

Runnymede Borough Council

STANDARDS AND AUDIT COMMITTEE

22 September 2020 at 6pm on MS Teams

Members of the Committee Present: Councillors M Nuti (Chairman), J Sohi (Vice-Chairman), M Adams, B Clarke, M Cressey, R Edis, M.Harnden and J Wilson

Members of the Committee absent: Councillors D Anderson-Bassey, M Kusneraitis, Mr M Litvak (Independent person)

Councillor N Prescott also attended.

188 MINUTES

The Minutes of the meetings of the Committee held on 7 and 28 July 2020 were confirmed as correct records. These would be signed when the Chairman was physically able to.

189 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M Kusneraitis who was attending to a medical emergency.

190 INTERNAL AUDIT SUMMARY INTERNAL CONTROLS ASSURANCE (SICA) REPORT 2020/2021

The Committee reviewed progress with the annual audit programme for 2019/2020 and in doing so Members were asked to formally approve the audit programme for the remainder of 2020/2021, which had been discussed and approved in draft form at a previous meeting.

TIAA's Audit Director advised that the report was being presented in a new format that his staff had been working on during Covid 19, which the Committee agreed was very comprehensive.

The first section provided details of the emerging governance, risk and internal control related issues specifically relating to Covid 19, being the most significant recent event to have both strategic and operational impact, with various examples set out in the report's Appendix 'A'.

Members were pleased to note that since the last meeting of the Committee 10 audits had been completed bringing the 2019/2020 audit programme to a close. There had been no priority 1 recommendations, and all the important priority 2 recommendations had been actioned by the relevant auditees with regard to Accounts Payable, Planning Enforcement and Housing Allocations and Homelessness. Although no audits had been completed from the 2020/2021 programme, a lot of background research and fieldwork had been achieved, with some draft audits/audit plan memorandums issued in respect of Commercial Rents, Communications, Payroll, Local Plan audit (follow up), Housing Health and Safety, Housing repairs and maintenance, Community Transport and Safeguarding/Prevent.

Officers highlighted a new section on 'root cause indicators'; the idea being to analyse the underlying cause of an issue from which recommendations have been

made and map improvement or a worsening situation to be addressed. The fields would be populated from 2020/2021 as the outcomes and results became available.

TIAA's Audit Director advised that they had not been made aware of any frauds or irregularities since the last report.

Another new section notified Members of a series of Briefing Notes that TIAA's Audit Director confirmed he would be happy to distribute via Democratic Services, on request.

The Committee was pleased with the report and to formally approve the Audit Programme for 2020/2021 accordingly.

RESOLVED that -

the Internal Audit Annual Programme for 2020/2021, as contained in Appendix C of the agenda be approved.

191 INTERNAL AUDIT PROGRESS REPORT FOR OUTSTANDING RECOMMENDATIONS

The Committee noted 14 further recommendations that had now been implemented, but Members were less content by the 17 that remained outstanding, some of which went back to 2017/2018 but now had revised target dates. Notwithstanding that key Officers had been diverted from their normal duties during Covid 19, Officers were instructed to confirm what progress had been made with the DSO Risk Register and requested TIAA to report an update at the next scheduled meeting in November 2020.

Members were advised that recommendations with regard to Day Centres and banking cash had been resolved and there was good progress being made with regard to Sheltered Accommodation. Therefore, the following were still outstanding with revised target dates:

- Business Continuity – 31 December 2020
- Depot – 30 April 2021
- Freedom of Information – 31 October 2020
- GDPR preparedness – 31 October 2020
- Housing Enforcement – 30 November 2020
- ICT Change Management, Mobile Device Management and Service Desk – 31 March 2021
- Section 106 – 31 December 2020

Members took the opportunity to congratulate the DSO for their work day to day keeping an essential service going, and TIAA were thanked for their continued work with the Council.

192 LOCAL GOVERNMENT ETHICAL STANDARDS – BEST PRACTICE RECOMMENDATIONS

The Committee's approval was sought to implement a number of recommendations arising from a report issued by the Committee on Standards in Public Life (CSPL) in January 2019.

Officers had examined each of the 15 best practice recommendations and made an assessment of what the Council did already and what could be done to improve or if the recommendation was not relevant if it only applied to parish councils for example, which applied to two of the recommendations. It was anticipated that a response on progress would be requested by the CSPL in the autumn.

Officers advised that of the 13 remaining recommendations, 4 had either been complied with or were in hand to do so. There were a further 6 where we partly complied but which could be improved, for example, in future publishing the agendas, minutes and annual reports of RBCI, RBCS and the RBC Heat Company. There were 3 new recommendations, which would need to be discussed to decide how best to implement them in practice, if approved by full Council.

Members queried whether there was an appeals process for Councillors with regard to the Code of Conduct. Officers confirmed that it had been suggested that the Local Government Ombudsman might be involved. However, when asked informally, the Ombudsman considered that a matter, if referred to them, would not be a rehearing but would only look at the procedure followed by an authority; they would not be able to examine the alleged conduct itself nor the outcome.

The Committee was content with all the recommendations, but felt that the new Model Code of Conduct needed to be more robust to deal with potential breaches as the ability to suspend an elected Member had not been reinstated. Therefore, Officers agreed to draft a letter to central Government regarding the need to reinstate meaningful sanctions in the Model Code of Conduct and circulate to the Committee for comment to be signed by the Chairman and Leader of the Council.

Members also noted a response to the Model Code issued by the Centre for Public Scrutiny, attached to the agenda.

RECOMMEND TO FULL COUNCIL at its meeting on 22 October 2020 that –

the steps taken be endorsed and recommends the proposed further actions and changes to comply with best practice issued by the Committee on Standards in Public Life as set out below:

- i) Best Practice 1: the definition of bullying and harassment as set out in the report be added to the Code of Conduct, along with examples of such behaviour;**
- ii) Best Practice 2: Councillors will be required to comply with any formal standards investigation;**
- iii) Best Practice 3: when reviewing the Code of Conduct for elected Councillors regularly seeks, where possible, the views of the public, community organisations and neighbouring authorities;**
- iv) Best Practice 5: the register of gifts and hospitality for elected Councillors be published on the Council's website in an accessible Format;**
- v) Best Practice 6: the Council introduces a public interest test that complaints would be treated on a case by case basis and would be considered if the public interest outweighs that of taking no further action;**

- vi) **Best Practice 10: the Council publishes straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes;**
- vii) **Best Practice 13: the Council's Scheme of Delegation be amended to facilitate an informal arrangement with another local authority for the investigation of complaints should a conflict of interest arise for the Monitoring Officer; and**
- viii) **Best Practice 15: to formalise the current arrangements, standards issues be added as a standing item on the agendas for the Chief Executive and senior Officers regular meetings with political group leaders**

193 **LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN ANNUAL REPORT 2019/2020**

The Committee received for information the annual report of the Local Government and Social Care Ombudsman for the year ending 31 March 2020.

Officers were satisfied that the report tallied with the Council's own register of cases; 10 complaints and enquiries had been made, three had been investigated in detail, one of which had been upheld and the Ombudsman was satisfied with the way it had been resolved with the complainant.

Officers had looked at comparative data with the other local authorities in Surrey and drawn from the reports published by the Ombudsman lessons which could be learned. For example, timely communications and seeking to resolve a complaint without waiting for someone to go to the Ombudsman.

A number of changes to the Council's own complaints procedure had been made to reflect the Ombudsman's advice. For example, updating the definition of a complaint, introducing new guidance and in line with Freedom of Information requests now issuing reminders to managers dealing with complaints to improve performance. In addition, an 'unreasonable complainant behaviour' protocol replaced the 'vexatious' complaints protocol. Officers confirmed that relevant staff were kept updated with newsletters and case outcomes published by the Ombudsman and highlighted features on their website including a dedicated area for MPs and Councillors.

The Committee was content with the report and it was noted accordingly.

Chairman

(The meeting ended at 6.50 pm)