

Audit and Corporate Governance Committee – Meeting held on Thursday, 30th September, 2021.

Present:- Councillors Sabah (Chair), Wright (Vice-Chair), Ali, Brooker and J Davis.

Co-Opted Independent Member - Iqbal Zafar

Parish Council Representative - Andrea Escott (Colnbrook with Poyle)

Also present under Rule 30:- Councillor Gahir

Apologies for Absence:- Councillors Grewal and Hussain
Dr Louis Lee (Independent Person)

PART 1

20. Declarations of Interest

None received.

21. Minutes of the Meetings held on 29th July 2021 and 14th September 2021

Resolved - That the minutes of the meetings held on 29th July 2021 and 14th September 2021 be approved as a correct record.

22. Action Progress Report

The Committee considered details of the Action Progress Report and requested that the following updates be provided at the next meeting:

- Details of Member DBS checks carried out to date
- Update on the implementation of Flood Action Plan
- Details of the amount of monies recouped in relation to the 20% of staff expense payments made without relevant receipts
- Clarification on the role of tracing agents and enforcement agents to be circulated to the Committee

Members sought clarification on the Section 106 funds, specifically the position on the 50 agreements not yet invoiced which totalled £6.75m. It was explained that data had been extensively reviewed and 15 invoices were outstanding totalling £1.35m; £80k of which had been received and the remainder invoiced. Concern was expressed with regard to the disparity in the number of outstanding invoices previously reported in comparison to the 15 now confirmed by officers. The Director of Finance explained that whilst he was unable to comment on why a figure of 50 outstanding invoices had been previously reported, in depth work by the finance team had verified that there were currently 15 outstanding invoices.

Resolved – That details of the Action Progress Report be noted.

23. Members Performance Report 2020/21

The Committee considered details of the Members Performance report 2020/21 which included details of Members meeting and training attendance and number of casework submitted. Following the comments of the Committee on this report at the meetings in March and June 2021, the report included:

- Members' Attendance – a record the committees each councillor was on and a full update for the 2020/21 municipal year
- Casework / Complaints – a breakdown of casework and complaints by service/issue.

The total % attendance figure for councillors attending formal Council, Cabinet and committee meetings in 2020/21 was 90% which was the highest average figure over the past six years.

Referring to casework submitted, it was noted that the majority related to issues regarding fly-tipping. Members stated that the same issue could be logged multiple times and enforcement in this area was poor. The Executive Director of Customer and Community explained the difficulties associated in successfully prosecuting for fly-tipping. The Chair requested details of the number of enforcement officers in this area and vacant posts and it was agreed that this would be provided. The Committee emphasised the importance of ensuring the reporting process for fly-tipping was prominent and easily accessible on the council's website and the Executive Director of Customer and Community undertook to look into the matter.

A Member asked whether outcomes on submitted casework could be provided to the Committee and it was agreed that the Corporate Complaints Manager would be contacted to see whether this was feasible.

Resolved - That Members' attendance details at meetings and casework submitted for the period 2020/21 be noted

24. Risk Management Update - Quarter 2 2021/22

The Director of Finance summarised details of the revised Corporate Risk Register, which had been amended to ensure that the Council developed a strategic risk register which encompassed tracking of the risk scores over time, allowing different types to be directly compared and assessed.

Committee Members were invited to comment on the revised risk register and the following points were raised:

- Subsidiary Companies to be included as a new risk on the Corporate Risk Register.
- Disposal of assets and ensuring that value for money was obtained. It was explained that all disposals would require the approval of the Director of Finance and Director of Place and Community. It was anticipated that conveyancing for the sale of assets would be

undertaken by HB Law, with the option to seek specialist expertise advice if required.

- Member training details to be included as part of Risk 5 - Financial Sustainability, accounting and processes - and Committee Members informed.
- Speaking under Rule 30, Councillor Gahir asked about the process of disposal of assets and the manner in which Members would be informed. The Committee were informed that the Asset Register was currently being updated and sale of assets over £1m would be reported to Cabinet and those below this value would be circulated to members for information. Independent valuations would be sought, with the option of selling assets via auction; however there was no requirement to sell should sales close to the valuation of the assets not be obtained or achievable.
- Details of the number of sales at the Moxy Hotel site / SBC percentage partnership at the site would be circulated to the Committee.
- Referring to the Our Futures Programme, the Director of Finance stated that the programme had come to a natural conclusion and that the consultants overseeing the programme had left at the end of September. Looking ahead, it was key that development and implementation of performance management of staff was managed properly.
- The Chair asked whether the vacant GDPR post had been filled and if not, what the risks to the authority were by not having a dedicated officer. It was outlined that the statutory requirements stated that as a public authority the Council would need a named and nominated person to act as Data Protection Officer and an interim DPO was currently in post. Officers explained that DPO was a function and not a role and would typically also have another function within SBC. The Committee were assured that GDPR responsibilities were being covered. The interim Group Manager addressed the Committee, explaining that he was experienced in GDPR and had fulfilled the role of Data Protection Officer previously in other organisations. Work was currently being carried out on a new structure for the IT, which would include a DPO. It was anticipated that the consultation would be carried out late October/November and the new structure in place by early 2022.

Resolved – That details of the report, including improvements to the risk register, be noted.

25. Internal Audit Update - Quarter 2 2021/22

The Director of Finance introduced the Internal Audit Update Quarter 2 report, outlining progress of the implementation of internal audit management actions. All internal audit reports from 2020/21 had been finalised, with action owners and target dates being assigned to all internal audit reports for that year. 65 outstanding actions had been completed and to ensure tracking of progress against remaining actions, target dates were being reviewed and assigned with achievable completion dates and assigned to appropriate

individuals. Actions would be monitored by frequent liaison with Executive Directors and Associate Directors. Evidence of actions completed would be obtained and quality assured by the Group Manager, Commercial.

Details of the high and medium rated outstanding actions were discussed. It was noted that a further update on parked invoices would be provided at the next Committee meeting, following an analysis of over 4,000 invoices which it was anticipated would be completed by the end of October. Responding to a Member query on Council Tax, the Director of Finance explained that an investigation into the £2,516,195 unreconciled difference identified via the council tax direct debit reconciliations was being addressed; with a full plan being developed by December to address the discrepancies and improve processes.

Referring to when treasury management training would be provided, it was explained that this was currently being developed and Members would be informed in due course.

A Member raised that the rating for DBS checks at schools should be rated as high risk and it was agreed that the Appendix would be updated to reflect this for Our Lady of Peace Catholic Primary School.

Clarity regarding the completion dates for recommendations relating to Holy Family Catholic School (30.09.17) and SEN Funding (31.12.17) would be provided at the next meeting, in addition to information relating to the role and responsibilities of Members appointed to DISH.

Resolved – That details of the report, including improvements to the outstanding actions, be noted.

26. Internal Audit Progress Report

The Assistant Internal Audit Manager introduced the Internal Audit Progress Report, highlighting that since the July Committee meeting, a further five final reports had been issued. A number of changes to the agreed audits had been made, including GDPR and Business Continuity audits; which was to aide the Council in dealing with the impacts of the Pandemic, S114 notice and effects of the restructure resulting in numerous vacancies that the Council was attempting to fill.

Key findings from the finalised audits relating to Children Missing Education, Rent Arrears Recovery and IT Business Continuity were highlighted as detailed in Appendix A to the report. Following a series of questions relating to the implementation of recommendations, it was agreed that the following information would be sent to the Committee or an update provided at the next meeting.

- **Children Missing Education** - Update on recommendation 8 to be provided at the December meeting.

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- **Rent Arrears Recovery** –Confirmation whether recommendations had been completed given that the target date for implementation was 30.09.21.
- **IT Business Continuity** – Update on whether the Disaster Recovery Plan was in place.

Resolved – That details of the report be noted.

27. Members Attendance Record 2021/22

Resolved – That details of the Members Attendance Record 2021/22 be noted.

28. Date of Next Meeting - 9th December 2021

Chair

(Note: The Meeting opened at 6.32 pm and closed at 8.29 pm)