

AGENDA ITEM 9ii

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Highland & Western Isles Valuation Joint Board

Code of Corporate Governance 2016/17

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INTRODUCTION

The purpose of this document is to provide an overview of the functions of the Highland & Western Isles Valuation Joint Board and to describe aspects of its governance and management.

The Department functions under the terms of the Rating, Valuation and Local Government Acts and Regulations in respect of Rating and Council Tax activities. These are generally referred to as 'The Valuation Acts' and lie within the legislative remit of the Scottish Parliament. In the field of Electoral Registration the Department operates in terms of The Representation of the People Acts and Regulations which are principally, but not exclusively, within the remit of the UK Parliament.

In 2001, CIPFA in conjunction with SOLACE and with support from key organisations in local government, responded to the need to draw together the principles identified by Cadbury and Nolan into a single framework of good governance for use in local government and published *Corporate Governance in Local Government – A Keystone for Community Governance: Framework*. In 2008 CIPFA and SOLACE published a revised Guidance Note for Scottish Authorities – Delivering Good Guidance in Local Government. This provided updated guidance on implementing the Framework and provides an important development to enable local authorities to review effectiveness and to identify continuing improvements in its governance arrangements.

The Framework and Guidance are based on 6 principles:

1. Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area
2. Members and officers working together to achieve a common purpose with clearly defined functions and roles
3. Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk
5. Developing the capacity and capabilities of members and officers to be effective
6. Engaging with local people and other stakeholders to ensure robust public accountability

It is necessary in the case of a Valuation Joint Board to contextualise these various approaches given that the functions of the Assessor and Electoral Registration Officer (ERO) are wholly statutory in character and do not involve the wide ranging duties, discretions and community planning and partnership options that are a part of the wide-ranging business of a local authority.

The activities of valuing property and registering electors are duties placed directly on the Assessor and ERO by the Scottish and Westminster parliaments. Implementation of those duties requires to be apolitical in character, subject always to the right of parliaments to vary the regime from time to time. The statutory determinations of the Assessor and ERO are subject to appeal to tribunals and

courts rather than to the Board. The oversight role of the Board is therefore primarily administrative in character and importantly covers the issue of staffing, finance and other resources.

Risk analysis has in recent years become an important element of planning and oversight. It is concerned with identifying and defining the various strategic risks which bear on the achievement of the organisation's objectives and coming to a view as to the basis on which they are to be accepted, reduced or avoided.

THE DEPARTMENT'S AIMS

All three business functions of the Department are channelled through the office of a statutory official. In broad terms then the aim of the department is to:

discharge fully the Office of the Assessor and ERO in a manner that is exemplary

THE DEPARTMENT'S OBJECTIVES

Naturally this broad statement of purpose requires to be elaborated upon to give some sense of what it means to discharge the Offices for which the Department is responsible. These may be stated thus:

- To carry out the duties stated and implied in the Valuation Acts and the Representation of the People Acts. These are largely concerned with the compilation and maintenance of the Valuation Roll, the Council Tax List and the Register of Electors
- To exceed the reasonable expectations of stakeholders
- To provide a cost effective service
- To seek always to improve performance

SUMMARY

The Code of Corporate Governance has been based on the 6 principles of Corporate Governance, from the CIPFA Guidance and includes actions to ensure compliance with the Principles.

The Board will update this code on an annual basis to review completion of the actions as detailed at Appendix 1.

Ken Gowans
Convener
Highland & Western Isles
Valuation Joint Board

William J Gillies
Assessor & Electoral Registration Officer

2016/17

Principle 1

Supporting Principle	Requirements	Action	Lead Officer	Target Date
1. Exercising strategic leadership by developing and clearly communicating the Board's purpose and vision and its intended outcome for citizens and service users	1.1 Develop and promote the Board's purpose and vision	Overview of Governance Arrangements reviewed and replaced with Code of Corporate Governance for 2016/17 – to be reviewed annually	Assessor/Office & Support Manager	Jun 16
	1.2 Review on a regular basis the Board's vision for the local area and its implications for the Board's governance arrangements	Overview of Governance Arrangements reviewed and replaced with Code of Corporate Governance for 2016/17 – to be reviewed annually	Assessor/Office & Support Manager	Jun 16
	1.3 Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all partners	N/A	N/A	N/A
	1.4 Publish an annual report on a timely basis to communicate the Board's activities and achievements, its financial position and performance	Annual report including performance report and statement of audited accounts reported to the Board	Assessor	Sep 16
2. Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning	2.1 Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is	Electors will be offered the opportunity to complete a survey on their overall experience of responding to their household enquiry form online or registering to vote via the Idox interactive voter registration service (available during the 2016 household	Assessor/Office & Support Manager	Dec 16

	available	canvass). A sample of taxpayers will be canvassed annually to invite them to comment on service delivery		
	2.2 Put in place effective arrangements to identify and deal with failure in service delivery			
		Service delivery is largely controlled by statute and judicial process.. The Electoral Commission has a role in monitoring performance in respect of Electoral Registration	Assessor	Complete
		Continue to monitor and improve performance under the “have your say about our service” questionnaire and report yearly in the Annual Report	Assessor	Sep 16
		Continue to monitor and improve performance under the complaints procedure and report yearly in the Annual Report	Assessor	Sep 16
		All Internal and External Audit reports, including the Statement of Internal Control and the External Auditor’s Annual Audit report are presented to the Board, to ensure required actions are implemented	Head of Audit & Risk Management, Highland Council	Sep 16
3. Ensuring that the Board makes best use of resources and that tax payers and Board users receive excellent value for money	3.1 Decide how value for money (VFM) is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively. Measure the environmental impact of policies, plans and decisions	Key performance indicators are reported in the Annual Report, Audited Accounts and published on the Assessor’s website. The Annual report will include the outcome of the Performance Standards for EROs.	Assessor	Sep 16

Principle 2

Supporting Principle	Requirements	Action	Lead Officer	Target Date
1. Ensuring effective leadership throughout the Board and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function	1.1 Set out a clear statement of the respective roles and responsibilities of senior officers and members of the Board	Role descriptions for the Assessor & ERO approved by the Board. Role descriptions for Assistant Assessors approved by the Assessor & ERO. Councillors code of conduct in place	Personnel, Highland Council/Assessor & ERO Clerk to the Board	Complete
2. Ensuring that a constructive working relationship exists between Board members and officers and that the responsibilities of members and officers are carried out to a high standard	2.1 Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule on those matters specifically reserved for collective decision of the Board, taking account of relevant legislation, and ensure that it is monitored and updated when required	Review of Standing Orders and Scheme of Delegation	Clerk to the Board	Complete Jan 16
	2.2 Make the Assessor responsible and accountable to the Board for all aspects of day to day operational management	Job description and Scheme of Delegation in place	Clerk to the Board	Complete
	2.3 Develop protocols to ensure that the Officers of the Board negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained	Job Description and Scheme of Delegation in place	Clerk to the Board/Assessor	Complete
	2.4 Make a senior officer (the	Director of Finance, Highland Council in the	Clerk to the	Complete

	section 95 Officer) responsible to the Board for ensuring appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining effective systems of internal financial control	role as Treasurer to the Board is the responsible Section 95 Officer with delegated authority agreed – Scheme of Delegation in place	Board	
	2.5 Make a senior officer (usually the monitoring officer) responsible to the Board for ensuring that agreed procedures are followed and that all applicable statues and regulations are complied with	Head of Corporate Governance, Highland Council is the Monitoring Officer to the Board with delegated authority agreed – Scheme of Delegation in place	Clerk to the Board	Complete
3. Ensuring relationships between the Board, its partners and the public are clear so that each know what to expect of the other	3.1 Develop protocols to ensure effective communication between members and officers in their respective roles	Protocols in place in accordance with agreed Councillors Code of Conduct and Code of Conduct for Employees	Assessor/Clerk to the Board	Complete
	3.2 Ensure that an established scheme for remuneration of members and officers and an effective structure for managing the process including an effective remuneration panel (if applicable) are in place	Information on Councillor's pay and expenses published on Highland Council website	Clerk to the Board	Complete
	3.3 Ensure that effective mechanisms exist to monitor service delivery	Continue to implement and carry out annual Employee Review and Development Plans	Senior Staff	Oct-16
		Key Performance Indicators updated in the	Assessor	Sep 16

		Annual Report per annum		
	3.4 Ensure that the Board's vision, corporate plans, priorities and targets are developed, through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated	N/A	N/A	N/A
	3.5 When working in partnership ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the Board	N/A	N/A	N/A
	3.6 When working in partnership, ensure that there is clarity about the legal status of the partnership; and ensure that representatives of organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions	N/A	N/A	N/A

Principle 3

Supporting Principle	Requirements	Action	Lead Officer	Target Date
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1. Ensuring Board members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance	1.1 Ensure that the Board's leadership sets a tone for the organisation by creating a climate of openness, support and respect	Code of Conduct in Place for Employees and for Board Members	Assessor/Clerk to the Board	Review annually
	1.2 Ensuring that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the Board, its partners and the community are defined and communicated through the codes of conduct and protocols	Anti-fraud and Anti-Corruption detection policy document updated April 2014	Office & Support Manager	Complete
		Continue to implement and carry out annual Employee Review and Development Plans	Senior Staff	Complete
		Complaints procedure in place and complaint with SPSO requirements	Assessor	Complete
		Continue to ensure that all employees receive a proper induction when they join the department. Induction process to be reviewed	Office & Support Manager	Complete
	1.3 Put in place arrangements to ensure that members and employees of the Board are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice	Financial Regulations updated January 2016 – to be reviewed annually	Office & Support Manager	Complete
		Equalities Policy to be updated	Office & Support Manager	Jun-16
		Review of Standing Orders and Scheme of Delegation	Clerk to the Board	Completed Jan 16
		Register of Disclosures & Interests and Register of Offers of Gifts and Hospitality held by the Assessor	Assessor	Complete
	2. Ensuring that organisational values are put in practice and are effective	2.1 Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations, and communicating these with members, staff, the community and partners	Code of Conduct in Place for Employees and for Board Members	Assessor/Clerk to the Board

	2.2 Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice	Code of Conduct in Place for Employees. Training and development also in place through Employee Review and Development Plans.	Assessor	Complete
	2.3 Develop and maintain an effective standards committee (or ensure the function is undertaken by an appropriate equivalent)	Monitor output from Highland Council Audit and Standards Committee and consider relevance to Board.	Assessor/Clerk to the Board	Review annually
	2.4 Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the Board	N/A	N/A	N/A
	2.5 In pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners' behaviour both individually and collectively	N/A	N/A	N/A

Principle 4

Supporting Principle	Requirements	Action	Lead Officer	Target Date
1. Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny	1.1 Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the Board's performance overall and that of any organisation for which it is responsible	Standing orders relating to the conduct of meetings and protocol for the use of video conferencing facilities in place	Clerk to the Board	Complete
	1.2 Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based	All decisions documented and minutes of the Board published on the Boards website	Clerk's Office, Highland Council	Complete
	1.3 Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice	Code of Conduct for Employees	Assessor	Review annually
		Contract Standing Orders to be updated as per Audit Scotland Annual Audit Report, September 2015	Assessor/Office & Support Manager	Jun-16
	1.4 Develop and maintain an effective audit committee (or equivalent) which is independent of the executive and scrutiny functions or make other appropriate arrangements for the discharge of the functions of such a committee	This role is performed by the Valuation Joint Board. All Internal and External reports are provided to the Board and these are presented by officers from the Board's appointed internal and external auditors	Assessor/ Head of Audit & Risk Management, Highland Council	Complete

	1.5 Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints	Complaints procedure in place and compliant with SPSO requirements Complaints to be noted in annual report	Assessor	Sep-16
2. Having good-quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs	2.1 Ensure that those making decisions, whether for the Board or the partnership, are provided with information that is fit for purpose – relevant, timely and gives clear explanations of technical issues and their implications	N/A	N/A	N/A
	2.2 Ensure that professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately	Professional advice for legal and financial matters is provided by the Treasurer of the Board and Head of Corporate Governance	Treasurer to the Board and Head of Corporate Governance	Complete
3. Ensuring that an effective risk management system is in place	3.1 Ensure that risk management is embedded into the culture of the Board, with members and managers at all levels recognising that risk management is part of their jobs	Risk Register to be reviewed and updated	Assessor/Office & Support Manager	Jun-16
	3.2 Ensure that arrangements are in place for whistleblowing to which staff and all those contracting with the Board have access	Whistleblowing Procedure in place and updated August 2013. To be reviewed annually to ensure compliance with best practice and new legislation	Office & Support Manager	Aug-16
4. Using their legal powers to full benefit of the citizens and communities in their areas	4.1 Actively recognise the limits of lawful activity placed on them by, for example, the ultra vires doctrine but also	Legal advice provided by Head of Corporate Governance or as appointed by the Assessor	Clerk to the Board/Assessor	Complete

	strive to utilise powers to the full benefit of their communities			
	4.2 Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law	Head of Corporate Governance, Highland Council is the Monitoring Officer to the Board with delegated authority agreed – Scheme of Delegation in place	Clerk to the Board	Complete
	4.3 Observe all specific legislative requirements placed upon them, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – rationality, legality and natural justice – into their procedures and decision-making processes	Head of Corporate Governance, Highland Council is the Monitoring Officer to the Board with delegated authority agreed – Scheme of Delegation in place or as directed by the Board	Clerk to the Board	Complete

Principle 5

Supporting Principle	Requirements	Action	Lead Officer	Target Date
1. Making sure that members and officers have the skills, knowledge, experience and resources they need to perform their roles well	1.1 Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis	Continue to ensure that all employees receive a proper induction when they join the department. Induction process to be reviewed	Office & Support Manager	Dec-16
	1.2 Ensure that the statutory officers have the skills, resources and support necessary to perform effectively their roles and that these roles are properly understood throughout the Board	Personal Development Plans in place which are carried out annually	Assessor	Oct-16
2. Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group	2.1 Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively	Skills audit questionnaires carried out for clerical and admin staff Sept 2015. Skills audit questionnaire to be carried out for technical and valuation staff by Dec 2016	Assistant Assessor/Office & Support Manager	Dec-16
	2.2 Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed	As above	As above	As above
	2.3 Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and	Agenda item for Senior Management Team meetings with agreed action plans	Assessor	Ongoing

	of individual members and agreeing an action plan which might, for example, aim to address any training or development needs			
3. Encouraging new talent for membership of the Board so that best use can be made of individual skills and resources in balancing continuity and renewal	3.1 Ensure that effective arrangements are in place designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the Board	N/A	N/A	N/A
	3.2 Ensure that career structures are in place for members and officers to encourage participation and development	As recommended by the Clerk to the Board	Clerk to the Board	Complete

Principle 6

Supporting Principle	Requirements	Action	Lead Officer	Target Date
1. Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships	1.1 Make clear to themselves, all staff and the community to whom they are accountable and for what	See previous actions relating to job descriptions, induction, training and scheme of delegation	Assessor	Ongoing
	1.2 Consider those institutional stakeholders to whom the Board is accountable and assess the effectiveness of the relationships and any changes required	N/A	N/A	N/A
	1.3 Produce an annual report on the activity of the scrutiny function	Annual report including performance report and statement of audited accounts reported to the Board	Assessor/Treasurer to the Board	Sep 16
2. Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by the Board, in partnership or by commissioning	2.1 Ensure clear channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements to ensure that they operative effectively	Board membership information is available to the public via the Board's website	Clerk to the Board	Complete
	2.2 Hold meetings in public unless there are good reasons for confidentiality	All Board meetings intimated in advance and held in public. Board agendas and minutes published on Board's website	Clerk to the Board	Complete
	2.3 Ensure that arrangements are in place to enable the Board to engage with all sections of the community effectively. These arrangements should recognise that different	N/A	N/A	N/A

	sections of the community have different priorities and establish explicit processes for dealing with these competing demands			
	2.4 Establish a clear policy on the types of issues they will meaningfully consult on or engage with the public and service users about including a feedback mechanism for those consultees to demonstrate what has changed as a result	N/A	N/A	N/A
	2.5 On an annual basis, publish a performance plan giving information on the Board's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and satisfaction of service users in the previous period	Annual report including performance report and statement of audited accounts reported to the Board. The Annual report will include the outcome of the Performance Standards for EROs	Assessor/Office & Support Manager	Sep 16
	2.6 Ensure that the Board as a whole is open and accessible to the community, service users, and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships, subject only to the need to preserve confidentiality in those	The Assessor complies with the Freedom of Information (Scotland) Act 2002	Assessor	Complete

	specific circumstances where it is proper and appropriate to do so			
3. Making best use of human resources by taking an active and planned approach to meet responsibility to staff	3.1 Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making	Personal development plans carried out annually. Consultation is carried out with public service unions in relation to any significant changes to staff terms and conditions.	Assessor/Office & Support Manager	Personal development plans carried out annually