

Corporate Governance and Audit Committee

Wednesday, 9th April, 2014

PRESENT: Councillor G Hussain in the Chair
Councillors P Grahame, N Taggart,
R Wood, E Taylor, J Illingworth, J Bentley,
J Hardy and C Gruen (as substitute for T
Hanley)

Apologies Councillor T Hanley

56 Councillor Fox

On the day of the meeting the Committee learned of the death of Councillor Fox. The Chair paid tribute to Councillor Fox highlighting his contribution to the work of Committee. Other Members highlighted Councillor Fox's other achievements. It was agreed by all Members that a card of condolence be written from the Committee to Councillor Fox's family.

A minutes silence was held prior to the commencement of business.

57 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

58 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public at this point of the meeting.

59 Late Items

There were no late items.

60 Declaration of Disclosable Pecuniary and Other Interests'

No declarations were made.

61 Apologies for Absence

Apologies for absence were received from Councillor T Hanley. Councillor C Gruen was in attendance as substitute.

62 Minutes 21st January 2014

RESOLVED – the minutes of the meeting held on 21st January 2014 were approved as a correct record.

63 Matters Arising

Minute 44 Exempt Information - Possible Exclusion of the Press and Public

Members asked for an update on the ongoing investigation at a partner organisation by Internal Audit and West Yorkshire Police. The Chief Officer (Audit and Investment) confirmed that during discussion of agenda item 10 (minute 69 refers) further details could be provide to the Committee and, if the committee resolved to enter exempt session and exclude the press and public, additional updates could be provided.

Minute 52 Update 4 - Shared Service Partnership with Calderdale Metropolitan Borough Council to meet Adult Social Care Technology Requirements

Following an earlier briefing to the chair of the committee, and at his request, the Chief Officer (Resources and Strategy) and the Chief Officer (Partnership Development and Business Support) were in attendance to update the Committee on the recent secondment of staff from the Adult Social Care System Review Programme to support the urgent ICT needs of Children's Services in the deployment of their own 'Frameworki ' ICT system to meet OFSTED requirements.

It was noted by the Committee that although implementation of the new Adult Social Care system had been delayed until October 2014, it would still be delivered within budget.

Members discussed the possibility of training staff during the 6 week school summer holidays. However due to staff absence during this period it was considered un-workable.

RESOLVED – The Committee resolved to request a further report to its July meeting providing an update on implementation of the project and detailing the capacity of Calderdale Council to contribute towards successful implementation.

Minute No.54 Internal Audit Update Report 1st September to 30th November 2013

The importance of the work of the Scrutiny Board (Resources and Council Services) concerning the use of agency staff was highlighted and assurance was provided that Internal Audit's work looking into this area was complementary to that work.

64 Mandatory implementation of the DCLG Code of Recommended Practice for Local Authorities on Data Transparency

The Executive Officer (Information Governance) and the Senior Information Governance Officer presented a report submitted of the Deputy Chief Executive which provided the Committee with assurance that the Council is meeting its obligation to publish mandatory datasets as prescribed by the Code of Recommended Practice.

Members discussed the positive reasons for publishing the Members' Allowance Scheme which DCLG has recommended be removed. It was highlighted that Members Allowances were still published on the Council's website.

Members considered that the £5000 threshold for publishing contracts entered into by the Council appeared very low and noted that this could potentially be an added financial burden to the authority. Members also discussed the publication of posts that attract salaries of over £50,000, and how this affects part time staff who would earn this figure if they were full time.

RESOLVED – The Committee resolved to note the assurances provided, to ensure the Council meets its obligations in complying with the code.

65 Business Continuity Arrangements for LCC's Critical Services

The Business Continuity Programme Manager presented a report of the Deputy Chief Executive which provided assurance that the business continuity plans and arrangements in place for LCC's critical services are fit for purpose, up to date, embedded and being routinely complied with. The report also provided assurance that LCC is compliant with the statutory duties detailed in the Civil Contingencies Act 2004.

Members sought assurance that plans were in place to deal with a major city centre emergency such as a flood or loss of power. Members were informed that plans are in place and that simulation exercises are undertaken to test the plans, however city centre emergency plans fall under the remit of emergency planning.

Members discussed the position of academies and were informed that the Council does not have Business Continuity Plans in place for individual academies as they operate as separate businesses, but that they would be treated as any other LEA school should a disaster occur.

Members sought assurance that the issue of homelessness has business continuity plans in place – the Business Continuity Manager undertook to make further enquiries and provide a response to the committee.

RESOLVED – the Committee resolved to:

- (a) note that the level of assurance on the adequacy of business continuity management arrangements; and
- (b) note the report for information and receive an annual update detailing progress and achievements in April 2015.

66 Update of the Whistleblowing Policy and Raising Concerns Policy

The Principal Audit Manager presented a report of the Chief Officer (Audit and Investment) that consulted the Committee on a review of the Council's

Whistleblowing Policy and Raising Concerns Policy. The report informed the Committee of the revisions in accordance with the changes to Public Interest Disclosure legislation, and provided an opportunity to comment on the current proposals.

Members received assurance that all whistle blowing referrals are taken seriously and investigated thoroughly. Members were also provided with assurances as to how vexatious referrals are treated. Members were informed that a total of 90 whistleblowing referrals had been received over the last 12 months.

Members asked about the protections, afforded to employees of contractors and partner organisations, and whether the Council's policy covers such organisations. Members were informed that there is limited scope for the Council to provide indemnities and the policy acknowledges that 'the whistleblowing policy does not protect employees of external organisations in the same way as Council employees and workers'.

RESOLVED – The Committee resolved to note the contents of the report and receive a final version of the Whistleblowing policy following approval.

67 Corporate Governance and Audit Committee Annual Report

The Head of Governance Services introduced the report of the City Solicitor which presented the Committee Annual report which provides an overview of the work completed by the Committee over 2013/14 municipal year.

RESOLVED - The Committee resolved to:

- (a) approve the contents of the annual report; and
- (b) request the report be circulated to all Members.

68 work programme report

The City Solicitor submitted a report notifying Members of the work programme.

The Committee reviewed its forthcoming work programme.

RESOLVED – The Committee resolved to note the work programme.

69 Internal Audit Update Report 1st December 2013 to 28th February 2014 and Internal Audit Plan 2014/15

The Chief Officer (Audit and Investment) presented his report which provided a summary of Internal Audit Activity for the period 1st December 2013 to 28th February 2014. The report highlighted the incidence of any significant control failings or weaknesses.

The proposed Internal Audit Plan 2014/15, as discussed and agreed with the Deputy Chief Executive as the Council's statutory responsible financial officer,

was also included as part of the report for members observations and comments.

Members asked questions about work undertaken on spending money wisely. It was confirmed to the Committee that Internal Audit will be looking at any car user mileage rates that are higher than HMRC rates.

Members sought assurance that the number of days featured within the audit plan would be enough to provide an evidence based opinion on the Council's control environment. It was noted that the work done by Internal Audit would be made available to KPMG so that they may assess whether they can rely on the work as part of their audit of the statutory accounts. The Chief Officer (Audit and Investment) also confirmed that Internal Audit works closely with KPMG throughout the year and at year end to ensure this is the case.

During discussion of this item, the committee resolved to exclude members of the public and press as information to be conveyed verbally to the committee concerning ongoing investigations at a partner organisation, was considered likely to be exempt under paragraph 10.4.(7) of Schedule 12A(3) of the Local Government Act 1972 and that to continue the discussion in private outweighs the public interest in receiving the information in public.

RESOLVED – The Committee resolved to note the contents of the report and note the Internal Audit Plan.

70 Retirement of Councillor Taggart

The Chair informed the Committee that this would be Councillor Taggart's last attendance at this Committee due to him not standing for re-election at the forthcoming elections.

The Chair thanked Councillor Taggart for all his contributions to the Committee over the last five years.