

Runnymede Borough Council

STANDARDS AND AUDIT COMMITTEE

30 September 2009 at 7.30 pm

Members of the
Committee present: Mr S Tully (Chairman), Mrs C Spurling (Vice-Chairman) (Independent non-elected Members), Councillors A J Davis, R J Edis, Mrs C E Gant, and A P Tollett.

Members of the
Committee absent: Mrs L M Gillham

299. FIRE PRECAUTIONS

The Chairman read out the fire precautions.

300. MINUTES

The Minutes of the meeting of the Committee held on 9 June 2009 were confirmed and signed as a correct record.

301. INTERNAL AUDIT – PROGRESS WITH RECOMMENDATIONS

(Ref: Minutes of Standards and Audit Committee, June 2009, page 43, para 53)

By resolution of the Committee, the press and public were excluded from the meeting during the discussion of this report under Section 100A(4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraphs 1, 3 and 7 of Schedule 12A to Part 1 of the Act.

(Discussion was deferred to the end of the meeting).

The Committee received an update on progress made with recommendations arising from the planned audits reported to the previous meetings. Officers were pleased to report that the new system of sending automated e-mails to remind auditees of their target dates was working well.

Officers explained that with regard to Service Functions, some sections had been asked to clarify what their business objectives were so that it was clear whether or not these aligned with the Council's corporate objectives. This made it easier to audit for measurable outcomes.

In other sections some training needs had usefully been identified as a result of conducting system audits. However, resources were limited on purchasing enough licences to cover additional staff being trained on some software packages.

Officers had also identified a potential issue with regard to specific training and qualifications needed to provide a discrete area of service, which had been resolved.

RESOLVED that –

the Committee is satisfied with the matters identified and the action taken to date.

302. AUDIT COMMITTEES – BEST PRACTICE

The Committee was advised that Officers had attended a meeting of the London Audit Group to discuss best practice in Audit Committees. Each delegate had been asked to share an example of good practice in their authority. Members were content that Runnymede's procedures were rigorous and proportionate with regard to the reporting structure for audit matters and that many examples of good practice elsewhere were already in place.

The Committee was however interested in the practice of another authority which asked Managers to demonstrate that they had implemented audit recommendations by the due date, and if they had not, were invited to address the Audit Committee.

303. DATA MATCHING – UPDATE

(Ref: Minutes of Standards and Audit Committee, June 2009, page 44, para 54)

The Committee noted progress with the data matching exercise 2008, and were pleased that, after initial doubts as to its value for money, the exercise had in fact proved very useful, if time consuming.

It was estimated that an additional £35,000 would be charged to persons claiming Single Person Discount on Council Tax to which they were not entitled. This was mainly due to having access this year to the Electoral Register owing to the introduction of Section 32 of the Serious Crime Act 2007 which gave the Audit Commission power to require a body to provide such data as they might reasonably require for the purpose of data matching.

With regard to Benefits, the Committee noted two possible sanctions and a further 68 cases identified for further investigation. Officers stressed however, that data matching, was just that, and not all cases identified would result in evidence of fraudulent behaviour.

Members endorsed the approach of the Director of Finance with regard to the identification of discounts incorrectly claimed which was not primarily to prosecute but ensure that the correct monies were collected.

Officers were also pleased to report a saving of approximately £6,000 in respect of the Council Tax Single Person Discount investigations that this exercise had brought by not having to duplicate an exercise conducted every two years by existing staff whose resources were already stretched.

304. RISK MANAGEMENT

(Ref: Minutes of Standards and Audit Committee, September 2008, page 181, para 178)

The Committee was advised of the changes to the Council's risk register resulting from its annual review of strategic risks and was asked to approve the updated Risk Management Strategy. The strategy was reviewed each year but no changes had been made to it since 2005.

Members noted a slight reduction in the number of corporate risks from 33 to 29, noting that 13 risks lay outside what was referred to as the Council's 'appetite' for risk.

The Committee discussed each risk area in turn, noting the potential likelihood of each to occur and what its impact might be on the organisation and its ability to achieve business objectives and priorities. Members were concerned by those risks that lay outside of the Council's control and were dependent on other factors such as the economy, Government policy and the actions of partnering bodies.

In respect of partnership working, the Committee re-affirmed its view that clear service level agreements were needed in any potential partnership arrangement to preserve the standard of service delivery which the Council currently provided.

The distinction between corporate and departmental risks was discussed. Members were assured that important matters like safeguarding, which although not appearing on the corporate risk register, were dealt with at departmental level.

The Committee agreed that a briefing to update Members on risk management would be beneficial.

Members noted the amendments to the Risk Management Strategy, which were largely housekeeping items to reflect changed job titles and other contemporary references and were content to approve the new document accordingly.

RESOLVED that –

the revised Risk Management Strategy be approved.

305. STATEMENT OF ACCOUNTS 2008/09 AND AUDITOR'S ANNUAL REPORT TO THOSE CHARGED WITH GOVERNANCE

(Ref: Minutes of Standards and Audit Committee, September 2008, page 179, para 175 and Corporate Management Committee, June 2009, page 119, para 144)

The Committee noted the Statement of Accounts 2008/09 and the annual report produced by the Council's external auditors, KPMG, to those charged with governance. Both reports had also been submitted to the Corporate Management Committee.

Officers were pleased that KPMG had produced an unqualified report, demonstrating satisfaction with the way the Council discharged its financial duties.

The Committee commended Officers for producing an accessible, accurate and transparent statement of accounts, which although lengthy, were clearly presented.

306. JOINT STANDARDS COMMITTEES

The Committee was advised of new regulations which facilitated the establishment of joint Standards Committees between local authorities.

The Standards Committees (Further Provisions) (England) Regulations 2009 enabled local authorities with limited resources to join forces with other local authorities to establish a shared Standards Committee. The Committee noted that if a Joint Standards Committee were established, Audit matters would have to be dealt with separately by a committee constituted for that purpose.

Members noted that the advantages of having a joint Standards Committee included consistency, shared expertise, a variety of matters for consideration and the opportunity to gain experience, as to date, no formal complaints about Members had been considered by the Committee. Standards for England acknowledged that there could be resistance from elected Members to the concept, as well as a difficulty for resourcing within authorities.

It was agreed that at the present time there was no desire to pursue the option of joint Standards Committees and that the current arrangements worked well. An increase in the number of meetings a year could be an unwelcome expense.

307. DISPENSATIONS GRANTED BY THE COMMITTEE

The Committee noted changes to the rules for granting dispensations to elected Members brought about by the Standards Committees (Further Provisions) (England) Regulations 2009, and approved a new procedure to deal with them accordingly.

Members recalled that the circumstances in which dispensations could be granted were very limited, and as such, none to date had been granted. The new Regulations had updated and clarified the circumstances but they were still very limited. Briefly, these were, where more than 50% of the Members who would be entitled to vote at a meeting were prohibited from doing so or where the number of Members prohibited from voting would upset the political balance of the meeting to the extent that the outcome of the voting would be prejudiced.

The Committee noted that with the current political balance of the Council, the latter circumstance was very unlikely.

There were two exceptions; a dispensation could not be given to allow a Member to vote at an Overview and Scrutiny Committee about a decision made by a body of which they were a Member when the decision was taken and the other only applied to councils operating under Executive arrangements.

Standards for England had issued guidance on dispensations including the recommendation to follow a set procedure which Members agreed it would be sensible to adopt.

RESOLVED that –

the procedure for the consideration of applications for dispensations as attached at Appendix 'A' be adopted with immediate effect.

308. LOCAL GOVERNMENT OMBUDSMAN INVESTIGATIONS

(Ref: Minutes of Standards and Audit Committee, June 2009, page 44, para 56)

The Committee noted four matters that had been progressed with the Commissioner for Local Administration since the last meeting of the Committee.

Members were pleased that Runnymede's good record had been maintained with three of the cases not being pursued and the other still awaiting the outcome of court action. The Committee noted the irony that the first case complained that the Council had done too little and the second that the Council had done too much on the same issue.

Officers confirmed that the Ombudsman's annual report, which brought together cases thematically and issued guidance where appropriate, would be submitted to the next meeting of the Committee in February 2010.

309. ADJUDICATION PANEL FOR ENGLAND AND STANDARDS FOR ENGLAND – RECENT CASES

(Ref: Minutes of Standards and Audit Committee, June 2009, page 44, para 55)

Members reviewed a collection of recent cases from authorities across the country that had been determined by the Adjudication Panel for England and Standards for England.

The Committee noted that strict sanctions, including suspension and disqualification, could be given for offences by a Member acting in their official capacity which sent out the message that action would be taken against Members whose ethical standards fell short of expectations. Conversely, where a Member's actions were in their private capacity, even if criminal in nature, they may not necessarily have breached the Code of Conduct, but pressure to resign might still result as a consequence of the seriousness of their offence.

310. DEALING WITH STAFF APPEALS

(Ref: Minutes of Standards and Audit Committee, June 2009, page 45, para 57)

Members received a presentation which covered guidance on the different types of staff appeal which they might have to deal with.

The Committee were given details of the new ACAS Code of Practice with regard to Grievances and Disciplinarys, which had come into effect from April 2009, noting that the Council's own procedures were in the process of being revised in the context of the ACAS guide.

Members sought clarification on a number of points, noting the need for objective investigation to take place, the importance of asking open questions at a hearing and expressing support for staff to be accompanied at the various stages of the procedures. Members were given a set of case studies to consider before the next meeting of the Committee, at which any outstanding matters could be addressed.

Chairman

(The meeting ended at 10.02 pm)