

# Tyne and Wear Fire and Rescue Authority

## Local Code of Corporate Governance

*Revised June 2011*

# Local Code of Corporate Governance

## INTRODUCTION

The Authority has a corporate governance framework in place which is aimed at ensuring that we are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. The corporate governance framework comprises the systems, processes, cultures and values through which we direct and controls our functions, and through which we account to, engage with and, where appropriate lead our communities.

The Authority's corporate governance framework is based upon guidance jointly issued by the Society of Local Authority Chief Executives (SOLACE) and the Chartered Institute of Public Finance and Accountancy (CIPFA) and recommended as best practice.

The framework is based upon the following six core principles:

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

Each of these six core principles have supporting principles with associated requirements and the following table sets out how the Authority aims to meet these requirements.

## **Annual Governance Review**

The Authority conducts, at least annually, a review of the effectiveness of the corporate governance framework including the system of internal control.

A Corporate Governance Steering Group (CGSG) has been established to lead this review. Membership of the CGSG is as follows:

- Deputy Chief Fire Officer
- Finance Manager
- Human Resources Manager

A report on the findings and recommendations arising from the review is presented to the Authority and Governance Committee.

**Core Principle 1 - Focusing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area** - We are active members of community area fora and in addition our Strategic Community Safety Plan 2009 – 2012 sets out explicitly our planned key actions and performance targets for *creating the safest community*.

<b>Aspects of Corporate Governance to Be Achieved by Authority to Reflect Best Practice</b>	<b>Practical measures the Authority has taken to reflect compliance</b>	<b>Documents/ Processes in Place to Support Compliance</b>
<p>1. Exercising strategic leadership by developing and clearly communicating the authority's purpose and vision and its intended outcome for citizens and services users</p>	<ul style="list-style-type: none"> <li>• develop and promote our purpose and vision</li>   <li>• review on a regular basis the Authority's vision for the local area and its impact on the Authority's governance arrangements</li>   <li>• ensure that partnerships are underpinned by a common vision that is understood and agreed by all parties</li>   <li>• publish an annual report on a timely basis to communicate the Authority's activities, achievements, financial position and performance</li>   <li>• Evaluate and review partnerships</li> </ul>	<p>Strategic Community Safety Plan  District/Station Plans  Departmental Level 3 plans  Integrated Risk Management Plan</p> <p>Annual Corporate Governance Review  Audit Commission Reviews  Reviews by Other  Inspectorates</p> <p>Partnership Agreements  Partnerships Procedure</p> <p>Annual Report  Annual Statement of Accounts  Strategic Community Safety Plan Summary</p> <p>Evaluation Library (intranet)</p>

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<p>2. Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning</p>	<ul style="list-style-type: none"> <li>• 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 available</li>   <li>• introduce a project evaluation toolkit to assess quality of service provision</li>   <li>• put in place effective arrangements to identify and deal with failure in service delivery</li> </ul>	<p>Integrated Risk Management Plan            'After the fire' Survey            Corporate Consultation Strategy            Strategic Community Safety Plan            Evaluation of performance against the National Indicator Set</p> <p>Project Evaluation Toolkit and Library</p> <p>Operational Assurance Team            Standard Operating Procedures            Monitoring Officers</p>

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<p>3 Ensuring that the authority makes the best use of resources and that tax payers and service users receive excellent value for money</p>	<ul style="list-style-type: none"> <li>decide how value for money is to be measured and make sure that it has the information needed to review value for money and performance effectively. The Authority will also measure the environmental impact of policies, plans and decisions</li> </ul>	<p>Value for Money Framework            Annual Audits            Quarterly performance reports            Annual Report and statement of accounts            Efficiency strategy            Evaluation Toolkit and Library</p>

**Core Principle 2 - Members and officers working together to achieve a common purpose with clearly defined functions and roles** - All Authority members and key officer roles and functions are set out in the Authority's Standing Orders and Financial Regulations, there is a protocol on member / employee relations and an agreed set of organisational values underpinning all of the Authority's work.

Aspects of Corporate Governance to Be Achieved by Authority to Reflect Best Practice	Practical measures the Authority has taken to reflect compliance	Documents/ Processes in Place to Support Compliance
<p>1. Ensuring effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function</p>	<ul style="list-style-type: none"> <li>• set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and its approach towards putting this into practice</li> <li>• set out a clear statement of the respective roles and responsibilities of other authority members, members generally and of senior officers</li> </ul>	<p>Standing Orders and Financial Regulations</p> <p>Standing Orders and Financial Regulations Delegation Scheme Codes of Conduct Job Descriptions Role Maps</p>
<p>2. Ensuring that a constructive working relationship exists between authority members and officers and that the responsibilities of members and officers are carried out to a high standard</p>	<ul style="list-style-type: none"> <li>• determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the Authority taking account of relevant legislation and ensure that it is monitored and updated when required</li> <li>• make the Chief Fire Officer responsible and accountable to the Authority for all aspects of operational management</li> </ul>	<p>Standing Orders and Financial Regulations</p> <p>Delegation Scheme</p> <p>Delegation Scheme Roll Map Job Description Performance Management</p>

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	<ul style="list-style-type: none"> <li>• develop protocols to ensure that the Chairman and Chief Fire Officer negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained</li>   <li>• make a senior officer responsible to the Authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control</li> </ul>	<p>Standing Orders and Financial Regulations            Code of Conduct for Members            Code of Conduct for Officers            Roll Maps            Job Descriptions</p> <p>The Finance Officer is the Authority's Section 151 Officer. The Constitution sets out his functions as follows:</p> <ul style="list-style-type: none"> <li>• Ensuring lawfulness and financial prudence of decision making</li> <li>• Administration of financial affairs</li> <li>• Contributing to corporate management</li> <li>• Providing advice</li> <li>• Giving financial information</li> </ul>



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	<ul style="list-style-type: none"> <li>• make a different senior officer responsible to the Authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations are complied with</li> </ul>	<p>The Deputy Clerk is the Authority's Monitoring Officer. The Constitution sets out functions of Monitoring Officer as follows:</p> <ul style="list-style-type: none"> <li>• Maintaining the Constitution</li> <li>• Ensuring lawfulness and fairness of decision making</li> <li>• Supporting the Standards Committee</li> <li>• Receiving reports</li> <li>• Conducting investigations</li> <li>• Proper officer for access to information</li> <li>• Advising whether executive decisions are within the budget and policy framework</li> <li>• Providing advice</li> </ul>

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<p>3. Ensuring relationships between the authority, its partners and the public are clear so that each knows what to expect of the other</p>	<ul style="list-style-type: none"> <li>• develop protocols to ensure effective communication between members and officers in their respective roles</li> <li>• set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process including an effective remuneration panel</li> <li>• ensure that effective mechanisms exist to monitor service delivery</li> </ul>	<p>Monitoring Officer Protocol Member and Employee Codes of Conduct</p> <p>Members Allowances Scheme</p> <p>National Joint Council for Local Government Services National Agreement On Pay And Conditions Of Service Human Resources Committee</p> <p>Performance Management systems Integrated Risk Management Plan District Plans Station Plans Monitoring Officers</p>

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	<ul style="list-style-type: none"> <li>• ensure that the Authority's vision, strategic 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</li> <li>• 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 Authority</li> <li>• when working in partnership:               <ul style="list-style-type: none"> <li>- ensure that there is clarity about the legal status of the partnership</li> <li>- ensure that representatives or organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions</li> </ul> </li> </ul>	<p>Strategic Community Safety Plan            Integrated Risk Management Plan            Station Plans            Communication Strategy            Consultation Strategy            Value for Money Framework            Budget Framework</p> <p>Partnership Agreements</p> <p>Data Sharing Protocols</p> <p>Partnership Procedure</p>

**Core Principle 3: Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour** - All Authority Members and staff are required to act in accordance with codes of conduct and high standards are promoted across the Authority and with its partners.

Aspects of Corporate Governance to Be Achieved by Authority to Reflect Best Practice	Practical measures the Authority has taken to reflect compliance	Documents/Processes in Place to Support Compliance
<p>1. Ensuring authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance</p>	<ul style="list-style-type: none"> <li>• ensure that its leadership sets a tone for the organisation by creating a climate of openness, support and respect</li> <li>• ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the Authority, its partners and the community are defined and communicated through codes of conduct and protocols</li> <li>• put in place arrangements to ensure that members and employees of the Authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders. The Authority will put in place appropriate processes to ensure that they continue to operate in practice</li> </ul>	<p>Members' Code of Conduct Employees' Code of Conduct Performance Management Framework</p> <p>Employee Personal Development System Anti Fraud and Corruption Policy Whistle Blowing Policy Protocol on Member / Employee Relations</p> <p>Members' Code of Conduct Employees' Code of Conduct Financial Regulations Standing Orders Declarations of Gifts and Interests</p>

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<p>2. Ensuring that organisational values are put into practice and are effective</p>	<ul style="list-style-type: none"> <li>• develop and maintain shared values including leadership values both for the Authority and staff reflecting public expectations, and communicate these with members, staff, the community and partners</li> <li>• put in place arrangements to ensure that procedures and operations are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice</li> <li>• develop and maintain an effective standards committee</li> </ul>	<p>Members' Code of Conduct            Employees' Code of Conduct            Fire and Rescue Service            National Values            Vision            Leadership and Development Programme</p> <p>Members' Code of Conduct            Employees' Code of Conduct            Ethical Audit</p> <p>Standing Orders sets out role and functions of Governance Committee            Committee Management and Information System</p>

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	<ul style="list-style-type: none"> <li>• use its shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the Authority</li> <li>• 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</li> </ul>	<p>Members' Code of Conduct            Employees' Code of Conduct            Integrated Personal Development System            Ethic Audit            Governance Audit</p> <p>Partnership Agreements</p> <p>Partnership Procedure</p> <p>Data sharing protocols</p>

**Core Principle 4: Taking informed and transparent decisions which are subject to effective scrutiny and managing risk -**

The Authority conducts all business in an open and transparent manner, and has formal processes for declaring relationships or interests to ensure that decision-making is transparent and objective. There is a robust system of scrutiny and effective arrangements for managing risks.

Aspects of Corporate Governance to Be Achieved by Authority to Reflect Best Practice	Practical measures the Authority has taken to reflect compliance	Documents/Processes in Place to Support Compliance
<p>1. Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny</p>	<ul style="list-style-type: none"> <li>• develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the Authority’s performance overall and of any organisation for which it is responsible</li>   <li>• develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based</li>   <li>• 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</li> </ul>	<p>A range of scrutiny committees are in place including:</p> <p>Policy and Performance Committee  Human Resources Committee  Governance Committee</p> <p>Standing Orders and Financial Regulations</p> <p>Committee and Authority Management and Information System</p> <p>Members’ Code of Conduct  Employees’ Code of Conduct  Code of Corporate Governance  Whistle blowing Protocols  Register of Gifts and Interests</p>

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	<ul style="list-style-type: none"> <li>develop and maintain an effective audit committee which is independent</li> <li>put in place effective transparent and accessible arrangements for dealing with complaints</li> </ul>	<p>Anti-fraud and Corruption Policy</p> <p>Governance Committee Independent Chair Independent Member Development for all Members</p> <p>Compliments, Comments and Complaints Procedure Monitoring Officer role</p>
<p>2. Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs</p>	<ul style="list-style-type: none"> <li>ensure that those making decisions, whether for the Authority or a partnership, are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications</li> <li>ensure that professional advice on matters that</li> </ul>	<p>Member Induction, Learning and Development Programme</p> <p>Standing Orders and Financial Regulations Delegation Scheme Results of consultation exercises Role of Finance Officer and</p>



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	<p>have legal or financial implications is available and recorded well in advance of decision making and used appropriately</p>	<p>Deputy Clerk</p>
<p>3. Ensuring that an effective risk management system is in place</p>	<ul style="list-style-type: none"> <li>• ensure that risk management is embedded into the culture of the organisation, with members and managers at all levels recognising that risk management is part of their job</li>   <li>• ensure that arrangements are in place for whistle blowing to which staff and all those contracting with the Authority have access</li> </ul>	<p>Risk Management Policy Statement and Strategy Risk Management Framework Risk Management Learning and Development for Members and Officers Internal Audit and Risk Management Protocol Standing Orders and Financial Regulations External Audit – Use of Resources</p> <p>Whistle blowing policy and procedures Compliments, comments and Complaints Policy and Procedures</p>

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<p>4. Using their legal powers to the full benefit of the citizens and communities in their area</p>	<ul style="list-style-type: none"> <li>actively recognise the limits of lawful activity placed on the Authority by, for example the ultra vires doctrine but also strive to utilise powers to the full benefit of their communities</li> <li>recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on the Authority by public law</li> <li>observe all specific legislative requirements placed upon the Authority, 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</li> </ul>	<p>Standing Orders and Financial Regulations                      Monitoring Officer Protocol                      Audit and Inspection Letter                      Finance Officer role                      Deputy Clerk role</p>

**Core Principle 5: Developing the capacity and capability of members and officers to be effective -**

The Authority recognises the importance of having highly skilled and motivated Members and staff to deliver its priorities and to sustain public confidence in its services. The Authority is committed to the development of Members and staff skills, knowledge and performance through programmes of induction, training and development.

Aspects of Corporate Governance to Be Achieved by Authority to Reflect Best Practice	Practical measures the Authority has taken to reflect compliance	Documents/Processes in Place to Support Compliance
<p>1. Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles</p>	<ul style="list-style-type: none"> <li>• provide induction and training programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis</li> <li>• ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the organisation</li> </ul>	<p>Member and Officer Induction Programme Integrated Personal Development System Member Learning and Development Programme Workforce Development Plan Investors in People accreditation</p> <p>Delegation Scheme Roles and responsibilities defined Finance Officer and Deputy Clerk advisors to the Authority</p>
<p>2. Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group</p>	<ul style="list-style-type: none"> <li>• assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively</li> </ul>	<p>Member and Officer Induction Programme Integrated Personal Development System Member Learning and Development Programme Workforce Development Plan</p>

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	<ul style="list-style-type: none"><li>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 ensure that effective arrangements are in place for reviewing the performance of the Authority as a whole and of individual members and agreeing an action plan which might for example aim to address any training or development needs</li></ul>	Investors in People Gold award and 'Champion' status Member Learning and Development Programme Leadership Programme  Working Towards Excellence Equality Framework for Fire and Rescue Services

**Core Principle 6: Engaging with local people and other stakeholders to ensure robust public accountability** - The Authority has a consultation framework aimed at ensuring the community is given the opportunity to be involved in, and influence, policy-making, service delivery and evaluation in order to continually improve services.

Aspects of Corporate Governance to Be Achieved by Authority to Reflect Best Practice	Practical measures the Authority has taken to reflect compliance	Documents/Processes in Place to Support Compliance
<p>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</p>	<ul style="list-style-type: none"> <li>• make clear its role and responsibilities to Members, staff and the community</li>   <li>• consider those institutional stakeholders to whom they are accountable and assess the effectiveness of the relationships and any changes required</li>   <li>• produce an annual report on scrutiny function activity</li> </ul>	<p>Strategic Community Safety Plan Integrated Risk Management Plan</p> <p>Local Strategic Partnerships Government Office for the North East assessments of LSP Regular User Surveys Consultation Plan</p> <p>Annual Performance Report Annual Governance Report Freedom of Information Publication Scheme</p>

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Aspects of Corporate Governance to Be Achieved by Authority to Reflect Best Practice	Practical measures the Authority has taken to reflect compliance	Documents/Processes in Place to Support Compliance
<p>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 authority, in partnership or by commissioning</p>	<ul style="list-style-type: none"> <li>ensure that clear channels of communication are in place with all sections of the community and other stakeholders including monitoring arrangements to ensure that they operate effectively</li> <li>hold meetings in public unless there are good reasons for confidentiality</li> <li>ensure arrangements are in place to enable the Authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands</li> <li>establish a clear policy on the types of issues it will meaningfully consult on or engage with the public and service users including a feedback mechanism for those consultees to demonstrate what has changed as a result</li> </ul>	<p>Communications Strategy Focus Groups 'After the incident' Survey Other user surveys</p> <p>Members of the public may attend all meetings subject to the exceptions set out in the Standing Orders</p> <p>Consultation Strategy Focus Groups Community Safety Advocates 'After the fire' Survey User Surveys Community engagement Plan Freedom of Information Publication Scheme</p> <p>Consultation Policy User Surveys Community Engagement Plan Freedom of Information Publication Scheme</p>

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	<ul style="list-style-type: none"> <li>on an annual basis, publish a performance plan giving information on the Authority's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period</li> <li>ensure that it is open and accessible to the community, service users and its staff. It will also 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 specific circumstances where it is proper and appropriate to do so</li> <li>evaluate the projects we deliver by asking local people and stakeholders</li> </ul>	<p>Annual report Annual performance report Annual Statement of Accounts Strategic Community Safety Plan Integrated Risk Management Plan</p> <p>Standing Orders and Financial Regulations Community Fire Stations Partnership Agreements Partnership Procedure Data sharing Agreements and protocols Community engagement plan Performance Plan Freedom of Information Publication Scheme Evaluation Toolkit and Library</p>
3. Making best use of human resources by taking an active and planned approach to meet responsibility to staff	<ul style="list-style-type: none"> <li>develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making</li> <li>Clearly publish results of consultation and evaluation involving staff</li> </ul>	<p>Joint consultative Committee Investors in People Representative Body Protocol Evaluation Library</p>

## **Code of Corporate Governance**

### **Glossary of Terms**

#### **Authority Risk Management Group**

A group of senior officers of the Authority tasked with ensuring that the major strategic risks of the Authority are properly identified, managed and minimised.

#### **Consultation Strategy**

A strategy to obtain the views of stakeholders on the efficiency, effectiveness and economy of services and use these results to inform the process of continuous improvement.

#### **Delegation Scheme**

An agreed document setting out the various powers delegated by the Authority to appropriate Committees, Members and Officers.

#### **Freedom of Information Publication Scheme**

This provides details of the classes of information published by the Authority, how the public can access it and whether a charge is levied for accessing the information. The information will be made available progressively between now and 2005.

#### **Financial Regulations**

Rules of procedure governing the way in which management of the Authority's financial affairs will be conducted.

#### **Investors in People**

Investors in People is a national award which recognises the commitment of an organisation to developing its people in order to achieve its corporate objectives and to improve performance.

#### **Monitoring Officer**

The Monitoring Officer has the responsibility for advising on the legality of the Authority's actions. The Authority has appointed the Head of Legal and Democratic Services, City of Sunderland, as the appropriate officer.

#### **Members Code of Conduct**

Agreed Code set out in the Standing Orders governing how Members must conduct themselves whilst carrying out Authority business or acting as a representative of the Authority.

#### **Officers Code of Conduct**

Agreed Code detailing the standards of conduct expected of all employees whilst carrying out their work for the Authority.

#### **Race, Gender and Disability Equality Schemes**

The document that details the Authority's plans to achieve race, gender and disability equality at work and our commitment to support a diverse workforce serving a diverse community.



**Standing Orders**

Rules of procedure governing the way in which the Authority operates, how decisions are made and the procedures which must be followed to ensure all our interactions (including procurement) are efficient, transparent and accountable to the community we serve.

**Strategic Community Safety Plan**

A document setting out in detail for the Authority the plans, policies, resource allocations and performance targets for the next five years, including detailed plans for the forthcoming year, both corporately and on a departmental basis.

**Integrated Risk Management Plan**

A document identifying the major strategic risks to the Authority.

**Governance Committee**

A Committee of the Authority set up to promote and maintain high standards of conduct by Members.

**Section 151 Responsibilities**

Under Section 151 of the Local Government Act 1972, the authority must appoint one of its Officers as responsible for the proper financial administration of its affairs. The Authority has appointed the Finance Officer, City of Sunderland, as the appropriate Officer.

**Whistle blowing Policy**

A policy adopted by the Authority setting out how employees and the public can report matters of concern to the appropriate Officers within the Authority on a confidential basis.

