

Audit and Scrutiny Committee

Minutes of a meeting held at County Hall
Colliton Park, Dorchester on 17 February 2015.

Present:-

Trevor Jones (Chairman)
Mike Byatt (Vice-Chairman)
Andrew Cattaway, Deborah Croney, Lesley Dedman, Ian Gardner, David Harris and Peter Wharf.

Robert Gould (Leader) and Rebecca Knox (Cabinet Member for Communities, Health and Wellbeing) attended under Standing Order 54(1).

Officers:

Sam Fox-Adams (Head of Policy, Partnerships and Communications), Mark Taylor (Head of Internal Audit, Insurance and Risk Management) and Helen Whitby (Principal Democratic Services Officer).

Other officers attending as appropriate:-

Mark Eyre (Corporate Risk Officer) and Richard Kirby (Records Management and Data Protection Officer).

(Note: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Audit and Scrutiny Committee on **19 March 2015**.)

Apologies for Absence

27. There were no apologies for absence.

Code of Conduct

28. There were no declarations by members of any discloseable pecuniary interests under the Code of Conduct.

Minutes

29. The minutes of the meeting held on 22 January 2015 were confirmed and signed.

Matters Arising

Minute 23 - Action Plan in Response to the Audit and Scrutiny Call to Account for the Procurement and Implementation of the School Meals Contract across Bournemouth, Dorset and Poole

30.1 The Chairman had received an email from Mr Declan O'Toole, Director of Forerunner Personal Catering Ltd, in which he expressed his thanks for the opportunity to address the Committee when this matter had been considered and recognised that there were opportunities for the public to make themselves heard if they chose to use them.

Minute 187 – Pan-Dorset Local Authority Trading Company

30.2 The Chairman had drawn attention to the potential risk associated with the pan-Dorset Local Authority Trading Company at a recent meeting of the County Council and the Director had agreed to provide a report for the Committee's next meeting, addressing any additional risks arising from extension of the company to include Bournemouth and Poole.

Progress on Matters raised at Previous Meetings

31.1 The Committee considered a report by the Chief Executive which updated members of progress made following discussions at previous meetings.

31.2 Members referred to the roll out of smarter computing and Sharepoint and other ICT items which had been outstanding for some time and asked that the Head of ICT and Customer Services provide an update and strategic overview of the roll out, including timelines involved for the next meeting. It was hoped that both the Head of ICT and Customer Services and the Assistant Chief Executive would be able to attend the meeting to address concerns. The Leader added that the Assistant Chief Executive was monitoring progress of the smarter computing roll out and a member briefing on ICT would be held after the next County Council meeting.

31.3 In response to when the overarching document setting out all of the elements of the Forward Together programme would be available, it was explained that this was being finalised and would be available for the next meeting.

31.4 The Committee had previously expressed interest in observing corporate working groups and had played a part in making the Risk Management Group more effective. Members would be sent a list of corporate working groups and meeting dates following the meeting so that they could identify which they would like to observe.

31.5 With regard to the action plan in response to the call to account of the Universal Free School Meals Contract, this was considered to be well constructed and had addressed all the points raised by the Committee. It was suggested that as the call to account process was used infrequently, a review of lessons learned might lead to call to accounts being more effective in future. It was agreed such a review should take place and that an item be added to a future agenda to consider the outcomes. The Chairman thought the call to account exercise and response had been praiseworthy and he undertook to write to the current and previous Leader and Chief Executive.

31.6 The Chairman referred to the long standing concern about budget variances, and confirmed that the Chief Financial Officer would provide a report for the next meeting.

31.7 It was confirmed that information about timelines for Children's Services' audits had been emailed to members on 16 January 2015 and that the Children's Services Overview Committee had considered the action plan and recommendations on 20 January 2015. Regular updates would be provided for that Committee and the Corporate Parenting Board and would form part of internal audit quarterly reports the Committee received.

Resolved

32.1 That an update and strategic overview of the roll out of smarter computing, including timelines, be provided for the next meeting.

32.2 That a review of lessons learned from the recent call to account be carried out by Peter Wharf, Lesley Dedman and the Head of Policy, Partnerships and Communications and a report provided for consideration at a future meeting.

32.3 That the Chairman write to the Leader, the previous Leader and Chief Executive regarding the praiseworthy response to the call to account of the Universal Free School Meals contract.

Public Participation**Public Speaking**

33.1 There were no public questions received at the meeting in accordance with Standing Order 21(1).

33.2 There were no public statements received at the meeting in accordance with Standing Order 21(2).

Petitions

33.3 There were no petitions received in accordance with the County Council's petition scheme at this meeting.

Work Programme

34.1 The Committee considered its work programme for 2015.

34.2 In response to a question, it was explained that the Corporate Strategy and Plan would be considered at the Committee's next meeting.

34.3 With regard to how the Committee could corporately judge how well external organisations like the Dorset Growth Board and the Local Enterprise Partnership were working, the Chairman stated that these bodies had been provided with smart targets which were monitored by the Overview Committees.

34.4 Attention was drawn to the fact that the outcomes from the review of the effectiveness of the Committee was not included within the work programme. It was confirmed that the Independent Appraisal Working Group would consider PriceWaterhouseCooper's draft report in March 2015 with the finalised report being considered by the Committee in May 2015.

34.5 The Committee noted that the Local Government Association had established a working group to undertake a national review of community transport. Details of the Committee's review had been shared with them.

Noted

Cabinet Forward Plan

35.1 The Committee considered the Cabinet's draft Forward Plan for the meeting to be held on 25 February 2015.

35.2 The Chairman drew attention to the report the Cabinet would receive on 25 February 2015 on Queen Elizabeth's School, Wimborne as this matter had been on-going for some considerable time. The Leader explained that the report would address whether there were sufficient grounds for claims to be pursued.

Noted

Work Programmes of Overview Committees

36.1 The Committee considered the work programmes of the Adult and Community, Children's Services and Environment Overview Committees.

36.2 The Committee noted that this information was provided so that they were aware of items to be considered by the Overview Committees. However, this was of limited use, given the uneven forecasting of items and the fact that titles did not give sufficient detail. In view of the lack of clarity as to which Committee was to scrutinise what areas of corporate activity, it was agreed that the views of PriceWaterhouseCooper be sought on this matter.

Resolved

37. That the views of PriceWaterhouseCooper be sought as set out in the minute above.

Forward Together Update

38.1 The Committee considered a report by the Chief Executive which provided an update on the programme to date and included the first consolidated report on progress of the Forward Together Programme. The report had been considered by the Cabinet on 2 February 2015.

38.2 The report set out a new approach for Forward Together, including a new reporting matrix, and provided further information about the Forward Together for Children work stream. The Leader added that the new approach provided a clearer way of reporting and would help the Cabinet to monitor progress to ensure that the necessary savings were achieved.

38.4 Looking at the Reporting Matrix, the Committee noted that this would provide the means by which progress with the Forward Together Programme could be monitored. One member highlighted that the Children's Services Overview Committee's work programme did not reflect the information about the Forward Together for Children work stream noted in the report. Officers agreed to address this.

38.5 The Committee agreed that the report provided a useful overview of the Forward Together Programme, with some elements being identified as the responsibility of the Overview Committees. However, it was not clear that Overview Committees would have some responsibility for work streams which concerned the whole Authority. It was noted that the Leader, the Assistant Chief Executive, the Head of Business Development and the Head of Policy, Partnerships and Communications were to discuss how best the Overview Committees could support the Forward Together Programme as a whole.

Noted

Annual Risk Management Report

Annual Risk Management Report

39.1 The Committee considered a report by the Chief Executive which provided an update of progress made by the Council in enhancing and embedding risk management during 2014.

39.2 The Corporate Risk Officer presented the report. He referred to the challenges the Authority was facing and the recent experience of service delivery failures which reinforced the importance of risk management being embedded in every activity undertaken by the Authority. Attention was drawn to the summary of items identified as "High" risk within the Corporate Risk Register and the exception report showing those with high and deteriorating risks. It was noted that the Risk Scoring Matrix had been reviewed by the County Leadership Team and was considered to reflect the appropriate escalation levels.

39.3 The Chairman referred to two "high deteriorating" risks within the exception report - the effectiveness of the Dorset Waste Partnership and the failure to keep school balances in budget. He asked why the school balances position was deteriorating when it had been reviewed by the Committee on more than one occasion with no particular concern raised. In response the Head of Internal Audit, Insurance and Risk Management explained that at the time the Committee reviewed school balances there had been three schools of particular concern and an update had been provided in May 2014. The risk had been reviewed with the Risk Owner in February 2015 and the position statement provided in the report reflected the updated position. As to whether the Committee should re-consider the matter, the Head of Policy, Partnerships and Communications explained that he had discussed this with Children's Services officers who confirmed that the risk was deteriorating but that this was being managed but a further assurance will be sought from the risk owner.

39.4 Some members expressed the view that deteriorating risks should prompt a report to the next meeting of the Committee so that any action taken could be challenged. The Committee were reminded that updates on high and deteriorating risks were provided quarterly within the corporate performance monitoring report. However officers agreed to provide notification of deteriorating risks on a more regular basis, to help inform future agendas where necessary.

39.5 The Chairman referred to the perennial issue of budget over and underspends and the need to address these, particularly if they were high risk areas. The Head of Internal Audit, Insurance and Risk Management reminded the Committee that the Cabinet had taken steps to address budget overspends over the next three years and that this would be the subject of a report to the next meeting.

39.6 A member questioned the effectiveness of the controls suggested within the risk “unsuitable housing results in an increased risk to vulnerable children”. An update from the risk owner was requested at the next meeting.

Noted

Outcome of Joint Scrutiny Review Sub-Committee Workshop

40.1 The Chairman reminded the Committee that the Joint Scrutiny Review Sub-Committee had existed for over ten years but had struggled to be effective. A workshop had been held on 27 January 2015 to consider its future and how it could become more effective.

40.2 The Lead Conservative Member reported that the workshop had confirmed that current arrangements were not working and that there was a need for some form of effective pan-Dorset scrutiny which included Bournemouth Borough Council and the Borough of Poole and pan-Dorset working was increasing. But it was not known whether Bournemouth and Poole would want to take part in pan-Dorset scrutiny and steps to encourage this might be needed. The workshop had also identified that if the Sub-Committee continued, it would need to be stand-alone. The outcome from the workshop would be recommended to the next meeting of the Dorset Leaders and Chief Executives Group.

40.3 Given that pan-Dorset scrutiny would take time to resolve, the Chairman asked what could be done in the meantime with regard to the current financial situation the Dorset Waste Partnership (DWP) faced. Members agreed that there was a need for effective scrutiny of the DWP but recognised that this would take time to progress. In the meantime, an action plan was to be provided early in March 2015 and local authorities would need to focus on this and closely monitor progress against it. The Stour Valley Partnership and Poole models were cited as good scrutiny models on which to base any pan-Dorset scrutiny and, if this approach was agreed, members to sit on the new pan-Dorset scrutiny body could be identified at annual meetings in May 2015.

40.4 It was noted that the DWP was currently the subject of three reviews, one commissioned by the Dorset Chief Executives, one being undertaken by the South West Audit Partnership and one by the DWP’s Director. The lack of member involvement in these processes was noted.

40.5 The Committee agreed that in the absence of any other effective mechanism to scrutinise recommendations from the audits and reviews of weaknesses in the Dorset Waste Partnership structure, and until such time as an appropriate joint scrutiny panel is established, that the Dorset Leaders and Chief Executive’s Group scrutinise the response of the Dorset Waste Partnership’s Joint Committee to any recommendations arising from audits and reviews into the work of the Dorset Waste Partnership.

40.6 It was also agreed that a meeting with Bournemouth Borough Council and the Borough of Poole to discuss the need for pan-Dorset scrutiny after the elections in May 2015 might be helpful and that this involve the three members of the Joint Scrutiny Review Sub-Committee.

Recommended

41. That, until such time as an appropriate joint scrutiny panel is established, the Dorset Leaders and Chief Executive's Group scrutinise the response of the Dorset Waste Partnership's Joint Committee to any recommendations arising from audits and reviews into the work of the Dorset Waste Partnership.

Resolved

42. That a meeting with Bournemouth Borough Council and the Borough of Poole be arranged after the election in May 2015 to discuss the need for pan-Dorset scrutiny as set out in the minute above.

Freedom of Information Statistics: January 2005 to December 2014 and Subject Access Requests: 2001 to 2014

43.1 The Committee considered a report by the Chief Executive which provided the annual statistical information about numbers of information requests received.

43.2 The Records Management and Data Protection Officer explained that the report showed how the Authority had met its freedom of information duties. Requests for information continued to increase but a dramatic increase had been noticed in the last month probably due to the forthcoming general election. He highlighted that even though diminishing resources meant it was becoming more difficult to get responses from directorates, response targets had been met.

43.3 With regard to the consequences of missed targets, the Records Management and Data Protection Officer explained that for freedom of information requests there was no financial consequence for the Authority. However, Local Authorities were faced with big fines if they were guilty of data protection issues.

43.4 In response to a question about training for members on their obligations, the Records Management and Data Protection Officer agreed to provide a briefing note for members.

Noted

Outside Bodies

44.1 No reports had been received from members appointed to Outside Bodies, Joint Committees and Consultative Panels which related to the Chief Executive's Department.

44.2 The Chairman drew attention to the general lack of information provided and recommended that these matters be reported to meetings of Group Leaders and the Chairman in future.

Recommended

45. That outside bodies reports be provided for meetings of Group Leaders and the Chairman in future.

Questions from County Councillors

46. No questions were asked by councillors under Standing Order 20(2).

Audit and Scrutiny Committee – 17 February 2015

Meeting duration: 10.00am to 11:50pm