

STANDARDS AND AUDIT COMMITTEE

Wednesday, 22nd November, 2017

Present:-

Councillor Rayner (Chair)

Councillors	Caulfield	Councillors	Tidd
	Derbyshire		Bean
	Hollingworth		

*Matters dealt with under the Delegation Scheme

20 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

21 **APOLOGIES FOR ABSENCE**

An apology of absence was received from Councillor Diouf.

22 **MINUTES**

RESOLVED –

That the Minutes of the Standards and Audit Committee meeting held on 20 September, 2017 be approved as a correct record.

23 **RESPONSE TO DEPARTMENT FOR COMMUNITIES AND LOCAL
GOVERNMENT CONSULTATION ON UPDATING
DISQUALIFICATION CRITERIA FOR LOCAL AUTHORITY MEMBERS**

The Cabinet Member for Governance attended for this item.

The Assistant Director – Policy and Communications presented a report summarising the Government's proposed revisions to the criteria for disqualifying individuals from standing for, or holding office as, a local authority member, directly-elected mayor or member of the London Assembly.

The Committee was informed that the consultation had not proposed to change the disqualification criteria for Police and Crime Commissioners, and that the proposals would not apply retrospectively after the changes are in force.

It was reported that there is a proposal to bar any person subject to sex offender notification requirements from standing for election or holding office, for a period of time until they are no longer subject to notification requirements.

The Committee was advised of the proposal to bar any person subject to an anti-social behaviour sanction issued by a Court from standing for election or holding office. It was noted that the proposal did not extend to closure orders or dispersal orders.

The Assistant Director – Policy and Communications outlined the proposed responses of the Council to the Government’s formal consultation, as set out in Section 7 of the officer’s report.

The Committee considered that the following issues should also be referred to in the response:

- That further clarification should be given over the type of injunction that would lead to barring. Some injunction, for example those arising from a neighbour dispute, might not be significant enough to warrant barring.
- That clarification is needed on how a local authority is to be informed of any relevant sanction, and whether the responsibility for determining this would be with the prospective member, their political group, or the local authority.
- That further guidance is needed as to the effect of, and consequences of, barring during the term of a Councillor’s office.

*** RESOLVED –**

That the proposed consultation responses, as amended by the Committee, be submitted to the Department for Communities and Local Government after further consideration by the Cabinet Member for Governance.

24 **RISK MANAGEMENT STRATEGY AND ANNUAL REVIEW**

The Director of Finance and Resources submitted a report on risk management developments during the year 2016/17 and recommended for approval the updated Risk Management Policy, Strategy and Corporate Risk Register for 2017/18.

Risk Management Training workshops had been carried out by the Council's insurers of its risk management arrangements. The outcomes of the workshops were reflected in the updated Service Risk Registers and Corporate Risk Register.

The Committee were informed of the key risks that the Council had faced during 2016/17, as set out in paragraph 4.6 of the officer's report, and were advised of the work undertaken to mitigate the risks.

The Director of Finance and Resources agreed to consider adding Welfare Reform to the Corporate Risk Register.

*** RESOLVED –**

1. That the progress made on developing the Council's approach to risk management during 2016/17, be noted.
2. That the Committee recommends that full Council approve the Risk Management Policy, Strategy and the Corporate Risk Register for 2017/18.

25 **NATIONAL FRAUD INITIATIVE**

The Internal Audit Consortium Manager presented a report summarising the results of the 2016/17 National Fraud Initiative for Chesterfield Borough Council.

It was reported that no cases of fraud or errors were identified.

*** RESOLVED –**

That the report be noted.

26 **SUMMARY OF INTERNAL AUDIT REPORTS SUBMITTED 2017/18 - NOVEMBER 2017**

The Internal Audit Consortium Manager presented a report summarising the internal audit reports issued during the period 26 August – 20 October, 2017 in respect of reports relating to the 2017/18 internal audit plan.

It was noted that of the six reports issued during the stated time period, one was given 'Substantial Assurance', two were given 'Reasonable Assurance', and three were given 'Limited Assurance'. There were no reports given the 'Inadequate Assurance' classification.

The Committee welcomed the Licensing Manager who provided an update on the progress of implementing the recommendations in the 'Taxi Licensing' audit report, issued on 8 September, 2017.

It was advised that a monthly checking system had been put in place to monitor the taxi drivers that are due to update their Disclosure and Barring Services (DBS) record check. It was noted that reminder letters are issued at regular stages and that a final letter is sent 2 days following a missed submission. This confirms that failing to submit an updated DBS check will result in being summoned before the Appeals and Regulatory Committee.

The Committee heard that training had been made mandatory for all current and new taxi drivers in Chesterfield, with those failing to attend training at risk of being called to the Appeals and Regulatory Committee. There had been an increase in the number of taxi drivers that had received training and information on safeguarding, with over half of the fleet having been trained as at 22 November, 2017.

The Licensing Manager informed the Committee that the training package created by Chesterfield Borough Council had been shared and used by other local authorities within Derbyshire.

It was reported that discussions are ongoing with neighbouring authorities in relation to undertaking joint training and sharing best practice. Online training for taxi drivers had been considered an option for future training requirements.

The Committee thanked the Licensing Manager for attending.

The Committee welcomed the Assistant Director – Customers, Commissioning and Change, to provide an update on the progress of implementing the recommendations in the Data Protection report, issued on 22 September, 2017.

It was reported that while some Council staff had not yet completed the mandatory training modules on data protection, measures had been put in place to increase the completion rate, including the creation of corporate email accounts and logins for those not regularly using the Council IT systems. Additional resources had been provided, including an Information Assurance Manager and Information Rights Officer, to ensure that improvements could be made in relation to data protection.

In addition, discussions had been held with a number of services to ensure that staff received the adequate time in the workplace to complete their mandatory training, or additional pay extra hours incurred outside of their standard working hours.

It was advised that disciplinary procedures could be used in the event that some staff members did not undergo the mandatory data protection training modules.

The Committee heard that the Council is confident that all recommended remedial work will be completed to allow a timely Public Services Network submission by January, 2018, and that it would work towards meeting the General Data Protection Regulations requirements.

The Committee agreed to continue to monitor this matter and thanked the Assistant Director – Customers, Commissioning and Change Manager for attending.

The Internal Audit Consortium Manager presented to the Committee the main findings and key issues relating to the 'Queen's Park Sports Centre' audit report, issued on 21 August, 2017.

It was reported that since the Health and Wellbeing Manager post had become vacant, the Executive Director, James Drury, had worked closely with the Interim Leisure Services Manager to ensure that recommendations are being worked on.

The Committee heard that a total of 14 recommendations remained outstanding as at 22 November, 2017, including a number of

recommendations from the previous audit that had not been fully implemented.

*** RESOLVED –**

1. That the progress reported be noted.
2. That the other managers responsible for outstanding internal audit recommendations arising from 'Limited Assurance' reported be asked to attend the next meeting of the Standards and Audit Committee on 7 February, 2018 to report progress.

27 ANNUAL AUDIT LETTER 2016/17

Mr Tony Crawley of KPMG presented the Annual Audit Letter for the year 2016/17.

The Annual Audit Letter summarised the outcome from the external auditor's work at the Council during 2016/17, including reference to:

- The unqualified conclusion on the authority's arrangements to secure value for money;
- The unqualified opinion on the authority's financial statements;
- The review of the Annual Governance Statement; and
- Confirmation of the audit fee for 2016/17 as £52,445 excluding VAT.

It also gave a summary of reports issued during 2017, which included:

- Certification of Grants and Returns;
- External Audit Plan;
- Auditor's Report;
- Report to Those Charged with Governance; and
- Annual Audit Letter for 2016/17.

It was noted that the Annual Audit Letter would be considered at the meeting of full Council on 13 December, 2017.

*** RESOLVED –**

That the Annual Audit Letter for 2016/17 be received.

28 **MINOR CHANGES TO DELEGATION SCHEME AND PLANNING COMMITTEE PROCEDURES**

The Monitoring Officer submitted a report to seek member approval for updates to the Council's Constitution, in relation to the Delegation Scheme and Planning Committee Procedures.

It was noted that the agreed changes detailed in the report had been agreed by the Council's Planning Committee on 30 October, 2017 and the Cabinet Member for Economic Growth on 10 November, 2017.

*** RESOLVED –**

That the following proposed changes to Part 3 of the Constitution be approved:

1. That the proposed amendments to P140D of the delegation scheme, be approved and the Constitution updated accordingly.
2. That the proposed amendment to the delegation scheme at P760D concerning Environmental Impact Assessment Development, be approved and the Constitution updated accordingly.