



Notice of a public meeting of

Audit and Governance Committee

- To:** Councillors Lomas (Chair), Fisher (Vice-Chair), Baker, Cuthbertson, Musson, Wann, Webb and Leigh (Independent Member)
- Date:** Tuesday, 7 February 2023
- Time:** 5.30 pm
- Venue:** The Thornton Room - Ground Floor, West Offices (G039)

AGENDA

1. Declarations of Interest

At this point in the meeting, Members are asked to declare any disclosable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

2. Minutes (Pages 1 - 8)

To approve and sign the minutes of the meeting held on 18 January 2023.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the Committee. Please note that our registration deadlines are set at 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Friday 3 February 2023.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Report of Local Government Association into the PIR (Pages 9 - 20)

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.

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

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<p>For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:</p>

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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City of York Council

Committee Minutes

Meeting	Audit and Governance Committee
Date	18 January 2023
Present	Councillors Lomas (Chair), Fisher (Vice-Chair), Cuthbertson, Musson, Wann, Leigh (Independent Member) and Perrett (substitute for Webb)
Officers in Attendance	Bryn Roberts – Director of Governance and Monitoring Officer Debbie Mitchell - Chief Finance Officer Claire Foale - Assistant Director Policy and Strategy Helen Malam - Principal Accountant Max Thomas - Head of Internal Audit Veritau Limited Connor Munro - Audit Manager Veritau Limited
Apologies	Councillor Webb

28. **Declarations of Interest (17:33)**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on the agenda. None were declared.

29. **Minutes (17:33)**

Resolved: That the minutes of the meeting held on 30 November 2022 be approved and then signed by the Chair as a correct record.

30. **Public Participation (17:34)**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Andy Mendus raised questions about internal audits including the reduction in the number published to Open Data. He asked

about what forward borrowing could be undertaken? Finally he also asked about when the second independent member of the Audit and Governance Committee would be appointed?

31. Consultation On The Annual Audit Work Programme (17:39)

The Head of Internal Audit from Veritau Limited introduced the report and outlined areas Veritau were considering to audit in 2023/24. The Committee were asked to consider the proposed list and to propose any further areas which should be considered for an internal audit by Veritau.

The Committee made a number of suggestions for areas which could be considered for internal audit including York schools, Procurement contract management, ICT security. Members recommended that Adults and Children's Social Care if audited by audited separately from one another due to the separation in services. The Council's Governance framework and Scheme of Delegations were also proposed due to the work recently undertaken to ensure changes to Council policy and the Constitution was having the desired effect.

Members also discussed whether there were smaller service areas, or those which had been considered to be performing well for a number of years, which could dip in performance should they not be audited for a number of years. It was confirmed that the internal audit program was built on a basis of auditors experience and senior management involvement to try and ensure areas which would benefit from an audit were not missed, however, Veritau did not have the budget to audit every area of the Council and would focus to ensure high risk areas were audited.

Finally the Committee discussed how and when to take advantage of the Council's Scrutiny Committee functions. Members agreed that in certain circumstances an internal audit, which the Audit and Governance Committee considered could highlight operational issue, and in those circumstances noted that they could recommend that the service operation be recommended to the Customer and Cooperate Services Scrutiny Management Committee as an area for scrutiny to review.

Resolved:

- i. That the Committee commended on and noted the priorities for internal audit work for 2023/24.

Reason: To ensure that the views of the committee are taken into account when deciding on work to be included in the internal audit work programme.

32. Annual Review Of The Counter Fraud Framework (17:59)

The Committee considered the annual review of the counter fraud framework, questions were raised about small losses, how the Council tackled these, and was there any problem of repeat offenders avoiding prosecution due to individual cases being small. It was confirmed that serious cases were prosecuted, however, the cost of prosecution meant that it was not financially appropriate to seek a prosecution. In cases where the loss to the Council was too low for prosecution it was noted that Veritau work closely with Council services to recover losses due to fraud in a financially sensible way.

Resolved:

- i. Noted the updated Counter Fraud and Corruption Strategy action plan and Fraud Risk Assessment at appendices A and B of annex 1

Reason: In accordance with the committee's responsibility for assessing the effectiveness of the Council's counter fraud arrangements.

33. Treasury Management Strategy (18:04)

The Committee considered the Council's Treasury Management Strategy. Borrowing was discussed and it was confirmed that the Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

Resolved:

- i. Noted the treasury management strategy statement and prudential Indicators for 2023/24 to 2027/28 at annex A.

Reason: So that those responsible for scrutiny and governance arrangements are properly updated and able to fulfil their responsibilities in scrutinising the strategy and policy.

34. Report Of The Monitoring Officer (18:13)

The Director of Governance and Monitoring Officer introduced the report. He noted that officers were working through a number of minor amendments to the Constitution. These amendments would be brought to the Committee and confirmed that a more comprehensive review would take place post the May 2023 elections. In relation to the Public Interest Report it was confirmed that an additional Audit and Governance Committee meeting was being explored to consider the report from the Local Government Association.

An action log for the Committee was also shared with members as a draft for consideration. Members considered the action log and agreed with officers that it would be important to archive completed actions in case needed in future years.

Resolved:

- i. Noted the report;
- ii. Agreed the format of the draft action log should be trialled with the Committee.

Reason: The contents of the report are provided for information only and to ensure agreed actions are implemented.

35. Update On The Member Induction Plan (18:22)

The new Member Induction Plan was introduced to the Committee. It was confirmed that the draft 6 month plan had been developed with the assistance of the Local Government Association. The Committee welcomed the plan highlighting the

importance of training for new and existing Members to perform the role of a Councillor. Members discussed access to the training for prospective members and it was noted that work would be done to share access and dates for sessions as soon as possible.

Resolved:

- i. Noted the Member Induction Plan.

Reason: To ensure the Member Induction Plan sufficiently provides different ways of accessing information about how the council operates to support new and current members learn more about the Constitution, their role, expected conduct, decision making and to build confidence and trust between members and officers.

36. Key Corporate Risks Monitor 2 (18:29)

The Committee considered the report into the Councils Key Corporate Risks (KCRs). Members were informed that the Corporate Director for Place has invited the Committee to undertake a review of KCRs 8 The Local Plan and 12 Major Incidents. Members discussed KCR 2 Governance and how controls were recorded. Officers noted that in relation to the report from the Local Governance Association on the Public Interest Report the control was to receive, however, once the report had been received new controls could be put in place if required. Members considered this update and requested that an additional control be added to KCR 2 that the Committee will make recommendations to a meeting of Council following the Local Governance Association's report.

Resolved:

- i. That report be added to the Committee work plan to review KCRs 8 The Local Plan and 12 Major Incidents;
- ii. That KCR 2 Governance include an action that the Committee will make recommendations to a meeting of Council following the Local Governance Association's report.

Reason: To provide assurance that the authority is effectively understanding and managing its key risks.

Cllr Lomas, Chair

[The meeting started at 5.33 pm and finished at 6.38 pm].

Action Number	Date of Meeting	Title	Action	Action Owner	Status/ Outcome	To be completed by	Completed
1	29/06/22	Issuing of Parking Permits	That the Committee request that CCSMC review how the Council issues parking permits.	Bryn Roberts	This has been referred to the Scrutiny Work Planning meeting, with a request that it be considered for inclusion on the forward work plan.		Yes
2	07/09/22	KCR updates	<p>Updates to the Committee be provided on:</p> <p>KCR 1 (financial pressures): Information was requested on the impact of inflation on business rates and council tax payments, the potential impact of the care cap, and any indications of additional government support.</p> <p>KCR 9 (communities): A suggestion was made to include relationships with parish councils in this KCR.</p> <p>KCR 12 (major incidents): It was suggested that an explanatory note be added against the new risk (relating to commercial power outages).</p>	Debbie Mitchell	Information requested has been included in the KCR3 report being presented to A&G on the 18th January.	Helen Malam	Yes
3	07/09/22	Code of Conduct Training	That Members' comments regarding the training programme currently in preparation by officers be fed into the process, and that the committee have sight of the programme prior to the election period.	Bryn Roberts	Members' comments have been taken into account, and a report outlining the Members Induction Programme is to be considered by the Committee on 18 January 2023.		Yes

4	30/11/22	Final Statement of Accounts	Delegated authority to the Chair in consultation with the Vice Chair to approve and sign the final Statement of Accounts	Debbie Mitchell	We are awaiting the outcome of technical discussions before the accounts can be finalised and approved.	Emma Audrain	Yes
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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

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City of York Council

PIR Assurance: Final Report for A&G Committee

1. Background and scope

1.1 On 19 April 2021 Mazars published a Report in the Public Interest (PIR) on The City of York Council (CYC) into the early termination of the, then, Chief Executive's employment contract. The 5 recommendations from the PIR were:

- The Council should adopt and apply appropriate standards for business case preparation in relation to exit and pension discretions to improve information supporting decisions
- Decision notes should be maintained that document the factors that explain the case for the use of public funds under the scheme of delegation such as where payments exceed contractual entitlements
- The Council should review the design of its governance policies and procedures to manage conflicts of interest (including self-interest threats). This should include updating the Council's constitution and scheme of delegation
- The Council should ensure all Members fully understand the requirements of the Code of Conduct in relation to declarations of interests
- The Council should review its policies and procedures to reflect Government guidance in the use of non-disclosure agreements

1.2 The Mazars report also stated that they "sought views from members and officers on the recurring themes of conflicts of interest and standards of member behaviour that have led to audit action or media coverage in recent years.....the responses we have received include indicators of denial but also an awareness of how the issues reported could undermine trust and confidence in the Council." Some would refer to these issues as reflecting CYC "culture."

1.3 The City Council received this report at Full Council on 4 May 2021 alongside an Action Plan. On 16 June 2021 the Audit and Governance Committee received an update on progress against the Action Plan and a supporting 'Implementation Plan.'

1.4 The Local Government Association (LGA) were asked by CYC to provide support in order to assure the Council that it has taken appropriate, timely and effective action in response to the PIR. Throughout the course of this assurance support, the LGA aimed to answer these three questions:

1. Were the Council's Implementation and Action Plans appropriate and sufficient to cover the issues raised in the PIR and specifically the five recommendations within it?

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2. Were the actions within the Implementation and Action Plans implemented/carried out in the planned way?
3. The “so what?” question. Have the completed actions had, or be likely to have in due course, the desired impact in terms of the changes in the systems, processes, behaviors and culture that the PIR implied were needed, including as in Mazars’ comments repeated in 1.3 above.

1.5 The Council agreed the terms of reference for this work.

1.6 The support was conducted by the following peer team members:

- An experienced Monitoring Officer/Governance Officer - Sharon Bridglalsingh, Director, Law and Governance, Milton Keynes Council
- An HR expert – Sarah Ward, Principal Adviser – Workforce, LGA
- An LGA Facilitator/Manager, Mark Edgell

1.7 This is our final report.

2. Our Findings

2.1 Reports in the Public Interest (PIRs) are rare. For a Council to receive one is a serious matter. The Council, particularly through the Monitoring Officer in post at the time, put a lot of energy into responding to the report, recognising that it was about failure to follow due process, poor record keeping and poor governance, and touched on issues including conflicts of interest, not hearing advice, or that advice not being given clearly enough.

2.2 In terms of question 1 (para 1.4), the peer team, were, overall, satisfied that the Action Plan and Implementation Plan included appropriate steps to deal with the specifics within the 5 recommendations in the PIR.

2.3 We did, however, identify that there were potential gaps in the planned actions that might deal effectively with underlying issues. Namely the implications in the PIR that it was not simply a lack of correct processes that was the issue, but that elements of the Council’s culture meant inconsistent adherence to policies and guidelines.

2.4 Specifically we wondered which planned actions would deal with these cultural issues. For example: ensuring members adhere to the rules and codes, beyond the proposed training and whether there was a sufficient explicit reference to actions to ensure the MO would be enabled to carry out the role effectively.

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2.5 In terms of question 2 (para 1.4) we felt that good progress had been made around the implementation plan. We saw sufficient evidence to assure ourselves that the Council has made good efforts to carry out the plans.

2.6 We did, however, feel there were some areas where the Council could further underline their commitment to this work, specifically:

- We were disappointed that the mandatory training (referred to in R3 (1.4)) around the new Constitution (which was implemented in May 2022) does not yet appear to have happened. It is recognised that other training will be implemented as part of the new Council past May 2023, but our team agreed it remains important to expedite the training on the new constitution.
- We welcomed the fact that the new Code of Conduct has been implemented. Mandatory training for members and officers around the Code (referred to in R4 (1.2) and R4 (1.4)) was done at that time. It is recognised that other training will be implemented as part of the new Council past May 2023, but questioned if progress had been made regarding the annual Code of Conduct retraining as described in R4 (1.3)? Additionally, what records do the council have on who has been on the Code of conduct training? What is being done if someone hasn't attended?
- While recognising important progress, we also wondered whether sufficient steps have been taken to address any future potential conflicts of interest? How effective is the guidance now being provided with all meeting agendas to assist Elected Members in identifying a conflict of interest? Has a plan been put in place to regularly review declarations of interest made by the members?
- Changes to the council constitution have made the functions of the MO more overt and explicit, but it is still essential that the Council ensures that the MO can carry out the role effectively. This would require some members to change their behaviour but also requires effective support from all CMT members to instil an understanding of the role of the MO (and indeed other statutory officers) and demonstrate/cultivate respect for the position and the member/officer protocol. The new MO appointment will have helped this and continue the work started by the previous MO. At all times, the MO needs to be consistently supported at the top table.

3. Question 3: “So what?”

3.1 The 5 PIR recommendations were narrow and relatively simple to implement. For the LGA team we considered the “so what” question to be the most significant. To help answer this Question 3 (para 1.4) we came on-site for one day, to speak to a range of people to ascertain the impact of the actions undertaken and whether they have precipitated the changes in the systems, processes, behaviours, and culture that the PIR implied were

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needed. Through those conversations and triangulating the evidence available to us we have been able to reach a view on these issues.

3.2 We engaged with a wide range of people during our visit and were struck by their openness and constructiveness. We have been particularly heartened by the desire of Councillors from across the political spectrum to share their views with us. One thing is clear from all this: that everyone at the Council shares a passion for delivering on the most important things for residents and businesses in York and throughout the day, a sense of pride in what was being achieved emerged clearly,

3.3 It was commendable that the Council clearly wanted to be seen to be responding quickly and effectively to the report, the majority of which has been led by the MO both previous and current. The Council recognised it was a “pull your socks up” moment and there has been a real effort to respond effectively and put the right things in place.

3.4 Many of the new policies, practice and processes that have been put in place have been effective. But we would argue that the council should be careful about moving too far in the opposite direction and avoid policies and processes that may be too risk averse or even overzealous, meaning for example in some cases decisions being taken at too low a level? For example, perhaps the section on interests is overcomplicated?

3.5 We have heard that the Council is doing a lot of fantastic things. This is especially the product of real dedication and passion from the people who work for the authority and indeed from the members of the Council. The Council has some great people working for it, with talent across the whole organisation, many of whom told us they understood the concerns and wanted to move forward positively.

3.6 The lingering reputation of the Council over issues like the PIR and the comments from Mazars over “standards of member behaviour” appear to us to be at odds with the passion to do the right thing for York and CYC’s track record of delivering well. The Council needs to properly resolve this.

3.7 Member behaviour issues can be a distraction to delivering even great things for York. But officers not carrying out their role effectively or not being able to carry out their role affectively is a contributory factor too. This is why culture is so important, ensuring everyone understands roles and responsibilities and allows advice to be offered and decisions made at the right level and within a culture of mutual respect.

3.8 York has seen significant political change over recent years. Indeed, York is a very political place. The fact that the Council has been run by a stable coalition since 2019 is a positive sign of strength.

3.9 But alongside this, a sign of weakness, is what we identified as the greater sensitivity of some members than is generally observed in other Councils. Additionally in some cases

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there appears to be battle, challenge and scrutiny around process and about minutiae, rather than the important issues such as outcomes for residents and the city. Whilst sometimes process does need to be questioned, to be up with the best Councils, CYC needs to move to focussing debate on priorities, policies and performance, much less on processes and not on personalities. Agreeing to disagree on some things but in a constructive, cordial, respectful way.

3.10 As a simple example of this, the current conflict of interest and standards process has been used for political purposes by some councillors. Only members can change this scenario, although peer to peer pressure within Groups especially, can help in modifying behaviours. There are some signs that the PIR has acted to improve things around member complaints. So, for example, the JSC process has changed and is generating what are seen as more rounded decisions.

3.11 Members and officers need to understand the roles of politicians and the roles of officers.

3.12 Officers have important roles to perform, especially statutory ones and should be allowed to get on with them. Complaints about officers do not help in this. The Monitoring Officer (MO) must be recognised as independent of all Groups and indeed staff, and be allowed to get on with the job, without fear or favour. There is demonstrable cross-party and officer confidence and faith in the recently appointed MO which can only help with this.

4. Summary and Recommendations

4.1 Our overall finding is that the Council responded well to the PIR and has, overall, effectively fulfilled its Action Plan. There have been changes in policy and changes in (planned) practice. So, what may be termed, the “mechanistic” response to the PIR has been good.

4.2 What is less clear is whether the culture is changing enough (and if these mechanistic changes will in themselves generate that). There is only some small evidence of change and progress towards that longer term need for the rebuilding of trust.

4.3 There is clear personal responsibility in this. If the council is to draw a line under the past and move forward, some members need to change their behaviour and officers need to carry out their roles, and be allowed to carry out their roles, effectively.

4.4 As Mazars refer to in their PIR, similar issues around member behaviour have been cropping up in York for a long time. This has been under varying political control. This does underline the softer cultural point that the LGA team identified. Now is the time to draw a line under the past take the opportunity to reset relationships and to deal with these issues

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seriously and once and for all. The will to do this came through from the members and officers we spoke to on the day.

4.5 Our recommendations are:

1. Members must consistently act in line with the Members' Code of Conduct
2. The level and effectiveness of cross-party working must be developed further.
3. Strengthen the trust and relationships between members and officers; ensuring consistent following of the guiding principles in the protocol on officer/member relations and ensuring consistency of understanding around respective roles.
4. Members need to be consistently given, and to hear, the advice they need. The Council should ensure the role of MO and indeed all statutory officers are enabled and supported by other senior colleagues and respected by elected members
5. Councillors need to role model good, professional behaviour. On this front there needs to be strong leadership from influential councillors. Individual responsibility should be reinforced by colleagues, within and outwith Groups.
6. Instances of "feeding" information to people outside the council and encouraging them to "stir" urgently needs to stop, as this undermines trust and confidence within the council.
7. Member training records should be published to ensure members adhere to the need to be trained on key aspects of their role, especially when the council has deemed specific training to be mandatory.

4.6 To ensure effective improvement in these areas we would also recommend:

8. The Groups should co-design and help lead the delivery of effective post-election training with members around roles, code of conduct and behaviour, including the Nolan Principles.
9. The Council should produce a concise, focussed, longer term (3 year) and holistic, overall improvement plan which is clear about what success would look like around culture, behaviours, values and ethos.
10. The Council requests the LGA to deliver a Corporate Peer Challenge in the second half of 2023. This will help monitor progress post-election. Noting that the Council has not received one since 2016 and the recommended frequency is one every 4 or 5 years, this is overdue and timely.



Assurance Exercise on Actions Resulting from the 19 April 2021 Public Interest Report City of York Council

The City of York Council (CYC) received a Public Interest Report (PIR) from Mazars dated 19 April 2021 into the Early Termination of the Chief Executive's Employment Contract. The City Council officially received this report at Full Council on 4 May 2021 alongside an Action Plan. On 16 June the Audit and Governance Committee received an update of progress against the Action Plan and an "Implementation Plan" that supports the Action Plan.

The Local Government Association proposes a piece of support to help assure CYC that it has taken appropriate, timely and effective action in response to the PIR's 5 recommendations.

Scope and focus

The LGA would propose to offer assurance to CYC that it has taken appropriate, effective and timely action in response to the PIR by answering 3 questions:

1. Are the Council's Implementation and Action Plans appropriate and sufficient to cover the issues raised in the PIR and specifically the 5 recommendations within it?
2. Have the actions within the Implementation and Action Plans been implemented/carried out in the planned way?
3. Will the completed actions have, or be likely to have in due course, the desired impact in terms of the changes in the systems, processes, behaviours and culture that the PIR implied were needed.

Note that the answers to each of these 3 questions will, to some extent, be subjective. But the answers to the 3rd question will be the hardest to ascertain and, whilst the LGA will make best endeavours to answer this question, we may need to suggest to the Council, further follow up work to assess impact in the longer run.

Timing and process

The LGA will conduct some of this work through desktop analysis and evidence gathering of plans, actions and timelines. We would want to see the Implementation and Action Plans, any further related Project Plans or documentary evidence.

The desktop work will be supplemented by a limited number of meetings between all, or part of, the LGA team and members, officers and stakeholders at the Council.

This Assurance exercise will be a robust but constructive activity. We will give you honest feedback, which will allow you to be clear whether your actions have been effective or whether there are still areas that need attention.

The LGA would propose to report back to the Council, in the form of a (probably interim) written report, for the Audit and Governance Committee meeting on 29 September 2021.

We will then aim to finalise our feedback in the form of a final report, for the Audit and Governance Committee meeting on 20 October 2021. As suggested above, we may suggest further work if we feel it has not been possible to answer question 3 sufficiently by that stage.

There will be no direct costs to the Council of receiving this Peer Assurance Exercise.

Proposed Team

We would propose a team of:

- An experienced Monitoring Officer/Governance Officer - Sharon Bridglalsingh
- Director, Law and Governance, Milton Keynes Council

- An HR expert – Sarah Ward, Principal Adviser – Workforce, LGA

- An LGA Facilitator/Manager, Mark Edgell

We would want to ensure both the Council and the LGA were happy with the team members selected and have done so.

Mark Edgell, LGA
14 September 2021