



To: Members of the Audit & Governance Committee

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

**Wednesday, 6 September 2017 at 2.00 pm**

**Rooms 1&2 - County Hall, New Road, Oxford OX1 1ND**

Peter G. Clark  
Chief Executive

August 2017

Committee Officers: Colm Ó Caomhánaigh, Tel 07393 001096; E-mail:  
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**Membership**

Chairman – Councillor Nick Carter  
Deputy Chairman - Councillor Tony Ilott

*Councillors*

Paul Buckley  
Ian Corkin  
Helen Evans

Charles Mathew  
D. McIlveen  
Les Sibley

Roz Smith

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*Co-optee*

Dr Geoff Jones

**Notes:**

- ***Private briefings with the Internal and External Auditors will take place in the Members' Boardroom at 1pm on the day of the Committee meeting.***
- ***There will be a pre-meeting briefing at County Hall on Thursday 31 August 2017 at 9.30am for the Chairman, Deputy Chairman and Opposition Group Spokesman in the Members' Boardroom.***
- ***Date of next meeting: 8 November 2017***

## 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](mailto: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 5 July 2017 and to receive information arising from them.

4. **Petitions and Public Address**
5. **Statement of Accounts 2016/17 (Pages 7 - 226)**

2.10pm

Report from the Director of Finance

The Accounts and Audit Regulations 2015 require the Director of Finance to publish the unaudited Statement of Accounts 2016/17 no later than 30 June 2017 and certify that they give a true and fair view of the County Council's financial position and income and expenditure for the year. This was achieved on 31 May 2017. The Regulations require the Statement of Accounts to be considered by a committee of the Council by 30 September 2017 and, following that consideration, to be approved by resolution of that committee. This report presents the accounts to the Audit & Governance Committee for consideration and approval, with the findings of the audit available in Ernst & Young LLP's audit results reports.

**The Committee is RECOMMENDED to:**

- (a) **Consider and approve the Statement of Accounts 2016/17 at Annex 1;**
- (b) **Note the Summary Accounts 2016/17 at Annex 2;**
- (c) **Agree that no changes are required to the Annual Governance Statement, previously approved by the Committee on 26 April 2017;**
- (d) **Consider and approve the Letter of Representations 2016/17 for the Oxfordshire County Council accounts at Annex 3;**
- (e) **Consider and approve the Letter of Representations 2016/17 for the Oxfordshire Pension Fund accounts at Annex 4;**
- (f) **Agree that the Director of Finance, in consultation with the Chairman of the Committee (or Deputy Chairman in his absence), can make any further**

changes to the **Statement of Accounts 2016/17** and / or letters of representation that may arise during completion of the audit.

**6. External Auditors (Pages 227 - 268)**

2.40pm

A representative from the external auditors, Ernst & Young, will attend to present the following item:

- Final Accounts Audit

**7. Internal Audit Plan - Progress Report 2016/17 (Pages 269 - 286)**

3.00pm

Report by the Director of Finance

This report presents the Internal Audit progress report for 2016/17.

**The committee is RECOMMENDED to note the progress with the 17/18 Internal Audit Plan and 17/18 Counter Fraud Plan and the outcome of the completed audits.**

**8. Transformation Update (To Follow)**

3.20pm

Presentation by Lorna Baxter, Director of Finance.

**9. Report on the Authority's Policy for Compliance with the Regulation of Investigatory Powers Act 2000 and Use of Activities within the Scope of this Act (Pages 287 - 316)**

3.50pm

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 legislative regime, the Office of Surveillance Commissioners carry out

inspections from time to time to examine an authority's policies, procedures, operations and administration. On 25 May 2017, Assistant Commissioner (His Honour Brian Barker CBE, QC) 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 Inspector's investigation, which were generally positive with several helpful recommendations for improvement. The Committee is invited to raise any questions or comments.

Codes of Practice under the Act require that elected members review the Authority's use of the Act periodically and review the Authority's policy annually. This report therefore also provides a summary of the activities undertaken by Oxfordshire County Council that fall within the scope of this Act for the period from April 2016 to March 2017.

**The Committee is RECOMMENDED to:**

- (a) Consider and note the use of activities within the scope of the Regulation of Investigatory Powers Act by the Council and the Office of Surveillance Commissioners report, and**
- (b) Note the revised Policy and Guidance documents at Annexes 2 and 3 and to comment on any changes to the Policy for Compliance with the Regulation of Investigatory Powers Act 2000 that the committee would wish the Monitoring Officer to consider.**

## **10. Monitoring Officer Annual Report (Pages 317 - 328)**

4.10pm

Report by the Monitoring Officer

The Audit and Governance Committee is responsible for promoting standards of conduct for elected councillors and co-opted members and for ensuring the integrity of the democratic decision-making process. Consequently, the Monitoring Officer reports annually to this Committee on relevant actions and issues that have occurred in the previous year. This report therefore summarises certain activities for the year 2016/17 including the run-up to the May 2017 election and consequent governance actions.

**The Committee is RECOMMENDED to consider and endorse the report.**

## **11. Local Government Ombudsman's Review of Oxfordshire County Council (Pages 329 - 348)**

4.30pm

Report by the Monitoring Officer.

Each year, the Local Government Ombudsman (LGO) issues an Annual Review Report

about each council in relation to the complaints made to the Ombudsman about that Council in the previous financial year. My report to this Committee therefore informs members about the LGO's Annual Review Report for Oxfordshire County Council for the year 2016/17.

In short, fewer complaints about the Council have been upheld by the Ombudsman in 2016/17 compared to the previous year, even with slightly more complaints being referred to her. Put into the context of county council performance generally, the Council has the third lowest number of upheld complaints per 100,000 residents (seven upheld complaints). This is an improvement on last year (fifth lowest) and remains encouraging. It continues to suggest that the Council's system of control expressed through its own complaints processes is working well.

This is not a case for complacency however and this report sets out the LGO's findings, the wider context and also details the complaints upheld by the LGO during 2016/17.

**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 2016/17.**

## **12. Work Programme (Pages 349 - 350)**

4.50pm

To review the Committee's Work Programme.

**Close of meeting**

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

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