

**Meeting:** Adjourned Annual Council

**Date:** 14 May 2026

**Wards affected:** All Wards

**Report Title:** Code of Corporate Governance (Constitution Amendment)

**When does the decision need to be implemented?**

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## 1. Purpose of Report

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- 1.1. This report sets out changes to the Council's Constitution in respect of a revised Code of Corporate Governance which has been reviewed and updated having regard to the core principles of good governance highlighted by the Chartered Institute of Public Finance and Accountability (CIPFA) guidance Delivering Good Governance in Local Government Framework. The revised document is set out at Appendix 1 with the key changes shown in green text.

## 2. Reason for Proposal and its benefits

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- 2.1. The reasons for the proposal, and need for the decision, are to ensure that the Code of Corporate Governance is up to date, fit for purpose and reflects best practice.

## 3. Recommendation(s) / Proposed Decision

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- 3.1. That the Code of Corporate Governance set out at Appendix 1 to the submitted report be approved and that the Constitution be updated accordingly.

## 4. Appendices

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Appendix 1: Code of Corporate Governance

## 5. Background Documents

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- Chartered Institute of Public Finance and Accountability (CIPFA) guidance Delivering Good Governance in Local Government Framework

## Supporting Information

### 6. Introduction

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- 6.1 The Divisional Director - Corporate Services has undertaken a full review of the Council's Code of Corporate Governance, which sets out the Council's governance standards. These standards ensure the Council is doing the right things, in the right way, in a timely, inclusive, open, effective, honest and accountable manner. This has been reviewed against the Chartered Institute of Public Finance and Accountability (CIPFA) guidance Delivering Good Governance in Local Government Framework and the Council. Performance against the Code of Corporate Governance is reported in the Annual Governance Statement.
- 6.2 The Code of Corporate Governance forms part of the Council's Constitution and requires approval by Council.

### 7. Options under consideration

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- 7.1. Option 1, preferred option – to approve the revised Code of Corporate Governance, this ensures that the Constitution is up to date and fit for purpose.
- 7.2. Option 2, not to update the Constitution and leave the current Code of Corporate Governance in place. This option is not recommended as it is out of date and does not reflect CIPFA guidance.

### 8. Financial Opportunities and Implications

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- 8.1. None

### 9. Legal Implications

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- 9.1. None

### 10. Engagement and Consultation

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- 10.1. The revised Code of Corporate Governance has been discussed with the Group Leaders and their suggestions have been incorporated into the final document, in accordance with Article 13 of the Constitution.

### 11. Procurement Implications

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- 11.1. Not applicable.

### 12. Protecting our naturally inspiring Bay and tackling Climate Change

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- 12.1. Not applicable.

## 13. Associated Risks

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13.1. None

## 14. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<ul style="list-style-type: none"> <li>18% of Torbay residents are aged under 18 years old.</li> <li>55% of Torbay residents are aged between 18 to 64 years old.</li> <li>27% of Torbay residents are aged 65 and older.</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Carers	<ul style="list-style-type: none"> <li>At the time of the 2021 census there were 14,900 unpaid carers in Torbay.</li> <li>5,185 of these carers provided 50 hours or more of care.</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Care experienced	<ul style="list-style-type: none"> <li>As of January 2026, there were 277 former care</li> </ul>	<p>The changes to the Council's Constitution will help ensure good</p>	Not applicable	Not applicable

	<p>experienced young people aged 18-24 in Torbay.</p>	<p>governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>		
Disability	<ul style="list-style-type: none"> <li>In the 2021 Census, 23.9% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Gender reassignment	<ul style="list-style-type: none"> <li>In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth.</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Marriage and civil partnership	<ul style="list-style-type: none"> <li>Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the</p>	Not applicable	Not applicable

		implementation of the revised Constitution document.		
Pregnancy and maternity	<ul style="list-style-type: none"> <li>Between 2013 and 2024, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 56.0 per 1,000) than the Southwest (53.4) and broadly in line with England (56.3).</li> <li>For the period 2022 to 2024, rates in Torbay (44.6) have been significantly below England (50.0).</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Race	<p>In the 2021 Census, 96.1% of Torbay residents described their ethnicity as the following:</p> <ul style="list-style-type: none"> <li>1.6% as Asian, Asian British or Asian Welsh</li> <li>0.3% as Black, Black British, Black Welsh, Caribbean or African</li> <li>1.5% as being of Mixed or Multiple ethnic groups</li> <li>96.1% as White</li> <li>0.4% described their ethnicity another way.</li> </ul> <ul style="list-style-type: none"> <li>Black, Asian and minoritised ethnic communities are more</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable

	likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.			
Religion and belief	<p>The 2021 Census showed that the residents in Torbay identify their religion and/or belief as the following;</p> <ul style="list-style-type: none"> <li>• 48.5% are Christian</li> <li>• 0.4% are Buddhist</li> <li>• 0.2% are Hindu</li> <li>• 0.6% are Muslim</li> <li>• Less than 0.1% are Sikh</li> <li>• 0.1% are Jewish</li> <li>• 0.7% have another religion</li> <li>• 43.2% have no religion</li> <li>• 6.3% did not answer</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Sex	<ul style="list-style-type: none"> <li>• 51.3% of Torbay's population are female.</li> <li>• 48.7% of Torbay's population are male.</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Sexual orientation	<p>In the 2021 Census, residents described their sexuality as follows;</p> <ul style="list-style-type: none"> <li>• 89% as Straight or Heterosexual</li> <li>• 1.7% as Gay or Lesbian</li> <li>• 1.1% as Bisexual</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the</p>	Not applicable	Not applicable

	<ul style="list-style-type: none"> <li>• 0.1% as Pansexual</li> <li>• 0.1% described their sexuality another way</li> <li>• 7.4% of people didn't answer the question</li> </ul>	implementation of the revised Constitution document.		
Armed Forces Community	<ul style="list-style-type: none"> <li>• In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces.</li> <li>• In Torbay, 5.9% of the population have previously served in the UK armed forces.</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child poverty and deprivation)	<ul style="list-style-type: none"> <li>• Torbay is ranked as the 39th most deprived upper tier local authority in England in the Index of Multiple Deprivation 2025.</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Public Health impacts (Including impacts on the general health of the population of Torbay)	<ul style="list-style-type: none"> <li>• For the five-year period 2020 to 2024, data shows there is a 6-year life expectancy gap between males who live in Torbay's least and most deprived areas and, a 3-year gap for females.</li> </ul>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the</p>	Not applicable	Not applicable

		implementation of the revised Constitution document.		
Human Rights impacts		<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Child Friendly		<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable

## 15. Cumulative Council Impact

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15.1. None

## 16. Cumulative Community Impacts

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16.1. None