
AUDIT AND GOVERNANCE COMMITTEE

7 February 2023

Report of the Director of Governance

Report of Local Government Association into the PIR

Summary

1. Following the conclusion of the Council's Action Plan, prepared in response to the Public Interest Report of 19 April 2021, the Council has now received the PIR Assurance Final Report from the Local Government Association, which is appended to this report as Appendix 1.

Background

2. Members will recall that, on 19 April 2021, the External Auditors, Mazars, issued a Public Interest Report ("PIR") into the Early Termination of the Chief Executive's Employment Contract. Following receipt of that report, the Council considered the PIR at a meeting held on 4 May 2021
3. The Council agreed upon an action plan to address the five action points set out in the PIR; that action plan has been ongoing, and the actions contained therein have recently been completed, as noted by the Audit and Governance Committee ("A&G") at its meeting on 30 November 2022.
4. In addition to the Council's agreed Action Plan, the Local Government Association ("LGA") was asked by A&G to undertake an assurance review. As a consequence, at the meeting of A&G on 29 September 2021, the LGA provided a scoping document for the assurance exercise (attached as Appendix 2 to this report). Subsequently, the LGA presented a first interim report to the A&G meeting of 1 December 2021 and a second interim report to the A&G Meeting of 7 September 2022.

Analysis

5. The final report from the LGA contains many positive findings, but also contains some further recommendations to consider. The final

report concludes that the Council's Action Plan and implementation plan included appropriate steps to deal with the specifics within the five recommendations of the PIR, and that there was sufficient evidence that the Council has made good efforts to carry out the plans.

6. The final report does offer some potential additional actions to assist with fully embedding the progress made in relation to the Action Plan, and to deal with some issues outside the scope of the PIR.
7. In particular, the final report is clear that the LGA considered there is a culture amongst members which is preventing the Council from progressing as far as it can. The report does recognise that York achieves many things, stating that "the Council is doing a lot of fantastic things". The report questions how to ensure that members adhere to the rules and codes, and notes that greater understanding of the different roles that officers' and Members' play is required. It is also clear that officers have important roles to perform, and should be allowed to get on with them, and that complaints about officers do not help in this.
8. Another key issue drawn out in the final report is the need for the Monitoring Officer in particular, but more generally all statutory officers, to be fully supported by Senior Management and all Members in their roles, and to be able to act without fear or favour; certainly, the current Monitoring Officer would observe that this is his experience of colleagues to date.
9. Turning to the recommendations, some of these (particularly actions 7 and 8) will either be part of the forthcoming Induction Programme (which, as Members will recall, is to be mandatory for all Councillors, whether newly-elected or returning) or can be included as part of that programme. It is suggested that, to accommodate action 9, this should also be incorporated into the Induction Programme, as part of an ongoing commitment to training for all members. This will build upon the significant work which has already gone into the preparation of the Induction Programme, and will avoid unnecessary duplication of work.

Implications

Financial – None directly arising from this report.

Human Resources (HR) – None directly arising from this report.

Equalities – None directly arising from this report.

Legal – None directly arising from this report.

Crime and Disorder, Information Technology and Property –
None directly arising from this report.

Recommendations

10. It is recommended that Members note the contents of the report.

Reasons for the Recommendation

11. The contents of the report are provided for information only.

Options

12. Members may choose to note or not note the contents of the report.

Author and Chief Officer responsible for the report: Bryn Roberts, Director of Governance and Monitoring Officer

Report Approved **Date** 27 January 2023

Specialist Implications Officer(s):

Wards Affected: *List wards or tick box to indicate all* **All**

For further information please contact the author of the report

Background Papers:

- None

Appendices:

1. PIR Assurance: Final Report.
2. Assurance Exercise on Actions Resulting from the 19 April 2021 Public Interest Report