

AUDIT & GOVERNANCE COMMITTEE

MINUTES of the meeting held on Wednesday, 21 September 2022 commencing at 2.00 pm and finishing at 4.25pm

Present:

Voting Members: Councillor Roz Smith – in the Chair

Councillor Brad Baines (Deputy Chair)

Councillor Ted Fenton

Councillor Donna Ford

Councillor Nick Leverton

Councillor Judy Roberts

Councillor Robin Bennett (in place of Councillor Ian Middleton)

Councillor Susanna Pressel (in place of Councillor Michele Paule)

Councillor Richard Webber (in place of Councillor Freddie van Mierlo)

Other Members in Attendance:

Dr Geoff Jones (Co-optee)

Officers:

Whole of meeting Anita Bradley (Director of Law and Governance), Lorna Baxter (Director of Finance), Ian Dyson (Asst Director of Finance), Sarah Cox (Chief Internal Auditor), Chris Reynolds (Committee Officer)

Part of meeting Belinda Dimmock-Smith (Capital Programme Manager), Richard Webb (Asst Director of Regulatory Service)

Other Persons in attendance Maria Bulmer and Adrian Grindley (Ernst and Young)

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with [a schedule of addenda tabled at the meeting][the following additional documents:] and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports [agenda, reports and schedule/additional documents], copies of which are attached to the signed Minutes.

15/22 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies for absence were received from Councillors Ian Middleton, Michele Paule and Freddie van Mierlo. Councillor Robin Bennett substituted for Councillor Middleton, Councillor Susanna substituted for Councillor Paule and Councillor Richard Webber substituted for Councillor van Mierlo.

16/22 MINUTES

(Agenda No. 3)

The minutes of the meeting held on 20 July 2022 were approved as a correct record

17/22 LOCAL GOVERNMENT OMBUDSMAN'S REVIEW OF OXFORDSHIRE COUNTY COUNCIL

(Agenda No. 5)

The Committee considered a report from the Director of Law and Governance which gave details of the annual review report by the Local Government and Social Care Ombudsman. This related to the complaints made to the LGSCO about the Council in the previous financial year.

Anita Bradley, Director of Law and Governance, presented the report.

In the subsequent discussion on this item, the following points were raised:-

- (a) The Director of Law and Governance said that she would update the committee on developments for a Joint Complaints Handling Code
- (b) Improvements in working practices in terms of complaints handling were being actioned and should be completed in this administrative year
- (c) In terms of best practice, the Council sought to learn lessons from the outcomes of cases in this and other authorities and followed national best practice
- (d) The Director of Law and Governance explained the remedies being actioned in cases concerning Educational Health care plans and children in care

RESOLVED to receive the Local Government and Social Care Ombudsman's Annual Review of Oxfordshire County Council for 2021/22, and note the work undertaken by the Council with regard to its handling of complaints

18/22 MONITORING OFFICER ANNUAL REPORT

(Agenda No. 6)

The Committee considered a report from the Director of Law and Governance and Monitoring Officer which gave an overview of democratic and ethical governance activities in the Council during the year 2021/22 in relation to the functions of this committee.

Anita Bradley, Director of Law and Governance and Monitoring Officer, presented the report

In the subsequent discussion on this item, the following points were raised:-

- (a) Members welcomed the low number of complaints received under the Members' code of conduct
- (b) The Director of Law and Governance referred to ongoing training on the code of conduct and to particular issues concerning the use of social media by elected members
- (c) Members asked that the programme of members' training be reviewed and that the particular needs of new members be taken into account. The Director of Law and Governance suggested that a survey be undertaken to identify these ongoing training needs
- (d) The Committee should consider whether members' training should be mandatory

RESOLVED to:-

- 1) note and endorse the report
- 2) ask the Director of Law and Governance and Head of Governance to review the programme of members training, taking into account the Committee's comments minuted above

19/22 DRAFT STATEMENT OF ACCOUNTS 2021/22 (REPORT TO FOLLOW)

(Agenda No. 7)

The Director of Finance reported that the completion of the draft statement of accounts had been delayed but this had now been published on the Council's website and copies would be circulated to members that day. The Chair asked whether the Committee might wish to meet informally online for a briefing on the accounts at a future date.

RESOLVED to:-

- 1) note the position
- 2) ask officers to arrange the date and time for an informal briefing for members on the draft statement of accounts

20/22 REVIEW OF THE FINANCIAL REGULATIONS - PROPOSED CHANGES TO THE CAPITAL SECTION'

(Agenda No. 8)

The Committee considered a report from the Director of Finance on proposed changes to the sections on capital within the Council's financial regulations.

Belinda Dimmock-Smith, Capital Programme Manager, presented the report

In the subsequent discussion on this item, the following points were made:-

- (a) The Capital Programme Manager agreed to circulate details of the decision-making structures regarding capital programme approvals
- (b) The Director of Finance agreed to check whether insurance was provided when dealing with bids for infrastructure funding
- (c) The Capital Programme Manager explained the check and challenge processes within the decision-making processes for capital programme projects
- (d) Members asked about the protocols in place concerning informing members of proposed high-value disposals within their divisions. The Capital Programme Manager explained that local members were key stakeholders in the disposal process and consulted. She also outlined the threshold limits on capital spend where a Cabinet decision was required.

RESOLVED to:-

- 1) endorse the amendments to the Financial Procedure Rules (Financial Regulations, Section 5 'Capital') as set out in Annex 1 to the report and submit to Council for approval.
- 2) ask officers to incorporate the protocols concerning member engagement in the capital disposals process

21/22 CONSTITUTION WORKING GROUP

(Agenda No. 9)

The Committee considered a report from the Director of Law and Governance on proposals for membership and ongoing work of the Constitution Review Group.

The Chair said that a recommendation within the report would be amended to state the correct political balance on the Working Group

Anita Bradley, Director of Law and Governance, presented the report. She recommended that, in view of the volume of work required on the forthcoming electoral boundary review, further work on the constitution review should be postponed until January 2023.

In the subsequent discussion on this item, the following points were made;-

- (a) The Director of Law and Governance agreed to liaise with West Oxfordshire District Council, on possibilities for sharing best practice on the constitution review
- (b) The Council's Governance review would need to be initiated through the Cabinet and Council
- (c) The Director of Law and Governance said that proposals for an improved web presence were to be considered by Council on 7 October 2022

RESOLVED to :-

- 1) agree that the Cross-Party Constitution Working Group that it established on 15 September 2021 should continue its work;
- 2) agree that the Constitution Working Group comprise 3 Liberal Democrat – Green Alliance members, 2 Labour and Co-operative members, 3 Conservative and Independent Alliance members and 1 Independent member
- 3) ask the Constitution Working Group to produce a report with further recommendations for amendment of the Council's Constitution for the Committee's consideration.

22/22 SURVEILLANCE COMMISSIONER'S INSPECTION AND REGULATION OF INVESTIGATORY POWERS ACT

(Agenda No. 10)

The Committee considered a report from the Director of Law and Governance on covert activities undertaken by the council between April 2021 and March 2022 in relation to The Regulation of Investigatory Powers Act 2000

Richard Webb, Assistant Director of Regulatory Service, presented the report.

In the subsequent discussion on this item, the following points were made:-

- (a) Members welcomed the content of the report and the reassurances given regarding the conduct of surveillance activities
- (b) The Assistant Head of Regulatory Service answered a number of questions regarding the report

RESOLVED to:-

- 1) note the use of activities within the scope of the Regulation of Investigatory Powers Act by the Council, and

- 2) ask the Head of Regulatory Service to send members a link to the updated Policy for Compliance with the Regulation of Investigatory Powers Act 2000 as set out in Annex 1

23/22 ERNST & YOUNG - VERBAL UPDATE

(Agenda No. 11)

Maria Bulmer and Adrian Grindley, Ernst and Young, gave an update on the status of the 2020-21 audit of accounts. The audit was substantially complete but there were a number of outstanding issues concerning infrastructure assets which were also being experienced in councils nationally. The Director of Finance explained the current position and plans to complete the audit in due course.

Adrian Grindley also explained the position regarding the Pension Fund audit for 2020-21 which would be signed at the same time as the County Council audit of accounts.

RESOLVED to note the verbal report

24/22 INTERNAL AUDIT PLAN - PROGRESS REPORT

(Agenda No. 12)

The Committee considered a report by the Director of Finance providing an update on the Internal Audit Service, including resources and completed and planned audits.

Sarah Cox, Chief Internal Auditor, presented the report

In the subsequent discussion on this item, the following points were made:-

- (a) The Chair welcomed the positive news regarding performance indicators within the Audit service
- (b) The Chief Internal Auditor answered questions regarding recruitment difficulties and measures being taken to train staff internally to equip them for more senior roles
- (c) The Chief Internal Auditor agreed to liaise with the Adult Social Services department about members' concerns regarding the move away from the electronic time management system for visits by carers to payments for planned visits
- (d) The Chief Internal Auditor clarified the changes to performance indicators outlined in the report and confirmed that there was an increased cost in outsourcing some internal audits but this only affected 3 audits in the past year

RESOLVED to note the progress with the 2022/23 Internal Audit Plan and the outcome of the completed audits

25/22 TREASURY MANAGEMENT STRATEGY PERFORMANCE REPORT

(Agenda No. 13)

The Committee considered a report from the Director of Finance covering the treasury management activity for the first quarter of 2022/23 in compliance with the CIPFA Code of Practice on Treasury Management 2021. It provided an update on the anticipated position and prudential indicators set out in the Treasury Management Strategy Statement & Annual Investment Strategy for 2022/23 agreed as part of the council's budget and Medium Term Financial Strategy in February 2022

Tim Chapple, Treasury Manager, presented the report.

In the subsequent discussion on this item, the following points were raised:-

- (a) The Director of Finance and the Treasury Manager answered questions regarding the implications of changes to interest rates for the Council's financial position
- (b) The Treasury Manager explained that was not a need for the Council to borrow externally in the medium term financial plan.

RESOLVED to:-

- 1) note the report;
- 2) recommend the Council to note the council's treasury management activity the first quarter of 2022/23;
- 3) record the Committee's thanks to the Treasury Management Team for the excellent performance detailed in the report

26/22 ANNUAL REPORT OF HEALTH & SAFETY

(Agenda No. 14)

The Committee considered the annual report from the County Health and Safety Manager which provided information about the work of the Corporate Health and Safety Team, the Council's health and safety performance over the year 2021/22 and its plans for 2022/23

Paul Lundy, County Health and Safety Manager, presented the report.

In the subsequent discussion on this item, the following points were raised:-

- (a) Concerns were expressed about the need for staff to use the lone working mobile phone application. The Health and Safety Manager explained that the app was not available to all staff but had been targeted to areas where staff were at greater risk

- (b) The Health and Safety Manager explained the safety measures in place to monitor the working environments of staff who were working on a hybrid basis
- (c) Concerns were expressed about the need to address the mental health implications of staff working at home and members requested that the Head of HR provide information on the support available to staff who experience isolation issues in these circumstances
- (d) The Health and Safety Manager explained that training on Health and Safety was provided to staff and monitored routinely

RESOLVED to note the report

27/22 RISK MANAGEMENT

(Agenda No. 15)

The Committee considered a report from the Corporate Director, Customers, Organisational Development and Resources which provided an update on Oxfordshire County Council's risk management strategy, training completed so far and revised strategic risk register.

Ian Dyson, Assistant Director of Finance, presented the report

In the subsequent discussion on this item, the following points were raised:-

- (a) The Assistant Director of Finance confirmed that monitoring of the Council's strategic risks was reported in the regular Business Management report to Cabinet
- (b) There was a recognised need for the Council to focus on the opportunities presented by the management of risks and not to regard this as a negative process

RESOLVED to:-

- a) note the Risk Management Overview;
- b) note the revised Risk and Opportunities Management Strategy 2022 2023

..... in the Chair

Date of signing