

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the **AUDIT AND STANDARDS COMMITTEE** held on **11 OCTOBER 2018**

PRESENT: Councillor J Gladwin - Chairman

Councillors: C Jackson
R J Jones
V Martin
D Phillips
N Varley
C Wertheim

Independent Person E Jones

APOLOGIES FOR ABSENCE were received from Councillors A Bacon and C Ford

21 MINUTES

The Minutes of the meeting of the Audit and Standards Committee held on 16 July 2018 were approved by the Committee and signed by the Chairman as a correct record. Cllr Varley apologised for not sending apologies to the previous meeting of the Committee.

22 DECLARATIONS OF INTEREST

There were no declarations of interest.

23 ANNUAL REVIEW OF THE CODE OF CONDUCT AND COMPLAINTS PROCEDURE

The Committee considered a report which considered whether the code of conduct and complaints procedures adopted by the Council in accordance with the Localism Act in 2011, remained fit for purpose.

The Committee was advised that the Code of Conduct was first adopted by the Council in July 2012 and amended in February 2018 to include clarification that members who declare a personal interest may still speak and vote on the item of business concerned.

The governance procedure for dealing with complaints was attached at appendix 2 on pages 27-61 of the reports pack. Members were advised that one complaint had been received since the introduction of the current procedure and there had been no reason to suggest that it was not fit for

purpose, therefore no further amendments were recommended to the procedure.

In response to a query from a member in respect of an issue which related to the conduct of Members of the Planning Committee, Members were advised to refer to the 'Code of Practice on Planning Matters'. Further to this, the Monitoring Officer recommended that members contact her directly should they have any queries which they wished to discuss or receive advice on.

RESOLVED

That the report be noted and no changes should be made to the Council's current code of conduct and complaints procedure.

Note 1: Cllr R Jones entered the meeting at 18.38 p.m.

24 COMMITTEE ON STANDARDS IN PUBLIC LIFE ANNUAL REPORT

The Committee considered the Committee for Standards in Public Life (CSPL) Annual Report for 2017-18 and it's Forward Plan for the coming year.

Members were advised that the CSPL was in the process of undertaking a review of Local Government ethical standards. The first phase of this review had been completed and the second phase which involved a programme of visits to Councils and discussions with Councillors was ongoing. The aim was for this report to be published in December 2018 and this would be brought to a future meeting of the Committee for Members information.

RESOLVED

That the report be noted.

25 STANDARDS WORK PROGRAMME

A report on standards training for new councillors would be brought to the January meeting of the Committee and Members were encouraged to provide comments to the Monitoring Officer on how this training can best be presented to Members as part of the induction programme in May 2019. The Chairman advised that he would be happy to circulate a communication to Members and feed comments back to the Monitoring Officer.

RESOLVED

That the Standards Work Programme of the Audit and Standards Committee be noted.

26 FRAUD AND CORRUPTION ANNUAL REPORT

The Committee considered a report which detailed the anti-fraud and error reduction activity undertaken in 2017/18 and the action plan for 2018/19.

Members were advised that for on-going benefit and reduction claims the Fraud and Error team targeted cases based on known risk factors or as a result of information received from third parties, including HMRC, DWP and the general public to ensure claims were accurate and errors identified at the earliest opportunity.

It was explained that DWP were now responsible for the investigation, sanction or prosecution of Housing Benefit and historic Council Tax Benefit frauds following cases being referred by the Council. 22 cases had been referred with 2 prosecutions made by the DWP.

Members' attention was drawn to the table as seen in para 4.5 of the report which noted the total overpayments identified in 2017/18 - £47,129 out of £83,330 had been recovered to date. DWP now provided referrals based on real time income details provided to HMRC and these figures could be viewed in para 4.6 of the report. The way in which data was presented by the DWP would be changing shortly and would be made available to the Council online which would allow the team to better target cases. The Committee asked that previous year's figures be included in future reports to allow for data comparison.

It was clarified that as part of the figures above whilst the number of cases for 2017/18 were significantly higher than the previous years the total sum was only £22k higher due to a higher number of cases with lower sums of overpayment. The Committee agreed that it would be useful to provide a breakdown of overpayments by amount for future reports to understand the spread of higher and lower overpayments.

A Member queried how the Council dealt with chasing overpayments from vulnerable residents and the Committee was advised that there was a Welfare Officer in the Fraud and Error team who assessed individual cases where a person was deemed vulnerable and a decision was then made on writing debts off as appropriate. The Committee requested that the number of write-offs also be reported in future reports.

The Committee congratulated the team for the overall overpayments level of 2.78% of expenditure compared to 6.4% nationally.

RESOLVED

That the report be noted.

27 INTERIM PROGRESS REPORT

The Committee received the Internal Audit progress report from TIAA which showed the progress of audits since the previous meeting. Of the five audits finalised so far for 2018/19 there had not been any priority 1 or 2 recommendations. It was explained that priority 3 recommendations were not deemed as significant issues which required specific reporting to the Committee.

The Committee was advised that the Procurement audit would review major contracts and the Project Management audit would review three major projects the Council was involved in.

The Committee asked that the finalised report on Property & Asset Management be presented to Members at the next meeting, even if there were no priority 1 or 2 recommendations. Further internal audit work would look at S106 contributions, their monitoring and collection, and Members requested an update on this also be brought to the Committee.

It was explained that a Cyber Security audit was undertaken annually by the Cabinet Office who issue a detailed and thorough report to the Council. The Committee asked that this annual report be presented to the Committee with the most recent report being presented at the next meeting.

RESOLVED

That the report be noted.

28 COMPARISON OF ASSURANCE LEVELS

The Committee considered a report which provided a comparison of assurance levels over time so that any trends or measures which may have impacted upon the control framework at the Council could be identified. Members were advised that this report would be reformatted to allow for easier reading and brought to the next meeting of the Committee.

RESOLVED

That the report be noted.

29 AUDIT COMMITTEE WORK PROGRAMME

The Audit Committee work programme was included in the reports pack. The Committee was advised that it was good practice for Ernst & Young to rotate their Audit Team covering the contract, therefore the next meeting would be the last that the current Associate Partner and Manager would attend whilst introducing their replacements.

RESOLVED

That the Audit Work Programme of the Audit and Standards Committee be noted.

30 FREEDOM OF INFORMATION MANAGEMENT AND RIPA ANNUAL REPORT

The Committee received a report which provided an update on public engagement with the Freedom of Information Act 2000, Environmental Information Regulations (GDPR), the Transparency Code of Practise, the INSPIRE Regulations, RIPA, and Protection of Freedoms Act 2012.

The service areas that received the most FOI requests continued to be Healthy Communities and Business Support. Business Support received a high number of commercial requests whilst Healthy Communities tended to receive requests from journalists gathering information on a national basis linked to housing and environmental health.

The Chairman identified that in comparison to previous years Legal and Democratic Services had seen an increase in requests for the first five months of the year. This would be queried with the Head of Legal and Democratic Services and the outcome fed back to the Chairman.

The Committee thanked officers for their work in ensuring the vast majority of Freedom of Information requests were responded to within 20 working days.

RESOLVED

That the report be noted.

31 AOB

The Chairman reported that he had attended a meeting of Audit Committee Chairmen from Councils of a similar size to Chiltern organised by Ernst & Young, and this had been a good opportunity to share information and best practice. Amongst issues discussed, Hart District Council had recently built a leisure centre and appointed an operator who guaranteed a certain level of return and suggested Chiltern speak with the Chief Officer to discuss further details. The Chairman would notify the meeting organisers that the Members of this Committee had not received an invite to the meeting to ensure that they have the opportunity to attend future meetings.

A Member raised the redevelopment of Chiltern Pools and queried the role of this Committee in the project. The Committee was keen to ensure that all the assumptions in the business case were thoroughly scrutinised. It was explained that Members would be given time to fully scrutinise the final business case which was due to be completed early Summer 2019. The final business case would be presented to both the Resources Overview and Services Overview Committees as well as being discussed at the regular meetings of the Leisure Needs Members Working Group, before going forward to Cabinet for any decisions.

The meeting ended at 7.52 pm