

Audit and Standards Committee

Meeting held 29th July 2021

PRESENT: Councillors Simon Clement-Jones (Chair), Angela Argenzio, Mohammed Mahroof, Josie Paszek and Ben Curran

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1. APOLOGIES FOR ABSENCE

1.1 Apologies were received by Councillor Sioned Mair Richards and Alison Howard (Independent Co-Opted Member).

2. EXCLUSION OF THE PRESS AND PUBLIC

2.1 No items were identified where resolutions may be moved to exclude the press and public.

3. DECLARATION OF INTEREST

3.1 There were no declarations of interest made at the meeting.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting held on 10th June 2021 were approved as a correct record, subject to an amendment of a typographical error in paragraph 1.2 of the minutes.

5. REVIEW OF MEMBERS COMPLAINTS PROCEDURE

5.1 The Internal Audit and Risk Manager, Stephen Bower, submitted a report to highlight the findings of the work undertaken by internal audit in relation to a review of the Standards Complaints Process.

5.2 There were 22 complaints received in 2019, 31 in 2020 and 10 complaints received so far in 2021, these had all been accurately recorded against the complaints register and were up to date.

5.3 The complaints register was found to be accurate and succinct in following the process.

5.4 Occasionally complex complaints would require investigation and the Monitoring Officer, Gillian Duckworth, would outsource these to contracted legal practices.

5.5 The Internal Audit and Risk Manager added that in most cases, the process is dealt with in a timely manner.

5.6 The consideration of complaints received between March to October 2020 was put

on hold, due to the need to prioritise essential and critical services throughout the covid 19 pandemic All complainants were informed of the reasoning for this. It was noted that the backlog of complaints had now been cleared.

- 5.7 The Internal Audit and Risk Manager commended the Monitoring Officer and Democratic Services Team Manager for the work and effort put in to clear the complaints as soon as possible.
- 5.8 The Internal Audit and Risk Manager advised that going forward, with the transition to a committee system, the complaints process would be looked at to ensure it was relevant and up to date but added that the only recommendation going forward was to carry out a review at the end of each complex case to identify any lessons learned.
- 5.9 Members of the Committee asked questions and the key points to note were-
- 5.10 Councillor Mohammed Mahroof asked whether the number of complaints over the last 3 years included parish councillors as well as city councillors? The Internal Audit and Risk Manager responded by confirming that these figures did include parish councillors.
- 5.11 Councillor Mohammed Mahroof believed that the process was still cumbersome, therefore could anything be done to make the process more time effective? The Internal Audit and Risk Manager informed Councillor Mahroof that he had looked at each complaint, and the time took on each case was reasonable.
- 5.12 Councillor Mohammed Mahroof also asked, when employing external lawyers, how independent were they? The Internal Audit and Risk Manager advised that Legal firms were only approached in the more difficult cases. The Monitoring Officer, Gillian Duckworth explained that the input from external lawyers was to produce an investigation report, and not to determine the outcome.
- 5.13 Councillor Angela Argenzio referred to section 2.11 of the report and asked if there would be a timescale on business continuity arrangements, should a current individual not be available? The Monitoring Officer responded by explaining that more than one Democratic Services Officer was trained to carry out the process, and in the case of her absence, there were Deputy Monitoring Officers available to pick up the work.
- 5.14 Councillor Angela Argenzio also asked how often the Independent Person was alternated? The Monitoring Officer explained that every 4 years an interview process was carried out, although there was a low level of interest for this. The Monitoring Officer mentioned that an independent person could serve for longer than 4 years if they wished to interview for the position again and having the experience was favourable. The Independent Person, David Waxman, was in attendance at the meeting and informed the committee that he still retained a high level of independency and hoped to keep on providing honest, independent opinions.
- 5.15 Councillor Angela Argenzio asked if figures on how many times external lawyers

have been used over the last 3 years could be made available? The Monitoring Officer advised that she would find this information out and report back to the Committee.

- 5.16 Councillor Ben Curran raised concerns around the process when dealing with more difficult cases and believed that the report submitted to the committee gave no indication that the complaints were being dealt with effectively. Councillor Ben Curran asked what factors would determine the cause for a suspension during an investigation? The Monitoring Officer responded by saying how difficult it was to name reasons for suspensions, although she expressed that she aimed to get these perused as diligently as possible.
- 5.17 Councillor Ben Curran also asked if the Monitoring Officer thought the complex process was fit for purpose? It was advised that she believed there's nothing else that could be done to make the process more fit for purpose, although was happy if it was felt the process needed to be reviewed. The Monitoring Officer also mentioned the importance on giving investigators time to investigate complaints properly.
- 5.18 Councillor Josie Paszek asked whether it could be noted that the councillor in question was given regular updates on potential delays, as well as the person who brought forward the complaint.
- 5.19 Councillor Mohammed Mahroof commented on the importance for the public that these matters were not prolonged, and asked if there was any health and wellbeing support in complex cases for either an individual who had submitted a complaint or the member in question whilst undergoing the process?
- 5.20 The Chair suggested that a private session be carried out to explore issues around complex cases. Councillor Ben Curran suggested that it would be beneficial to include previous complainants, and subject members to come along and explain their experiences of the Standards Complaint process.
- 5.21 **RESOLVED:** - that **(1)** the Committee notes the report and **(2)** a private session be arranged to discuss issues around complex complaint cases.

6. MEMBER INDUCTION EVALUATION

- 6.1 The Chair informed the committee that there was not an officer in attendance to present this report and that a similar report with more information would be coming to an upcoming meeting. The Chair asked if any member of the committee had any questions on what had been produced in the current report.
- 6.2 Councillor Josie Paszek was pleased to hear that the report would be appearing again at a future meeting and mentioned that it may also be useful for new members to evaluate member induction sessions 6-12 months after the sessions.
- 6.3 **RESOLVED:** - that the Committee **notes a further update will be brought to a future meeting.**

7. SUMMARY STATEMENT OF ACCOUNTS

- 7.1 The Head of Strategic Finance, Dave Phillips, submitted a report to provide members of the Committee with a summary of the 2020/21 Unaudited Statement of Accounts and an explanation of the core statements and key notes to the accounts.
- 7.2 The Head of Strategic Finance asked Members of the Committee to review the accounts over the next few months and get back to him with any questions or areas of concern. The Head of Strategic Finance added that various training courses were available to help members understand the accounts.
- 7.3 The Head of Strategic Finance informed the Committee that the external auditors had already begun reviewing the accounts, which would carry on over the next few months and would report back in early September.
- 7.4 Members of the Committee asked questions and the key points to note were-
- 7.5 Councillor Angela Argenzio referred to page 46 of the report and asked why there was such a difference in expenditure between the two previous financial years? The Finance Manager, added that on page 43 of the report, looking at gross income and expenditure, there had been a big drop and various movements within the figures. It was advised that the differences within the expenditure were due to the impact of covid, especially on adult social care and children's services.
- 7.6 Councillor Mohammed Mahroof highlighted that there was a high number of staff earning over £50,000 a year within the authority, and he wanted information on how many of these were from the BAME community, and whether these figures could be incorporated into the Statement of Accounts? Eugene Walker, Executive Director of Resources advised that he would take this away and speak to Human Resources regarding the figures, as he believed that this information was reported elsewhere.
- 7.7 The Chair of the Committee highlighted the short-term debtor and short-term creditor figures and asked what had caused the figures to increase from 2019/20 to 2020/21. The Finance Manager, responded by explaining the short-term debtor figures had increased as part of the business rate debtor in which retail were owed from central government. The reasoning for the short-term creditor figure to increase was due to external funding being increased by creditors as well as the business rate relief grant playing a factor.
- 7.8 **RESOLVED:** - that the Committee notes the core statements and the key notes to the Statement of Accounts for 2020-21.

8. CHANGE OF ORDER OF AGENDA ITEMS

8.1 **RESOLVED:** - The Chair agreed that Item 10 on the agenda, Annual Audit Letter 2019-20 be considered at item 9.

9. ANNUAL AUDIT LETTER

9.1 Hayley Clark, Ernst & Young (External Audit) referred to the submitted report and explained that this was a finalisation of the reporting taken in 2019/20. The summary report was submitted to the Audit and Standards Committee that took place in April 2021.

9.2 **RESOLVED:** - that the Committee notes the reporting of the 2019/20 audit.

10. EXTERNAL AUDIT PLAN

10.1 Hayley Clark, Ernst & Young (External Audit) submitted a report to the Committee and summarised the work undertaken. The external auditor highlighted the risk assessment processes for the year and highlighted some key areas for the Committee to consider, such as the Risk Assessment Summary, Levels of Materiality, Value for Money and changes that were required by the Code.

10.2 Councillor Angela Argenzio asked whether there would any be potential delays with the audit. The Committee were advised that provision has been put in place to minimise any delays and the External Auditors has been in discussion with the Finance Team at the Council regarding timescales. The auditors advised that they were virtually on site at the moment and were working to complete the fieldwork of the audit by October, report in November and finalise the statements by December 2021.

10.3 The Chair of the Committee thanked the external auditors for the report.

10.4 **RESOLVED:** - that the Committee notes the External Audit Plan for 2020-21.

11. WORK PROGRAMME

11.1 The Committee considered a report of the Director of Legal and Governance that outlined the work programme for the remainder of the municipal year. Members were asked to identify any further items for inclusion.

11.2 The next meeting of the Audit and Standards Committee would consider; -

- Strategic Risk Management
- Annual Internal Audit Opinion Report
- Annual Governance Statement

11.3 The Chair suggested that the meeting due to be held on the 28th April 2022 be cancelled due to PERP (Pre Election Rules on Publicity). It was recommended that all the items listed for this meeting be removed or rescheduled for another date.

- 11.4 **RESOLVED:** - that **(1)** the work programme be noted; and **(2) the meeting dated 28th April 2022 be cancelled and all** items listed be removed or rescheduled for another date.

12. DATES OF FUTURE MEETINGS

- 12.1 Future meetings of the Audit and Standards Committee would be held on Thursdays at 5pm on:

23rd September 2021

21st October 2021

16th December 2021

20th January 2022

24th February 2022 (Additional Meeting if required)

24th March 2022

28th April 2022 – to be cancelled

16th June 2022

21st July 2022