



Friday, 17 November 2023

Dear Sir/Madam

A meeting of the Governance, Audit and Standards Committee will be held on Monday, 27 November 2023 in the Council Chamber, Council Offices, Foster Avenue, Beeston NG9 1AB, commencing at 7.00 pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors: S J Carr (Chair)  
S Paterson (Vice-Chair)  
P J Bales  
M Brown  
R Bullock  
G Bunn  
R S Falvey

K Harlow  
G S Hills  
A Kingdon  
J M Owen  
C M Tideswell  
S Webb

## A G E N D A

### 1. APOLOGIES

To receive apologies and to be notified of the attendance of substitutes.

### 2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES (Pages 5 - 8)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 18 September 2023.
4. MINUTES FROM THE ADVISORY SHAREHOLDER SUB COMMITTEE (Pages 9 - 10)

The Committee is asked to note the minutes of the Advisory Shareholder Sub Committee.
5. EXTERNAL AUDIT UPDATE 2021/22 AND 2022/23

Mazars, the Council's external auditors, will provide the Committee with a verbal update on progress with the audit of accounts for both 2021/22 and 2022/23.
6. COMMUNITY GOVERNANCE REVIEW (Pages 11 - 42)

To inform the Committee of the proposed arrangements for the Community Governance Review of the north of the borough.
7. REVIEW OF POLLING DISTRICTS AND POLLING PLACES (Pages 43 - 60)

To ask the Committee to recommend to Council the proposed changes to the polling districts and polling places set out in the appendices to the report.
8. REPORT OF THE MONITORING OFFICER (Pages 61 - 68)

The Housing Ombudsman has made a finding of maladministration in respect of the Council failing to notify a complainant that their utility meters were locked behind a suited lock.
9. REVIEW OF STRATEGIC RISK REGISTER (Pages 69 - 84)

To approve the amendments to the Strategic Risk Register and the action plans identified to mitigate risks.

10. INTERNAL AUDIT PROGRESS REPORT (Pages 85 - 94)

To inform the Committee of the recent work completed by Internal Audit.

11. WORK PROGRAMME (Pages 95 - 96)

To consider items for inclusion in the Work Programme for future meetings.

12. EXCLUSION OF PUBLIC AND PRESS

**The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.**

13. INTERNAL AUDIT REVIEW APPENDIX 3 (Pages 97 - 100)

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## **GOVERNANCE, AUDIT AND STANDARDS COMMITTEE**

**MONDAY, 18 SEPTEMBER 2023**

Present: Councillor S J Carr

Councillors: P J Bales  
M Brown  
R Bullock  
G Bunn  
G S Hills  
A Kingdon  
J M Owen  
S Paterson  
C Tideswell  
D K Watts

Apologies for absence were received from Councillors R S Falvey, K Harlow and S Webb.

### 30 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

### 31 **MINUTES**

The minutes of the meeting 17 July 2023 were confirmed and signed as a correct record.

### 32 **MINUTES OF THE ADVISORY SHAREHOLDER SUB COMMITTEE**

The Committee noted the minutes of the Advisory Shareholder Sub Committee held on 10 July 2023.

### 33 **AMENDMENTS TO THE CONSTITUTION**

The Committee considered amendments to the constitution regarding Local Joint Consultative Committee, Policy Overview Working Group and the Events, Arts, Culture and Heritage Working Group and in addition to provide a provision in the Constitution to allow for urgent items to be considered at full Council meetings.

#### **RECOMMENDED to Council that:**

- 1. The arrangement to add a provision for the consideration of urgent business at full Council meetings be approved,**
- 2. The amendments to the terms of reference for the Policy Overview Working Group be approved,**

- 3. The amendments to the terms of reference for the Events, Arts, Culture and Heritage Working Group be approved,**
- 4. The amendments to the Local Joint Consultative Committee Constitution be approved.**

**34     GOING CONCERN STATEMENT**

The Committee noted the assessment by the designated Section 151 Officer of the Council's Going Concern status.

The concept of a 'going concern' assumes that an authority, its functions and services will continue in operational existence for the foreseeable future. This assumption underpins the accounts drawn up under the Local Authority Code of Accounting Practice and is made because local authorities carry out functions essential to the community and are themselves revenue-raising bodies (with limits on their revenue-raising powers arising only at the discretion of central government).

**35     INTERNAL AUDIT PROGRESS REPORT**

The Committee noted of the recent work completed by Internal Audit. Internal Audit had also reviewed progress made by management in implementing agreed actions within six months of the completion of the respective audits. Where agreed actions to address significant internal control weaknesses have not been implemented this may have implications for the Council.

**36     ANNUAL COUNTER FRAUD REPORT 2022/23**

The Committee were updated with the Annual Counter Fraud Report for 2022/23.

As required by the Council's Fraud and Corruption Prevention Policy, the Annual Counter Fraud Report is presented to this Committee to provide a summary of the ongoing Counter Fraud work performed by Internal Audit and other relevant departments.

It was noted that no fraudulent activity within the Council had been noted during the financial year 2022/23.

**37     GOVERNANCE DASHBOARD - MAJOR PROJECTS**

The Committee were provided with an update to the 'Governance Dashboard' relating to the Council's major projects.

The Council currently has four major projects in progress: the Housing Delivery Plan, Stapleford Towns Fund, Kimberley Levelling Up Fund and the UK Shared Prosperity Fund.

38 REVIEW OF STRATEGIC RISK REGISTER

The considered the Strategic Risk Register and the action plans identified to mitigate risks.

**RESOLVED that the amendments to the Strategic Risk Register and the actions to mitigate risks as set out be approved.**

39 WORK PROGRAMME

The Committee considered the Work Programme.

**RESOLVED that the Work Programme be approved.**

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## **ADVISORY SHAREHOLDER SUB COMMITTEE**

**MONDAY, 16 OCTOBER 2023**

Present: Councillor R S Falvey

Councillors: R Bullock  
S Webb

In attendance: G Marshall  
M Radulovic MBE

Apologies for absence were received from Councillors G S Hills and D K Watts

### 25 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

### 26 **MINUTES**

The minutes of the meeting held on 10 July 2023 were confirmed and signed as a correct record.

### 27 **LIBERTY LEISURE LTD PERFORMANCE REPORT 2023-24 QUARTER ONE**

The Advisory Shareholder Sub-Committee were provided an update with regard to Liberty Leisure Limited's performance data with updated supporting information for the first quarter of the financial year 2023-24.

Each year the Company agree an annual business plan with its Board of Directors and the Council. The business plan details actions and performance data for the subsequent financial year. The Company's performance is measured against the approved business plan and then reported to the Board of Directors and the Council's Shareholder Committee at regular intervals.

### 28 **LIBERTY LEISURE LTD GOVERNANCE AND RISK MANAGEMENT**

The Advisory Shareholder Sub-Committee received an updated with regard to the overview of how Liberty Leisure Limited manages its governance and risk.

Liberty Leisure Ltd have had governance procedures that have evolved since first being implemented when the company began operating the Council's leisure services in October 2016.

The governance of the company includes Directors through the Board having an overview of strategic risk, including Health and Safety, finance and policy approval. The management team work to proactively manage the day to day operational risks to ensure that the company runs the council's leisure service in a safe and effective manner.

29 WORK PROGRAMME

The Sub-Committee considered the Work Programme.

**RESOLVED that the Work Programme be approved.**

30 EXCLUSION OF PUBLIC AND PRESS

**RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.**

31 EM DEVCO LTD UPDATE

**RESOLVED, to delegate to the Chief Executive and Leader of the Council, to form an appropriate recommendation regarding the EM Devco to be submitted to Cabinet.**

**Report of the Executive Director**

<b>COMMUNITY GOVERNANCE REVIEW</b>
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1. Purpose of Report

To inform the Committee of the proposed arrangements for the Community Governance Review (CGR) of the north of the borough.

2. Recommendations

**The Committee is asked to RESOLVE that:**

- 1. The Terms of Reference for the Review attached at Appendix 1 be APPROVED.**
- 2. The proposed consultation programme set out in Appendix 2 be APPROVED.**
- 3. The consultation proposals set out in Appendix 3 be APPROVED.**
- 4. A Task and Finish Group comprising 3 members of this Committee be appointed to consider the responses received during the two consultation stages and to make recommendations on the options in light of those responses.**

3. Detail

A CGR is a review of the whole or part of an authority's area to consider one or more of the following:

- the creation, merger, alteration or abolition of parishes;
- the naming of parishes and the style of new parishes;
- the electoral arrangements for parishes (i.e. the ordinary year of election; council size; number of councillors to be elected to the council; and parish warding); and
- the grouping or de-grouping of parishes

to ensure that local governance continues to be effective and convenient and that it reflects the identities and interests of local communities. The recommendations arising from a CGR should deliver improved community engagement, more cohesive communities, better local democracy and result in more efficient delivery of local services.

A previous Review carried out in 2020/21 concluded that further work was needed to achieve satisfactory arrangements for Brinsley, Eastwood, Greasley, Kimberley and Nuthall where they border each other and which takes into account the complex relationship between the communities in that part of the Borough. In view of the short time to complete that under the timetable for that Review and the need to carry out further consultation afterwards, Council agreed that no changes should be made to the boundaries of those parishes at that time, but a further Review, limited to those areas, be carried out later in the year. Any changes arising from that review will come into effect for the elections in 2027. It is recommended that the Review start in December 2023 in accordance

with the timetable set out in appendix 1 and the Terms of Reference in appendix 2. Consultation responses received during the previous Review were considered by a Task and Finish Group who made recommendations to this Committee based on those responses. This was an effective way of considering responses and it is therefore recommended that this approach is adopted again for this Review.

Appendix 3 sets out options for Brinsley, Eastwood, Greasley, Kimberley and Nuthall which will be put forward at the initial stage of the consultation. Maps and detailed property information for all options are attached at appendix 4.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications to consider at this stage with activity being contained within existing budgets.

5. Legal Implications

There were no comments from the Monitoring Officer/Head of Legal Services.

The legal implications are contained within the body of the report at appendix 2.

6. Human Resources Implications

There were no comments from the Human Resources Manager.

7. Union Comments

There were no comments from the Union.

8. Climate Change Implications

There were no comments from the Waste and Climate Change Manager.

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL (SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

An equality impact assessment is not required.

11. Background Papers

None.



## Community Governance Review Timetable

<b>Stage</b>	<b>Action</b>	<b>Timescale</b>	<b>Dates</b>
Commencement	<ul style="list-style-type: none"> <li>• Terms of reference published</li> <li>• Stakeholders notified with clear definition of remit of review</li> </ul>		1 December 2023
Preliminary stage	<ul style="list-style-type: none"> <li>• Local briefings and meetings (members/parish &amp; town councils)</li> </ul>	One month	1 December – 31 December 2023
Stage One	<ul style="list-style-type: none"> <li>• Initial submissions invited from stakeholders on future arrangements under terms of reference</li> </ul>	Three months	1 January – 31 March 2024
Stage Two	<ul style="list-style-type: none"> <li>• Consideration of submissions received</li> <li>• Draft recommendations prepared</li> <li>• Draft recommendations to be considered by Council</li> </ul>	Two months	1 April – 31 May 2024
Stage Three	<ul style="list-style-type: none"> <li>• Draft recommendations published for consultation</li> <li>• Stakeholders notified</li> </ul>	Three months	1 June – 31 August 2024
Stage Four	<ul style="list-style-type: none"> <li>• Consideration of submissions received</li> <li>• Final recommendations prepared</li> <li>• Final recommendations published concluding the review</li> <li>• Final recommendations considered by Council and decision made on arrangements with resolution to make a Reorganisation Order</li> <li>• Reorganisation Order made</li> </ul>	<p>Two months</p>        <p>One month later</p>	<p>1 September – 31 October 2024</p>        <p>November 2024</p> <p>December 2024</p>



### Community Governance Review – Terms of Reference

#### 1. Introduction

Broxtowe Borough Council has decided to undertake a Community Governance Review (CGR) of the governance arrangements of all of the parishes in its area.

The CGR will relate to the whole of the Borough, in order to consider the following:

- the creation, merger, alteration or abolition of parishes;
- the naming of parishes and the style of new parishes;
- the electoral arrangements for parishes (i.e. the ordinary year of election, council size, number of councillors to be elected to the council, and parish warding); and
- the grouping or de-grouping of parishes

Following the review, it may be necessary to ask the Local Government Boundary Commission for England to make changes to the Borough Council's ward boundaries so that parish and ward boundaries are coterminous.

In undertaking the Review, the Council will adhere to Part 4 of the Local Government and Public Involvement in Health Act 2007 (as amended) ("the 2007 Act") and the relevant parts of the Local Government Act 1972 in its work. The following regulations apply, in particular, to consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625), and Local Government Finance (New Parishes) Regulations 2008 (SI2008/626). The Department of Communities and Local Government and the Local Government Boundary Commission for England has issued Guidance on Community Governance Reviews in accordance with section 100(4) of the 2007 Act in March 2010, and the Council will have regard to "the Guidance".

Links to the 2007 Act and the Guidance are provided here:

<http://www.legislation.gov.uk/ukpga/2007/28/contents>

<http://www.lgbce.org.uk/how-reviews-work/other-types-of-review/about-community-governance-reviews>

Section 93 of the 2007 Act requires the Council to consult the local government electors for the area under Review and any other person or body who appears to have an interest in the Review, and to take the representations which are received into account by judging them against the criteria in the 2007 Act and in these Terms of Reference. The Council will publish its plan for consultation during the Review, and this will include the receiving of submissions to assist the Council in preparing its draft proposals, together with an appropriate period of consultation on those

proposals. The Council is also required to publish all decisions taken as part of the Review and the reasons for taking those decisions.

Broxtowe Borough Council welcomes all representations from any person or body who may wish to comment or make proposals on any aspect of the matters under review. Representations should be addressed to:

The Head of Administrative Services  
Broxtowe Borough Council  
Council Offices  
Foster Avenue  
Beeston  
Nottingham  
NG9 1AB

Representations may be sent by email to [cgr@broxtowe.gov.uk](mailto:cgr@broxtowe.gov.uk).

All initial representations must be made by 31 March 2024.

All representations received will be published, as will the reasons for accepting or rejecting any such representations. In accordance with the Act, representations received in connection with the Review will be taken into account, and steps will be taken to notify consultees of the outcome of the Review.

## 2. Parishes

Section 93(4) of the 2007 Act requires that the Council must have regard to the need to secure that community governance within Broxtowe:

- reflects the identities and interests of the different communities in the area;
- is effective and convenient.

The Council considers that for community governance to be effective, parishes must be viable and have a precept which enables them to effectively promote the well-being of their residents and to contribute to the real provision of services in their areas in an economic and efficient manner. Electors should also be able to identify clearly with the parish in which they live.

The Council considers that the boundaries between parishes should normally reflect natural and man-made defining points between communities. These might include rivers or man-made features such as railways or major roads which create a community of identity. It is also considered important that no part of a parish is disconnected from the whole due to access requiring a citizen to leave the parish, travel through a different area to then re-enter their parish. This continuous access helps to ensure community identity and provide polling arrangements which are local to electors. The views of local residents and the parish councils will be an important consideration where a potential change to a parish boundary is considered.

Section 94 of the 2007 Act sets out the duties which the Council has with regard to the creation of a council for a parish:

- where the number of electors is 1,000 or more – a parish council must be created;
- where the number of electors is 151-999 – a parish council may be created, with a parish meeting being the alternative form of parish governance;
- where the number of electors is 150 or fewer – a parish council is not created.

The Council will have regard to the relevant information in determining whether parish councils will be formed for parishes of more than 150 electors.

### 3. Electoral Arrangements

An important part of the Review will cover the electoral arrangements of the parishes, including any new parishes which are formed. This will include:

- (i). the year in which ordinary elections of parish councillors are held – the next ordinary elections for parish councils is 2027. The Review will be completed in time for any changes arising from it to be in place for those elections.
- (ii). the number of councillors to be elected to the council - the number of parish councillors for each parish council shall not be less than five (section 16, Local Government Act 1972). There is no maximum number in the legislation and there are no specific rules or guidance relating to the allocations of councillors.
- (iii). the division (or not) of the parish into parish wards for the purpose of electing parish councillors - the 2007 Act (section 95(3)) requires that, on considering whether a parish should be divided into wards for the purposes of elections of the parish council, the Council should consider:
  - whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient;
  - whether it is desirable that any area or areas of the parish should be separately represented on the council.

Ward elections should also be in the interests of effective and convenient local government. The additional costs of multiple ward elections, which can be significant relative to a parish council's budget, should not be wasteful of a parish's resources.

- (iv). the number and boundaries of any such parish wards - parish ward boundaries should be clearly understood; and should take account of community identity and interests within a parish which comprises different parts. In accordance with section 95(5) of the 2007 Act, every attempt will be made to fix ward boundaries which are, and will remain, easily identifiable, as well as taking into account any local ties which might be broken by the fixing of any particular boundaries.
- (v). the number of councillors to be elected for any parish ward the 2007 Act (paragraph 95(5) requires it to have regard to the following when considering the number of councillors to be elected for each ward:
  - the number of local government electors for the parish;
  - any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the Review starts.
- (vi). the name of any such parish ward.

In considering the number of councillors to be elected for each parish, the Council will take into account the advice set out in the guidance - "each area should be considered on its own merits, having regard to its population, geography and the pattern of communities,". The Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes and the take-up of seats at elections in its consideration of this matter.

Section 95(6-7) of the 2007 Act also requires the Council to have regard to the following factors when considering the number of councillors to be allocated to a parish:

- the number of local government electors for the parish; and
- any change in that number which is likely to occur in the period of five years beginning with the day when the Review starts.

The Council will consider a number of factors including the following as it looks at parish council sizes:

- the different demands and consequently different levels of representation that are appropriate between urban and rural parishes;
- the level of the precept and levels of service provision;
- the challenges of population sparsity and securing an appropriate level of representation in such areas;
- the traditional scale of representation in a particular parish; and
- the need to support a warding arrangement in a particular parish and achieving an equitable parity of representation between wards.

In respect of parish wards, the Council will ensure that there would be an equitable ratio of electors to councillors from any proposals.

### **Consequential Matters**

The Review will be completed when the Council adopts the Reorganisation of Community Governance in Broxtowe Order.

The Council is mindful that it may recommend that the Local Government Boundary Commission for England make alterations to Broxtowe's electoral boundaries to reflect changes made at parish level. The Council notes that it will be for the Commission to decide if related alterations should be made and, if so, when they should be implemented.

## APPENDIX 3

1. Brinsley, Eastwood, Greasley, Kimberley and Nuthall

**Option 1** – Dissolve Eastwood, Greasley and Kimberley Parish Councils to give effect to the following:

- the creation of a new parish council (name to be determined) comprising of all of Eastwood parish area, Giltbrook, Newthorpe, Moorgreen and the outlying properties in Greasley Parish – **see Map 1**
- the inclusion in Brinsley Parish of 8 properties on Willey Lane, Saint's Coppice Farm, Cordy Lane, Felley Mill Farm and Old Hags Farmhouse, Mill Lane and 2 properties on Mansfield Road from Greasley Parish – **see Map 2**
- the inclusion in Nuthall Parish of the 555 properties on the Larkfields estate currently in Greasley Parish and 3 properties on Woodside Avenue currently in Kimberley parish – **see Map 3**
- the inclusion in Kimberley Parish of 879 properties currently in the Watnall Ward of Greasley Parish, 3 properties on Nottingham Road, 2 on Knowle Hill and 4 properties addressed to Swingate currently in Strelley Parish – **see Map 4**
- The transfer of a small piece of land from Trowell to Unparished at Balloon Woods, affecting no electors or properties.

**Option 2** –Address boundary anomaly issues only

From	To	No of properties	Map
<b>Eastwood</b>	<b>Greasley</b>	34 on Brandyline Gardens	<b>Map 5</b>
		73 on Charles Avenue	
		17 on Commons Close	
		8 on Daisy Farm Road	
		23 on Dovecote Road	
		1 on Fairdale Drive	
		9 on Halls Lane	
		2 on Hilltop Rise	
		4 on Lower Beauvale	
		2 on Mary Road	
		8 on Metcalfe Road	
		43 on Mill Road	
		85 on Newthorpe Common	
		13 on Nottingham Road	
		3 on Scargill Walk	
		3 on Stanhope Close	
		7 on Violet Avenue	
		9 on Wheeler Avenue	
		28 on Wyvern Close	
<b>Greasley</b>	<b>Brinsley</b>	Saints Coppice Farm	<b>Map 6</b>
		2 properties on Mansfield Road	

<b>Greasley</b>	<b>Eastwood</b>	81 on Beamlight Road	<b>Map 7</b>
		53 on Braemar Avenue	
		4 on Brookside	
		15 on Butterfly Place	
		48 on Coach Drive	
		3 on Daniel's Court	
		15 on Dovecote Road	
		14 on Fryar Road	
		23 on Garland Drive	
		20 on Hewer Close	
		11 on Jenkin Close	
		1 property on Main Street	
		1 property on Nether Green	
		24 properties on Meadow Close	
		7 properties on Mill Road	
		6 properties on Nether Close	
		54 properties on Park Crescent	
		41 properties on Robey Drive	
		46 properties on Thorn Tree Gardens	
		15 properties on Thorpe Road	
		8 properties on Vale Close	
<b>Greasley</b>	<b>Kimberley</b>	4 on Coatsby Road	<b>Map 8</b>
		11 on Gilt Hill	
		2 properties on Nottingham Road	
<b>Greasley</b>	<b>Nuthall</b>	555 on the Larkfields Estate	<b>Map 3</b>
<b>Kimberley</b>	<b>Nuthall</b>	3 properties on Woodside Avenue	<b>Map 3</b>
<b>Kimberley</b>	<b>Greasley</b>	13 properties on Chilton Drive	<b>Map 8</b>
		32 properties on Cloverlands Drive	
		31 properties on Hillcrest Close	
<b>Nuthall</b>	<b>Kimberley</b>	3 Properties on Nottingham Road	
		2 Properties on Knowle Hill	
<b>Strelley</b>	<b>Kimberley</b>	4 Properties addressed Swingate	
<b>Trowell</b>	<b>Unparished</b>	A small piece of land at Balloon Woods	<b>Map 9</b>

**Option 3** – Retain existing boundaries, no changes

2. Nuthall – NES3 polling district area

**Option 1** – no change to existing arrangements whereby Strelley remains a parish with a Parish Meeting, with the exception of any changes agreed in respect of 1. above – **Map 10**

**Option 2** – the parish becomes a parish ward of Nuthall Parish Council – **Map 11**

**Option 3** – create a separate parish council for the area – **Map 10**

**NOTE:** Full details of the properties potentially moved to a different parish are included with the respective map.

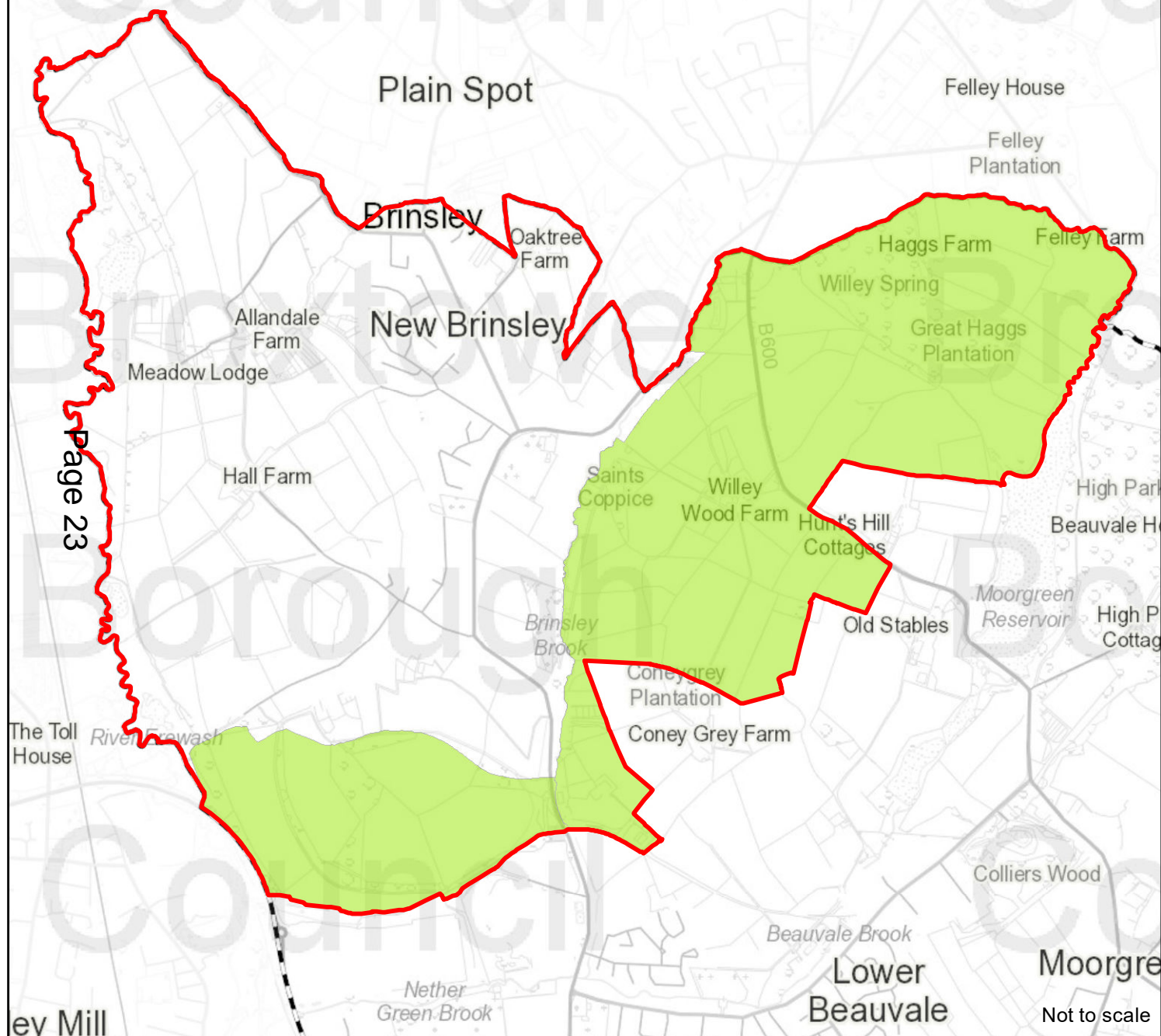




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## Map 2



-  Potential Parish
-  Added
-  Removed

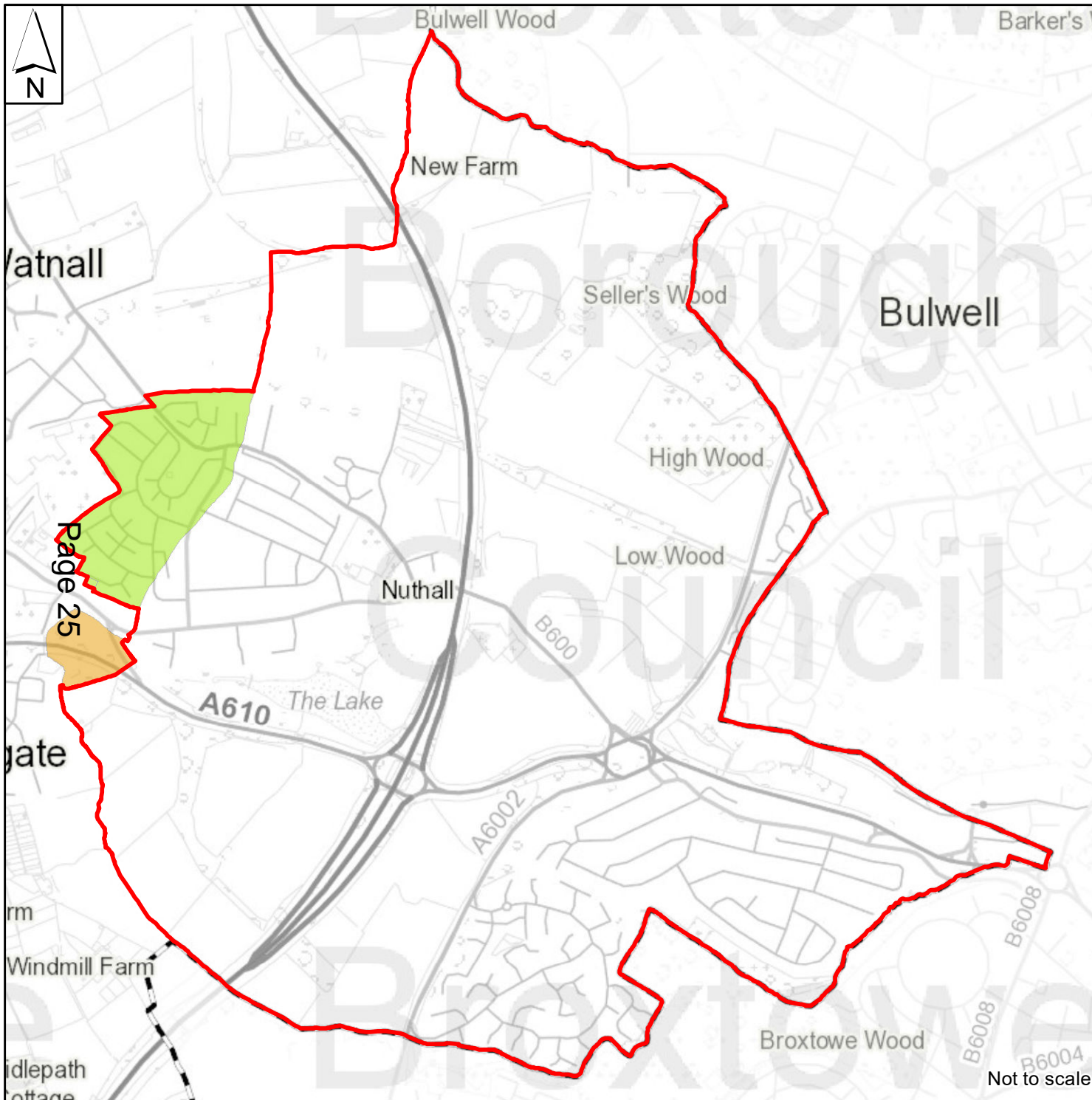


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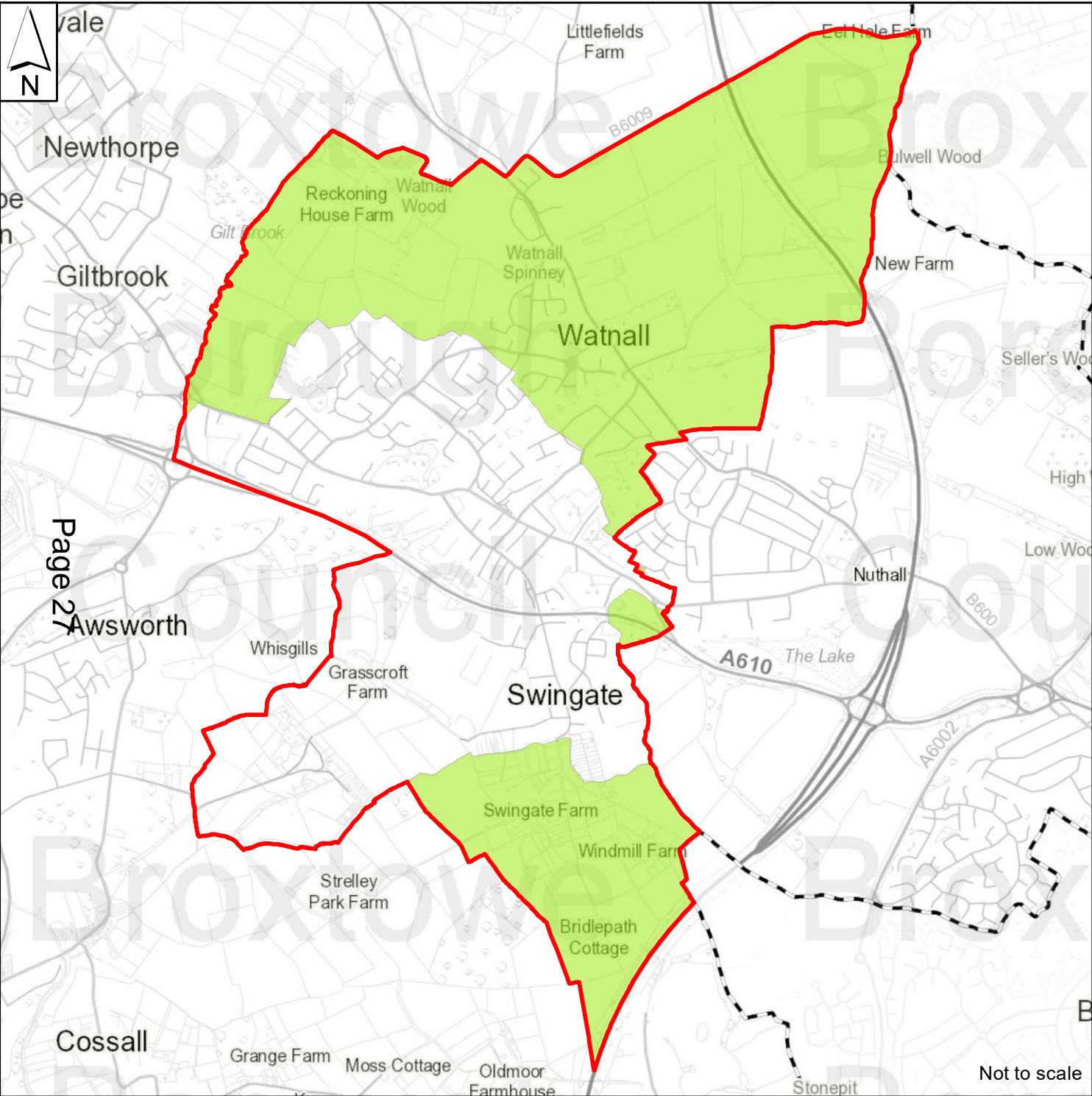
Map 3



-  Potential Parish
-  Added
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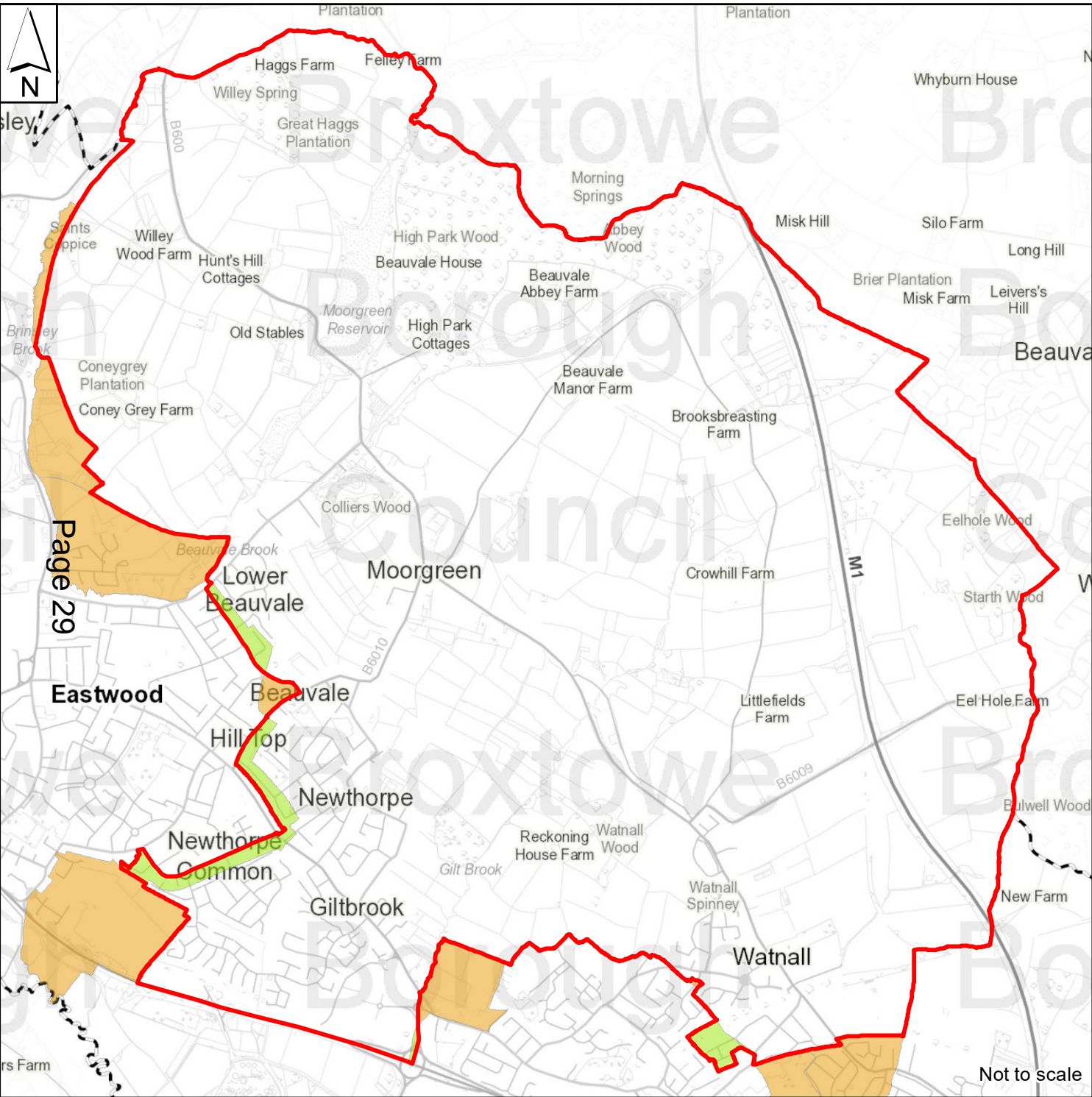
Map 4

-  Potential Parish
-  Added
-  Removed



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Map 5

Added  
Removed  
Potential Parish

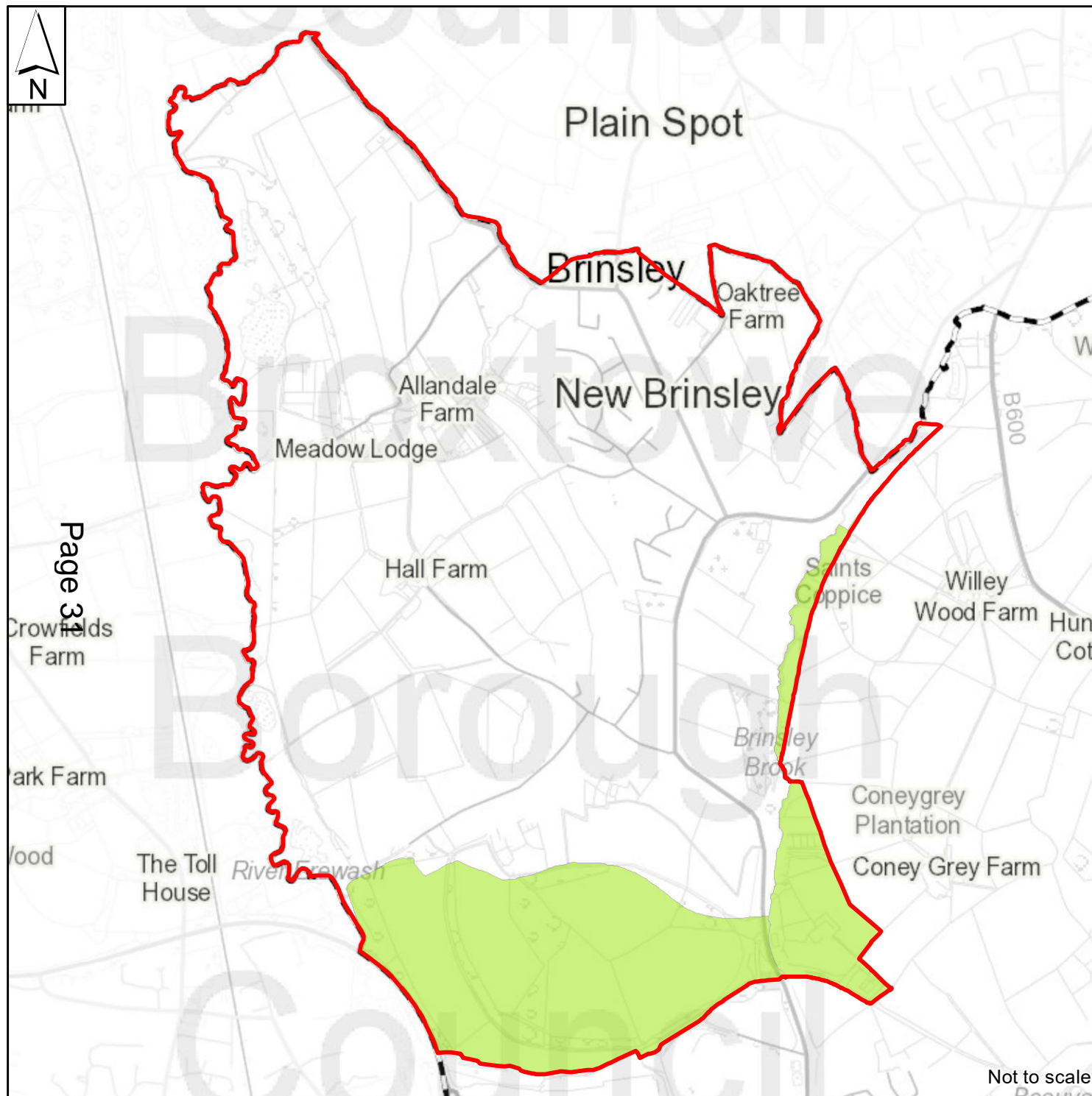


Broxtowe  
Borough  
COUNCIL

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Map 6



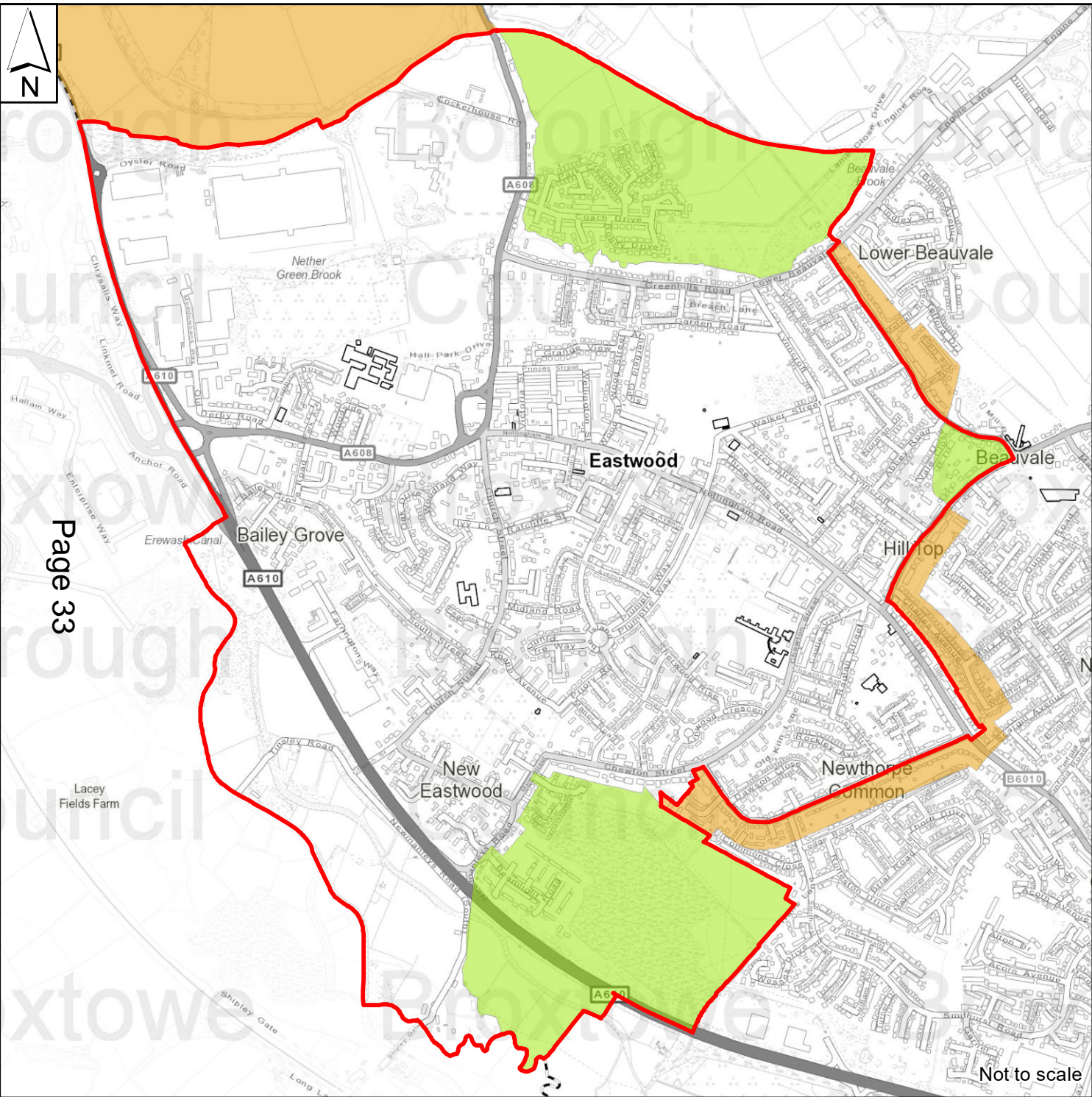
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- Removed
- Potential Parish



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Map 7

- Added
- Removed
- Potential Parish

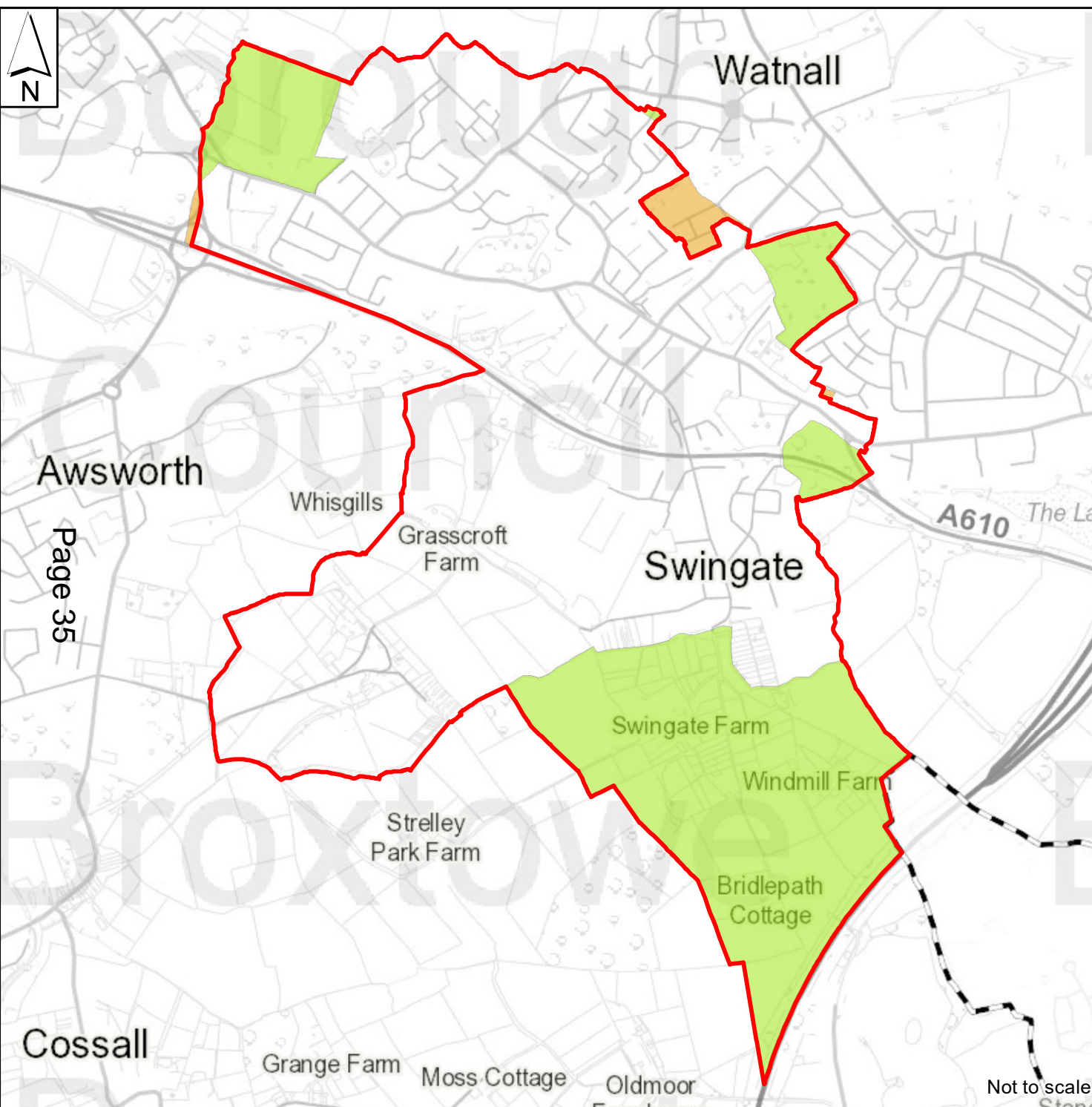


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Map 8



- Added
- Removed
- Potential Parish



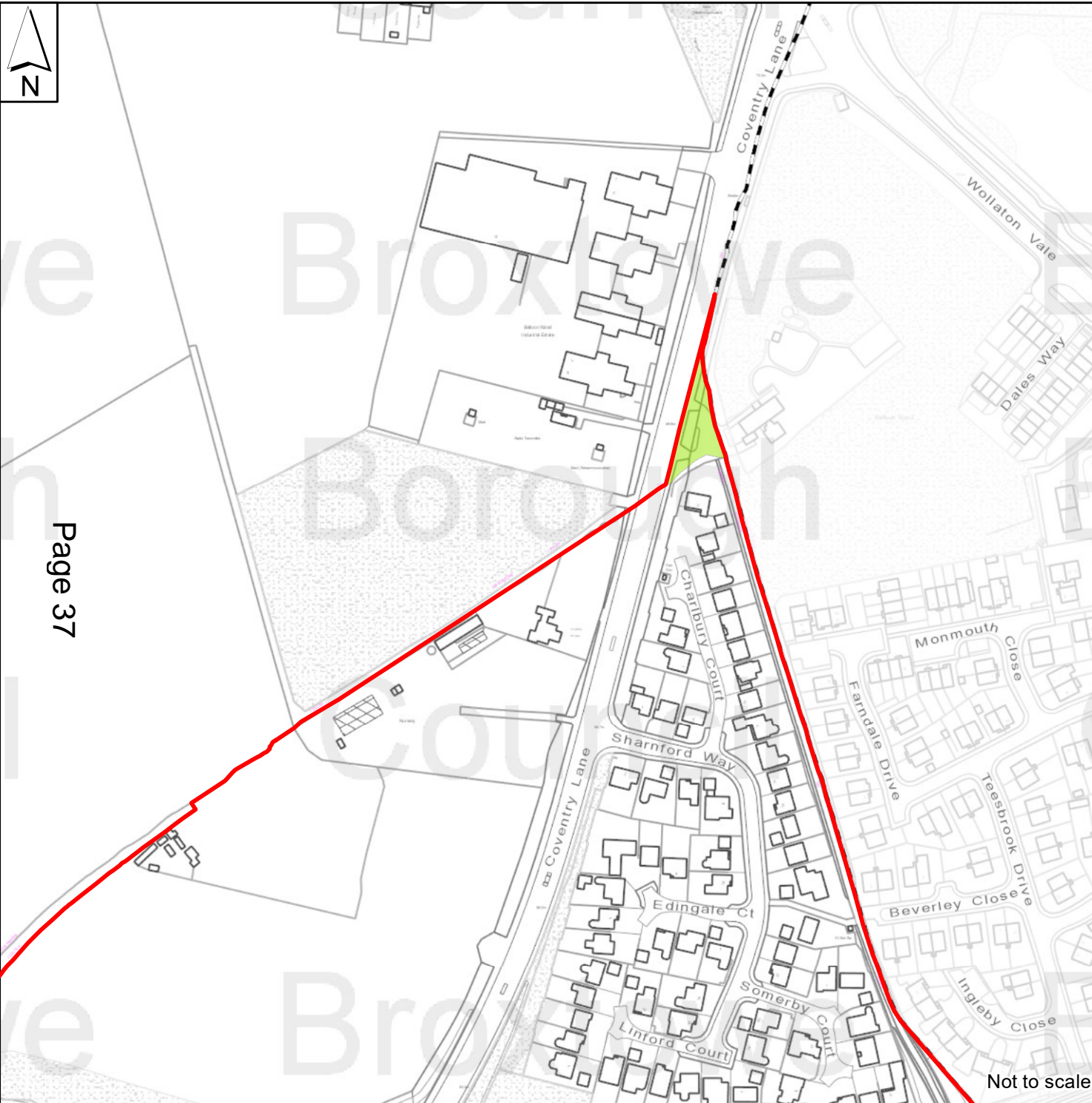
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Map 9

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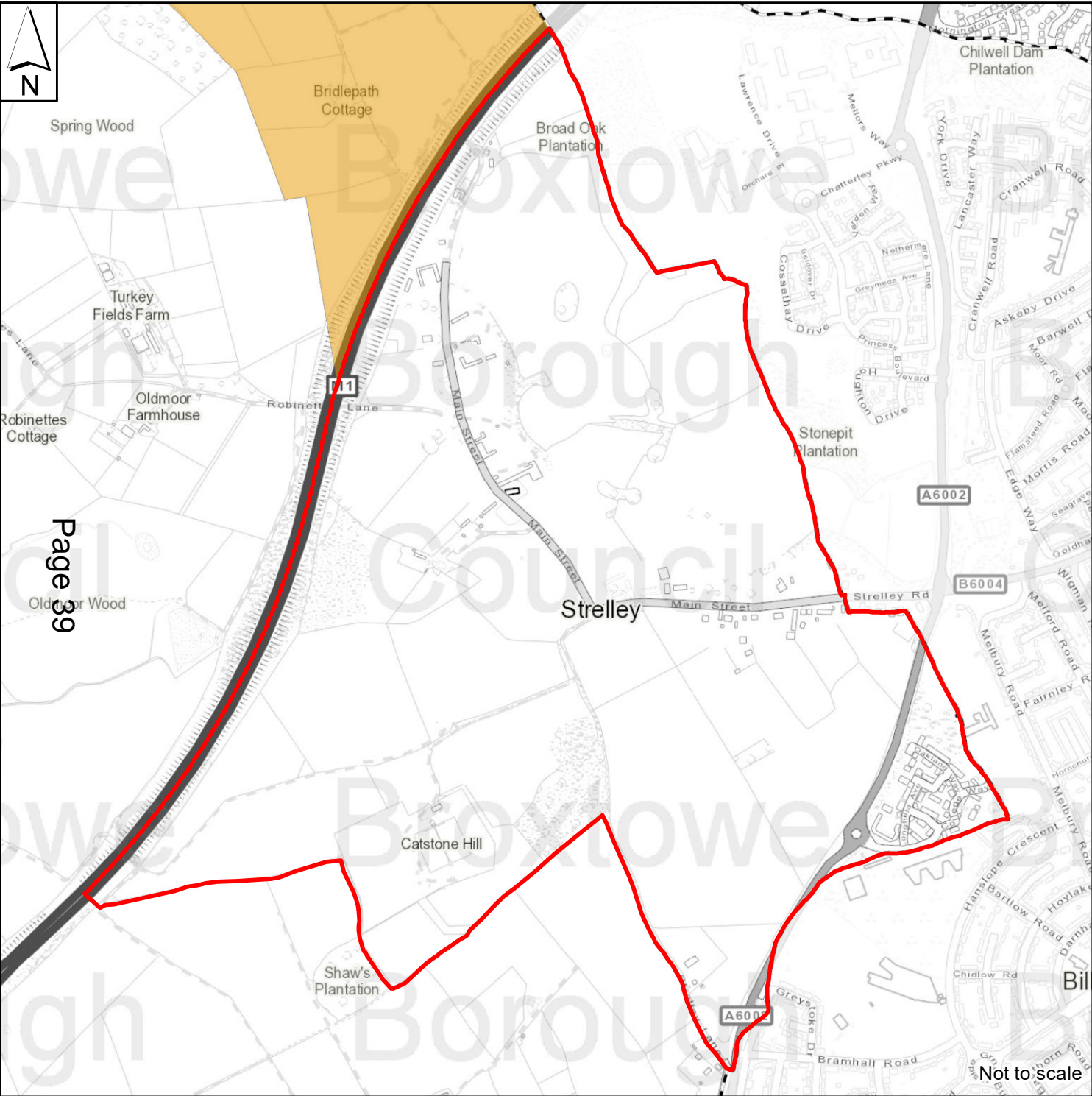


Not to scale

-  Added
-  Removed
-  Potential Parish



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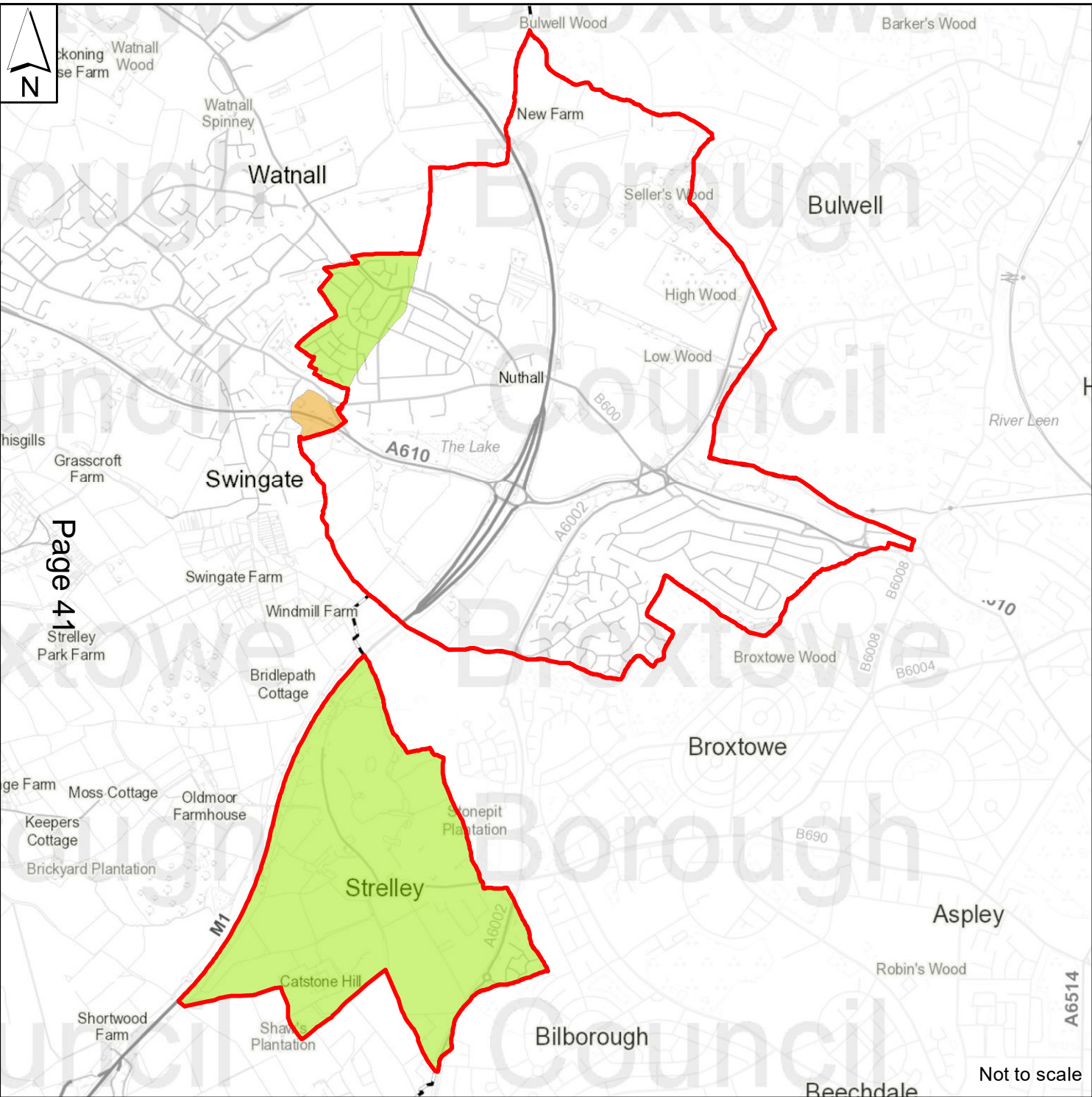
Map 10

-  Potential Parish
-  Added
-  Removed



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Map 11

- Added
- Removed
- Potential Parish



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**Report of the Executive Director**

<b>REVIEW OF POLLING DISTRICTS AND POLLING PLACES</b>
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1. Purpose of Report

To ask the Committee to recommend to Council the proposed changes to the polling districts and polling places set out in the appendices to the report.

2. Recommendation

**The Committee is asked to RECOMMEND to Council that the proposed changes to the polling districts in appendix 2 and the designation of polling places set out in appendix 3 to the report be approved.**

3. Detail

At the Governance, Audit and Standards Committee on 17 July 2023 a report was noted regarding the proposed arrangements for a review of polling districts and polling places. Following public consultation, a number of representations were received, these are shown in appendix 1, along with (Acting) Returning Officer comments.

Maps showing the proposed new polling district boundaries are included in appendix 2. The changes proposed in Awsworth and Cossall are required to align the current ward boundary with the new parliamentary constituency boundary, which will come into effect at the next parliamentary election. Creating two new polling districts will ensure those electors affected vote at a polling place within the correct parliamentary constituency. The proposed change at Greasley also follows the parliamentary boundary review, an extra polling district was previously required due to a discrepancy between the parliamentary and ward boundaries, this will be resolved when the new parliamentary boundary takes effect. The remaining polling district changes aim to improve access for voters to an appropriate polling place.

Appendix 3 details the proposed amendments to polling places. The changes are recommended following preliminary consultation work, suggestions from the local community and current polling places being no longer available. The new polling places will need to be designated by Council so that they are effective for the elections in May 2024 onwards.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications to consider at this stage with activity being contained within existing budgets. Any significant budget implications going forward, over and above virement limits, would require approval by Cabinet.

5. Legal Implications

The comments from the Head of Legal Services were as follows:

Section 31 of the Representation of the People Act 1983 states that for local government elections, the Council may divide the borough or any ward thereof into polling districts and may alter any polling districts. Any power to constitute polling districts for the purpose of local government elections shall be exercised so that electors from any parliamentary polling district wholly or partly within the electoral area can, in the absence of special circumstances, be allotted to a polling station within the parliamentary polling place for the district unless the parliamentary polling place is outside the electoral area. The Electoral Commission guidance confirms that outside of compulsory reviews, all polling places and polling stations should be kept under consideration and an evaluation of their suitability carried out after each election.

6. Human Resources Implications

There are no Human Resources implications.

7. Union Comments

There are no comments from the Union.

8. Climate Change Implications

There are no comments from the Waste and Climate Change Manager.

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL (SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

The review has been carried out to make sure that all electors have such reasonable facilities for voting as are practicable in the circumstances.

11. Background Papers

Nil.



## APPENDIX 1

Representations Received During Public Consultation

Reference	Connection to polling district	Polling District(s) commented on	Representation	(Acting) Returning Officer Comments
PDR/001	Resident / Community	NES3 / NES4	<p>Extra polling places should be supplied for:</p> <ul style="list-style-type: none"> <li>Properties off College Way, near Bilborough College due to distance to current polling place (Strelley Hall).</li> <li>Properties off Hempshill Lane due to need to cross roundabout to access polling place (Nuthall Temple Centre).</li> </ul>	There are no community buildings available within those areas, very limited parking, particularly near the college, and no appropriate location for a temporary unit. Splitting the polling districts would also mean that any resulting polling places would be serving a very small number of electors. The situation will be monitored and a change recommended should alternative venues be identified in the future.
PDR/002	Resident	BCT1	Preferred Cemetery Chapel on Wollaton Road for voting – steep hill to Bramcote Memorial Hall	The Cemetery Chapel building is not regularly used and so does not have appropriate facilities for polling staff. Bramcote Memorial Hall is a well established polling place and has been used for many years without issue. The situation will be monitored and a change recommended should an alternative venue be identified in the future.

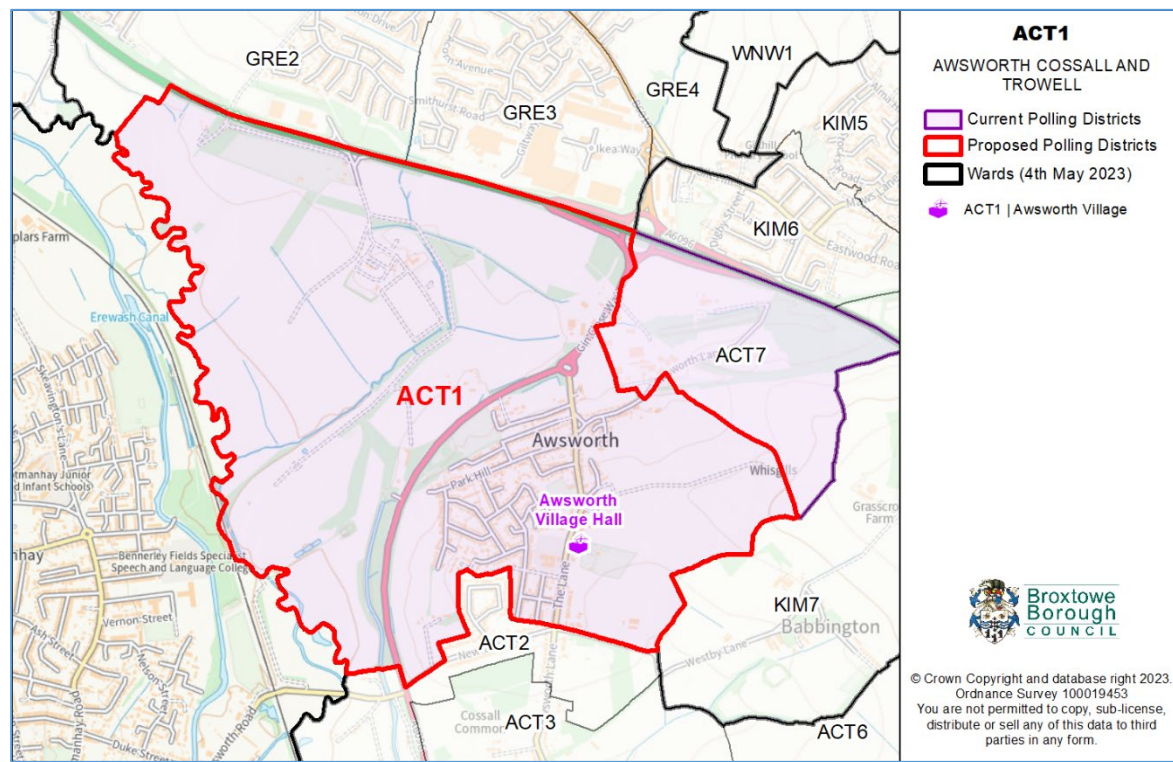
Reference	Connection to polling district	Polling District(s) commented on	Representation	(Acting) Returning Officer Comments
PDR/003	Political party	Eastwood / Brinsley	Support keeping current arrangement of polling districts and polling places, it is the best fit possible and well established.	
		Greasley	<p>GRE2/GRE3 - well established, no suitable alternative to temporary stations.</p> <p>GRE1/GRE4 - suggest alteration to boundary and move Hill Close, Brook Close, Scargill Avenue, Scargill Close and Valley Drive from GRE4 to GRE1 to ensure all Valley Drive estate is within one polling district.</p> <p>GRE5 - keep GRE5 polling district (do not merge with GRE1) and expand to include Moorgreen, Church Road and New Road.</p>	<p>Electorate numbers between GRE1 and GRE4 are well balanced. Moving streets would increase the electorate in one polling district and may result in the need for another polling station. The GRE1 polling station is reasonably close to the streets listed but electors may question why they would not be voting at the polling place closest to them – GRE4.</p> <p>GRE5 was required due to a discrepancy between the current ward and parliamentary boundaries, this will be resolved when the new parliamentary boundaries take effect. The current polling district covers a large rural area but has very few electors, even with the extra streets suggested this would only be 81 polling station voters. With so few electors it is not a viable polling district.</p>

Reference	Connection to polling district	Polling District(s) commented on	Representation	(Acting) Returning Officer Comments
PDR/004	Disability Group	All	<p>General comments made regarding how to improve polling stations to make them accessible to all.</p> <p>Suggestions included:</p> <ul style="list-style-type: none"> <li>• Providing clip boards to keep ballot papers in place.</li> <li>• Extra training for polling staff on how to support electors to place their vote.</li> </ul>	Comments will be followed up and the appropriate recommendations put in place for May 2024 elections.
PDR/005	Resident / Parish Councillor	Kimberley	Fully support the proposed changes for Kimberley.	

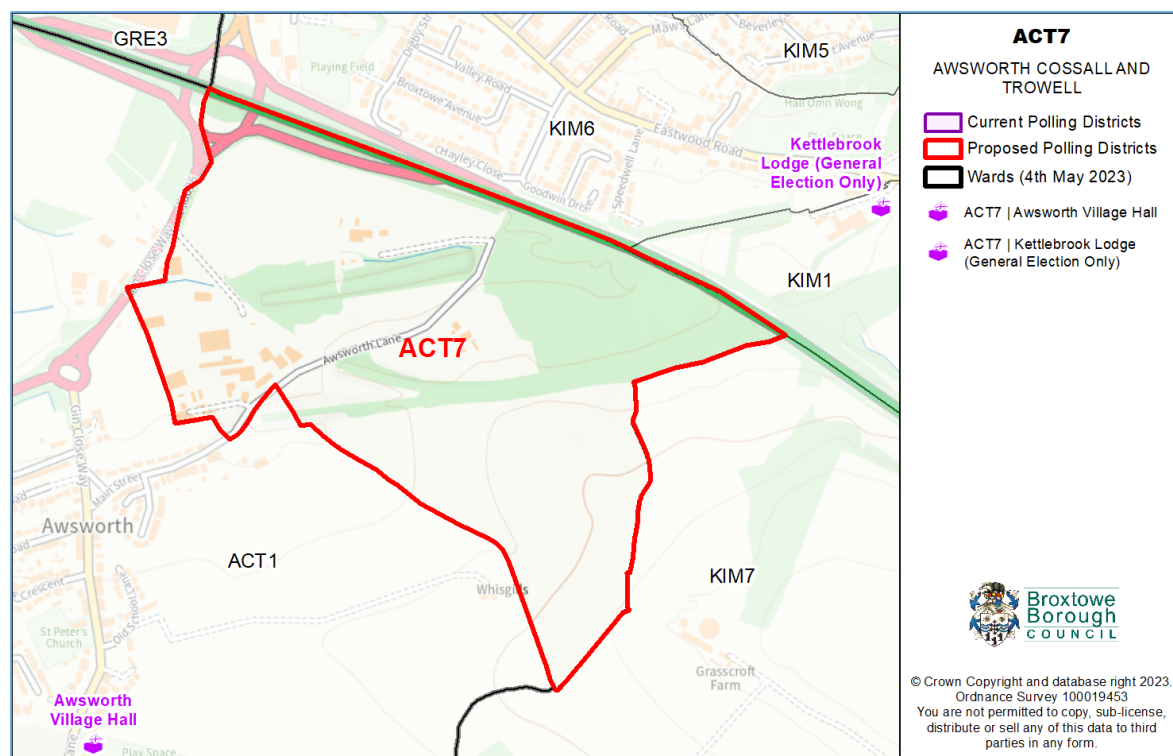
## APPENDIX 2

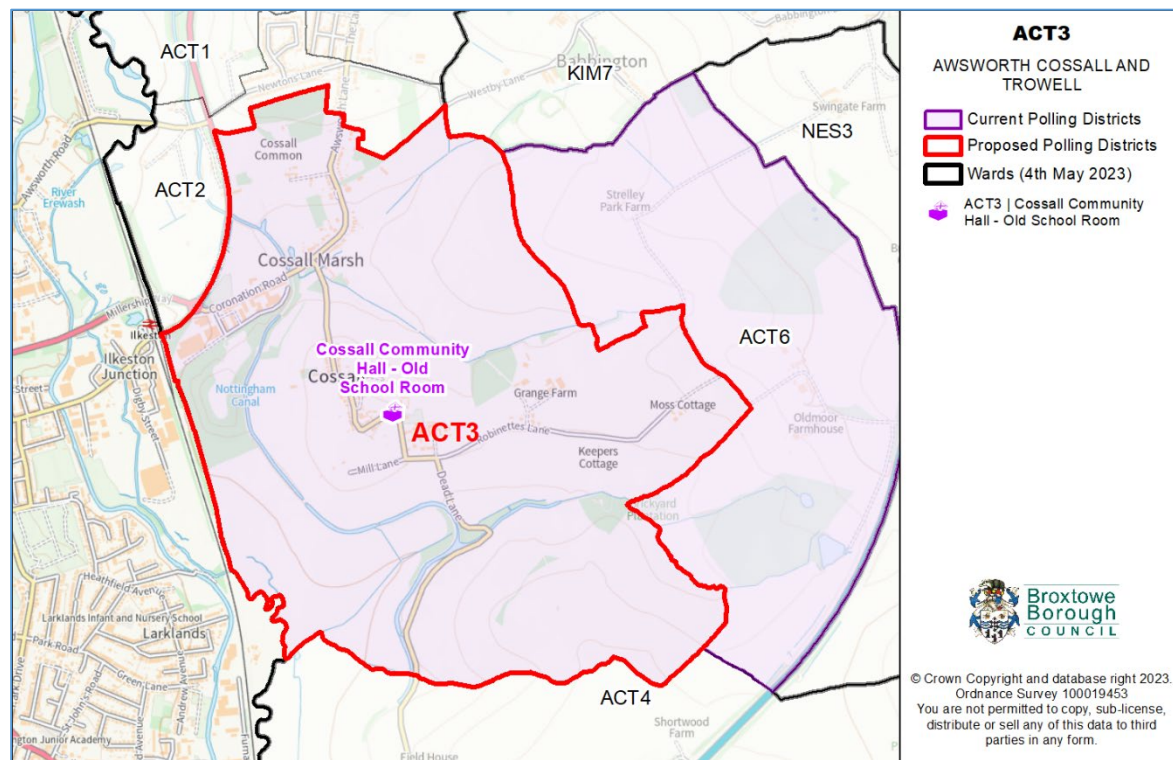
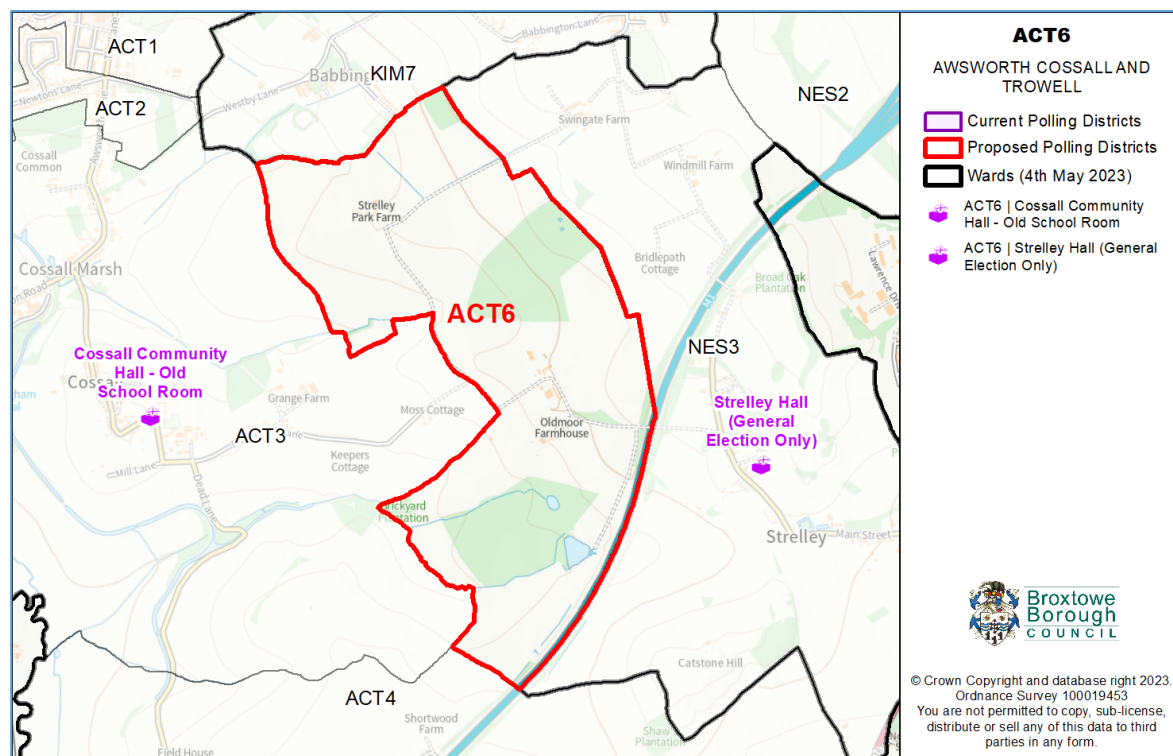
## Recommended Changes to Polling Districts

## Awworth, Cossall and Trowell – ACT1

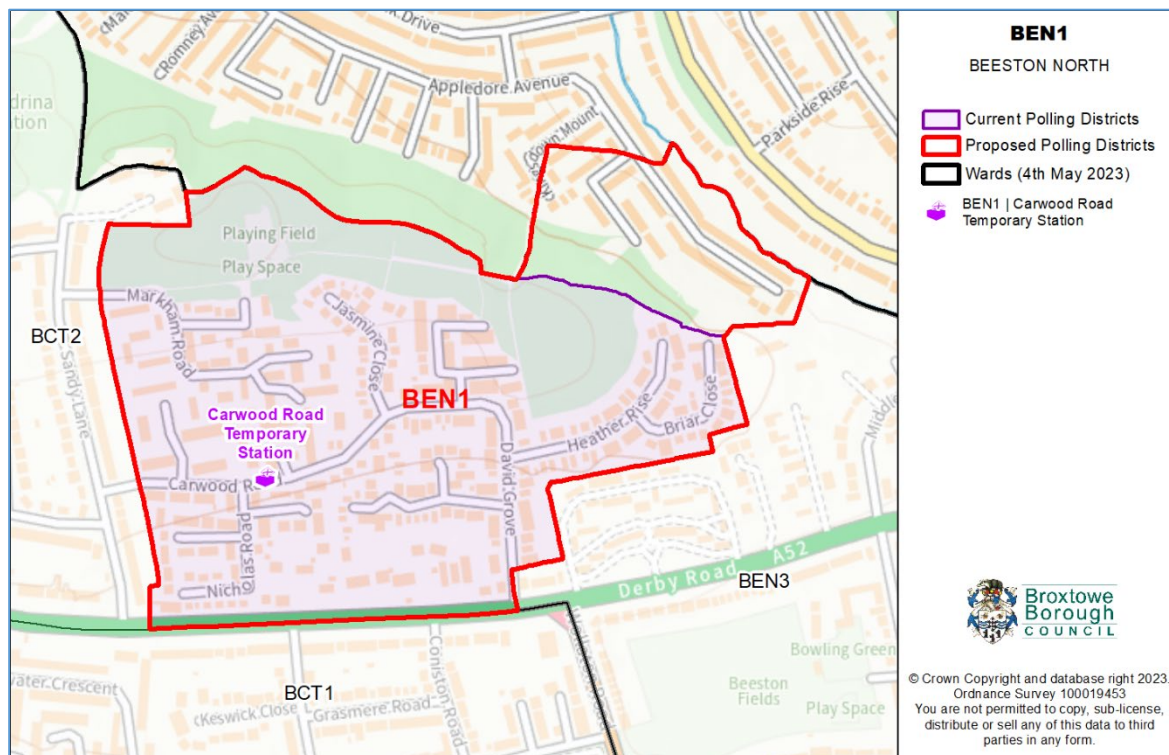
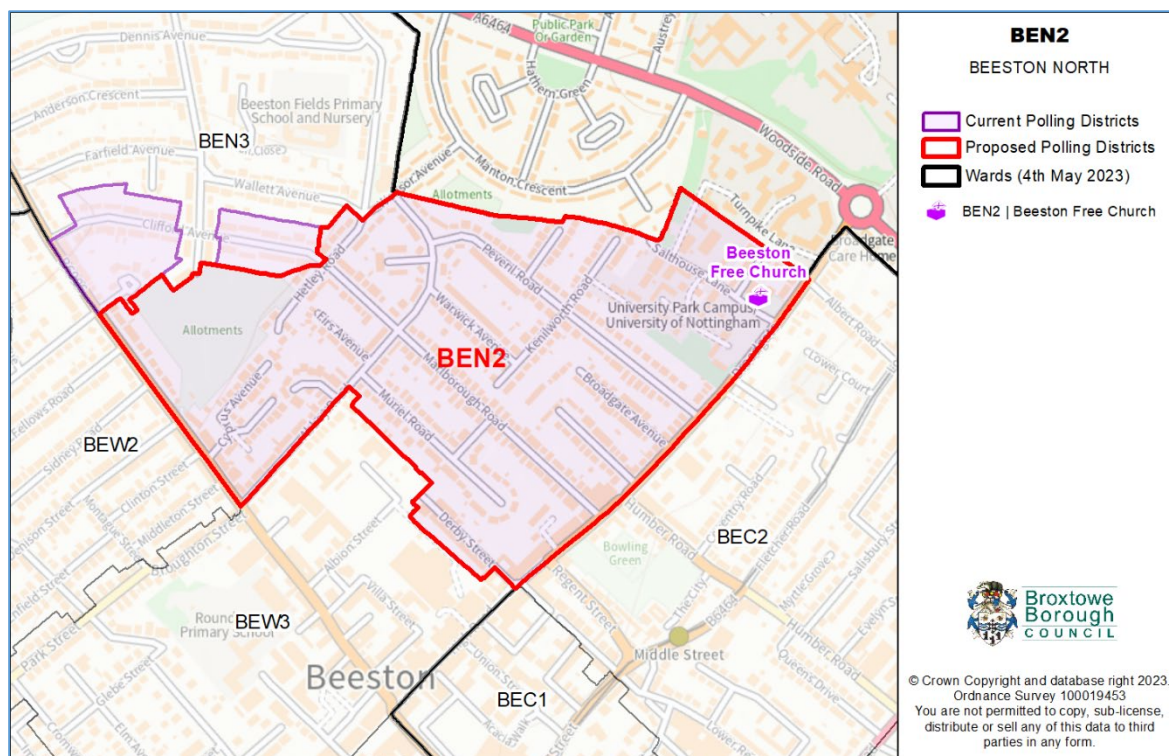


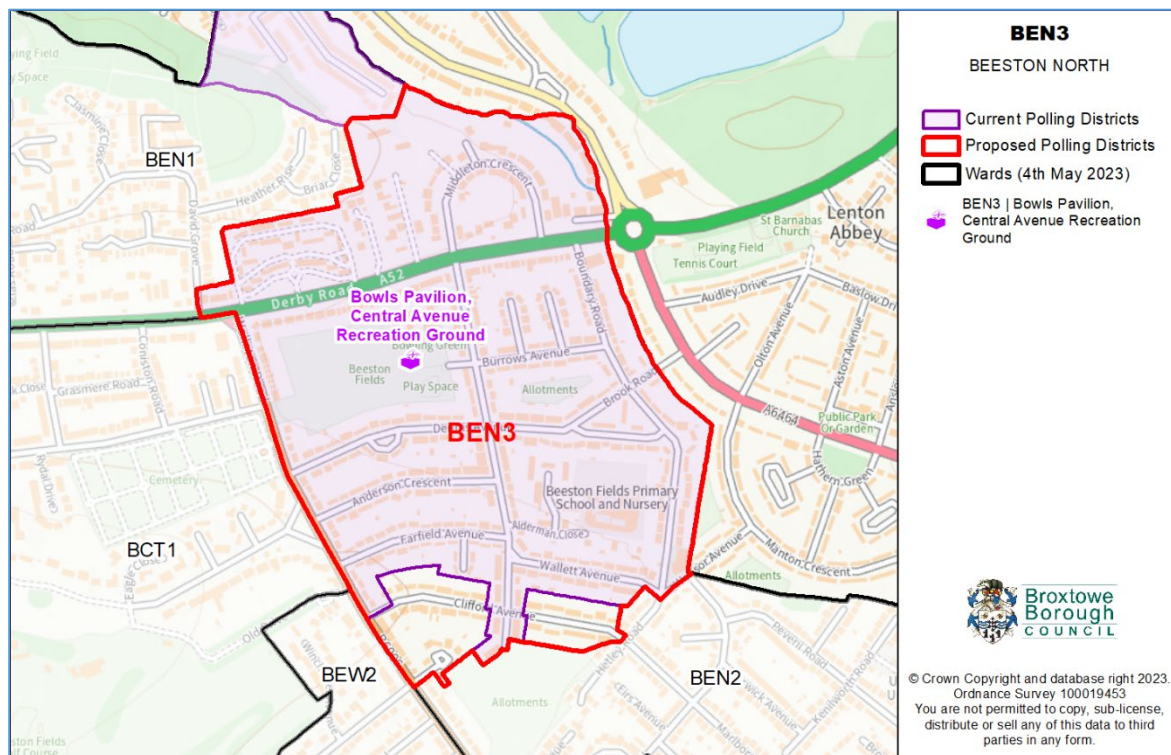
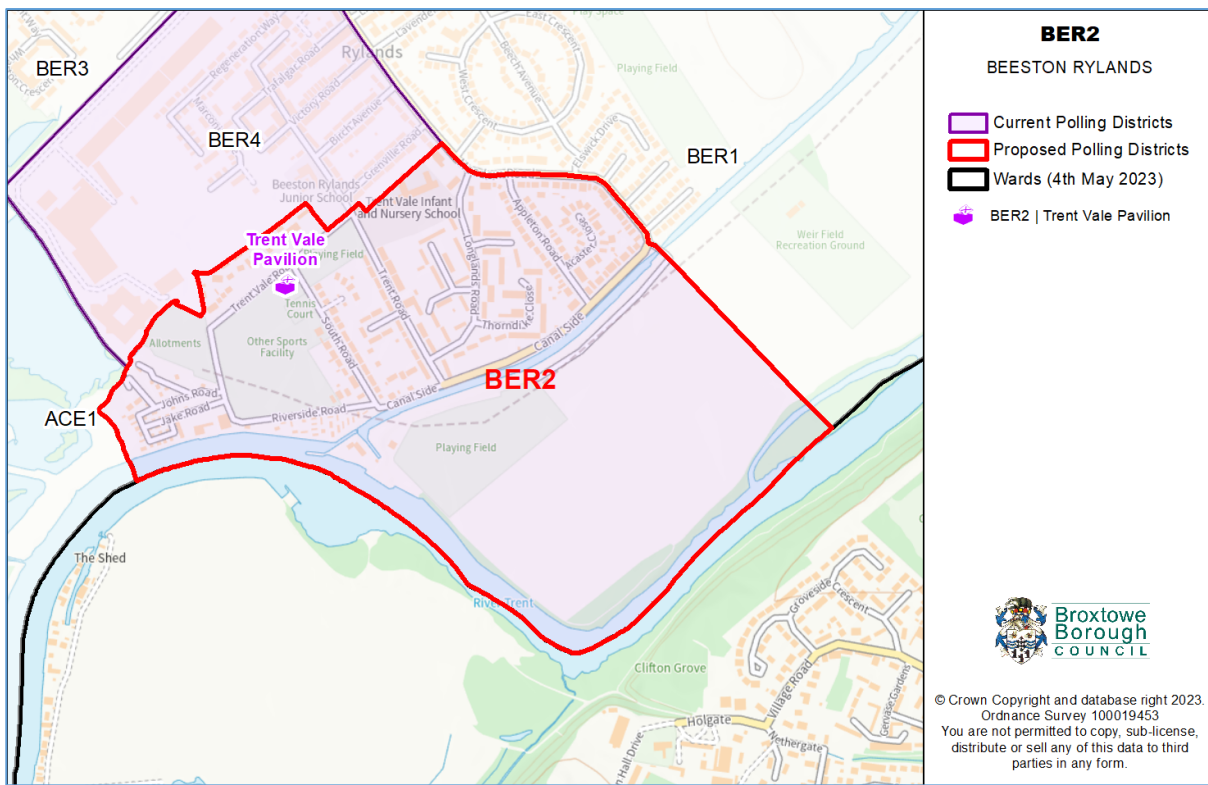
## Awworth, Cossall and Trowell – ACT7



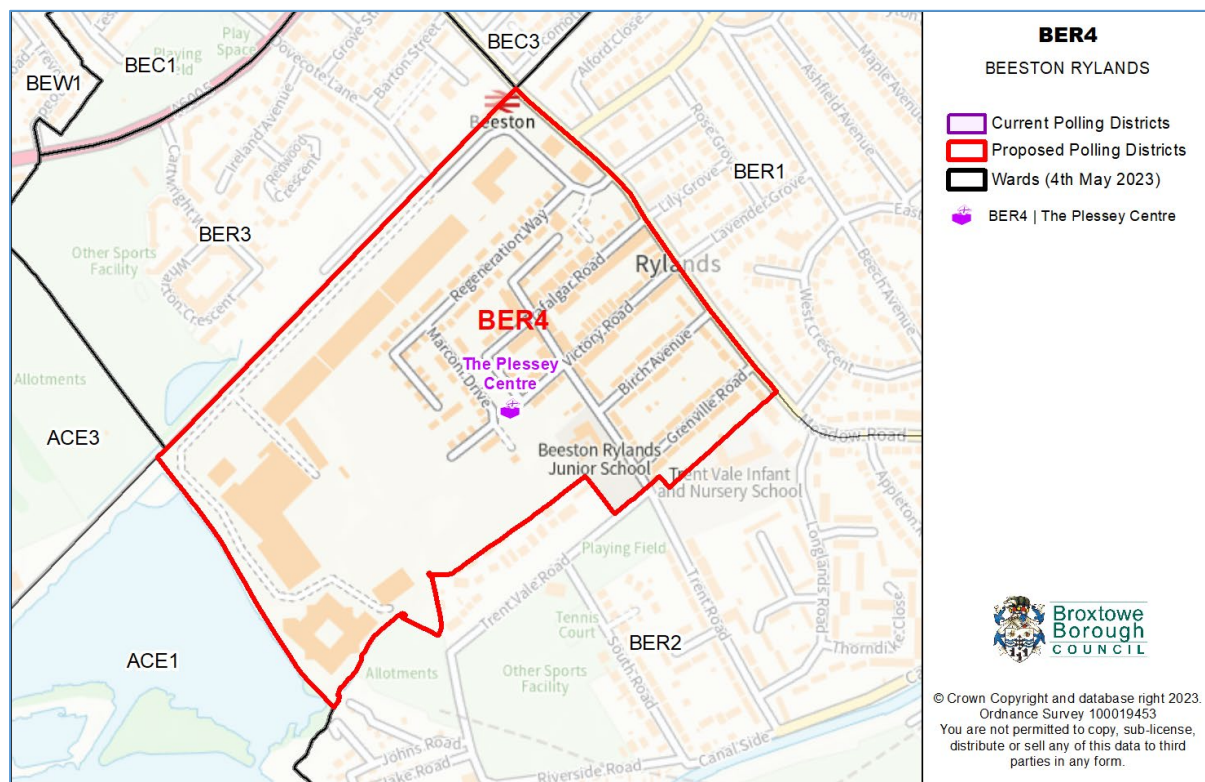
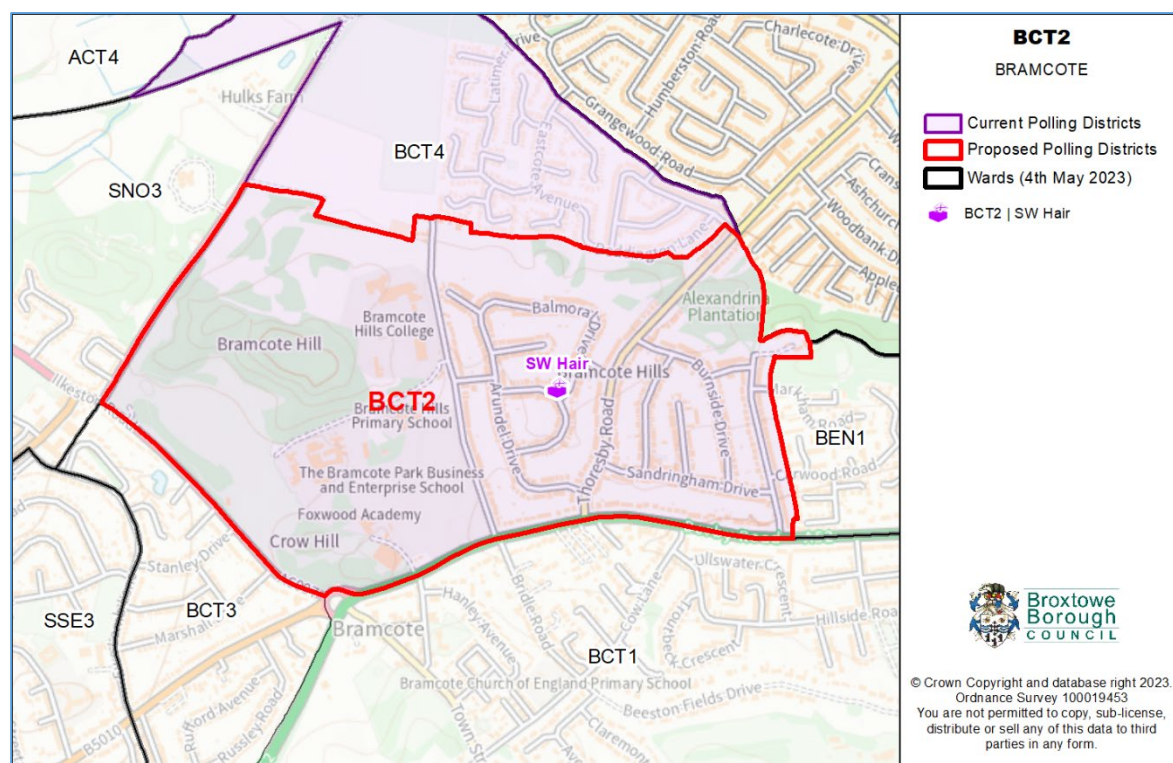
Awsorth, Cossall and Trowell – ACT3Awsorth, Cossall and Trowell – ACT6



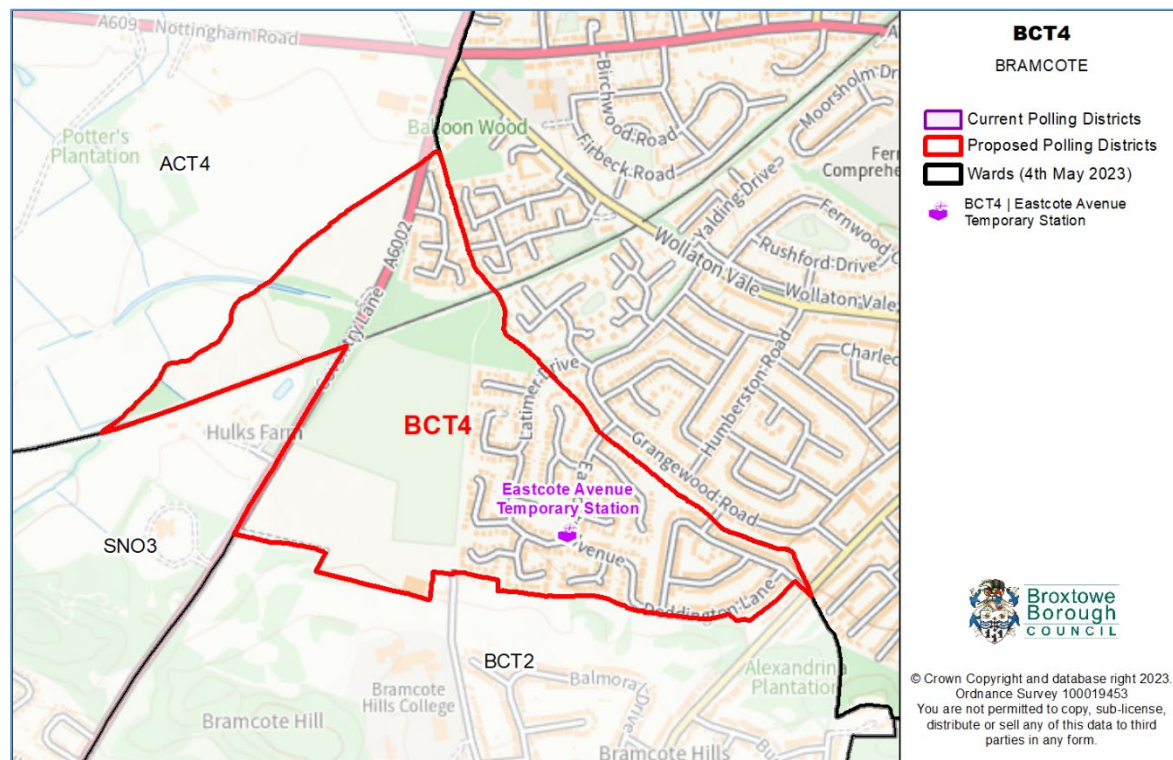
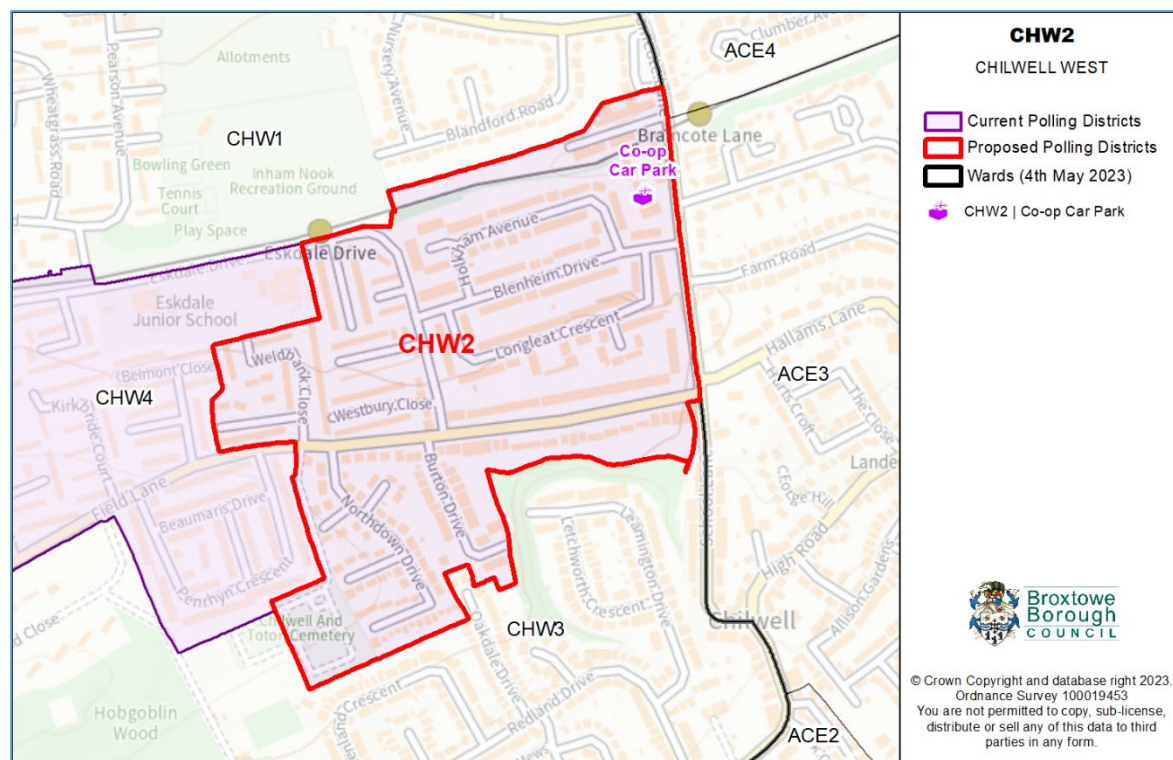
Beeston North – BEN1Beeston North – BEN2

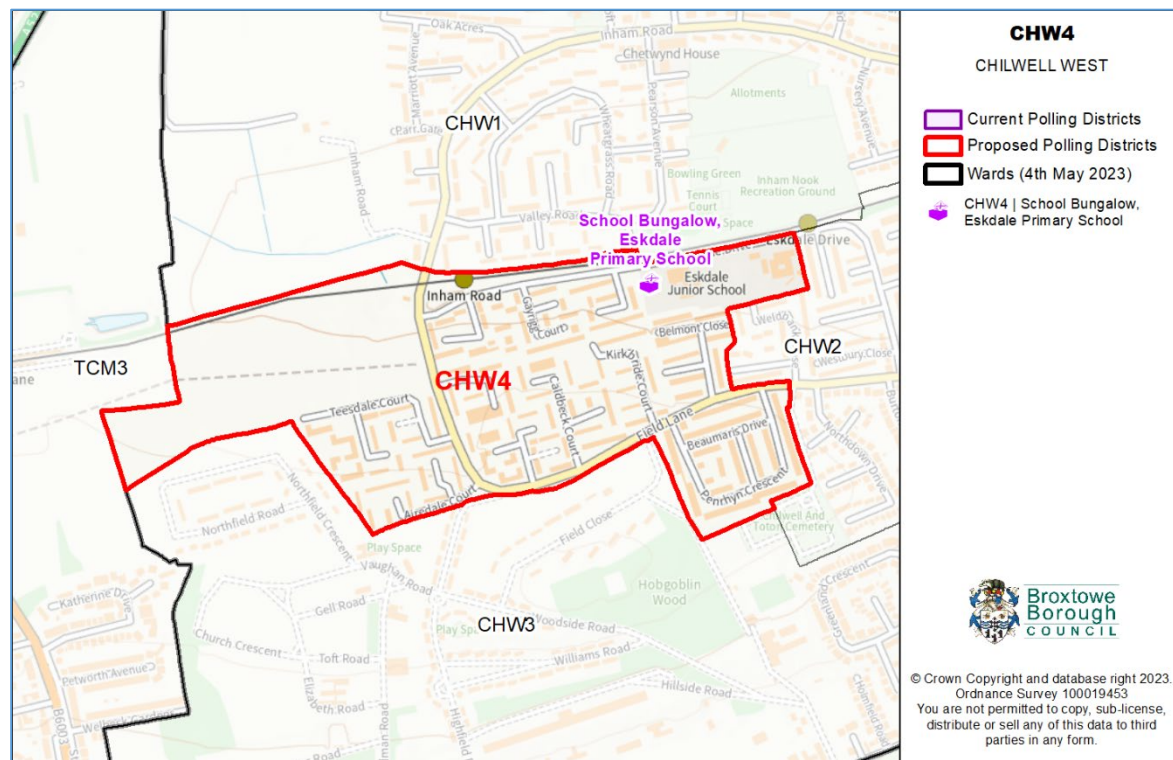
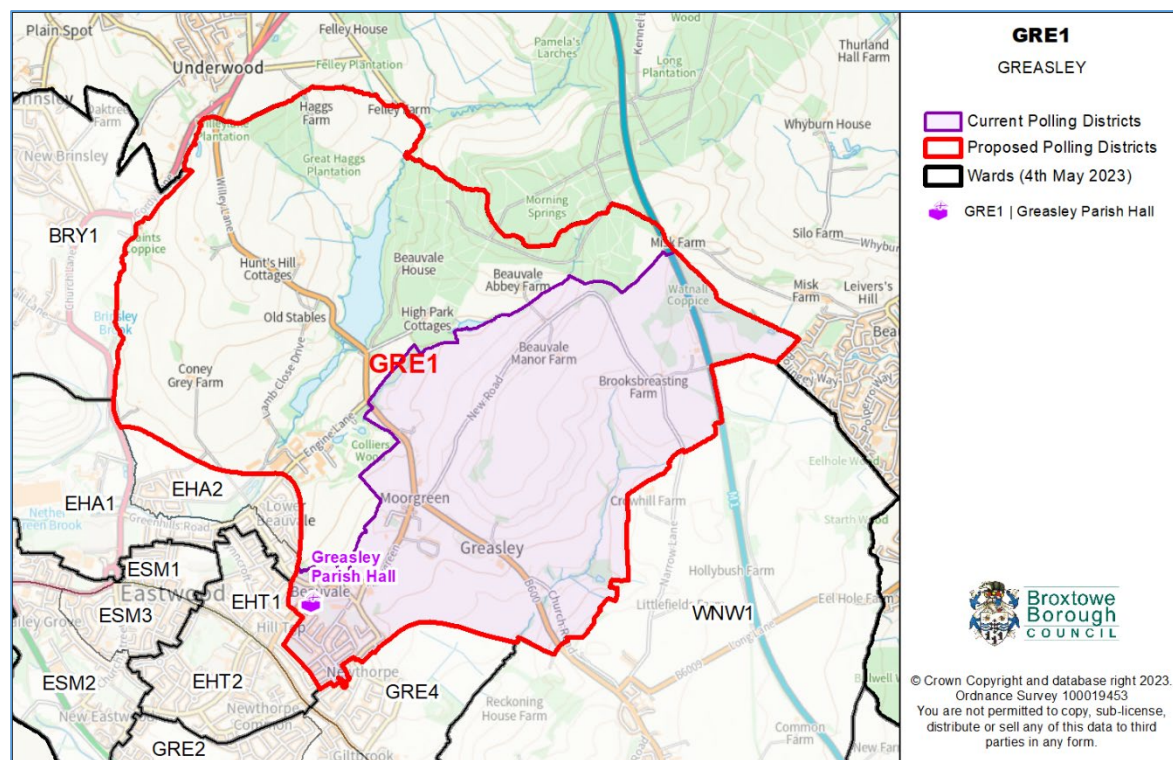
Beeston North – BEN3Beeston Rylands – BER2



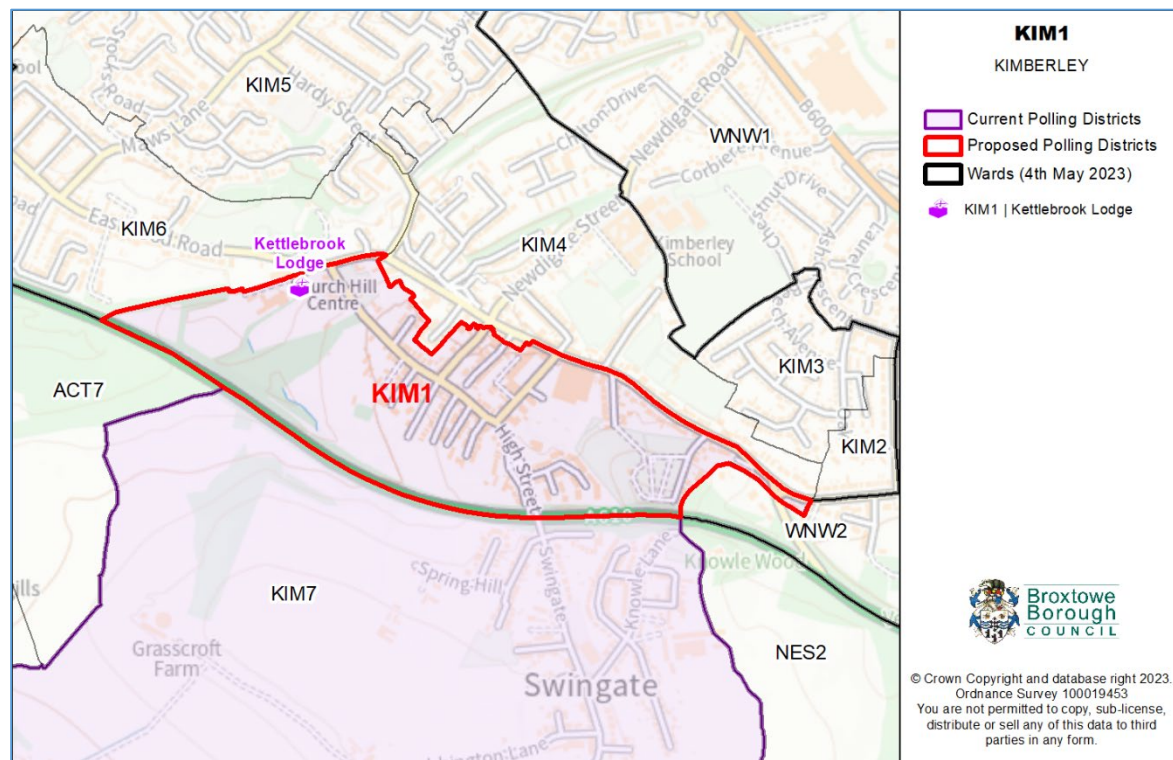
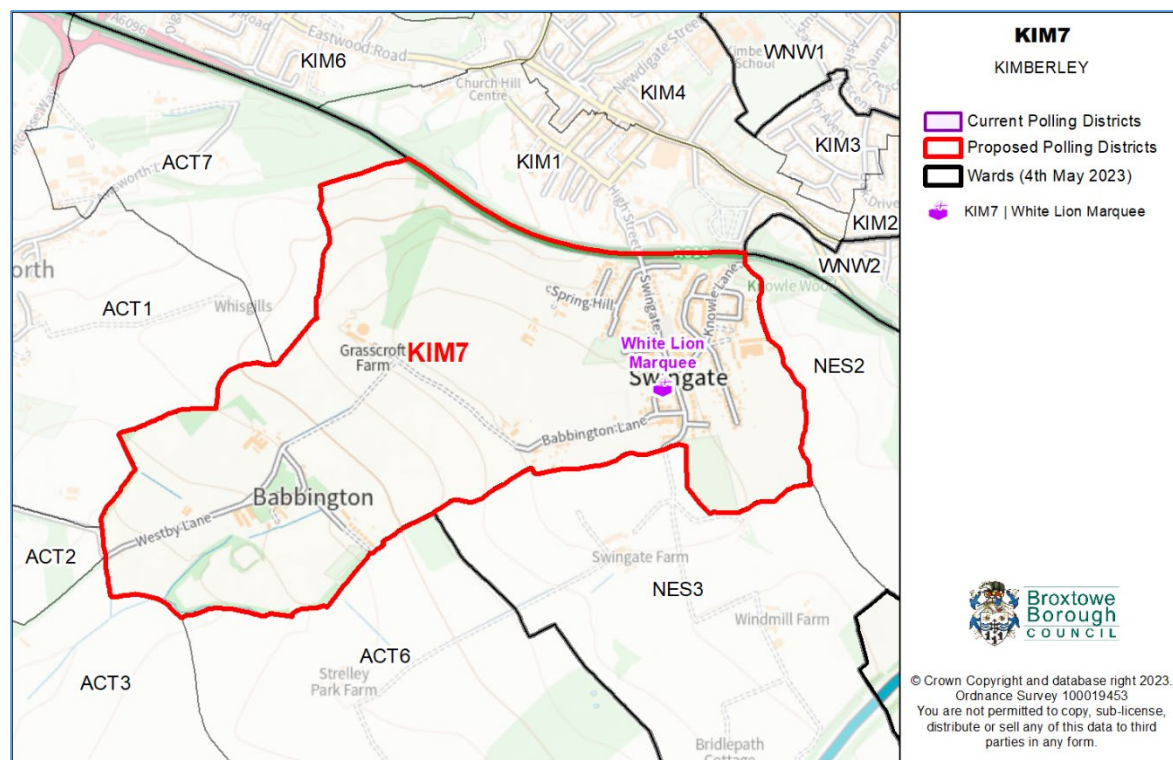
Beeston Rylands – BER4Bramcote – BCT2



Bramcote - BCT4Chilwell West – CHW2

Chilwell West – CHW4Greasley – GRE1



Kimberley – KIM1Kimberley – KIM7

## APPENDIX 3

Recommended Changes to Polling Places

Ward/Polling District/Current Polling Station Electorate	Current Polling Place	Proposed Polling Place	Comments
<b>Attenborough and Chilwell East ACE4</b> 1,096	Masonic Hall, High Road, Chilwell	Grove Court, Central Avenue, Chilwell	Grove Court was the designated polling place for ACE4 for many years with no issue other but the room used for voting was too small so it was moved to the Masonic Hall. A larger room, the communal lounge, is now available. Grove Court is within the polling district and therefore more easily accessed by ACE4 electors.
<b>Awsworth, Cossall and Trowell ACT2</b> 288	Trinity Farm Shop, Awsworth Lane, Cossall	Awsworth Village Hall, 60 The Lane, Awsworth	Facilities for electors with disabilities are not ideal at the Trinity Farm Shop and a portable ramp has to be provided for access to the polling station. The polling place only serves 288 polling station electors and is just 0.3 miles from Awsworth Village Hall which has better facilities and is superior in terms of accessibility.

Ward/Polling District/Current Polling Station Electorate	Current Polling Place	Proposed Polling Place	Comments
<b>Awsworth, Cossall and Trowell</b> ACT6 9	Cossall Community Hall, Old School Room, Church Lane, Cossall	<u>Parliamentary Elections</u> Strelley Hall, Main Street, Strelley <u>Local Elections</u> Cossall Community Hall	Following the Community Governance Review in 2022 and the Parliamentary Boundary Review the ward boundary is no longer coterminous with the parliamentary boundary, therefore there is a need to create an extra polling district. Electors in ACT6 will be voting in the Nottingham North and Kimberley constituency for parliamentary elections.
<b>Awsworth, Cossall and Trowell</b> ACT7 6	Awsworth Village Hall, 60 The Lane, Awsworth	<u>Parliamentary Elections</u> Kettlebrook Lodge, Eastwood Road, Kimberley <u>Local Elections</u> Awsworth Village Hall	Following the Community Governance Review in 2022 and the Parliamentary Boundary Review the ward boundary is no longer coterminous with the parliamentary boundary, therefore there is a need to create an extra polling district. Electors in ACT7 will be voting in the Nottingham North and Kimberley constituency for parliamentary elections.
<b>Beeston Rylands</b> BER4 785	Trent Vale Pavilion, Trent Road, Beeston	The Plessey Centre, Marconi Drive, Beeston	The Plessey Centre is a newly built community facility with good disabled access. It is within easy walking distance of properties within the new polling district.

Ward/Polling District/Current Polling Station Electorate	Current Polling Place	Proposed Polling Place	Comments
<b>Bramcote</b> BCT2 1,021	Creo, Seven Oaks Crescent, Bramcote	SW Hair, Seven Oaks Crescent, Bramcote	The previous polling place has now been converted to housing. SW Hair was successfully used as a polling place for elections in 2023. It is centrally located within the polling district.
<b>Bramcote</b> BCT4 797	Creo, Seven Oaks Crescent, Bramcote	Eastcote Avenue Temporary Station, Eastcote Avenue, Bramcote	The previous polling place has now been converted to housing. A temporary polling station was successfully situated on Eastcote Avenue for elections in 2023. Temporary stations are not ideal as they may not be accessible to elderly voters or voters with disabilities without ramps which, in wet weather, can become slippery and make access difficult. However, Eastcote Avenue is centrally located within the polling district and easily accessed by electors especially those on foot.
<b>Kimberley</b> KIM2/3/4 1,030	Kimberley Parish Hall, Newdigate Street, Kimberley	Kimberley Parish Hall, Newdigate Street, Kimberley – temporarily use Rumbletums, Newdigate Street for elections in 2024	Kimberley Parish Hall is due to be rebuilt during 2024, so will not be available as a polling place. Whilst it is intended to return to the Parish Hall following the building work a temporary replacement is needed. Rumbletums is close to the Parish Hall, accessible to those with disabilities and uses the same parking provision.

Ward/Polling District/Current Polling Station Electorate	Current Polling Place	Proposed Polling Place	Comments
<b>Kimberley</b> KIM6 835	Holy Trinity Church Hall, Church Hill, Kimberley	Kettlebrook Lodge, Eastwood Road, Kimberley	There are some concerns about the access to Holy Trinity Church Hall from the car park. Whilst there is a ramp, the path to access this is quite narrow. Kettlebrook Lodge has a number of rooms and could be used as polling place for KIM1, KIM5 and KIM6. This would also help with the voter confusion experienced at elections in 2023 due to the close proximity of the two polling places - Kettlebrook Lodge and Holy Trinity.
<b>Kimberley</b> KIM7 700	Kettlebrook Lodge, Eastwood Road, Kimberley	White Lion Marquee, 74 Swingate, Kimberley	Complaints were received from electors in 2023 regarding the distance to the polling place at Kettlebrook Lodge. Kimberley Primary School was approached but were unable to accommodate a polling station. The White Lion has a permanent marquee to the rear of the pub which can be accessed via the car park. The marquee has electricity and can be made more easily accessible by ensuring a temporary ramp is provided. Temporary heating could be installed for cooler weather. The White Lion is closer and therefore more easily accessed by electors within that polling district than the previous location.

Ward/Polling District/Current Polling Station Electorate	Current Polling Place	Proposed Polling Place	Comments
<b>Nuthall East and Strelley</b> NES2 1,300	Hickory's Smokehouse, Mornington Crescent, Nuthall	Temporary Station, Hickory's Smokehouse Car Park, Mornington Crescent, Nuthall	<p>The area inside Hickory's was not big enough for a busy polling station and some electors may have been put off attending due to needing to go inside the pub. Mornington Primary School were approached but were unable to provide space for a polling place. Temporary stations are not ideal as they may not be accessible to elderly voters or voters with disabilities without ramps which, in wet weather, can become slippery and make access difficult. However, the car park location is within the polling district and can be accessed easily by electors. The situation will be monitored and a change recommended should an alternative venue be identified in the future.</p>



## Report of the Monitoring Officer

### REPORT OF THE MONITORING OFFICER

#### 1. Purpose of Report

The Housing Ombudsman has made a finding of maladministration in respect of the Council failing to notify a complainant that their utility meters were locked behind a suited lock.

#### 2. Recommendation

**The Committee is asked to NOTE the report.**

#### 3. Detail

In summary, the complainant contacted the Council regarding be unable to access their utility meters as they were locked behind a door to prevent vandalism. The utility meters were locked with a lock suited to the communal doors. The complainant had access to the utility meters at the start of their tenancy.

The complainant stated that they were being overcharged for their utilities and required access so that their energy provide could investigate the matter.

The request was passed to the Housing Repairs Team to deal with initially as a request for service and to confirm how to open the door. However, the Housing Repairs Team did not make contact with the complainant for several months.

During stage 2 of the complaint process, it was found that the Housing Repairs Team had delayed confirming the suited lock and an apology was provided.

The Housing Ombudsman determined that the Council had delayed the confirmation of the suited lock with the complainant. The Council's delays in responding to the resident's concerns were unreasonable. These delays caused the resident to expend unnecessary time and trouble to access their meters.

The Housing Ombudsman requested that the complainant be issued with £350 compensation for the issues identified above. All actions requested by the Housing Ombudsman have been completed and they have now closed the case.

It should be noted that the complainant was attempting to escalate three complaints to stage 2. The complainant's e-mails were unclear and they were asked to clarify specifically which complaints they required escalating. To assist with this complaint, a meeting was undertaken with the complainant to determine the nature of the complaint.

Furthermore, the complainant was notified that the complaint could not meet its initial deadline within the timeframes specified by the Council's Complaint Procedure and a new date was provided.

The Housing Ombudsman were provided with this information but did not recognise it during their complaint investigation. Therefore, they have recorded a fault that the Council delayed the stage 2 complaint.

The full report is attached as an appendix.

4. Financial Implications

The comments of the Head of Finance Services were as follows:

The cost of this compensation was charged to the service budget.

5. Legal Implications

The comments of the Head of Legal Services were as follows:

There are no direct legal implications arising from this report.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

N/A

7. Union Comments

The Union comments were as follows:

N/A

8. Climate Change Implications

The comments from the Waste and Climate Change Manager were as follows:

N/A

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL (SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

N/A

11. Background Papers

Nil.

# Housing

## Ombudsman Service

# REPORT

*COMPLAINT 202209993*

*Broxtowe Borough Council*

*14 September 2023*

## **Our approach**

The Housing Ombudsman's approach to investigating and determining complaints is to decide what is fair in all the circumstances of the case. This is set out in the Housing Act 1996 and the Housing Ombudsman Scheme (the Scheme). The Ombudsman considers the evidence and looks to see if there has been any 'maladministration', for example whether the landlord has failed to keep to the law, followed proper procedure, followed good practice or behaved in a reasonable and competent manner.

Both the resident and the landlord have submitted information to the Ombudsman and this has been carefully considered. Their accounts of what has happened are summarised below. This report is not an exhaustive description of all the events that have occurred in relation to this case, but an outline of the key issues as a background to the investigation's findings.

## **The complaint**

1. The complaint is about the landlord's handling of the resident's reports that it had blocked the resident's access to her electricity meter.
2. The Ombudsman has also considered the landlord's record keeping, and;
3. Complaint handling.

## **Background**

4. The resident lives in a flat. The flat's electricity meter is located in a communal area alongside the meters belonging to at least two other properties.
5. The resident contacted the landlord on 31 March 2022 explaining that she and her neighbours could not access their electricity meters, because they had been rehoused in a locked box. There were also new fire doors present which were further preventing access. The resident requested a key. The landlord raised this as a service request on 1 April 2022.
6. On 26 August 2022, the resident raised a formal complaint with the landlord. On 26 September 2022, the resident sent a chaser to the landlord, explaining that she had a faulty meter which was inflating her electricity bills; this could not be rectified until her utility provider could access the meter to attend repairs. On 19 October 2022, the resident requested to escalate her complaint, because the complaint remained unacknowledged and had yet to be responded to. She added that her energy company had attended on three occasions to replace the faulty meter, but had been unable to gain access.

7. On 2 November 2022, the landlord attended and showed the resident how to access the meters using her 'communal area key'. The landlord issued its stage one response on 8 November 2022. The response confirmed the instructions given to the resident about how to access the meter. It considered the matter resolved, but apologised for the time it had taken to respond.
8. On 1 December 2022, the resident escalated the complaint. The landlord provided its stage two response on 19 January 2023. It stated that:
  - a. The meters were locked away to prevent vandalism and had always been accessible with a 'communal areas key', which the resident had been provided with at the start of her tenancy. It apologised if that had not been explained to the resident.
  - b. It was sorry for the delays the resident had experienced in responding to her concerns.
  - c. It was not responsible for the costs the resident had reported.

## **Assessment and findings**

*The landlord's handling of the resident's reports that it had blocked the resident's access to her electricity meter*

9. Although the evidence is unclear, it appears that the landlord had made the decision to rehouse the meters in a secure lockbox, situated behind a new set of fire doors, at some point in 2021. The resident wrote to the landlord on 31 March 2022 requesting access to the meters. She believed that the landlord had acted unlawfully by preventing access to the meters. Internal landlord emails show that this was raised as a service request on 1 April 2022. The resident chased the landlord on 26 August 2022, 26 September 2022 and 19 October 2022. Despite this, there is no evidence that the landlord responded until an operative attended to meet with the resident on 2 November 2022. The landlord confirmed this in its stage two response. It was at this point the resident was first given the instructions necessary to access the meters.
10. In the landlord's stage two response, it stated that "maintenance and investigation of the electrical meter is the responsibility of your utility provider". However, section 13 of The Gas Safety (Installation and Use) Regulations 1998 states that "no person shall install a meter in a meter box provided with a lock, unless the consumer has been provided with a suitably labelled key to that lock." In this case, this service has seen no evidence that the landlord sought to inform the resident of this change in arrangements to the meter housing, or to "suitably label" her key. As a result of this failing, a service failure occurred. However, when combined with the landlord's unreasonable delays in rectifying the situation, it is the view of this service that there was

maladministration in the landlord's handling of the resident's reports that it had blocked the resident's access to her electricity meter.

11. The resident explained that her faulty meter had led to her incurring a cost of £33 per month, from May 2021, until the meter was able to be replaced at some point after 2 November 2022. Ultimately however, the landlord is correct that disputes surrounding faulty meters are not the landlord's responsibility. The utility provider would typically use The Office for Product Safety and Standards process to deal with instances where meter issues like this occur. This would involve independent meter testing, leading to a formal determination on the fault, the length of time the fault is likely to have occurred for, and the estimated cost to the resident which occurred as a result. The utility provider would then contact the resident to discuss rectifying the balance based on this formal determination. The Ombudsman is therefore satisfied that despite maladministration by the landlord, the resident has access to avenues of recourse to reclaim this cost from the supplier.
12. The Ombudsman acknowledges however that the landlord's delays in responding to the resident's concerns were unreasonable. These delays caused the resident to expend unnecessary time and trouble to access her meters. The Ombudsman's Dispute Resolution Principles state that the landlord should seek to 'learn from outcomes' and 'put things right'. The landlord has provided evidence to this service that a number of improvements to the service have been made, which it believes would prevent a similar recurrence in future.
13. Although the landlord may have sought to "learn from outcomes", it has not accounted for the adverse effects experienced by the resident and 'put things right'. The Ombudsman's remedies guidance states that where there has been a failing which resulted in an adverse impact on the resident such as time and trouble, compensation of between £100-£600 is due. Therefore, orders are made below.

### *Record Keeping*

14. As part of this investigation, the Ombudsman requested the call logs between the landlord and the resident, which it failed to provide. As a result, the Ombudsman has been unable to accurately confirm the resident's timeline of events. For example, on 19 October 2022, the resident complained that she had "called reception since May 2021". However, the Ombudsman cannot confirm any contact to the landlord about this issue prior to 31 March 2022. The landlord has made reference to phone calls it conducted with the resident in various pieces of correspondence, but has been unable to evidence these. It is also believed these call logs may contain what was being treated as the resident's initial complaint on 26 August 2022, which this service has not

seen. The landlord has a duty to maintain and upkeep accurate records, which in this instance it has failed to fulfil.

15. Furthermore, the Ombudsman's Complaint Handling Code (the Code), by which the landlord is bound, states that a complaint is defined as "an expression of dissatisfaction, however made". Therefore, it is important that the landlord shows diligence in recording all phone calls made to it, in order that it can identify and respond to any complaints which may arise as a result. The landlord has since stated that "improvements have been made [...] including improving the use of our housing management system to record information accurately." In summary, there was a service failure in the landlord's record keeping. Orders are made below.

### *Complaint Handling*

16. It is the view of this service that the resident's email of 31 March 2022 contained within it a "clear expression of dissatisfaction". The landlord chose instead to raise this as a service request only. As a result, the landlord missed an opportunity to respond to the resident's concerns promptly and to monitor the progress of the associated service request, which ultimately was not completed until 2 November 2022.
17. The landlord's complaints policy states that it should acknowledge receipt of all complaints within 5 working days, and respond within 10. The resident complained formally on 26 August 2022. However, the landlord failed to respond until 8 November 2022, exceeding the prescribed timescale by a significant margin. The resident had also attempted to escalate the complaint prior to receiving the landlord's stage one response, and reminded the landlord she wished to do this on 1 December 2022. The policy states that for stage two complaints, the response should be issued within 20 working days. However again, the landlord exceeded this timescale by not providing a response until 19 January 2023.
18. The landlord told this service on 27 June 2023 that it "acknowledges that resident did not receive an appropriate service when she reported this issue. A new [senior] post has been created to address concerns and complaints promptly. We are confident that if the resident raised similar concerns now, this matter would be dealt with differently and a solution would be provided in a timely manner." However, the landlord at this stage still had the opportunity to conduct a review of the complaint handling which had occurred. If it had done this, it may have acknowledged that although a failing had occurred, it had failed to assess the adverse impact on the resident and take steps to 'put things right', in line with the Ombudsman's Dispute Resolution Principles.

19. As a result, there was maladministration in the landlord's complaint handling. Orders are made below to 'put things right'.

### **Determination**

20. In accordance with paragraph 52 of the Housing Ombudsman Scheme, there was maladministration in the landlord's handling of the resident's reports that it had blocked access to her electricity meter.
21. In accordance with paragraph 52 of the Housing Ombudsman Scheme, there was a service failure in the landlord's record keeping.
22. In accordance with paragraph 52 of the Housing Ombudsman Scheme, there was maladministration in the landlord's complaint handling.

### **Orders**

23. To pay to the resident, within four weeks of the date of this determination, £350 compensation, made up of:
- a. £250 for the time and trouble the resident went to;
  - b. £100 for the failings in complaint handling;



## Report of the Deputy Chief Executive

### **REVIEW OF STRATEGIC RISK REGISTER**

#### 1. Purpose of report

To approve the amendments to the Strategic Risk Register and the action plans identified to mitigate risks.

#### 2. Recommendation

**The Committee is asked to RESOLVE that the amendments to the Strategic Risk Register and the actions to mitigate risks as set out be approved.**

#### 3. Detail

In accordance with the corporate Risk Management Strategy, the Strategic Risk Management Group met on 17 October 2023 to review the Strategic Risk Register. General Management Team (GMT) has since considered the proposals made by the Group. The objectives of the review were to:

- Identify the extent to which risks included in the register are still relevant
- Identify any new strategic risks to be included in the register
- Review action plans to mitigate risks.

A summary of the risk management process is included in appendix 1. The Risk Management Strategy includes a '5x5' risk map matrix to assess both the threats and opportunities for each strategic risk in terms of both the likelihood and impact. The risk map is included to assist the understanding of the inherent and residual risk scores allocated to each strategic risk. These scores will be considered further and amended as necessary in due course.

Details of the proposed amendments to the Strategic Risk Register and actions resulting from the process are attached in appendix 2. The full Strategic Risk Register incorporating the proposed amendments is available on the intranet. An extract from the register of the entries relating to the highest rated 'red' risks are included in appendix 3 for Members consideration.

Further reviews of the Strategic Risk Register will be reported to future meetings of this Committee.

#### 4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no direct financial implications that arise from this report. Any future additional budgetary requirements will be considered separately by Cabinet.

5. Legal Implications

The comments from the Head of Legal Services and Deputy Monitoring Officer were as follows:

The Strategic Risk Register is the main mechanism used by the Council to identify, assess and monitor key risks. Whilst there are no direct legal implications arising from this report, it is important to assess whether the risks identified are being effectively mitigated and managed.

6. Human Resources Implications

There were no comments from the Human Resources Manager.

7. Union Comments

There were no Union comments in relation to this report.

8. Data Protection Compliance Implications

There are no Data Protection issues in relation to this report.

9. Climate Change Implications

Climate Change is considered in this report as a strategic risk.

10. Equality Impact Assessment

As there is no change to policy an equality impact assessment is not required.

11. Background Papers

Nil

**APPENDIX 1****REVIEW OF STRATEGIC RISK REGISTER****Introduction**

The Risk Management Strategy, as revised in December 2018, aims to improve the effectiveness of risk management across the Council. Effective risk management will help to ensure that the Council maximises its opportunities and minimises the impact of the risks it faces, thereby improving its ability to deliver priorities, improve outcomes for residents and mitigating legal action and financial claims against the Council and subsequent damage to its reputation.

The Strategy provides a comprehensive framework and process designed to support both Members and Officers in ensuring that the Council is able to discharge its risk management responsibilities fully. The Strategy outlines the objectives and benefits of managing risk, describes the responsibilities for risk management, and provides an overview of the process that the Council has in place to manage risk successfully. The risk management process outlined within the Strategy should be used to identify and manage all risks to the Council's ability to deliver its priorities. This covers both strategic priorities, operational activities and the delivery of projects or programmes.

The Council defines risk as “the chance of something happening that may have an impact on objectives”. A risk is an event or occurrence that would prevent, obstruct or delay the Council from achieving its objectives or failing to capture business opportunities when pursuing its objectives.

**Risk Management**

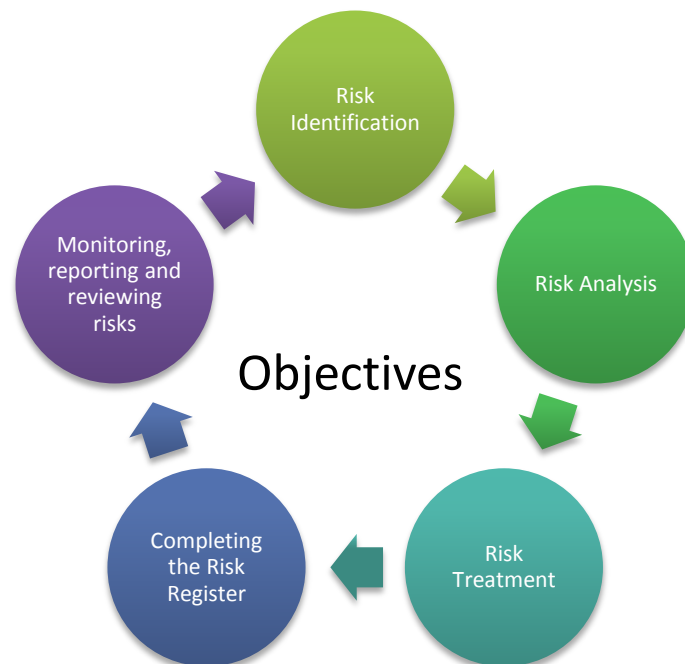
Risk management involves adopting a planned and systematic approach to the identification, evaluation and control of those risks which can threaten the objectives, assets, or financial wellbeing of the Council. It is a means of minimising the costs and disruption to the Council caused by undesired events.

Risk management covers the whole range of risks and not just those associated with finance, health and safety and insurance. It can also include risks as diverse as those associated with reputation, environment, technology and breach of confidentiality amongst others. The benefits of successful risk management include:

- Improved service delivery with fewer disruptions, efficient processes and improved controls
- Improved financial performance and value for money with increased achievement of objectives, fewer losses, reduced impact and frequency of critical risks
- Improved corporate governance and compliance systems with fewer legal challenges, robust corporate governance and fewer regulatory visits
- Improved insurance management with lower frequency and value of claims, lower impact of uninsured losses and reduced premiums.

## Risk Management Process

The Council's risk management process has five key steps as outlined below.



Process Step	Description
<b>Risk Identification</b>	Identification of risks which could significantly impact the Council's aims and objectives – both strategic and operational.
<b>Risk Analysis</b>	Requires consideration to the identified risks potential consequences and likelihood of occurring. Risks should be scored against the Council's risk matrix
<b>Risk Treatment</b>	Treat; Tolerate; Transfer; Terminate – Identify which solution is best to manage the risk (may be one or a combination of a number of treatments)
<b>Completing the Risk Register</b>	Document the previous steps within the appropriate risk register. Tool for facilitating risk management discussions. Standard template to be utilised to ensure consistent reporting.
<b>Monitoring, reporting and reviewing the risks</b>	Review risks against agreed reporting structure to ensure they remain current and on target with what is expected or manageable.

**Risk Matrix**

		Risk – Threats				
Likelihood	Almost Certain – 5	5	10	15	20	25
	Likely – 4	4	8	12	16	20
	Possible – 3	3	6	9	12	15
	Unlikely – 2	2	4	6	8	10
	Rare – 1	1	2	3	4	5
		Insignificant – 1	Minor – 2	Moderate – 3	Major – 4	Catastrophic – 5
		Impact				



Risk Rating	Value	Action
Red Risk	25	Immediate action to prevent serious threat to provision and/or achievement of key services or duties
	15 to 20	Key risks which may potentially affect the provision of key services or duties
Amber Risk	12	Important risks which may potentially affect the provision of key services or duties
	8 to 10	Monitor as necessary being less important but still could have a serious effect on the provision of key services
	5 to 6	Monitor as necessary to ensure risk is properly managed
Green Risk	1 – 4	No strategic action necessary




## APPENDIX 2




**Strategic Risk Register – Summary of Proposed Changes**

Inherent Risk – Gross risk **before** controls and mitigation






Residual Risk – Risk remaining **after** application of controls and mitigating measures






Risk	Inherent Risk	Residual Risk	Changes
<p>1. Failure to maintain effective corporate performance management and implement change management processes</p> <p><i>The position with regards to this risk is <b>unchanged</b>.</i></p>	20	<p><b>4</b></p>  <p><b>Green</b></p>	<p>A new action was added linked to the PRINCE2 project management framework to review and re-launch the 'Project Centre' on the Intranet.</p>
<p>2. Failure to obtain adequate resources to achieve service objectives</p> <p><i>The position with regards to this risk is <b>unchanged</b>.</i></p>	20	<p><b>16</b></p>  <p><b>Red</b></p>	<p>The ongoing 'cost of living crisis' and high inflation which is keeping this risk as one of the highest rated red risks.</p> <p>An updated Medium Term Financial Strategy and Business Strategy has been considered at Policy Overview Working Group and recommended onto Cabinet for approval on 7 November 2023.</p> <p>A new action was added to assess the impact of the Government's food waste policies and the potential receipt of New Burdens Funding to meet the anticipated additional capital and revenue costs associated with its delivery.</p> <p>The action to be alert to potential funding opportunities for town centre re-generation initiatives was extended to also refer to other capital investment schemes.</p> <p>The action to identify potential budget saving opportunities was extended to also include maximising income generating opportunities.</p>






Risk	Inherent Risk	Residual Risk	Changes
<p>3. Failure to deliver the Housing Revenue Account (HRA) Business Plan</p> <p><i>Although the residual risk score does not need to change, it was considered that the position with regards to this risk had <b>worsened</b>.</i></p>	25	<p>12</p>  <p>Amber</p>	<p>High inflation and the 'cost of living crisis' continues to have an impact upon the HRA service provision and financial position.</p> <p>Uncertainty with the Government's rent setting policy in a high inflation environment is impacting on key budgetary decisions in planning for reasonable and sustainable rent increases. It was noted that 2024/25 is the final year of the current Government rent setting policy, with future plans not yet being known adding to the uncertainty and risk.</p> <p>The action to complete the review of the HRA 30-Year Business Plan, in conjunction with external consultants, with the outcome to be reported to Cabinet was updated to refer to the meeting on 5 December 2023.</p>
<p>3a. Failure to deliver a Housing Repairs and Compliance Service which meets Right to Repair and Compliance legislation</p> <p><i>Although the residual risk score does not need to change, it was considered that the position with regards to this risk had <b>worsened</b>.</i></p>	20	<p>12</p>  <p>Amber</p>	<p>The Council has seen an increase in Housing Disrepair claims. This is being linked to two companies 'claims farming' in Eastwood and Stapleford. GMT has approved additional resources to support and respond to all cases within deadlines. A new action was added to monitor the position regarding Housing Disrepair claims and to respond efficiently and effectively to claims being received.</p> <p>A new action was added for Internal Audit to complete an audit of Housing Repairs and Compliance and for managers to respond accordingly to recommendations and agreed actions.</p>
<p>4. Failure of strategic leisure initiatives</p> <p><i>The position with regards to this risk is <b>unchanged</b>.</i></p>	25	<p>20</p>  <p>Red</p>	<p>A new action was added to consider and respond to the request from The Kimberley School regarding the financial viability of keeping the swimming pool open at Kimberley Leisure Centre. A report has been prepared for consideration by Cabinet on 7 November 2023.</p>



Risk	Inherent Risk	Residual Risk	Changes
<p>5. Failure of Liberty Leisure (LLL) trading company</p> <p><i>Although the residual risk score does not need to change, it was considered that the position with regards to this risk had <b>worsened</b>.</i></p>	25	<p><b>12</b></p> <p> <b>Amber</b></p>	<p>As above, a new action was added to consider and respond to the request from The Kimberley School regarding the financial viability of keeping the swimming pool open at Kimberley Leisure Centre.</p> <p>Another new action was added for officers to work with Liberty Leisure Limited on identifying suitable cost effective and deliverable energy efficiency measures at Bramcote Leisure Centre.</p>
<p>6. Failure to complete the re-development of Beeston town centre</p> <p><i>Although the residual risk score does not need to change, it was considered that the position with regards to this risk had <b>worsened</b>.</i></p>	25	<p><b>8</b></p> <p> <b>Amber</b></p>	<p>This strategic risk has changed considerably since its first inclusion in the risk register. It was agreed to re-name this risk as “Failure to effectively manage the Beeston town centre development (The Square)”.</p> <p>The action to action to identify suitable tenants and complete the letting of units in Phase 3 of the redevelopment (the ‘Argos block’) was updated to refer to the option of a potential sale to a suitable third party.</p>
<p>7. Not complying with legislation</p> <p><i>The position with regards to this risk is <b>unchanged</b>.</i></p>	25	<p><b>6</b></p> <p> <b>Amber</b></p>	<p>A new action was proposed to create a legal register for each service to provide the necessary assurance and to highlight any gaps where further action may be required.</p> <p>The action to ensure compliance with the Environment Act 2021 was extended to also refer to other waste related legislation and regulations.</p> <p>The action to regularly review the policy and guidance in respect of the Regulation of Investigatory Powers Act 2000 was deleted as this is now managed under ‘business as usual’.</p>



Risk	Inherent Risk	Residual Risk	Changes
<p>8. Failure of financial management and/or budgetary control and to implement agreed budget decisions</p> <p><i>The position with regards to this risk is <b>unchanged</b>.</i></p>	25	<p>4</p>  <p>Green</p>	<p>An updated Medium Term Financial Strategy and Business Strategy was considered at Policy Overview Working Group and recommended onto Cabinet for approval on 7 November 2023.</p> <p>The action to establish a Capital Working Group to consider the risks associated with the delivery of key strategic capital projects was completed. The Capital Working Group was added as a key control.</p>
<p>9. Failure to maximise collection of income due to the Council</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	20	<p>9</p>  <p>Amber</p>	<p>No significant changes were proposed to the key controls, risk indicators and action points for this strategic risk.</p> <p>In respect of the action to monitor the rate of void Housing premises and to actively identify suitable actions to relet and/or reuse these properties, it was noted that void rates and periods have improved considerably.</p>
<p>10. Failure of key ICT systems</p> <p><i>The position with regards to this risk is <b>unchanged</b>.</i></p>	25	<p>15</p>  <p>Red</p>	<p>No significant changes were proposed to the key controls, risk indicators and action points for this strategic risk.</p> <p>The action to review Business Continuity Plans is almost complete with work continuing to complete the last remaining plans.</p>
<p>11. Failure to implement Private Sector Housing Strategy in accordance with Government and Council expectations</p> <p><i>The position with regards to this risk is <b>unchanged</b>.</i></p>	20	<p>4</p>  <p>Green</p>	<p>A new action was added to effectively deal with complaints about private rented properties.</p> <p>There was some discussion as to whether this specific risk remains 'strategic' in nature or if this could now be considered as an operational compliance risk. If so, this strategic risk will be deleted.</p>
<p>12. Failure to engage with partners/community to implement the Broxtowe Borough Partnership Statement of Common Purpose</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	15	<p>4</p>  <p>Green</p>	<p>A key control was extended to refer to Community Action Teams and/or enhanced Member surgeries.</p>

Risk	Inherent Risk	Residual Risk	Changes
<p>13. Failure to contribute effectively to dealing with crime and disorder</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	15	<p><b>3</b></p>  <p><b>Green</b></p>	A new action was added to assess the impact on local resources following the implementation of the PCC's Nottinghamshire ASB Pilot due to start in January 2024.
<p>14. Failure to provide housing in accordance with the Local Development Framework</p> <p><i>Although the residual risk score does not need to change, it was considered that the position with regards to this risk had <b>worsened</b>.</i></p>	20	<p><b>12</b></p>  <p><b>Amber</b></p>	<p>With the cancellation of the eastern leg of HS2 there is added risk to the action to support committees and other interested parties in considering the strategic location for growth at Toton and the surrounding area.</p> <p>There is also risk and potential opportunities with regards to the establishment of the proposed East Midlands Combined Authority.</p> <p>At this stage, no significant changes were proposed at this stage to the key controls, risk indicators and action points for this strategic risk.</p>
<p>15. Natural disaster or deliberate act, which affects major part of the Authority</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	15	<p><b>12</b></p>  <p><b>Amber</b></p>	The action to review the Flu Pandemic Plan, to include 'living with Covid' has been completed and is now managed as 'business as usual' activity.
<p>16. Failure to mitigate the impact of the Government's welfare reform agenda</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	20	<p><b>4</b></p>  <p><b>Green</b></p>	<p>No significant changes were proposed to the key controls, risk indicators and action points for this strategic risk.</p> <p>The context of this risk has changed significantly since its first inclusion on the risk register and many of the current actions are now managed under 'business as usual' activity. It may be appropriate to consolidate this with Risk 9 'failure to maximise collection of income due'.</p>
<p>17. Failure to maximise opportunities and to recognise the risks in shared services arrangements</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	20	<p><b>9</b></p>  <p><b>Amber</b></p>	No significant changes were proposed to the key controls, risk indicators and action points for this strategic risk.

Risk	Inherent Risk	Residual Risk	Changes
<p>18. Corporate and/or political leadership adversely impacting upon service delivery</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	20	<p><b>8</b></p>  <p><b>Amber</b></p>	<p>The action for regular contact to be maintained between leaders of political groups and the Chief Executive was moved to a key control.</p> <p>The regular meetings of Portfolio Holders with the respective senior managers was also added as a key control.</p>
<p>19. High levels of sickness</p> <p><i>Although the residual risk score does not need to change, it was considered that the position with regards to this risk had <b>improved</b>.</i></p>	16	<p><b>6</b></p>  <p><b>Amber</b></p>	No significant changes were proposed to the key controls, risk indicators and action points for this strategic risk.
<p>20. Inability to recruit and retain staff with required skills and expertise to meet increasing demands and expectations.</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	20	<p><b>12</b></p>  <p><b>Amber</b></p>	No significant changes were proposed to the key controls, risk indicators and action points for this strategic risk.
<p>21. Failure to comply with duty as a service provider and employer to groups such as children, the elderly, vulnerable adults etc.</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	20	<p><b>6</b></p>  <p><b>Amber</b></p>	The Prevent Strategy was added as a key control.
<p>22. Unauthorised access of data</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	20	<p><b>6</b></p>  <p><b>Amber</b></p>	<p>The action to review the corporate and departmental Business Continuity Plans is almost complete. Work is continuing to complete the last remaining plans.</p> <p>The use of regular awareness communications through employee briefings was added as a key control.</p>

Risk	Inherent Risk	Residual Risk	Changes
<p>23. High volumes of employee or client fraud</p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	20	<p><b>9</b></p>  <p><b>Amber</b></p>	<p>The importance of management is a key part of the first and second lines of defence for the internal control framework. Managers can review processes to provide strategic oversight and challenge of the key controls within the system. Internal Audit, as the third line of defence, will continue to be active in identifying ways to mitigate potential fraud in the course of their planned and risk assessed assurance work.</p> <p>The Annual Counter Fraud Report of the Chief Audit and Control Officer was presented to the Governance, Audit and Standards Committee in September 2023.</p>
<p>24. <i>Failure to achieve commitment of being carbon neutral for the Council's own operations by 2027</i></p> <p><i>The position with regards to this risk is <b>unchanged</b></i></p>	20	<p><b>12</b></p>  <p><b>Amber</b></p>	<p>A report to appoint University of Nottingham consultants to inform the Council's approach towards meeting 2050 net-zero carbon emissions targets is being considered at Cabinet on 7 November 2023. If approved, the outcomes of this review would be added as an action in due course.</p>

## APPENDIX 3

**EXTRACT OF THE STRATEGIC RISK REGISTER – OCTOBER 2023 –  
ENTRIES RELATING TO HIGHEST RATED 'RED' RISKS****Risk 2 - Failure to obtain adequate resources to achieve service objectives**

<b>Risk Owner(s)</b>	<b>Inherent Risk</b>	<b>Residual Risk</b>
<b>Deputy Chief Executive Head of Finance Services</b>	<b>20</b>	<b>16</b>

**Key Controls**

- Medium Term Financial Strategy
- Business Strategy
- Economic Regeneration Strategy
- Commissioning and Procurement Strategy
- Capital Strategy
- Asset Management Strategy
- Energy Procurement Strategy
- Commercial Strategy
- Land Disposals Policy

**Risk Indicators**

- Formula grant
- Budget gap
- Fuel and energy prices
- Income levels
- Failed bids for external funding
- General economic indicators
- Interest rates

**Action Points**

1. Review service objectives in response to changing resources
2. Identify and assess external funding opportunities and ensure any accompanying targets are met
3. Investigate and develop opportunities for shared service working
4. Monitor the impact of the collection of business rates upon resources available to the Council
5. Seek the disposal of surplus assets to generate additional capital receipts
6. Be alert to potential funding opportunities for town centre re-generation initiatives and other capital investment schemes.
7. Identify potential budget savings and maximising income generating opportunities
8. Maximise income from Commercial Property and Industrial Units.

9. Assess the impact of the transfer of responsibility for land charges from local authorities to HM Land Registry.
10. Work collaboratively with Nottinghamshire local authorities to maximise the recovery of business rates income.
11. Assess the potential outcome of the Fair Funding Review, including proposals for greater localisation of business rates, upon the Council's finances.
12. Produce a new Commercial Strategy to replace the previous Commercial Strategy 2017-2020.
13. Respond as necessary to the outcome of the 'Town Deal' bid for Stapleford.
14. Develop Town Investment Plans for Eastwood and Kimberley.
15. Progress with the delivery of the successful Levelling Up Fund bid for Kimberley.
16. Seek full recovery of the agreed tram compensation claim against Nottingham City Council.
17. Monitor the impact of rising inflation and the cost of living crisis on the Council's service provision and its financial position.
18. Present an updated Medium Term Financial Strategy and Business Strategy to Cabinet in November 2023.
19. Consider opportunities to utilise any identified surplus office space.
20. Assess the impact of the government's food waste policies and the potential receipt of New Burdens Funding to meet the additional capital and revenues costs associated with its delivery.

**Risk 4 - Failure of strategic leisure initiatives**

Risk Owner(s)	Inherent Risk	Residual Risk
Deputy Chief Executive	25	20

**Key Controls**

- Leisure Facilities Strategy
- Leisure and Culture Service Specification
- Liberty Leisure Limited Business Plan
- External legal advice and support

**Risk Indicators**

- Results of consultation exercises
- Progress against business plans
- Progress against capital programme
- Events impacting upon joint use agreements
- Visitor numbers at leisure facilities
- Income at leisure facilities
- Financial viability of Liberty Leisure Limited

**Action Points**

1. Determine future strategy for investment in leisure facilities.
2. Review leisure opportunities arising from major developments.
3. Produce a programme to address the issues identified in the detailed property condition survey at Bramcote Leisure Centre.
4. Utilise external legal advice and support as required.
5. Work with Chilwell School to assess leisure facilities options at Chilwell Olympia Sports Centre and report back to Cabinet.
6. Forward plan any necessary capital repair works anticipated at Bramcote Leisure Centre and to submit, consider and profile the financial impact as part of the proposed capital programme.
7. Consider and respond to the latest request from The Kimberley School regarding the financial viability of keeping the swimming pool open at Kimberley Leisure Centre. A report has been prepared for consideration by Cabinet on 7 November 2023.

**Risk 10 - Failure of key ICT systems**

Risk Owner(s)	Inherent Risk	Residual Risk
<b>Executive Director Chief Information Officer</b>	<b>25</b>	<b>15</b>

**Key Controls**

- ICT Strategy
- Service agreements
- Systems mainly supplied by external supplier
- Back-up server offsite
- Security Policies
- System availability
- Server virtualisation
- Provision of emergency power supply
- Identification of failure at points of entry
- Shared service arrangements with other local authorities
- Geo-location blocking on the firewall
- Warning, Advice and Reporting Point (WARP) service
- Cyber Security Information Sharing Partnership (CISP)

**Risk Indicators**

- Viruses
- Computer downtime
- Overrun/failure of overnight processing
- Key financial reconciliation processes
- Customer complaints
- Backlog of works
- Appropriate staffing resources to support key systems
- Number of security incidents

**Action Points**

1. Monitor implementation of and regularly test the Business Continuity Plan for ICT Services
2. Pursue partnership working initiatives, where appropriate
3. Assess the impact of the National Cyber Security Standard.
4. Complete the relocation of the Backup Server from the Council Offices to Kimberley Depot by 31 December 2023.
5. Address the matters raised by the independent LGA specialist review of the Council's cyber-risk arrangements and key controls.
6. Review and refresh the corporate and departmental Business Continuity Plans.



## Report of the Chief Audit and Control Officer

### **INTERNAL AUDIT PROGRESS REPORT**

#### 1. Purpose of Report

To inform the Committee of the recent work completed by Internal Audit.

#### 2. Recommendation

**The Committee is asked to NOTE appendices 1, 2 and 3 (confidential) of the report.**

#### 3. Detail

Under the Council's Constitution and as part of the overall corporate governance arrangements, this Committee is responsible for monitoring the performance of Internal Audit. A summary of the reports issued and progress against the agreed Internal Audit Plan is included at appendix 1. A summary narrative of the work completed by Internal Audit since the previous report to this Committee is also included.

Internal Audit has also reviewed progress made by management in implementing agreed actions within six months of the completion of the respective audits. Details of this follow-up work are included at appendix 2. Where agreed actions to address significant internal control weaknesses have not been implemented this may have implications for the Council. A key role of the Committee is to review the outcome of audit work and oversee the prompt implementation of agreed actions to help ensure that risks are adequately managed.

The follow-up on agreed actions from a further audit, previously reported to this Committee as a confidential item, is included within the confidential appendix 3 to this report.

Further progress reports will be submitted to each future meeting of this Committee. A final report detailing the overall performance of Internal Audit for 2023/24 will be presented to this Committee in July 2024.

#### 4. Financial Implications

The comments from the Head of Finance Services were as follows:

The work of the Internal Audit section continues to provide crucial and independent assurance to management and Members over the key aspects of the Council's governance, risk management and internal control arrangements. The cost of Internal Audit is included within the established Finance Services budgets.

5. Legal Implications

The comments from the Head of Legal Services were as follows:

This report already sets out the legal framework for Internal Audit to provide a summary of Internal Audit work. It addresses the statutory obligations for local audit processes. The Local Government Act 1972 and subsequent legislation sets out a duty for the Council to make arrangements for the proper administration of its financial affairs. This report also complies with the requirements of the following:

- Local Government Act 1972
- Accounts and Audit Regulations 2015
- CIPFA/IIA: Public Sector Internal Audit Standards (PSIAS)
- CIPFA/IIA: Local Government Application Note for the UK PSIAS 33.

The provision of an Internal Audit service is integral to financial management at the Council and assists in the discharge of its duties.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not Applicable.

7. Union Comments

The comments from the Unions were as follows:

Not Applicable.

8. Climate Change Implications

The comments from the Interim Head of Environmental Services were as follows:

No comments to make regarding this report.

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL (SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

As there is no change to policy an Equality Impact Assessment is not required.

11. Background Papers

Nil.

## APPENDIX 1

## INTERNAL AUDIT REPORTS ISSUED SINCE APRIL 2023

The following table summarises the audit assignments and similar work completed by Internal Audit between the 1 April 2023 and the date of submission of this report. Reports shaded in grey are those previously presented to this Committee (included here for reference) while work completed since the last report to this Committee is presented in bold at the end of the table.

Audit Title	Report Issued	Assurance Opinion	Actions (High Priority)	Actions (Medium / Low Priority)
Key Financial Reconciliations	18/04/23	LIMITED	1	0
Council Tax	26/04/23	Substantial	0	0
Former Council House Repurchasing	26/04/23	Substantial	0	2
Right-to-Buy	26/04/23	Substantial	0	1
Financial Appraisal – STCRF Applicants	09/05/23	Advisory report only		
Housing Lettings	10/05/23	Substantial	0	0
Treasury Management	11/05/23	Substantial	0	0
Financial Appraisal – Prospective Tenant	16/05/23	Advisory report only		
Liberty Leisure Limited – Governance	23/05/23	Reasonable	0	2
Operational Risk Management (Depot)	23/05/23	Reasonable	0	3
Financial Appraisal – Prospective Tenant	25/05/23	Advisory report only		
Compliments and Complaints	30/06/23	Reasonable	0	1
Financial Appraisal – Consultancy	30/06/23	Advisory Report Only		
Benefits	11/07/23	Substantial	0	0
Financial Appraisal – Prospective Tenant	17/07/23	Advisory Report Only		
Financial Appraisal – Housing Adaptation	17/07/23	Advisory Report Only		
Section 106 Agreements	16/08/23	Reasonable	0	2
<b>Financial Appraisal – Energy Efficiency</b>	<b>17/08/23</b>	<b>Advisory Report Only</b>		
<b>Grant Return – Homelessness Prevention</b>	<b>18/08/23</b>	<b>Return Submitted – No issues noted</b>		
<b>Financial Appraisal – Design Services</b>	<b>08/09/23</b>	<b>Advisory Report Only</b>		
<b>Financial Appraisal – Retail Study</b>	<b>08/09/23</b>	<b>Advisory Report Only</b>		
<b>Financial Appraisal – Modernisations</b>	<b>08/09/23</b>	<b>Advisory Report Only</b>		
Human Resources	27/09/23	Substantial	0	2
NNDR (Business Rates)	02/10/23	Substantial	0	0
Legal Services	02/10/23	Substantial	0	2
Financial Appraisal – Printing Services	03/10/23	Advisory Report Only		
Financial Appraisal – Prospective Tenant	12/10/23	Advisory Report Only		
Financial Appraisal – Stapleford Pavilion	13/10/23	Advisory Report Only		
Financial Appraisal – Stapleford Pavilion	18/10/23	Advisory Report Only		
Corporate Communications	18/10/23	Reasonable	0	3

**REMAINING INTERNAL AUDIT PLAN 2023/24**

Audit Title	Progress
Payroll	In progress
Rents	In progress
Sundry Debtors	In progress
Housing Repairs – Compliance	In progress
Tenancy Management	In progress
Damp and Mould	Planning
Asset Management Strategy	Not yet commenced
Emergency Planning	Not yet commenced
Chilwell Olympia	Not yet commenced
Financial Resilience	Not yet commenced
Housing Delivery Plan	Not yet commenced
Kimberley ‘Levelling Up’	Not yet commenced
Leisure Management System	Not yet commenced
Local Elections	Not yet commenced
Procurement	Not yet commenced
Shared Prosperity Fund	Not yet commenced

Any significant issues identified in audits completed between the date of submission of this report and the date of this meeting of the Committee will be reported by way of a verbal update from the Chief Audit and Control Officer at this meeting.

**COMPLETED AUDITS**

A report is prepared for each audit assignment and issued to the relevant senior management at the conclusion of a review that will:

- include an overall opinion on the effectiveness of the policies, procedures and other systems of control implemented by management in mitigation of the specific identified key risks relating to the area under audit. This opinion is categorised as either ‘Substantial’, ‘Reasonable’, ‘Limited’ or ‘Little’ assurance;
- identify inadequately addressed risks and ineffective control processes;
- detail the actions agreed with management and the timescales for completing those actions; and
- identify issues of good practice.

Recommendations made by Internal Audit are prioritised, with the agreed actions being categorised accordingly as follows:

- High Priority – Action considered necessary to avoid unmitigated exposure to significant risks
- Medium Priority – Action considered necessary to avoid unmitigated exposure to other key risks

- Low Priority (Best Practice) – Action recommended in order to improve existing procedures and other systems of internal control

The following audit reports have been issued with key findings as follows:

1. **Financial Appraisals** **Advisory Reports Only**

Internal Audit is frequently requested to provide financial appraisals of companies, non-incorporated businesses and other organisations as part of the Council's 'due diligence' processes prior to the commencement of any commercial or similar relationship with the organisation in question.

For each appraisal, Internal Audit provides a confidential report which summarises the results of a review of information provided by the organisation, information provided by third-party organisations (such as credit-referencing agencies and the National Anti-Fraud Network) and any other publicly available information.

2. **Grant Return – Homelessness Prevention** **Return Submitted**

Internal Audit was requested by the Housing Operations Manager to review and submit a return to the Department for Levelling Up, Housing and Communities. The purpose of the return was to confirm that the grants awarded to the Council for the prevention of homelessness and rough sleeping during 2022/23 had been spent in accordance with the conditions of the grant. A confirmation of the total amount of grant monies spent was also required.

No issues were noted as part of this review and the return was submitted to Government accordingly.

3. **Human Resources** **Assurance Opinion – Substantial**

The primary purpose of the audit was to provide assurance over the effectiveness of the policies, procedures and other systems of control implemented by management in mitigation of the following specific identified key risks:

- Apprenticeships may not be managed in an appropriate and effective manner.
- Processes for employees leaving the Council may not be managed in an appropriate and effective manner.

Internal Audit was pleased to report that no significant issues were identified in the course of this review. Two recommendations relating to the improvement of performance reporting (medium priority) and the confirmation process for new apprentices (best practice) were proposed by Internal Audit and agreed with management.

**4. NNDR (Business Rates) Assurance Opinion – Substantial**

The primary purpose of the audit was to provide assurance over the effectiveness of the policies, procedures and other systems of control implemented by management in mitigation of the following specific identified key risks:

- NNDR may not be correctly calculated and billed.
- Billed amounts may not be efficiently collected and accounted for correctly.
- Refunds and write-offs may not be valid and/or may not be authorised.
- Arrangements for detecting fraud may not be robust.

Internal Audit was pleased to report that no significant issues were identified in the course of this review. Accordingly, no specific recommendations to address deficiencies in internal control were made.

**5. Legal Services Assurance Opinion – Substantial**

The primary purpose of the audit was to provide assurance over the effectiveness of the policies, procedures and other systems of control implemented by management in mitigation of the following specific identified key risks:

- Actions taken or advice given in relation to matters referred to Legal Services may be inconsistent with established Council Policy.
- Adequate Performance Monitoring and Reporting Mechanisms may not be in place.
- Officers within Legal Services may not hold sufficient expertise, experience and/or qualifications to act or advise on matters within their remit.

Internal Audit was pleased to report that no significant issues were identified in the course of this review. Two recommendations relating to the documentation of urgent referrals and a review of intranet content (both 'best practice') were proposed by Internal Audit and agreed with management.

**6. Corporate Communications Assurance Opinion – Reasonable**

The primary purpose of the audit was to provide assurance over the effectiveness of the policies, procedures and other systems of control implemented by management in mitigation of the following specific identified key risks:

- An appropriate policy and/or strategy document may not be in place.

- An appropriate system of submission, review and approval for internal and external communications (with specific reference to data protection, consistency, clarity and 'on brand' content) may not be in place.
- The Council's approach to social media, including how the Council responds to incoming and/or publicly visible messages, comments and potential complaints, may not be appropriate.
- Appropriate crisis management plans may not be in place.

Internal Audit was pleased to report that no significant issues were identified in the course of this review. Three recommendations relating to the review and approval of communications, documentation of 'webeditors' and a policy review (all 'best practice') were proposed by Internal Audit and agreed with management.

### **Current Audit Performance**

Progress on the Internal Audit Plan for 2023/24 is considered to be satisfactory with full completion anticipated by the end of the financial year. A final report on the performance of the Internal Audit Service for 2023/24 will be presented to this Committee in July 2024.



## APPENDIX 2

**INTERNAL AUDIT FOLLOW-UP**

Internal Audit has undertaken a review of progress made by management in implementing agreed actions within six months of the completion of the audit. The table below provides a summary of the progress made with high and medium priority agreed actions for such internal audit reports issued. Those audits where all actions have previously been reported as completed have been excluded from this list.

Audit Title	Report Issued	Original Assurance Opinion	Number of Actions (High Priority in brackets)	Progress
Creditors and Purchasing	27/03/23	Reasonable	4 (0)	Complete
Business Support	30/03/23	Substantial	2 (0)	1 Outstanding
Key Financial Reconciliations	18/04/23	Limited	1 (1)	Complete
Liberty Leisure Limited (Governance)	23/05/23	Reasonable	2 (0)	Complete
Operational Risk Management (Depot)	23/05/23	Reasonable	3 (0)	Complete

The follow-up on agreed actions from a further audit, previously reported to this Committee as a confidential item, is included within the confidential appendix 3 to this report.

Further details of progress being made with high and medium priority agreed actions that have not yet been fully implemented are included below along with comments from management reflecting any updates on progress. Evidence of implementation will not be routinely sought for all actions as part of this monitoring process. Instead, a risk-based approach will be applied to conducting further follow-up work. Actions marked as 'superseded' refer to occasions where either 1) developments within the relevant Council department, or the environment within which the department operates, have occurred since the date of the original audit report and the action is no longer relevant or considered a priority in light of the consequent change to the Council's risk profile; or, 2) an alternative action has been implemented to mitigate the risk identified.

Where the agreed actions to address significant internal control weaknesses have not been implemented this may have implications for the Council. A key role of the Committee is to review the outcome of audit work and oversee the prompt implementation of agreed actions to help ensure that risks are adequately managed.

**OUTSTANDING ACTIONS**

1. Business Support	March 2023, Substantial, Actions – 2
<p><b>1.1 Performance Monitoring and Reporting</b></p> <p><u>Agreed Action (Medium Priority)</u></p> <p>A suite of Performance Indicators will be developed, in conjunction with the Projects and Performance Officer, which will form the basis of reporting to Senior Management and, via the quarterly performance reporting mechanism, to Members.</p> <p>This will also include some reporting on ‘customer satisfaction’ with the service provided by the Business Support team to operational areas within the Council.</p> <p><u>Managers Responsible</u>  Head of Administrative Services  Business Support Manager</p> <p>Target Date: 30 June 2023</p>	
<p><b><u>Update from the Head of Administrative Services</u></b></p> <p>The Head of Administrative Services and the Business Support Manager will be meeting shortly to set the KPIs for Business Support. These will be monitored monthly by the Head of Administrative Services. This has been delayed due to vacancies in Business Support which the Manager has had to cover.</p> <p><b>Revised Target Date: 31 December 2023</b></p>	

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## Report of the Monitoring Officer

### WORK PROGRAMME

#### 1. Purpose of Report

To consider items for inclusion in the Work Programme for future meetings.

#### 2. Recommendation

**The Committee is asked to CONSIDER the Work Programme and RESOLVE accordingly.**

#### 3. Detail

Items which have already been suggested for inclusion in the Work Programme of future meetings are given below. Members are asked to consider any additional items that they may wish to see in the Programme.

18 March 2024	<ul style="list-style-type: none"> <li>• External Audit Plan 2023/24</li> <li>• Statement of Accounts 2023/24 – Accounting Policies</li> <li>• Statement of Accounts 2023/24 – Underlying Pension Assumptions</li> <li>• Internal Audit Plan 2024/25</li> <li>• Internal Audit Progress Report</li> <li>• Review of Strategic Risk Register</li> <li>• 6 Month Review 28 days Planning Notice</li> <li>• Debate Not Hate Policy</li> </ul>
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#### 4. Legal Implications

The terms of reference are set out in the Council's constitution. It is good practice to include a work programme to help the Council manage the portfolios.

#### 5. Background Papers

Nil.

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