



To: Members of the Audit & Governance Committee

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

Wednesday, 17 September 2014 at 2.00 pm

County Hall, Oxford, OX1 1ND

Peter G. Clark.

Peter G. Clark
County Solicitor

September 2014

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Membership

Chairman – Councillor David Wilmshurst
Deputy Chairman - Councillor Sandy Lovatt

Councillors

Jamila Azad
David Bartholomew
Kevin Bulmer (in place of
Councillor Simon Hoare)

Tim Hallchurch MBE
Jenny Hannaby
Nick Hards

Roz Smith

Co-optee

Dr Geoff Jones

Notes:

- ***Date of next meeting: 19 November 2014***

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 (01865) 815270 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. Minutes (Pages 1 - 6)

To approve the minutes of the meeting held on 2 July 2014 (**AG3**) and to receive information arising from them.

4. Petitions and Public Address

5. Local Government Ombudsman's Annual Review of Oxfordshire County Council (Pages 7 - 14)

2.10 pm

Report by the County Solicitor and Monitoring Officer. (**AG5**)

Each year, the Local Government Ombudsman issues an Annual Review Report about each council regarding the complaints made to the Ombudsman about that Council in the previous financial year. This report therefore informs the Committee of the Local Government Ombudsman's Annual Review Report for this Council for the year 2013/14. In previous years, the Ombudsman issued more detailed reports with a commentary on the authority's performance. Following changes to the Ombudsman's procedures, this is no longer the case. Their Report is therefore high level and does not allow direct comparison with previous years nor does it give county averages so as to enable benchmarking. That said, overall numbers of complaints considered by the Ombudsman and the outcomes of them can be collated locally. The report highlights this overall picture which is, broadly, positive.

The Committee is RECOMMENDED to note and comment upon this report and on the Local Government Ombudsman's Annual Review of Oxfordshire County Council for 2013/14.

6. Governance and Constitution Review (Pages 15 - 38)

2.30 pm

Report by the County Solicitor & Monitoring Officer (**AG6**)

In April 2013, the Council adopted new governance arrangements which came into effect following the May 2013 elections. The Council asked its Monitoring Officer to review the effectiveness of these decision-making arrangements a year after their

coming into operation, along with the underlying Constitution. His recommendations will be considered by Full Council on 9 December. This report therefore summarises the emerging issues from the Monitoring Officer's review.

The Audit & Governance Committee is RECOMMENDED to consider and endorse the direction of travel of the review.

7. Audit Working Group Report (Pages 39 - 42)

2.45 pm

Report by the Chief Internal Auditor **(AG7)**.

The report summarises the matters arising at the meeting of the 4 September 2014.

The Committee is recommended to:

- (a) note the report; and,***
- (b) agree a named substitute for the AWG.***

8. Final Statement of Accounts 2013/14 (Pages 43 - 58)

3.00 pm

Final statement of Accounts 2013/14 and Management Representation Letter 2013/14 to the Auditors.

Reports by the Chief Finance Officer **(AG8)**.

The Committee is RECOMMENDED to:

- (a) consider and approve the Statement of Accounts for 2013/14 presented to the Committee on 2 July 2014 with the minor amendments listed above;**
- (b) consider and approve the Letter of Representation 2013/14 for the Oxfordshire County Council accounts;**
- (c) consider and approve the Letter of Representation 2013/14 for the Oxfordshire Pension Fund accounts.**

9. Ernst & Young External Auditors (Pages 59 - 104)

3.20 pm

A representative of Ernst & Young will attend for these items:-

- Annual Results Report – Oxfordshire County Council **(AG9a)**
- Annual Results Report – Oxfordshire Pension Fund **(AG9b)**
- Oxfordshire County Council Pension Updated Audit Plan **(AG9c)**
- Verbal Progress Report to Committee.

10. Internal Audit Plan - 2014/15 Progress Report (Pages 105 - 116)

3.40 pm

Report by Chief Internal Auditor (**AG10**).

This report presents the Internal Audit progress report for 2014/15.

The Committee is RECOMMENDED to note the report.

11. Quarterly Update of Responsible Localities, LEAN and New Adult Social Care IT System (Pages 117 - 120)

4.00 pm

Report of the Deputy Director Joint Commissioning (**AG11**)

The Audit and Governance Committee requested a quarterly update commencing in September 2014 of the Responsible Localities, LEAN and new Adult Social Care IT system projects. This paper provides a brief overview of these projects. The Committee are asked to note the report.

The Audit and Governance Committee is RECOMMENDED to note the paper.

12. Regulation of Investigatory Powers Act 2000 (RIPA) (Pages 121 - 138)

4.20 pm

Report by the County Solicitor & Monitoring Officer (**AG12**)

The Regulation of Investigatory Powers Act 2000 ('the Act') regulates the use of covert activities by Local Authorities. It creates the statutory framework by which covert surveillance activities may be lawfully undertaken. Special authorisation arrangements need to be put in place whenever a Local Authority considers commencing covert surveillance or considers obtaining information by the use of informants or officers acting in an undercover capacity.

Codes of Practice issued under the Act provide guidance to authorities on the use of the Act. The Code of Practice relating to covert surveillance specifies that elected members should review the authority's use of the Act and set the policy at least once a year. They should also consider internal reports on the use of the Act periodically.

This paper provides an overview of the use of activities falling within the scope of the Regulation of Investigatory Powers Act 2000 by Oxfordshire County Council in the period from April 2013 to March 2014. The report also provides an overview of the authority's Policy and the full policy is provided as an annex for committee members to review.

The Committee is RECOMMENDED to consider and note the periodic and annual use of RIPA by Oxfordshire County Council and the associated Policy.

13. Office of Surveillance Commissioners - Inspection Report (Pages 139 - 154)

4.35 pm

Report of the County Solicitor & Chief Monitoring Officer (**AG13**)

The Regulation of Investigatory Powers Act 2000 ('the Act') regulates the use of covert activities by Local Authorities. It creates the statutory framework by which covert surveillance activities may be lawfully undertaken. Special authorisation arrangements need to be put in place whenever a Local Authority considers commencing covert surveillance or considers obtaining information by the use of informants or officers acting in an undercover capacity.

As part of the inspection regime, the Office of Surveillance Commissioners carry out inspections from time to time to examine an authority's policies, procedures, operations and administration. On 29 May 2014, a Surveillance Inspector visited the County Council to inspect the processes of the Council and the Oxfordshire Fire and Rescue Service. This report summarises the findings of the Surveillance Inspector's investigation and invites the Committee to raise any questions or comments. The outcome was positive with the Inspector expressing no issues of concern and making only one procedural recommendation, which has been accepted.

The Committee is RECOMMENDED to consider and note the report.

Close of meeting: 4.40 pm

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

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Thursday 11 September** at **2.00 pm** for the Chairman, Deputy Chairman and Opposition Group Spokesman.