



To: **Members of the Audit & Governance Committee**

***Notice of a Meeting of the Audit & Governance
Committee***

Wednesday, 3 March 2021 at 1.00 pm

Held virtually via MS Teams

Please note that due to guidelines imposed on social distancing by the Government, the meeting will be held virtually.

If you wish to view proceedings please click on this [Live Stream Link](#).

However, that will not allow you to participate in the meeting.

Yvonne Rees
Chief Executive

February 2021

*Committee Officers: Lucy Tyrrell, Tel 07741 607834; E-mail:
lucy.tyrrell@oxfordshire.gov.uk*

Membership

Chairman – Councillor Nick Carter
Deputy Chairman - Councillor Tony Ilott

Councillors

Paul Buckley
Dr Simon Clarke
Charles Mathew

D. McIlveen
Glynis Phillips
Roz Smith

Vacancy

Co-optee

Dr Geoff Jones

Notes:

- ***There will be a pre-meeting held virtually on Monday 1 March at 9.30 a.m. for the Chairman, Deputy Chairman and Opposition Spokesman.***
- ***Date of next meeting: 12 May 2021***

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines.

<http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

- 1. Apologies for Absence and Temporary Appointments**
- 2. Declaration of Interests - see guidance note**
- 3. Petitions and Public Address**

This meeting will be held virtually in order to conform with current guidelines regarding social distancing. Normally requests to speak at this public meeting are required by 9.00 a.m. on the day preceding the published date of the meeting. However, during the current situation and to facilitate these new arrangements we are asking that requests to speak are submitted by no later than 9.00 a.m. four working days before the meeting i.e. 9.00 a.m. on 25 February 2021. Requests to speak should be sent to lucy.tyrrell@oxfordshire.gov.uk together with a written statement of your presentation to ensure that if the technology fails then your views can still be taken into account. A written copy of your statement can be provided no later than 9.00 a.m. 2 working days before the meeting.

Where a meeting is held virtually and the addressee is unable to participate virtually their written submission will be accepted.

Written submissions should be no longer than 1 A4 sheet.

- 4. Minutes (Pages 1 - 8)**

To approve the minutes of the meeting held on 13 January 2021 and to receive information arising from them.

- 5. Ernst & Young - Progress Report incl Audit Plan (Pages 9 - 34)**

1.10 p.m.

Representatives from the external auditors Ernst & Young will attend to present the following report:

- Oxfordshire County Council & Oxfordshire Pension Fund Annual Audit Letter for the year ended 31 March 2020 - February 2021

- 6. Statement of Accounts 2020/21 (Pages 35 - 52)**

1.30 p.m.

Report by the Director of Finance.

This report sets out the approach taken to the preparation of the 2020/21 Statement of Accounts.

The Committee is RECOMMENDED to:

- a) note the proposed timetable for the 2020/21 Statement of Accounts and external audit***
- b) ratify the accounting policies as approved by the Chief Finance Officer and included as an appendix to this report***

7. Counter-fraud Update (Pages 53 - 56)

1.50 p.m.

Report by the Director of Finance.

This report presents an update on the Counter Fraud activity

The committee is RECOMMENDED to comment and note the progress update for Counter Fraud activity.

8. Progress Update on Annual Governance Statement Actions (Pages 57 - 60)

2.10 p.m.

Report by Director of Law & Governance and Monitoring Officer.

Each year the Council must approve an Annual Governance Statement. The Statement gives a description of the effectiveness of the Council's governance framework and an Opinion as to its sufficiency. It also includes a set of governance actions that will form a priority for the year ahead. Last year's Annual Governance Statement (AGS) identified three specific governance actions for 2020/21. As such, this report includes a brief update on those actions ahead of the final position being set out in the new Annual Governance Statement in May.

The Committee is RECOMMENDED to consider and note the outcomes on the governance actions agreed in last year's Annual Governance Statement.

9. Audit & Governance Committee Annual Report to Council 2020 (Pages 61 - 78)

2.30 p.m.

Report by the Chairman of the Audit & Governance Committee to be presented to The Council.

The Annual Report sets out the role of the Audit & Governance Committee and summarises the work that has been undertaken both as a Committee and through the

support of the Audit Working Group in 2020/21.

The Committee is RECOMMENDED to consider the Annual Report and suggest any additions or amendments.

15 MINUTE BREAK SCHEDULED

10. Highways Contract Update

3.10 p.m.

Paul Fermer, Assistant Director of Community Operations will give a verbal update on Highways Contracts to the Committee.

11. Scale of Election Fees and Expenditure (Pages 79 - 88)

3.30 p.m.

Report by Director of Law & Governance and Monitoring Officer.

The County Returning Officer is responsible for the conduct of the County Council elections and by-elections. Expenditure properly incurred in the Returning Officer is to be paid by the Council. As such, a scale of expenses is normally set as a guide to such expenditure. With the County Council elections scheduled to take place in May 2021, this report sets out the scale of expenses that would be applicable to those elections and any by-election occurring in 2021/22. It is brought to the Committee in the interests of transparency about this area of election governance.

The Committee is RECOMMENDED to note the Scale of Election Expenses for the financial year 2021/22, as shown in the Annex to this report, for the election of County Councillors and any other poll associated with the County Council during the year.

12. Audit Working Group (Pages 89 - 92)

3.50 p.m.

Report by the Director of Finance.

This report presents the matters considered by the Audit Working Group Meeting of 21 October 2020.

The Committee is RECOMMENDED to note the report.

13. Constitutional Review (Report to follow)

4.00 p.m.

Report by the Director of Law and Governance.

Under the Constitution, the Monitoring Officer is required to monitor and review the Constitution and to make or recommend any necessary changes. While the Monitoring Officer can make administrative changes for accuracy and clarification, it is for Full Council to make any substantive amendments. This report sets out one substantive change for potential consideration by Full Council. It also outlines administrative changes to be made in-year by the Monitoring Officer. It also looks ahead to a potential way forward with reviewing the Constitution following the County Council elections in May. This Committee is asked to note and comment upon these matters.

14. Work Programme (Pages 93 - 94)

4.30 p.m.

To review the Committee's work programme.

EXEMPT ITEM

The Committee is RECOMMENDED that the public be excluded for the duration of the consideration of Annex 3 at item 16 in the Agenda since it is likely that if they were present during that item there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified in relation to the respective item in the Agenda and since it is considered that, in all the circumstances of each case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

THE ANNEX RELATING TO THE EXEMPT ITEM HAS NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS STRICTLY PRIVATE TO MEMBERS AND OFFICERS ENTITLED TO RECEIVE IT.

15. Review of Procurement Award Process Update (Pages 95 - 118)

4.35 p.m.

Report by Corporate Director for Commercial Development, Assets and Investment and Corporate Director for Customers and Organisational Development.

The public should be excluded during consideration of Annex 3 because its discussion in public would be likely to lead to the disclosure to members of the public present of information in the following categories prescribed by Part I of Schedule 12A to the Local Government Act 1972 (as amended):

- 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

It is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would be to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

The report sets out the conclusion of a successful challenge from an existing contractor as a result of the parking enforcement procurement award process.

The Audit & Governance Committee is asked to:

- (a) Consider the management response and action plan resulting from the Marston Holdings Ltd case, as detailed in this report and Annex 1;***
- (b) Comment on the improvements highlighted in this paper; and***
- (c) Note the thematic findings following the review.***

Close of meeting

An explanation of abbreviations and acronyms is available on request from the Chief Internal Auditor.
