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Meeting	Audit & Governance Committee
Date	10 May 2016
Present	Councillors N Barnes (Chair), Dew (Vice-Chair), Cullwick, Fenton, Gunnell, Kramm and Lisle
Apologies	Mr Mendus and Mr Bateman

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## **Part A - Matters Dealt with Under Delegated Powers**

### **66. Declarations of Interest**

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.

Councillor Barnes declared a personal interest in respect of agenda item 7 – Project Management Report as his employer was a sponsor of one of the future occupants of the Community Stadium which was one of the projects referred to in the report.

### **67. Minutes**

Resolved: That the minutes of the meeting of 13 April 2016 be approved as a correct record and then signed by the Chair.

### **68. Public Participation**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme. Ms Gwen Swinburn expressed concern that, in respect of the Public Interest Report, the only action that the Executive had referred to the Audit and Governance Committee was to consider changes to the Council Procedure Rules and Webcasting Protocol. The committee had not been requested to carry out a constitutional governance review. Ms Swinburn also expressed concern regarding the contents of the committee's Forward Plan and the way in which reports were

presented. She suggested that the committee should give consideration to issues such as the Council's property portfolio.

**69. Treasury Management Annual Report and Review of Prudential Indicators 2015/16**

Members considered a report which presented the draft Treasury Management Annual Report and Review of Prudential Indicators 2015/16 which provided an updated on treasury management activity.

Members noted that the report was still in draft form whilst final calculations were completed as part of the year end process.

Officers responded to Members' questions on the report, including clarifying the debt position and the Capital Funding Requirement.

Resolved: That the Treasury Management Annual Report and Review of Prudential Indicators 2015/16, as detailed at Annex A of the report, be noted.

Reason: To ensure that those responsible for scrutiny and governance arrangements are updated on a regular basis to ensure that those implementing policies and executing transactions have properly fulfilled their responsibilities with regard to delegation and reporting.

**70. Update on Information Governance**

Members considered a report which provided:

- A progress update on the Information Commissioners Office (ICO) audit recommendations and action plan;
- An update on information governance;
- The council's plans to meet the request to provide details on ICO cases where the outcome was against the council.

Officers stated that good progress had been made in implementing the action plan that had been put in place following the ICO audit, as evidenced in Annex 1 of the report. Members stated that it would be useful if future updates included revised implementation dates where appropriate and the reasons for this.<sup>1</sup>

Members noted that the ICO was expected to undertake a desk-based review during the week commencing 23 May 2016 to assess the progress that had been made in implementing their recommendations. The findings would be reported back to the committee.

Resolved: That the report be noted.

Reason: To ensure that Members are kept updated on matters in respect of information governance.

Action Required

1. Consider request to include this information in future reports LL

**71. Project Management Report**

Members considered a report which presented an update on the project management framework to inform them of areas of the framework that were being strengthened and to provide an update on major projects. Members were also asked to consider any further data that they would wish to see included in future updates.

Members welcomed the progress that had been made in project management. It was agreed that, on a quarterly basis, the committee would continue to receive update reports providing an overview on project management. It was noted that the Audit and Governance Committee could refer to other committees, any concerns it had regarding specific projects.

Members requested that consideration be given to including data in future reports which indicated the direction of travel for projects as well as the current situation. The reports should also clearly highlight projects which were high risk.<sup>1</sup>

Resolved: That the report be noted.

Reason: To ensure that the committee is kept updated on key programme and project activity.

Action Required

1. Seek to incorporate this data into future reports DA

## 72. Sickness Absence Management

Members considered a report which responded to specific issues identified in the Attendance Management (follow-up) memo dated 18 January 2016. The report also outlined the wider actions and plans in place to manage sickness absence in the council, including the implementation of iTrent absence management, which was a recommendation of the audit and which would improve the recording of sickness absence across the council.

At the request of Members, officers explained the reasons why sickness absence had not been recorded on the iTrent system at an earlier stage. They stated that it had not been possible to do so in light of other priority issues including ensuring that the payroll and pension modules of the system were functioning effectively.

At the request of Members, officers gave details of the percentage of the absences that were stress related and they confirmed that actions were in place to try to address this situation. Details were given of the strategies that had been put in place to support staff wellbeing. The council was also seeking accreditation under the Workforce Wellbeing Charter.

Members requested that the following additional information be circulated to them<sup>1</sup>:

- Benchmarking information from other Local Authorities
- The Report of the Sickness Absence Scrutiny Review of May 2013
- Breakdown of the sickness absence figures for 2015/16 by directorate and identifying whether or not the figures included sickness absence in schools
- Information on the Workforce Wellbeing Charter

*[Following the meeting this information was also added to the online agenda papers for the meeting]*

Members agreed that they would wish a further update report to be presented to the committee to enable the progress in implementing the absence management module of the iTrent system to be monitored.

Resolved: (i) That the report be noted.

- (ii) That an update report on Sickness Absence Management be presented to the committee at their meeting on 7 December 2016.

Reason: To ensure that Members are aware of the key issues and the response to recommendations to secure improvements in control arrangements around sickness absence.

Action Required

- 1. Provide information requested

PS

**73. Council Motions**

Members considered a report that detailed the process for implementing and actioning Council motions. The report had been presented in response to the committee's request at their meeting on 10 February 2016.

Resolved: That the report be noted.

Reason: To inform Members of the method of implementing and actioning Council motions.

**74. Group Leaders' Meetings**

Members considered a report which responded to the committee's request for information on the terms of reference of the Group Leaders' meeting and its role in local democracy.

Members requested that the report be circulated to the Group Leaders for information.<sup>1</sup>

Resolved: That the report be noted.

Reason: To ensure that Members are aware of the terms of reference of the Group Leaders' meetings as requested.

Action Required

- 1. Circulate as requested.

AD

## **75. Audit and Governance Committee's Forward Plan**

Members considered a paper which presented the future plan of reports expected to be presented to the committee during the forthcoming year to February 2017.

Members were invited to identify any further items they wished to see added to the Forward Plan.

Resolved: That, subject to the following amendments which had been agreed during the course of the meeting, the Forward Plan be approved<sup>1</sup>:

- Update on Sickness Absence Management (meeting of 7 December 2016)
- Update on Project Management (meeting of 27 July 2016 and not 22 June as previously scheduled)

Reason: To ensure that the committee receives regular reports in accordance with the functions of an effective audit committee and can seek assurances on any aspect of the Council's internal control environment in accordance with its roles and responsibilities.

## **Part B - Matters Referred to Council**

### **76. Matter Referred from Executive - Public Interest Report City of York Trading**

Members considered a resolution which had been referred by the Executive to the Audit and Governance Committee on 28 April 2016. The resolution requested that the Audit and Governance Committee gave consideration to proposed changes to the Council Procedure Rules and the Council's Webcasting Protocol.

Officers clarified that, if the proposed amendment to the Council Procedure Rules was adopted, rule 14.7 would read *"In exercising his or her public participation rights a member of the public is entitled to express views, positive or negative, about the performance of the Council but must not:*

- *Say anything which is defamatory or discriminatory;*
- *Make any personal attack on an officer;*

- *Disclose confidential or exempt information including personal information”.*

Members gave consideration to the Protocol for Webcasting, Filming and Recording of Council Meetings, as detailed at Annex 2 of the report to the Executive. Members suggested that if a decision was taken to edit any webcast or filmed material the reason for the editing should be stated.

- Recommended: (i) That the proposed amendment to Council Procedure Rule 14.7 be adopted.
- (ii) That paragraph 7 of the existing “Protocol for Webcasting, Filming and Recording of Council Meetings” be revised to read *“The Chief Executive will, in consultation with Group Leaders, make the final decision on editing any webcast or filmed material to be broadcast or published in connection with any Council meeting. The reason for any decision to edit a webcast or filmed material will be published.”*

Reason: In order to address the recommendations highlighted in the Public Interest Report.

## **77. Scheme of Delegations**

Members considered a report which sought their views on changes to the Officer Scheme of delegations.

Officers stated that the review of the Scheme of Delegations was part of the ongoing review of the Council’s Constitution.

Members were informed that the majority of powers covered by the Officer Scheme of Delegations related to executive functions although some significant non-executive functions were also covered, including planning and licensing functions. For this reason the new scheme of delegations required the approval of the Leader in so far as it related to executive functions and Full Council in respect of non-executive functions. The Leader and

Deputy Leader had requested the views of the committee on the draft scheme.

Members gave particular consideration to paragraph 1.7 of the draft scheme, which detailed the circumstances in which a director may refer a matter to Full Council, the Executive, a committee of the Council or an Executive Member.

Members were invited to submit any further comments to the Monitoring Officer prior to the publication of the agenda for the Full Council meeting on 21 July 2016.

Recommended: That the scheme of delegations, as detailed at Annex A of the report, be adopted.

Reason: To ensure that an appropriate scheme of delegation is in place.

Councillor N Barnes, Chair

[The meeting started at 5.30 pm and finished at 7.35 pm].