

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 23rd September 2016

Present: Councillor Hilary Richards (Chair)
Councillor Julie Stewart-Turner
Councillor Kath Pinnock
Councillor Linda Wilkinson
Councillor Bill Armer
Councillor Sheikh Ullah

Apologies: Councillor Gulfam Asif
Councillor John Taylor

In attendance:

Observers:

1 Membership of the Committee

Councillor Sheikh Ullah substituted for Councillor Gulfam Asif
Councillor Bill Armer substituted for Councillor John Taylor

2 Minutes of Previous Meeting

The minutes of the meeting held on 29 July 2016 were agreed as a correct record.

3 Interests

No interests were declared at the meeting.

4 Admission of the Public

All items were considered in Public Session at the Meeting

5 Deputations/Petitions

There were no deputations or petitions received.

6 Annual Corporate Emergency Planning and Continuity Report

The Committee considered a report providing an update on emergency planning and business continuity issues and developments that had occurred during the financial year 2015/16. The Committee noted that the annual report had been submitted as a consequence of work by the Council's Internal Audit Team, who had recommended that the publication of an annual report would assist with corporate understanding and create more awareness of the key issues relating to emergency planning and a wider understanding of the requirements that were placed on the Council in this area of activity.

The considered report went on to set out the headline developments in relation to emergency planning during the year, including, as well as work with the Council and the training of officers within the Council in aspects of emergency planning, an emergency planning checklist for householders. The report also provided information in relation to business continuity developments within the Council and the importance of ensuring that plans were in place to maintain critical activities in the event of a building loss or other significant event that impacted on the Council's ability to deliver its key services.

The Committee discussed the role Councillors could play in providing information to members of the public and acting as a conduit between the community and the Council in instances of short notice events and felt it would be useful if information could be provided to all Councillors on the procedure in dealing with such events so that they were able to provide advice when required.

RESOLVED -

1. The content of the Report be noted.
2. That the officers be requested to provide information to all Councillors on the procedure for dealing with short notice events.

7 Annual Corporate Customer Standards Report

The Committee considered a report providing information on complaints considered by the Local Government Ombudsman relating to Kirklees Council during the year 2015/16. The report indicated that the number of complaints received by the Council at the third stage of the process at which point the ombudsman became involved, were broadly consistent with numbers that had been received over the previous 5 year period and that, during 2015/16, the Council had received no formal ombudsman reports as a result of their investigations into complaints made against the Council.

The report also provided information on a revision to the complaints procedure that had been made as a result of a customer survey that had identified that some residents had found the complaints system difficult to understand.

Some discussion took place on the numbers of complaints that ultimately were referred to the Local Government Ombudsman and the Committee were of the view

that a reason for this could be that residents were unaware of the need to refer complaints to the ombudsman within a 12 month period after the original complaint had been made. The Committee agreed that officers should take steps to ensure the complainants were aware of the need to refer issues to the Local Government Ombudsman within the statutory timescales should they feel that this was necessary.

RESOLVED -

1. That the content of the report be noted.
2. That officers be requested to ensure complainants are aware of the need to refer issues to the Local Government Ombudsman within a 12 month period.

8 External Audit Report 2015/2016

Alistair Newell of KPMG attended the meeting to present the external audit report for 2015/16. The report presented to the committee set out the scope of the audit which had been undertaken by KPMG, the Council's external auditors, and went on to provide information on financial statements associated with the audit and the auditors value for money conclusion. Information was also provided on the headlines messages received from the audit on which it was anticipated that KPMG will be issuing an unqualified audit opinion of the Council's financial statements by 30th September 2016 and reporting that the council's annual governance statement complied with guidance issued in June 2007.

RESOLVED –

1. The content of the report be noted.
2. That KPMG be thanked for the External Audit Report for 2015-16 together with staff in the Internal Audit Team for their assistance in the undertaking of the audit.

9 Approval of Council's Final Accounts 2015/2016

The Committee considered a report updating on the final accounts and audit processes for 2015/16 asking for approval of the Council's statement of accounts for 2015/16 together with a final version of the annual governance statement. The report indicated that the process of producing the accounts for 2015/16 had run smoothly, with the draft accounts signed off on 6th June 2016. It was noted that there were no queries or objections raised in this 6 week public inspection period for the accounts and that the audit of the statement of accounts was substantially complete with the Council's auditors, KPMG, having issued their annual governance report (see previous item).

The Committee were provided with an updated copy of Appendix A that had taken account of comments made by the Chief Executive.

As a result of discussions at an earlier meeting of The Council Officer's reports to the committee on work that had been undertaken on the auditing of Fresh Horizons. It was agreed that information be incorporated within a future quarterly report on internal audit to the Corporate Governance and Audit Committee on the situation regarding Fresh Horizons.

RESOLVED -

1. That the statement of accounts for 2015-16 incorporated in the annual Governance Statement at appendix A and as updated at the meeting in relation to the comments of the Chief Executive, with the Chair certifying the statement of responsibilities as set out on page 17 be approved.
2. That the letter of representation set out at appendix B to the considered report together with the Chair signing it on behalf of the Committee be approved.
3. That information on the situation regarding Fresh Horizons be reported to a future meeting of the Committee within the quarterly report on internal audit.

10 Appointment of Independent Persons

The Committee considered a report seeking the reappointment of the independent person and deputy independent person who are currently appointed to assist the Monitoring Officer in the Code of Conduct for Standards Regime for Kirklees. Report recommended the reappointment of the 2 people concerned for a period of up to one year. The report indicated that the reappointment had been requested for a period of up to one year because a Standards review had been underway and was due to conclude shortly. It was noted that the role of the independent person had been considered during the review and there was an option for the role of the independent person to be developed and extended. The outcome of the review would have not been concluded until December or early new year so the current extension was sourced until the final decision was made by Council.

RESOLVED -

1. That approval given to the appointment of Richard Michael Stow and Angela Doreen Vine as independent persons to assist the monitoring officer in the Code of Conduct for Standard Regime for Kirklees, for a period of up to 1 year, as set out in the considered report.
2. That the Council be recommended to approve the appointment for a period of up to 1 year.

11 Update in Relation to Senior Management Changes and Transitional Constitution Changes

The Committee considered a report updating on senior management changes and consequential constitutional changes that were required until full implementation of

new arrangements were in place, which was likely to be by 1 April 2017. The considered report set out the constitutional changes that had been agreed by the Chief Executive as a result of changes at senior management level as part of the implementation of the work of the Chief Executive in reviewing the role of Directors and Assistant Directors.

The Committee was specifically requested to note the designation of the Assistant Director for Finance Management, Risk IT and Performance as the section 151 statutory officer and proposed changes to the responsibility for non-executive functions set out in the considered report.

RESOLVED -

1. That the designation of the Assistant Director of Finance Management, Risk, IT and Performance as the section 151 statutory officer and proposed change to the responsibility for non-executive functions as set out in considered report be noted.
2. The report be referred to Council for information purposes.

12 David Smith

The Committee paid tribute to the work of David Smith, who was retiring from the Council and agreed that David be thanked for all his help and support in pursuing work of the Corporate Governance and Audit Committee.