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Meeting	Audit and Governance Committee
Date	28 July 2021
Present	Councillors Pavlovic (Chair), Fisher (Vice-Chair), Lomas, Mason, Wann, Webb And Carr
Apologies	

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## **11. 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.

Cllr Fisher noted that while not a prejudicial or any disclosable pecuniary interest he noted that he had worked as a unpaid zero hours employee of a company that had received a Covid Support Grant.

## **12. Minutes**

Resolved: That the minutes of the meeting held on 16 June 2021 be approved and then signed by the Chair as a correct record.

Members enquired about funding to carry out the Action Plan in relation to the Public Interest Report (PIR) and it was confirmed that funding had not yet been identified. Officers also confirmed that as part of the next review of Key Corporate Risks (KCR) that the PIR would be included in KCR 2.

## **13. Public Participation**

It was reported that there had been 3 registrations to speak at the meeting under the Council's Public Participation Scheme.

Gwen Swinburn highlighted that the Committee had been without an independent member for over two years and was concerned that applicants were expected to have Financial

expertise but were not required to have Governance expertise. She raised concerns about the Council's handling of governance issues and the ability to carry out the Action Plan associated with the Public Interest Report, noting what she considered to have been failures to fully carry out previous similar action plans.

Andrew Mendus raised questions about the minutes of the 16 June 2021 meeting. He noted that the Committee had requested external involvement in the implementation of the Action Plan, but that the minutes stated officers would explore external peers to review progress. He noted that there was no Agreed Annual Settlement Agreement report on the Committees work plan. He also spoke about the appointment of an independent person and suggested two individuals to ensure Governance also had an external expert on longer terms.

Cllr Douglas noted her support for the adoption of LGA Model Code of Conduct, however, she raised concerns that it was part of the Action Plan. That is was part of the Action Plan she suggested implied that the Leader of the Council didn't understand or realise when he should declare an interest in relation to discussions around the exit of the former Chief Executive. She noted that the current Code of Conduct was clear enough for a long standing member to understand when they would have an interest to declare and highlighted the financial cost incurred to the Council due to optional payments to the former Chief Executive as part of their exit, expert external governance work, and additional audit costs.

#### **14. Corporate Governance Report**

Officers introduced the report providing a update on the Council's governance. Discussion focused on a number of areas including complaints and requests for information from the Council. It was noted that the Information Commissioners Office (ICO) had often found the Council to correctly withhold information when it choose to do so, however, members enquired about the meeting of deadlines to complete responses. Officers noted that there had been capacity issues within the Council that had affected responding in time, however, the four C's approach of the Council's had improved how the Council responded to complaints and requests for information. It was confirmed the four C's approach does not include all of adults and childrens social care complaints as there is legislation in

those two areas that means that some complaints in those areas have to be dealt with by the legislative process.

Resolved:

- i. To note the details contained in this report;
- ii. To provide feedback on the options for future reporting.

Reason: To ensure the Committee are kept updated on Corporate Governance.

## **15. Draft Statement of Accounts**

Officers introduced the draft 2020/21 Statement of Accounts before they are audited, for the Committee to consider and review prior to auditing. Discussing took place regarding the Council's financial position and Members enquired about the use of the Council's reserves and overspends. Questions were raised about whether Local Government reorganisation could impact the business rates and Council tax, officers did not expect this to be the case. In relation to business rates Members enquired as to the benefits to being a part of the business rates pool. Officers confirmed that the Council could pay business rates to central government but by paying into the pool investment remains within the region.

Resolved:

- i. Noted the draft pre-audit statement of accounts, for the financial year ended 31 March 2021.

Reason: To ensure that, in line with best practice, Members have had the opportunity to review the draft pre-audit Statement of Accounts.

## **16. Mazars Audit Progress Report**

The Mazars Audit Manager introduced the report outlining Mazars progress on audit to date for the year ended 31 March 2021 and noted an update on national publications. Members enquired about Mazars not issuing a Qualified Value for Money Assessment for the Council and Mazars confirmed that they would work with the Council and would communicate concerns to the Council via this Committee. Mazars confirmed they were

currently completing Field Work and anticipated the Mazars Annual Audit Letter being ready for 29 September 2021 subject to information from external sources such as pensions valuation.

Resolved:

- i. Note the matters set out in the Audit Progress Report presented by the external auditor.

Reason: To ensure the proper consideration of the progress of the external auditor in respect of the annual audit of accounts and review of the council's arrangements for ensuring value for money.

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

The Monitoring Officer provided the Committee with an update outlining amendments made to the Council's Constitution which were undertaken due to Government issued regulations in relation to Covid-19.

Resolved:

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

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

## **18. Progress Against the Action Plan**

Officers provided an update on the work undertaken against the Action Plan. It was confirmed that the Local Government Association (LGA) had agreed to support the Council in delivery of the Action Plan, it was also confirmed they would be happy to meet with the Chair and Vice Chair of Audit and Governance to discuss the delivery of the plan.

Members discussed proposed training for members and how these would be used to ensure issues highlighted in the Public Interest Report (PIR) were not repeated. Officers highlighted the work of the Joint Standards Committee around the new Model

Code of Conduct. It was confirmed that the new Model Code of Conduct would not necessarily prevent the issues from the PIR but it would allow the Council to update its practices and match the best practice set out by the LGA.

Members enquired about whether budgets had been identified for the implementation of the action plan and any costs associated to accessing the LGA's support. Officers confirmed that a budget had not yet been confirmed for the delivery of the action plan, however, the support of the LGA was confirmed to be part of the Council's membership and would not have additional costs.

The Council's use of business case documents highlighted in the PIR as requiring improvement and what work would be undertaken to improve this. Officers confirmed that the document was a internal Council document and would remain under review by the Section 151 officer.

Resolved:

- i. Noted the progress made in respect of delivery of the Action Plan.

Reason: To ensure the Committee remain updated in respect of delivery of the Action Plan.

## **19. Work Plan**

The Committee discussed their work plan for 2021/22. Members discussed the use of an additional meeting in September to have a first consideration of the draft constitution. Members requested that a copy of the draft constitution be shared as early as possible with Committee members to ensure enough time to consider it prior to the Meeting, it was confirmed that a digital copy would be shared as soon as possible. Members also discussed when a possible final sign off could take place and it was noted that it would be brought back to Audit and Governance before going to Full Council.

Considering other items on the Committee work plan Members confirmed the Key Corporate Risks monitor 2 item be moved from the Committee's September to October meeting.

Resolved:

- i. The Committee agreed to a in person meeting on 8 September 2021 to consider the draft Constitution.
- ii. The Committee agreed to move the Key Corporate Risks monitor 2 to the Committees October meeting.

Reason: To ensure that the Committee manages its work plan effectively.

Councillor M Pavlovic, Chair

[The meeting started at 5.30 pm and finished at 8.30 pm].