

Runnymede Borough Council

STANDARDS AND AUDIT COMMITTEE

6 November 2017 at 7.30pm

Members of the Committee Present: Councillors M G Nuti (Chairman) J Broadhead (Vice-Chairman)
A Alderson, D E Anderson-Bassey, R J Edis, J R Furey, Mrs Y P Lay,
S M Mackay, A P Tollett and N Wase-Rogers.

Members of the Committee absent: Mr J Healy and Mr M Litvak (Independent persons)

Councillors D A Cotty, S A Lewis, D W Parr, B W Pitt, N H Prescott, Ms C M Simmons, Miss J Sohi and P J Waddell also attended the meeting.

331 FIRE PRECAUTIONS

The Chairman read the procedures to be followed in the event of fire or other emergency.

332 INTERNAL AUDIT INVESTIGATION: ALLEGED BREACH OF ANTI-FRAUD AND CORRUPTION POLICY

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter 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 and 3 of Schedule 12A to Part 1 of the Act.

The Chief Executive presented a report responding to the audit report produced by TIAA, following a whistleblowing incident, which was reported to the Committee in September 2017.

At that meeting, Members had expressed concern with the way in which the incident had been handled, the lack of action taken in respect of the member of staff involved and the time taken for the matter to be reported to the Committee. The Chief Executive had been asked to report his findings to a special meeting of the Committee.

The Chief Executive had investigated the background and facts of the case, which he stressed was the first of its kind at Runnymede. He had consulted those Officers who had dealt with the case. Whilst acknowledging that his conclusions would have resulted in a different sanction; he did not believe there was enough evidence to support the outcome Members had previously indicated might have been more appropriate. He also considered that the Council's procedures were generally resilient.

However, there were lessons to be learnt and the Chief Executive made a number of recommendations which the Committee agreed would address their concerns. These related to Contract Standing Orders, training and development of staff and the conduct of disciplinary cases, particularly those concerning allegations of fraud and corruption. These would be subject to further discussion by the Constitution and HR Member Working Groups who would submit their recommendations to the Corporate Management Committee in due course.

The Member Working Groups would discuss proposed changes to relevant policies and procedures, appropriate wording including consideration of how potential cases of alleged fraud and/or corruption are handled, bearing in mind ACAS guidelines, relevant case law and the need for the employer to act appropriately and proportionally. The HR Member Working Group would also be asked to review the current definition of gross misconduct in the Disciplinary Procedure in employee terms and conditions and make appropriate recommendations.

The Committee agreed that additional resources for Procurement focussing on contract compliance were necessary and the Chief Executive would submit a report to the Corporate Management Committee accordingly. With a central Procurement resource it would be possible to deliver extensive training on procurement matters.

The Committee agreed that it would be appropriate to ask the HR Member Working Group to give consideration to recommending mandatory annual training and certification of relevant staff on Procurement and Contracts. The Constitution Member Working Group were asked to discuss and consider proposing/devising a draft Code of Practice for contractors, suppliers and service providers.

Members requested that all TIAA's recommendations from the previous audit on whistleblowing be checked for completion. Officers confirmed that TIAA would report to a future meeting and that they would be asked to conduct an audit every 6 months once new arrangements for Procurement and contract compliance had been agreed.

In light of recent communications referred to in the meeting, Members agreed that it would be appropriate for the Councillor's Code of Conduct and the Member Officer Protocol to be reviewed and considered by a future meeting of the Standards and Audit Committee.

Finally, the Chairman asked Members to note that there would be forthcoming training for the Committee on Audit related matters.

A named vote was called for by the Chairman and the recommendations were approved, with all Members of the Committee voting in favour, except for one abstention by Councillor S M Mackay.

RESOLVED that –

- i) Members note the report of the Chief Executive and proposals for mandatory awareness training for all Officers;**
- ii) Members note the proposed changes to the Disciplinary Procedure and Policy as well as the Anti Fraud and Corruption Policy as set out in paragraph 6 of the report; and**
- iii) Members refer the proposed changes noted above to both the Constitution Member Working Group and Human Resources Member Working Group, as appropriate, for consideration and/or further comment, addition or amendment, before their subsequent approval by the Corporate Management Committee as part of the Constitutional review in 2018**

Chairman

(The meeting finished at 8.30 pm)