

AUDIT AND GOVERNANCE COMMITTEE

MINUTES OF MEETING HELD ON FRIDAY 9 JULY 2021

Present: Cllrs Matthew Hall (Chairman), Richard Biggs (Vice-Chairman), Rod Adkins, Janet Dover, Barry Goringe, Mike Parkes, Clare Sutton and Bill Trite

Apologies: Cllrs Susan Cocking and Bill Pipe

Also present:

Officers present (for all or part of the meeting):

David Trotter (Risk and Resilience Officer), Aidan Dunn (Executive Director - Corporate Development S151), Jonathan Mair (Corporate Director - Legal & Democratic Service Monitoring Officer), Marc Eyre (Service Manager for Assurance), Rupert Bamberger (Assistant Director SWAP), Sally White (Principal Auditor), Antony Bygrave (Senior Assurance Officer Complaints), Kate Critchel (Senior Democratic Services Officer), Andy Frost (Community Safety and Drug Action Manager), Matthew Piles (Corporate Director - Economic Growth and Infrastructure), Andrew Billany (Corporate Director of Housing, Dorset Council) and Lesley Hutchinson (Corporate Director for Adults Commissioning)

7. Minutes

The Chairman advised that as this was an informal meeting, members were only being asked to note the minutes of 19 April and 21 June 2021. They would be brought back to the committee for confirmation at its next meeting.

8. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

9. Public Participation

There was no public participation.

Sally White and Rupert Bamberger from SWAP Internal Audit Services had technical issues accessing the start of the meeting: item 7 "Risk Management Update was considered" prior to items 5 & 6, while these issues were resolved.

10. Risk Management Update

Marc Eyre, Service Manager for Assurance presented the Risk Management update. Members of the committee discussed the report and asked questions relating to the following areas: -

- Dorset Care Framework and shaping market costs.

- To report outputs rather than outcomes.
- The impact of the introduction of the 5x5 matrix.

David Trotter, Risk and Resilience Officer advised that new risks had been identified and added for Business Intelligence and Digital Transformation. He also reported that a road map had been created that highlighted actions taken to date and further development of the risk management framework

The Executive Director of Corporate Development reported on a recent global cyber treat to the Council and confirmed that continuous mandatory cyber risk training was required for new and current members of staff to complete. An external provider also regularly tested the council as part of the growing development of the organisations culture. The Service Manager for Assurance advised that a mandatory data protection was also available

In response to a question, the Corporate Director for Legal and Democratic would investigate how councillor compliance to the training was being monitored.

11. Audit Report SEND Transport

At the request of the Director of Children's Services an internal audit was carried out because of an unpredicted budget overspend, and 2019-20 outturn of both SEN and mainstream school transport budgets, of approximately £1.7m combined.

Several findings with twelve management actions were agreed for officers within both Place and Children Services Directorates to take forward. Only one action was now remaining, and it was estimated that this would be actioned by October 2021.

In response to a question, Place and Corporate Services were looking at a new procurement to ensure that the service was customer focused and appropriately costed with the right transport position being provided.

Members welcomed and noted the progress made with mitigating the key risks and subsequent actions identified in the July 2020 internal audit of home to school transport.

12. SWAP Internal Audit Progress Report

Sally White, Principle Auditor, SWAP introduced the Internal Audit Progress report and advised that the interim audit opinion was reasonable based on the level of confidence that actions would be implemented.

Implementation of actions had been patchy in the past and as a result a new process to embed the follow up of actions within directorates has been arranged. These would be tracked on a live basis. More information on this and any longer out-standing items would be provided to the committee at their next meeting.

Members were reminded that they could use the internal audit tracker to monitor and keep to date on progress.

Members discussed the report and the following was highlighted: -

- Acknowledged that the council remained under pressure due to the Covid-19 pandemic.
- However, it was important to take any outstanding actions seriously and
- Recognised that high priority actions needed to be addressed as soon as was reasonably practical.

13. **Fraud and Whistleblowing**

The committee considered a report that provided an update on the Council's approach to fraud management and whistleblowing, including a summary of cases reported in the preceding twelve months. There were two cases within that period, one in respect of HR and the other was relating to a safeguarding matter. The committee was advised that the latter was still on-going.

A further report on progress would be presented to the committee towards the end of the year.

South West Audit Partnership (SWAP) also completed an audit on "Fraud and Reporting" in April 2021. The key findings were set out within the report along with the responses and actions. These actions would be added to the wider Anti-Fraud, Bribery, and Corruption Action Plan.

One of the actions that was proposed was to establish a "member champion" for fraud and the committee was asked to support the Chairman's appointment to this position.

In response to questions members were advised that: -

- A training package was in development and would be made available to members and officers as soon as practical.
- In respect of the central fraud register and KPI reporting, a holistic overview of activity was being investigated.
- Communications and accessibility policies were available online but due to be updated and made more accessible.

Noted and received

(a) The recent findings from a South West Audit Partnership audit of the Council's fraud arrangements and support the improvement action Plan.

(b) The annual update on fraud and whistleblowing activity.

Agreed

- (c) That the Chairman perform the role of member fraud Champion.

14. **Corporate Complaints**

Tony Bygrave, Senior Assurance Officer for the complaints team set out a report proposing a change to the current complaints process, to remove the second stage response. This had a perception of increased bureaucracy before complainants could seek the independent review from the Local Government and Social Care Ombudsman.

The report also presented a revised “unreasonable behaviours” protocol.

Members discussed the report and following observations were made: -

- Members were assured that although complaints were on the increase, cases of maladministration were few and going down.
- The single complaints process would continue to be monitored.
- Acknowledged the council’s duty of care to employees in terms of “unreasonable behaviours” and discussed councillors’ role in supporting that process.
- Discussed the unreasonable behaviours also faced by councillors and the support available to them in such circumstances.
- The need to recognise that councillors were part of the process and this should be reflected within the protocol.
- All councillors would be supported by officers when dealing with difficult complaints and should not be subject to harassment.
- There was further work required to develop software to improve links between services and councillors in terms of managing the protocol and process.

Members welcomed the proposed changes to the whole authority complaints policy to a single stage process and supported the approach set out within the report. Further information and support would be provided to all councillors in dealing with these difficult situations.

Delegated decision of the Corporate Director of Legal and Democratic Services

- (a) That the revised Whole Authority Complaints Policy (set out in Appendix A of the report) to change to a single stage process for non-statutory complaints.
- (b) The revised arrangements for managing unreasonable behaviours (as set out in appendix B of the report) be noted.

[Decision - Corporate Complaints - Dorset Council \(wdwp.local\)](#)

Reason for the decision

To improve the complaint management process.

15. Prevent

Members considered a recommendation from People and Health Overview Committee of 4 May 2021, to agree an amendment to Article 11 of the Constitution to include the new statutory Channel Panel, its proposed membership, and terms of reference.

In response to a question, members were advised that the Channel Panel would take a proportionate response to issues in terms of extremist activity. The Home Office training had been made available to all members, however it would be recirculated following this meeting.

Members indicated their support to the recommendation.

Delegated decision of the Corporate Director, Legal and Democratic Services

That Article 11 of the Council's Constitution be amended to include the new statutory Channel Panel, its proposed membership, and terms of reference.

[Decision - Prevent - Dorset Council \(wdwp.local\)](https://www.wdwp.local)

Reason for the decision

To ensure Dorset Council meets its statutory duties and expectations relating to Prevent.

16. Forward Plan

The Forward Plan was received and noted. Additional items include: -

Budget Quarterly reports to be scheduled
Constitutional update – 8 August 2021.

17. Urgent items

There were no urgent items.

18. Exempt Business

There was no exempt business.

Duration of meeting: 10.00 - 11.48 am

Chairman

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