The total spend on the service during the 2019/2020 financial year was £5,670,634
- 3.2 This consists of:
 - Warwickshire County Council: adults service - £1,749,099
 - Warwickshire County Council: children with disabilities - £286,269

- Warwickshire CCGs - £3,635,266

3.3 The current year spending on the ICE service to date (Forecast based on April 2020 to February 2021), totals £5,191,436.

3.4 This consists of:

- Warwickshire County Council: adults service - £1,421,606
- Warwickshire County Council: children with disabilities - £260,805
- Warwickshire CCGs - £3,408,266

3.5 This is a demand led service so the more equipment that is issued, the cost of the service will increase proportionately. Increased utilisation of this provision is deemed as positive as it helps release pressure on health and social care and reduces the need for people accessing a more expensive provision.

3.6 Given the benefits of increased equipment usage coupled with the Council's strategy to support people maintain independence within their own homes, the service and contract value with it is expected to grow throughout the duration of this contract. The additional cost of the contract to the County Council will be managed within existing budgets through more cost-effective service delivery.

4. Environmental Implications

4.1 Through effective contract management, the environmental impact will be managed and the provider will be encouraged to minimise carbon footprint through intervention such as driver training, efficient delivery routing etc.

4.2 Equipment recycling is a key performance measure on this contract. In February 2021, 97% of returned equipment was recycled by volume and 99% by value.

4.3 In the current financial year so far (April 2020 to January 2021 inclusive) equipment recycling has generated £3,293,114 in credits back to the Council and CCGs.

5. Supporting Information

5.1 The ICE service not only supports the Council's priorities; to help Warwickshire people to stay safe, and be healthy, independent and engaged with their communities; but also helps reduce pressures on Social Care and Health front line services. Equipment supplied helps prevent admission to and facilitates discharge from hospital. The service has grown in popularity year on year measured in terms of the equipment ordered and the number of customers served.

5.2 The current year spending on the ICE service to date (April 2020 to February 2021 inclusive), totals £5,191,436. This is a demand led service so the more equipment that is issued, the cost of the service will increase proportionately.

6. Timescales associated with the decision and next steps

6.1 Key activity and timescales within the Project Plan which should be noted are:

- Section 75 agreement – 13.05.22
- Agree overall ITT document – 24.09.21
- Issue tender documents/ OJEU and CF notices – 27.09.21
- Issue intention letters – 28.03.22
- Confirm award to successful bidder/ issue award notices – 08.04.22
- Agree and sign contract – 27.05.22
- Implementation period – 31.05.22 – 31.08.22
- Commencement of new contract – 01.09.22

Appendices

None

Background Papers

None

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The report was not circulated to members prior to publication.

Cabinet

8 April 2021

Strategic Risk Management Framework

Recommendation

That Cabinet approves the Strategic Risk Management Framework at the Appendix of this report.

1. Executive Summary

- 1.1 The Strategic Risk Management Framework (the Framework), Appendix, has been developed within the Finance Change Programme. The new Strategic Risk Management Framework aims to build on our established risk management practice and strengths, by delivering improvements at a strategic and whole Council level. Marsh Risk Consulting Ltd have supported this work, starting with a risk maturity review in March 2019.
- 1.2 The Framework aims to improve our levels of risk management maturity by introducing new elements that strengthen our practice in the following areas:
 - An approach to articulate the council's risk appetite across a range of risk categories and establish levels of risk tolerance;
 - A set of guiding risk management principles that are applicable to all risk settings, including strategic, operational and project risk management;
 - An updated risk assessment matrix which allows for greater differentiation between levels of risk impact and probability. This will more finely tune our assessment and monitoring of high impact risks, such as safeguarding risks;
 - Escalation and de-escalation of risk by introducing directorate as well as service and strategic risk levels; and
 - Integration with quarterly performance management and business planning processes, adding to our suite of business intelligence tools that can support decision making and inform interventions.
- 1.3 The Framework uses a *Why, What, How* approach to strategy development. It clearly establishes the problem we are addressing and the benefits we expect to deliver. It establishes a set of principles we can all use to identify, assess and respond to risk, based on our values and behaviours. The aim is to guide and empower the organisation to be risk aware and consistent in responding positively to risk, rather than prescribe a one size fits all approach that could constrain innovation and prompts risk avoidance. The principles are

supported by functional tools that can be applied to any governance setting or arrangement (operational, strategic, project or investment opportunity) to capture and report risk. The framework also sets the foundations for a learning and engagement pathway that aligns with how we work.

- 1.4 Cabinet oversight of strategic risks is an important and integral part of our risk management approach and the development of the Framework included early involvement through a workshop in March 2020 which informed risk appetite levels. We intend to revisit risk appetite levels with Cabinet and the Leadership Team prior to the start of the 2022-23 business planning cycle.

2. Financial Implications

- 2.1 Risk management includes the management of financial risks, and the risk assessment criteria include financial parameters for the impact of risks. Risk management will in future be a more integral part of medium term financial and business planning.

3. Environmental Implications

- 3.1 None, however, the proposed Strategic Risk Management Framework is intended to support the Council's response to the declared climate change emergency.

4. Supporting Information

- 4.1 None.

5. Timescales associated with the decision and next steps

- 5.1 The Framework was considered by Corporate Board on 25 February, where it was recommended for consideration by the Audit and Standards Committee on 25 March, who have subsequently recommended it for approval by Cabinet.
- 5.2 There is a high-level Integrated Planning timeframe which sets key milestones in 2021-22 for the implementation of the risk management framework, including:
 - A corporate risk register that includes the most significant strategic, cross cutting and operational risks, aligned to the Council's strategic objectives (Council Plan and Recovery Plan);
 - Directorate risk profiles; and
 - Populated risk appetite dashboards that apply metrics to monitor actual

risk against agreed level of risk tolerances.

Appendix

Strategic Risk Management Framework

Background Papers

None

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The report was circulated to members of the Audit and Standards Committee prior to publication.

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Warwickshire County Council

Strategic Risk Management Framework

<p>Reviewer: AD Finance/ AD Governance and Policy</p> <p>Signature:</p>	<p>Owner: Strategic Director- Resources, WCC</p> <p>Signature:</p>
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1. Introduction

Document Purpose

The purpose of this document is to introduce Warwickshire County Council's (WCC) Strategic Risk Management Framework, assist its communication and understanding and to provide guidance to those with responsibilities for ensuring that it is applied effectively and consistently.

As a Council, we are accountable for delivering in a complex and changing environment. Managing risk and uncertainty is critical to the successful delivery of the Council's Priority Outcomes.

The Strategic Risk Management Framework sets out an enhanced and integrated approach that builds on our existing risk management practice. The Framework is intended to support innovation and, in the medium term, support post Covid recovery.

It explicitly amplifies the strategic, holistic and organisation-wide focus on risk, setting out the ambition, motivation and principles that frame our approach.

We are committed to implementing an organisation-wide risk management culture that exemplifies high levels of risk maturity ¹and best practice in the identification, evaluation and effective management of risk in respect of current activities and new opportunities

The framework is designed to follow the Council's adopted *Why, What, How* model of strategy development. It is also a framework that will influence and interact with our core strategies and related frameworks to build a One Organisational approach and strengthen our strategic core.

In a climate of increased uncertainty alongside opportunities to innovate, this framework is considered critical to our future direction and progress as an organisation; it provides essential guidance by articulating our risk appetite, our risk management objectives and approach.

2. Overview of the Framework

The Risk Management Framework (the Framework) is the council's policy document guiding our approach and practice. It has been developed following an independent risk maturity assessment and reflects current national and international good practice [footnote - Alarm/IRM/ HM Treasury].

The Framework is made up of three key elements:

¹ ALARM National Performance Model

Strategic Intent (why)	Sets out the objectives for risk management to inform our strategic planning and decision-making and support the achievement of the Council Plan.
What	Sets out the tools and activities that we will use to deliver our objectives and management of risk.
How	Describes how we will implement and govern the Framework through relevant systems, procedures and practices.

3. Strategic intent and objectives

The purpose of our risk management framework is to enable us deliver council priorities and respond to new opportunities that maximise outcomes for the Council.

This will be through the anticipation and management of risks to inform the decision making and planning process, acting as a driver for change and sustainable service delivery.

Specifically, we seek to:

- Build our resilience and thrive within an uncertain operating environment by identifying both risks and new opportunities to drive improvement and maximise benefits and positive outcomes for the Council and our residents.
- Act strategically; understand and influence risks holistically by managing cross-cutting, shared and partnership risks, including understanding the aggregate risk level across directorates, services and projects.
- Embed the consideration of risks and opportunities into all our strategic decision-making processes, including investment decisions, business planning and our Change Portfolio.
- Manage risk in line with risk appetite and without breaching risk tolerances, ensuring that all necessary controls and processes are in place to anticipate and respond proactively to risks thereby minimising negative impacts.
- Enable a common and consistent approach to risk by ensuring our risk parameters are clearly communicated and understood and mitigation strategies are joined up across service areas.

- Create visibility by integrating risk management and the consideration of risk and control into assurance and reporting processes.
- Encourage effective risk intelligence sharing and collaboration across and between services, projects and other risk management disciplines, such as; Health & Safety, Business Continuity Planning, Treasury Management, Internal Audit and the PMO

4. What we will do to manage risks

Our approach will be delivered through the following principles and functional components:

- Risk Principles
- Risk Appetite Statements
- Corporate Risk Register
- Directorate, service and project risk profiles and control plans
- Partnership risk assurance

Our Risk Principles

Our risk principles serve as best practice risk management rules by which we align our service and cross cutting risk management processes, allowing freedom for each Directorate whilst encouraging good practice and consistency. The following principles have guided the development of our framework:

We are risk aware	<ul style="list-style-type: none"> • Staff are aware of, scan for emerging risks & have visibility of risks and controls they have responsibility for • There is evidence of risk management training & familiarisation on risk management • Staff are supported to report on risks, to learn and share
We understand our appetite to risk & opportunity	<ul style="list-style-type: none"> • We monitor and manage our risks against risk appetite thresholds to achieve our goals • Decisions which could expose WCC to risks above acceptable/appetite are impact assessed and escalated • The escalation decision is documented
We think about risks & opportunities	<ul style="list-style-type: none"> • Staff are encouraged to innovate, collaborate and be entrepreneurial where there are opportunities to be explored within a stated risk appetite. • Staff are encouraged to continually look for efficiency improvements without impacting front line services to ensure costs are in line with strategic objectives.
We own our risks	<ul style="list-style-type: none"> • Risk owners are clearly identified and accountable

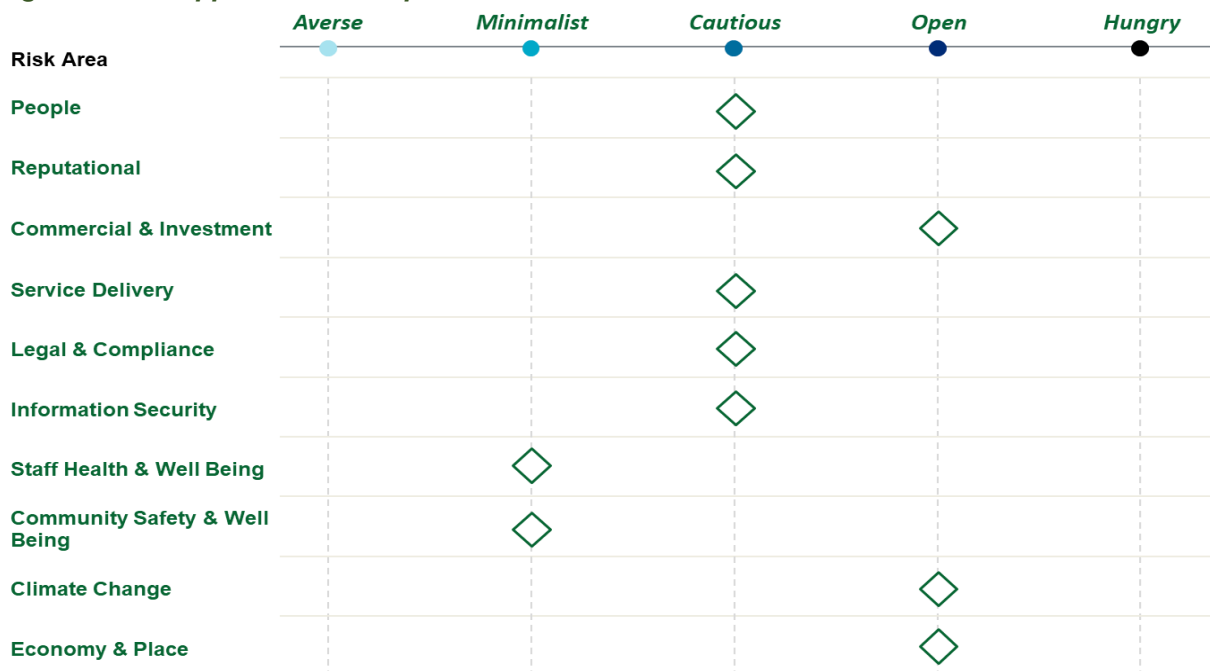
	<ul style="list-style-type: none"> Risks requiring Corporate Board or Member oversight will be promptly presented by the relevant Strategic Director/Lead
We will respond proportionately.	<ul style="list-style-type: none"> All directors, managers and staff should feel empowered to mitigate risks to an appropriate level and/or de-escalate risks. We will report openly on risks and be supported as part of a learning culture We will encourage informed risk taking, management and learning but will not tolerate behaviours that breach our codes of conduct, governance and regulations

Risk Appetite

The Council is committed to ensuring that all risks are identified and mitigated to a level that is consistent with the types and amount of risk we are willing to operate within. To do this, we assess our risk appetite for key risk areas which align to the overall strategy of the Council.

We are willing to bear or retain risks that have been assessed as being within the levels set for each area.

Figure 1: Risk appetite levels September 2020



Risk Appetite Statements (Appendix 1) for each area of risk will help the Council achieve its risk management objectives and articulate risk for the benefit of our partners and stakeholders. Risk appetite for each area is defined by Corporate Board and Cabinet, reviewed at least annually or more frequently, if circumstances warrant.

Risk Appetite Dashboards for each area of risk will set thresholds for measuring the current level of risk against the appetite. Wherever possible, risk metrics are aligned with KBMs and KPIs. Any risks identified as having exposures above agreed appetite levels will have a **risk control action plan**. Those risks that cannot be mitigated are communicated through the performance framework to Corporate Board and members where necessary and identified stakeholders.

Risk Framework Tools and Activities

The Strategic Risk Framework consists of the following functional components. Each component is facilitated and maintained with support from the Risk Management function and is performance monitored as part of the Council’s Integrated Strategic Planning Framework.

Figure 2: Risk Framework Components and supporting elements

Risk Appetite Levels	<ul style="list-style-type: none"> • Risk appetite Statements • Risk appetite dashboards and threshold metrics
Corporate Risk Register	<ul style="list-style-type: none"> • strategic risks as assessed by Board at least 6 monthly • the most significant service and cross cutting risks • the most significant programme & project risks
Directorate Risk Profiles	<ul style="list-style-type: none"> • Tracking risk exposure (net risk scores) against risk appetite thresholds • Net red service and cross cutting risks (performance)
Service Risk Registers and Risk Control Plans	<ul style="list-style-type: none"> • Operational and specific to that service area • Owned cross cutting risks • Health & Safety and other regulatory compliance reporting
Programme, Project & Change risks	<ul style="list-style-type: none"> • PMO and Change risks and assurance • Capital Projects in receipt of CIF • Commercial initiatives, including Property Company • Ongoing projects in Directorates in Verto
Partnership Risks	<ul style="list-style-type: none"> • partnership board risk assurances • collaboration agreements and risk ownership

5. How

We will implement the Framework through the following systems, procedures and practices:

- **Corporate risk identification, assessment and control**
- **Risk reporting using profiles and dashboards (with aggregated and cross cutting views for Corporate Board, Directorates, Services, Programmes and Partnerships)**
- **Including risk in business planning and quarterly performance reviews**
- **Being part of an integrated approach with strategic planning and performance management**

The application and effectiveness of the framework will be governed using a three lines model (figures 3 and 4)

Corporate Risk Register

A key component will be to maintain a corporate risk register, as a tool that captures the **most significant risks and risk controls** at any point in time.

The Corporate Risk Register will be updated at least quarterly and more frequently if needed using a system of aggregated risk reporting and integrated risk controls and action plans. This will include directorates, services, change programmes, capital projects and partnerships.

Corporate Board will agree quarterly updates to the Corporate Risk Register and it will be presented to Cabinet at least annually.

From September 2021, the Corporate Risk Register will capture and be able to report on the management of risks in the following ways, depending on the purpose (e.g review or decision making) and audience:

- As critical themes, where there are similar causes or effects
- Against risk appetite threshold levels
- Against council priorities
- At Service, Directorate or Strategic Level, including the escalation of risk
- By Project and the relevant Outcome Delivery Group
- As Service and Corporate Risk Dashboards in Power BI (from September 2021)

Corporate Risk Assessment Criteria

Corporate risk will be assessed consistently in its impact and likelihood using a risk assessment and evaluation matrix (Appendix 2).

We will use descriptions of our most significant areas of risk impact, aligned to our strategic objectives and timeframes, to inform our evaluation of risk.

We will be able to measure the effect of controls and risk treatments on risk impact and likelihood and substantiate these measures through links to risk control evaluations.

Service Risk Registers

Each service will maintain its own service risk register, using the same format, functionality and assessment criteria as the Corporate Risk Register.

Service Risk Registers will capture:

- risks that impact on the successful delivery of Business Plans
- risks that materialise and require mitigation to stay within risk appetite levels
- the effectiveness of controls
- target levels of risk (based on the risk appetite)

Risk Control Actions

Any risks that are not being managed within a risk appetite threshold will have a risk control action plan, integrated with the service risk register, that sets out mitigating strategies and specific actions to bring risk back within tolerance levels.

Reporting Risk - Risk Dashboards and Profiles

Wherever possible we will use risk dashboards and risk profiles to report on the effectiveness of risk management and inform risk actions, to key audiences and key users of risk information, including; Cabinet, Corporate Board, Directorate Leadership Teams, Service Management Teams, Delivery Boards and Partnership Boards.

Risk management information will be accessible at all times to risk owners and those accountable for managing risk and providing assurance about the effectiveness of risk management.

Integrated Approach

The Framework builds on our existing risk management good practice and processes and aims to fully integrate with the following corporate systems:

- Strategic Planning and MTFS
- Business Planning
- Quarterly performance reporting against the Council Plan
- Programme Management Office governance
- Investment decision making and governance
- Partnership governance arrangements

Embedding a Risk Aware Culture

The Framework will be supported by a programme of risk management learning and development opportunities that will engage with services and activities across the

Council. This will cover all the Risk Principles and will align with Our People Strategy to develop :

- Risk leadership
- Risk awareness as part of innovation
- Resilience and capability in the face of change and uncertainty

Risk Management Governance

Risk management is recognised as a key component in our Code of Corporate Governance and is at the heart of the wider corporate assurance framework. As such, risk management will continue to respond and evolve to meet governance and assurance requirements.

A clear risk management governance structure along with roles and responsibilities through organisational tiers and across directorates will build ownership and accountability for risk management.

Risk management is delivered through a model of ensuring independent challenge on risk methodology, process and decision making. These can be represented as three levels of assurance which align to a broader three lines of defence assurance model (Figures 3 and 4).

Figure 3: Risk Management Governance Model

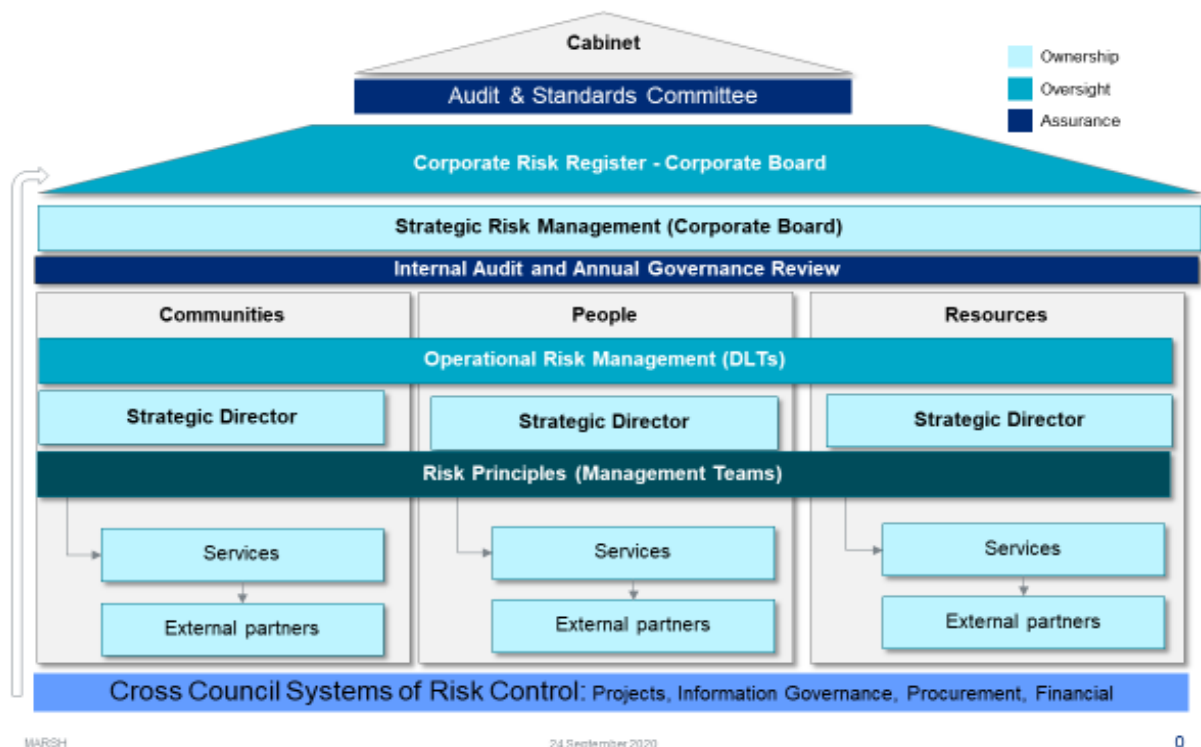


Figure 4 Risk Management Assurance Model and Responsibilities

Ownership	Oversight and Challenge	Assurance
DLTs, Service Managers, Project and Programme Managers, Partnership Arrangements	Risk Management Commissioning (Governance & Policy) and Delivery (Finance), Integrated Planning Forum, Delivery Boards and Corporate Board	Internal Audit Review/ reporting to Audit & Standards Committee, External assessments and AGS review
<ul style="list-style-type: none"> • Perform service and change activities to fulfil strategic objectives, in line with risk appetite • Accountable for risks incurred in these activities • Manage risks through avoidance, mitigation, transfer or acceptance • Design and operate effective primary controls and procedures in line with frameworks and policies 	<ul style="list-style-type: none"> • Support the establishment of an effective risk management framework and definition of risk appetite • Monitor risk profile and mitigation strategies, escalate or delegation as appropriate • Provide advisory support and challenge to risk owners. 	<ul style="list-style-type: none"> • Independent review of adherence to risk and control standards and guidelines • Provide guidance on adequacy and effectiveness of 1st and 2nd line risk management approaches • Integrates with risk based audit planning and assurance work

Key Delivery Actions, Monitoring and Review

To progress the further development and delivery of the Strategic Risk Framework we are focused on delivering the following priority actions before the next framework review in September 2021.

- Finalising Risk Appetite Dashboards and metrics to measure risk tolerance
- Launching the integrated Corporate Risk Register tool with services
- Updating project risk tools in Verto
- Building the Corporate Risk Register, update and reporting process

Beyond September 2021 we will focus on how we embed good risk management practice with:

- Risk management guidance and e-learning opportunities
- Communication and engagement through business as usual activity
- Revisiting assurances from cross cutting risk and control assessments in procurement, project management, commercial and information management following an independent review in 2020.

The Framework will be monitored, reviewed, maintained and updated in line with the Integrated Planning Framework cycle. Updates to the Framework will be agreed by with Corporate Board and approved by Cabinet.

Audit & Standards Committee will maintain oversight of the Framework through annual assurance reporting (The Annual Governance Statement and Internal Audit Annual report).

6. Related Documents

Risk Related Documents and Sources:

WCC Risk Appetite Statement: summary statement providing a high level of description of the organisations risk appetite, and detailed appetite statements for each risk area indicating the metrics by which WCC measures and controls exposures

WCC Corporate Risk Register: the database of risk information to be maintained and regularly reviewed and updated

Strategic and Directorate Risk Profiles

Change Portfolio project and programme risks

Corporate risk assessment and evaluation criteria (technical appendix)

Risk appetite dashboards (technical appendix)

Health & Safety Strategy (being updated)

Anti-Fraud and Corruption Strategy (fraud risk assessment)

Code of Corporate Governance and Annual Governance Statement

Risk area	Definition	Appetite level	Commentary
People	The risk of loss of critical staff and/or reduction in staff morale	Cautious	WCC is a people-orientated organisation and our staff are one of our key assets, therefore engagement and retention of employees is imperative. We will seek to provide our staff with appropriate education to promote personal and workforce development and we understand this will also bring benefits to the organisation. We accept an amount of staff turnover in the organisation because we realise the benefit that new employees can provide to the business through original ideas and innovation. We are cautious to this risk and tolerance is limited.
Reputational	The risk of detriment to WCC's reputation locally and nationally	Cautious	Upholding the strong reputation of the Council is of paramount importance to us and is a key performance indicator for the organisation, therefore WCC is cautious to the risk of damaging this reputation; both locally and nationally. We seek to ensure that all customers and members of the public have a positive experience of our Services and identify the Council as a support mechanism for the entire Warwickshire community. Sustaining our reputation with both customers and the public is critical and there are inherent risks associated with aspects of Service delivery, therefore we reduce these to the best of our ability through well co-ordinated risk assessments and oversight.
Commercial & Investment	The risk of financial loss from commercial decisions	Open	WCC is open to accepting a calculated level of risk in order to create positive rates of return and drive value for the Council, Warwickshire citizens, customers and employees. Through careful and strategic selection of commercial and investment opportunities that will benefit our Service delivery, we will have to accept significant financial risks and mitigate through strong financial controls. Whilst we are open to innovative opportunities we recognise the importance of the risk of financial loss and sustaining our financial health, therefore we have strong financial controls in place to ensure financial stability.
Service Delivery	The risk of disruption to council service delivery and operations from failed procedures, systems, policies or unsustainable demand	Cautious	The success of the Council depends on effective Service delivery. We are cautious to potential disruptions and ensure that we do everything possible to minimise disruptions to our statutory service obligations. Our procedures, systems and policies are robust and regularly reviewed for effectiveness, and there is sufficient resilience in place so that customers are always able to access our critical services and the information they require. It's important that as an organisation we place importance on developing our own workforce so that WCC has the right skills and capabilities to deliver services in-house.
Legal & Compliance	The risk of loss from legal penalties or fines from non-compliance or legal cases	Cautious	WCC is cautious towards legal and compliance risk and recognises that having a strong culture towards managing this risk is fundamental to the way the Council operates. We aim to minimise our exposure to ombudsman complaints by ensuring that all of our Services and staff provide the highest level of support in every circumstance. We ensure that all of our staff have undertaken the necessary compliance training where required and periodically seek assurance to test effectiveness. The organisation takes a balanced view of contract risk and understands that our legal and contracting processes should enable fast and timely decision-making to support effective delivery of Services.

Risk area	Definition	Appetite level	Commentary
Information Security	The risk of breach of IT systems and/or data	Cautious	WCC will not compromise our customers' or employees' data, and we ensure it is stored within our IT and records infrastructure to meet international and UK regulatory standards. We have a strong policy to ensure that sensitive information is stored and used securely, and thorough processes exist for the identification and resolution of incidents that present a threat to information security. WCC recognises the wealth of data information we hold and the importance of sharing this with our partners to achieve service delivery. As such, WCC is more open in its approach to sharing data as we recognise the benefits that this can deliver when managed within a controlled framework.
Staff Health & Well Being	The risk of uncertain outcomes relating to harm, injury or illness of WCC staff in the workplace	Minimalist	WCC has very limited appetite when considering the health, safety and wellbeing of our staff. We seek to promote health and safety for our staff and ensure that we regularly review any activities which may put our staff in danger or harm. As an organisation we will do everything possible to prevent serious harm or loss of life to our employees and third parties engaged with us. We promote staff mental health and wellbeing and will always provide our employees with the support they need.
Community Safety & Well Being	The risk of uncertain outcomes relating to harm, injury or illness of communities (including children and vulnerable adults)	Minimalist	The safety and well being of the Warwickshire community is of paramount importance to us, therefore WCC has a very limited appetite for this risk. We will continually seek to avoid any activities that present a threat to the safety of the public, and we do everything possible to prevent the loss of life to anyone in the community. We also work with our partners to promote the physical and mental health and wellbeing of our communities. We are responsible for providing care to those who need it most, including children and vulnerable adults, and we endeavour to always provide the support and safety that these individuals require. Alongside this, we operate rigorous safeguarding measures to ensure the health and safety of Warwickshire citizens.
Climate Change	The risk of causing an adverse effect on the environment due to business activities	Open	WCC has a strong commitment to tackling Climate Change and seeking out opportunities to control our own emissions and encouraging businesses to also minimise their emissions. We aspire for sustainable levels of waste generated in the community and promote initiatives towards reusing and recycling as part of the wider circular economy. As an organisation we are conscious of the various benefits associated with high levels of biodiversity across the County and we regularly set and review targets to reduce our environmental footprint.
Economy & Place	The risk of detrimental effect on the Warwickshire economy due to external factors	Open	Whilst economic growth is driven by external factors, WCC is open to accepting a calculated level of risk that may drive economic growth within the County. Whilst these decisions may carry greater risk, we closely monitor economic factors to determine their impact upon the County and continually seek to attract economic investment, business growth and talent across the County.

<u>Risk Appetite</u>	<u>Description</u>
Averse	<i>Avoidance of risk and uncertainty is a key organisational objective</i>
Minimalist	<i>Innovation is to be avoided unless essential; only prepared to accept the possibility of very limited financial loss</i>
Cautious	<i>Tolerance for risk taking is limited to those events where there is little chance of any significant downside impact</i>
Open	<i>Tolerance for decisions with potential for significant risk, but with appropriate steps to minimise any exposure and deliver benefits</i>
Hungry	<i>Eager to pursue options offering potentially higher rewards despite greater inherent risk</i>

Appendix 2

Risk Assessment and Evaluation Matrix

Purpose: Risks that have been identified need to be assessed so we can prioritise risk control actions and measure the effect of controls and risk treatments. We use the risk assessment matrix, set out below, to assist with evaluation so we can produce a:

- (i) **gross risk score** (before applying risk controls and actions)
- (ii) **net risk score after** applying controls actions

Both the **gross and net risks scores** will be recorded on **corporate and service risk registers** and used to produce directorate risk profiles.

Risk Score:

(Impact score x Likelihood score) + Impact = Risk Score

We score gross and net risks using a five point scale for Impact and Likelihood. An additional Impact weighting is applied, which helps us to capture and monitor our control of risks with a high impact/ low probability, such as safeguarding risks. All possible risk scores (net or gross) are summarised in a risk map, here:

Impact	Catastrophic	10	15	20	25	30
	Major	8	12	16	20	24
	Moderate	6	9	12	15	18
	Minor	4	6	8	10	12
	Insignificant	2	3	4	5	6
		Highly Unlikely	Unlikely	Possible	Probable	Very Likely
		Likelihood				

To assist us to evaluate risk from these two perspectives; **likelihood** (probability of the risk occurring) and **impact** (on the council and its objectives should be the risk occur), we use the following corporate assessment criteria:

Likelihood Assessment Criteria

Score	Description	Probability of Occurrence	Likelihood of Occurrence
1	Highly Unlikely	The event may occur in only rare circumstances (remote chance)	1 in 8 + years
2	Unlikely	The event may occur in certain circumstances (unlikely chance)	1 in 4-7 years
3	Possible	The event may occur (realistic chance)	1 in 2-3 years
4	Probable	The event will probably occur (significant chance)	1 in 1-2 years
5	Very Likely	The event is expected to occur or occurs regularly	Up to 1 in every year

Impact Assessment Criteria

Score	Financial Impact	Reputational	Safeguarding	Community Health & Well Being	WCC Staff	Service Delivery	Legal & Compliance
1	< £250,000 per annum	No public or customer awareness and contained internally within the Council, no complaints received from the Warwickshire community and insignificant impact on relationships with strategic partners.	No impact on the safety and wellbeing of vulnerable children and adults and no intervention required from the Council	No impact on the health and wellbeing on the Warwickshire community, no individuals are at risk of physical or mental harm and communities are able to thrive	No work-related fatalities and no impact on staff health and wellbeing, insignificant impact to staff morale and engagement, there is a diverse workforce where all staff feel equal and included	No impact to the quality and effectiveness of Service delivery, all demand for Services can be met and can be delivered in a sustainable manner	No legal proceedings brought against the Council and WCC is compliant with all required policies and procedures

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Insignificant

Score	Financial Impact	Reputational	Safeguarding	Community Health & Well Being	WCC Staff	Service Delivery	Legal & Compliance
2	Minor £250,000 - £2,500,000 per annum	Minor public or customer awareness but no local media concern, low level of complaints received from the Warwickshire community and minor impact to some strategic partnerships	Minor impact on the safety and wellbeing of vulnerable children and adults resulting in isolated instances of harm or injury and short-term intervention required	Minor impact on the health and wellbeing of the Warwickshire community, a low level of individuals are at risk of physical or mental harm and communities are largely unaffected	No work-related fatalities however potential impact on staff health and wellbeing (e.g. shorter-term absences / sickness), minor impact to staff morale and engagement, there is a diverse workforce where the majority of staff feel equal and included	Minor impact to the quality and effectiveness of Service delivery however not resulting in any disruptions, minor impact to strategic partnerships, ability to meet nearly all demand for Services and with minimal environmental impact	No legal proceedings brought against the Council however minor breaches to some policies and procedures have occurred
3	Moderate £2,500,000 - £10,000,000 per annum	Limited local public and media concern with 'short lived' local coverage, moderate level of complaints received from the Warwickshire community and some strategic partnerships are moderately impacted	Moderate impact to the safety and wellbeing of vulnerable children and adults resulting in some level of harm or injury and requiring Council intervention	Moderate impact to the health and wellbeing of the Warwickshire community, some individuals are at risk of physical or mental harm and specific communities adversely impacted	No work-related fatalities however significant impact on staff health and wellbeing (e.g. longer term absences / sickness, increased number of vacancies, minor impact to staff morale and engagement, there is a relatively diverse workforce although not all staff feel equal and included	Moderate impact to the quality and effectiveness of Service delivery resulting in short term disruptions limited to a single Service, moderate impact to strategic partnerships, the majority of demand for most Services can be met and delivered with no environmental impact.	The Council is subject to a low number of legal proceedings and some policies and procedures have been breached

Score	Financial Impact	Reputational	Safeguarding	Community Health & Well Being	WCC Staff	Service Delivery	Legal & Compliance
4	Major £10,000,000 - £20,000,000 per annum	Significant regional public and media concern with the potential to escalate to national coverage, significant level of complaints received from the Warwickshire and regional community and multiple strategic partnerships adversely impacted	Major failure to protect vulnerable children and adults resulting in avoidable injury or fatality and significant intervention required from the Council	Major failure to protect the health and well-being of the Warwickshire community, the physical and mental health of a high number of individuals is impacted and communities are unable to thrive	Potential work-related fatalities or serious injury and significant impact on staff health and well-being, significant impact to staff morale and engagement and short to medium term implications to WCC culture, the workforce lacks diversity and a significant number of staff are made to feel unequal/excluded	Major impact to the quality and effectiveness of multiple Services and long-term disruptions resulting in required standards, including environmental standards, not being met, multiple strategic partnerships affected, demand cannot be met for some key Services (e.g. Social Care), service provision.	The Council is subject to a significant number of legal proceedings which are likely to be successful, a number of policies and procedures have been breached by a significant number of WCC staff

Score	Financial Impact	Reputational	Safeguarding	Community Health & Well Being	WCC Staff	Service Delivery	Legal & Compliance
5 Catastrophic Page 106	> £20,000,000 per annum	Sustained national public and media criticism resulting in long term adverse impacts for the Council, high levels of regional and national complaints and all strategic partnerships experience long term catastrophic impacts	Catastrophic failings to protect vulnerable children and adults resulting in multiple avoidable injuries or fatalities and long-term intervention from the Council required	Catastrophic failings to protect the health and wellbeing of the Warwickshire community, almost all communities experience significant physical or mental harm and communities suffer long term adverse impacts	Work related fatality / fatalities or multiple serious injuries and staff are affected across all Services. Long term impact to staff morale and engagement and sustained impact to WCC culture. The workforce lacks any diversity at all and the majority of staff feel unequal/excluded	Catastrophic impact to the quality and effectiveness of Service delivery for all Services, and key required standards, including environmental standards, are consistently not met, all strategic partnerships are significantly affected with long term adverse impacts, demand cannot be met for Services	The Council is subject to a high number of high profile legal proceedings all of which are likely to be successful, there has been organisational breaches of all major policies and procedures which will in turn likely lead to further legal proceedings .

Reviewing Risk Assessment Criteria:

Risk assessment criteria are informed by Council Plan priorities and risk appetite levels. Both likelihood and impact assessment criteria will be reviewed and updated at least annually to ensure continued alignment.

Updates to risk assessment criteria will be agreed by Corporate Board, alongside any updates to the Strategic Risk Management Framework.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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