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Corporate Governance and Audit Committee

Wednesday, 10th February, 2010

PRESENT: Councillor J Bale in the Chair
Councillors , D Blackburn, G Driver,
P Grahame, G Latty, C Campbell,
G Kirkland and T Leadley

Co-optee Mr M Wilkinson

Apologies Councillors A Lowe

84 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

85 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

86 Late Items

There were no late items added to the agenda.

87 Declaration of Interests

No declarations of interest were declared.

88 Apologies for Absence

Apologies for absence were received from Councillor A Lowe.

89 Minutes of The Previous Meeting

RESOLVED – The minutes of the Corporate Governance and Audit Committee meeting held on 13 January 2010 were approved as a correct record.

90 Matters Arising

Further to Minute 56, the Six Monthly Update Report on Risk Management. Mr M Wilkinson asked what action had been made in relation to the resolution to seek Executive Board support for the Committee's proposal for the regular

publication of the Council's Corporate Risk Register in a summary form and to include the Corporate Risk Map.

The Committee were informed that the proposal from this Committee was on the agenda to go to the Executive Board on 16 June 2010.

Members expressed their desire for proposals to come to an earlier Executive Board meeting preferably 7 April 2010.

Further to Minute 65, The Changing Financial Landscape report, Councillor Leadley asked whether the report had been circulated to all Members following the resolution to do so.

The Committee were informed that this had been done.

RESOLVED – The Committee resolved to request that, the Committee's proposal for the regular publication of the Council's Corporate Risk Register in a summary form and to include the Corporate Risk Map, be placed on the Executive Board agenda for 7 April 2010.

91 Annual Performance Assessment of Adult Services 2008/09

The Deputy Director (Strategic Commissioning) presented a report updating Members on the governance related comments made in the 2008/09 Annual Performance Assessment.

Members particularly discussed:

- that this was a positive report for the Council and noted the improvement from poor to adequate;
- the use of comparator councils and how these are arrived at;
- the importance of the Council comparing itself against results of previous years to give a fair indication of progress made, and that the Council should have its own framework of performance management. Further that the role of external agencies should be to provide assurance on the systems the Council has in place; and
- that the report showed the Council to be lagging behind the private sector in terms of training received by staff.

RESOLVED – The Committee resolved to:

Note the contents of the report and attached final performance review report from the Care Quality Commission for Adult Social Care Services in 2008/09 and the areas being progressed.

92 Leeds City Region - Update on Governance Arrangements

The Chief Officer (Leeds Initiative and Partnerships) presented a report of the Assistant Chief Executive (Planning, Policy and Improvement) updating the Committee on the governance revisions being undertaken by the Leeds City Region (LCR).

Members particularly discussed:

- the legal status of the LCR;
- the risk of a democratic deficit in respect of the existing and evolving LCR structures;
- the importance of the views of elected Members being taken to the LCR; and
- the minimum governance arrangements within which the LCR and emerging structures should operate.

RESOLVED - The Committee resolve to:

- note the revised decision making arrangements being developed at the LCR level for skills and housing;
- note that further reports will be provided on the required interface to ensure that the Council is in a position to engage with and influence the decisions taken by the proposed governance arrangements for the LCR; and
- that a further report should be submitted to the Committee in May to address the extent to which the LCR and emerging structures have taken account of the governance themes contained within the Leeds Partnership Governance Framework.

93 KPMG Scrutiny Review

The Head of Scrutiny and Member Development presented a report of the Chief Democratic Services Officer advising Members of the progress made with the regards recommendations arising from the May 2009 KPMG Audit of Scrutiny.

Members particularly discussed the following:

- that scrutiny is an excellent function;
- the need for the skill required of a scrutiny chair to be documented;
- that dialogue between the Executive Board and Scrutiny should be more prevalent with regard to the priority of work undertaken by Scrutiny; and
- that due to the differing work loads of the Scrutiny Boards consideration should be given to having Scrutiny Boards which are not aligned to specific subject areas.

RESOLVED – The Committee resolved to:

note the progress made in implementing the recommendations made following KPMG's review of Scrutiny.

94 Monitoring of Key and Major Decisions

The Head of Governance Services presented a report of the Chief Democratic Services Officer updating Members on the monitoring and administration of

Key and Major delegated decisions during the period 1 April 2009 to 30 November 2009.

The Head of Governance Services was congratulated on an excellent report by Members, which highlighted an improving picture with regard to the administration of Key and Major decisions notified to Democratic Services.

Members particularly discussed:

- the importance of ensuring that all significant spending being appropriately approved; and
- the increasing number of decisions being recorded as Directorates are becoming more aware of the process required.

RESOLVED – The Committee resolved to:

(a) note the number of delegated decisions taken during the period 1 April 2009 and 30 November 2009 and the number of those that were exempt from call-in and the reasons why;

(b) note the number of delegated Key Decisions that did not appear in the Forward Plan of Key Decisions in the period 1 April 2009 and 30 November 2009;

(c) note the training of Chief Officers and key Directorate support staff in respect of the Council's decision making processes;

(d) note the improved monitoring arrangements introduced by the Head of Governance Services in respect of notified delegated decisions;

(e) note the work undertaken to date in respect of undertaking an analysis to establish that all payments over £100,000 have been notified in accordance with constitutional requirements; and

(f) request an annual update report on the monitoring of Key and Major decisions.

95 Access Routes and Publicity of the Corporate Complaints Process

The Head of Customer Service Development presented a report of the Chief Officer (Customer Services) informing Members of the various access routes the Council has for customers to obtain information about the Council's Corporate Complaints Process and the Local Government Ombudsman.

Members particularly discussed:

- the helpful nature of this report;
- how the Corporate Complaints Process links to complaints made about Members;
- the co-operation between the Council and other agencies with regards to complaints received;

- that there is no requirement for complainants to provide personal information with regards to gender, race and sexuality. This was seen as a positive thing as such information could result in complainants feeling that people are treated differently dependant on the personal information they provide; and
- that poor literacy could put people off complaining but that the Council has arrangements in place to ensure that literacy is not a barrier to making a complaint.

RESOLVED – Members resolved to:

- (a) note the report; and
- (b) request that a further information be provided on the process for receiving complaints about Members.

96 Governance Framework for Significant Partnerships - Monitoring

The Principal Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) updating Members on the results of the recent monitoring exercise on the extent to which the Council's Significant Partnerships.

Members particularly discussed:

- whether well regulated partnerships were giving better service to customers;
- the difficulty is comparing the Council's partnership work with other core cities due to the differing definitions of a significant partnership;
- the toolkit being a good example of a good standard devised by the Council;
- recognition that not all requirements set down in the toolkit are applicable to all partnerships; and
- that where partnerships involving the Council state that they do not intend to meet the minimum governance requirements appropriate to the relevant partnership, this should prompt the question to review whether the Council should continue to participate in the partnership.

RESOLVED – Members resolved to:

- (a) note the work being done in Directorates to further improve governance in significant partnerships; and
- (b) request a further report on the progress made in ensuring the Governance Framework for Significant Partnerships is being complied with.

97 Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for 2009/10.

RESOLVED – Members resolved that:

Draft minutes to be approved at the meeting
to be held on Wednesday, 17th March, 2010

- (a) the work programme be updated to reflect the reports requested during the meeting; and
- (b) that the draft work programme for the remainder of the year be noted.