



## Audit and Governance Committee

**Date:** Monday, 16 January 2023  
**Time:** 10.00 am  
**Venue:** Council Chamber, County Hall, Dorchester, DT1 1XJ

### Members (Quorum )

Richard Biggs (Chairman), Susan Cocking (Vice-Chairman), Rod Adkins, Barry Goringe, Bill Pipe, Bill Trite, Belinda Bawden, Simon Christopher, Robin Legg and David Gray

**Chief Executive:** Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services  
Meeting Contact [john.miles@dorsetcouncil.gov.uk](mailto:john.miles@dorsetcouncil.gov.uk)

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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### Agenda

Item		Pages
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>MINUTES</b>	5 - 10
	To confirm the minutes of the meeting held on 14th November 2022.	
3.	<b>DECLARATIONS OF INTEREST</b>	
	To disclose any pecuniary, other registrable or non-registrable interest as set out in the adopted Code of Conduct. In making their decision councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	
	If required, further advice should be sought from the Monitoring Officer in advance of the meeting.	

#### **4. PUBLIC PARTICIPATION**

To receive questions or statements on the business of the committee from town and parish councils and members of the public.

When submitting a question please indicate who the question is for and include your name, address and contact details. Questions and statements received in line with the council's rules for public participation will be published as a supplement to the agenda.

**The deadline for submission of the full text of a question or statement is 8.30am on Wednesday 11<sup>th</sup> January 2023.**

#### **5. MINUTES OF THE AUDIT & GOVERNANCE SUB-COMMITTEE 11 - 22**

To note the minutes of the Audit & Governance Hearing Sub-committee (if any meetings have been held).

#### **6. SWAP UPDATE REPORT 23 - 30**

To receive a report by Sally White, Assistant Director SWAP.

#### **7. COUNCIL DECISION MAKING- BUILDING IN CLIMATE AND ECOLOGICAL CONSIDERATIONS 31 - 38**

To receive a report by Antony Littlechild, Sustainability Team Manager and Steven Ford, Corporate Director Climate and Ecological.

#### **8. QUARTERLY RISK MANAGEMENT REPORT 39 - 50**

To receive a report by David Trotter, Risk Resilience Officer and Marc Eyre, Service Manager for Assurance.

#### **9. REVIEW OF AGENCY & CONSULTANCY SPEND 51 - 64**

To receive a report by Chris Matthews, Interim Head of Human Resources.

#### **10. CO-OPTIVE MEMBER FOR AUDIT AND GOVERNANCE COMMITTEE**

To discuss whether members support the principle of co-opting members to audit and governance, in line with CIPFA guidance.

Link to CIPFA Guidance: <https://www.cipfa.org/-/media/Files/Services/Support-for-audit-committees/CIPFA-Audit-Committee-Position-Statement-2022.pdf>

#### **11. UPDATES FROM THE MONITORING OFFICER ON THE CONSTITUTION**

To report to the committee on any changes made to the Constitution under powers delegated to the Monitoring Officer.

**12. FORWARD PLAN**

65 - 68

To consider the work programme for the Committee.

**13. URGENT ITEMS**

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

**14. EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

There is no exempt business.

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## AUDIT AND GOVERNANCE COMMITTEE

### MINUTES OF MEETING HELD ON MONDAY 14 NOVEMBER 2022

**Present:** Cllrs Belinda Bawden, Richard Biggs (Chairman), Simon Christopher, Susan Cocking (Vice-Chairman), Barry Goringe, David Gray and Bill Trite

**Apologies:** Cllrs Robin Legg

**Also present:** Cllr Jon Andrews and Ian Howse

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

Aidan Dunn (Executive Director - Corporate Development S151),  
Jonathan Mair (Director of Legal and Democratic and Monitoring Officer),  
Jim McManus (Corporate Director - Finance and Commercial),  
Andrew Billany (Corporate Director of Housing, Dorset Council),  
David Trotter (Risk and Resilience Officer),  
Matthew Piles (Corporate Director - Economic Growth and Infrastructure),  
Sally White (Assistant Director SWAP),  
Katie Hale (Head of Revenues and Benefits),  
David Wilkes (Service Manager for Treasury and Investments),  
Angela Hooper (Principal Auditor SWAP),  
Susan Dallison (Democratic Services Team Leader),  
Chris Harrod (Senior Democratic Services Officer)  
Joshua Kennedy (Apprentice Democratic Services Officer)

**76. Apologies**

No apologies for absence were received at the meeting.

Cllr R Legg had advised that he would be late and would attend virtually if possible.

**77. Minutes**

The minutes of the meeting held on 22 June 2022 were confirmed and signed.

**78. Declarations of Interest**

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

**79. Public Participation**

There were no public statements and questions at the meeting.

## 80. **Minutes of the Audit & Governance Sub-committee**

The minutes of the meetings held on 18 August 2022 and 24 October 2022 were noted.

## 81. **Draft 2021/22 Outturn Report**

Jim McManus, Corporate Director – Financial and Commercial, introduced the report which set out the budget outturn for Financial Year 2021/22 and highlighted the key points that Members should be aware of.

Officers responded to Members' comments and requests for clarification, details included:

- Despite usual restrictions which meant that capital receipts could only be used for capital projects, it was currently possible them to be used flexibly towards transformation and organisational change. The sum of capital receipts gained from surplus property and assets would be fed back once Mr McManus had the information available to him.
- Due to the impact of Covid, It had proven more challenging to collect housing and rent arrears efficiently until relatively recently, but now collection activities had stepped up and the council was working to recover debt at a greater pace, whilst remaining sensitive to the issues that were being faced – greater detail could be provided to Members outside of the meeting.
- The recovery process on all Council Tax and Business Rate accounts had been 'reset', which meant that all rate payers would have the opportunity to maximise the reduce and/or eliminate arrears on their accounts before court action was sought. It was considered that a 'reset' was the fairest way of doing things and it was further highlighted that a full debt recovery programme would be undertaken, and that this would be done sensitively. So far customers had engaged well with the first reminders that had been sent out and appropriate support as being offered where needed.
- Demand for homelessness accommodation was high and therefore was particularly challenging for the housing teams in terms of availability and cost of sourcing. The team was working to ensure that those seeking assistance were in receipt of all assistance that they were entitled to and that the correct signposting was on the Council's website.
- Where housing debt needed to be recovered, the team were establishing if there was a need to undertake legal action where appropriate and ensure that the situation didn't get to this stage. Writing off bad debt was a last resort that needed to be avoided at all costs and it was important to ensure that people were assisted to prevent themselves from getting into difficulty at as earlier a stage as possible.
- The auditing of Infrastructure assets had been delayed and this was a national issue that was due to be resolved in the near future, once guidance had been provided by CIPFA and a Statutory Instrument had been laid. It was hoped that following this, the audit for Dorset's

2020/21 accounts would be completed early in the new year. Work would then progress to complete the audit of the 2021/22 accounts and these would be completed by November 2023.

### **Noted**

## **82. Quarter 2 Financial Management Report**

Jim McManus, Corporate Director – Financial and Commercial, introduced the report which set out the current financial position and the progress made to date in working towards setting a balanced budget for the 2023/24 Financial Year.

Officers responded to Members' comments and requests for clarification, details included:

- The Council was currently in discussions with the Department for Education that related to the Dedicated Schools Grant (DSG) and a couple of options were being explored, which involved reviewing the profile of the recovery and whether or not the current agreement could be extended, although this was not agreed with the DfE at this point. The Council's position was that an extended period was required to pay back the debt.
- Further the above, officers were also seeking to ensure that there were sufficient places within Dorset for children with SEND requirements, thereby reducing the need for high-cost out of area placements, although this was dependent on the delivery of the Capital Strategy and the risk of increasing build costs was high.
- Officers were working hard to reduce the debt within certain areas of the Council.
- Officers were hoping that the Government would continue to allow the flexible use of capital receipts and so far, discussions had not suggested that this mechanism would be removed in the near future. There were some capital receipts that had not yet been realised.
- There were currently 121 capital schemes across the council and when reviewing the programme, each item was interrogated in terms of risk of increased costs, loss of revenue etc. It was highlighted again, that the rising costs and general availability within the construction sector was proving to be problematic and needed to be well-managed.
- Rural authorities experienced higher costs than urban authorities, largely due to geographical size and the impact it had on the delivery of services that relied on transportation of people, highways maintenance and refuse collection etc. Dorset Council was not in receipt of a Revenue Support Grant (RSG), both Officers and local MP's were lobbying for additional support for the Council to ensure that it was better funded and its rurality was taken into consideration. The Council was awaiting the Local Government Finance Settlement on 21 December 2022 to understand the detail of what to expect for next year.
- The Council had increased the payments made to key operators, such as home to school transport operators and other contractors to cover

the increased costs of transport, but this was only a temporary measure. The council was also working closely with over 500 contractors and was having discussions with colleagues nationally about the charges faced within the transport sector.

- There was currently a programme of replacement that would be replacing the existing parking meters across the county, the problems currently faced largely related to the inheritance of multiple machines using different systems. This programme was working to rationalise the parking assets.

### **Noted**

#### **83. Treasury Management Annual Report 2021/22**

David Wilkes, Service Manager – Treasury and Investments, introduced the report which summarised the treasury management performance and position information for the Financial Year ending 31 March 2022.

Mr Wilkes Highlighted that he would present both this Report and his following report as one as certain aspects within would be considered as a “cross-over”.

Officers responded to Members’ comments and requests for clarification, details included:

- The majority of the external borrowing included in table 11 of the report was inherited from the predecessor councils, and at the time of accruing this debt, each of the respective councils would have focussed on spreading their debt to avoid too much of it maturing at similar points in time. This was why there were extended periods within the table that illustrated no debt was due to mature.
- Other sources of external debt, such as Private Finance Initiatives (PFIs) and leases were not included in this table.

### **Noted**

#### **84. Treasury Management Mid-Year Update Report**

David Wilkes introduced the report which summarised the treasury management performance and position information for the first six months of the 2022/23 Financial Year from 1 April 2022 to 30 September 2022.

There were no comments or requests for clarification in relation to this report.

### **Noted**

#### **85. Quarterly Risk Management Update**

David Trotter, Risk and Resiliency Officer, introduced the report, which set out the development and promotion of risk management within the Council.

Officers responded to Members' comments and requests for clarification, details included:

- The risks that had been classed as 'catastrophic' and 'certain to happen' related to cyber security and there were controls and mitigation in place to address those risks, which were regularly reviewed.
- Officers were regularly submitting exception reports where extreme risks were identified and required attention to both A&G and the relevant scrutiny committee. There was a strong focus on eliminating extreme risks as a priority, but low and medium risks were being addressed within the organisation – good progress was being made.
- The Head of Legal and Democratic Services would provide an explanation for committee members as to the Council's relationship with Southwest Audit Partnership, how it was formed and the relationship with the internal auditors.
- SWAP had undertaken an audit on the Council's risk management process in the form of a risk maturity assessment which had indicated that the Council moving from 'aware' to 'defined' and with the implementation of the recommendations could move to a 'managed position'. A survey undertaken across the Council had indicated that risk management was not as embedded as it could have been and as such married up with the outcome of the audit.

### **Noted**

#### **86. SWAP Update Report**

Sally White, Assistant director of SWAP Internal Audit Services, introduced the report which provided the Committee with an update relating to the work undertaken by the Internal Auditors.

Officers responded to Members' comments and requests for clarification, details included:

- The Place and Resources Scrutiny Committee had met prior to this committee taking place which had considered the annual property report and Members of this committee may find the information contained in the written report to be most valuable and would put some concerns at ease, however, the report author could be invited to A&G to present if required.

### **Noted**

#### **87. Forward Plan**

The Committee reviewed the Forward Plan, which included an update from the Monitoring Officer to add an item relating to the operation of public questions and statements at meetings of the Council.

Mr Mair suggested that the establishment of a task and finish group might be an appropriate way of dealing with this.

**Resolved**

That the additional item be added to the forward plan and a Task and Finish Group be established to scope and resolve the issue before bringing it back to the Audit and Governance Committee for consideration.

**Duration of meeting:** 10.00 - 11.26 am

**Chairman**

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## AUDIT AND GOVERNANCE (HEARING) SUB-COMMITTEE

### MINUTES OF MEETING HELD ON WEDNESDAY 9 NOVEMBER 2022

**Present:** Cllrs Richard Biggs, Bill Pipe and Bill Trite

**Apologies:** None

**Also present:** Mr C Lousley, (Independent Person), Cllr A Hollingshead (Shaftesbury Town Council), Cllr K Tippins (Shaftesbury Town Council)

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

Grace Evans (Head of Legal Services and Deputy Monitoring Officer), Susan Dallison (Democratic Services Team Leader) and Jacqui Andrews (Service Manager for Democratic and Electoral Services)

**71. Election of Chairman**

It was proposed by Cllr Bill Trite and seconded by Cllr Richard Biggs

Decision

That Cllr Bill Pipe be elected Chairman.

**72. Declarations of Interest**

There were no declarations of interest.

**73. Hearing Sub-Committee Terms of Reference**

The terms of reference were noted.

**74. Urgent Items**

There were no items of urgent business.

**75. Exempt Business**

The Chairman of the Sub-committee asked if there were any objections to the meeting being held in public, as there were none the meetings was held in open session.

**76. Code of Conduct Complaint**

The Presenting Officer introduced a complaint made by Cllr K Tippins against Cllr A Hollingshead and Cllr A Chase (Shaftesbury Town Council) in relation to a press and media statement issued by Cllr Hollingshead (Mayor at the

time) and Cllr Chase (Deputy Mayor and Chairman of the Staffing Committee at the time) on 15<sup>th</sup> December 2021. The circumstances of the case being the resignation of the former Town Clerk and the public statement to local media outlets that Cllr K Tippins was responsible for the resignation after a relentless and vindictive campaign of bullying since 2019.

The Presenting Officer, Ms J Andrews explained that as she did not undertake the investigation, her role in respect of the complaint was merely to present Mr Greene's report and that she would be unable to answer any questions in respect of why certain documents were included in the pack or what Mr R Greene meant when writing certain statements. Mr Greene had retired and was no longer an officer of Dorset Council.

On 24<sup>th</sup> December 2021, a complaint was received from Shaftesbury Town Councillor K Tippins, in respect of Shaftesbury Town Councillors Andrew Hollingshead and Alex Chase. The complaint related to a joint press statement issued by Cllrs Hollingshead and Chase on 15<sup>th</sup> December 2021 following the resignation of the Town Clerk. The statement, available in full as part of Mr R Greene's pack, stated "... as citizens, it is only right that you also know why Claire is leaving. This is because of a relentless and vindictive campaign of bullying by Councillor Karen Tippins, which is a matter of public record. At the Dorset Council Audit and Governance (Hearing) Sub-Committee of the 20<sup>th</sup> September 2021 the panel unanimously agreed that her behaviour "amounted to bullying and harassment over a period of time"."

A number of documents were presented as part of the agenda prepared by Mr R Greene some of which had been provided by the parties to this complaint. As the statement and press release of Cllr Hollingshead and Cllr Chase referred to the earlier complaint against Cllr K Tippins which concluded at the Sub-committee on 20<sup>th</sup> September 2021, the complaints and outcome were included in the report bundle for information. However, the outcome of the Sub-Committee on 20<sup>th</sup> September 2021 was not included for further discussion but merely to reference the findings of that Audit & Governance Sub-Committee as referred to in the press statement issued by Cllrs Hollingshead and Chase.

The Presenting Officer explained that it was important to focus on the nature of the complaint i.e., the complaint made by Cllr K Tippins regarding the press statement issued by Cllrs A Hollingshead and A Chase and advised the members the Sub-committee not to be distracted by previous code of conduct hearings or other issues raised in correspondence with Mr R Greene. Many matters had been dealt with including the earlier Sub-Committee in September 2021, and it was not for members of the Sub-committee to review the conclusion reached by the previous Sub-Committee nor for other parties to query the outcome of previous Sub-Committees. Any comments were therefore to be constrained to the matter before the Sub-Committee today i.e. the Press Statement.

Cllr K Tippins' complaint was that the following paragraphs of the Code had been breached by Cllr A Hollingshead and Cllr A Chase:

“2.1 I do not bully any person.

2.2 I do not harass any person.

4. Confidentiality and access to information

5.11 do not bring my role or local authority into disrepute.

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.”

Details of the private discussions between the former Town Clerk and Councillors Hollingshead and Chase in respect of her resignation had not formed part of Mr R Greene’s investigation. However, the former Town Clerk Mrs C Commons had written to Mr R Greene advising the content of their press statement drew upon the reasons for her resignation without divulging the contents of her resignation letter in detail. In her letter to Mr R Greene, Mrs C Commons said that Cllr K Tippins stated that the published statement was false and libellous but without having sight of her resignation letter Mrs C Commons doesn’t believe Cllr K Tippins can assert that. Mrs C Commons also commented to Mr R Greene “My resignation was as a result of continuing aggressive and intimidating behaviour by a small collection of individuals consisting of Cllr K Tippins and others she had worked or has close connections with. Those other individuals are not the subject of this matter and I therefore shall not name them.”

The Presenting Officer commented that whilst the press statement may have been factually correct, it was for members to consider whether they believed that the content of the statement was appropriate, or if the content and tone was unfortunate and ill-advised especially when you would expect all parties to be seeking to build better relationships within the Town Council. You will also want to consider whether the press statement amounts to a breach of the Code of Conduct as alleged by Councillor Tippins. When considering the press statement, members should also consider whether it was reasonable and appropriate that the statement set out the reasons for the Town Clerk’s resignation or whether the detail was included in an attempt to bully or harass Cllr K Tippins as she had alleged in her complaint.

It was important that members of the Sub-committee give consideration to legislation and case law that covered Freedom of Expression. Article 10 of the European Convention on Human Right protected freedom of expression to hold opinions and ideas, including speech, which might be unpopular or shock. It was ok for Councillors to express strong views, and/or challenge views/opinions/decisions of councillors and officers and, in fact, this was part of a councillor’s duty. There was case law that gave councillors enhanced protection of freedom of expression which extended to “all matters of public administration and public concern (referred to as political expression) including comments about the adequacy or inadequacy of performance of public duties by others. However, it did not extend to “gratuitous personal comments” (Harvey and Heesom v Public Services Ombudsman for Wales (2014))

There was further case law that had clarified that:

- It was acceptable to make critical comment to councillors or officers, with greater tolerance of conduct to councillors than officers as Councillors were elected and expected to have thicker skin.
- There was a degree of toleration of immoderate, provocative, emotive, irrational, aggressive, offensive or shocking speech

Mr R Greene's report stated, "It is a case where I recommend on balance non breach but question the precise wording of the Press Statement as being necessary?". Having taken into account the evidence provided by Mr R Greene in his report together with the Code of Conduct, legislation and case law the Sub-Committee were asked by the Presenting Officer to consider whether there had been a breach of the Code.

The Chairman, Cllr B Pipe asked Cllr A Hollingshead if he had any questions for the Presenting Officer.

Cllr Hollingshead stated that Mr Green's letter he has said he was only dealing with the press statement. The Presenting Officer confirmed that Mr Green had stated that his recommendation was based solely on the complaint only. Cllr Hollingshead asked that the Presenting Officer explain the test of the balance of probabilities. In response the Monitoring Office explained that the decision taken at the meeting would be based on evidence considered on a balance of probabilities, i.e., it was not the criminal test. Cllr Hollingshead stated that if the members of the Sub-committee concluded that the statement was true and that the Town Clerk left her job because of bullying then he would argue that there was no case to argue. The Presenting Officer responded that regardless of the truth or untruth of the statement it was for the Subcommittee to decide if there was a breach of the Code of Conduct. Cllr Hollingshead replied that the statement that he had made was true and pertinent to the case. Mr R Greene had said that any irrelevant matters would be rejected and that he would not consider any historical information. The Presenting Officer advised that she was unaware of whether Mr R Greene had rejected any material. Cllr Hollingshead stated that a number of issues has been raised by Cllr Tippins but he considered them all to be irrelevant and not pertinent to the hearing. The Presenting Officer responded that if Cllr K Tippins was alleging a breach of a Town Council policy the Sub-committee would need to take that into account as part of their debate. Cllr Hollingshead referred to the 7 principles of public life and asked if Mr R Green had considered this? The Presenting Officer replied that she could not comment on that issue but note that Mr R Greene had said that he had considered all the information in the agenda pack and that included the Town Council Model Code of Conduct which in turn included the principles of public life. Cllr Hollingshead stated that Mr Greene's report had highlighted that the previous hearing in September 2021 had found that Cllr K Tippins had breached the Code of Conduct in respect of bullying the Town Clerk. Cllr Hollingshead referred to key issue number 4 in the report relating the timing of the press release which had been considered by Mr Greene, he asked whether Mr Greene was aware of the timings of the Shepton Mallet post and how that had fitted in with the timings in question. The Presenting Officer suggested that was maybe an issue that Cllr Hollingshead may wish to raise as part of his presentation. Cllr Hollingshead stated that Mr R Greene had recommended a

non-breach and asked if the Presenting Officer concurred with this finding. The Presenting Officer reiterated that she did not carry out the investigation and it was therefore not appropriate for her to comment on the recommendation within the report when she had not been party to all of the interviews.

The Independent Person, Mr C Lousley confirmed that he no questions at that time.

Cllr R Biggs asked whether the statement issued to the media outlets could be viewed as bringing the council into disrepute. The Presenting Officer advised that the Sub-committee would need to consider that issue when deliberating their decision based on all of the information received in the meeting.

Cllr K Tippins asked about Article 10 of the European Convention on Human Rights as quoted by the Presenting Officer and queried whether this applied to the press statement. Cllr Tippins explained that the statement was sent to 6 media outlets and had not been voted through by any town council meeting. The Monitoring Officer advised that the Sub-committee would take account of Article 10 when they were deliberating on the decision. If the Sub-committee found a breach of the Code of Conduct then they would need to consider whether Article 10 had any relevance.

Cllr K Tippins stated that the Town Clerk had accepted a promotion the day before the statement was published. At that point the Chairman requested that Cllr Tippins ask questions rather than statements, as there were no more questions the Chairman invited Cllr K Tippins to present her statement to the Sub-committee.

Cllr K Tippins stated that the press release was sent out on 15<sup>th</sup> December 2021 by Cllr A Hollingshead and Cllr A Chase and that she had no advanced warning of this press release. Cllr K Tippins was contacted by an editor who made her aware of the press release and advised that it had also gone out on social media. The article that went out to 50,000 social media users implied constructive dismissal as it did not say that Mrs Commons, the Town Clerk had already accepted a promotion at Shepton Mallet Town Council. Cllr K Tippins explained that she had never seen the resignation letter from the Town Clerk but in the resignation letter it should have said that she had accepted a promotion. Cllr K Tippins said that she had received a threatening letter from Cllr Hollingshead to say that they would hold a vote of no confidence in her as Mrs Commons had resigned. Cllr K Tippins felt that this was intimidation and that she had been kept in the dark. The abuse that she received on line was horrendous and went on so many social media pages, it was highly abusive and misogynistic. Cllr K Tippins explained that she could not go onto the website to put her own view across, and others had to report the abuse on her behalf. There were over 100 highly abusive Facebook statements made against her. The editor who had contacted her had refused to publish the statement and said that it was councillors being malicious and that there was no formal statement on the Shaftesbury Town Council website. All of other news outlets had refused to publish the statement apart from This

is Alfred, as they were friends with Cllr Hollingshead. She felt that Cllr Hollingshead and Cllr Chase were picking on her; members of the public had sent her emails saying how disgusted they were with the treatment against her. Cllr K Tippins felt that Cllr Hollingshead and Cllr A Chase and other Cllrs wanted her to resign from the council and it was intimidation. The councillors knew that she had been blocked from the This is Alfred web page. She felt that it was blatant intimidation and malicious; it was very unpleasant, and it had to stop.

Cllr Hollingshead said that on 7<sup>th</sup> August 2022 in a letter to Mr Greene, Cllr K Tippins stated that Mrs Commons had accepted a promotion, he asked Cllr Tippins where she had got this information from. Cllr K Tippins responded that the contract of employment was on the Shepton Mallet Town Council website

The Independent Person, Mr C Lousley asked Cllr Tippins if she had undertaken further training since the Sub-committee Hearing in September 2021.

Cllr Tippins stated that she had received further training and that she had the highest attendance record of training on the town council, in the current year she had attended 4 DAP|TC training courses.

Cllr B Pipe asked if she had attended the training course that had been specified by the Sub-committee. Cllr K Tippins replied that she had already been on that training course. She had checked with DAP|TC and asked for it to be put on her Cllr record as she had already been on all of the Code of Conduct courses.

At that point in the meeting Cllr B Pipe invited Cllr A Hollingshead to make a statement about the press release.

Cllr Hollingshead advised the Sub-committee that the resignation letter from the Town Clerk was sent direct to himself and Cllr A Chase and did not mention Cllr Tippins. The press release stated that Mrs Commons had left the town council due to bullying from Cllr Tippins. Mrs Commons did not receive a promotion in her new role at Shepton Mallet Town Council. Cllr K Tippins had said that she had no contact with the Clerk but she did attend council meetings with the Clerk and he had copies of emails that had been sent from Cllr Tippins to the Clerk. The issue of breaching town council policy did not fall within the consideration of the hearing today as they were town council policies. The press release had to be considered on the balance of probability, on the evidence within the pack and what the Sub-committee heard. The statement that he made together with Cllr A Chase was absolutely true. Cllr Hollingshead read out the ACAS definition of bullying and stated that he had emails if the Sub-committee wished to see them.

In response to a question from Cllr K Tippins, Cllr Hollingshead replied that the resignation letter did not mention Cllr K Tippins but arose in private conversations with the Clerk.

Cllr B Trite asked Cllr Hollingshead if he advised Cllr Tippins of the statement in advance and if not was there a reason why he did not advise.

Cllr Hollingshead stated that he did not tell Cllr K Tippins that the press release was going to be sent out but was aware that the press would contact Cllr K Tippins for comment.

Cllr R Biggs asked that in light of all of the unpleasantness did Cllr Hollingshead regret issuing that press release?

Cllr Hollingshead stated that neither himself or Cllr A Chase regretted issuing the statement as it was a matter of fact and based on the fact that Cllr Tippins systematically bullied Mrs Commons and as it was a matter of fact, as Mayor at that time he felt that the town should know what the elected councillors were doing.

Cllr R Biggs asked whether Cllr Hollingshead believed that it was a misuse of his power to put out such a statement based on the impact that the statement would have on the town council.

Cllr Hollingshead replied that a statement was needed as the Clerk had resigned and needed to state the reason for the Clerk resigning; once the facts were out in the open it was important that they were communicated. It was Cllr Tippins' behaviour that led to Clerk to leave the town council

Cllr B Pipe asked why the statement only mentioned Cllr Tippins when the Clerk had said that it was councillors, including Cllr Tippins involved in bullying?

Cllr Hollingshead replied that Cllr Tippins was the prime reason for the Clerk resigning even though problems had been caused by some other councillors.

Cllr B Pipe asked if Cllr Hollingshead had permission from the Clerk to issue the press release.

Cllr Hollingshead said that he couldn't remember but he did not believe that he got the Clerk to sign off the press release; as Mayor he had more leeway on communicating with the press and he took that initiative, and he took the decision.

The Independent Person Mr C Lousley asked what prompted the press release at the time?

Cllr Hollingshead replied that the Clerk informed him that she was resigning and as Shaftesbury was a small town it was obvious that questions would be asked so a statement was needed to be ahead of the questions from the press.

Mr Lousley was still not clear from the response from Cllr Hollingshead if a request for a press statement had actually been made and he asked if Cllr Hollingshead could remember if he had received a request?

Cllr Hollingshead said that his recollection was that they had prepared a statement, then put the statement out and then he received a request for an interview from the press; he had therefore anticipated a request from the press.

The Independent Person expressed his concern about the tone of the statement which was why it was so important to understand the sequence of the events. It appeared that Cllr Hollingshead and Cllr Chase had agreed that it was the appropriate time to issue the press release without referring it to anyone else or seeking any guidance. The Independent Person asked if he regretted the tone of that statement which talked about an orchestrated campaign of bullying; did Cllr Hollingshead think it might have been better to

have used words from the 2021 Sub-committee Hearing rather than adding in words.

Cllr Hollingshead replied that the press release would have said the same thing and that he wanted to be open and honest, the clerk had resigned because she had been bullied by Cllr Tippins, the clerk would not have left if she had not been bullied. He said that he was not going to mince his words and that Cllr A Chase fully supported this view.

The Independent Person explained that he was concerned that there were on-going problems at the town council which had not stopped so, whatever Cllr Hollingshead's feelings about Cllr Tippins, to issue such a statement was putting petrol on the fire. Mr Lousley asked if Cllr Hollingshead understood that someone at the town council had to try and make things work and that the statement did nothing to help the situation.

Cllr Hollingshead said that he understood the point being made and clarified that the council did not consist of councillors at each other throats, and as a collective group they had tried to make changes and include Cllr Tippins. Cllr Tippins has turned down offers for counselling and it was what it was.

Cllr B Pipe asked if Cllr Hollingshead had the Clerk's permission to release the press release? Was it issued by town council or by you and Cllr Chase?

Cllr Hollingshead confirmed that it had been released by the Mayor and deputy Mayor. The email had been from his town council

Cllr B Pipe asked if the clerk had given permission for the statement. Cllr Hollingshead replied that he did not believe that he needed to get permission from the clerk as the words in the statement were a matter of fact.

Cllr B Trite asked if Cllr Hollingshead had ever made a similar press release in the past?

Cllr Hollingshead replied that he had done press releases before usually on a positive matter, but this was the first time he had put out a statement in his role of Mayor covering a difficult issue.

Cllr R Biggs asked if it would have been reasonable that the press release had been endorsed by the council?

Cllr Hollingshead replied that it was signed off by himself as Mayor and Cllr Chase as Deputy Mayor.

At 4pm as there were no more questions the members of the Sub-committee left the meeting to make their deliberations in private.

On returning to the meeting with all parties present the Chairman announced the following decision:

## **Decision**

Having heard from the Presenting Officer on behalf of the Investigating Officer, from Cllr Tippins and Cllr Hollingshead, having read all of the papers, taken account of the view of the Independent Person, and after lengthy deliberation the Sub-committee has made a decision. The Sub-committee

agrees with the recommendation of the Investigating Officer and find that there has been no breach of the paragraphs 2.1, 2.2, 4, 5.1, and 6.1 of the Code of Conduct. The Sub-committee considers that the evidence does not show a breach of confidentiality or of bringing the councillors roles or their council into disrepute. The Sub-committee consider that the wording of the press release was an unfortunate and ill-judged statement but in their view this does not amount to bullying or harassment or improper use of position.

The Sub-committee considers it unfortunate that Cllr Hollingshead and Cllr Chase did not reflect more carefully before releasing the statement which although it quoted the findings of the Sub-committee in September 2021 none the less embellished it in a way which was not necessary and with the benefit of hindsight and perhaps advice from others should not have been issued in the form that it was.

### **Appendix - Decision Notice**

**Duration of meeting:** 2.00 - 6.00 pm

**Chairman**

.....

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## DORSET COUNCIL DECISION NOTICE

Complaint Reference: xx

Subject Member: Councillor A Hollingshead and Councillor A Chase

Date of Hearing: 9 November 2022

Audit and Governance (Hearing) Sub-Committee

### 1. Summary of the Complaint

The Complainant alleged that Councillor Hollingshead and Councillor Chase breached sections of Shaftesbury Town Council Code of Conduct relating to behaviours and general obligations arising from a Press or Media Statement issued by the Councillors on 15 December 2021.

### 2. The Conduct of the Hearing

The conduct of the hearing is as detailed in the Audit and Governance (Hearing) Sub-Committee minutes, a copy of which are appended to (and forms part of) this Decision Notice.

### 3. The Hearing Sub-Committee's Decisions

3.1 The Hearing Sub-Committee's decisions are detailed in the appended minutes. However, the Hearing Sub-Committee's key conclusions are also set out below.

3.2 Members of the Sub-committee having reviewed the papers provided in the agenda pack, taken account of the view of the Independent Person, and after lengthy deliberation:

3.2.1 agreed with the recommendation of the Investigating Officer that the conduct of Councillor Hollingshead and Councillor Chase did not amount to a breach of paragraphs 2.1, 2.2, 4, 5.1, and 6.1 of the Shaftesbury Town Council Code of Conduct.

3.2.2 considered that the evidence did not show a breach of confidentiality or of bringing the councillors roles or their council into disrepute. The Sub-Committee considered that the wording of the press release was an unfortunate and ill-judged statement but, in their view, this did not amount to bullying or harassment or improper use of position.

3.2.3 considered it unfortunate that Cllr Hollingshead and Cllr Chase did not reflect more carefully before releasing the statement which although it quoted the findings of the Sub-committee in September 2021 none the less embellished it in a way which was not necessary and with the benefit of hindsight and perhaps advice from others should not have been issued in the form that it was.

.....  
Jonathan Mair  
Monitoring Officer

Right of Appeal: There is no right of appeal against the decision of the Audit and Governance (Hearing) Sub-Committee.

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# Dorset Council

## Report of Internal Audit Activity

### Progress Report 2022/23 – December 2022

Page 23

Agenda Item 6

## Executive Summary

As part of our update reports, we will provide an ongoing opinion to support our end of year annual opinion.

We will also provide details of any significant risks that we have identified in our work, along with the progress of mitigating previously identified significant risks.

The contacts at SWAP in connection with this report are:

**Sally White** Assistant Director  
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[sally.white@swapaudit.co.uk](mailto:sally.white@swapaudit.co.uk)

**Angie Hooper** Principal Auditor  
Tel: 07536453271  
[angela.hooper@swapaudit.co.uk](mailto:angela.hooper@swapaudit.co.uk)

SWAP is an internal audit partnership covering 25 organisations. Dorset Council is a part-owner of SWAP, and we provide the internal audit service to the Council.



### Audit Opinion, Significant Risks, and Audit Follow Up Work

#### **Audit Opinion:**

This is our third update report for 2022/23 financial year. Our last report was in November 2022 due to the re-scheduling of the September meeting. Therefore, we are reporting on a relatively short period of time and as such this is reflected in the report content.

Our live [Internal Audit Rolling Plan](#) and specifically the coverage and assurance tab (*which can be found on the first tab of the Rolling Plan or on page 3 below*), reflects the outcomes of recent reviews completed. Based on these recent reviews, we recognise that generally risks are well managed. We have identified some gaps, weaknesses and areas of non-compliance however, we have reasonable to high levels of confidence that the agreed actions will be implemented and as such are able to offer a **reasonable opinion**.

Since our last progress report in November 2022, we have issued **no Limited** assurance opinions on the areas and activities we have been auditing.

#### **Significant Corporate Risk**

Our last report highlighted a significant corporate risk around Premises Health and Safety. Whilst the dates for implementation of actions have not passed as yet and as such, we have not done any formal follow up work we have obtained an update from the Interim Head of Service - Property Management. This extensive update indicates that significant work is being progressed to move forward on the issues identified but early indications are that it will take longer than initially anticipated to complete and embed most of the agreed actions with a new proposed implementation date of June 2023.

#### **Follow Up of Agreed Audit Actions**

The number of outstanding audit actions has dropped from 11 reported as at 20/10/22 to 8 as at 04/01/23. This demonstrates that good progress continues to be made in ensuring that audit actions are implemented by services in a timely manner. The usual performance graphs on implementation of audit actions can be found on page 4 below and as always, further details on outstanding actions can be found by viewing the follow up **Action Tracker** which is stored in the same location as our Rolling Plan and can be viewed by clicking on [this link](#).

## Executive Summary

For further details see:  
<https://www.swapaudit.co.uk/>

In our last report we highlighted that we had undertaken a follow up of the council's debt recovery (post covid-19) processes and reported that not as much progress has been made towards implementing actions as might have been hoped. We have since undertaken a further follow up which has indicated that only two high priority actions remain outstanding, and these are in progress. A report on the outcome of our follow up work can be found on page 7 and we will continue to undertake further follow up work until the remaining high priority actions are implemented.

# Internal Audit Plan Progress 2022/23

Our audit plan coverage assessment is designed to provide an indication of whether we have provided sufficient, independent assurance to monitor the organisation’s risk profile effectively.

For those areas where no audit coverage is planned, assurance should be sought from other sources to provide a holistic picture of assurance against key risks.



## SWAP Internal Audit Plan Coverage

The table below, captures our audit coverage, mapped against the Authority’s corporate risk themes. Furthermore, we have then overlayed the audit assurance outcomes of those risk areas that we have reviewed. As you will see we have provided some level of recent audit work across all the areas of the corporate risk themes. It is possible on our [Internal Audit Rolling Plan](#) document to also view coverage of our recent audit work mapped by Core Areas of Recommended Assurance, SWAP Top 10 Risk Themes, and Corporate Plan Objectives (please ensure that you download the document in the ‘desktop app’ which will open the document in Excel).

Risk Theme	Coverage	Assurance assessment based on completed internal audit work
CR01 - Finance	Good	Reasonable
CR02 - Compliance	Adequate	Reasonable
CR03 - Health, Safety & Wellbeing	Some	Limited
CR04 - Communities	Good	Reasonable
CR05 - Digital & Technology	Good	Substantial
CR06 - Safeguarding	Good	Reasonable
CR07 - Transformation	Some	Limited
CR08 - Workforce	Adequate	Reasonable
CR09 - Political & Leadership	Some	Limited
CR10 - Service Delivery	Good	Reasonable

Coverage Key	
Good	Good audit coverage completed
Adequate	Adequate audit coverage completed
Some	Some aspects of audit coverage completed
In progress	Some aspects of audit coverage in progress
None	No audit coverage to date

*\*Audits carried out more than 2 years from current date are not included.*

*\*Audits carried out between 12 and 24 months from current date have a reduced impact on audit coverage.*

Assurance Key	
Substantial	Sound system of governance, risk management and controls exist
Reasonable	Generally sound system of governance, risk management and control in place
Limited	Significant gaps, weaknesses or non-compliance were identified
No Assurance	Fundamental gaps, weaknesses or non-compliance identified

*\*Audits carried out more than 12 months from current date are not included.*

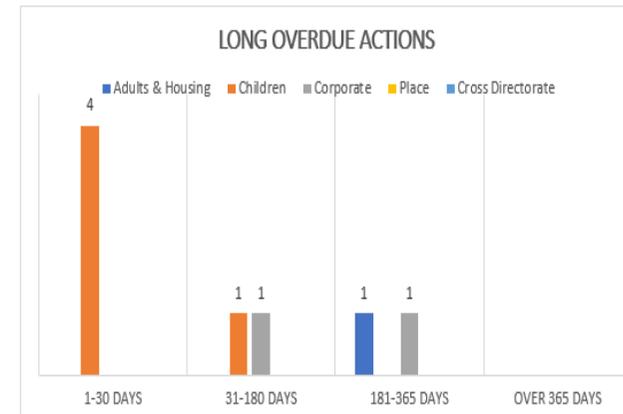
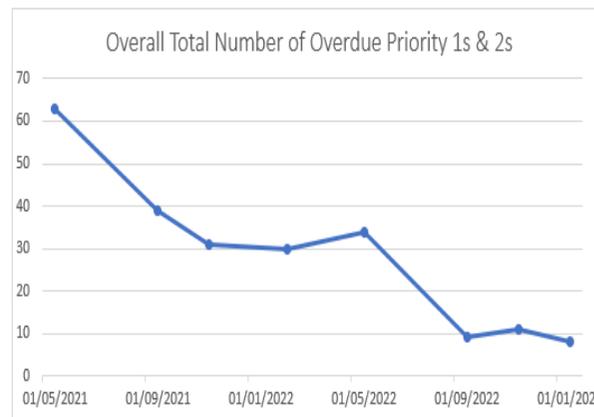
# Internal Audit Plan Progress 2022/23

We review our performance to ensure that our work meets our clients' expectations and that we are delivering value to the organisation.

## SWAP Performance Measures

Performance Measure	Performance
<p><b>Overall Client Satisfaction</b>  <i>(Did our work meet or exceed expectations, when looking at our Communication, Auditor Professionalism and Competence, and Value to the Organisation)</i></p>	<b>100%</b>
<p><b>Value to the Organisation</b>  <i>(Client view of whether our audit work met or exceeded expectations, in terms of value to their area)</i></p>	<b>100%</b>

## Outcomes from Follow Up Audit Work



Long overdue actions could have revised implementation dates, however our metric is measured from the original agreed date.

## Internal Audit Plan Progress 2022/23

### Added Value

**‘Extra feature(s) of an item of interest (product, service, person etc.) that go beyond the standard expectations and provide something more while adding little or nothing to its cost.’**



### Added Value

#### **CiFAS**

The use of the CiFAS data matching service continues to bring benefits. Since our last update potential contractors are now being run through the database to identify any matches. In addition, homelessness applications will be rolled out from February. Agency workers continue to be run through the database with a further match being identified since our last update report.

#### **Benchmarking**

To support an audit of Highways Health and Safety, we undertook a piece of benchmarking that has been shared with the service.

#### **Newsletters and updates**

SWAP regularly produces a newsletter and other relevant updates for partners such as fraud bulletins, which provide information on topical issues of interest.

## Internal Audit Plan Progress 2022/23

The role of SWAP as the internal auditors for Dorset Council is to provide independent assurance that the Council’s risk management, governance and internal control processes are operating effectively. In order for senior management and members to be able to appreciate the implications of the assurance provided within an audit report, SWAP provide an assurance opinion. The four opinion ratings are defined as follows:

Assurance Definitions	
<b>No Assurance</b>	Immediate action is required to address fundamental gaps, weaknesses or non-compliance identified. The system of governance, risk management and control is inadequate to effectively manage risks to the achievement of objectives in the area audited.
<b>Limited</b>	Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited
<b>Reasonable</b>	There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited.
<b>Substantial</b>	A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.

Page 29

In addition to the assurance definitions above we also provide an ‘**assurance dial**’ which indicates on a range of high medium or low where within the range of that assurance a particular audit assurance sits.



As can be seen in this example the assurance provided is low limited as the dial is sitting on the lower end of the limited scale. It could equally have been a medium limited assurance where the dial sits midway or high limited when it is sitting at the upper end close to the reasonable assurance.

The Committee is able to view a record of all internal audit work on the [Rolling Plan](#). Please follow this link, click on the files tab and then on the file called **Internal Audit Rolling Plan**. From the document, members are able to view work in progress and all completed work that would have previously been reported to the Committee in a table form. To provide the Committee with additional insight into Limited assurance audits we have been providing a summary of the outcomes. We have however, recently introduced a one-page audit report, which we are now providing in full for Limited assurance audits for members information.

## Debt Recovery Post Covid-19 Follow Up Review – Final Report - December 2022



### Follow Up Audit Objective

To provide assurance that agreed actions to mitigate against risk exposure identified within the 2021/22 Limited opinion audit of the Debt Recovery Post Covid-19 report have been implemented.

### Follow Up Progress Summary

Priority	Complete	In Progress	Not Started	Summary
Priority 1	1	0	0	1
Priority 2	3	2	0	5
Priority 3	2	1	0	3
<b>Total</b>	<b>6</b>	<b>3</b>	<b>0</b>	<b>9</b>

### Follow Up Assessment

The original audit was completed and reported in April 2022 and received a Limited assurance opinion. The first follow up audit in September 2022 found that nine of the actions were still in progress. This report details the status of those nine outstanding actions. Key findings have been summarised below.

### Follow Up Scope

Testing has been performed in relation to all priority 1 and 2 actions and supporting evidence obtained to support implementation of actions.

### Key Findings



Whilst further progress has been made to implement agreed actions work is still required around consideration of alternative delivery of debt recovery to ensure an effective one Council approach. Work has been completed as follows: -

- During our follow up work action was taken to write off the longer outstanding Trade Debts, both Pre 2016 which cannot be chased due to being over six years old, and the pre 2018 (LGR) housing debt. Going forward monthly meetings will be held between Credit Control and Assets & Property and Housing so that their debt is reviewed on a regular basis.
- All cases that can be referred to Legal Services have been referred to date. Any further cases required will be sent to legal as part of business as usual process as and when they are ready with all correct information documented and included as needed.
- Money Claims Online (MCO) is part of Credit Controls business as usual process and will be ongoing. A decision has been taken not to bring in extra resources to clear backlogs due to the local knowledge required to make decisions.
- Housing have written a formal process document which is being uploaded alongside the Income and Debt Recovery Policy.
- For Local Taxation, an outline plan of how the debt recovery would be managed was submitted to the Corporate Director for Finance and Commercial and the Revenues and Benefits recovery staff are working to this plan.

### Further Follow Up Required

Further details of actions can be found in Appendix 1 with outstanding actions due to be implemented by 31<sup>st</sup> March 2023. A summary of the key findings from our review will be presented to the Audit and Governance Committee on 16<sup>th</sup> January 2023. Going forward, follow up work will be carried out within 2023/24 to review the progress of the three outstanding actions which will be reported to Audit and Governance Committee.

## Audit and Governance Committee

16 January 2023

## Climate and Ecology impact assessment tool

### For Decision

**Portfolio Holder:** Cllr R Bryan, Highways, Travel and Environment

**Local Councillor(s):** County Wide

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Antony Littlechild and Steven Ford

Title: Sustainability Team Manager

Tel: 01305 224802

Email: [antony.littlechild@dorsetcouncil.gov.uk](mailto:antony.littlechild@dorsetcouncil.gov.uk)

**Report Status:** Public

### Brief Summary:

The climate and ecological emergencies that we are now facing are well documented. The discussions at COP27<sup>1</sup> for climate in Egypt, alongside the more recent COP15<sup>2</sup> discussions on biodiversity in Montreal, highlighted the scale of the challenges. These twin emergencies require systemic responses that need to permeate decision-making across multiple areas; transport, energy, infrastructure, planning, housing and industry to name but a few. There isn't a single service, department or team that can deal with the scale of the challenges. The Dorset Council climate and ecological emergency strategy, adopted by full Council in July 2021, highlighted the need to ensure that its aims and objectives were fully embedded in decision-making processes. It also contained targets for Dorset Council to decarbonise its own operations by 2040, as well as show the leadership required to help Dorset become net zero by 2050. The refreshed strategy will also have more robust targets for biodiversity recovery by 2030 and there will be a greater focus on adaptation as well.

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<sup>1</sup> [ClimateChange | United Nations](#)

<sup>2</sup> [UN Biodiversity Conference \(COP 15\) \(unep.org\)](#)

All services need to start thinking about the impact that their decisions will have on both the climate and the environment if we are going to make the necessary progress to meet our ambitions. This is especially important given that ‘protecting our natural environment, climate and ecology’ is one of the 5 key priorities for the council. The role of local government is crucial in accelerating the change required; local authorities can influence around 30% of emissions in their areas<sup>3</sup>, but only if they are clear on the impact of their own operations, how they commission and procure, and are also clear on their work with partners and how they work with central government.

One of the key elements of ensuring that services are starting to embed the principles of the climate and ecological strategy will be to better articulate and where possible mitigate the impact of decision-making. While the current committee paper template includes a section for authors to set out the environmental impacts of proposals, there is no further guidance for authors and this is not completed consistently or robustly. It also doesn’t go into any great depth, with responses often completed later in the process with little or no opportunity to interrogate the assertions.

With the above in mind, a tool has been developed to enable authors to rapidly identify and understand the implications of their proposals from a climate, ecological and adaptation perspective in line with the ambitions of the strategy. This tool, which would be visual and supplemented with a short commentary, would be inserted into the existing committee template in place of the existing ‘environmental implications’ section. It should allow for greater deliberation, more transparency of impact, and ensure that more informed decisions are made moving forward to ensure that the council is on track to meet its obligations in the climate and ecological strategy. This paper presents the climate and ecological impact assessment tool and proposals to integrate it as part of Dorset Council’s democratic decision-making process.

**Recommendation:**

To support the integration of the climate and ecology decision tool into the democratic decision-making processes.

**Reason for Recommendation:**

The climate and ecology decision tool provides a robust, transparent, accessible and in some instances measurable process to support the delivery of the climate and ecological strategy and council plan ambitions and will enable policy makers to understand the wider implications on climate, ecology and adaptation of decisions being taken.

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<sup>3</sup> [Councilor workbook: The local pathway to net zero | Local Government Association](#)

## 1. Report

- 1.1 The climate and ecological emergencies that we are now facing are well documented. The discussions at COP27 for climate in Egypt, alongside the more recent COP15 discussions on biodiversity in Montreal, highlighted the scale of the challenges. These twin emergencies require systemic responses that need to permeate decision-making across multiple areas; transport, energy, infrastructure, planning, housing and industry to name but a few. There isn't a single service, department or team that can deal with the scale of the challenges.
- 1.2 The Dorset Council climate and ecological emergency strategy, adopted by full Council in July 2021, highlighted the need to ensure that its aims and objectives were fully embedded in decision-making processes. It also contained targets for Dorset Council to decarbonise its own operations by 2040, as well as show the leadership required to help Dorset become net zero by 2050. The refreshed strategy will also have more robust targets for biodiversity recovery by 2030 and there will be a greater focus on adaptation as well.
- 1.3 The committee paper template currently includes a section is for environmental implications, but completion of this section is inconsistent, and the information provided is often insufficiently robust to support members to understand the wider climate, ecological and adaptation implications of the proposal and to effectively inform the decision-making process. This also extends to other decision-making processes such as those for capital programmes or procurement which seek a consideration of climate and ecological impacts but have no robust guidance against which to assess.
- 1.4 To address this situation a climate and ecological decision tool has been developed. This has two key roles;
  - i) to inform authors of the implications of their proposal, enabling improvements to be made during project and/or policy development and;
  - ii) to ensure decision makers are given a clear indication of climate and ecological implications to inform debate and decision-making.

- 1.5 The tool has been developed from a review of national best practice and engagement with services from across directorates, as well as both corporate & senior leadership teams. This has helped to refine the tool and ensure it is simple, quick, easy to use and fit for purpose.
- 1.6 **How the tool works** - it consists of a set of simple questions which will guide authors to quickly assess the implications for their proposal and seek some quantification of impacts where available. Responses to the questions are analysed automatically and a graphical representation of the impacts against the key objectives of the council's climate and ecological emergency strategy is produced. This is in the form of a wheel, which provides a red/amber/green rating to visually represent the key impact areas, both positive and negative and their potential scale.
- 1.7 To ensure a clear balance between the climate and ecological considerations and wider social and economic priorities of the council, the decision tool will also provide the ability for authors to reference the other 4 key priorities of the council plan. These areas are also represented in the inner circle of the wheel indicating a red/amber/green rating for how the proposal also benefits or impact these areas.
- 1.8 In addition, the tool will provide a broad quantification of implications where these are known and will offer some broad recommendations for further consideration. An example of the decision wheel output is shown in Appendix A.
- 1.9 **How will it be used** - it is proposed that the tool will initially be integrated into democratic report writing processes and report authors will be required to undertake the assessment and include the tool as part of the committee paper. This will be a requirement prior to paper sign off and publication. Officers will be encouraged to use the tool at the earliest stages to inform the development of proposals.
- 1.10 **Next steps** - Following feedback from Audit and Governance committee the tool will be finalised for presentation to cabinet in March 2023, with the aim of introducing its use thereafter in liaison with democratic services. Its introduction will be supported by some training assets and a network of staff to assist authors to complete the tool as required, with further support offered from the council's sustainability team as required in the initial stages. It will be mandatory to complete this process as part of the committee paper.

1.11 Over time it is envisaged that the tool will be integrated into other decision-making processes to include capital bids, policy and strategy development, transformation projects, major purchases & contracts, options appraisal, and business cases.

1.12 The tool will evolve and develop over time and further work is underway to ensure its integration with other tools being developed to support the decision-making processes, such as equalities impact assessment and risk assessments.

## 2. **Financial Implications**

2.1 There are no financial impacts of using this tool, however the overall aim is to assist the council in making decisions that are informed by a consideration of the climate and ecological implications. In turn this should help to align resources with one of the council's key objectives.

## 3. **Environmental Implications**

3.1 This paper aims to introduce a robust process to enable environmental, climate and adaptation considerations to be consistently identified and understood as an integral part of report writing. It will provide members with a full appreciation of the environmental implication of proposals to inform decision making. While there are other models in existence, it is felt that this decision-tool will in many ways be ground-breaking in the way that it integrates climate, environment, adaptation and other council priorities.

## 4. **Well-being and Health Implications**

There are no specific health and well-being implications of this tool

## 5. **Other Implications**

None

## 6. **Risk Assessment**

6.1 Having considered the risks associated with this decision; the level of risk has been identified as:

Current Risk: high

Residual Risk: medium

The risk is identified as high, as there is currently insufficient and inconsistent information being provided to decision makers on the environmental and climate implications of proposals. A robust process will reduce the risk to medium, embedding the council-wide approach required to accelerate change.

7. **Equalities Impact Assessment**

A full assessment has not yet been undertaken, however initial feedback has identified that further work is required to ensure that the visual output of the tool is accessible. Further work will be undertaken prior to cabinet after further consultation.

8. **Appendices**

Appendix A – example output from climate and ecological decision tool

9. **Background Papers**

**Appendix A – Example output from Climate and Ecological decision wheel**

# DECISION WHEEL

## Climate & Ecological Impact





**CARBON NEUTRAL COUNCIL 2040**

**CARBON NEUTRAL COUNTY 2050**

**NATURE POSITIVE COUNTY 2030**

- Major positive impact
- Minor positive impact
- No known impact
- Mixed impact
- Minor negative impact
- Major negative impact

**Project Title**

**Commentary**

**Quantitative Impact on CEE targets (if known)**

**Recommendations**



## Audit and Governance Committee 16 January 2023 Risk Management Update

### For Review and Consultation

**Portfolio Holder:** Cllr S Flower, Leader of the Council

**Executive Director:** J Mair, Corporate Director, Legal & Democratic

Report Author: David Trotter  
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Email: [david.trotter@dorsetcouncil.gov.uk](mailto:david.trotter@dorsetcouncil.gov.uk)

Report Author: Marc Eyre  
Title: Service Manager for Assurance  
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Email: [marc.eyre@dorsetcouncil.gov.uk](mailto:marc.eyre@dorsetcouncil.gov.uk)

**Report Status:** Public

**Brief Summary:** The continual development and promotion of risk management will ensure that Dorset Council remains well placed to demonstrate that objective and informed decisions are taken. The Senior Leadership Team own strategic risk management, with an agreed risk management framework and appetite statement both of which set out the Councils commitment. The aim is to help provide further early warning signals and to provide a revised set of management information that may be better suited to the nature of the risk. This quarterly report also continues to provide an update on emergency planning as requested by the committee.

**Recommendation:** That Audit and Governance Committee:

- i) note and review the key risks identified in the corporate and service risk registers, with escalation to Scrutiny Committees where appropriate.
- ii) note and review the key metrics and headlines from emergency planning

**Reason for Recommendation:** To ensure that the Council's risk management methodologies remain current, proportionate, and effective in enabling risk informed decisions to be made.

## 1. Report

The latest update provides a revised road map, comparison, improved graphical analysis. A PowerBI dashboard has been developed by colleagues within the Business and Intelligence team that helps to present improved graphical focus and accessible information surrounding risk management across directorates and teams.

The principles of the Council’s risk management framework to be “risk aware” and not “risk averse,” with our arrangements informing our decision-making processes. There are now ten strategic risk themes informed by operational service level risks owned by Heads of Service and Service Managers.

Current Risk Themes	
Communities	Political & Leadership
Compliance	Safeguarding
Digital & Technology	Service Delivery
Finance	Transformation
Health, Safety & Wellbeing	Workforce

Councillors can view the full schedule of risks by theme from [this link](#).

Both the People and Health Scrutiny Committee and Place and Resources Scrutiny Committee consider the detail of individual risks. The role of Audit and Governance Committee is to satisfy itself over the adequacy of the risk management framework.

As reported at the October 2022 Committee meeting, an action plan has been developed to respond to recommendations from the South West Audit Partnership review of the Council’s risk management arrangements. This report recognised that the Council has developed and refined a functional system of risk management between officers and elected members, and that stakeholders cited the support provided positively. However, it was recognised that further work was necessary to embed risk management across services, which presented resourcing challenges.

A review of resourcing has been undertaken and it has been agreed to move the risk function from the Assurance Service to Business Intelligence and Performance team, to both more closely align with performance management and to enable the existing business partner model to function as the conduit with Directorates. This transfer of function will take effect following staff consultation.

Periodically this report includes an update on information compliance. There are currently 11 information compliance risks identified in the risk register, modelled on the Information Commissioners Office's Accountability Framework. The majority (7) are ranked as medium risk, with two currently noted as "High". The two high risks are:

**Inadequate compliance with individuals' rights under data protection law –**

This relates primarily to our compliance with timescales on Subject Access Requests (SARs). There has been a significant amount of work undertaken to improve compliance, and this has included moving the SARs team from Children's Services to the Assurance Service. SARs, and particularly those relating to care leavers, have increased in number and complexity. Internal staffing is being supplemented with an outsource arrangement with a redaction company, with the cost of this a budget pressure for Children's Services. Since the transfer of the team, great progress has been made in reducing the length of response time and improving the number of requests that are responded to within Information Commissioners Office timescales. As of November, this has improved from 53% at the beginning of April 2022 to 82% (just short of the 90% target).

**Inadequate "data protection by design and default" culture and processes –**

This recognises that further work is necessary to embed data impact assessments into decision making processes for change. We have a working group looking at an overarching "impact assessment" embracing climate, equalities, and risk.

Senior Leadership Team have supported a revised Strategic Information Governance Board that will progress risk improvements, supported by four subgroups: i) operational information governance; ii) risk and learning; iii) digital applications governance; and iv) cyber security technical group. It has also been agreed that an annual information governance report will be presented to both Senior Leadership Team and Audit and Governance Committee, which is scheduled in the forward plan for June 2023.

## **2. Financial Implications**

No budget implications specifically, although unmanaged risks may pose a threat to the Council's financial stability. Identified risk improvement measures may also have direct budget implications, each of which need to be subject to a cost/benefit analysis prior to implementation.

### **3. Climate Implications**

None specifically, however the risk register itself identifies several climate related risks.

### **4. Well-being and Health Implications**

Health, safety, and wellbeing is identified as one of our corporate risk themes.

### **5. Other Implications**

None

### **6. Risk Assessment**

Having considered the risks associated with this decision; the level of risk has been identified as:

Current Risk: HIGH

Residual Risk: HIGH

The risk level is identified as High as Appendix A provides an update on those High-level risks which are currently identified within the Council's risk register.

### **7. Equalities Impact Assessment**

None specifically, however the risk register itself identifies several equality related risks.

### **8. Appendices**

Appendix A - Summary of Extreme Risks

Appendix B – Summary update from Emergency Planning

### **9. Background Paper**

None

# Audit and Governance Committee

**16 January 2023**



Risk Management Exception - Quarterly Update Report

## **Extreme Risks**

16 December 2022

Risk management is about taking informed decisions, achieving objectives, and delivering results. Risk management is a process that aims to identify significant risks that may impact on the achievement of our objectives. We must then look to evaluate and implement actions to reduce both the likelihood and the potential impact of these risks occurring. Clear identification and assessment of risks will lead to a more effective use of resources and result in direct improvements to the services we can provide.

Each risk will be assessed twice: once in terms of inherent risk and in terms of residual risk.

- To assess inherent risk, the impact and probability must be considered in the absence of any controls: what is the level of risk before controls are considered, what is the susceptibility of the Council to risk, in the first instance? Inherent risk assessment is intended to demonstrate the purpose and effect of control and mitigating actions – it will show the exposure if control, and mitigating actions fail.
- An assessment of residual risk then follows and considers the control and mitigating actions identified. Where there is no change in the assessed risk score between inherent and residual, this is indicative of a lack of, or ineffective controls or circumstances where the council is limited in the action it can take.

<b>Impact</b>	Catastrophic	5	10	15	20	25
	Major	4	8	12	16	20
	Moderate	3	6	9	12	15
	Slight	2	4	6	8	10
	Limited	1	2	3	4	5
		Very Unlikely	Unlikely	Possible	Likely	Certain
<b>Likelihood</b>						

### Assessing Likelihood (Probability)

In assessing probability, the following 1 to 5 scoring system is to be followed:

<b>Likelihood (Probability)</b>	<b>Certain</b> Score 5	Reasonable to expect that the event WILL happen, recur, possibly or frequently
	<b>Likely</b> Score 4	Event is MORE THAN LIKELY to occur. Will Probably happen, recur, but is not a persisting issue.
	<b>Possible</b> Score 3	LITTLE LIKELIHOOD of event occurring. It might happen or recur occasionally.
	<b>Unlikely</b> Score 2	Event NOT EXPECTED. Do not expect it to happen or recur, but it is possible that it might do so.
	<b>Very Unlikely</b> Score 1	EXCEPTIONAL event. This will probably never happen or recur.

## Assessing Impact (Severity)

In assessing Impact, the following 1 to 5 scoring system is to be followed:

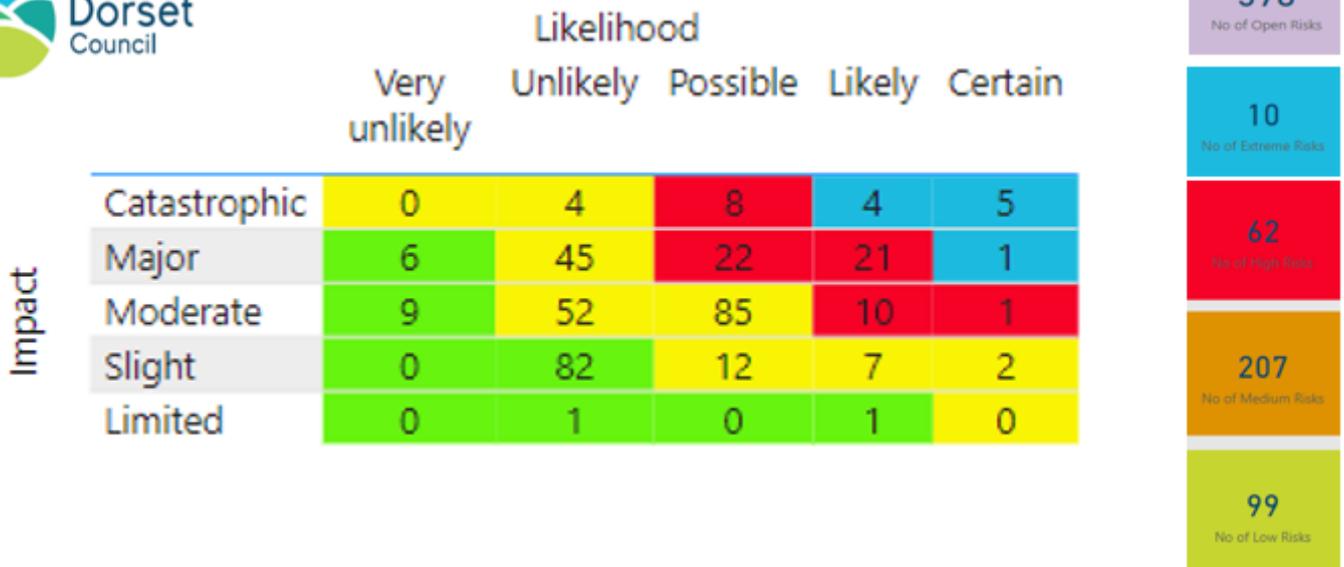
<b>Impact (Severity)</b>	<b>Catastrophic</b> Score 5	Multiple deaths of employees or those in the Council's care; Inability to function effectively, Council-wide; Will lead to resignation of Chief Executive and/or Leader; Corporate Manslaughter charges; Service delivery must be taken over by Central Government; Front page news story in National Press; Financial loss over £10m
	<b>Major</b> Score 4	Suspicious death in Council's care; Major disruption to Council's critical services for more than 48hrs; Noticeable impact achieving strategic objectives; Will lead to resignation of Senior Officers and/or Cabinet Member; Adverse coverage in National press/Front page news locally; Financial loss £5m-£10m
	<b>Moderate</b> Score 3	Serious Injury to employees or those in the Council's care; Disruption to one critical Council Service for more than 48hrs; Will lead to resignation of Head of Service/Project Manager; Adverse coverage in local press; Financial loss £1m-£5m
	<b>Slight</b> Score 2	Minor Injury to employees or those in the Council's care; Manageable disruption to services; Disciplinary action against employee; Financial loss £100k-£1m
	<b>Limited</b> Score 1	Day-to-day operational problems; Financial loss less than £100k

<b>Level of Risk</b>	<b>EXTREME</b> (20-25)	Risks at this level sit above our tolerance and form the biggest risks. Risks at this level sit above the tolerance of the Council and are of such magnitude that they form the Council's biggest risks. The Council is not willing to take risks at this level and action should be taken immediately to manage the risk.	<b>IMMEDIATE ACTION AND REPORTING TO SLT</b>
	<b>HIGH-LEVEL</b> (12-16)	The Council is not willing to take risks at this level and action should be taken immediately. These risks are within the upper limit of risk appetite. While these risks can be tolerated, controls should be identified to bring the risk down to a more manageable level where possible.	<b>IMMEDIATE ACTION</b>
	<b>MEDIUM</b> (5-10)	While these risks can be tolerated, controls should be identified to bring the risk down to a more manageable level. These risks sit on the borders of the Council's risk appetite and so while they do not pose an immediate threat, they are still risks that should remain under review. If the impact or likelihood increases, then risk owners should seek to manage the increase.	<b>REVIEW CURRENT CONTROLS</b>
	<b>LOW</b> (1-5)	These risks sit on the borders of the Council's risk appetite and so while they do not pose an immediate threat, they are still risks that should remain under review. These are low level risks that could impede or hinder achievement of objectives. Due to the low level, it is unlikely that additional controls will be identified to respond to the risk. Minor level risks with little consequence but not to be overlooked completely.	<b>LIMITED ACTION BUT REVIEW</b>

Risk assessment using probability and impact scoring can be subjective. The change in the overall risk profile demonstrates how action is taken to manage risks, to ensure the completeness of the risk register and to capture emerging risks. Note the deadline to update risks was 16 December 2022.

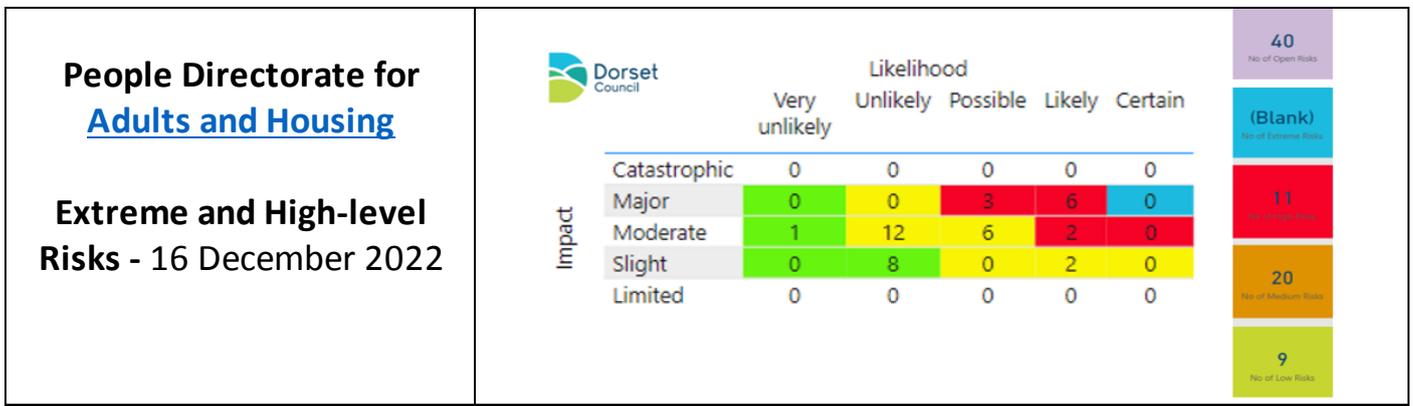
- The full Services Risk Register can be viewed from this link [HERE](#)
- And the PowerBI risk dashboard from [HERE](#)

**A SUMMARY of PERFORMANCE of the risks for the reporting  
period  
16 December 2022**

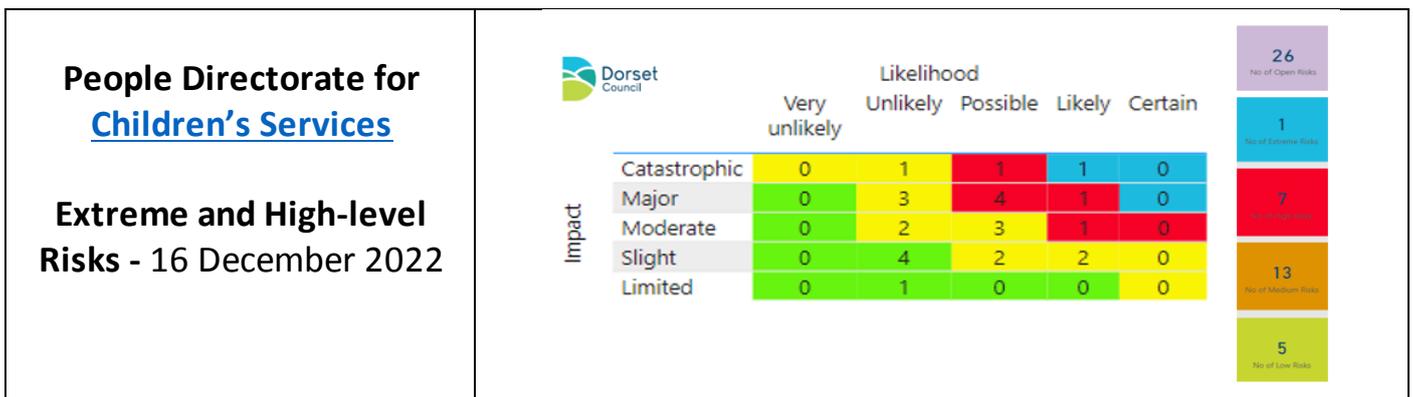


**Please note that at the time of drafting the report 19 (5%) risks of the 378 total number of council risks require to be updated.**

**This is a significant improvement.**



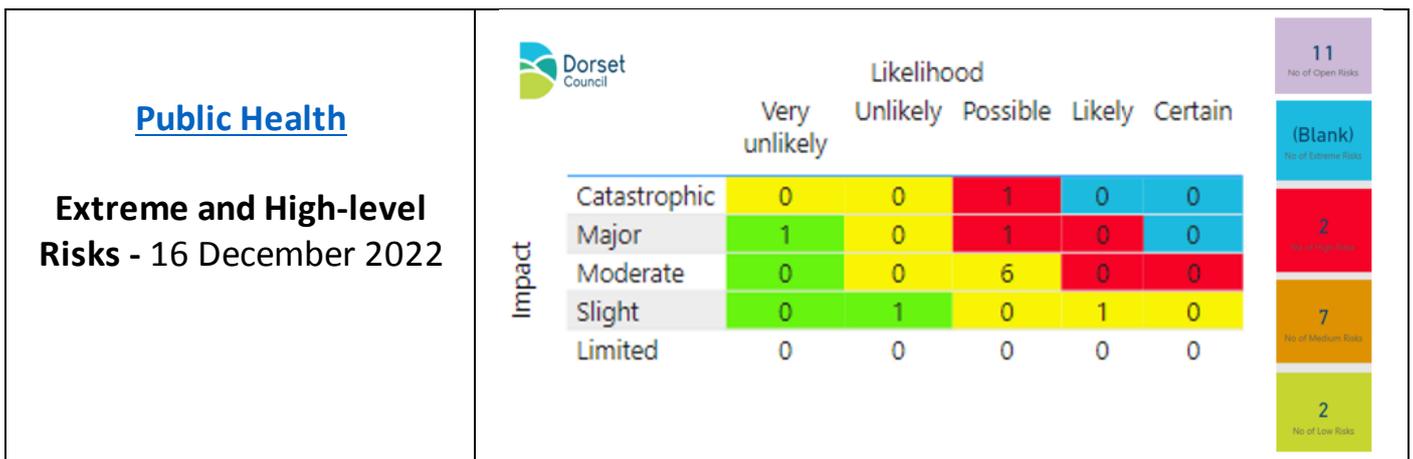
**Adults and Housing Extreme Risks - None**



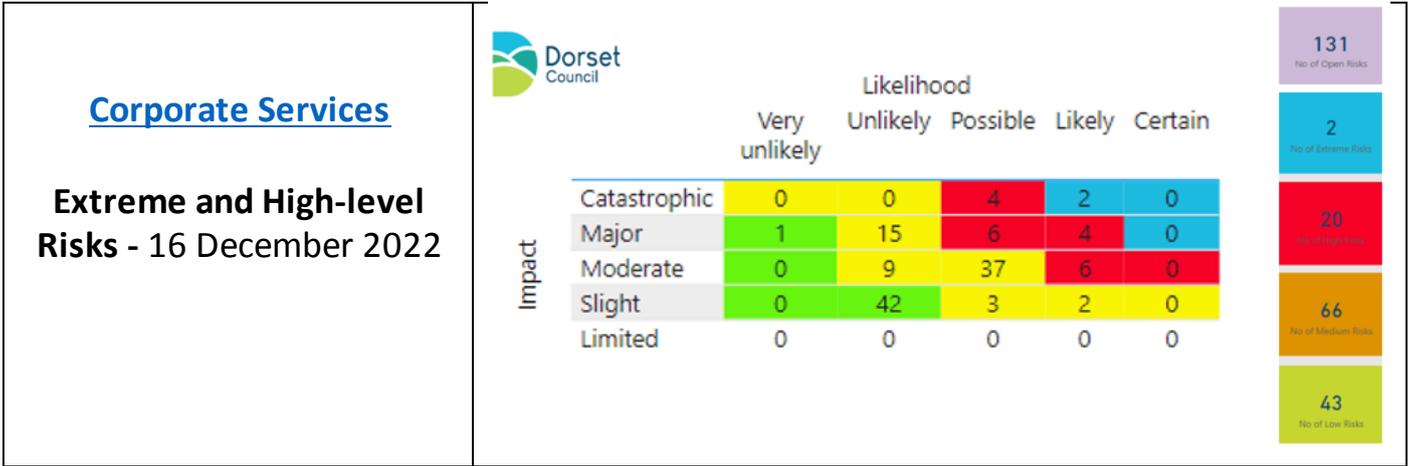
**Children's Services Extreme Risks**

**Schools & Learning**

- Risk 272 - Failure to stabilise the budget for the High Needs Block



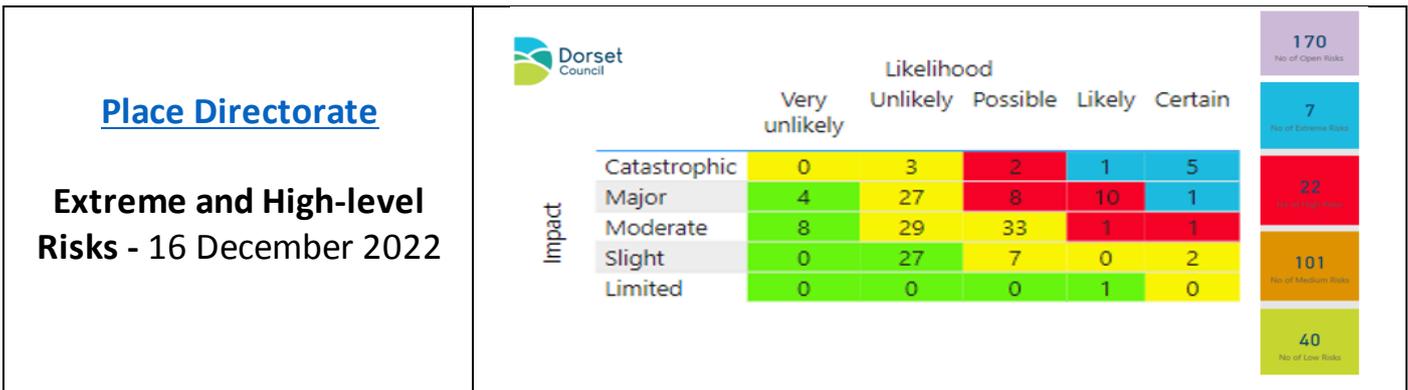
**Public Health Extreme Risks - None**



**Corporate Services Extreme Risks**

ICT Operations

- Risk 286 - Loss of ICT service or data through a cyber-attack
- Risk 348 - There is a business continuity risk from delayed ICT recovery after a disruption such as a power failure



**Place Extreme Risks**

Assets & Regeneration

- Risk 572 - Asbestos inspection compliance Health and Safety compliance and recording
- Risk 655 - Gas safety
- Risk 656 – Fire Risk Assessments
- Risk 138 - Breach of health and safety at an occupied premise
- Risk 571 - Corporate Landlord model not being fully implemented by the Council and all services.
- Risk 613 - The Assets & Regeneration main database TechForge is not complete with all relevant data following LGR in 2019.

Place Based Services – COMMERCIAL WASTE & STRATEGY

- Risk 381 - Cost of contracted services (HRCs operation, transportation) increases when retendered



## Emergency Planning Exception

### Quarterly Update Report

January 2023

Dorset Council Emergency Planning Service aims to protect the environment, businesses, and communities of Dorset from harm.

## Introduction

Dorset Council works in conjunction with Local Resilience Forum (LRF) partners to plan, prepare, respond, and assist with recovery for a wide range of emergencies.

## Significant Response Incidents

Date	Event	Description
27 November	Flooding	A multi-agency group of tactical commanders met to determine, co-ordinate and deliver the tactical response to flooding at Frome Lane in Maiden Newton.
20 November	Fire	Property at Bowleaze Cove way, Weymouth. The incident required a Duty Emergency Planning Officer and Housing support.

## Key Messages

### Debrief report for Operation London Bridge

Operation London Bridge was activated following the sad death of Queen Elizabeth II. A debrief was held in November 2022 to look at what went well, what didn't go well, and what could we do differently.

The output of this session recognised that the response by the Council had been largely successful, and many positives identified. A few learnings were noted in terms of better alignment of the response and communications plans, bolstering training for Gold and Silver Officers where they may be required to lead at a multi-agency level, and possible live streaming of the civic service.

We hope that in the delivery of our services and the implementation of the plan across our organisation, we played our part in showing, not just our respect, but the nation's gratitude for all that Her Majesty the Queen had done during her long reign.

Planning and response continue several concurrent risks, including industrial action, power outages and avian flu.

The Council is also responding to questions from the national Covid Inquiry, via the Local Government Association.

## **Audit & Governance Committee**

### **16 January 2023**

### **Review of Agency & Consultancy Spend**

Choose an item.

**Portfolio Holder:** Cllr J Haynes, Corporate Development and Transformation

**Executive Director:** A Dunn, Executive Director, Corporate Development

Report Author: Chris Matthews

Title: Interim Head of Human Resources

Tel: 01305 225171

Email: Christopher.matthews@dorsetcouncil.gov.uk

**Report Status:** Public

#### **Brief Summary:**

The use of agency workers and consultants within the council is critical to ensuring we can continue to deliver services and develop and improve the services we provide to our communities.

Spend within the council is managed and monitored to ensure that it is only incurred where necessary, providing cover for employees who are absent, capacity when a permanent recruitment solution cannot be found or additional skills and experience on a short-term basis.

The use of agency workers and consultants varies across directorates, providing around 5% of the total council workforce. A consistent discipline is in place to ensure that spend is minimised and targeted only to those areas where it is deemed essential.

#### **Recommendation:**

It is recommended that the Committee note the current levels of use and spend on agency workers and consultants and the work being undertaken to improve the visibility and governance around their use.

## **Reason for Recommendation:**

To provide assurance that sufficient measures are in place to manage the use and spend on agency workers and consultants.

### **1. Background**

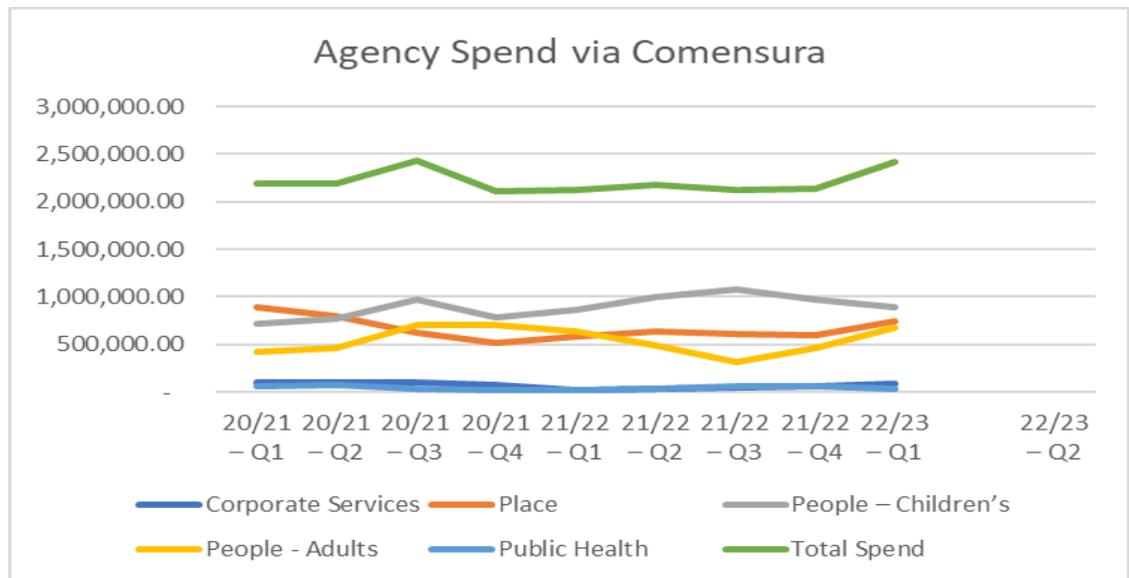
- 1.1 Agency workers and consultants are typically used to cover existing posts when a permanent solution has not been found, provide temporary additional capacity when having to respond to a short-term increase in work within a team or to bring specific skills and experience into the council on a short-term basis. Engaging agency workers has enabled the council to continue to deliver services in areas where there are challenges in recruiting into hard to fill roles, where national skills shortages exist, for example, Planning, Social Care.
- 1.2 Dorset Council has a corporate contract in place with Comensura in respect of engaging agency workers and this has recently been extended to include the engagement of consultants. This provides the council with a legally compliant single route to engaging agency workers and consultants without the need for competition or tendering.
- 1.3 Following a review of agency and consultancy spend in the Summer of 2020, work has continued to be progressed to ensure a more consistent approach to engaging workers through these routes is in place and to improve the understanding of levels of spend across the Council.
- 1.4 A guide for managers was produced and launched in 2021 to help them understand the most effective way to engage an agency worker or consultant and ensure that they are only being used when necessary. The launch of the new guide coincided with the promotion of the new contract arrangement with Comensura, which brought together agency and consultancy spend within a single contract.
- 1.5 Oversight of agency spend is now incorporated into the SLT Performance Reporting Scorecard. Monthly updates are provided on spend by directorate through the Comensura contract. Information is also provided on spend outside of this contract, where it has not been possible to secure the skills or capacity required through the Comensura route. Information is provided quarterly on the number of assignments in each directorate and the percentage of those that exceed three months.

1.6 HR&OD Business Partners work with their respective directorates to understand the key factors influencing spend on agency workers and consultants within each directorate, to better understand the appropriateness and effectiveness of engaging workers through these routes and to consider their alignment with service-specific workforce strategies. Specific feedback from each directorate is attached as Appendix 1.

2. **Spend and Use**

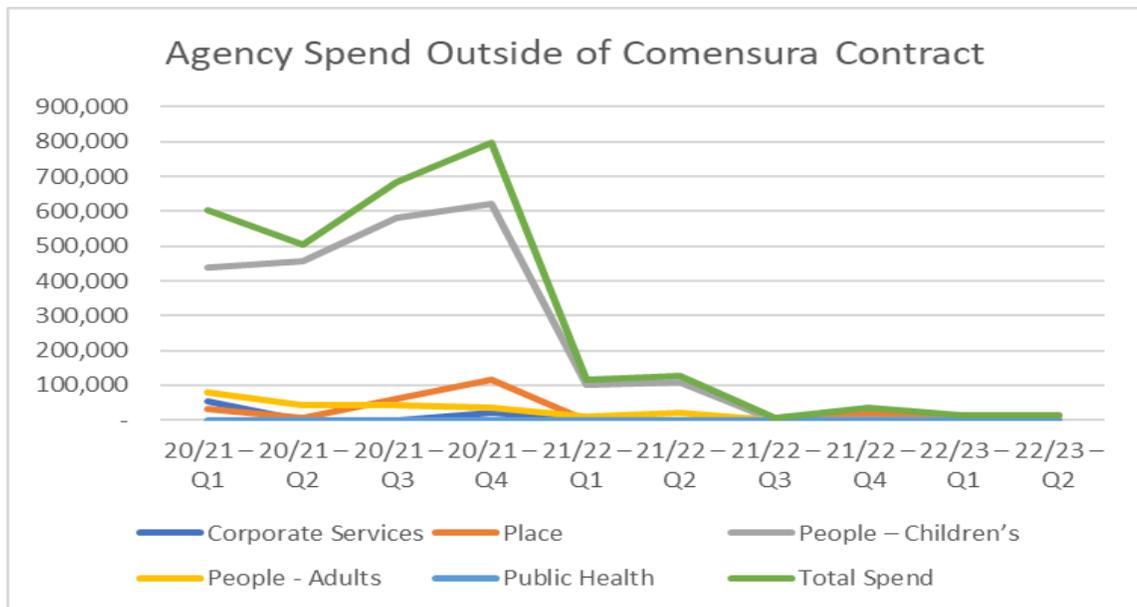
2.1 Total spend on agency workers through the Comensura contract across all directorates has remained relatively consistent since April 2020, as set out below:

	Corporate Services	Place	People – Children’s	People - Adults	Public Health	Total Spend
20/21 – Q1	99,629	897,161	718,532	417,932	55,266	2,188,520
20/21 – Q2	97,992	794,053	765,719	468,487	70,691	2,196,943
20/21 – Q3	97,931	618,219	969,674	701,456	38,146	2,425,426
20/21 – Q4	73,035	518,496	782,402	708,251	26,447	2,108,632
21/22 – Q1	25,053	586,237	858,050	636,400	23,952	2,129,691
21/22 – Q2	26,707	641,712	995,159	482,771	27,866	2,174,215
21/22 – Q3	52,927	615,654	1,082,630	316,436	55,870	2,123,518
21/22 – Q4	59,961	592,311	973,960	457,232	55,317	2,138,780
22/23 – Q1	81,768	740,023	895,431	671,376	36,130	2,424,790
22/23 – Q2	65,527	794,603	993,005	793,895	32,180	2,679,209



2.2 The introduction of improved guidance for managers, better engagement with Comensura and a sharper focus at Directorate Leadership Team level has resulted in a reduction in the volume of spend on agency workers outside of the Comensura contract.

	Corporate Services	Place	People – Children’s	People - Adults	Public Health	Total Spend
20/21 – Q1	53,208	31,917	439,100	78,600	-	602,825
20/21 – Q2	-	6,690	455,158	44,071	-	505,919
20/21 – Q3	-	61,345	581,616	42,250	-	685,210
20/21 – Q4	22,691	115,595	622,541	34,903	-	795,730
21/22 – Q1	2,678	-	101,242	11,395	-	115,315
21/22 – Q2	-	-	108,147	20,271	-	128,417
21/22 – Q3	-	6,525	-	-	-	6,525
21/22 – Q4	16,882	15,668	3,462	-	-	36,011
22/23 – Q1	880	13,227	-	-	-	14,107
22/23 – Q2	-	11,940	-	-	-	11,940



2.3 At the end of September 2022 (Q2) there were 249 continuing assignments through Comensura, the equivalent of 5.28% of the council's total workforce. Of these assignments, 68% have been in place for over three months. This picture has remained relatively static from when we last reported this information to Audit & Governance Committee in 2021 (65%).

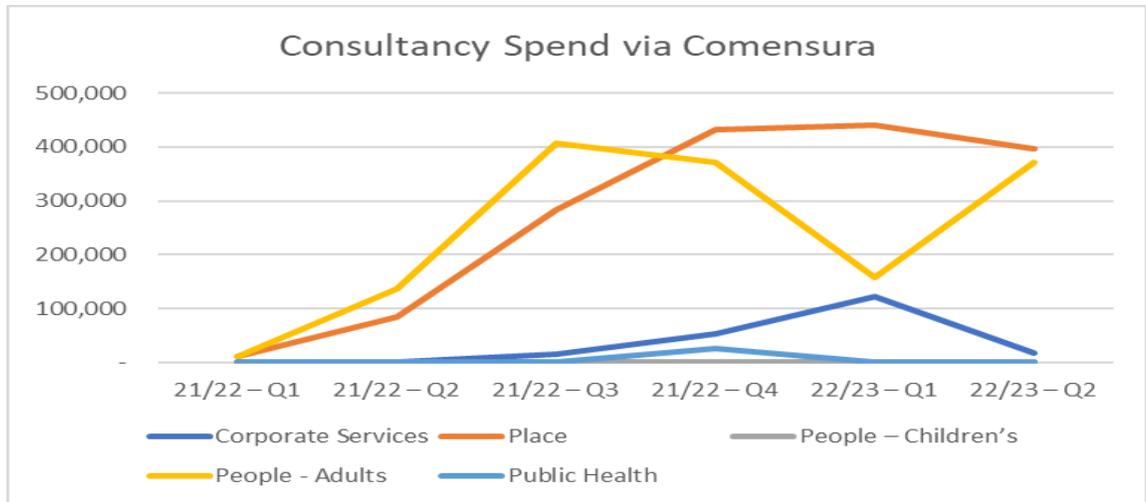
Directorate	0-3 months	4-6 months	7-9 months	10-12 months	13-18 months	19-24 months	25+ months	Total
Corporate Services	3	2	2	0	0	0	1	8
Place	49	41	23	6	10	6	13	148
People – Children’s	10	12	7	6	5	5	3	48
People – Adults	18	6	7	4	2	2	2	41
Public Health	0	2	1	0	0	0	0	3
<b>Total</b>	<b>80</b>	<b>63</b>	<b>40</b>	<b>16</b>	<b>17</b>	<b>13</b>	<b>19</b>	<b>249</b>

2.4 Work continues across all areas to look for opportunities to recruit permanently and reduce the dependency on agency workers, but this is an increasing challenge in ever-growing competitive job markets.

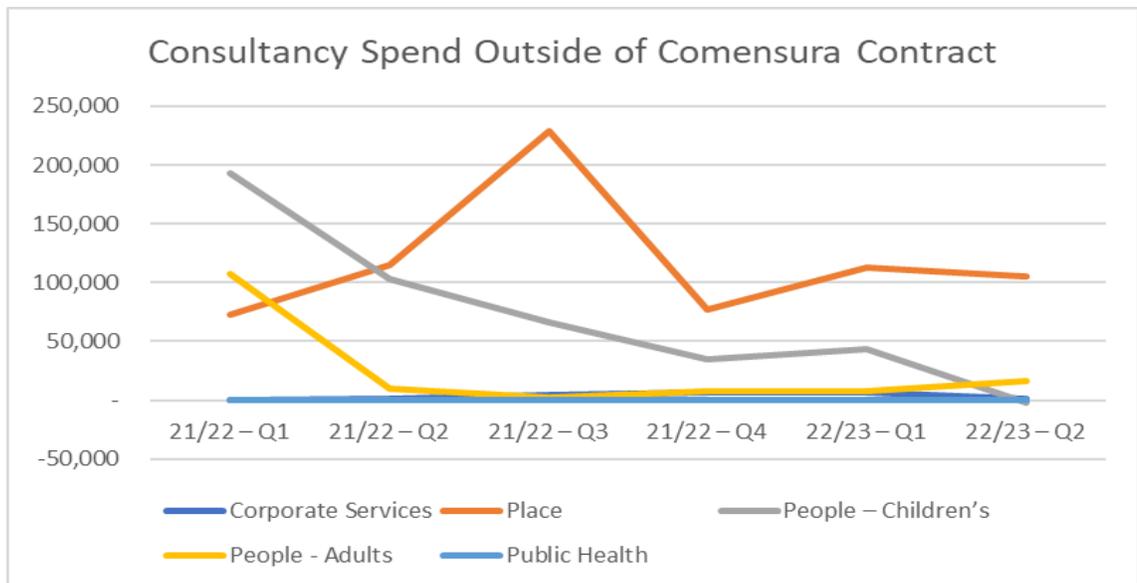
2.5 In most cases, the cost to the council of using agency workers is in the mark-up charged by Recruitment Agencies and Comensura, as the agency worker is paid the same level of salary as a permanent employee and the budget for the salary of the worker is within the staffing budget for the service. There are some areas, in particular Social Workers, where it remains incredibly difficult to pay for agency workers at the same salary level as permanent employees, reflecting the scarcity of resource available in this field, which is seen across the entire country. To provide a degree of context when looking at the spend data above, an overview of last year’s budget for each directorate is attached as Appendix 2, illustrating that in most areas the cost of agency workers is offset by underspends in staffing budgets.

2.6 The use of consultants can introduce needed specialist skills and capacity to support service improvement and transformation. The data below illustrates spend through Comensura and spend where consultants have been commissioned outside of the Comensura contract.

	Corporate Services	Place	People – Children’s	People - Adults	Public Health	Total Spend
21/22 – Q1	-	10,822	-	10,523	-	21,345
21/22 – Q2	-	85,173	-	136,544	-	221,717
21/22 – Q3	15,369	284,179	-	408,010	-	707,558
21/22 – Q4	53,687	431,840	-	371,826	25,250	882,602
22/23 – Q1	121,664	441,264	-	157,850	-	720,778
22/23 – Q2	17,170	397,626	-	371,498	-	786,294



	Corporate Services	Place	People – Children's	People - Adults	Public Health	Total Spend
21/22 – Q1	-	72,902	193,483	107,135	-	373,520
21/22 – Q2	800	114,991	103,161	9,750	-	228,702
21/22 – Q3	4,550	228,751	65,817	2,460	-	301,578
21/22 – Q4	6,803	77,262	34,261	7,380	-	125,706
22/23 – Q1	6,913	113,203	43,136	8,162	-	171,414
22/23 – Q2	1,694	104,668	2,090	16,500	-	120,772



### 3. Continued Improvement

- 3.1 Work continues to introduce improvements and develop our approach to engaging agency workers and consultants, through better contract management, oversight of spend and more useful guidance for managers.

3.2 Dorset Council has recently introduced a dedicated Recruitment & Attraction Consultant role within the HR Service, who will work closely with directorates to identify ways in which we can improve our ability to recruit to the roles where we have typically found it difficult to find candidates and where we have built a reliance on agency workers to ensure we can deliver services.

3.3 It is important that all areas of the council continue to regularly and routinely review their agency and consultancy arrangements to ensure that engaging workers through this means continues to be the most effective way of delivering the work and continues to offer the council the best value for money.

#### 4. **Financial Implications**

4.1 The financial implications of engaging agency workers and consultants is set out in the report.

#### 5. **Environmental Implications**

5.1 There are no identified environmental implications.

#### 6. **Well-being and Health Implications**

6.1 The ability to resource workforce gaps using agency workers and consultants is critical to ensuring services can be delivered and the burden and pressure is lifted from the permanent workforce, reducing the likelihood of work-related stress or other health implications.

#### 7. **Other Implications**

7.1 No other implications have been identified.

#### 8. **Risk Assessment**

8.1 **HAVING CONSIDERED:** the risks associated with this decision; the level of risk has been identified as:

Current Risk:	Medium
Residual Risk:	Low

9. **Equalities Impact Assessment**

9.1 As this is an update to the Committee and does not relate to any change an Equalities Impact Assessment has not been completed. No equality issues have been identified in relation to the content of this report.

10. **Appendices**

10.1 Appendix 1 – Directorate Commentary

10.2 Appendix 2 – Overview of Workforce Budgets

## Directorate Commentary

### Corporate Services

- Consultant and agency reports are considered by Corporate Services Executive Director and Corporate Directors on a quarterly basis with the clear direction given to monitor and reduce agency and consultancy spend wherever possible.
- Most recent agency spend relates to ongoing system integration and development in the Revenues & Benefits Team. Other longer-term agency spend has been within legal services and continued difficulties to recruit to a specialist lawyer position. We are continuing to explore different approaches to recruitment to address this issue and longer term growing our own.
- Previous spend has been due to the need to cover for a critical vacancy in HR supporting the Place directorate and independent support for the review of the HR Service. Both arrangements have now ended.
- Strategic finance spend was to cover a vacancy which has now been recruited to therefore this spend has ceased. Consultancy support for the Care Dorset Partnership ceased in April.
- Non-compliant spend within the directorate is monitored by the HRBP who works with the service to ensure future engagements are through the agreed route, including getting agencies/consultants registered with Comensura.

### People – Children

- Agency reports are part of Children's workforce KPIs and presented to the Executives Director and extended Leadership team monthly at Performance Board meetings
- The majority of agency workers are Social Workers covering absence or 'hard to fill' positions. The percentage of agency workers in social worker roles at the end of October 2022 was 11%.
- The engagement of agency Social Workers is in line with a Memorandum of Understanding in place across all councils within the Southwest. This MOU aims to cap the hourly rate payable to agency social workers, ensuring the costs of agency workers is managed and to avoid individual local authorities trying to outbid others, therefore driving up costs.
- Longer term agency workers may continue in role in exceptional circumstances, i.e., where there have been repeated attempts to recruit or where they possess specific and niche skills set.
- Comensura agency placements as a percentage of children's services workforce is 4.09% (Oct 2022).

- 81.39% of our total agency placements have lasted longer than 6 months (43 active placements in October 22) and efforts are being made to convert long term agency workers to permanent.
- Non-compliant placements are monitored monthly by the HR Business Partner to work through with the Managers to bring them into compliance swiftly.
- The process for compliance has been communicated at the directorate Leadership Team and in communications to Managers to avoid the need for non-compliant spend in the future.
- Considerable work has taken place to reduce consultancy spend outside Comensura and this has paid off. There were no off contract consultancy engagements in Q2 and none in Q3 so far. This includes signing up agencies with Comensura to continue to do business with them. Also, ongoing communications with managers reminding them of the process for engaging consultants.
- The directorate have engaged consultants through Comensura to support the ongoing transformation work within the directorate

## **People – Adults**

- Agency reports are considered by Adults Corporate Directors and Executives Directors at our monthly Finance and Performance reporting meeting.
- Medium and longer-term agency spend must be approved by a Corporate Director. As a result, some agency workers have now become direct employees of Dorset Council.
- Longer term agency workers may continue in role in exceptional circumstances, i.e., where there have been repeated attempts to recruit or where they possess a skill set needed for strategic work.
- We have revised our recruitment process and as a result been able to recruit faster to most roles. There are however a few roles where we still need agency cover due to national supply shortages, including Approved Mental Health Practitioners and Social Workers.
- We engaged Housing agency capacity to provide additional support whilst we were undertaking and implementing the Housing restructure.
- Considerable work has taken place to reduce consultancy spend outside Comensura. This includes signing up agencies with Comensura to continue to do business with them. Also, ongoing communications with managers reminding them of the process for engaging consultants.
- There is currently consultancy cover at Director level to provide leadership and expertise, prior to recruiting for permanent roles.
- Each consultant will have an IR35 assessment to ensure compliance with the HMRC regulations, a copy of which is kept in the Directorate.
- Non-compliance is investigated promptly, and all assignments are IR35 compliant, with IR35 reviews happening each year.

## Place

- Focus on Agency spend in Place has increased in the last 18 months with monthly reviews at SLT and Head of Service level.
- Main reasons for agency usage in Place are to cover absence, to bring in expertise not found within the council needed on an ad hoc basis, to cover vacancies, to cover seasonal work.
- The recent quarterly increase in agency spend can be attributed to seasonal requirements and cover for hard to recruit positions in Planning and Waste.
- The Planning Service forecast to spend a total of £239,408 on agency staff for the financial year ending 2022/23. The cost is being met through a combination of: vacant posts; a budget line for agency staff, and planning reserves that we are able to use for staff-related costs.
- By way of context, The Planning Service are using agency planners to cover for vacant posts and clear our backlogs of casework, which we have made very good progress on. The officers we are using are effective and are also covering important casework including a very sensitive and complex appeal.
- In the Planning Service there is work taking place to reduce reliance on agency staff, including holding some posts vacant and using positive recruitment campaigns to fill essential posts with permanent employees. We will have moved from 7 FTE agency staff at the start of the financial year to 3FTE, and significantly less than last year's cost, and will be looking to only cover posts where funding is available such as through planning performance agreements (a discretionary service).
- Due to the operational nature of Waste Services there is a set budget to cover the cost of agency, ensuring absences and staff shortages in the core workforce are covered. There is a seasonal requirement Easter to August to increase agency in holiday resorts to provide street cleansers. Work is ongoing in recruiting to roles and has recently been successful, meaning vacant posts are filled reducing reliance on agency. The service is looking at increasing core workforce FTEs over the coming months again reducing reliance on agency.

## Public Health

- Agency spend remains low in Public Health. All workers are engaged via Comensura therefore compliant with procurement regulations
- The majority of spend has been to provide additional project and programme resilience during the COVID period, which is funded by the Dept of Health not Dorset Council.
- A medium-term agency worker is now directly employed by Public Health.
- There are currently no agency workers funded by DC only Dept of Health funded.
- All agency spend is monitored by the Public Health Programme Manager, who is a member of the Senior Leadership Team.

## Overview of Workforce Budgets

<b>People - Adults Services</b>					
	<b>Original Budget</b>	<b>Current Budget</b>	<b>Actual to Date</b>	<b>Variance</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>%</b>
Employed	20,527,892	20,731,908	20,218,845	513,063	2.47%
Agency	16,900	314,970	1,475,919	(1,160,949)	(368.59%)
Consultancy	13,389	750,928	780,282	(29,354)	(3.91%)
<b>Total</b>	<b>20,558,181</b>	<b>21,797,806</b>	<b>22,475,046</b>	<b>(677,240)</b>	<b>(3.01%)</b>
<b>Corporate Development</b>					
	<b>Original Budget</b>	<b>revised Budget</b>	<b>Actual to Date</b>	<b>Variance</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>%</b>
Employed	25,314,344	22,937,797	22,477,268	460,529	2.01%
Agency	5,000	100,569	302,274	(201,705)	(200.56%)
Consultancy	43,536	1,332,592	1,381,029	(48,437)	(3.63%)
<b>Total</b>	<b>25,362,880</b>	<b>24,370,958</b>	<b>24,160,571</b>	<b>210,387</b>	<b>0.87%</b>
<b>Place</b>					
	<b>Original Budget</b>	<b>revised Budget</b>	<b>Actual to Date</b>	<b>Variance</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>%</b>
Employed	54,382,573	54,300,782	52,119,826	2,180,956	4.02%
Agency	255,942	255,942	4,072,431	(3,816,489)	(1491.15%)
Consultancy	584,433	844,806	876,749	(31,943)	(3.78%)
<b>Total</b>	<b>55,222,948</b>	<b>55,401,530</b>	<b>57,069,007</b>	<b>(1,667,477)</b>	<b>(2.92%)</b>

<b>People - Children's Services</b>					
	<b>Original Budget</b>	<b>revised Budget</b>	<b>Actual to Date</b>	<b>Variance</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>%</b>
Employed	35,241,800	35,352,744	32,551,547	2,801,197 (2,113,218)	7.92%
Agency	666,700	650,400	2,763,618	)	(324.91%)
Consultancy	68,000	672,236	429,336	242,900	36.13%
<b>Total</b>	<b>35,976,500</b>	<b>36,675,380</b>	<b>35,744,500</b>	<b>930,880</b>	<b>2.60%</b>
<b>Legal &amp; Democratic</b>					
	<b>Original Budget</b>	<b>revised Budget</b>	<b>Actual to Date</b>	<b>Variance</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>%</b>
Employed	4,869,527	4,320,292	3,999,810	320,482	7.42%
Agency	17,635	17,635	334,931	(317,296)	(1799.24%)
Consultancy	319,550	531,667	559,702	(28,035)	(5.27%)
<b>Total</b>	<b>5,206,712</b>	<b>4,869,594</b>	<b>4,894,443</b>	<b>(24,849)</b>	<b>(0.51%)</b>
<b>Public Health</b>					
	<b>Original Budget</b>	<b>revised Budget</b>	<b>Actual to Date</b>	<b>Variance</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>%</b>
Employed	2,843,600	2,853,636	2,754,925	98,711	3.46%
Agency	28,200	28,200	87,372	(59,172)	(209.83%)
Consultancy	0	0	68,167	(68,167)	0.00%
Freelance/other	0	0	2,632	(2,632)	0.00%
<b>Total</b>	<b>2,871,800</b>	<b>2,881,836</b>	<b>2,910,463</b>	<b>(28,627)</b>	<b>(0.98%)</b>

<b>Total exc schools</b>					
	<b>Original Budget</b>	<b>revised Budget</b>	<b>Actual to Date</b>	<b>Variance</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>%</b>
Employed	149,260,496	147,433,308	141,037,639	6,395,669 (7,668,829)	4.34%
Agency	990,377	1,367,716	9,036,545	)	(560.70%)
Consultancy	1,028,908	4,132,229	4,179,355	(47,126)	(1.14%)
<b>Total</b>	<b>151,279,781</b>	<b>152,933,253</b>	<b>154,253,539</b>	<b>(1,320,286)</b>	<b>(0.85%)</b>

## Audit and Governance Committee Forward Plan 2022/23

<b>16 January 2023</b>			
	SWAP Update Report	Update Report	Portfolio Holder – Cllr Spencer Flower  Officer contact- Sally White - SWAP
	"Council Decision Making- building in Climate and Ecological Considerations"	Report	Officer contact: Steven Ford and Anthony Littlechild
	Quarterly Risk Management Report	Update Report	Portfolio Holder- Spencer Flower Officer Contact- Marc Eyre
	Review of Agency & Consultancy Spend	Annual Report	Portfolio Holder- Cllr Jill Haynes  Officer contact- Chris Matthews
	Co-optive Member for Audit and Governance Committee	Discuss whether members support the principle of co-opting members to audit and governance, in line with CIPFA guidance.	Officer Contact- Aidan Dunn, Jonathan Mair, Grace Evans
	Update from the monitoring officer on the constitution.	Verbal Update	Officer Contact- Grace Evans

<b>27 February 2023</b>			
	Quarter 3 Financial Management Report	Management Report	Officer Contact- Jim McManus
	Revised ISA 260 for 2020/21 Accounts		Officer Contact- Ian Howse and Stuart Kenny

<b>17 April 2023</b>			
	Annual Internal Audit Opinion Report, Planning Report and Audit Charter	Annual Report	Portfolio Holder – Cllr Spencer Flower Officer contact- Sally White - SWAP
	Quarterly Risk Management Report		Portfolio Holder- Spencer Flower Officer Contact- Marc Eyre
	Annual Governance Statement		Portfolio Holder- Spencer Flower Officer Contact- Marc Eyre

<b>May 2023</b>			

<b>June 2023</b>			
	Information Governance		Portfolio Holder- Spencer Flower Officer Contact- Marc Eyre
	Annual Fraud Agenda		

**Other items raised by Audit and Governance Committee requiring further consideration**

<b>Issue</b>	<b>Notes</b>	<b>Date raised</b>
Workforce stress / mental health issues	The committee have raised this as a potential area of work but note that it is linked to current transformation work	At committee on 7 November 2019

<p>How Dorset Council holds and shares information</p>	<p>It is understood that some work is being undertaken in this area.</p> <p>A councillor workshop on the Dorset Council transformation programmes is being held on 10 January 2020. The suggestion is that councillors attend this session and following this, the committee give further consideration to whether any further work is required in this area</p>	<p>At committee on 7 November 2019</p>
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