

Audit and Governance Committee**31 January 2019****AUDIT AND GOVERNANCE COMMITTEE****31 January 2019 at 7.00 pm**

MEMBERS: Councillor Richard Clifton (Chair), Councillor David Hicks (Vice-Chair) and Councillors Jean Crosby, Marlene Heron, Nali Patel, Martina Allen, James McDermott-Hill, Nick Matthey, Vincent Galligan (substitute for Councillor Colin Stears) and Martin Gonzalez (substitute for Councillor Joyce Melican)

Geoffrey Beresford Hartwell – Independent Person

ABSENT Councillor(s) Joyce Melican and Colin Stears

28. WELCOME AND INTRODUCTIONS

The Chair welcomed all those present.

29. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Joyce Melican (for whom Councillor Martin Gonzalez was acting as substitute) and Councillor Colin Stears (for whom Councillor Vincent Galligan was attending as substitute).

30. DECLARATIONS OF INTEREST

There were no declarations of interest made.

31. MINUTES OF THE PREVIOUS MEETING

RESOLVED: that the minutes of the meeting held on 18 October 2018 were agreed and signed as an accurate record.

32. AG/2018/18 - OPERATION OF THE CODE OF CONDUCT

Councillors Nick Matthey and Marlene Heron arrived during the item, while Councillor Jean Crosby left.

Jessica Crowe, Monitoring Officer presented the report. Members were provided with further explanation as to how public interest in a complaint is determined and means of informal resolution.

With regards to language and behaviour under the Code of Conduct, Members expressed that there was an element of subjectivity and that in public debate, there may be occasion where statements are made which are felt to be offensive. Differentiation however, was

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given to debate in the public domain to that in a private capacity, which may be held to a higher threshold. Alternatively, others felt that being in the political sphere required a 'thick skin'. The rapidity of modern means of communication, such as social media, was also felt to be a contributing factor to the issues under discussion.

Other Members expressed concern at the effect on their own wellbeing of language and behaviour. The increasingly personal nature of 'attack' in debate was also remarked upon and the Independent Person present, Geoffrey Beresford Hartwell, reminded the committee of the courtesies required in debate and an additional responsibility of restraint for those in the role of councillor. Mention was also given to the responsibility of political groups for the behaviour of their own members. Dissatisfaction was expressed by Councillor David Hicks (as to the protection of members) who requested that a training related to safety be considered and that any protocol in place be reviewed.

Members discussed the proposed review of the planning protocol, following an explanation of the background from the Chair. Several expressed the strong view that option 2 (that members who had de-delegated should not take part in the decision on the application) should be adopted, including the Independent Person present, on the basis that you should not be both judge and advocate. Alternative measures such as rewording the grounds for de-delegation, allowing members from a different ward to de-delegate on their behalf or allowing a ward member to speak but just not vote, were also suggested. The Monitoring Officer thanked members for their contributions, which would be fed into the review.

RESOLVED: that

1. The action taken by the Monitoring Officer in dealing with complaints was commented upon and noted.
2. The recommendation from the investigating officer be endorsed in relation to the planning committee complaint to review the wording of the Planning Protocol to provide greater clarity to members and the comments on the issues discussed in section 4 be noted to give a steer to this review.

33. AG/2018/19 - MEMBER DEVELOPMENT UPDATE

Fiona Bywaters, Committee Services Team Leader, presented the report. Brief comment was provided from Members that further basic ICT instruction would be useful as part of any future induction programme.

RESOLVED: that the member development update was noted and commented upon.

34. MEMBERS' DEVELOPMENT

Margaret Culleton, Head of Internal Audit, provided a verbal update on the self assessment recently completed by committee members and areas for future member development were noted. Councillor David Hicks, as Vice Chair, requested that those who had not responded to the survey, do so.

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Margaret Culleton, Head of Internal Audit, presented the report. Further explanation was given to those areas with limited assurance.

RESOLVED: that progress against the plan was considered and commented upon.

36. AG/2018/21 - TREASURY MANAGEMENT QUARTERLY REPORT

Gerald Almeroth - Strategic Director (Resources) briefly presented the report. Further explanation was given to paragraph 4.19 and the 'colour risk rating' which factored in duration. In debate, Members also discussed the update on Heritable Bank in paragraphs 4.21 - 4.22.

RESOLVED: that

1. The treasury management activity undertaken during the first six months of the year be noted.
2. This report be adopted as the mid year treasury management review and recommend that it is reported to Full Council.

37. AG/2018/22 - FRAUD REFERRALS AND INVESTIGATIONS UPDATE

Kevin Holland, Deputy Head, Fraud & Risk - South West London Fraud Partnership presented the report. Attention was drawn to Item 17 (false challenge against penalty charge notices) and Table 1 (investigation caseloads) in particular.

In debate, Members discussed the costs of investigations versus their impact and outcome, as well as the challenges involved in a successful prosecution. Reference was also given to a discussion at Housing, Economy and Business Committee (29 January) which had considered rates evasion by businesses.

RESOLVED: that the report be noted and was commented upon.

38. AG/2018/24 - REVIEW RISK REGISTER AND DISCUSS MITIGATION

Jessica Crowe, Assistant Director - Customers, Commissioning and Governance, presented the report.

In particular, Members discussed technology failure (ICT and telephone) and insufficient resources as risks. Explanation was given to business continuity plans and emergency planning arrangements in the Council by Gerald Almeroth, Strategic Director - Resources.

Members also discussed mitigation measures in relation to the risk in delay of the Rosehill School. The Strategic Director provided further context to the contingency arrangements in place, such as seeking temporary accommodation options as part of usual practice.

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Councillor Nali Patel and Independent Person, Geoffrey Beresford Hartwell, left during the item due to the adverse weather conditions.

RESOLVED: that the updated corporate risk register be noted and was commented upon.

39. AG/2018/24 - EXTERNAL AUDIT UPDATE

The Chair welcomed the representatives of Grant Thornton who introduced their reports.

RESOLVED: that

- 1. The external Auditor's Audit Plan be noted.
- 2. The Housing Benefit subsidy certification be noted.

40. PROVISIONAL WORK PLAN

The provisional work programme was noted by members.

At the end of the meeting, members wished their thanks to Gerald Almeroth, Strategic Director - Resources, to be recorded, in light of his upcoming departure.

The meeting ended at 8.47 pm

Chair:

Date: