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Minutes of the meeting of the **GOVERNANCE COMMITTEE** held at the Council Offices, Whitfield on Thursday, 28 June 2018 at 6.00 pm.

Present:

Chairman: Councillor P G Heath

Councillors: B W Butcher  
P I Carter  
M I Cosin  
M R Eddy  
D Hannent

Officers: Director of Governance  
Head of Finance  
Head of Audit Partnership (East Kent Audit Partnership)  
Deputy Head of Audit Partnership (East Kent Audit Partnership)  
Democratic Services Manager  
Democratic Services Officer

## 1 APOLOGIES

An apology for absence was received from Councillor S F Bannister.

## 2 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

## 3 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

## 4 MINUTES

The Minutes of the meeting of the Committee held on 8 March 2018 were approved as a correct record and signed by the Chairman.

## 5 QUARTERLY INTERNAL AUDIT UPDATE REPORT

The Deputy Head of Audit Partnership (East Kent Audit Partnership) introduced the Quarterly Internal Update report. There had been sixteen internal audits completed during the period, of which two concluded Substantial assurance, one Substantial/Reasonable assurance, ten concluded Reasonable assurance, and one concluded Reasonable/Limited assurance. There were a further two pieces of work completed (Housing Benefit Testing) for which an assurance level was not applicable.

There had been two follow up reviews completed during the period of which an original assurance level of Substantial/Reasonable was revised to Substantial/Limited for Planning Applications, income and s106 Agreements due to the data retention schedule having not yet been completed. The Director of Governance assured Members that management were working closely with the department to ensure this was completed as quickly as possible to ensure they were GDPR compliant.

The partially limited assurance for East Kent Housing (EKH) - Safeguarding Children and Vulnerable Groups was raised as a concern by Members. Members were provided with assurance from EKH that the failings were being addressed and confirmed that all of the items identified within the action plan had been actioned including: revised DBS processes following service restructure; provision of additional information on the website; and the adoption of a new safeguarding policy framework. Members asked that a follow-up review be completed as a matter of urgency.

- RESOLVED:
- (a) That the report be noted.
  - (b) That a follow-up review of East Kent Housing – Safeguarding Children and Vulnerable Groups be completed and reported to the Governance Committee at its meeting in September 2018.

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## ANNUAL INTERNAL AUDIT REPORT

The Head of Audit Partnership reported to the Committee a summary of the work completed by the East Kent Audit Partnership (EKAP) together with details of the performance of the EKAP against its targets for the year ending 31 March 2018.

The agreed programme of audits had been completed for the year and of the twelve pieces of completed work 89% received a substantial or reasonable Assurance level with no major areas of concern that would give rise to a qualified opinion. As a result of follow up progress reviews undertaken, two pieces of work that received a Limited Assurance were revised to Reasonable and Reasonable/Limited assurance with no fundamental issues of note arising from the follow-ups. There had been a total of 92 recommendations made of which 68% were analysed as being High or Medium risk, although none that were so significant that they needed to be escalated.

With regard to Port Health and the Substantial assurance provided, Councillor M R Eddy, whilst aware that inspections were being carried out on the ferries between Dover and Calais, believed that there were significant issues concerning hygiene and safety which required further investigation. EKAP agreed to raise those concerns with Management of that area.

- RESOLVED: That the report be noted.

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## 2017/18 ANNUAL GOVERNANCE ASSURANCE STATEMENT

The Director of Governance presented the Annual Governance Assurance Statement to the Committee. This was an annual review of the effectiveness of the Council's system of internal control and to report the extent to which the Council comply with its own Local Code of Corporate Governance. The Statement was required to be considered alongside the 2017/18 Statement of Accounts.

Members were directed to the report and the significant governance issues and improvements during the year. It was reported that regular updates would be made to the State of the District report as new data was published and that members

would be informed in a timely manner of any significant changes. Members requested that this be communicated via the Members' Weekly News.

It was concluded that the report demonstrated what the Council did well and continued to deliver good governance.

RESOLVED: (a) That the Committee accept the Annual Governance Statement alongside the 2017/18 Statement of Accounts.

8 REVIEW OF THE CONSTITUTION 2018 - GENERAL AND ADMINISTRATIVE AMENDMENTS

The Director of Governance (Monitoring Officer) presented the report to the Committee. Article 15 of the Constitution required the Monitoring Officer to conduct regular reviews of the Constitution and this was the second report as part of the Review of the Constitution 2018 which covered more general and administrative amendments.

The Director of Governance took Members through the main amendments in the report which included: consequential changes; general amendments; amendments to the Scheme of Officer Delegations; and other changes, which sought for consideration to the provision of written answers to questions asked on notice at meetings of the full Council, as requested by Councillor M R Eddy.

RESOLVED: (a) That it be recommended to Council that the proposed changes in the Review of the Constitution 2018, specifically relating to Part 3, Responsibility for Functions, Section 1 (Responsibility for Local Choice Functions), Section 2 (Responsibility for Local Choice Functions) and Section 6, Sub Section C (Scheme of Officer Delegations) that relate to Council functions be approved and incorporated into the Council's Constitution, issue no. 21.

(b) That it be recommended to Council that the proposed changes in the Review of the Constitution 2018, specifically relating to Part 3, Section 6, Sub Section C (Scheme of Officer Delegations) that relate to executive functions be approved.

(Note: The Leader of the Council be asked separately to approve any changes relating to executive functions but the Council be asked to approve the Scheme of Officer Delegations in its totality in the event that there has been an erroneous misclassification of functions.)

(c) That it be recommended to Council that the additional changes set out in Appendix 1 of the report be approved and incorporated into the Council's Constitution, issue no.21.

9 REVIEW OF THE CONSTITUTION 2018 - FINANCIAL PROCEDURE RULES AND BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

The Director of Governance (Monitoring Officer) presented the Review of the Constitution 2018 – Financial Procedure Rules and Budget and Policy Framework Procedure Rules report to the Committee.

Article 15 of the Council's Constitution made provision for the regular review of the Constitution by the Monitoring Officer on an annual and ad-hoc basis. As part of the 2018/19 review, changes were proposed to the Financial Procedure Rules and Budget and Policy Framework Procedure Rules.

Members thanked officers for their hard work in producing the new procedure rules.

- RESOLVED:
- (a) That it be recommended to Council that the proposed changes as part of the 2018/2019 Review of the Constitution relating to Part 4 – Financial Procedure Rules and Budget and Policy Framework Procedure Rules as detailed at section 2 of the report be approved and incorporated into the Council's Constitution, issue no. 21.
  - (b) The Director of Governance and Monitoring Officer be authorised to make any associated incidental changes to the Constitution.

The meeting ended at 6.43 pm.