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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

GOVERNANCE AND AUDIT COMMITTEE

MINUTES OF THE MEETING HELD ON

MONDAY 7 SEPTEMBER 2009

Councillors: Jeff Beck (*Chairman*) (P), Paul Bryant (P), Tony Linden (P), Irene Neill (P), Julian Swift-Hook (AP), Tony Vickers (*Vice-Chairman*) (P), Quentin Webb (P)

Substitutes: Brian Bedwell, Adrian Edwards, Roger Hunneman, Keith Lock (SP)

Also present: Andy Day (Head of Policy and Communication), Moira Fraser (Democratic Services Manager), Ian Priestley (Assurance Manager)

PART I

14. APOLOGIES.

An apology for inability to attend the meeting was received on behalf of Councillor Julian Swift-Hook. Councillor Keith Lock substituted for Councillor Swift-Hook.

15. MINUTES.

The Minutes of the meeting held on 29 June 2009 were approved as a true and correct record and signed by the Chairman subject to the following amendment:

Item 10 (Annual Governance Statement – Statement in Support by the Monitoring Officer) – last paragraph be amended to read ‘Andy Day reported that risk registers for the sub-groups of the West Berkshire Partnership were being developed and enhanced governance arrangements were being put in place.’

It was also noted that the items referred to in 8(2) and 9(2) would be discussed at the meeting on the 28th September 2009.

16. DECLARATIONS OF INTEREST.

There were no declarations of interest received.

17. COUNCILLOR CALL FOR ACTION.

The Committee considered a report (Agenda Item 4) concerning a brief on the requirements of the ‘Councillor Call for Action’ (CCfA) and its operation within West Berkshire Council.

Andy Day in introducing the report explained that due to issues with timetabling there would not be the opportunity for the proposal to be discussed at the two group meetings as set out in paragraph 4.4 of the report.

The Head of Policy and Communication explained that the policy had started off as a ‘Community Call for Action’ but had been amended to the ‘Councillor Call for Action’ while being taken through the legislative process. Andy Day explained that the CCfA should be considered as a last resort once all other approved processes for dealing with the issue had been exhausted. This was essential in order not to prejudice existing processes e.g. the complaints procedure.

The regulations referred to adding to existing processes and officers were of the opinion that existing processes already in place would be adequate for dealing with the vast majority of these issues. The protocol would be included as an Appendix in Part 13 of the Constitution (Codes and Protocols).

GOVERNANCE AND AUDIT COMMITTEE – 7 SEPTEMBER 2009 – MINUTES

DRAFT

Councillor Tony Vickers raised some concerns, as he felt that the protocol could potentially be used to stifle concerns being raised by Members, about the protocol and suggested some minor amendments that would make the protocol more palatable. Councillor Vickers was however supportive of the exclusions set out in the protocol.

The Committee agreed to the following amendments:

Under the heading 'Description' in the bullet points 'CCfA is not guaranteed to provide a solution to a problem but can provide':

Second bullet point delete words 'neutral environment' and replace it with 'balanced way.'

Third bullet point delete words 'solving it' and replace with 'providing an appropriate recommendation'

Under the heading 'Eligibility criteria for the initiation of a Councillor Call for Action' in the third paragraph delete words 'as a last resort when all other' and replace with 'after all other appropriate'

Under the heading 'Investigation and resolution' third paragraph, second sentence replace with 'Therefore at the conclusion of its investigation the Scrutiny body will produce a report containing recommendations for the endorsement of the OSMC and if it is not the investigating body itself the Council's Executive, West Berkshire Partnership Board or other organisations as appropriate'.

Under the heading 'Investigation and resolution' fourth paragraph insert calendar days (8weeks) after the number 56.

RESOLVED that subject to the amendments set out above the Governance and Audit Committee endorse the proposed operation of the Councillor Call for Action for approval by full Council.

18. EXCLUSION OF PRESS AND PUBLIC.

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the [Local Government \(Access to Information\)\(Variation\) Order 2006](#). [Rule 9.10.4 of the Constitution also refers.](#)

PART II

19. INTERNAL AUDIT OF ICT INVESTIGATION.

*(Paragraph 1 – information relating to an individual
Paragraph 2 – information identifying an individual)*

The Committee considered an exempt report (Agenda Item 6) concerning the outcome of an Internal Audit investigation of ICT.

Ian Priestley explained that this item had been brought before the committee to highlight that an irregularity had been identified and had been investigated. The employee concerned had been taken through the Council's disciplinary process and had subsequently been dismissed. The Head of ICT had been asked to look at the procedures in place in order to strengthen them if appropriate. Officers would set out the findings of the Head of ICT's review in the Quarter 2 Internal Audit report.

**GOVERNANCE AND AUDIT COMMITTEE – 7 SEPTEMBER 2009 – MINUTES
DRAFT**

Councillor Bryant noted that the processes in place were obviously appropriate as they had identified the problem. Ian Priestley agreed that the processes were in place and working well but best practice requires a review of the processes to see if any improvements could be made.

Members queried whether it was possible to ensure that restrictions were placed on both mobile phones and blackberries and whether it would be possible to place these restrictions onto SIM cards as well.

It was agreed that Kevin Griffin would be asked to draft a briefing note to answer Members queries and in addition Ian Priestley to provide information as to when the service's processes had last been subjected to an Internal Audit exercise.

RESOLVED that:

- 1. the Head of ICT review the processes for the service and that the findings of the review be incorporated into the quarter 2 Internal Audit report;**
- 2. a briefing note be prepared for Members of the Committee by the Head of ICT to explain whether calls could be restricted on mobile phones and blackberries and identifying when the service had last been audited.**

20. DATE OF THE NEXT MEETING.

The Committee noted the next meeting would take place on the 28 September 2009 at 6.00pm.

(The meeting commenced at 6.00pm and closed at 6.43pm)

CHAIRMAN

Date of Signature: