

Brecon Beacons National Park Authority

Code of Corporate Governance



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I.0 Introduction

The 1995 Environment Act specifies that the purposes of a National Park Authority are

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the park area
- To promote opportunities for the understanding and enjoyment of the special qualities of the area by the public.

The Act also states that in pursuing these purposes the Authority has a duty to seek to foster the social and economic well-being of local communities.

The National Park Authority is committed to the principles of good corporate governance in delivering its statutory purposes. Through the development, adoption and continued implementation and monitoring of a Code of Corporate Governance the Authority formally confirms its ongoing commitment and intentions. The Code is consistent with the principles of the Chartered Institute of Public Finance and Accountancy (CIPFA) and Society of Local Authority Chief Executives (SOLACE) Framework *Delivering Good Governance in Local Government Framework (2016)* (“the Local Government Framework”)

The Code of Corporate Governance comprehensively describes the Authority’s commitment to and understanding of corporate governance and outlines the arrangements that it has put in place to ensure ongoing effective implementation and monitoring. It includes a signed statement of assurance by the Chair and Chief Executive that the principles are embedded in the governance of the Authority and supported by all Members and Officers.

The Code of Corporate Governance incorporates the sustainable development principles and the goals set out in the *Well-being of Future Generations (Wales) Act 2015*. Accordingly, our decision-making processes will ensure that we keep the following principles at the heart of planning and delivering our work in order to contribute to the Wellbeing Goals.

Sustainable Development Principles

- Long term
- Integration
- Collaboration
- Involvement
- Prevention

Wellbeing Goals

- A Prosperous Wales
- A Resilient Wales
- A Healthier Wales
- A More Equal Wales
- A Wales of Cohesive Communities
- A Wales of Vibrant Culture and Thriving Welsh Language
- A Globally Responsible Wales

1.1 Why adopt a Code of Corporate Governance?

Adopting a Code of Corporate Governance is a way in which the National Park Authority recognises the fact that effective local government relies upon establishing and maintaining the confidence of local people in both Members and Authority officers. Good corporate governance underpins credibility and confidence in the leadership and forms the foundation from which all Authority services are provided.

Adopting, monitoring and complying with a Code of Corporate Governance helps enhance the Authority's legitimacy and increases trust placed in the Authority by local people, visitors, partners and stakeholders.

Strong, transparent and dialogic governance enables the National Park Authority to put citizens first by pursuing its aims and priorities effectively, supported by appropriate mechanisms for managing performance and risk. In order to maintain citizens' confidence, these mechanisms must be sound and seen to be sound.

Overall, adopting and committing to this Code of Corporate Governance puts in place a basis for an Authority wide commitment to the way in which it intends to fulfil its role in leading and representing the community, providing opportunities for all, ensuring that there is a strong people-centred focus in all the Authority does.

1.2 What is Corporate Governance?

"The word derives from the Greek verb kubernaen [kubernáo], meaning 'to steer'. This implies governance is a higher-level activity concerned with longer-term plans, purpose and impact"¹

The National Park Authority sees Corporate Governance as doing the right things, in the right way, for benefit of all in a timely, inclusive, open, honest and accountable manner. It comprises the systems and processes, and the culture and values, by which the Authority is directed and controlled and how it accounts to and engages with its social contract.

1.3 Why do we need a Code of Corporate Governance?

"Good governance in the public sector encourages better informed and longer-term decision making as well as the efficient use of resources. It strengthens accountability for the stewardship of those resources. Good governance is characterized by robust scrutiny, which places important pressures on improving public sector performance and guarding against perceived unfairness? – Good governance can improve organisational leadership, management, and oversight, resulting in more effective interventions and, ultimately, better outcomes. People's lives are thereby improved."²

¹ Modern Governance in the public sector. The first report from the National Commission on the future of governance in the public sector - Good Governance Institute 2019

² FAC Public Sector Committee, Governance in the Public Sector: A Governing Body Perspective (2001).

The public's trust increases when the quality of services that they and their families experience is high, and when organisations are seen to be open and honest in communicating their performance, and in learning from their mistakes. The Authority has experienced this in the past after losing public confidence in relation to a planning application. It worked hard over a number of years to regain trust and improve planning performance.

The Code of Governance is based upon the following seven Principles set out in the Local Government Framework.

1. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of 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 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.

This Code describes how the Authority will meet and demonstrate its commitment to good Corporate Governance in relation to these seven Principles, how it will carry this out and who will monitor and review the governance arrangements.

2.0 The Authority's Corporate Governance Principles

Principle I

Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

High standards of conduct and effective governance can only be achieved if those who hold public office have the highest standards of behaviour and encourage others to do so.

The Authority will strive to adopt a culture of behaviour based on shared values, ethical principles and good conduct.

The Authority will go some way to achieving this by establishing and keeping under review:

- A Member Code of Conduct;
- An Officer Code of Conduct,
- A Member Officer Protocol
- Registers of Interests, Hospitality and Gifts
- Contract Procedural Rules and Financial Standards

- An Anti-Fraud and Corruption Strategy and Whistleblowing Policy.
- Ensuring that regular member development sessions are delivered on aspects of the Code of Conduct.
- Recognising that the attaining of shared values, ethical principles and good conduct is achieved through on-going dialogue, debate and critical self-assessment between Members and Officers, outside of formal training.

As a result of Covid-19 the Authority has moved all its meetings to a virtual setting and all members given guidance on how to get the most out of virtual meetings.

Principle 2

Ensuring openness and comprehensive stakeholder engagement

Local Authorities and National Park Authorities not only have to do things in the right way, but have to face the additional challenge of being seen to do things in the right way. This requires full engagement with a diverse range of local people where appropriate through a process which is planned and resourced in a way that is fair.

The Authority will seek and respond to the views of the community and stakeholders.

The Authority will achieve this by:

- Forming and maintaining robust and mutually respectful relationships with the leaders of other organisations;
- Providing and supporting ways for the public to present community aspirations and concerns to the Authority.
- Engaging in consultation in a meaningful way and through mechanisms which seek to capture and embrace the views of all relevant interested parties.
- Working with other public sector partners to help customers and stakeholders understand our respective responsibilities and what we aim to achieve by working in partnership.
- Maintaining and reviewing an effective complaints procedure.
- Webcasting all its Authority and Committee meetings and operating a public speaking scheme, and adapting meeting platforms to take account of the COVID-19 pandemic and restrictions on movement;
- Arranging citizen assemblies and other less formal opportunities for public engagement.

Principle 3

Defining outcomes in terms of sustainable economic, social and environmental benefits

The Authority's purposes and duty are set out by the Environment Act (1995). The Authority will ensure that it defines outcomes as follows:

- Produce a National Park Management Plan for the Park, in partnership with a diverse range of stakeholders, and reviewed every five years;
- Producing an annual Corporate Plan setting out objectives and desired outcomes and reporting on its delivery;
- Publicising projects and activities through the press and other media

The Authority will annually monitor its performance against the desired outcomes identified in the above plans.

Principle 4

Determining the interventions necessary to optimise the achievement of the intended outcomes

Informed decision-making and scrutiny are a fundamental part of good corporate governance. It requires Authorities to be rigorous in their examination of performance.

The Authority will ensure that its decision-making process is based on the best available evidence as set out in its evidence policy and protocol, and includes a detailed risk assessment including;

- Financial, legal and human resources implications (authors of reports will be accountable if they are providing evidence and advice themselves);
- Single integrated assessment for major items;
- Risks and controlling actions.

The Authority will be open and honest about how decisions are taken and recorded and will webcast the Authority and committee meetings, subject to exclusions set out in the Local Government Act 1972.

Its Audit and Scrutiny Committee will carry out the following quarterly reviews of:

- Budget and project spend
- Performance against objectives set out in the Corporate Plan
- The Authority's Risk Register and legal risk
- Complaints and Freedom of Information requests

Principle 5

Developing the entity's capacity of its leadership and the individuals within it.

Ensuring that Members and officers have the necessary skills to operate and manage the organisation is an important aspect of governance.

Within the powers available to the Authority it will ensure that those responsible for the governance of the Authority have the skills, knowledge and experience they need to perform well.

The Authority will achieve this by:

- Implementing a Member Development Strategy;
- Developing leadership skills and capacity across the Authority;
- Developing and maintaining the Performance Management Review process for officers and the Personal Development Review process for Members;
- Ensuring information is made available as appropriate to Members and officers to enable them to carry out their roles
- Ensuring all Members are able to access meetings whatever the medium, face to face or virtually.

Principle 6

Managing risks and performance through robust internal control and strong public financial management.

The Authority will ensure it has a robust internal control system in place, reviewed annually in its Annual Governance Statement (published as part of the Annual Accounts).

The Authority will ensure that its risk management system:

- Formally identifies and manages risks, and identifies those responsible;
- Involves Members and officers in the risk management process;
- Links risks to financial and other key internal controls;
- Incorporates service and business continuity planning;
- Reviews and, if necessary, updates its risk management processes at least annually.

The Authority complies with finance law and produces annual accounts in accordance with CIPFA guidelines. The Audit and Scrutiny Committee monitors budget on a quarterly basis and the Leadership Team on a monthly basis.

It works closely with Internal and External Audit to achieve the above.

Principle 7

Implementing good practices in transparency, reporting and audit to deliver effective accountability

The Authority is committed to an open and transparent decision-making process, webcasting all its public meetings, subject to exclusions set out in the Local Government Act 1972, and operating a public speaking scheme.

The Authority records all its meeting for internal and training purposes only.

It works closely with internal and external audit to ensure that its processes comply with the law and good practice and commits to implementing decisions made through audit exercises.

3.0 Monitoring and Review

Good Corporate Governance requires:

- The active participation of Members and officers across the Authority,
- Development, implementation and continuous improvement of the Authority's Corporate Governance culture.
- Preparation, adoption and maintenance of an up-to-date Code of Corporate Governance, including arrangements for ensuring its implementation and review.
- Preparation of the Annual Governance Statement.
- Promotion of best practice in Corporate Governance throughout the Authority.

The Authority is responsible for monitoring and reviewing the Authority's Corporate Governance arrangements.

The Authority will ensure that these arrangements are kept under continual review by:

- The work of Internal and External Audit.
- Reports prepared by managers with responsibility for aspects of this Code.
- Other review agencies and Inspectorates.

4.0 The Annual Governance Statement

Each Year the Authority will publish an Annual Governance Statement, which will provide an overall evaluation and assessment of the effectiveness of the Authority's Corporate Governance arrangements and an appraisal of the key controls in place to manage the Authority's key governance risks.

The Statement will also provide details of where improvements need to be made and any planned changes in the coming period.

The Annual Governance Statement will be reviewed by the Corporate Governance Team and approved by the Authority, prior to being signed by the Chair of the Authority and the Chief Executive.

The Annual Governance Statement will be published simultaneously with the Authority's Annual Statement of Accounts and will be audited by our External Auditors.

Signed

Cllr Gareth Ratcliffe (Chair)

**Catherine Mealing-Jones (Chief
Executive)**

Appendix I

Brecon Beacons National Park Authority Committee Structure (decision-making bodies)

National Park Authority

All 18 Members, meets 8 times per year plus an Annual General Meeting

Audit and Scrutiny Committee

9 Members, meets 4 times per year

Planning, Access and Rights of Way Committee

All 18 Members, meets every 8 weeks

Standards Committee

3 NPA Members and 3 externally appointed Members, meets at least once a year

Appointments Committee

6 members, meets as required to support the recruitment of senior officers and independent members of Standards, and review performance of the Chief Executive Officer,

Sustainable Development Fund Committee

6 members, meets quarterly to consider applications to the Authority's Sustainable Development Fund Committee

There are a number of member officer working groups/forums which are set out in the Terms of Reference and Scheme of Delegation. These are regularly reviewed and updated and can be found on the Authority's website: [Terms of Reference and Scheme of Delegation](#)

Brecon Beacons National Park Authority

Governance Policies

Policy Title	Reviews
National Park Management Plan	2015-20 Plan currently being reviewed
Local Development Plan	Adopted 2013 – currently being reviewed
Corporate Plan	Annual
Statement of Accounts	Annual
Standing Orders	Reviewed and amended 2020 to reflect the move to virtual meetings
Terms of Reference and Scheme of Delegation	Currently being reviewed
Members' Code of Conduct	Revised code adopted June 2016
Member Officer Protocol	Due for review in 2021
Planning Protocol	Reviewed July and amended April 2019; review in progress
Employee Code of Conduct	Reviewed and adopted June 2019
Disability Equality Scheme	Replaced by Equality Act
Financial Regulations	Reviewed and updated December 2018
Welsh Language Standards	Annual Report submitted to Authority and Welsh Language Commission
Publication Scheme	Reviewed and approved 2015
Freedom of Information Policy	2010 No changes
Data Protection Policy	Reviewed 2018
Health & Safety Policy	Reviewed regularly by Thomas Carroll
IT User Policy	Reviewed 2018
Records Management Policy	Currently under review
Business Continuity Strategy & Plan	Plan maintained as living document, strategy to be reviewed Date TBC
Procurement Policy	Superseded by Welsh Government Procurement Policy with which the Authority has to comply
Standing Orders Relating to Contracts	Reviewed and amended April 2016 to comply with the EU Public Procurement Directive
Gender Equality Duty	Replaced by Equality Act