



# **Annual Report 2023/24**

**Governance Committee**

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## **Foreword by the Chairman of the Committee 2023/24**

This report summarises the work of the Committee during the preceding year and concludes that once again it received clear, concise and relevant information together with timely reports and actions taken in response to Members' requests.

The Governance Committee continued to be assured of the integrity and reliability of data held in financial statements and the work undertaken by Internal and External Audit provided detailed assurance on those areas of the Council's work which were the subject of reports.

The assurances from the Strategic Director (Corporate and Regulatory), Strategic Director (Finance and Housing), Strategic Director (Place and Environment) and the work of Internal and External Audit together support the Committee in forming their opinion of the financial statements. The audit of the 2020/21 accounts started in January 2023 and was anticipated to be completed in July 2023, the audit process was not completed and, at its meeting on 28<sup>th</sup> March 2024, the Governance Committee agreed to ratify the approach agreed with the external auditor to disclaim the outstanding historic accounts in accordance with the Department for Levelling Up, Housing and Community's proposed backstop date of 30<sup>th</sup> September 2024. Further details were provided in the Auditor's Annual Report and the Section 151 Officer's response to the report on the agenda for the 28 March meeting. It is anticipated that the 2023/24 Statement of Accounts will be published by 31 May 2024 and audited during October and November, with presentation to Governance Committee in either December 2024 or March 2025.

I am pleased to report that the Corporate Complaints and Member Complaints processes continue to work well.

The submission of this Annual Report continues to enhance the effective communication between the Committee and all sections of the Council including the Executive, Statutory Officers, the Head of Internal Audit, External Audit and other stakeholders.

**Councillor Helen Williams**  
Chairman of the Governance Committee 2023/24

## **Strategic Director (Corporate and Regulatory) Statement**

The **Delivering Good Governance in Local Government Framework** (2016 Edition) identifies seven core principles of good governance, with associated sub principles. Of particular relevance are:

- **Core Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law**
  - **Sub Principle: Demonstrating strong commitment to ethical values**
- **Core Principle F. Managing risks and performance through robust internal control and strong public financial management.**
  - **Sub Principle: Robust Internal Control**
- **Core Principle G: Implementing good practices in transparency, reporting, and audit to deliver effective accountability**
  - **Sub Principle: Implementing good practices in reporting**

This report summarises the achievements of the Governance Committee against its Terms of Reference for the period 1 April 2023 to 31 March 2024 and details the impact that it has made on the overall system of internal control in operation for that period. In particular the Committee has effectively provided an independent assurance on the risk and control framework of this Council and over recent years, has taken responsibility for the functions relating to corporate service complaints and member conduct previously the responsibility of the former Standards Committee.

As the Strategic Director (Corporate and Regulatory), I am therefore satisfied that the Governance Committee is operating effectively, has delivered its functions as outlined in its Terms of Reference and has contributed to the achievement of the core and sub principles. This is evidenced by:

Consideration of the Annual Governance Assurance Statement.

Ensuring that the Council has an effective internal control mechanism.

Ensuring that the corporate complaints process and the Kent Model Code of Conduct and associated arrangements continue to work well.

Internal Audit reporting quarterly to the Governance Committee on progress against the approved audit plan, providing details of the assurance levels for each audit assignment and any key control weaknesses.

The Head of Internal Audit providing an annual internal audit report to the Governance Committee, which reports on the internal control environment and provides an overall audit assurance for the financial year.

**Louise May**

Strategic Director (Corporate and Regulatory)

## **The Role of the Governance Committee**

The role of the Governance Committee is set out in the Council's Constitution. The seven appointed members of the Council provide independent assurance of the adequacy of the risk management framework and the associated control environment together with independent review of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment. The Committee oversees the financial reporting process by considering the final Statement of Accounts and promotes high standards of conduct amongst the 32 members of Dover District Council and (up to) 317 members of Town and Parish Councils in the District.

### **Work Undertaken During 2023/2024**

1. The Accounts and Audit (England) Regulations 2015 require the Council to, at least annually, review the effectiveness of its System of Internal Control, and then publish a statement on internal control within the Annual Governance Assurance Statement. In previous years, publication of the statement has been required by 31 July each year. However, the Regulations have now been amended and the statement was due for publication by 30 September 2023. On 4 September 2023, Cabinet considered the 2022/23 Annual Governance Assurance Statement and requested the Leader of the Council and the Head of Paid Service sign the Statement. The Statement was then considered and approved by the Governance Committee at its meeting on 28 September 2023.
2. At their meeting in March 2024, the Committee requested that officers come forward with a report in respect of additional training for the Committee. This will be followed in the coming months.

#### Corporate Complaints

3. The Committee oversees the Council's corporate complaints procedures with an annual report submitted to the committee at the end of the calendar year. The Council operates a two stage complaints process in line with Ombudsmen guidance. Stage 1 complaints are dealt with by the relevant service. If the complaint is not resolved satisfactorily at Stage 1, the complainant can request that their complaint be considered by the Corporate Services team at Stage 2. The final part of the process if the complainant is still not satisfied after the completion of the Stage 2 process is to refer the matter to either the Local Government and Social Care Ombudsman or the Housing Ombudsman.
4. The period 1 April 2023 to 31 March 2024 has seen 345 complaints closed (resolved) in total up from 267 in 2022/23. However, while the number of Stage 1 complaints has increased 38% year-on-year from 194 to 267, the number of Stage 2 complaints has not seen a corresponding rise only increasing 5% from 62 to 65. This is a positive development as it demonstrates that more complaints in 2023/24 were resolved by the Council at Stage 1 and did not need to be escalated. The number of complaints

investigated in total by the Local Government and Social Care Ombudsman and the Housing Ombudsman during that period also saw a small increase from 11 to 13. Further details on the complaints considered by the Ombudsman will be reported to the Governance Committee in the Annual Complaints report later in the year.

5. In overview, the main changes in complaints received are as follows (all stages): Planning Enforcement (+10), Waste Services (+29), Housing (+49) and Council Tax & NNDR (-19). Further details will be provided as part of the Annual Complaints report to the Governance Committee later in the year.

#### Complaints against Elected or Co-opted Members of the District, Town and Parish Councils

6. The Monitoring Officer meets in private with the Independent Person(s) to assess complaints against co-opted or elected members in accordance with the Arrangements for dealing with Code of Conduct Complaints under the Localism Act 2011 which have been adopted by the Council. Should the Monitoring Officer (acting in consultation with the Independent Persons) decide that further investigation is required, an Investigating Officer will be appointed. Where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer can decide to take no action, seek informal resolution, or refer the matter for consideration by a Hearing Panel.
7. The following information contains no details of the names of the complainants or elected or co-opted members about whom complaints have been made and is intended for use as a summary of activities only.
8. The municipal year 2023/24 has seen the Monitoring Officer receive 23 complaints. This is down from the record high of 33 complaints which were received in 2022/23. While this is still above the historical average of 15 cases per annum, it represents a significant decrease compared to 2022/23. There are also encouraging signs based on the number of complaints received during Quarter 4 2023/24, that there could be further reductions for 2024/25. The reduction in the overall number of complaints has seen an improvement in the processing time for complaints as a result in Quarter 4, 2023/24. However, the complexity of complaints has not diminished and it has been noted that complainants have tended to submit significantly more documentary evidence with their complaints, often by way of background. In particular, there is an emerging trend of recordings of broadcast meetings being cited as evidence in respect of complaints against district councillors.
9. The main differences between 2023/24 and 2022/23 have been as follows:
  - a reduction in the number of councillor-on-councillor complaints (5 in 2023/24 compared with 11 in 2022/23)
  - a reduction in complaints about town/parish councillors (16 in 2023/24 compared to 30 in 2022/23).
  - An increase in the number of complaints against district councillors (7 complaints in 2023/24 compared to 3 in 2022/23).
10. However, it should be emphasised that an increase in complaints against district councillors or a decrease in complaints concerning town/parish councillors does not on its own demonstrate an improvement or deterioration in standards of behaviour.

11. The following tables summarise complaints received by reference to authority type, complainant type, action taken on complaints and, where relevant, the reasons for taking no further action. The figures are correct as of 31 March 2024.

**Table A – Breakdown of complaints by type of authority**

Authority Type	Number of Complaints Received
Dover District Council	7
Town/Parish Council	16
<b>Total</b>	<b>23</b>

**Table B – Breakdown of complaints by type of complainant**

Complainant Type	Number of Complaints Received
Councillor (Town/Parish/District)	5
Council Employee	2
Member of the Public	16
<b>Total</b>	<b>23</b>

**Table C – Summary of Actions Taken**

Action Taken	Number of Complaints
Referred to Investigation	0
Informal Resolution	0
No Further Action	19
Awaiting Initial Consideration (as of 31 March 2024)	0
Other Action (as of 31 March 2024)	4
<b>Total</b>	<b>23</b>

**Table D- Summary of Reasons for No Further Action**

Reasons for No Further Action	Number of Complaints
Member did not appear to be acting in an official capacity at the time of the conduct complained of.	3
Even if the facts could be established as a matter of evidence the alleged conduct would not be capable of being a breach of the Code of Conduct.	8
The complaint is about dissatisfaction with a council's decisions, policies and priorities etc.	0
No or insufficient information/evidence to substantiate the complaint has been submitted by the complainant;	3
The complaint is relatively minor and dealing with the complaint would have a disproportionate effect on both public money and officers' and Members' time;	2

Other	3
	<b>Total 19</b>

12. The amount of work involved in the processing of each complaint is not inconsiderable. Each complaint received typically involves the following – even if it does not result in any further action.

- Logging and allocating individual reference on receipt.
- Correspondence with complainant, subject member and clerk to town/parish council (if the subject member is a town/parish member).
- Arranging meeting of Monitoring Officer and Independent Person(s).
- Collation of agenda papers for meeting of Monitoring Officer and Independent Persons.
- Meeting of Monitoring Officer and Independent Person(s).
- Preparation of detailed decision notice setting out the decision taken and the reasons for it.
- Correspondence with complainant, subject member and clerk to town/parish council (if the subject member is a town/parish member).

If further action is required, (such as referral to investigation), the resource requirement increases.

13. The 23 complaints received in 2023/24 related to members at 7 authorities, a decrease from 8 authorities the previous year.

14. The Governance Committee Hearing Panel has met during 2023/24. The Hearing resulted in a finding of a breach of the Code of Conduct against a member of Sandwich Town Council. There have been no new cases referred to investigation in the last year. In accordance with Annex 1 of the Arrangements, it is reported that there were no decisions of Informal Resolution agreed with the subject member in respect of complaints.

#### Audit

15. The Committee considered the effectiveness of Internal Audit by reviewing the annual assessment of the Strategic Director (Finance and Housing) (S151 Officer) and the Monitoring Officer, the view of External Audit; and the quality of reports, actions and follow up through the quarterly reports submitted throughout the year to Committee. The quarterly Internal Audit reports have included the following Council services or topics:

<b>Audit Area</b>	<b>Assurance Level</b>
EKS Debtors	Substantial
Homelessness	Reasonable
Housing Repairs & Maintenance & Void Property Management	Reasonable
Commercial Let Properties and Concessions	Reasonable/Limited
Employee Health & Safety	Reasonable
GDPR Compliance within Housing	Limited
Car Parking & Enforcement	No
Climate Change	Not Applicable
Leasehold Charges	Reasonable
Environmental Protection Service Requests	Reasonable



<b>Audit Area</b>	<b>Assurance Level</b>
Safeguarding	Limited
EKS – Data Management Desegregation Project	Limited
Contract Management of Waste Management & Street Cleansing	No/Reasonable
Local Code of Corporate Governance	Substantial
East Kent Services (EKS) – Housing Benefit Admin & Assessment	Substantial
Community Safety	Substantial/Reasonable
Housing – Anti-Social Behaviour	Reasonable
Planned Maintenance – Procurement and Contract Management	No
East Kent Services – Housing Benefit Testing 2022-23	Not Applicable
Members’ Code of Conduct & Standards Arrangements	Substantial
Dog Warden & Street Scene Enforcement	Substantial
Payroll	Substantial
Risk Management	Reasonable/Limited

Follow up reviews completed throughout the year are shown in the following tables:

<b>Audit Area</b>	<b>Original Assurance level</b>	<b>Revised Assurance level</b>
Food Safety	Substantial	Substantial
Grounds Maintenance	Reasonable/Limited	Reasonable
Garden Waste & Recycling Income	Limited	Limited
Cloud Computing	Reasonable	Reasonable
Phones, Mobiles and Utilities	Reasonable/Limited	Reasonable/Limited
Tech 1 Project Post Implementation Review	N/A	N/A
Absence Management	Limited/Reasonable	Limited/Reasonable
Housing Allocations	Reasonable	Reasonable
Car Parking & Enforcement	No	Reasonable
Homelessness	Reasonable	Reasonable
EKS Business Rates	Substantial	Substantial
EKS Discretionary Housing Payments	Substantial	Substantial
Leasehold Charges	Reasonable	Substantial
Employee Health & Safety	Reasonable	Reasonable
GDPR within Housing	Limited	Reasonable
Housing Repairs & Maintenance	Reasonable	Reasonable
Budgetary Control	Reasonable	Substantial
Planning Applications, Income & s.106	Reasonable/Limited	Reasonable/Limited

16. The audit of the 2020/21 accounts started in January 2023 and was anticipated to be completed in July 2023, the audit process was not completed and, at its meeting on 28 March 2024, the Governance Committee agreed to ratify the approach agreed with the external auditor to disclaim the outstanding historic accounts in accordance with the Department for Levelling Up, Housing and Community’s proposed backstop date

of 30 September 2024. Further details were provided in the Auditor’s Annual Report and the Section 151 Officer’s response to the report on the agenda for the 28 March meeting.

## Work Programme for 2024/25

<b>2024/25 Governance Committee</b>	
<b>Date *</b>	<b>Main Agenda Items</b>
27 June 2024	Annual Debt Collection Reports Internal Audit Annual Report Internal Audit Quarterly Progress Report 2023/24 Year End Treasury Management Report Grant Thornton’s Quarterly update Prior Year Draft Statements of Accounts Update Informing the Risk Assessment – 2023/24 Statement of Accounts 2023/24 Draft Statement of Accounts
26 September 2024	Internal Audit Quarterly Progress Report Grant Thornton’s Quarterly update Review of Member Code of Conduct Quarterly Treasury Management Report Annual Governance Assurance Statement
5 December 2024	Internal Audit Quarterly Progress Report Grant Thornton’s Quarterly update Quarterly Treasury Management Report Corporate Complaints update Statement of Accounts 2023/24
27 March 2025	Internal Audit Annual Plan 2022/23 Internal Audit Quarterly Progress Report Grant Thornton’s Quarterly update Review of the Constitution Quarterly Treasury Management Report Risk Management and Value for Money Update

\* Meeting dates to be confirmed at Annual Council on 22 May 2024.

17. In accordance with proposed amendments to The Accounts and Audit (England) Regulations 2015, the Annual Governance Assurance Statement and the Statement of Accounts (in respect of financial year 2022/2023) must be published by 31 May 2024, with a backstop completion date for the audit process of 31 May 2025. The current timetable from Grant Thornton for 2023/24 proposes an audit process for the Statement of Accounts in October and November 2024, with presentation of the audit findings to Governance Committee in either December 2024 or March 2025.