

GOVERNANCE AND AUDIT COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY, 2 SEPTEMBER 2013

Councillors Present: Jeff Beck (Chairman), Paul Bryant, Sheila Ellison, Tony Linden, Gwen Mason (Substitute) (In place of Julian Swift-Hook), Geoff Mayes and Quentin Webb

Also Present: Andy Day (Head of Strategic Support), Ian Priestley (Chief Internal Auditor) and Andy Walker (Head of Finance),

Apologies for inability to attend the meeting: Councillor Julian Swift-Hook

PART I

8. Minutes

The Minutes of the meeting held on 08 July 2013 were approved as a true and correct record and signed by the Chairman.

9. Declarations of Interest

There were no declarations of interest received.

10. Internal Audit Annual Report 2012-13 (GA2702)

The Committee considered a report (Agenda Item 4) concerning the Chief Internal Auditor's opinion on the Council's internal control framework. This document supported the Annual Governance Statement.

In relation to the Adult Social Care audit, Members raised their concerns about the significant backlog in undertaking client reviews. This backlog was known to be over 300 at one stage.

Councillor Quentin Webb reported that a Task Group of Members was already looking at this issue amongst many others. It was agreed that a further report on this issue should be presented to the Committee in January 2014.

RESOLVED that:

- (1) the report be noted;
- (2) a further report be presented to the Committee in January on the latest situation in relation to the backlog in undertaking client reviews.

11. Annual Governance Statement Reports

11(1) Statement in Support by the Section 151 Officer (GA2704)

The Committee considered a report (Agenda Item 5a) concerning an independent verification of governance matters which might impact on the Annual Governance Statement from the viewpoint of the Council's S151 Officer.

Andy Walker reported that as part of the Annual Governance Statement, CIPFA guidance recommended that the Section 151 Officer provided "a key source of assurance that the Council's systems and procedures of internal control which were in operation were effective, efficient and being complied with." Andy Walker reported that it was his assessment that all parts of the Council acted in accordance with the budgetary and policy requirements in connection with the setting of the budget and in meeting financial administration standards as set out in legislation.

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RESOLVED: that the report be noted.

11(2) Annual Governance Statement - Statement in Support by the Monitoring Officer (GA2705)

The Committee considered a report (Agenda Item 5b) concerning independent verification of governance matters which might impact on the Annual Governance Statement from the viewpoint of the Monitoring Officer.

Andy Day reported that this aspect of the Annual Governance Statement looked at the legality of actions by bodies within the Council as part of duties under Section 5 of the Local Government and Housing Act 1989.

Andy Day reported that the Council had effective systems in place relating to the constitution in the form of the Governance and Audit Committee. In relation to ethics and probity issues the Standards Committee was managing this effectively. In relation to the risk registers this was picked up by Corporate Board.

RESOLVED: that the report be noted.

11(3) Annual Governance Statement 2012-13 (GA2703)

The Committee considered a report (Agenda Item 5c) concerning the Annual Governance Statement for the Council. Ian Priestley outlined the background to the report and the purpose of the governance framework.

RESOLVED: that the Annual Governance Statement for 2012-13 be noted and agreed.

12. KPMG opinion (ISA 260) (GA2733)

The Committee considered a report (Agenda Item 5c) concerning the Council's external auditor's (KPMG) progress in auditing the financial statements and the opinion KPMG proposed to give to the Financial Statements.

Andy Sayer and Julian McGovern (KPMG) were present. In introducing the item, Andy Sayer's reported that this item was intrinsically linked with the Council's Financial Statements 2011-12. In accordance with the Accounts and Audit Regulations, the Governance and Audit Committee were being asked to consider approving the Council's financial statements after hearing the external auditor's opinion. KPMG's audit had been undertaken between July and September of this year.

Andy Sayer's reported that KPMG had concluded that their audit opinion was unqualified, which was good news for the Council. In relation to the paperwork circulated by KPMG, Members noted that there were several inaccuracies within this and Andy Sayer's confirmed that this would be amended prior to the accounts being closed.

Members thanked KPMG for the clear report and thanked Officers and KPMG for the work they had carried out in undertaking the audit.

RESOLVED: that the report be noted and welcomed.

13. West Berkshire Council Financial Statements 2012/13

The Committee considered a report (Agenda Item 7) concerning the Council's Financial Statements for 2012/13. Andy Walker reported that that he had approved the draft Financial Statements in June 2013 and these had been published online. KPMG had completed their audit and had issued an unqualified opinion of the Financial Statements.

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RESOLVED that:

- (1) the Financial Statements for 2012-13 be approved and KPMG's Governance report noted;
- (2) the Head of Finance be asked to pass on to the staff in Finance the Committee's thanks for all their efforts.

14. Refresh of the Council's Petitions Protocol (C2653)

The Committee considered a report (Agenda Item 8) concerning a refresh of the Council's Petitions Protocol. Andy Day reported that the report had two aspects to it. The first proposed a number of minor changes to Part 13 Codes and Protocols of the Council's constitution. The second part of the report was a proposal by the Liberal Democrat Group for adjusting the threshold for triggering a debate at full Council.

The Committee supported the proposed minor changes to Part 13, Codes and Protocols and agreed to recommend these to Council. The Liberal Democrat Group had proposed that the threshold for triggering a debate at full Council for district wide issues be amended from 5,000 signatures to 1,500 signatures. The Committee considered this proposal but felt that there were not compelling grounds to change the current threshold and did not therefore support this being recommended to Council.

Councillor Geoff Mayes reported that Clause 1.13 - Meetings considering a petition (e) line 6 needed amending by the insertion of the word "five" after the word "to".

RESOLVED that:

- (1) the minor amendments to Appendix C to Part 13 Codes and Protocols of the Council's Constitution (including the amendment referred to above) be agreed and recommended to Council;
- (2) the proposal for amending the threshold for triggering a debate at full Council from 5,000 signatures to 1,500 signatures be not supported.

15. Amendments to the Constitution - Scheme of Delegation (C2709)

The Committee considered a report (Agenda Item 9) concerning amendments to the Council's Scheme of Delegation. The proposed key amendments related to the following areas:

- (i) Delegation to Specific Directors
 - (a) Paragraph 3.3.6 added to delegate authority to the Corporate Director (Environment) to enable him to deal with operational matters relating to the Integrated Waste Management contract in order to achieve improvements to quality and efficiency.
- (ii) Head of Care Commissioning, Housing and Safeguarding
 - (a) Typographical errors corrected in paragraphs 3.8.2 and 3.8.5;
 - (b) Paragraph 3.8.6 amended to delegated authority to the Head of Service to exercise the duties set out in the Housing Act 1996;
 - (c) To insert the duties arising from the Council having to act as a shareholder following the introduction of the Energy Act 2011.
- (iii) Head of Culture and Environmental Protection
 - (a) To make a number of small adjustments to the legislative acts lists in paragraph 3.15.5;
 - (b) Clarification of paragraph 3.15.5. - Authorisation

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RESOLVED: That the proposed amendments to the Scheme of Delegation be supported and referred to Council for approval.

(The meeting commenced at 5.00pm and closed at 6.00pm)

CHAIRMAN

Date of Signature