

Corporate Governance and Audit Committee

Monday, 25th September, 2023

PRESENT: Councillor M France-Mir in the Chair
Councillors G Almass, J Dowson, H Bithell,
C Hart-Brooke, T Smith, P Wray and
S Firth

INDEPENDENT MEMBER: L Wild

28 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

29 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

30 Late Items

There were no late items.

31 Declaration of Interests

No declarations of interest were made at the meeting.

32 Apologies for Absence

Apologies for absence were received on behalf of Cllr Heselwood and the Chief Officer Financial Services.

33 Minutes of the Previous Meeting - 24th July 2023

RESOLVED – That the minutes of the meeting held on 24th July 2023, be approved as a correct record.

34 Matters Arising From The Minutes

In response to a request from the Committee that an officer attend from IDS. Andrew Byrom was in attendance and would attend Committee when his calendar allowed.

Cllr Flynn at the last meeting had raised an issue on the effects of cost of living on service users in the Adults and Social Care Service. He had been

forwarded a report which was presented to Scrutiny the day after Committee. He had advised that he would take his comments to the Chair of the relevant Scrutiny Board.

At the March 2023 Committee, the Committee had requested that the privileged user access list be presented to the Chair. It was noted that this had been sent to all Committee Members on the 1st September.

35 Annual assurance report on planning decision making and enforcement arrangements

The report of the Chief Planning Officer presented the Council's arrangements for dealing with and determining planning and enforcement matters. The Chief Planning Officer has responsibility to ensure that arrangements are up to date, fit for purpose, effectively communicated, routinely complied with and monitored and has internal arrangements in place to provide assurance in the decision-making process and to mitigate any potential risk of challenge on the grounds of partiality or bias.

Members were informed of the following points:

- The report related to the period April 2022 to March 2023.
- The service had faced a number of challenges during the reporting period including backlog issues from the pandemic, budget and resource issues, and system process changes.
- Define and Document sets out the national legislation and requires the Local Planning Authority to prepare plans through planning policies and procedures alongside the Officer's Delegation Scheme and other guidance such as Plans Panels Terms of Reference and Planning Code of Good Practice.
- Training sessions are provided to Members and officers.
- Regular meetings are held to discuss performance and decision making.
- The Service has faced challenges with staff turnover and recruitment.
- An independent service review had been undertaken and the service is currently working on comments received in relation to customer communication, complaints and appeals.
- Monitoring is embedded in the service and benchmarking takes place with core cities and practitioner groups.
- It was noted that the service has seen a reduction in applications in the last six months. However, some of the applications being received do have complex issues.
- The number of complaints to the service had improved.
- Working with colleagues in IDS has seen service improvement for planning services. This included the use of the performance dashboard and a validation checklist.
- The service was still waiting for details of Government changes to planning legislation and policy.

- Information is clearly communicated to staff and MS Teams has been used, so the meetings can be recorded, and lessons learned.

Responding to questions from Members the Chief Planning Officer provided the following information:

- Planning Enforcement is a discretionary service which is highly important. There are a range of measures used, so that proportionate action can be taken. It was noted that more resources were required for enforcement. It was acknowledged that there were costs associated with enforcement action and these needed to be balanced against the risks.
- The Chief Planning Officer gave assurance that the methodology used for enforcement action was consistent and there was guidance on the procedures. The service was working with colleagues in Finance and Legal in relation to any enforcement action. It was noted that a briefing could be provided for Members.
- Members offered to provide examples where in their view inconsistent approaches had caused delays and costs. The Chief Planning Officer said he would review any examples that were sent to him. He said at any one time there was 1,000 cases ranging from modest breaches to significant matters.
- The Committee were advised that the planning comments by a third party were not covered in this report, as it was not part of the same reporting period. The Committee noted that this matter would form part of a report to the relevant Scrutiny Board in 2024.

RESOLVED – To consider and note the positive assurances provided in the report and future steps to provide additional assurance in the process.

Cllr Firth joined the meeting at 10:55 during this item.

36 Annual Assurance Report on Decision Making

The report of the Chief Officer Financial Services provided one of the sources of assurance as to the effectiveness of the Council's arrangements for internal control which the Committee can consider when considering the approval of the Annual Governance Statement.

The Committee were informed that there had been no significant changes relating to the rules, protocols and formal responsibilities relating to decision-making. Decision making is clearly communicated via the Insite toolkit available to all officers and Members. Work is being undertaken to review the training package available.

The Council has meaningful monitoring of decision making through established key performance indicators. The KPI for decisions being placed on the List of Forthcoming Key Decisions is 95% and during 2022/2023 a KPI of 94% which is an improvement on previous years.

In response to questions from Members the Committee were informed of the following:

- Officers and Councillors receive decision making training and have access to the decision-making toolkit.
- The protocol in relation to Member Officer Relations is currently being reviewed and the comments provided by the Committee would be considered when reviewing the document.
- In relation to referrals of appropriate matters to Executive Board. It was noted that this would be checked, and reasons will be provided to Members.
- It was the view that to mitigate frustration between Members and officers, delegated decisions needed to be clearly defined.
- It was noted that Adults Health Directorate had increased their significant operational decisions, it was noted that there had been an increase in decisions relating to care packages, a review will be undertaken to provide a complete answer, and this will be provided to Members.

RESOLVED – To note the positive assurances set out in the Decision-Making Statement of Internal Control attached as Appendix A of the submitted report.

37 Internal Update Report April - August 2023

The Senior Head of Audit, Corporate Governance and Insurance presented a report providing a source of assurance that the internal control environment is operating as intended through a summary of the Internal Audit activity for the period from April to August 2023.

The Committee were informed of the following points:

- 27 reports had been issued in the reporting period.
- Appendix A provided a summary of the work completed by Internal Audit during the reporting period. Whilst there were some limited assurance opinions, this reinforced the success of Audit planning and the opportunity taken to add value. It was highlighted that Directorates had responded positively to the actions agreed and that follow ups would be made on the recommendations.
- It was the view that the trackers had increased a level of openness, and these were detailed in the table on page 88 of the agenda pack. Members attention was directed to an error in the table in relation to Children and Families. The figure under the 6-12 months in the column marked High should read 0 not 8.
- Appendix B provided a summary on the various activities that provide assurance on the performance and quality of the work undertaken by Internal Audit, along with the continuous improvement of the section. It was noted that the team had performed and adjusted well after the recent restructure.

- The Team have planned assignments as the audit year rolls to the Annual Opinion and there was confidence there was a robust process for prioritising the resources available for audits this year.

In response to questions and comments from Members the following information was provided:

- In relation to the table at 4.4 of Appendix 1 it asked for more information in relation to the opinion given for Special Educational Needs. Members were advised that the controls introduced to address the weaknesses found in previous audits had not had time to be embedded and the opinion in the table related to this.
- Members requested that a 'total column' be included on the table on page 88. This request was noted for future reports.
- It was noted that 2 of the specific audits on schools were recorded as behind on targets as there were access restrictions to the trackers and it was difficult to get progress updates. The Committee were advised that both schools were on the schedule for follow up.
- The team were continually reviewing processes and reflecting on intelligence provided, but this approach was better than had previously.
- In response to a question around Education Health Care Packages, it was noted that Scrutiny was currently engaged in looking at this area and that it is important for that work to run its course.
- It was noted that the Annual Report did used to be in July. However, after Covid the report had been moved to November. Discussions had taken place with partner authorities, and it was not uncommon for the Annual Report to be presented later in the year.
- Members asked if some of the outstanding transformational recommendations were reliant on IT. It was agreed that opportunities will be explored to provide greater information on the themes and root causes behind recommendations not implemented in accordance with the target date.

The Committee's Independent Member wished it to be noted that she thanked Internal Audit on the actions they had taken with the tracking process. It provided the Committee with more information and in some cases that did lead to more questions, but this was an improvement. She said 'well done' to the team.

RESOLVED – To:

- a) receive the Internal Audit Update Report covering the period from April to August 2023 and note the work undertaken by Internal Audit during the period covered by the report.
- b) note that there have been no limitations in scope, and nothing has arisen to compromise the independence of Internal Audit during the reporting period.
- c) receive the report providing information relating to the Monitoring of Urgent Decisions covering the period April to August 2023.

38 Approval of Annual Governance Statement 2023

The report of the Chief Officer Financial Services submitted the final Annual Governance Statement and Action Plan for approval by the Committee.

It was noted that the Annual Governance Statement had been placed on public deposit and had raised no comments. The Statement had been endorsed by the Corporate Leadership Team.

The Annual Governance Statement would be published alongside the Statement of Accounts when they were finalised.

Members did make comment on the phrase 'best in breed' which had been used in the diagram on page 122 of the agenda pack. It was noted that the meaning of this would be checked and amended to a more suitable phrase.

The representative from Grant Thornton External Auditors advised the Committee that this was a live document until the accounts had been signed off. It was noted that the accounts should be ready for sign off in March 2024.

RESOLVED - To approve the Annual Governance Statement and Action Plan for 2023 with appropriate amendments, as appended to the submitted report at Appendices A and B.

39 Corporate Governance and Audit Committee Work Programme 2023-24

The Report of the Chief Officer Financial Services presented the work programme for the Corporate Governance and Audit Committee, setting out future business for the Committee's agenda, together with details of when items will be presented.

The work programme and meeting dates were attached at Appendix A of the submitted report.

It was noted that the report of Grant Thornton External Auditors would be coming to the Committee later in the year, and this would be amended in the work programme.

Members were advised that the report in relation to planning on third party comments pilot would be looked at by the relevant Scrutiny Board. The Chief Planning Officer would be able to update Members on progress through the recurring annual planning report to Committee.

The Members were of the view that the agenda for this Committee had become static. They requested that the Committee focus on key issues that the Members had concerns with. It was noted that officers would take the comments on board for the development of the 2024/25 work programme.

Members acknowledged that there is a review ongoing relating to Special Educational Needs and queried whether a report was going to be received by Committee in relation to this review, Officers advised that following the conclusion of this review should the conclusion of this review result in changes to processes or policies then this will be considered for inclusion in the Committees workplan.

RESOLVED - To consider and approve the work programme and meeting dates at Appendix A.

40 Date and Time of Next Meeting

RESOLVED – To note that the next meeting of Corporate Governance and Audit Committee will be Monday 27th November 2023, at 10.30am.

The meeting concluded at 11:35am.