

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the CORPORATE GOVERNANCE COMMITTEE held as a Remote Meeting via Zoom on Wednesday, 27 January 2021

PRESENT: Councillor G J Bull – Chairman.

Councillors E R Butler, Dr P L R Gaskin, D A Giles, K P Gulson, P Kadewere, H V Masson, L W McGuire, J P Morris, R J West and Mrs S R Wilson.

APOLOGY: An Apology for absence from the meeting was submitted on behalf of Councillor S M Burton.

23 MINUTES

The Minutes of the meeting of the Committee held on 30th September 2020 were approved as a correct record.

24 MEMBERS' INTERESTS

No declarations were received.

25 APPROVAL FOR PUBLICATION OF THE 2019/20 ANNUAL GOVERNANCE STATEMENT AND THE ANNUAL FINANCIAL REPORT

With the aid of a report by the Chief Finance Officer (a copy of which is appended in the Minute Book) the Committee were informed of the progress for finalising and publishing the Council's Annual Governance Statement (AGS) and Annual Finance Report (AFR) for 2019/20.

Having welcomed Mr S Patel of Ernst & Young LLP to present the Audit Results Report which summarised the preliminary audit conclusions, Mr Patel extended his thanks and appreciation to Officers, Members and the Finance Team for assisting with the audit during these challenging times. He then went on to explain that the audit was originally due to be completed in July/August 2020 but that there had been delays owing to issues with the valuation report and outstanding queries. Attention was drawn to the areas where audit work was yet to be completed which included a final review of the updated Annual Governance Statement. Reference was also made to the three audit differences which would not have a material impact upon the accounts, together with the areas of audit focus and the findings and conclusions which had been reached. Having regard to the low level of returns from Members in relation to third party disclosures, the Chairman requested that in future, he should be alerted to low returns with a view to exerting some influence over generating a satisfactory response from Members.

The Chief Finance Officer then drew the Committee's attention to the updated Annual Governance Statement, Letter of Representation and the Annual

Financial Report drawing attention to historical accounting errors which had now been corrected within the accounts.

A number of questions had been raised and responded to at the meeting. Matters that were discussed included the use of third party professionals to carry out property valuations on behalf of the Council, confirmation that the Council would not be subject to financial penalties as a result of delays with approving and finalising the final accounts, whether the figure identified for sundry debt arrears were a cause for concern and clarity on the Collection Fund and General Fund Balance.

Having extended their thanks and appreciation to Officers and the Finance Team for their hard work in preparing the final accounts, it was

RESOLVED

- (a) that the Auditor's Results Report as attached as Annex A of the report now submitted be received and noted;
- (b) that the Annual Governance Statement as attached as Annex B of the report now submitted be approved and the Executive Leader and Managing Director be authorised to sign the Statement on behalf of the Council;
- (c) that the Letter of Representation as attached as Annex C of the report now submitted be approved and the Chief Finance Officer (as Section 151 Officer) be authorised to sign it on behalf of the Council; and
- (d) that, subject to the auditors confirming an unqualified opinion on the Annual Financial Report 2019/20, delegated powers be given to the Chairman of the Committee and Chief Finance Officer (as Section 151 Officer) to authorise and sign the Annual Financial Report, as attached as Annex D of the report now submitted, on behalf of the Council.

26 CODE OF CONDUCT COMPLAINTS - UPDATE

By means of a report by the Elections and Democratic Services Manager & Deputy Monitoring Officer (a copy of which is appended in the Minute Book), the Committee were provided with a summary and update of completed and ongoing complaints received regarding alleged breaches of the Code of Conduct under the Localism Act 2011 since the start of the year.

Of the three cases, it was reported that the complaint against Ellington Parish Council remained under investigation but that the other two cases in respect of Huntingdonshire District Councillors had been investigated and dismissed.

RESOLVED

that the progress of outstanding complaints and the conclusion of cases resolved since the meeting in September 2020 be noted.

27 UPDATE ON CODE OF CONDUCT AND REGISTER OF DISCLOSABLE PECUNIARY INTERESTS

With the aid of a report prepared by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book) the Committee were updated on the adoption of Codes of Conduct by Town and Parish Councils and the receipt and publication of register of interests forms on behalf of District, Town and Parish Councillors.

In noting the position with Woodwalton, it was reported that three interim Councillors had been appointed on to the Parish Council until the vacancies have been filled. At present, membership comprised District Councillors S Bywater and D Tuplin and County Councillor T Rogers. Options of joining with a neighbouring parish were also currently being explored. If the latter were to be pursued a Community Governance Review would be required, the outcome of which would be considered at a future meeting of the Committee.

In noting that Guidance was currently awaited from the Local Government Association on the new model Code of Conduct, it was anticipated that a report would be submitted to the Committee at its March or June 2021 meeting.

RESOLVED

that the contents of the report now submitted be noted.

28 ANNUAL REPORT ON HDC COMPLIANCE WITH THE FREEDOM OF INFORMATION (FOI) & ENVIRONMENTAL INFORMATION REGULATIONS (EIR) ACTS

With the aid of a report prepared by the Information Governance Manager & Data Protection Officer (a copy of which is appended in the Minute Book) the Committee received the annual report on the Council's compliance with the Freedom of Information (FOI) Act 2000 and Environmental Information Regulations 2004. Information was also received on the Council's performance in respect of protecting personal data over the period January to December 2020.

In introducing the report, the Information Governance Manager reported that there had been a drop in the number of FOI requests received by the Council when compared to the previous year at 534 and 615 respectively, which represented a 13.1% decrease. Having had their attention drawn to the breakdown by type of request and the number of cases per service, it was noted that Community Services had received the most requests. Of the 534 cases, nine internal reviews/complaints had been received of which four had been referred on to the Information Commissioner's Office for further investigation. Over the reporting period there had been 11 data breaches of which nine related to inappropriate disclosure of personal details, one in relation to lost or stolen hardware and one in respect of the failure of technical security. Finally, it was reported that 16 Subject Access Requests had also been received.

A review of data protection arrangements had been undertaken in 2020 with a view to determining priority areas for action outlined in paragraph 5.3 of the report. At the request of Members, it was agreed that quarterly reports on

progress against these actions be submitted to the Committee at future meetings.

Other matters that were discussed included the implementation of a new Learning Management System by the HR team in 2021 which would facilitate improved reporting on staff training, the reasons why the number of FOI requests appeared to drop year on year, how HDC compared with partner authorities and the action which had been identified to create an Information Sharing Log of all arrangements in place across the Council.

Having commended the Information Governance Manager for the production of a comprehensive report, the Committee

RESOLVED

- (a) that the contents of the report now submitted be noted; and
- (b) that quarterly reports on the progress of actions identified in paragraph 5.3 of the report be submitted at future Committee meetings.

29 IMPLEMENTATION OF INTERNAL AUDIT ACTIONS

With the aid of a report prepared by the Acting Audit Manager (a copy of which is appended in the Minute Book) the Committee were updated on the implementation of audit actions.

Attention was drawn to the 19 audit actions that remained outstanding. In doing so, Members commented on the 100% target which had been set by Corporate Management in 2013 for the implementation of 'agreed internal audit actions to be introduced on time'. Comment was made that the target remained unrealistic and disappointment was also expressed at the lack of response provided by service managers on these actions. The Acting Audit Manager reminded the Committee that the targets had been agreed with service managers at the time and that the agreement of audit actions themselves was not mandated upon Services. It was further reported that a new Risk and Control Group had been established to monitor and review progress against these actions going forward. Having been encouraged to note that plans were underway to recruit to the vacant post within the Internal Audit Team and following a request to receive a further update on progress at the next meeting, it was

RESOLVED

- (a) that the content of the report now submitted be noted; and
- (b) that a further update be provided at the Committee's March 2021 meeting.

30 CORPORATE GOVERNANCE COMMITTEE PROGRESS REPORT

The Committee received and noted a report (a copy of which is appended in the Minute Book) on progress of actions in response to any decisions taken at previous meetings.

The Assistant Director, Corporate Services briefed on the Code of Procurement Waiver Procedure which had been approved by the Monitoring Officer, following extensive expert consultation. It was proposed that a digest of all uses of the waiver procedure would be presented to the Committee to ensure transparency and oversight of expenditure using this method.

Chairman