

Meeting	Audit And Governance Committee
Date	14 April 2021
Present	Councillors Pavlovic (Chair), Daubeney, Fisher (Vice-Chair), Lomas, Mason, Wann And Webb

---

## Apologies

---

### **50. 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. None were declared.

### **51. Public Participation**

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

Gwen Swinburn raised concerns that the Council was not consistent on transparency and asked why there was not a long catalogue of FOI's to view online. She enquired as to why the new complaints system wasn't yet in place and asked whether an independent member of the Committee would be appointed?

Andy Mendus Noted that due to COVID 19 that the Annual Report was not covering the usual 12 months and asked if dates a start and end date could be added. He questions the use of Non-disclosure agreements in settlement agreements by the Council and requested that the Committee have an update report on absence management.

### **52. Monitoring Officer's Update**

Members received an update on Government issued regulations which have implications on the functions of the Council and the Council Constitution. The Committee noted concerns regarding the elapsing of legislation on 7 May 2021 which has allowed remote Council meetings to take place. The Committee also discussed the Council constitution and it was

confirmed that the Monitoring Officer intended a six monthly review of the Constitution.

Resolved:

- i. To note the Monitoring Officer's amendments to the Council's Constitution.

Reason: To ensure the Committee remains updated on amendments to the Council's Constitution.

### **53. Corporate Governance Report**

The Committee were updated on the performance of Information Governance including responses to FOI's and EIA's. Members were informed that the Council's new 4Cs (complaints, concerns, comments and compliments) toolkit had come into operation in April 2021 and that work with Business Intelligence was being undertaken to create new Performance Reports which members could feed into. A correction to Annex 1 of the report was noted, the SAR performance for April 2019 to March 2020 should have been noted as 76.96% responded to in time and 23.04%.

Members discussed the complaints data and requested further detail be shared with Members around complaints that were raised more than once. The authorisation of RIPA powers were considered and it was confirmed that mandatory training was to be delivered to officers who could make applications and authorise.

The new 4C's toolkit was discussed and members enquired about access to ombudsman verdicts, it was noted that findings were published on the ombudsman's website, but that work would be done with ICT and the ombudsman to determine if verdicts could be published directly on the Council website. The publishing of Council FOI's were also considered, it was noted that currently the Council website provided a 3 month catalogue of FOI's and that discussion could be had with ICT to amend the current system to list older FOI's, however, it was noted that the current system meet the Council's legal obligations.

Resolved:

- i. Noted the details contained in the report.

Reason: To ensure the Committee remains updated on the Council's Corporate Governance.

#### **54. Annual Report Of The Audit & Governance Committee**

Officers introduced the report and noted that due to COVID 19 the report covered a longer period than the usual 12 months that it would cover. The Committee were informed that if they were content with the report then a final draft will be taken to a meeting of full council. The Committee considered the report and enquired about the replacement of an independent person for the Committee. Officers confirmed that advertisement for the role would be put out after the May 2021 Police, Fire, and Crime Commissioner elections.

Resolved:

- i. The Committee considered and noted the Annual Report of the Audit and Governance Committee prior to its submission to Full Council.

Reason: To enable the Committee to fulfil its role in providing assurance about the adequacy of the council's internal control environment and arrangements for managing risk and for reporting on financial and other performance.

#### **55. Approval Of The Internal Audit Plan**

The Committee were joined by the Head of Internal Audit from Veritau who introduced the report, noting that the Committee had considered the draft internal Audit plan in February 2021.

Members enquired about Internal Audit and Counter Fraud reports and what impact COVID 19 had had on the delivery of reports. It was confirmed that COVID 19 had meant that many internal audits were paused to allow officers to focus on the pandemic response in March 2020, as a result of this finalised reports were now being completed and should return to normal levels.

The ranking of audit areas were discussed, noting that not all areas could be considered what factors were used to identify areas of focus and whether these could be shared with the

Committee. It was confirmed that the list of priorities could be shared with members however, it was noted that the list was a flexible plan which could change. The Committee were also updated on the process taken by auditors and how concerns regarding risks were escalated in required.

Resolved:

- i. The Committee approved the 2021/22 internal audit plan and noted the proposed counter fraud plan.

Reason: To ensure the Committee acts in accordance with its responsibility for overseeing the work of internal audit and the counter fraud service.

## **56. Governance Update From Head Of Human Resources On CYC Settlement Agreements**

Officers provided background on the process related to settlement agreements used by the Council since 2019. It was noted that settlement agreements would include a confidentiality clause these were not a non-disclosure agreement (NDA) and did not affect an individual's right to act as a whistle-blower or raise safeguarding concerns. Members discussed whether and when an NDA could be used and it was confirmed that this would focus more on the prevention of competitive information being shared. It was noted that terminology used by the Council, is unclear and the Committee proposed that terminology be tightened in reports and that detail be provided on definitions against the terminology used, so that for future reports this is much clearer.

Resolved

- i. Noted the content of the report;
- ii. Noted that the business case template is being reviewed and updated and will be presented to a future meeting of Audit and Governance Committee;
- iii. Noted the annual report on the number of settlement agreements made across directorates throughout the financial year and the value each April.

Reason: To provide assurance and oversight by Members.

It was noted that Councillor Mason had to leave the meeting  
18:53

**57. Monitor 2 2020/21 - Key Corporate Risks**

Members considered the second monitor report for 2020/21 and were introduced to the key corporate risks identified in the report. The Committee discussed the risks identified in the report, the removal of the key risk on Brexit was raised and it was confirmed that since the conclusion of the withdrawal agreement Brexit would now be covered in KCR 1. Members also enquired as to whether the potential lose of remote meetings should be identified as a key risk. Officers noted that it had not yet been added to the Key Corporate Risks due to a number of mitigating factors and the current judicial review which could allow the continuation of remote meetings.

Discussion took place regarding the Local Plan, the People's Directorate structure, and staff welfare and development. Members enquired about the staff survey and it was noted that the results had been considered by Customer and Corporate Services Scrutiny Management Committee and could be viewed on the Council website. Members also recommended that they consider Key Corporate risks KCR8 - Local Plan or KCR2 – Governance in their next report.

Resolved:

- i. Noted the key corporate risks included at Annex A, summarised at Annex C;
- ii. Noted the information provided in relation to KCR10 Workforce/Capacity included at Annex B;
- iii. Noted that the 2020/21 Monitor 2 report will include a detailed analysis of KCR11 External Market Conditions;
- iv. Requested analysis reports on KCR8 - Local Plan or KCR2.

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

**58. Audit And Governance Committee Work Plan**

It was confirmed that the review of the constitution report would no longer be ready for the meeting scheduled 28 April 2021, it

was therefore agreed that the chair and vice chair would be consulted on a new date. It was noted that if the External Auditors report was ready then this could be considered at the meeting 28 April 2021 meeting otherwise the meeting would be cancelled.

Resolved:

- i. The Committee work plan was noted.

Reason: So that the committee has a planned programme of work in place.

Cllr Pavlovic, Chair

[The meeting started at 5.34 pm and finished at 8.15 pm].