

AGENDA ITEM 12

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The Highland & Western Isles Valuation Joint Board

Code of Corporate Governance 2017/18

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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 Board is required to prepare a Code of Corporate Governance annually which is based on guidance from CIPFA and SOLACE on delivering good governance.

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 spring 2016 CIPFA and SOLACE published a revised Guidance Note for Scottish Authorities – *Delivering Good Governance in Local Government: Framework*.

The Framework and Guidance are based on 7 principles:

1. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of the law
2. Ensuring openness and comprehensive stakeholder engagement
3. Defining outcomes in terms of sustainable economic, social and environmental benefits
4. Determining the interventions necessary to optimise the achievement of the intended outcomes
5. Developing the entity's capacity, including the capability of its leadership and the individuals within it
6. Managing risks and performance through robust internal control and strong public financial management
7. Implementing good practices in transparency, reporting and audit to deliver effective 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.

The Board has 10 elected members, 8 appointed by The Highland Council and two appointed by Comhairle nan Eilean Siar.

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:

- 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

CODE OF CORPORATE GOVERNANCE 2016/17

On 10 June 2016 the Board approved the Code of Corporate Governance for 2016/17 which was based on the six Principles of Corporate Governance:

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

Progress in delivering these actions is monitored by the Assessor and Office & Support Manager. The majority of actions have been completed and where appropriate, some actions have been carried forward to the 2017/18 Code.

CODE OF CORPORATE GOVERNANCE 2017/18

The proposed Code for 2017/18 is detailed at Appendix 1.

APPENDIX 1

2017/18

Core Principle	Sub Principle	Action	Lead Officer	Completed/Target Date	
A) Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.	Behaving with integrity	All Members have agreed to abide by the Councillors Code of Conduct and the Nolan Principles	Clerk to the Board	Completed	
		All staff are required to comply with the Board's Code of Conduct. This is to be integrated into the Induction Scheme for all new employees, which is currently under review	Assessor/Office & Support Manager	March 2018	
		Continue to implement and carry out annual Employee Review & Development Plans	Senior Staff	Complete	
		Anti-fraud and Anti-corruption detection policy in place which has been circulated to all employees	Office & Support Manager	To be reviewed December 2017	
		Register of Disclosures & Interests and Register of Gifts and Hospitality held by the Assessor	Assessor	To be reviewed February 2018	
		Whistleblowing Policy is available to the public, employees, partners and contractors through the HWIVJB's website	Office & Support Manager	To be reviewed December 2017	
		Complaints procedure in place and compliant with SPSO requirements	Assessor/Office & Support Manager	To be reviewed May 2018	
	Demonstrating strong commitment to ethical values		Code of Conduct in place for Board Members	Clerk to the Board	Completed
			Standing Orders relating to the Conduct of Meetings and Scheme of Reference and Delegation in place and regularly reviewed	Clerk to the Board	Completed
		Code of Conduct in place for all employees with compliance managed through HR policies and procedures including Grievance and Disciplinary Policies	Office & Support Manager	All policies to be reviewed by March 2018	
		Respecting the rule of the law	Financial Regulations and Contract Standing Orders underpin the	Assessor/Office & Support Manager	Completed

		Board's ethical values in the awarding of contracts to third party organisations		
		Board's Scheme of Delegation sets out the authority delegated to Members and supports compliance with statutory and legislative obligations	Clerk to the Board	Completed
		Financial Regulations and Contract Standing Orders are reviewed annually to ensure compliance with statutory and legislative obligations	Assessor/Office & Support Manager	Completed
		HR policies and procedures are in place to deal with Grievance and Disciplinary matters relating to employees	Office & Support Manager	All policies to be reviewed by March 2018
		The Highland Council's Audit Team undertake investigations into complaints alleging any misconduct or lack of compliance with corporate procedures	Highland Council Corporate Audit & Performance Manager	Completed
		Professional advice for legal and financial matters is provided by the Treasurer to the Board and Head of Corporate Governance	Treasurer to the Board and Head of Corporate Governance, Highland Council	Completed
		Head of Corporate Governance, Highland Council is the Monitoring Officer to the Board with delegated authority agreed – Scheme of Reference & Delegation in place	Clerk to the Board	Completed
		The Director of Finance, Highland Council in the role of Treasurer to the Board is the responsible Section 95 Officer with delegated authority agreed – Scheme of Reference & Delegation in place	Clerk to the Board	
B) Ensuring openness and comprehensive stakeholder engagement	Openness	Standing Orders for conducting Board business promote openness and transparency with all decisions made in public (unless exemptions	Clerk to the Board	Completed

		under the Act apply) and all agendas and papers are published on the Highland Council website		
		Annual report including performance report and statement of audited accounts reported to the Board annually	Assessor	November 2017
		Freedom of Information, Guide to Information Available Through The Scottish Information Commissioner's Model Publication Scheme in place and regularly reviewed	Office & Support Manager	November 2017
	Engaging comprehensively with institutional stakeholders	N/A	N/A	N/A
	Engaging with individual citizens and service users effectively	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 during the annual canvass of electors. A sample of taxpayers will be canvassed annually to invite them to comment on service delivery	Electoral Registration Officer/Office & Support Manager	
		Service delivery is largely controlled by statute and judicial process. The Electoral Commission has a role in monitoring performance in respect of Electoral Registration	Electoral Registration Officer	Completed
		Continue to monitor and improve performance under the "have your say about our service" questionnaire	Assessor	Completed
C) Defining outcomes in terms of sustainable economic, social and environmental benefits	Defining outcomes	Annual Performance report presented to the Board to monitor delivery of outcomes and priorities	Assessor	Completed
	Sustainable economic, social	Budget Management is the responsibility of the	Assessor/Office & Support Manager	Completed

	and environmental benefits	Assessor and monitoring reports are presented to the Board quarterly		
		Risk Management is undertaken to ensure that the Board identifies and mitigates its key risks, in order to deliver its priorities and outcomes, and reported to the Board regularly	Assessor	Completed
D) Determining the interventions necessary to optimise the achievement of the intended outcomes	Determining interventions	N/A	N/A	N/A
	Planning interventions	Internal Audit Plan agreed annually and all audits are reported to the Board	Highland Council Corporate Audit & Performance Manager	Completed
		Key Performance Indicators are reported in the Annual Report and Audited Accounts and are published on the Assessor's website	Assessor	Completed
	Optimising achievement of intended outcomes	Budget monitoring is reported to the Board quarterly with the Annual Accounts reported to the Board annually	Assessor/Treasurer to the Board	Completed
E) Developing the entity's capacity including the capability of its leadership and the individuals within it	Developing the entity's capacity	Budget monitoring is reported to the Board quarterly with the Annual Accounts reported to the Board annually	Assessor/Treasurer to the Board	Completed
	Developing the capability of the entity's leadership and other individuals	Role descriptions for the Assessor & ERO approved by the Board. Role descriptions for Assistant Assessors approved by the Assessor & ERO	Board's Personnel Adviser/Assessor & ERO	Completed
		Scheme of Reference & Delegation in place and is reviewed and updated annually	Clerk to the Board	Completed
		Member Induction Programme delivered for new Board Members and an on-going Member Development is in place to support individual and collective capacity and capability	Clerk to the Board	Completed
		The Employee Review & Development process ensures that all employees have an annual review of their	Senior Managers	Completed

		objectives, performance and support for their training and development needs		
		Financial Regulations and Contract Standing Orders are reviewed annually to ensure compliance with statutory and legislative obligations	Assessor/Office & Support Manager	Completed
		HR policies and procedures are in place to deal with Grievance and Disciplinary matters relating to employees	Office & Support Manager	All policies to be reviewed by March 2018
F) Managing the risks and performance through robust internal control and strong public financial management	Managing risk	Risk Management is undertaken to ensure that the Board identifies and mitigates its key risks, in order to deliver its priorities and outcomes, and reported to the Board regularly	Assessor	Completed
	Managing performance	Budget monitoring is reported to the Board quarterly with the Annual Accounts reported to the Board annually	Assessor/Treasurer to the Board	Completed
		Publication of agendas and minutes of Board meetings are available through the Highland Council website	Clerk to the Board	Completed
		Agenda Item for Management Team Meetings with agreed action plans	Assessor	Ongoing
	Robust internal control	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	Highland Council Corporate Audit & Performance Manager	Completed
		Annual Governance Statement published as part of Annual Accounts and reported to the Board	Treasurer to the Board	Completed
	Managing data	PSN Accreditation achieved which provides assurance about network and infrastructure security in relation to personal and other sensitive data	Highland Council ICT	Completed

		Highland Council uses the Scottish Wide Area Network (SWAN), which is a secure public sector network, to provide its Wide Area Network	Highland Council ICT	Completed
		Data Sharing Agreements in place with key partners to enable safe and secure sharing of data across other bodies	Assessor & Electoral Registration Officer	Completed
		Data Protection Policy in place and kept under review	Assistant Assessor	Completed
	Strong public financial management	Budget monitoring is reported to the Board quarterly with the Annual Accounts reported to the Board annually	Assessor/Treasurer to the Board	Completed
G) Implementing good practice in transparency, reporting and audit to deliver effective accountability	Implementing good practice in transparency	All Agendas and accompanying reports are published on the Highland Council's Website	Clerk to the Board	Completed
		Annual report including performance report and statement of audited accounts reported to the Board annually	Assessor	November 2017
	Implementing good practice in reporting	Budget monitoring is reported to the Board quarterly with the Annual Accounts reported to the Board annually	Assessor/Treasurer to the Board	Completed
		Annual Governance Statement published as part of Annual Accounts and reported to the Board	Treasurer to the Board	Completed
		Code of Corporate Governance reviewed annually and reported to the Board	Assessor/Clerk to the Board/Office & Support Manager	Completed
	Assurance and effective accountability	Internal Audit Plan agreed annually and all audits are reported to the Board	Highland Council Corporate Audit & Performance Manager	Completed