



Friday, 10 July 2020

Dear Sir/Madam

A meeting of the Governance, Audit and Standards Committee will be held on Monday, 20 July 2020 (to be held virtually, via Microsoft Teams) commencing at 7.00 pm.

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

Yours faithfully

Chief Executive

To Councillors: S A Bagshaw (Vice-Chair)  
E Cubley  
R H Darby  
M Hannah  
M Handley  
H G Khaled MBE  
J M Owen

J P T Parker  
M Radulovic MBE  
P D Simpson  
I L Tyler  
D K Watts  
E Williamson (Chair)

## AGENDA

1. APOLOGIES

To receive any apologies and notification 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 1 - 4)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 18 May 2020.

4. INTERNAL AUDIT REVIEW 2019/20 (Pages 5 - 14)  
To inform the Committee of the work of Internal Audit during 2019/20.
5. INTERNAL AUDIT PROGRESS REPORT (Pages 15 - 34)  
To inform the Committee of the recent work completed by Internal Audit.
6. GOVERNANCE DASHBOARD - MAJOR PROJECTS (Pages 35 - 40)  
To provide the Committee with a governance dashboard report relating to the Council's major and key projects.
7. AUDIT OF ACCOUNTS 2019/2020 UPDATE (Pages 41 - 42)  
To update the Committee on progress in producing the Council's accounts for 2019/20 and their subsequent review by the Council's external auditors (Mazars).
8. COMPLAINTS REPORT 2019/2020 (Pages 43 - 70)  
To provide members with a summary of complaints made against the Council.
9. FREEDOM OF INFORMATION REPORT 2019/2020 (Pages 71 - 74)  
To provide members with an overview of Freedom of Information (FOI) requests made to the Council.
10. COMMUNITY GOVERNANCE REVIEW (Pages 75 - 76)  
To inform the Committee of the proposed arrangements for the Community Governance Review (CGR).
11. THE DRAFT MODEL CODE OF CONDUCT (Pages 77 - 108)  
The consultation on the draft model code of conduct has finally got underway. This report reflects the need for the Council to respond to the consultation which runs till 17 August 2020 and so will have passed before the next meeting of this Committee.

12. WORK PROGRAMME

(Pages 109 - 110)

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

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## GOVERNANCE, AUDIT AND STANDARDS COMMITTEE

MONDAY 18 MAY 2020

Present: Councillor E Williamson, Chair

Councillors: S A Bagshaw  
R H Darby,  
M Handley  
H G Khaled MBE  
J M Owen  
J P T Parker  
M Radulovic MBE  
P D Simpson  
I L Tyler  
D K Watts

Apologies for absence were received from Councillors E Cubley and M Hannah.

35 DECLARATIONS OF INTEREST

There were no declarations of interest.

36 MINUTES

The minutes of the meeting held on 2 December 2019 were confirmed and signed as a correct record.

37 SCALE FEE

Councillors received an update on the Scale Fee.

38 ACCOUNTS AND AUDIT (CORONAVIRUS) (AMENDMENT) REGULATIONS 2020

Members noted the amendments to the Accounts and Audit Regulations (2015) which had been introduced following the coronavirus outbreak and how the Council intended to comply with these when producing the Statement of Accounts 2019/20. It was confirmed that the audit fee charges were broadly the same as those in previous years.

39 EXTERNAL AUDIT PLAN 2019/20

An update was received on the External Audit Plan for 2019/20. It was agreed that the terms of reference would be shared with members in advance of the LG Peer Review.

#### 40 CORPORATE GOVERNANCE ARRANGEMENTS

To Committee discussed the actions taken to develop and comply with statutory obligations regarding corporate governance. The Accounts and Audit Regulations 2015 require authorities to conduct a review of the effectiveness of its system of internal control and to include an Annual Governance Statement report on the review with its statement of accounts.

**RESOLVED that:**

- 1. The draft Annual Governance Statement as shown in appendix 3 be approved in principle for inclusion in the Council's Statement of Accounts.**
- 2. Responsibility be delegated to the Chief Executive and the Chair of this Committee to make any further amendments deemed necessary.**

#### 41 STATEMENT OF ACCOUNTS 2019/2020 – ACCOUNTING

Members discussed the Council's accounting policies in relation to the production of the 2019/2020 financial statements. It is considered good practice that Members are given the opportunity to discuss and comment on the accounting policies to be used in the production of the financial statements.

**RESOLVED that the Accounting Policies for 2019/2020 be approved.**

#### 42 STATEMENT OF ACCOUNTS 2019/2020 – UNDERLYING PENSION ASSUMPTIONS

To Committee considered the assumptions made by the pension fund actuary in calculating the IAS 19 (International Accounting Standard 19 - Employee Benefits) figures to be reported in the 2019/2020 Statement of Accounts. Employee Benefits is one of the financial reporting standards with which the Council must comply when producing its annual Statement of Accounts. The basic requirement of IAS 19 is that an organisation should account for retirement benefits when it is committed to give them, irrespective of when they are paid out.

#### 43 GOVERNANCE DASHBOARD - MAJOR PROJECTS

Members had previously requested that a regular governance dashboard report be provided to Committee on major projects, such as the Beeston Square Development, Stapleford Town Fund and Housing Delivery Programme. As a consequence of the Covid 19 lockdown, it was agreed to defer these governance reviews to a future meeting. Members were updated on the work done by the Revenues, Benefits and Customer Services team to deter fraud with the Covid 19 Business Grant process. Councillors requested that the grants process during the pandemic be scrutinised both internally and externally.

44 INTERNAL AUDIT PROGRESS REPORT

The Committee received an update on the Procurement Management Framework. Further updates would be brought to the July meeting of this committee.

45 REPORT OF THE INTERIM MONITORING OFFICER

Councillors were updated on The Local Government Ombudsman (LGO) decision of finding an injustice regarding the lack of repairs undertaken to a garage site.

46 AUDIT PLAN 2020/21

Councillors were updated on the Internal Audit Plan for 2020/21. The Public Sector Internal Audit Standards requires the Chief Audit and Control Officer to prepare an annual risk based audit plan. The Internal Audit Plan governs the activity for the year. An audit report is produced at the completion of each assignment with recommendations for improvement. Regular progress reports covering all internal audit activities are submitted to this Committee for scrutiny. The impact of employees working from home was discussed, with no negative consequences so far.

**RESOLVED that the Internal Audit Plan for 2020/21 be approved.**

47 CANVASS REFORM

The Committee noted the new approach to carrying out the annual canvass to be introduced this year. The success of the online registration service had demonstrated a clear public acceptance of moving to a more digital approach.

48 WORK PROGRAMME

It was agreed to include a Governance Statement of Compliance and a Grants Process Review to the work programme.

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

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## Report of the Chief Audit and Control Officer

**INTERNAL AUDIT REVIEW 2019/20**1. Purpose of report

To inform the Committee of the work of Internal Audit during 2019/20.

2. Detail

Under the Constitution and as part of the overall governance arrangements, this Committee is responsible for monitoring the performance of Internal Audit.

In accordance with the Public Sector Internal Audit Standards, developed by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Chartered Institute of Internal Auditors (IIA), the Chief Audit and Control Officer must deliver an annual internal audit opinion and report that can be used by the Council to inform its Annual Governance Statement. The Internal Audit Annual Review Report for 2019/20 is included in the appendix.

The Council has to conduct, at least annually, a review of the effectiveness of its governance framework including the system of internal control. This review is informed by the work of senior management who have responsibility for the development and maintenance of the governance environment, the Internal Audit Review Report and comments from external auditors/other inspectorates.

The system of internal control has been reviewed. It is the opinion of the Chief Audit and Control Officer that the current internal control environment is satisfactory such as to maintain the adequacy of the governance framework. In terms of the audits completed, Internal Audit found that services are operating with appropriate internal controls. Where improvement actions have been agreed, progress is being made for their implementation. Where this is not the case, outstanding significant actions are reported to this Committee as part of the regular progress reports.

Overall, 86% of the planned audits were complete or awaiting finalisation at the year-end, which was below the target of 90%. This outturn was impacted by the coronavirus pandemic lockdown, with Internal Audit providing necessary support in other areas, particularly with completing quality assurance and fraud checking of grants paid under the various emergency schemes. All outstanding and deferred audits will now be completed as early as practicable in 2020/21.

**Recommendation**

**The Committee is asked to NOTE the work of Internal Audit in 2019/20.**

Background papers

Nil

## APPENDIX

## INTERNAL AUDIT ANNUAL REVIEW REPORT 2019/20

**1. INTRODUCTION**

This annual review report provides a summary of Internal Audit activities for 2019/20.

The Accounts and Audit Regulations 2015 require the Council to undertake an adequate and effective internal audit of its accounting records and of its system of internal control in accordance with proper practices. The United Kingdom Public Sector Internal Audit Standards (the 'Standards') and the CIPFA Local Government Application Note constitute proper practices so as to satisfy the requirements for larger relevant bodies as set out in the Regulations.

The Standards requires the Chief Audit and Control Officer, as the Council's designated 'chief audit executive', to deliver an annual internal audit opinion and report that can be used by the Council to inform its governance statement. The opinion must conclude on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control. The report must incorporate:

- an annual opinion on the overall adequacy and effectiveness of the Council's governance, risk and control framework – i.e. the control environment;
- a summary of the audit work from which the opinion is derived (including reliance placed on work by other assurance providers); and
- a statement on conformance with the Standards and the results of the quality assurance and improvement programme.

The annual opinion should also be guided by the CIPFA Framework Delivering Good Governance in Local Government.

**2. BACKGROUND TO THE OPINION**

The Council has to conduct, at least annually, a review of the effectiveness of its governance framework including the system of internal control. This review is informed by the work of senior management who have responsibility for the development and maintenance of the governance environment, the Internal Audit Review Report and from comments made by the external auditors and other review agencies and inspectorates.

A review of the effectiveness of the system of internal audit helps to ensure that the opinion in this report may be relied upon as a key source of evidence in the Annual Governance Statement. The latest review found Internal Audit to be sufficiently compliant with the requirements of the Standards to ensure that the opinion given can be relied upon for assurance purposes.

There are no causes of concern with regard to the independence and objectivity of Internal Audit. Whilst reporting administratively to the Deputy Chief Executive (fulfilling the duties of Section 151 of the Local Government Act 1972), the Chief Audit and Control Officer also has:

- free and unrestricted access to the General Management Team.
- free and unrestricted access to the Governance, Audit and Standards Committee (the 'Committee') and attends all of its meetings
- the right to meet with the Chair of the Committee and/or the relevant Member Portfolio Holder to discuss any matters or concerns that have arisen from Internal Audit work.

### 3. AUDIT OPINION ON THE OVERALL ADEQUACY AND EFFECTIVENESS OF THE COUNCIL'S INTERNAL CONTROL ENVIRONMENT

The system of internal control has been reviewed.

**It is the opinion of the Chief Audit and Control Officer that the current internal control environment is satisfactory such as to maintain the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.**

In terms of audits completed, Internal Audit found that services are carried out with the appropriate internal controls. Where improvement actions have been agreed, progress is being made for their implementation. Where this is not the case, any outstanding significant recommendation is reported to this Committee as part of the regular progress reports.

The opinion has been arrived at with due regards to the following:

- The level of coverage provided by Internal Audit was considered to be adequate.
- Work has been planned and performed so as to obtain sufficient information and explanation considered necessary to provide evidence to give reasonable assurance that the Council's control environment is operating effectively.
- The independence and objectivity of Internal Audit has not been impaired in fact or appearance; nor has the scope of its work been restricted in any way.
- Insight gained from interaction with senior management and this Committee.
- No adverse implications for the Annual Governance Statement have been identified from work undertaken by Internal Audit.
- **A number of audits have taken place during the coronavirus pandemic lockdown, which required the audit process to be**

adapted accordingly to enable it to be completed remotely. It is pleasing to report that Internal Audit considers that it has not been overly restricted in terms of its access to systems, records and people. As a result, the audit conclusions and the strength of the individual audit opinions provided were not overly impacted or qualified. The support of officers was most welcome in successfully concluding the audit testing.

- The Internal Audit Plan 2019/20, approved by this Committee on 11 March 2019, was informed by the Chief Audit and Control Officer's own assessment of risk and materiality, following consultation with senior management, to ensure it aligned to the Council's key strategic risks and corporate objectives.
- The following table summarises the outcomes of audit assignments completed in 2019/20, including those audits completed from the previous year's plan that were finalised in the year:

Audit Assignment	Status/ Completion	Assurance Opinion	Critical Risk Action	Significant Risk Action	Merits Attention Action
Financial Resilience	Final Report 100%	Reasonable	-	-	4
Benefits	Final Report 100%	Reasonable	-	1	1
Asset Register	Final Report 100%	Substantial	-	-	-
Sundry Debtors	Final Report 100%	Reasonable	-	-	3
Creditors and Purchasing	Draft Report 90%	Pending	-	1	1
Cash Receipting (Payment Kiosk)	Final Report 100%	LIMITED	-	2	5
NNDR	Final Report 100%	Substantial	-	-	2
Rents	Final Report 100%	Substantial	-	-	-
Treasury Management	Final Report 100%	Substantial	-	-	2
Council Tax	Final Report 100%	Substantial	-	-	2
Bank Reconciliation	Draft Report 90%	Pending	-	1	-
Key Reconciliations	Final Report 100%	Reasonable	-	-	1
Payroll (inc. Officers Allowances)	Final Report 100%	Reasonable	-	1	-
Commercialisation #	Final Report 100%	Substantial	-	-	-
Disabled Adaptations/Lifeline #	Final Report 100%	Substantial	-	-	1
Tenancy Management #	Final Report 100%	Substantial	-	-	-
Asset Management	Final Report 100%	Substantial	-	-	1
Bramcote Crematorium	Final Report 100%	Substantial	-	1	1
CCTV	Final Report 100%	Substantial	-	-	1
Planning Income Reconciliation	Final Report 100%	n/a	-	-	-
Recycling	Final Report 100%	Substantial	-	-	1
Local Elections	Final Report 100%	Reasonable	-	-	2
Electrical Testing #	Final Report 100%	Substantial	-	-	1
Choice Based Lettings	Final Report 100%	Reasonable	-	-	3
Human Resources	Final Report 100%	Substantial	-	-	1
Procurement/Contract Management	Final Report 100%	LIMITED	-	1	5
Independent Living	Final Report 100%	Reasonable	-	-	5
Information Governance	Final Report 100%	Substantial	-	-	1

Whistleblowing Policy & Complaints	Final Report	100%	Reasonable	-	-	2
Enforcement	Final Report	100%	Reasonable	-	-	5
Kimberley Depot (incl. Security)	Draft Report	90%	Pending	-	2	2
Local Authority Trading Company	Draft Report	90%	Pending	-	1	2
Housing Repairs	Draft Report	90%	Pending	-	1	4
Beeston Town Centre Development	In Progress	80%	Pending	-	-	-
Computer (incl. Cyber Risk)	In Progress	20%	Pending	-	-	-
Corporate Governance	Deferred	0%	Pending	-	-	-
Operational Risk Management	Deferred	0%	Pending	-	-	-
Planning Applications Process	Deferred	0%	Pending	-	-	-
Health and Safety	Deferred	0%	Pending	-	-	-
LLL – Chilwell Olympia	Final Report	100%	Substantial	-	-	1
LLL – Online Ticket Portal	Final Report	100%	Substantial	-	-	-
# Completed 2018/19 audits			Total	0	12	60

#### 4. QUALIFICATIONS

The opinions expressed in this report have been based upon the work carried out by Internal Audit for 2019/20 (and subsequent to year-end) and other assurance reports received, including from the external auditors.

In the context of the Standards, ‘opinion’ means that Internal Audit will have done sufficient, evidenced work to form a supportable conclusion about the activity being examined. Internal Audit will word its opinion appropriately if it cannot give reasonable assurance (e.g. because of limitations to the scope and/or adverse findings arising from its work).

The overall opinion is provided with the following caveats:

- The opinion does not imply that Internal Audit has reviewed all the Council’s risks, controls and governance arrangements. The opinion is substantially derived from the conduct of risk-based audit assignment work and, as such, it is only one component that is taken into account when producing the Annual Governance Statement.
- No system of control can provide absolute assurance against material misstatement or loss, nor can Internal Audit give absolute assurance.
- Full implementation of all agreed actions is essential if the benefits of the control improvements detailed in each audit report are to be realised.

#### 5. ISSUES RELEVANT TO THE ANNUAL GOVERNANCE STATEMENT

This Committee considered significant governance issues as part of the draft Annual Governance Statement for 2019/20 on 18 May 2020.

The Chief Audit and Control Officer has reviewed the draft Annual Governance Statement. The significant governance issues raised in the statement were found to be appropriate. It was also found that the issues carried forward from

the previous year had been addressed or were ongoing items that are being addressed.

With regard to the audits completed during the year, no actions were classed as being critical where action was considered imperative to ensure that the Council was not exposed to high risks. Where a limited assurance opinion was issued, the outstanding actions from these audits are not thought to be significant to the preparation of the Annual Governance Statement.

## 6. SUMMARY OF INTERNAL AUDIT ACTIVITY

### 6.1 Performance Overview

Overall, 86% of the planned audits were complete or awaiting finalisation at the year-end, which is below the target of 90%. This shortfall was not anticipated. The main impact has been from the Covid-19 pandemic lockdown and the urgency of diverting Internal Audit resources towards supporting other areas of work (including vital work associated with the quality assessment and fraud checking of grants paid under the Emergency Business Grants and Local Discretionary Grants schemes). All outstanding and deferred audits will be reconsidered as early as practicable in 2020/21.

A total of 11 audits were completed in respect of the key financial systems (out of the 13 included in the original plan). The Bank Reconciliation and Creditors and Purchasing audits were nearing completion at the time of writing and are both expected to be completed by 31 July 2020.

During the year, 45 audit reports were issued (including six in respect of 2018/19) with a further eight reports awaiting finalisation. The reports included 60 recommendations, of which 12 were considered to be 'significant'. No recommendation was classified as 'critical' where action was considered imperative to ensure that the Council was not exposed to high risks.

A limited assurance opinion was issued in respect of the audits of Cash Receipting (Payment Kiosk) and Procurement and Contract Management. This opinion is given where Internal Audit considered that controls within the respective systems provided only limited assurance that risks material to the achievement of the system's objectives are adequately managed. Progress has been made with the respective improvement actions and the outstanding matters are not thought to be sufficient so as to affect the overall opinion.

### 6.2 Internal Audit Resources

The three established auditors remained in post throughout the period.

No additional resources were required to complete the revised audit plan.

### 6.3 Special Investigations

Internal Audit completed work on the following special investigations:

- An audit of the Local Authorities Housing Statistics (LAHS) return prior to submission to Central Government.
- Reviews of evidence presented to support Right-to-Buy purchases.
- Supporting the Head of Finance Services with the production of property values in the annual Statement of Accounts and supporting responses to the external auditors relating to the accounts.
- A review of the pre- eviction protocol for rent arrears to confirm that the protocol complies with legislation and is operating appropriately and effectively.
- A review the key control arrangements in place for the reconciliation of planning related income between the respective systems and the general ledger.
- A review of the Council's arrangements for financial reporting and transparency following contact from the Ministry of Housing, Communities and Local Government (MHCLG).
- An ongoing governance review and audit to provide assurance that the Council complied with the government's guidance on the grants given to businesses. The review also sought confirmation of compliance with internal governance protocols regarding the Covid-19 Community Support Grants provided to voluntary and mutual aid groups.
- Assessments of the financial viability of potential suppliers and service providers applying to be considered for a number of tendered contracts and of potential tenants for the Council's commercial premises.

#### **6.4 Corporate Counter Fraud Activity and National Fraud Initiative (NFI)**

Internal Audit continues to take a prominent role in leading and co-ordinating counter fraud activities. It committed around 30 days to counter fraud activity in 2019/20, which included work to co-ordinate and complete elements of the NFI data matching exercise.

An annual report on counter fraud activity will be presented to this Committee in September 2020. This will include details of activity in 2019/20 and an action plan for the forthcoming year, the delivery of which will further strengthen the current arrangements in place.

#### **6.5 Erewash Audit**

The collaboration with Erewash Borough Council to provide joint working and management arrangements of internal audit services commenced in 2015. The key elements of the proposal were considered by the General Purposes and Audit Committee on 9 March 2015.

During 2019/20, a total of 18½ audit days was allocated to work completed on behalf of Erewash, including an element of management time. Internal Audit has provided independent assurances to the Erewash management and Members of their Audit Committee on their risk management, safeguarding and data protection arrangements.

The collaboration with Erewash has continued into 2020/21 with the potential to develop further and allow for opportunities to provide more resilience, help with officer development and produce financial savings for both authorities.

## **7. QUALITY ASSURANCE AND IMPROVEMENT PROGRAMME**

### **7.1 Compliance with Proper Practice**

In order to facilitate the review of the effectiveness of internal control required by the Accounts and Audit Regulations 2015, it is necessary to complete a review of the effectiveness of its internal audit.

The latest review was completed as an internal self-assessment against 'proper practice' consisting of the Public Sector Internal Audit Standards and the Local Government Application Note. Internal Audit was subjected to an External Quality Assessment in 2018 by a qualified, independent assessor from outside of the organisation, which is a periodic requirement of the Standards.

The effectiveness of Internal Audit is not solely judged against the extent of compliance with the Standards since the reviews are about effectiveness and not process. In addition to the self-assessment checklist, other aspects provide evidence to support the review including reports on the results of completed audit assignments and any significant findings; reports setting out the Internal Audit Plan for the forthcoming year; and an annual report on the performance of Internal Audit.

The review concluded that progress continues to be made to strengthen the role of Internal Audit at a corporate level, not least through the formal reporting procedures to this Committee. The outcome of the earlier External Quality Assessment indicated that Internal Audit is substantially compliant with the Standards with some areas for development. Whilst areas were identified where improvements could be made these were not felt to be fundamentally undermining the efficiency and effectiveness of Internal Audit, its role within the organisation or the Chief Audit and Control Officer's ability to assess the internal control environment of the Council.

### **7.2 Quality Assurance and Improvement Programme**

Overall, 86% of the planned audits were complete or awaiting finalisation at the year-end, which is below the target of 90%. The main reason for this was the Covid-19 pandemic lockdown and the urgency of diverting Internal Audit resources towards supporting other areas of work. All outstanding and deferred audits will be considered as early as practicable in 2020/21.



The achievement of a percentage completion of the audit plan does not in itself provide sufficient evidence of the quality of the function. The Chief Audit and Control Officer will continue to develop the Quality Assurance and Improvement Programme (QAIP) as referred to in the Internal Audit Charter.

The QAIP covers all aspects of Internal Audit activity and includes both internal and external quality assessments. The QAIP should provide sufficient evidence of the efficiency and effectiveness of the Internal Audit activity and enable conformance with all aspects of the Standards to be evaluated. The programme should identify opportunities for improvement as appropriate.

The following points are noted with regards to the QAIP:

- A review of the effectiveness of internal audit was completed and the overall findings were satisfactory. An earlier, independent External Quality Assessment had concluded that Internal Audit complied with the expectations of the Standards. This should provide Members with confidence in the assurance work provided by Internal Audit. The assessor acknowledged that the service benefits from an experienced team with relevant qualifications, and that it receives positive feedback from senior management and elected members. Furthermore, the review outcomes when benchmarked against other providers in both the public sector and wider industry showed that the team compares favourably against its peers.
- Membership of professional bodies and regional audit management groups supports the Chief Audit and Control Officer in identifying best practice and other potential service improvements.
- The Chief Audit and Control Officer undertakes quality reviews of the work of the internal audit activity to provide assurance that it complies with the Standards and meets the requirements of the Internal Audit Charter and Internal Audit Direction document.
- In addition to the wider service review, each audit assignment is subject to a quality management review of audit working papers prior to the distribution of the draft audit report for discussion and agreement with senior management.
- Improvement plans arising from any review of internal audit are prepared and reported to the Deputy Chief Executive and the Governance, Audit and Standards Committee as appropriate.

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## 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. 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 Plans for 2019/20 and 2020/21 is included at appendix 1. A brief narrative of the work completed by Internal Audit since the previous meeting of this Committee is also included.

Internal Audit has undertaken a review of progress made by management in implementing agreed actions within six months of the completion of the respective audits. Details of 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.

Further progress reports will be presented to each meeting of this Committee. A final report detailing the overall performance and productivity of Internal Audit for 2019/20 is included elsewhere on this agenda.

**Recommendation**

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

Background Papers

Nil

## APPENDIX 1

## INTERNAL AUDIT REPORTS ISSUED SINCE JANUARY 2020

No	Audit Title	Report Issued	Assurance Opinion	Actions - Significant	Actions - Merits Attention
21	Rents	09/01/20	Substantial	0	0
22	LLL – Chilwell Olympia	10/01/20	Substantial	0	1
23	LLL – Online Ticket Portal	28/01/20	Substantial	0	0
24	Financial Appraisal – The Square	31/01/20	n/a	-	-
25	Erewash BC – Risk Management	31/01/20	n/a	-	-
26	Financial Appraisal – The Square	04/02/20	n/a	-	-
27	Procurement and Contract Management	28/02/20	LIMITED	1	5
28	Treasury Management	28/02/20	Substantial	0	2
01	Erewash BC – Safeguarding	01/04/20	n/a	-	-
29	Council Tax	17/04/20	Substantial	0	2
30	<b>Independent Living</b>	<b>05/05/20</b>	<b>Reasonable</b>	<b>0</b>	<b>5</b>
02	<b>Erewash BC – Data Protection</b>	<b>21/05/20</b>	<b>n/a</b>	<b>-</b>	<b>-</b>
31	<b>Key Reconciliations</b>	<b>22/05/20</b>	<b>Reasonable</b>	<b>0</b>	<b>1</b>
32	<b>Cash Receipting (Payment Kiosk)</b>	<b>05/06/20</b>	<b>LIMITED</b>	<b>2</b>	<b>5</b>
03	<b>Discretionary Business Grants Scheme</b>	<b>18/06/20</b>	<b>n/a</b>	<b>-</b>	<b>-</b>
04	<b>Payroll</b>	<b>24/06/20</b>	<b>Substantial</b>	<b>0</b>	<b>1</b>
33	<b>Information Governance</b>	<b>24/06/20</b>	<b>Substantial</b>	<b>0</b>	<b>1</b>
34	<b>Whistleblowing Policy and Complaints</b>	<b>26/06/20</b>	<b>Reasonable</b>	<b>0</b>	<b>2</b>
35	<b>Enforcement</b>	<b>30/06/20</b>	<b>Reasonable</b>	<b>0</b>	<b>5</b>
36	<b>Financial Resilience</b>	<b>03/07/20</b>	<b>Reasonable</b>	<b>0</b>	<b>4</b>

## REMAINING INTERNAL AUDIT PLAN 2019/20

No	Audit Title	Progress
	Kimberley Depot (including Security)	Draft report issued – pending finalisation
	Local Authority Trading Company	Draft report issued – pending finalisation
	Housing Repairs	Draft report issued – pending finalisation
	Bank Reconciliation	Draft report issued
	Creditors and Purchasing	Ongoing (Nearing completion)
	Beeston Town Centre Redevelopment	In progress
	Computer/ICT (including Cyber Risk)	In progress (delayed due to current circumstances)
	Corporate Governance	Deferred to Internal Audit Plan 2020/21
	Operational Risk Management	Deferred to Internal Audit Plan 2020/21
	Planning Applications Process	Deferred to Internal Audit Plan 2020/21
	Health and Safety	Deferred to Internal Audit Plan 2020/21

**REMAINING INTERNAL AUDIT PLAN 2020/21**

No	Audit Title	Progress
	Leasehold Properties	Ongoing (Nearing completion)
	Creditors and Purchasing	Ongoing (Nearing completion)
	Housing Delivery Plan	Ongoing (Nearing completion)
	Sundry Debtors	In progress
	Declarations of Interest	In progress
	Computer/ICT (including Cyber Risk)	In progress (delayed due to current circumstances)
	Climate Change	Expected to commence in Q2
	Planning Enforcement	Expected to commence in Q2
	Public Health Funerals	Expected to commence in Q2
	Car Parks (inspection/maintenance)	Expected to commence in Q2
	Corporate Governance	Expected to commence in Q2
	Fuel Management	Expected to commence in Q2
	Waste Management	Expected to commence in Q2
	Section 106 Agreements	Expected to commence in Q2/Q3
	Neighbourhood Warden	Expected to commence in Q2/Q3
	Garages	Expected to commence in Q2/Q3
	Housing Voids Management	Expected to commence in Q2/Q3
	Gas Servicing and Maintenance	Expected to commence in Q2/Q3
	Housing Management System	Expected to commence in Q3
	Operational Risk Management	Expected to commence in Q3
	Health and Safety	Expected to commence in Q3
	Planning and Building Control	Expected to commence in Q3
	Kimberley Leisure Centre	Expected to commence in Q3
	D H Lawrence Birthplace Museum	Expected to commence in Q3
	Treasury Management	Expected to commence in Q3
	Benefits	Expected to commence in Q3
	HiMO Licences	Expected to commence in Q3
	Human Resources	Expected to commence in Q3/Q4
	Utilities (Energy and Water)	Expected to commence in Q3/Q4
	NNDR	Expected to commence in Q3/Q4
	Rents (including Evictions)	Expected to commence in Q3/Q4
	Cash Receipting	Expected to commence in Q3/Q4
	Bank Reconciliation	Expected to commence in Q4
	Council Tax	Expected to commence in Q4
	Procurement and Contract Management	Expected to commence in Q4

**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 adequacy of controls within the system to provide assurance that risks material to the achievement of objectives are

adequately managed – the opinion being ranked as either ‘Substantial’, ‘Reasonable’, ‘Limited’ or ‘Little’ assurance;

- identify inadequately addressed risks and non-effective 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 risk assessed, with the agreed actions being categorised accordingly as follows:

- Fundamental – urgent action considered imperative to ensure that the Council is not exposed to high risks (breaches of legislation, policies or procedures)
- Significant – action considered necessary to avoid exposure to significant risk.
- Merits Attention (Necessary Control) – action considered necessary and should result in enhanced control or better value for money.
- Merits Attention – action considered desirable to achieve enhanced control or better value for money.

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

A number of these audits have taken place during the coronavirus pandemic lockdown, which has seen the audit process adapted accordingly to enable it to be completed remotely. It is pleasing to report that Internal Audit considers that it has not been restricted in terms of its access to systems, records and people. As a result, the audit conclusions and the strength of the opinion provided has not been overly impacted or qualified. The support of officers has been most welcome in successfully concluding the audit testing.

1. **Independent Living** Assurance Opinion – **Substantial**

The specific audit objectives sought to provide assurance regarding the allocation of independent living accommodation; active engagement of tenants in receiving an Independent Living Plan (I-plans) and their use for activity co-ordination; risk assessment arrangements for the safety and security of tenants; inventories for Council owned equipment; income being promptly collected and accurately recorded; complaints procedures and the resolution of disputes; pre-recruitment checks for officers and external service providers in contact with tenants; and the monitoring of supply and demand for accommodation.

The Council has an established framework in place for the administration of operations in respect of the Independent Living services. The review did indicate areas for improvement and five ‘merits attention – necessary control’ actions were proposed which should result in enhanced control and/or better value for money. These related to:

- The enhancement of the I-plan process by utilising laptops or tablets that would improve data security and provide efficiencies in terms of data collection, analysis and reduced travel time.
- The need for vulnerability assessments to be completed for all service users at the point which the initial I-plan is produced.
- The requirement for an updated central inventory record to be produced for all Council owned equipment, furniture and fittings at each scheme.
- The need to improve controls in relation to guest room bookings to ensure that income is collected, recorded and banked.
- The need to review the supply of and demand for Independent Living stock to identify any properties that are underutilised.

The actions were duly agreed by the Head of Housing; the Income and Housing Manager; and the Independent Living Manager.

## 2. **Erewash Borough Council – Data Protection**

As part of its Internal Audit Collaboration arrangements with Erewash Borough Council, Internal Audit has completed a review of the systems and procedures operating at Erewash in respect of Data Protection which was carried out as part of the Erewash Internal Audit Plan for 2019/20.

## 3. **Key Reconciliations** Assurance Opinion – **Reasonable**

Internal Audit sought to confirm that key reconciliations processes are being completed in a timely and accurate manner. It was found that whilst some reconciliations are being regularly completed, there are inconsistencies in the application of this control mechanism.

The Head of Finance Services has acknowledged the advantages of keeping the central monitoring of key reconciliations. However, for this control to be effective, the completed central record should be periodically reviewed and updated. A Principal Accountant will be responsible for its regular update and subsequent reporting into team meetings as a standing agenda item.

With this commitment to continue with this control, the previously agreed action to procedure manual and associated monitoring documentation should also be completed at the earliest opportunity. This was agreed with the Head of Finance Services and the Chief Accountant.

## 4. **Cash Receipting (Payment Kiosk)** Assurance Opinion – **LIMITED**

The Council has a framework in place for the administration of cash receipting through the established payment kiosk facility.

A number of security improvements have been completed at the kiosk back office following previous audit recommendations. A safety latch and door viewer have been fitted (including a glass tint to restrict visibility into the office), in addition to a panic alarm being placed within the office.

The review has indicated further areas for improvement and recommendations were proposed in order to ensure that the processes and controls in place are effective. Internal Audit proposed two 'significant' actions relating to:

- The fundamental requirement for management to be satisfied as to the accuracy of the system in terms of its data integrity, performance, management reporting and cost effectiveness.
- The need to consider the establishment of an officer working group to receive, investigate, action, resolve and monitor issues arising from the operation of the kiosk facility.

The full findings and agreed actions in these matters are provided below:

#### Accuracy of Transaction Recording

Internal Audit identified that some card payments received through the kiosk were being recorded as 'cash' on the Broxtowe 'webpaystaff' system. This error was identified when a card payment made was studied for refund purposes. Discussions with officers suggested that this type of error had been identified before although it could not be confirmed if the issue had been raised with the supplier.

It was also noted that the kiosk 'KPR' system and the Civica ICON system were not communicating appropriately for some cash transactions. This has been raised with the supplier and a system update was made. A similar error had not re-occurred at the time of the audit.

It is a fundamental requirement that management must be satisfied as to the accuracy of the system in terms of its data integrity, performance and management reporting.

#### Agreed Action (Significant)

An Officer Working Group will be established, with representation from key stakeholders across the business, to consider, respond, track and resolve the issues raised in respect of the payment kiosk.

A review of the systems and the effectiveness of how they interact will be undertaken to ensure the accuracy and integrity of the data and management information the systems are expected to produce.

#### Managers Responsible

Head of Administrative Services

Officer Working Group

Target Date: 30 September 2020



Kiosk Receipts and Automated Reports

The receipts generated and printed from the kiosk which are used in the reconciliation and cash banking processes were reviewed alongside the automated reports received by officers involved.

The kiosk receipt notes the 'cash total including change' and the 'cash total minus change'. The receipts also provide a daily summary of transactions with a breakdown of cash payments, card payments and cheques. For each of the five receipts reviewed by Internal Audit, the net cash for the day did not match the cash noted on the summary of the day's transactions. Officers were not aware of what was causing the difference and it could not be confirmed if this had been queried with the supplier.

Automated reports are received on a daily basis via email for information and to notify officers of a fault at the kiosk. The report format was not particularly user friendly, with parts of the report appearing to be in code. It was not always clear what the report was intending to communicate.

Agreed Action (Significant)

An Officer Working Group will be established, with representation from key stakeholders across the business, to consider, respond, track and resolve the issues raised in respect of the payment kiosk.

A review will be conducted to identify improvements to the management information provided by the kiosk. Consideration will be given to skills and training needs to enable clear understanding of the data provided.

Managers Responsible

Head of Administrative Services

Officer Working Group

Target Date: 30 September 2020

The review also proposed five 'Merits Attention actions (including four considered to be 'Necessary Controls') relating to:

- Processing of any discrepancies identified during cashing-up to be updated to allow for any differences to be accounted for in an appropriate manner pending further review/investigation.
- Reporting and escalation of issues identified by officers to management.
- Enhancing the controls within the kiosk to make mandatory fields for the payee to enter their details and for the kiosk to only process payments when a correct payment reference has been entered.

- Considering the value of the option to process card payment refunds (for duplicate or erroneous payments) onto the original payment card used, in conjunction with the service provider.
- Continue with proactive work to encourage customers to consider alternative cost effective payment channels such as Direct Debit and card payment via the website and consideration of the ongoing viability of the payment kiosk in terms of cost effectiveness and customer satisfaction, with comparison to alternative external solutions.

The actions were agreed by the Head of Administrative Services and the Head of Head of Revenues, Benefits and Customer Services. Internal Audit will complete appropriate follow-up work at six months from the date of the audit report and will report back to Committee accordingly

#### 5. **Discretionary Business Grants Scheme**

Internal Audit has provided a series of reports to the Head of Revenues, Benefits and Customer Services in respect of the Discretionary Business Grants Scheme. This work involved the prompt completion of summary quality and fraud checks of provisional awards prior to the grants being released.

Internal Audit was reasonably assured to support the awards in all but one case presented for scrutiny. It was recommended that one 'fail' application should not be awarded at this stage without further evidence and consideration. This was agreed by management.

#### 6. **Payroll** Assurance Opinion – **Substantial**

The Council has an established framework in place for the administration of operations in respect of Payroll. This review has indicated an area for improvement in order to ensure that the processes and controls in place are effective. There was one 'merits attention – necessary control' action relating to the need to complete the regular monthly reviews of all system updates completed by Payroll officers. The Payroll and Job Evaluation Manager confirmed that these have now been brought back up-to-date to provide complete coverage for the period of the Covid-19 pandemic arrangements. The Human Resources Manager has also been added to the monthly review schedule with effect from 1 June 2020.

#### 7. **Information Governance** Assurance Opinion – **Substantial**

Internal Audit reports that the Council has an established framework in place for managing the risks associated with Information Governance. A full suite of information governance related training is successfully delivered to employees through Broxtowe Learning Zone. Automatic reminders for completing the training are sent out through BLZ, with progress monitored by the Information Governance Officer using system-generated reports identifying employees whose training is overdue.

The annual SIRO audit is intended to provide an assurance statement that the risk to information assets in a particular service area is under control. This includes any actions required to mitigate any identified risk or issue. The SIRO Audit report for 2020 is currently being prepared by the Information Governance Officer. It was pleasing to note from a review of these two reports and further discussions with management that matters continue to improve.

One merits attention action was proposed regarding the update of Information Management related policies and procedures. A review and update of these policies is nearing completion and will be published at the earliest opportunity, in conjunction with the Communications team.

8. **Whistleblowing Policy and Complaints** Assurance Opinion – Reasonable

The Council has established frameworks in place for both Whistleblowing and Complaints.

The Whistleblowing Policy was recently updated in 2019. Internal Audit recommended that employees should be regularly signposted to the Whistleblowing Policy (for example through the employee newsletter and as part of the new employee induction programme) in order to raise corporate awareness. This will be actioned by the Monitoring Officer.

It was also noted that there is a planned review of the corporate complaints process in 2020/21, with support and input from the new Democratic Services Manager. In the meantime, Internal Audit recommended that a formal reminder should be issued to all managers involved in the processing of complaints to ensure that all are aware of the need to follow the guidance for processing complaints effectively and within target timescales. A regular report showing departmental compliance in meeting target timescales for complaints will be considered and any recurring issues escalated to GMT for corrective action. These actions will be actioned by the Head of Governance and the Democratic Services team.

9. **Enforcement** Assurance Opinion – Reasonable

Internal Audit has completed its inaugural review of Enforcement across the Public Protection division. The specific audit objectives sought to provide assurance that policies and guidance are available and reflect legislation and best practice; risk assessments are undertaken to ensure high-risk areas receive priority at the inspection planning stage; enforcement activity is authorised, documented and reflects the policy/guidance; any enforcement activity involving legal proceedings has been referred in accordance with the Scheme of Delegation; and systems are in place to allow for appeals, complaints and feedback.

It was pleasing to report that the Council has an appropriate framework for Enforcement. An up-to-date Enforcement Policy is in place, with procedures and guidance available for each of the services areas considered, being Communities, Environmental Health and Licensing.

The review indicated areas for improvement and five ‘merits attention – necessary control’ actions were proposed. In particular, management attention was drawn to the need to further develop schedules of proactive enforcement activity and to produce risk assessments to identify high priority areas. The agreed actions related to:

- Developing a schedule of proactive enforcement activity, including risk assessment, to identify high priority areas covering all aspects of licensing enforcement; and improving the central record of any licensing related complaints received.
- Completing the annual review of long-term empty properties to ensure that appropriate action is taken in respect of the top-five cases, in accordance with the policy.
- Regularly reviewing arrangements as a health and safety enforcing authority to ensure that processes provide for proactive inspections and enforcement, including database maintenance.
- Maintaining a formal process to record declarations of interest to strengthen the current arrangements where officers are encouraged to inform managers where there might be a conflict of interest when undertaking an inspection.
- Updating the Scheme of Delegation to reflect the current Council structure in relation to the power to instigate legal proceedings.

The actions were duly agreed by the Head of Public Protection, with positive input from the Chief Environmental Health Officer; the Chief Communities Officer; the Licensing Manager; and the Private Sector Housing Manager. Internal Audit will complete appropriate follow-up work at six months from the date of the audit report and will report back to Committee accordingly.

#### 10. **Financial Resilience**

Assurance Opinion – **Reasonable**

Internal Audit found that the production of the Council’s Medium Term Financial Strategy and associated Business Strategy was appropriate and operating effectively. However, attention was drawn to observations regarding the current and future uncertainties within local government finance as presented to the Finance and Resources Committee on 13 February 2020.

Four merits attention actions were proposed (including three considered to be ‘necessary controls’ relating to:

- The regular monitoring of progress in achieving the income and savings initiatives identified in the Business Strategy throughout the year.
- The use of the CIPFA Financial Resilience Index analytical tool to further support good financial management and provide a common

understanding amongst managers and members of the current financial position and potential risks.

- A briefing report being prepared on the new CIPFA Financial Management Code for presentation to GMT and Members.
- The refinement of current arrangements for prioritising capital schemes, to include the development of a rolling three-year Capital Strategy, linked to corporate priorities, and the introduction of robust business plans/capital project appraisal framework for individual schemes to support decision making and the prioritisation of limited capital resources.

The actions were duly agreed by the Deputy Chief Executive and the Head of Finance Services.

Further reviews in respect of Bank Reconciliation; Beeston Town Centre Redevelopment; Creditors and Purchasing; Governance – Emergency Grant Payments; Housing Delivery Plan; Housing Repairs; Kimberley Depot (including Security); Leasehold Properties; and Local Authority Trading Company are ongoing and the reports have yet to be finalised. These will be included in the next progress report to Committee.

### **Current Audit Performance**

Overall, the early level of performance for 2020/21 in terms of audits completed is below what was achieved at this stage in the previous year. Although there has been some focus on completing the outstanding audits from 2019/20, the main impact has been from the Covid-19 pandemic lockdown and the urgency of diverting Internal Audit resources towards supporting other areas of work. This has included vital work associated with the quality assessment and fraud checking of grants paid under the Emergency Business Grants and Local Discretionary Grants schemes.

The Chief Audit and Control Officer has already verbally advised this Committee in May that it would be appropriate for the Internal Audit Plan 2020/21 to be revised at a later date. This will allow the Chief Audit and Control Officer to reconsider the Council's key strategic risks post-lockdown, in conjunction with senior management and Members, and revise the Internal Audit Plan to ensure that it remains current and appropriate. This will also allow progress to be made with the Internal Audit Plan and the target of 90% to be achieved from the resources available.

Once the revised planning work is completed, a revised Internal Audit Plan will be presented to this Committee.

## 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 agreed actions for internal audit reports issued between January 2018 and December 2019 excluding clearance reports. Those audits where all actions have previously been reported as completed have also been excluded from this list.

Audit Title	Report Issued	Assurance Opinion	Number of Actions (Significant in brackets)	Progress
Cemeteries 2018/19	25/06/18	Substantial	1	1 Outstanding
Legionella Prevention and Testing 2018/19	11/09/18	Reasonable	5	2 Outstanding
Commercial Props/Industrial Units 2018/19	04/10/18	Substantial	1	1 Outstanding
Energy (including Procurement) 2018/19	16/11/18	<b>LIMITED</b>	<b>2 (1)</b>	1 Outstanding
Payroll 2019/20	28/06/19	Reasonable	1 (1)	Latest Audit
Benefits 2019/20	05/09/19	Reasonable	2 (1)	Completed
Sundry Debtors 2019/20	23/09/19	Reasonable	3	Latest Audit
Asset Management 2019/20	16/10/19	Substantial	1	Completed
Bramcote Crematorium 2019/20	21/10/19	Substantial	2 (1)	1 Outstanding
CCTV 2019/20	30/10/19	Substantial	1	1 Outstanding
Recycling 2019/20	14/11/19	Substantial	1	Completed
Local Elections 2019/20	15/11/19	Reasonable	2	Completed
Electrical Testing 2019/20	15/11/19	Substantial	1	1 Outstanding
Choice Based Lettings 2019/20	18/11/19	Reasonable	3	1 Outstanding
Human Resources 2019/20	20/12/19	Substantial	1	1 Outstanding
NNDR 2019/20	24/12/19	Substantial	2	2 Outstanding

Further details of progress being made with 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.

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**

<b>1. Cemeteries</b>	June 2018, Substantial Assurance, Actions – 1
<b>1.1 Digitisation of Cemetery Records</b>	<b>Progressing</b>
<p><u>Agreed Action</u> (Merits Attention – Necessary Control)</p> <p>A timetable for developing an efficient solution for maintaining a ‘one-stop’ effective and accurate electronic cemetery records will be produced. The progress made against this plan will then be monitored as appropriate by management (and Bereavement Services Committee). The replacement of the current software solution is considered to be a key part in this medium-term project.</p> <p><u>Manager Responsible</u> Head of Property Services</p> <p>Revised target date – 30 September 2020</p>	
<p><b><u>Management Progress Report of the Bereavement Services Manager and the Procurement and Contracts Officer</u></b></p> <p>The provision of a new Bereavement Services Management system has been subject to a formal tendering exercise, in conjunction with the Procurement and Business Transformation. Tender responses have been received and are currently undergoing desk based evaluations. There may be a need as part of due diligence to view a system in operation. It is anticipated a contract will be awarded by 1 September 2020, with work to commence shortly afterwards.</p>	
<b>2. Legionella</b>	September 2018, Reasonable Assurance, Actions – 5
<b>2.1 Health and Safety Audits</b>	<b>Progressing</b>
<p><u>Agreed Action</u> (Merits Attention – Necessary Control)</p> <p>In accordance with the policy, Health and Safety will carry out annual audits of the processes relating to Legionella prevention/detection and report its findings to the Safety Committee. This process will include seeking assurances from Responsible Persons that appropriate testing has been undertaken and completing a sample of substantive reviews linked to the areas of highest risk.</p> <p>The review will cover all relevant Council properties, including premises being managed by Liberty Leisure Limited and the community facilities that are presently being tested by Property Services.</p> <p><u>Managers Responsible</u> Head of Property Services; Health and Safety Manager</p>	
<p><b><u>Management Progress Report of the Head of Property Services</u></b></p> <p>The Legionella Policy was updated and presented to Safety Committee in February 2020. The designated persons list has been brought up-to-date and those with responsibilities for Legionella testing have been made aware of their responsibilities. Refresher training had been arranged for May 2020 but is currently on hold due to Covid-19 and the need for the training to be hands-on and interactive. Consideration is being given to reduced online training ahead of the fuller face-to-face training.</p> <p>Whilst the audit programme has yet to be developed, this work should be substantively completed by October 2020.</p>	

2. Legionella (Continued)	
2.2 Tendering and Contracts	<b>Progressing</b>
<p><u>Agreed Action</u> (Merits Attention – Necessary Control)</p> <p>A corporate review of the way that Legionella testing, risk assessment, cleaning, chlorination and training services are procured is being undertaken with a view to ensuring consistency, value-for-money and compliance with procurement regulations.</p> <p><u>Managers Responsible</u> Head of Property Services; Health and Safety Manager; Interim Senior Housing Manager</p>	
<p><b><u>Management Progress Report of the Head of Property Services</u></b></p> <p><b>This action is not considered to be a high risk/priority at this stage, given the ongoing pressure on resources. The action will be progressed later in the new year in conjunction with the Head of Housing and with support from the Procurement team.</b></p>	
3. Commercial Property/Industrial Units	
3.1 Invoices – Combined Rent and Insurance	<b>Progressing</b>
<p><u>Agreed Action</u> (Merits Attention)</p> <p>The potential to combine the annual billing process for rental and insurance recharges was considered. A wholesale change for all existing tenants was not considered appropriate at this stage as the action would require changing up to 60 system generated invoices as well as disrupting pre-arranged Direct Debits/Standing Orders for tenants.</p> <p>Instead, combined rent and insurance bills will be established for new tenancies and for existing tenants at the point of periodic rent reviews. The Estates Manager will liaise with the Insurance team to calculate a suitable fixed annual premium within the new lease term.</p> <p><u>Manager Responsible</u> Estates Manager</p> <p style="text-align: right;">Revised Target Date: 31 October 2020</p>	
<p><b><u>Management Progress Report of the Estates Manager</u></b></p> <p><b>Combined rent and insurance bills have been established for new tenants and existing tenants at the point of periodic rent reviews following discussions with the Insurance and Risk Management team to fix a suitable premium. So far, the Council has converted 22 units (36%) to a combined rent and insurance debt. The opportunity to covert further businesses has slowed during lockdown, although this will continue with any further new and updated lettings.</b></p>	



<b>4. Energy</b>	November 2018, Limited Assurance, Actions – 2
<b>4.1 Efficiency Improvements</b>	<b>Progressing</b>
<p><b><u>Agreed Action (Significant)</u></b></p> <p>A risk-based approach will be adopted for the billing and checking process. This will consider the potential improvements outlined in the audit report.</p> <p>The analytical review of monthly billing could be facilitated by the procurement of an Energy Database, which would enable a greater and faster analysis and payment of the incoming invoices. Analysis of usage and charges on each site could be undertaken for both abnormal usage and comparison previous years bills and weather conditions, enabling greater efficiency of identifying potential refunds and credits, and helping to prevent overpayment.</p> <p>This greater efficiency will free up time spent on bill checking and processing by the Energy Officer to progress other proactive tasks such as updating the Carbon Management Plan, looking at further ways to reduce energy consumption and CO<sub>2</sub> emissions.</p> <p><b><u>Managers Responsible</u></b>  Head of Property Services;  Estates Manager; Energy Officer</p> <p style="text-align: right;">Revised Target Date: 30 September 2020</p>	
<p><b><u>Management Progress Report of the Head of Property Services</u></b></p> <p><b>This action is ongoing. The Council has considered a number of potential databases but has yet to fully evaluate a suitable option that meets with its requirements.</b></p> <p><b>The Council has ended the contract for water utility management and is working with Procurement to consolidate all water invoices into one combined invoice with the supplier. Once this has been achieved, there should be a clearer picture of the type of database required to be compatible with the utilities' billing processes.</b></p>	
<b>5. Bramcote Crematorium</b>	October 2019, Substantial Assurance, Actions – 2 (1 Significant)
<b>5.1 Bereavement Services Management System</b>	<b>Progressing</b>
<p><b><u>Agreed Action</u></b> (Merits Attention – Necessary Control)</p> <p>The purchase and installation of a new Bereavement Services Management System will be completed as a matter of priority with key support provided by the Council's Procurement and Business Transformation officers.</p> <p><b><u>Managers Responsible</u></b>  Head of Property Services  Bereavement Services Manager</p> <p style="text-align: right;">Revised Target Date: 30 September 2020</p>	
<p><b><u>Management Progress Report of the Bereavement Services Manager</u></b></p> <p><b>The provision of a new Bereavement Services Management System has been subject to a formal tendering exercise in conjunction with the Interim Procurement and Contract Management Officer. The responses to the exercise have been received and are currently undergoing review and scoring.</b></p>	

6. CCTV		October 2019, Substantial Assurance, Actions – 1
<b>6.1 Application for the Third Party Certification of Compliance with the Surveillance Camera Code of Practice</b>	<b>Progressing</b>	
<p><u>Agreed Action</u> (Merits Attention – Necessary Control)</p> <p>The final areas of non-compliance with the Surveillance Camera Code of Practice are to be addressed, with the long-term aim of applying for the Third Party Certification of Compliance at an appropriate time in the future. In the meantime, the following actions are proposed:</p> <ul style="list-style-type: none"> <li>• Works to progress to enable the systems operating at Kimberley Leisure Centre to be made fully compliant and brought under the full control of the Parking &amp; CCTV/Security Manager. In order to facilitate this, a budget has been earmarked towards the review and upgrade of the existing camera system at the site. (Target date – 31 March 2020)</li> <li>• An approach will be made to the Head of Environment with a view to making progress towards CCTV systems operating at the Kimberley Depot (in particular those cameras operating from refuse freighters) being fully compliant with the Surveillance Camera Code of Practice. (Target date – 31 March 2020). It is recommended that the remote CCTV systems becomes the responsibility of the nominated single point of contact for CCTV surveillance and centralised in accordance with recommendation made by the Surveillance Camera Commissioner's Office. Alternatively, systems can be managed locally whereby compliance with the Commissioners Code of Practice and accreditation can be audited by the nominated senior responsible officer (SRO) for surveillance.</li> <li>• The existing CCTV policies will be refreshed and arrangements made for these to be formally adopted by the Council. (Target date – 31 March 2020)</li> </ul> <p><u>Managers Responsible</u>            Head of Property Services            Parking and CCTV/Security Manager            (in conjunction with the appropriate site managers) <span style="float: right;">Target Date: As above</span></p>		
<p><b><u>Management Progress Report of the Head of Property Services and the Parking and CCTV/Security Manager</u></b></p> <p><b>Action 1 (Kimberley Leisure Centre) – This is on hold indefinitely pending the outcomes of the Leisure Facilities Strategy.</b></p> <p><b>Action 2 (Kimberley Depot) – A meeting has been arranged with the Head of Environment to discuss CCTV arrangements at the Depot and for refuse vehicles, with an anticipated handover by 31 August 2020.</b></p> <p><b>Action 3 (Policy Updates) – The policies have been reviewed as a part of a recent RIPA inspection where it was deemed appropriate to develop separate policies where significant differences existed in separate systems. A CCTV update report was presented to the Community Safety Committee on the 4 June 2020, which resolved to undertake an internal review of the effectiveness and value for money of Broxtowe's town centre CCTV. This may see a number of cameras removed. As such, this action is on hold as the outcome of this review will affect how the policies are further developed (Revised target date - 31 December 2020).</b></p>		

<b>7. Electrical Testing</b>	November 2019, Substantial Assurance, Actions – 1
<b>7.1 Migration of Electrical Testing Schedule to Capita</b>	<b>Progressing</b>
<p><u>Agreed Action</u> (Merits Attention – Necessary Control)</p> <p>The migration of the Electrical Testing schedule and associated data from manual records to the upgraded Capita Housing system will be completed at the earliest opportunity.</p> <p><u>Managers Responsible</u> Head of Housing; Acting Housing Repairs Manager <span style="float: right;">Target Date: 30 April 2020</span></p>	
<p><b><u>Management Progress Report of the Acting Housing Repairs Manager</u></b></p> <p>Following the data load of the Electrical Testing components into the Capita Housing System, a number of issues were identified regarding the integrity of the data.</p> <p>These issues have now been resolved. However, there remains re-route testing to complete prior to the undertaking of a complete programme of testing. Additional employee training on reporting and communication with tenants is also required in order to align the process with the current Gas Servicing standards.</p>	
<b>8. Choice Based Lettings</b>	November 2019, Reasonable Assurance, Actions – 3
<b>8.1 Information Governance/Data Retention</b>	<b>Progressing</b>
<p><u>Agreed Action</u> (Merits Attention)</p> <p>All third party users are systematically requested to confirm their ongoing agreement to system access on an annual basis. This helps to mitigate the risk of personal data being retained for longer than necessary.</p> <p>Historical data relating to allocations has been retained as evidence to support the decision making process. Management will review the current arrangements and devise an information governance procedure to ensure that system data retention periods are clearly defined and adhered to.</p> <p><u>Managers Responsible</u> Head of Housing; Housing Operations Manager; Lettings Manager <span style="float: right;">Target Date: 31 March 2020</span></p>	
<p><b><u>Management Progress Report of the Housing Operations Manager</u></b></p> <p>This is an issue within the system used and has been raised with the software provider. Concerns over GDPR implications of the system have been discussed across the partnership, involving the Chief Information Officers and Information Governance Officer. The system upgrade and remodelling planned for 202/21 will address GDPR concerns on the system side.</p> <p>It is proposed to have significant consultancy time with the software provider in which training on reports and other matters will be done with teams, managers and certain operational requirements could be implemented in a bespoke way.</p>	

9. Human Resources		December 2019, Substantial Assurance, Actions – 1
9.1	Completeness of Records	Progressing
<p><u>Agreed Action</u> (Merits Attention – Necessary Control)</p> <p>The probationary process for new employees is currently being reviewing. An expected outcome will see the management of the probationary process returning under the direct control of the HR Manager, including chasing-up and escalation in instances of non-compliance. The HR Manager is due to deliver a briefing to a forthcoming Senior Management Team to emphasise the importance and benefits of completing the probationary process in accordance with Council policy.</p> <p>Officers will be reminded to ensure that all expected documentation for personal files relating to the induction process are received. In the medium-term, the potential for storing evidence of the induction process onto Broxtowe Learning Zone will be investigated.</p> <p><u>Managers Responsible</u>            Head of Public Protection            Human Resources Manager</p> <p style="text-align: right;">Target Date: 31 March 2020</p>		
<p><b><u>Management Progress Report of the Human Resources Manager</u></b></p> <p><b>New processes for probation were going to be piloted from April but due to the Covid-19 response this has not been implemented as of yet. Preparation work was done but other pressing matters have pushed this back. This will be revisited upon return to the office, as many of the actions relate to the physical documentation, which again has had to be temporarily put on hold due to limited access.</b></p>		

10. NNDR		December 2019, Substantial Assurance, Actions – 2
10.1	Business Rates Relief Guidance	Progressing
<p><u>Agreed Action</u> (Merits Attention 'Necessary Control')</p> <p>The website material, including the Business Rates Relief guidance publications, will be reviewed and updated as necessary. This will include consideration of consolidating the guidance where appropriate.</p> <p><b>This review will not be performed before 31 March 2020.</b> There have been several proposals announced by the government that will need to be incorporated in the guidance when this further details become available.</p> <p><u>Manager Responsible</u>            Head of Revenues, Benefits and Customer Services            Revenues Team Leaders</p> <p style="text-align: right;">Revised Target Date: 30 September 2020</p>		
<p><b><u>Management Progress Report of the Head of Revenues, Benefits &amp; Customer Services</u></b></p> <p><b>The Revenues team continue to review the content of the Council's website and several new initiatives have been published over the previous few months to support businesses that have been impacted by Covid-19.</b></p>		

10. NNDR (Continued)	
10.2 NNDR1 and NNDR3 Returns	Progressing
<p><u>Agreed Action</u> (Merits Attention 'Necessary Control')</p> <p>A full breakdown of the difference between the NNDR1 and NNDR3 returns will be documented and the reasons for any significant and/or unexpected variances investigated. The Council has recently purchased software from Analyse Local that will more readily provide this information. This will now be installed, in conjunction with ICT Services, to support the recommendation.</p> <p><u>Managers Responsible</u>            Head of Revenues, Benefits and Customer Services            Revenues Team Leaders</p> <p style="text-align: right;">Revised Target Date: 31 August 2020</p>	
<p><b><u>Management Progress Report of the Head of Revenues, Benefits &amp; Customer Services</u></b></p> <p>The NNDR1 and NNDR3 will be reviewed. However, the government has created an additional extension for the completion of the NNDR3 as a result of Covid-19. This means that the software supplier has not provided the Council with the updated version to allow this full comparison to be made. This will now be made prior to the end of August 2020.</p>	

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## Report of the Chief Audit and Control Officer

**GOVERNANCE DASHBOARD – MAJOR PROJECTS**1. Purpose of Report

To provide the Committee with a governance dashboard report relating to the Council's major and key projects.

2. Background

Members requested that a regular governance dashboard report be provided to Committee on major projects, such as the Beeston Town Centre Development, Stapleford Towns Fund and the Housing Delivery Programme, to include a governance checklist and an independent assurance opinion from Internal Audit.

As a consequence of the coronavirus pandemic, it was not possible to prioritise these governance reviews and allow Internal Audit sufficient time to complete a robust and professional challenge. However, the audits of the Beeston Town Centre Development and the Housing Delivery Programme are nearing completion and will be reported to this Committee in the next cycle.

Internal Audit was also asked to confirm that the Council has complied with the Government's guidance on the Covid-19 emergency grants given to businesses and charities and the hardship scheme for council tax payers. The request also sought confirmation of compliance with internal governance protocols regarding the grants provided to voluntary and mutual aid groups. The conclusions relating to this review is included in the appendix.

A review of arrangements relating to the hardship scheme for council tax payers will commence shortly, with the outcome reported to this Committee in due course as part of the Internal Audit Progress Report.

Finally, it should be noted that with regard to decisions made by Committees during the ongoing situation, the necessary levels of transparency and openness are being adhered to through the implementation of virtual meetings that include public participation and the ability to stream meetings while ensuring that quoracy levels comply with the Council's Constitution.

**Recommendation**

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

Background Papers

Nil

**APPENDIX****AUDIT OF COVID-19 EMERGENCY GRANT SCHEMES**

Internal Audit has completed a governance audit to provide assurance that the Council has complied with the Government's guidance on the emergency grants given to local businesses. The review also sought confirmation of compliance with internal governance protocols regarding the payment of Covid-19 Community Support Grants to local voluntary and mutual aid groups.

**Broxtowe Covid-19 Community Support Grants**

The first scheme of pandemic-related financial support launched by the Council was the emergency Covid-19 Community Support Grants funding to voluntary groups in working to support people in the local community. The availability of the grants was publicised through a press release on the Council's website and through direct contact with nominated voluntary groups.

The grant 'pot' was supported by an initial grant from the Government of £51,030. As at 1 July 2020, £70,000 has been paid out by the Council to local groups. The balance of the funding will be financed by General Fund balances.

Owing to the emergency nature of this scheme payments, a detailed policy and procedure was not drawn up. Instead, the payments were made consistently by the the Head of Finance Services, using existing payment processes, upon the instruction of the Chief Executive, in consultation with the Leader of the Council. Also, in addition to advertising the scheme, the Communications team published press releases using stories provided by a number of groups as to how the funding would be used.

A sample of all grants paid has been reviewed by Internal Audit. In all cases, an email from the Chief Executive was viewed in authorisation of the payment. The majority of these instructions referenced the support of the Leader of the Council. It was noted that the first two grants were made via 'faster payments' direct from the Council's bank account. However, in order to align key controls with regular payments, the subsequent grants payments were processed through the creditors system.

Internal Audit considers that whilst the emergency nature of the payments made to volunteer groups under this scheme required such an expedited process, under normal circumstances grant payments of this value (£2k-£10k) would require a formal application, assessment, reporting and approval by an appropriate Committee.

It will therefore be recommended in the final audit report that a suitable report, detailing the payments made and the broad purpose of the groups to whom the payments were made (and to include feedback from each grant recipient to find out exactly how the monies were spent) should be presented to a future meeting of the Finance and Resources Committee for noting and retrospective approval.



**Small Business Grant Fund and Retail, Hospitality and Leisure Grant Fund**

The Government established the Small Business Grant Fund and the Retail, Hospitality and Leisure Grant Fund (“business grants”) in April 2020. These schemes were designed to support small businesses and those in the retail, hospitality and leisure sector with their costs during the coronavirus pandemic lockdown.

For this purpose, a business was deemed to be entitled to a grant under these schemes where the business is based in England and either:

- Occupying property and being eligible for small business rate relief or rural rate relief on 11 March 2020; or
- Being in the retail, hospitality or leisure sector and occupying property with a rateable value of under £51,000 on 11 March 2020.

If eligible, a business received a grant of £10,000. Where the business is in the retail, hospitality or leisure sector and occupied property with a rateable value of between £15,000 and £51,000 on 11 March 2020, this grant increased to £25,000. Only one grant may be awarded per business.

As at 1 July 2020), the majority of business grants (around 1,400) likely to be applied for had been paid with only a small number now being processed (typically two or three per day).

The application process involved the applicant completing a simple online form which upon completion generated an email to a dedicated email address comprising the application form and supporting bank details confirmation as an attachment. The applications were initially administered by a Revenues Officer under the direct supervision of the Head of Revenues, Benefits and Customer Services.

Officers completed the assessments using a number of data matching and investigatory techniques that were immediately available. These included

- Matching data to the business rate system – An important way to ensure the data provided by the applicant is consistent with the system. This could quickly identify duplicate applications, names, addresses and bank details.
- Matching data to other systems – This could also be used, where appropriate, (for example to cross-check details to the creditors system) to identify if addresses for individuals or business names/types were recorded differently elsewhere identifying ‘red flags’ to investigate further.
- Open Source Data – Using the masses of data that is publicly available online proved to be a useful tool particularly for cases deemed high risk, to double check whether online information validates what had been given particularly around the business type or names of individuals.

- Direct Contact - Again, for high risk cases, the businesses were contacted directly contacted to validate the application, identity and accuracy of a claim.

The majority of grant applications and bank details were easily correlated to existing records within the Business Rates system. However, a significant minority required further information/investigation prior to the release of grant. The most common reasons for this were:

- The business name or proprietor name not matching Council records and/or the details at Companies House.
- No evidence of entitlement to Small Business Rates relief.
- The bank details provided not matching Council records and/or the supporting information provided.

Over time, the 'high-risk' applications were worked through by the Revenues section, assisted by Internal Audit, with the majority of outstanding issues resolved. Where, after exhausting the available lines of enquiry, sufficient comfort could not be obtained over eligibility of the application, the grant was refused. In some cases, where appropriate, the applicant was referred to the discretionary grants scheme, below. Approximately 150 applications were concluded in this way.

The grant payments made to eligible businesses were processed through the Business Rates collection system, a component of the Civica Financials system. A custom interface, provided by the software provider, enabled grants to be made through the Council's creditor payment system by placing a credit on the applicant's Business Rates account which, once released for payment, was automatically made the next working day. In this way, the system controls ensured that only one payment may be made per rateable property.

### **Discretionary Grants**

The Local Authority Discretionary Grants Fund ("discretionary grants") was established by the Government to provide some financial relief for those businesses who were not eligible for the previous grant schemes. These grants, capped at £25,000, are subject to the following national eligibility criteria:

- *Being based in England*
- *Having relatively high ongoing fixed property-related costs*
- *Occupying property (or part of a property) with a rateable value or annual mortgage/rent payments below £51,000*
- *Trading on 11 March 2020.*
- *Showing that the business suffered a significant fall in income due to coronavirus.*

Any eligibility for another grant scheme (except the Coronavirus Job Retention Scheme or the Self-Employed Income Support Scheme) rendered a business ineligible for a discretionary grant. State Aid requirements also applied and a

business cannot apply if it is in administration, insolvent or has received a striking-off notice

As the name suggests, local authorities had the discretion in how to prioritise funding provided under this scheme. To this end, a joint approach was conducted across Nottinghamshire, led by the Section 151 Officers, with a view to establishing a common scheme across the county.

The Broxtowe Scheme opened to applications on 4 June 2020 and the first phase closed on 30 June 2020. The specific criteria were set as:

- Be a small or micro business, as defined in Section 33 Part 2 of the Small Business, Enterprise and Employment Act 2015 and the Companies Act 2006.
- Have relatively high ongoing fixed property costs.
- Be able to demonstrate that they have suffered a significant fall in income for the period 1 April 2020 to 31 May 2020.
- Have a rateable value or annual rent/mortgage payments below £51,000.
- Trading on 11 March 2020.
- Not in administration, insolvent or where a striking-off notice has been made.

As with the original business grants scheme, the application process involved the applicant completing a simple online form which generates an email to the dedicated email address comprising the application form and supporting information included as an attachment.

Unlike the earlier scheme, each application did require a detailed review to ensure that it meets the more stringent criteria outlined above. As a result, each application was initially reviewed by the Revenues Officer for eligibility and then passed to a panel consisting of the Head of Revenues, Benefits and Customer Services; the Chief Audit and Control Manager; and the Planning, Regeneration and Development Manager for approval. Those approved were then scrutinised by Internal Audit (for a summary fraud check) and Economic Development (for comments from a business perspective) before finally being submitted to the Chair of the Finance and Resources Committee and the Vice-Chair (the Deputy Leader of the Council) for final approval.

The grants were released through the regular creditors system.

The discretionary grants scheme is ongoing and, as at 1 July 2020, only 22 grant applications had so far been processed and paid. The second phase of this scheme is currently under consideration.

### Post-Scheme Fraud Work

At the outset of the pandemic lockdown, the Council was tasked by the Government to support the distribution of emergency funds to local businesses to manage the impact of Covid-19. In administering these funds, local authorities had an important role in balancing the need between distributing the funds quickly to support local

businesses, whilst applying sufficient due diligence checks to mitigate the risk of fraudulent applications.

Officers worked hard to establish a quality assurance and fraud checking process, based upon a risk assessment, that was designed to not be overly bureaucratic and allowed for grants to be paid promptly. The urgent nature of the grants and the speed in which the schemes had to be established (largely from scratch) to meet with expectations from the Government and local businesses meant that there was a high inherent risk of fraud and error. The controls established by management enabled this risk to be mitigated to moderate. Internal Audit has supported this process by providing quality assurance and fraud checking, particularly for 'red flag' cases.

Going forward, management will now consider, in conjunction with Internal Audit, whether to complete any further post-scheme fraud assessment to verify businesses receiving grants, possibly utilising data matching tools such as 'Spotlight' (an automated due diligence tool provided by the Cabinet Office) or similar applications.

### Conclusion

The Council has established an appropriate framework for the governance, administration and processing of emergency grants. Internal Audit considers that the governance arrangements relating to these grant schemes and the key controls within the systems provide **reasonable** assurance that risks material to the achievement of the overall objectives are adequately managed.

It should be noted though that these grants schemes are still live. Internal Audit still has to complete some additional transactional testing, quality assurance and fraud-checking of current applications and potentially other post-scheme fraud work in order to conclude its work in this area.

This audit has taken place during the pandemic lockdown, which has seen the audit process adapted to enable the review to be completed remotely. Internal Audit considers that it has not been overly restricted in terms of its access to systems, records and people. As a result, the conclusions and the strength of the audit opinion provided has not been impacted or qualified. The support of the Head of Revenues, Benefits and Customer Services and his team has been most welcome in successfully concluding the audit testing.

A final report will be issued to management upon completion of the audit. A summary of the overall findings and conclusions will be provided to this Committee as part of the regular Internal Audit Progress Report.

**Report of the Deputy Chief Executive**

**AUDIT OF ACCOUNTS 2019/2020 UPDATE**

1 Purpose of Report

To update the Committee on progress in producing the Council's accounts for 2019/20 and their subsequent review by the Council's external auditors (Mazars).

2 Background

As reported to the Committee on 18 May 2020, the Accounts and Audit Regulations (2015) set out the timescales for the production of the Council's accounts, including the dates of the public inspection period. Following the coronavirus outbreak and in response to the pressures this has placed upon finance teams and external auditors in the production of the 2019/20 accounts, the Accounts and Audit (Coronavirus) (Amendment) Regulations were approved on 7 April 2020 and came into effect on 30 April 2020. The most significant changes were as follows:

- The draft 2019/20 accounts must be approved and presented to the external auditors for review by 31 August 2020 at the latest (instead of 31 May 2020) though they may be approved earlier if possible.
- The requirement for the public inspection period to include the first 10 working days of June has been removed. Instead, the public inspection period must commence on or before the first working day of September 2020.
- The publication date for the final, audited, 2019/20 accounts will move from 31 July 2020 to 30 November 2020.

The Council's Accounts Closedown Timetable 2019/20 was revised in response to these changes. The draft 2019/20 accounts were approved and presented to the external auditors for review on 30 June 2020, two months ahead of the revised statutory deadline of 31 August 2020. They have been placed on the Council's website and can be found under the following link:

<https://www.broxtowe.gov.uk/media/7694/unaudited-statement-of-accounts-2019-20.pdf>

The external audit of the draft 2019/20 accounts commenced on 29 June 2020. This is being conducted remotely with neither finance staff or external auditors accessing the Council Offices during this process. It is presently envisaged that the final, audited 2019/20 accounts will be presented for approval to the Governance, Audit and Standards Committee on 21 September 2020.

Details of the public inspection period have been placed on the Council's website. This commenced on 1 July 2020 and is due to end on 11 August 2020.

**Recommendation**

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

Background Papers

Nil

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## Report of the Strategic Director

**COMPLAINTS REPORT 2019/20**1. Purpose of report

To provide members with a summary of complaints made against the Council.

2. Detail

This report outlines the performance of the Council in dealing with complaints, including at stage one, managed by the service areas, at stage two, managed by the Complaints and Compliments Officer and at stage three passed to the Local Government Ombudsman (LGO).

- Appendix 1 provides a summary of the Council's internal complaint statistics.
- Appendix 2 provides a summary of the complaints investigated by the Council formally under stage two of the Council's formal complaint procedure.
- Appendix 3 provides a summary of the complaints determined by the LGO.

The Council has seen an overall improvement in the management of the complaints service. Through the enhanced use of digital technology, the Council has raised the number of complaints being acknowledged within 3 working days. The number of complaints acknowledged within 3 working days has risen from 325 (90.1%) in 2018/19 to 431 (94.5%) in 2019/20. The number of complaints acknowledged after three working days has been reduced from 18 in 2018/19 (9.9%) to 16 in 2019/20 (5.5%).

It should be noted that there has been an increase of complaints in relation to Housing repairs following extreme weather conditions and the COVID-19 pandemic.

Of the 449 complaints received overall, 41 were investigated under the stage 2 complaints procedure and 9 were investigated by the LGO. Under the stage 2 complaints procedure, 26 complaints (63%) were not upheld, 3 complaints (7%) were partially upheld and 12 complaints (30%) were upheld. Further detail can be found in appendix 2. The LGO investigated 9 complaints made against the Council. 8 complaints (89%) were recorded as not upheld, resulting in no further action being required by the Council and 1 complaint was upheld. Further details can be found in appendix 3.

**Recommendation**

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

Background papers

Nil

## APPENDIX 1

**Complaints received**

This table shows the figures for the overall complaints received in 2019/20 and the previous 2018/19 figures are shown in brackets for comparison

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Strategic Director</b>	<b>Liberty Leisure Ltd</b>	<b>Members</b>
Number of Stage 1 complaints	<b>449</b> (344)	211	50	170	5	13
No. of complaints investigated under Stage 2	<b>41</b> (30)	35	3	3	-	-
No. of complaints determined by the Ombudsman	<b>9</b> (4)	8	1	-	-	-

The Council has registered a total of 449 stage 1 complaints in the year 1 April 2019 to 31 March 2020, compared to 344 in the year 2018/19. The number of complaints concluded under stage 2 of the complaints procedure is 41, compared to 30 in 2018/19, and 5 complaints, compared to 4 in 2018/19 have been determined by the Local Government Ombudsman and the Housing Ombudsman Service.

**Time taken to acknowledge receipt of stage one complaints (3 working day target)**

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Strategic Director</b>	<b>Liberty Leisure Ltd</b>	<b>Members</b>
Number of complaints acknowledged on the same day	<b>291</b> (182)	156	21	99	2	13
Number of complaints acknowledged within one to three days	<b>142</b> (143)	52	27	61	2	-
Number of complaints acknowledged after three working days	<b>16</b> (19)	3	1	11	1	-



291 stage 1 complaints (65%) were acknowledged on the same day. 142 (32%) were acknowledged in one to three days and 16 (3%) took more than three working days to acknowledge.

The Council has seen an improvement in the time taken to acknowledged complaints. The Council has made better use of electronic facilities in order to keep customers updated as to the progression of their complaint.

**Time taken to respond to stage 1 complaints (15 working day target)**

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Strategic Director</b>	<b>Liberty Leisure Ltd</b>	<b>Members</b>
Less than 5 working days	<b>121</b> (134)	16	19	85	1	-
5 to 10 working days	<b>56</b> (82)	35	10	10	1	-
10 to 15 working days	<b>247</b> (85)	131	13	100	3	-
More than 15 working days	<b>25</b> (43)	25	-	-	-	-

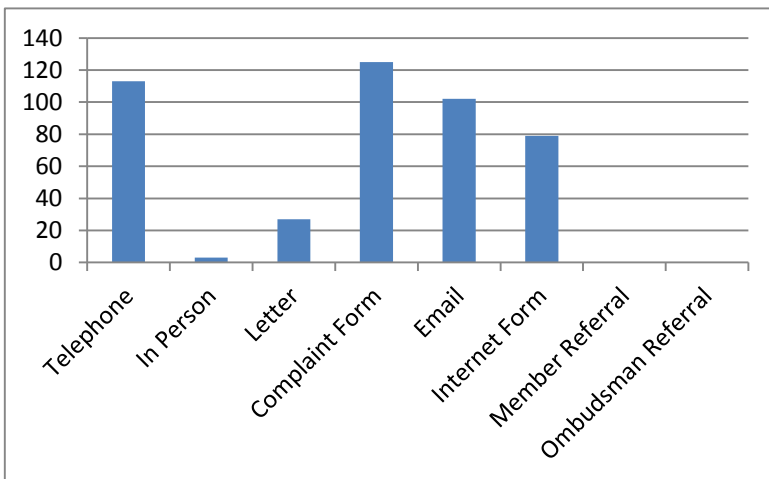
121 stage 1 complaints (27%) were responded to in less than five working days, 56 (12%) within five to ten days, 247 (55%) within ten to fifteen working days. 25 (6%) took longer than fifteen working days to provide a response. In these cases, the Heads of Service are asked to write to complainants to advise that a response will take longer and provide the complainant with an estimated timescale for completion.

Reasons for delays could include:

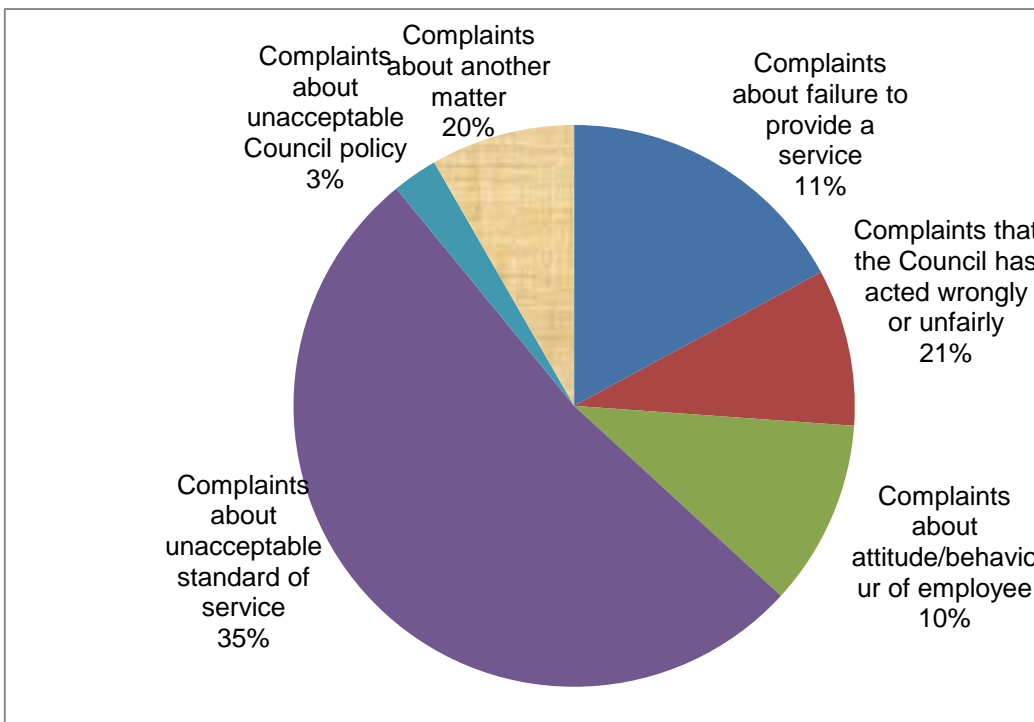
- Further information is required from the complainant
- Complexity of the complaint
- Key officers being unavailable (out of office)

(This list is not exhaustive)

**How the complaints were made**



**What the complaints were about**



**Number of stage 2 complaints**

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Strategic Director</b>	<b>Liberty Leisure</b>	<b>Members</b>
Number of Stage 2 complaints	<b>41</b> (30)	35	3	3	-	-

**Time taken to acknowledge to stage 2 complaints (3 working day target)**

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Strategic Director</b>	<b>Liberty Leisure</b>	<b>Members</b>
Acknowledged within 3 working days	<b>41</b>	35	3	3	-	-

**Time taken to respond to stage 2 complaints (20 working day target)**

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Strategic Director</b>	<b>Liberty Leisure</b>	<b>Members</b>
Responded in less than 10 working days	-	-	-	-	-	-
Responded in 11 to 20 working days	<b>30</b>	25	2	3	-	-
Responded in more than 20 working days	<b>11</b>	10	1	-	-	-

41 complaints were investigated and responded to under stage 2 of the formal complaint procedure. 100% were acknowledged within three working days and 30 (73%) were responded to within the 20 working day timescale. All the complainants who received their responses after 20 working days were informed that there would be a delay and were told the reason.

Reason for the delay include

- Further information being required from the complainant or officers,
- Complexity of the complaint
- Key officers not being available to interview.

**Equalities Monitoring**

Of the 449 stage 1 complaints recorded, 173 were completed with the monitoring data.

Gender

Male – 52  
 Female – 77  
 Not stated - 44

Age groups

<17 - 1                      45–59 – 32  
 18–24 – 3                    60–64 – 3  
 25–29 – 9                    65+ – 17  
 30–44 – 35                    Not stated – 73

Ethnic Groups

British – 96  
 Indian – 3  
 Caribbean -1  
 Not stated – 68  
 Any other White – 5

Long term health problem that limits daily activity?

Yes – 14  
 No – 80  
 Not stated - 79

**Compliments**

There have been a total of 57 compliments registered in the period. 39 of which were in relation to specific employees and 18 were related to the service received.

**Financial Settlements**

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Strategic Director</b>	<b>Liberty Leisure</b>
Stage 1	1	-	-	-	-
Stage 2	2	£800	-	-	-
Ombudsman	1	£150	-	-	-
<b>TOTAL</b>	<b>4</b>	<b>£950</b>	<b>-</b>	<b>-</b>	<b>-</b>

An offer of £600 had been offered to a complainant in relation to damaged items caused by mould issues in their property. However, the complainant did not contact the Council to decline or accept this payment.

**Breakdown of complaints and compliments by department and section****Chief Executive's department**

<b>Service Areas</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Ombudsman Complaints</b>	<b>Compliments</b>
Communities	3	-	-	-
Civic	4	-	-	-
Development Control	25	9	7	-
Environmental Health	2	-	-	-
Garage Service	4	2	-	-
Housing Options	36	3	1	11
Housing Repairs	89	16	-	10
Leaseholder Services	5	2	-	1
Neighbourhood Services	38	2	-	22
Private Sector Housing	1	-	-	-
Strategy and Performance	1	-	-	1
Licensing	1	-	-	-
Legal Services	1	1	-	1
Town Centre Management	1	-	-	-

**Deputy Chief Executive's department**

<b>Service Areas</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Ombudsman Complaints</b>	<b>Compliments</b>
Benefits	2	-	-	-
Capital Works	5	1	-	-
Customer Services	3	-	-	-
Estates	1	-	-	-
Rents	2	-	-	-
Revenues	35	2	1	-
Parking Services	2	-	-	-

**Strategic Director's Department**

<b>Service Areas</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Ombudsman Complaints</b>	<b>Compliments</b>
Waste and Recycling	137	1	-	8
Parks and Environment	12	1	-	
Democratic Services	10	-	-	2
Elections	2	1	-	
Administrative Services	9	-	-	1

**Liberty Leisure Ltd**

<b>Service Area</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Ombudsman Complaints</b>	<b>Compliments</b>
Kimberley Leisure Centre	5	-	-	-

**Standards**

<b>Area</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Ombudsman Complaints</b>	<b>Compliments</b>
Community Trigger	-	-	-	-
Members	13	-	-	-

Stage 2 – Formal Complaints1. Complaint against Homelessness Services

Acknowledgement – 1 working day  
Response – 23 working days  
Advised that extension was required  
**Complaint not upheld**

Complaint

The concern raised was that the complainant had been mistreated by the Homelessness Team and their complaints had not been dealt with objectively. Additionally, concern was raised around the documentation requested by the Homelessness Team.

Response

It was found that the Homelessness Team had acted appropriately when determining the complainant's homelessness situation and had acted in accordance with statutory guidelines. The complainant's complaint had been reviewed by senior officers not initially involved in their homelessness application.

2. Complaint against Homelessness Services

Acknowledgement – 1 working day  
Response – 25 working days  
Advised that extension was required  
**Complaint not upheld**

Complaint

The concern raised was that the Homelessness Prevention Officer had been rude, had deliberately hindered their homelessness application and provided incorrect advice.

Additionally, the Homelessness Prevention Officer had mistakenly sent an internal e-mail regarding the complainant, to the complainant, that was derogatory.

Response

The Council had issued advice to the complainant in line with its statutory duty under the Homelessness Act. The Homelessness Prevention Officer had been polite and prompt in all correspondence.

The e-mail mistakenly sent to the complainant was factual and contained no derogatory comments. An apology was offered for this error.

**3. Complaint against Waste and Recycling**

Acknowledgement – 1 working day

Response – 19 working days

**Complaint not upheld**

Complaint

The concern raised was that the complainant's son was struck by a reversing refuse lorry causing bruising and the Council had not accepted responsibility of the incident.

Response

It was found that the no impact had taken place between the complainant's son and the refuse lorry. The complainant's son had step out behind a reversing refuse lorry but the banksman had spotted the child and ordered the lorry to stop.

The complainant was invited to submit any evidence to the contrary but did not do so.

**4. Complaint against Housing Repairs**

Acknowledgement – 1 working day

Response – 15 working days

**Complaint upheld**

Complaint

The concerns raised were that the complainant's property was experiencing issues with damp/mould and that the response to this issue by the Repairs Team was inadequate.

Response

It was found that the Housing Repairs team had identified the source of the damp but there were significant delays in attending to this repair. The repair was rescheduled and rectified with all remedial repair issues also being scheduled.

**5. Complaint against Allocations**

Acknowledgement – 1 working day

Response – 15 working days

**Complaint upheld**

Complaint

The concerns raised was that the Allocations Team had offered a property to the complainant but later withdrew this offer as it did not suit their medical needs.

Response

It was found that the Council had provisionally offered the complainant a property that was not suitable for their medical needs. The property was withdrawn using the correct Occupational Health information. However, the complainant should not have been eligible to bid on the property in the first instance. This was due to a system error.



An apology was offered and the complainant reinstated as a band 1 on the housing register.

**6. Complaint against Planning**

Acknowledgement – 1 working day  
Response – 25 working days  
Advised that extension was required  
**Complaint not upheld**

Complaint

The concerns raised were that the Council had not given the complainant an appropriate timeframe in which to express their concerns against a planning application and that their objections were not taken into account.

Response

The Council's records showed that the complainant had been issued a consultation letter within the statutory deadlines and a substantial response to the planning application had been received from the complainant. Additionally, the complainant's objections had been included in the appropriate Planning Committee report to be reviewed by the Planning Committee.

**7. Complaint against Garage Services**

Acknowledgement – 1 working day  
Response – 30 working days  
Advised that extension was required  
**Complaint upheld**

Complaint

The concern raised was that the Council had victimised the complainant in relation to their garage tenancy.

Response

The Council had terminated the complainant's garage tenancies due to the rent arrears on their residential property. In the absence of a formal policy or wording in either tenancy agreements, the Council were unable to terminate the garage tenancies due to the rent arrears on the complainant's residential property.

The complainant's garage tenancies were reinstated with the rent arrears cleared and an offer of £150 compensation was made.

The complainant did not contact the Council to accept or reject the £150 compensation.

**8. Complaint against Planning**

Acknowledgement – 1 working day  
Response – 24 working days  
Advised that extension was required  
**Complaint not upheld**

Complaint

The concerns raised was that the Council’s Planning Service had failed to undertake its enforcement responsibilities relating to a breach of planning regulation.

Response

The Council’s records showed that the Planning team had acted appropriately when dealing with the enforcement issue. The Planning team had been in regular contact with the complainant and undertaken the necessary investigations when determining this breach of planning control.

**9. Complaint against Planning**

Acknowledgement – 1 working day  
Response – 14 working days  
**Complaint not upheld**

Complaint

The concerns raised were that the Council’s Planning Service had failed to adhere to planning policy when determining a planning application, the site visits undertaken were not satisfactory and the plans appended to the Planning Committee report were not accurate.

Response

The Council had determined the application in line with the relevant policies. The complainant was referring to a policy that was dated 1992. The Council are required to determine planning applications on the most recent polices, in this case the National Planning Policy Framework.

The Council’s Planning Officer had visited the complainant’s property to assess the impact of the development. Site photographs were taken and included in the PowerPoint presentation given to Planning Committee. Additionally, the plan appended to the Planning Committee report was to highlight the location of the site. The detailed plans for the application were included in the PowerPoint presentation.

**10. Complaint against Garage Services**

Acknowledgement – 2 working day  
Response – 18 working days  
**Complaint upheld**

Complaint

The concerns raised were that there was pooling water outside of the complainant's garage and there was an inadequate response from Housing Repairs to rectify the issue.

Council's response

The Council had attempted to rectify the issue by having a road sweeper remove the water. However, the road was not adopted and Nottinghamshire County Council would not undertake the work.

The Council agreed to jet wash the drainage, yet there was a delay in this being undertaken.

**11. Complaint against Elections**

Acknowledgement – 1 working day  
Response – 32 working days  
Advised that extension was required  
**Complaint not upheld**

Complaint

The concern raised that the complainant did not received their postal vote despite filling necessary forms being filled out.

Council's response

It was found that the postal vote packs were undelivered and returned to the Council by Royal Mail. Royal Mail did not indicate that these packs were undelivered and they were processed as being correctly returned.

**12. Complaint against the Planning**

Acknowledgement – 1 working day  
Response – 43 working days  
**Complaint not upheld**

Complaint

The concern raised was that the Planning Service had been biased and not performed any due diligence when determining a planning application.

Council's response

The Council had taken the appropriate steps to determine the planning application. There was no evidence of the Planning Service being bias.

### **13. Complaint against Neighbourhood Services**

Acknowledgement – 1 working day  
Response – 17 working days  
**Complaint not upheld**

#### Complaint

The concern raised was that the Council would not allow the tenant to store a mobility scooter within their property.

#### Council's response

The Council had advised the tenant that the storing of mobility scooters is not permitted within Council properties due to fire risks. The complainant had been advised of this as per the Council's Mobility Scooter policy.

### **14. Complaint against Planning Enforcement**

Acknowledgement – 1 working day  
Response – 17 working days  
**Complaint not upheld**

#### Complaint

The concern raised was that the Council had not taken action against an alleged planning enforcement issue.

#### Council's response

The Council had thoroughly investigated the alleged breach of planning conditions. It was determined that the alleged development was immune to planning law as it was over 4 years old.

### **15. Complaint against Planning**

Acknowledgement – 1 working day  
Response – 17 working days  
**Complaint not upheld**

#### Complaint

The concern raised was that the Council had not taken into account the complainants objections to a planning application and that the site visit performed by the Planning Committee was not adequate.

#### Council's response

The Council had included the complainant's objection into the appropriate Planning Committee report and further objections were provided to the Committee verbally at the meeting.

The Planning Committee attended the site on two occasions and from neighbouring properties.

**16. Complaint against Housing Repairs**

Acknowledgement – 1 working day  
Response – 20 working days  
**Complaint partially upheld**

Complaint

The complaints raised were that there were delays in undertaking various repairs to the complainant's roof, sink and utility cupboard doors. Additionally, the complainant complained that there had been an insufficient response from the Housing Repairs teams to repair an issue of water pressure.

Council's Response

It was found that the Housing Repairs team were due to replace the utility cupboard doors, however as these were not standard size, the doors had to be made to order. However, there were significant delays in the ordering and replacement of the doors.

The repair to the roof was undertaken within the Council's standard repair time for a non-emergency. Additionally, the sink had become damaged due to the complainant removing the tiling around the sink area. Therefore, the repair of the sink remained the complainant's responsibility.

**17. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint upheld**

Complaint

The complaints raised were that the complainant's property was let to them while in a state of disrepair. Additionally, the decorations vouchers issued to them were not valid and caused them distress when they attempted to use them.

Council's Response

It was found that the complainant's property was let to them while in a substandard condition. Repairs to the property had been scheduled to be undertaken before the complainant moved in. However, there were delays in these repairs being undertaken.

The decoration vouchers were not correctly activated when issued due to an administrative error.

The complainant was offered £500 compensation in settlement of the distress caused and due to the extended delays in repairs being undertaken.

**18. Complaint against Planning**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

Complaint

The complaints raised were that the Planning Service had not adequately dealt with a Planning Inspectors report or the Green Infrastructure Strategy when determining a planning application

Council's Response

It was found that the Planning Service had given considerable consideration to the Planning Inspectors report and Green Infrastructure Strategy. This information was detailed in the appropriate Planning Committee Report and was reviewed by members at the appropriate Planning Committee meeting.

**20. Complaint against Parks Department**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

Complaint

The complaint raised was that the Tree Officer had not acted professionally when determining the protection of trees for a planning application.

Council's Response

It was found that the Tree Officer had acted professionally when determining the protection of the trees. The Tree Officer had considered the trees in conjunction with a professional tree surveyor's report. The Tree Officer recommended that the removal of some trees was appropriate as they had become unsafe. Additionally, the trees were owned by a private land owner and therefore their removal remained the responsibility of land owner.

**21. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

Complaint

The complaints raised were that there had been extended delays in repairing a bowed ceiling and damp issues.

Council's Response

It was found that the Housing Repairs Service had attempted to repair the ceiling but due to the complainant not clearing a sufficient space for the repair to be undertaken, the repair had to be rescheduled. The complainant cancelled the rescheduled repair as they were due to be away from the property.

The damp issues had been caused by a block drain which had caused damage to the complainant's belongings. The Council's contractor attended the property promptly to rectify the issue. However, a dehumidifier that was issued was faulty required replacement.

The complainant requested compensation for the damaged belongings but did not provided an itemised list of damaged items when requested to consider this.

**22. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

Complaint

The complaints raised were that the complainant's granddaughter was not allocated a property in their desired area and that they could not bid on three bedroom properties.

Council's Response

It was found that the Housing Options team had appropriately applied the allocation policy to the complainant's granddaughter, they were not eligible for a three bedroom property due to their family makeup.

Additionally, the complainant's granddaughter was not allocated a property in their desired location as there were no appropriate properties to allocate within this area.

**23. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

Complaint

The complaint raised was that a Housing Repair Operative damaged the complainant's wardrobe while undertaking a gas service inspection.

Council's Response

It was found that the Housing Repairs Team had requested to book an inspection of the wardrobe to assess the alleged damage caused. The complainant had declined the offer of the inspection and stated they would obtain a quote to repair the wardrobe. However, the complainant did not submit an independent quote for the repair.

## **24. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint upheld**

### Complaint

The complaint raised was that the complainant's late father's belongings were removed from their property without permission.

### Council's Response

It was found that the Housing Repairs Team had removed items of complainant's late Father without permission. The items were located, returned and an apology was offered. An investigation was undertaken internally as to the circumstance surrounding the removal of the items.

## **25. Complaint against Leaseholder Services**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint upheld**

### Complaint

The complaint raised was that the complainant had been charged for the emergency repair of their front door.

### Council's Response

It was found that the complainant's front door had been replaced as part of the modernisation process but the door had a faulty locking mechanism. This resulted in the complainant being lock in their property. The door was repaired and the emergency call out charge was removed from the complainant's account.

## **26. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

### Complaint

The complaint raised was that the complainant's garage roof was in a state of disrepair.

### Council's Response

It was found that the Housing Repairs Team had inspected the garage, cleared vegetation from the roof but were unable to find any visible damage to the roof. An inspection of the garage interior was requested to assess any further issues but the complainant did not



make contact with the Council to arrange this. During the course of the complaint investigation the complainant terminated the tenancy.

**27. Complaint against Legal Services**

Acknowledgement – 2 working day  
Response – 30 working days  
Advised extension was required  
**Complaint not upheld**

Complaint

The complaint raised was that the Council’s Legal Team was pursuing the complainant’s mother in relation to a housing repair payment.

Council’s Response

It was found that the Council’s Legal Team was not actively pursuing payment of a housing repair bill. The bill was being pursued by an external solicitor as this part of a redemption payment associated with the property and they were acting on behalf of the estate holder.

The Council had no responsibility for the actions undertaken by the external solicitor as they were not instructed to act on behalf of the Council.

**28. Complaint against Leaseholder Services**

Acknowledgement – 2 working day  
Response – 30 working days  
Advised extension was required  
**Complaint upheld**

Complaint

The complaints raised were that there were extended delays in repairing the complainant’s roof and there had been a lack of communication from the Housing Repairs Team as to when the repairs would take place. Additionally, a retainer had been placed on the property by the previous leaseholder to conduct repairs but required a booking of the repairs to be accessed.

Council’s Response

It was found that while inspections of the roof had taken place, there had been an extended delay in scheduling the works. It was found that the delay in the repairs had not been adequately communicated and this in turn affected the time sensitive retainer.

An apology was offered and £150 paid in settlement of the complaint.

**29. Complaint against Planning**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint partially upheld**

**Complaint**

The complaint raised was that the planning validation process was not fit for purpose. The complainant was asked to validate their application on multiple occasions

**Council's Response**

It was found that the planning validation process was undertaken as appropriate. Due to the plans not being clear when submitted by the complainant, the Planning Service were required to issue multiple requests for planning validation. The Council aims to only issue one request to validate an application and recognised that by sending multiple requests it may have caused some inconvenience to the complainant.

**30. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

**Complaint**

The complaint raised was that there had been inadequate response from the Housing Repairs Team to rectify an issue of damp.

**Council's Response**

It was found that the Housing Repairs Team had booked multiple inspections to assess the damp issues but were not able to gain access to the property. The complainant did not contact the Council to state that the prearranged bookings were not convenient and did not rearrange the inspections.

**31. Complaint against Capital Works**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint upheld**

**Complaint**

The complaint raised was that during work being undertaken at the Council property next to complainant's, their garden had been left in a state of disrepair.

Council's Response

It was found that the during scheduled works to a Council property, rendering had splashed on the complainant's walls, garden and window sills. An apology was offered and the contractor was scheduled to undertake remedial works to the complainant's property.

**31. Complaint against Revenues**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint partially upheld**

Complaint

The complaints raised were that a forwarding of address was not correctly processed, a council tax court summons was received without reminders and a Council Tax Officer and Customer Services Officer were rude to the complainant.

Council's Response

It was found that the while a forwarding of address had been requested by the complainant, it was not correctly processed.

The Council's records showed that the Council Tax reminders had been issued to the complainant. While proof of posting can be guaranteed, the Council cannot guarantee the delivery of mail.

The Council does not record telephone conversation other than in the Council's Contact Centre. However, it was noted that during the telephone conversation with the Customer Services Officer the complainant became increasingly agitated and confrontational with the Officer. The telephone call was terminated as appropriate.

**32. Complaint against Housing Repair**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint upheld**

Complaint

The complaint raised was that there had been an extended delay in scheduling damp works.

Council's Response

It was found that there had been delays in scheduling damp works to the complainant's property despite inspections being undertaken.

As the damp had caused damage to the complainant's property, £600 compensation was offered but the complainant did not contact the Council to accept or reject this offer.

### **33. Complaint against Planning**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

#### Complaint

The complaint raised was that a Planning Enforcement Officer entered the complainant's property without permission.

#### Council's Response

It was found that a complaint had been received of an untidy garden. The Planning Enforcement Officer had visited the property but did not enter the boundary as there was sufficient vantage from the road side. However, an Environmental Health Officer visited the complainant's property as part of the untidy garden complaint and calling card was left.

### **34. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

#### Complaint

The complaint raised was that there had been insufficient response from the Housing Repairs Team to repair the storage heaters in the complainant's property.

#### Council's Response

It was found that the Housing Repairs Team inspected the faulty heaters and scheduled them for repair. However, when the operative attended the property to carry out the repair they could not gain access. The complainant did not rearrange the appointment nor notify the Council that this appointment was not convenient.

The complainant subsequently terminated their tenancy during the course of the investigation.

### **35. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

#### Complaint

The complaint raised was that there had been insufficient response from the Housing Repairs Team to repair the storage heaters in the complainant's property. This was causing damp issues within the property.

Council's Response

It was found that the Housing Repairs Team inspected the faulty heaters and the repairs had been undertaken in a timely manner. Additionally, when an operative went to inspect the damp issues they could not gain access to the pre-arranged appointment.

**36. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint upheld**

Complaint

The complaint raised was that there had been insufficient response from the Housing Repairs Team to repair the complainant's garage door following a break in.

Council's Response

It was found that there had been extended delays in repairs being undertaken to the garage door following a break in.

An apology was offered and £150 compensation issued.

**37. Complaint against Neighbourhood Services**

Acknowledgement – 2 working day  
Response – 30 working days  
Advised extension was required  
**Complaint not upheld**

Complaint

The complaint raised was that there had been an inconsistent approach in relation to the allocation of a garden space.

Council's Response

It was found that the garden space had been allocated appropriately as the complainant's property did not connect to the garden space they wished to be allocated. Additionally, the Council would allocate garden space to a clear gable end property. However, the complainant's property was not a clear gable end.

**38. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 27 working days  
Advised extension was required  
**Complaint not upheld**

Complaint

The complaint raised was that a leak emanating in a Council property above the complainant's leased and tenanted property had caused damp issues their property.

Council's Response

It was found that a repairs operative attended the Council property and confirmed that there was no leak. Additionally, the operative attended the complainant's property and recorded that a life style issue was the source of the damp. The complainant was notified that, as private landlord, it remained their responsibility to maintain their property and tenant's behaviour.

**39. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 29 working days  
Advised extension was required  
**Complaint not upheld**

Complaint

The complaint raised was that their property was in poor condition when the tenancy started.

Council's Response

It was found that the Council's cleaning contractor attended the property before the tenancy began. Additionally, a repairs operative inspected the property to determine any repairs that require attending to before the tenancy began. No issues were found.

An appointment was scheduled with the complainant to discuss any issues they had with the property but the operative could not gain access to property.

**40. Complaint against Housing Repairs**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint not upheld**

Complaint

The complaint raised was that the Housing Repair's Service had not adequately dealt with an issue of mould and damp in the complainant's property.

Council's Response

It was found that the Housing Repairs Service had scheduled an appointment to inspect the damp issues. However, the operative could not gain access to the property and no notification was received to indicate that this appointment was not convenient. The appointment was rescheduled but cancelled as it was deemed a non-emergency during the COVID-19 situation.

**41. Complaint against Revenues**

Acknowledgement – 2 working day  
Response – 20 working days  
**Complaint upheld**

Complaint

The complaint raised was that the Benefits Service disposed of original supporting documents despite the request to have these returned.

Council's Response

It was found that the documents were disposed of incorrectly despite the request to have them returned. This was due to administration error. However, the documents were destroyed confidentially and scanned copies were provided to the complainant.

## APPENDIX 3

**Stage 3 - Ombudsman Complaints****Complaint against Planning**Complaint

The complainant complained the Council had refused to take planning enforcement action against their neighbour's new driveway.

Ombudsman's conclusion

The LGO noted that the driveway had been constructed under permitted development rights. When informed of an issue of surface water draining into the complainant's property the Council undertook a visit and reported the findings back to the complainant promptly. It was found that the issue of drainage was not the responsibility of Broxtowe Borough Council and that the complainant would need to contact Erewash Borough Council as the appropriate authority for building control issues.

The complaint was not upheld.

**Complaint against Housing**Complaint

The complainant complained the Council had failed to repair their home or offer them suitable alternative accommodation.

Ombudsman's conclusion

The LGO noted that the Council had visited the complainant and assessed that the property was subsiding causing disrepair to the complainant's property. While works could be undertaken, due to the extent and the complainant's circumstances it would require a decant. The complainant had refused a decant and asked to move to a new property. The complainant was placed as a band one, urgent priority, but no timeframe could be provided as to when a property would be allocated due to the complainant needing certain adaptations.

The LGO was satisfied that the Council had followed its Allocations policy correctly.

The complaint was not upheld.

**Complaint against Planning**Complaint

The complainant complained the Council had not reached the correct decision when determining their planning application.

Ombudsman's conclusion



The LGO noted that the Planning Inspectorate was the appropriate authority to address this issue. The complaint was closed without investigation.

**Complaint against Council Tax**

Complaint

The complainant complained the Council was charging them a greater Council Tax than a neighbouring resident.

Ombudsman's conclusion

The LGO noted that the complainant could have this concern addressed at a Valuation Tribunal. The complaint was closed without investigation.

**Complaint against Planning**

Complaint

The complainant complained the Council failed to take planning enforcement action after a developer raised the ground level at a property.

Ombudsman's conclusion

The LGO noted that the complainant's concerns were investigated promptly and that the complainant did not share a boundary with the development. It was concluded that the complainant had not suffered injustice by the planning application being approved.

The complaint was not upheld.

**Complaint against Planning**

Complaint

The complainant complained the Council failed to properly consider their objections to a neighbouring planning application for an extension.

Ombudsman's conclusion

The LGO noted that the complainant had objected within the designated timescales and these were included as part of the paperwork that went to a meeting of the Planning Committee.

The complaint was not upheld.

**Complaint against Planning**

Complaint

The complainant complained the Council failed to respond properly to their report about an unauthorised veranda at their neighbour's property.

**Ombudsman's conclusion**

The LGO noted that the complainant's concerns were investigated promptly. The Planning Enforcement team had undertaken site visits to the complainant's property and the neighbour's property. After investigation it was determined that the veranda had been built over 4 years ago making it immune to planning enforcement. The complainant was informed of this promptly.

The complaint was not upheld.

**Complaint against Planning****Complaint**

The complainant complained of bias and inefficiency in the Council's handling of their reports of possible breaches of planning control at a neighbouring property.

**Ombudsman's conclusion**

The LGO noted that the complainant's concerns were investigated promptly. It was noted that the Planning Enforcement Team had undertaken several visits to the complainant to address their concerns. Additionally, the application was considered at a meeting of the Council's Planning Committee, in which the complainant made a representation to the Committee under the Council's public speaking procedures. Additionally, the application was determined in 2016, however the complainant only contacted the LGO in 2019. It was considered that the complaint had lessened due to the time taken to submit the issues.

The complaint was not upheld.

**Complaint against Housing Repairs****Complaint**

The complainant complained that there had been delays in repairs being undertaken a flooding garage site.

**Ombudsman's conclusion**

The LGO noted that while inspection of the garage site had been undertaken, there had been a delay in the repairs of the drainage. An apology was offered and £150 compensation paid.

The complaint was upheld.

## Report of the Strategic Director

**FREEDOM OF INFORMATION REPORT 2019/20**1. Purpose of report

To provide members with an overview of Freedom of Information (FOI) requests made to the Council.

2. Detail

The FOI Act came into force in 2000 and covers any information held by public bodies. The principle of the Act is that information on any subject held by any public body should be available to the public. The aim is to make public bodies more accountable and transparent. The right of access to information given in the Act includes both a right for members of the public to be told if the information exists, and if so a right to receive it, subject to certain exemptions. The most common exemptions used by the Council are listed below:

- Data Protection. This is information relating to a specific living individual.
- Commercial sensitivity. This is financial information relating to both the Council and its partners.
- Prevention of crime. This is information that could be used for fraud or the targeting of empty properties.

(This is not the full list of exemptions.)

This report outlines the performance of the Council in dealing with FOI requests and a breakdown of requests received to the various departments of the Council while the appendix provides a summary of the Council's internal FOI statistics.

The Council received a total of 872 FOI requests in 2019/20, marking a decrease from the 926 requests received in 2018/19, and is required to respond to FOI requests within 20 working days. In 2019/20 96% of requests were responded to with the 20 working day time frame.

**Recommendation**

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

Background papers

Nil

## APPENDIX

**FOI requests received**

	Total	Chief Execs	Deputy Chief Execs	Strategic Director	Liberty Leisure Ltd	Nottinghamshire County request
Number of FOI requests	873 (926)	277	217	264	12	103

This table shows the figures for the overall FOI requests received in 2019/20 and the previous 2018/19 total is shown in brackets for comparison.

A further breakdown of the individual sections is provided below.

**Chief Executive's Department**

Service Area	Total number of requests
Housing	70
Private Sector Housing	23
Environmental Health	89
Public Protection	17
Whole Council	5
Human Resources	7
Licensing	10
Legal Services	7
Planning	44
Chief Executive's	5

**Deputy Chief Executive's Department**

Service Area	Total number of requests
Revenues and Benefits	68
Finance	23
Deputy Chief Executive	6
Property Services	25
Health and Safety	3
Bereavement Services	4
National Non Domestic Rates	54
Parking Services	13
Contracts	21

**Strategic Director's Department**

Service Area	Total number of requests
Waste and Recycling	53
Parks and Environment	3
Elections	6
Administration	5
ICT Services	23

<b>Service Area</b>	<b>Total number of requests</b>
Land Charges	150
Corporate Communications	9
Payroll	15

**Liberty Leisure**

<b>Service Area</b>	<b>Total number of requests</b>
Leisure Services	12

**Nottinghamshire County Council**

<b>Service Area</b>	<b>Total number of requests</b>
Nottinghamshire County Council services	103

The Council is required to respond to requests for Nottinghamshire County Services (NCC) stating that Broxtowe Borough Council is not responsible for these services and that the requester should contact NCC.

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## Report of the Strategic Director

**COMMUNITY GOVERNANCE REVIEW**1. Purpose of report

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

2. Background

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.

At the Council meeting on 15 December 2015 it was agreed that the CGR should take place after the outcome of the Parliamentary boundary review was known in 2020 so that any changes affecting the Broxtowe and Ashfield Constituencies could be taken into account. However, the Parliamentary review was not completed and the process is due to start again in 2021. Any changes arising from this will come into effect for the Parliamentary elections in 2024. As there are Borough and Parish elections scheduled for May 2023 the CGR needs to begin in 2021 at the latest. It was anticipated that a start date in October 2020 would be appropriate, but given the current pandemic it is now considered that the start should be postponed to October 2021. This will allow sufficient time for the review to be completed and any changes implemented for the elections in 2023. By that time it should be possible to safely hold briefings to outline the initial proposals which will then be subject to consultation.

The timetable for a review starting in October 2021 is set out in the appendix.

**Recommendation**

**That the Committee RECOMMENDS to Council that the start of the CGR is postponed to October 2021.**

Background papers

Nil

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 October 2021
Preliminary stage	<ul style="list-style-type: none"> <li>• Local briefings and meetings (members/parish &amp; town councils)</li> </ul>	One month	1 October - 30 November 2021
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 December 2021 – 28 February 2022
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 March – 30 April 2022
Stage Three	<ul style="list-style-type: none"> <li>• Draft recommendations published for consultation</li> <li>• Stakeholders notified</li> </ul>	Three months	1 May – 31 July 2022
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>	Two months          One month later	1 August – 30 September 2022          October 2022          November 2022



## Report of the Interim Monitoring Officer

**THE DRAFT MODEL CODE OF CONDUCT**1. Purpose of Report

The consultation on the draft model code of conduct has finally got underway. This report reflects the need for the Council to respond to the consultation which runs till 17 August 2020 and so will have passed before the next meeting of this Committee.

2. Further Detail

Attached at appendices 1 and 2 is the draft model code of conduct and the consultation questions in pdf which has to be completed online hence the watermark. Rather than invite the Committee to consider each question, a response outline is attached at appendix 3.

Key issues in the new draft are:

- It is all written in the second person “you must ...” and is much shorter
- Sanctions have been extended a bit but are still broadly a before with a maximum sanction of 2 months’ committee suspension
- The duty of showing respect is replaced with a duty of being civil
- Members are presumed to be acting in their official capacity unless the contrary is shown
- Internal Review Meetings are proposed to handle review of standards decisions internally

Members are invited to approve the Council’s response with any changes or additions. This does not preclude individual responses by Members or officers but enables a corporate response to be provided.

Attached at appendix 4 is the Local Government Ethical Standards Committee suggested best practice for local authorities.

**Recommendation**

**The Committee is asked to:**

- 1. RESOLVE that the Council’s response to the Consultation on the Draft Model Code of Conduct be approved.**
- 2. CONSIDER the best practice guidance and RESOLVE accordingly.**

Background papers

Nil

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# Local Government Association Model Member Code of Conduct

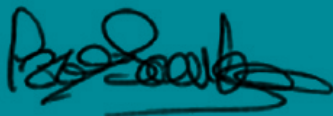
# Introduction

The Local Government Association (LGA) is providing this Model Member Code of Conduct as part of its work on supporting the sector to continue to aspire to high standards of leadership and performance.

The role of councillor in all tiers of local government is a vital part of our country's system of democracy. In voting for a local councillor, the public is imbuing that person and position with their trust. As such, it is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. The conduct of an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to and want to participate with. We want to continue to attract individuals from a range of backgrounds and circumstances who understand the responsibility they take on and are motivated to make a positive difference to their local communities.

All councils are required to have a local Member Code of Conduct. This Model Member Code of Conduct has been developed in consultation with the sector and is offered as a template for councils to adopt in whole and/or with local amendments. The LGA will undertake an annual review of the Code to ensure it continues to be fit-for-purpose, particularly with respect to advances in technology, social media and any relevant changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code, whilst the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

As a councillor we all represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent everyone (in our ward/town/parish), taking decisions fairly, openly, transparently and with civility. Councillors should also be treated with civility by members of the public, other councillors and council employees. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations. This Code, therefore, has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.



**Councillor Izzi Seccombe OBE**  
Leader, LGA Conservative Group



**Councillor Nick Forbes CBE**  
Leader, LGA Labour Group



**Councillor Howard Sykes MBE**  
Leader, LGA Liberal Democrats Group



**Councillor Marianne Overton MBE**  
Leader, LGA independent Group

## Purpose

The purpose of this Code of Conduct is to assist councillors in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct against which appropriate action may be taken. It is also to protect yourself, the public, fellow councillors, council officers and the reputation of local government. It sets out the conduct expected of all members and a minimum set of obligations relating to conduct. The overarching aim is to create and maintain public confidence in the role of member and local government.

## Application of the Code

The Code of Conduct applies to you when you are acting [or claiming or giving the impression that you are acting]<sup>1</sup> in [public or in]<sup>2</sup> your capacity as a member or representative of your council, although you are expected to uphold high standards of conduct and show leadership at all times. The Code applies to all forms of member communication and interaction, including written, verbal, non-verbal, electronic and via social media, [including where you could be deemed to be representing your council or if there are potential implications for the council's reputation.] Model conduct and expectations is for guidance only, whereas the specific obligations set out instances where action will be taken.

## The seven principles of public life

Everyone in public office at all levels – ministers, civil servants, members, council officers – all who serve the public or deliver public services should uphold the seven principles of public life. This Code has been developed in line with these seven principles of public life, which are set out in appendix A.

## Model member conduct

In accordance with the public trust placed in me, on all occasions I will:

- act with integrity and honesty
- act lawfully
- treat all persons with civility; and
- lead by example and act in a way that secures public confidence in the office of councillor

In undertaking my role, I will:

- impartially exercise my responsibilities in the interests of the local community
- not improperly seek to confer an advantage, or disadvantage, on any person
- avoid conflicts of interest
- exercise reasonable care and diligence; and
- ensure that public resources are used prudently and in the public interest

## Specific obligations of general conduct

This section sets out the minimum requirements of member conduct. Guidance is included to help explain the reasons for the obligations and how they should be followed. These obligations must be observed in all situations where you act [or claim or give the impression that you are acting] as a councillor [or in public], including representing your council on official business and when using social media.

**As a councillor I commit to:**

## Civility

- 1. Treating other councillors and members of the public with civility.**
- 2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.**

Civility means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a civil manner. You should not subject individuals, groups of people or organisations to unreasonable or excessive personal attack.

In your contact with the public you should treat them courteously. Rude and offensive behaviour lowers the public's expectations and confidence in its elected representatives.

In return you have a right to expect courtesy from the public. If members of the public are being abusive, threatening or intimidatory you are entitled to close down any conversation in person or online, refer them to the council, any social media provider or if necessary, the police. This also applies to members, where action could then be taken under the Member Code of Conduct.

## Bullying and harassment

- 3. Not bullying or harassing any person.**

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. The bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and not always be obvious or noticed by others.

The Equality Act 2010 defines harassment as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.

## Impartiality of officers of the council

- 4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.**

Officers work for the council as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. Although you can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

## Confidentiality and access to information

- 5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.**
- 6. Not preventing anyone getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and

printed materials are open to the public except in certain circumstances. You should work on this basis but there will be times when it is required by law that discussions, documents and other information relating to or held by the council are treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## Disrepute

### **7. Not bringing my role or council into disrepute.**

Behaviour that is considered dishonest and/or deceitful can bring your council into disrepute. As a member you have been entrusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on other councillors and/or your council.

## Your position

### **8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the council provides you with certain opportunities, responsibilities and privileges. However, you should not take advantage of these opportunities to further private interests.

## Use of council resources and facilities

### **9. Not misusing council resources.**

You may be provided with resources and facilities by the council to assist you in carrying out your duties as a councillor. Examples include office support, stationery and equipment such as phones, and computers and transport. These are given

to you to help you carry out your role as a councillor more effectively and not to benefit you personally.

## Interests

### **10. Registering and declaring my interests.**

You need to register your interests so that the public, council employees and fellow members know which of your interests might give rise to a conflict of interest. The register is a document that can be consulted when (or before) an issue arises, and so allows others to know what interests you have, and whether they might give rise to a possible conflict of interest. The register also protects you. You are responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise.

It is also important that the public know about any interest that might have to be declared by you or other members, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained. Discuss the registering and declaration of interests with your Monitoring Officer/Town or Parish Clerk and more detail is set out in appendix B.

## Gifts and hospitality

### **11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.**

### **12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.**

You should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you

because you are a member. However, you do not need to register gifts and hospitality which are not related to your role as a member, such as Christmas gifts from your friends and family, or gifts which you do not accept. However, you may wish to notify your monitoring officer of any significant gifts you are offered but refuse which you think may have been offered to influence you.

Note – items in square brackets [x] refer to recommendations made by the Committee on Standards in Public Life and may be part of a future Government consultation. This includes possible future sanctions and appeals processes.

## Breaches of the Code of Conduct

Most councillors conduct themselves appropriately and in accordance with these standards. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations.

Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. Each local authority must publish a code of conduct, and it must cover the registration of pecuniary interests, the role of an 'independent person', and sanctions to be imposed on any councillors who breach the Code.

The 2011 Act also requires local authorities to have mechanisms in place to investigate allegations that a member has not complied with the Code of Conduct, and arrangements under which decisions on allegation may be made.

Failure to comply with the requirements to register or declare disclosable pecuniary interests is a criminal offence. Taking part in a meeting or voting, when prevented from doing so by a conflict caused by disclosable pecuniary interests, is also a criminal offence.

Political parties may have its own internal standards and resolution procedures in addition to the Member Code of Conduct that members should be aware of.



# Example

## LGA guidance and recommendations

### Internal resolution procedure

Councils must have in place an internal resolution procedure to address conduct that is in breach of the Member Code of Conduct. The internal resolution process should make it clear how allegations of breaches of the Code of Conduct are to be handled, including the role of an Independent Person, the appeals process and can also include a local standards committee. The internal resolution procedure should be proportionate, allow for members to appeal allegations and decisions, and allow for an escalating scale of intervention. The procedure should be voted on by the council as a whole.

In the case of a non-criminal breach of the Code, the following escalating approach can be undertaken.

If the breach is confirmed and of a serious nature, action can be automatically escalated.

1. an informal discussion with the monitoring officer or appropriate senior officer
2. an informal opportunity to speak with the affected party/ies
3. a written apology
4. mediation
5. peer support
6. requirement to attend relevant training
7. where of a serious nature, a bar on chairing advisory or special committees for up to two months
8. where of a serious nature, a bar on attending committees for up to two months.

Where serious misconduct affects an employee, a member may be barred from contact with that individual; or if it relates to a specific responsibility of the council, barred from participating in decisions or information relating to that responsibility.

## Endnotes

1. CSPL recommend that “Section 27(2) of the Localism Act 2011 should be amended to state that a local authority’s code of conduct applies to a member when they claim to act, or give the impression they are acting, in their capacity as a member or as a representative of the local authority”.
2. CSPL recommend that “councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly accessible social media. Section 27(2) of the Localism Act 2011 should be amended to permit local authorities to presume so when deciding upon code of conduct breaches.”
3. Subject to footnotes 1 and 2 above
4. See CSPL website for further details [www.gov.uk/government/news/the-principles-of-public-life-25-years](http://www.gov.uk/government/news/the-principles-of-public-life-25-years)
5. ACAS’s definition of bullying

# Appendices

## Code Appendix A

The principles are :

### **Selflessness**

Holders of public office should act solely in terms of the public interest.

### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **Honesty**

Holders of public office should be truthful.

### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Code Appendix B

### **Registering interests**

1. Within 28 days of this Code of Conduct being adopted by the council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests).
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Table 1 or 2, or of any change to a registered interest, notify the Monitoring Officer.

### **Declaring interests**

3. Where a matter arises at a meeting which directly relates to an interest in Table 1, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
4. Where a matter arises at a meeting which directly relates to an interest in Table 2, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

5. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
6. Where a matter arises at a meeting which affects –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a friend, relative, close associate; or
  - c. a body covered by table 1 below

you must disclose the interest.

7. Where the matter affects the financial interest or well-being to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

**Table 1: Disclosable Pecuniary Interests**

Subject	Description
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.  [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses.  This includes any payment or financial benefit from a trade union within the meaning of the <b>Trade Union and Labour Relations (Consolidation) Act 1992</b> .
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —  (a) under which goods or services are to be provided or works are to be executed; and  (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which is within the area of the council.  ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licences</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
<b>Corporate tenancies</b>	Any tenancy where (to the councillor’s knowledge)—  (a) the landlord is the council; and  (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body where—  (a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and  (b) either—  (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or  (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\*'director' includes a member of the committee of management of an industrial and provident society.

\*'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

**Table 2: Other Registerable Interests**

<b>Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;</b>	
Any Body—	(a) exercising functions of a public nature;
	(b) directed to charitable purposes; or
	(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
of which you are a member or in a position of general control or management.	





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please contact us on 020 7664 3000.  
We consider requests on an individual basis.



**THIS FORM IS FOR INFORMATION ONLY - DO NOT COMPLETE**  
**PLEASE USE THE ONLINE SURVEY FORM TO SUBMIT YOUR RESPONSE**

## **LGA Consultation on Draft Model Member Code of Conduct**

Thank you for taking the time to complete this consultation. This Model Member Code of Conduct [[Model Member Code of Conduct.pdf](#)] aims to be concise, written in plain English and be understandable to members, officers and the public. The Model Member Code is designed to aid members in all tiers of local government model the behaviours and high standards that anyone would expect from a person holding public office. Equally, it articulates behaviour which falls below the standards that would be expected of council members. It is designed to help set a framework for public and councillor interaction, emphasising the importance of civility and that councillors should be protected from bullying, intimidation and abuse.

The LGA has reviewed the existing Model Member Code of Conduct and updated it here incorporating the recommendations from the Committee on Standard's in Public Life's recommendations on Local Government Ethical Standards and the representation from its membership. Part of the Committee's recommendations were the introduction of sanctions for breaches of the code, alongside an appeals process. This aspect is out of scope of this consultation, as it requires legislative changes by Government, but the LGA has sought to reflect some of the possible changes by using square brackets where legal changes would be necessary. The LGA is continuing to take soundings from the sector on the issue of sanctions in anticipation of a Government response to the Committee's recommendations.

This consultation addresses key areas that the LGA would like a view on to help finalise the Code. It is aimed at councillors and officers from all tiers of local government. If you would like a wider discussion about the code, please do sign up to one of the forthcoming Webinars the LGA are holding as part of this consultation. Details will be posted on our [LGA events website](#).

### **Instructions and privacy notice**

You can navigate through the questions using the buttons at the bottom of each page. Use the 'previous' button at the bottom of the page if you wish to amend your response to an earlier question.

All responses will be treated confidentially. Information will be aggregated, and no individual or authority will be identified in any publications without your consent. Identifiable information may be used internally within the LGA but will only be held and processed in accordance with our [privacy policy](#). We are undertaking this consultation to aid the legitimate interests of the LGA in supporting and representing authorities.

Please complete your response in one go - if you exit before submitting your response your answers may be lost. If you would like to see an overview of the questions before completing the consultation online, you can access a PDF [here](#).

## About you

Your name \_\_\_\_\_

### Are you...

- A councillor
- An officer
- Answering on behalf of a whole council (Please provide council name below)
- \_\_\_\_\_
- Other (please specify below)
- \_\_\_\_\_

### Please indicate your council type

- Community/Neighbourhood/Parish/Town
- District/Borough
- County
- Metropolitan/Unitary/London Borough
- Other (please specify below)
- \_\_\_\_\_

### Application of the Code

Under the Localism Act 2012, the Code of Conduct applies to councillors only when they are acting in their capacity as a member. The LGA believes that because councillors are elected by the public and widely recognised by the public, it makes sense for them to continue to model these behaviours when they are making public comment, are identifying as a councillor and when it would be reasonable for the public to identify them as acting or speaking as a councillor. The Committee on Standards in Public Life supported this approach in their report into Local Government Ethical Standards. Whilst the LGA is waiting for Government's response to these recommendations the option has been added in square brackets as it would need changes in legislation.

**Q1. To what extent do you support the proposal that councillors demonstrate the behaviours set out in the Code when they are publicly acting as, identifying as, and/or giving the impression that they are acting as a councillor, including when representing their council on official business and when using social media?**

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

**Q1a. If you would like to elaborate on your answer please do so here:**

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**Q2. Is it sufficiently clear which parts of the Model Code are legal requirements, which are obligations, and which are guidance?**

- Yes
- No
- Don't know

**Q3. Do you prefer the use of the personal tense, as used in the Code, or would you prefer the passive tense?**

- Personal tense ("I will")
- Passive tense ("Councillors should")
- No preference

### **Specific obligations**

The Code lists 12 specific obligations – these set out a minimum standard councillors are asked to adhere to.

Each obligation or group of obligations is put into a wider context to explain why that particular obligation is important.

**Q4. To what extent to you support the 12 specific obligations?**

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
1. Treating other councillors and members of the public with civility.					
2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.					
3. Not bullying or harassing any person.					
4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.					
5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.					
6. Not preventing anyone getting information that they are entitled to by law.					
7. Not bringing my role or council into disrepute.					
8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.					

9. Not misusing council resources.					
10. Registering and declaring my interests.					
11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.					
12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.					

**Q5. If you would like to propose additional or alternative obligations, or would like to provide more comment on a specific obligation, please do so here:**

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**Q6. Would you prefer to see the obligations as a long list followed by the guidance, or as it is set out in the current draft, with the guidance after each obligation?**

- As a list
- Each specific obligation followed by its relevant guidance
- No preference

**Q7. To what extent to you think the concept of 'acting with civility' is sufficiently clear?**

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

**Q7a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:**

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**Q8. To what extent do you think the concept of 'bringing the council into disrepute' is sufficiently clear?**

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

**Q8a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:**

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**Q9. To what extent do you support the definition of bullying and harassment used in the code in a local government context?**

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

**Q9a. If there are other definitions you would like to recommend, please provide them here.**

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**Q10. Is there sufficient reference to the use of social media?**

- Yes
- No
- Don't know/prefer not to say

**Q10a. Should social media be covered in a separate code or integrated into the overall code of conduct?**

- Separate code
- Integrated into the code
- Don't know/prefer not to say

**Q10b. If you would like to make any comments or suggestions in relation to how the use of social media is covered in the code please do so here:**

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## Registration and declarations of interests

The law at present requires, as a minimum, registration and declaration of 'Disclosable Pecuniary Interests' - that is matters which directly relate to the councillor and their partner if applicable.

The LGA is proposing that all councillors are required to declare interests where matters also relate to or affect other family members or associates. The LGA has broadened the requirement to declare interests beyond this current statutory minimum in line with a recommendation from the Committee on Standards in Public Life. These specific provisions are set out in **Appendix B** of the Code.

**Q11. To what extent do you support the code going beyond the current requirement to declare interests of the councillor and their partner?**

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

**Q11a. If you would like to elaborate on your answer please do so here:**

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**Q12. Should the requirement to declare interests be in the main body of the code or in the appendix where the draft model code currently references it?**

- In the main body of the code
- In the appendix
- Other (please specify below)
- Don't know/prefer not to say



**Q12a.** If you would like to make any comments or suggestions in relation to how the requirement to declare interests is covered in the code please do so here:

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It is also suggested that more outside interests should be registered than is the current statutory minimum. These are set out in **Table 2 of the Appendix** and are designed to demonstrate to the community transparency about other bodies with which the councillor is engaged.

**Q13. To what extent do you support the inclusion of these additional categories for registration?**

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
Any organisation, association, society or party of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council					
Any organisation, association, society or party that exercises functions of a public nature of which you are a member or in a position of general control or management					
Any organisation, association, society or party directed to charitable purposes					
Any organisation, association, society or party of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)					

**Q13a.** If you would like to propose additional or alternative **categories** for registration, please provide them here:

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**Q14. To what extent to you support the proposed requirement that councillors do not accept significant gifts as set out in Obligation 11?**

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

Q14a. If you would like to elaborate on your answer please do so here:

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**Q15. The draft code proposes £25 as the threshold for registering gifts and hospitality. Is this an appropriate threshold?**

- Yes
- Yes, but the amount should be reviewed annually with the code's review
- No, it should be lower (please specify amount) \_\_\_\_\_
- No, it should be higher (please specify amount) \_\_\_\_\_
- Don't know/prefer not to say

**Q16. The LGA will be producing accompanying guidance to the code. Which of the following types of guidance would you find most useful? Please rank 1-5, with 1 being the most useful.**

- \_\_\_\_\_ Regularly updated examples of case law
- \_\_\_\_\_ Explanatory guidance on the code
- \_\_\_\_\_ Case studies and examples of good practice
- \_\_\_\_\_ Supplementary guidance that focuses on specific areas, e.g., social media
- \_\_\_\_\_ Improvement support materials, such as training and e-learning packages

**Q16a. If you would like to suggest any other accompanying guidance please do so here:**

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**Q17. If you would like to make any further comments about the code please do so here:**

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Once you press the 'Submit' button below, you will have completed your response.

Many thanks for taking the time to respond to this consultation. You are in control of any personal data that you have provided to us in your response. You can contact us at all times to have your information changed or deleted. You can find our full privacy policy here: [click here to see our privacy policy](#)

For information only - Do not complete

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## APPENDIX 3

**Draft response**

Broxtowe Borough Council has examined the new draft model code and welcomes the following:

- The shorter direct wording of the bold wording in the new Code is helpful and easy to read
- The recognition of the role of social media is welcome although quite limited in its identification of social media platforms and applications and should be developed to recognise the issues that social media can have in standards complaints and issues.
- The presumption that a Member is acting in his/her official capacity is probably more realistic in the eyes of many people engaging with their local councillor
- A move to a duty of civility may be a more helpful term than “resect” provided there is sufficient guidance as to degrees and levels of civility and what might be expected.
- An internal resolution mechanism might bring some checks and balances on the Standards regime and enable some scrutiny of decisions made by Monitoring Officers working in conjunction with the Independent Person. Where an investigator has carried a full investigation, interviewing people and researching large amounts of material; it is hard to envisage a mechanism that can sufficiently review an investigator’s report and findings.

The draft model code also has some serious shortcomings, notably:

- The Application of the Code is confusing. It applies when acting in [public or in] your capacity as a representative of your council but then goes on to say “you are expected to uphold high standards of conduct and show leadership at all times”. This is far from clear. Does it really mean the code applies at all times in any situation? Or, is there some other standard or code to be applied when a councillor is not acting in his/her official capacity? There needs to be greater clarity for Members than this. Alternatively presume official capacity unless this is rebutted and if it is no additional standards can be imposed or implied. Those bound by the Code need more certainty.
- There is no attempt made to benchmark civility. Is character to be used and if so, might something out of character of one individual be entirely in character for another? Should there then be more objective tests and if so what are they so there can be consistent application?
- Sanctions are only set out under the Internal resolution procedure and suggest the 8 possible sanctions or actions escalate. It is questionable whether they do escalate and might be seen differently by different members or complainants. Surely the more appropriate test, which would stand up to scrutiny is whether the action is proportionate? Yet proportionality is nowhere addressed the current draft. Should this be an exhaustive list? Might councils be given powers to add their own actions by local agreement?
- The section on interests lacks clear guidance for councillors and is particularly unhelpful regarding dpi’s
- Gifts and hospitality seems to be the wrong way round. Councillors are expected to register all gifts and hospitality over £25, a figure which has not increased for

most, if not all the time there has been a standards regime. The threshold should be increased as many councils have already sought to do, to £50 but the duty to register should apply to ALL gifts and hospitality but may be accepted where the value is less than £50 (with perhaps a higher or locally agreed figure for overseas visits).



# List of best practice

Our best practice recommendations are directed to local authorities, and we expect that any local authority can and should implement them. We intend to review the implementation of our best practice in 2020.

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.



**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.



**Report of the Strategic Director**

<b>WORK PROGRAMME</b>
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1. Purpose of report

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

2. Background

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.

21 September 2020	<ul style="list-style-type: none"> <li>Audit of Accounts 2019/20 and Associated Matters</li> <li>Annual Counter Fraud Report</li> <li>Governance Dashboard – Major Projects</li> <li>Internal Audit Progress Report</li> <li>Review of Strategic Risk register</li> <li>Review of the Council’s Arrangements for Dealing with Standards Complaints</li> <li>External Audit Report</li> </ul>
30 November 2020	<ul style="list-style-type: none"> <li>Annual Audit Letter</li> <li>Internal Audit Progress Report</li> <li>Internal Audit Review of Effectiveness 2020/21</li> <li>Review of Strategic Risk Register</li> <li>Review of Whistleblowing Policy</li> </ul>

<b><u>Recommendation</u></b>
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<b>The Committee is asked to CONSIDER the Work Programme and RESOLVE accordingly.</b>
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Background papers

Nil

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