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## **KIRKLEES COUNCIL**

### **CORPORATE GOVERNANCE AND AUDIT COMMITTEE**

**Friday 15th July 2022**

Present: Councillor Yusra Hussain (Chair)  
Councillor Ammar Anwar  
Councillor Kath Pinnock  
Councillor Harry McCarthy  
Councillor Joshua Sheard  
Councillor John Taylor

In attendance: Councillor Paul Davies (Ex Officio)  
Councillor Jo Lawson (Ex Officio)  
Councillor Elizabeth Smaje (Ex Officio)

Observers: Councillor Andrew Marchington

**1 Membership of the Committee**

Councillor Mohan Sokhal substituted for Councillor Elizabeth Reynolds.

**2 Minutes of Previous Meeting**

**RESOLVED** – That subject to the following amendments, the minutes of the Meeting held on 17 June 2022 be approved as a correct record. Councillor Jo Lawson attended the meeting as an observer. Councillor Elizabeth Smaje attended the meeting as an observer (virtual).

**3 Declarations of Interest**

Cllrs Harry McCarthy and Joshua Sheard declared ‘other’ interests on item 9.

**4 Admission of the Public**

It was noted that Agenda Item 14 would be considered in private session.

**5 Deputations/Petitions**

There were no deputations or petitions received.

**6 Public Question Time**

No questions were asked.

**7 Democracy Commission Update**

The Committee received an update relating to the recent work of the Democracy Commission.

Cllr John Taylor advised the Committee that two sessions had been held with other local authorities who had moved from a Cabinet to Committee System and then

## Corporate Governance and Audit Committee - 15 July 2022

back to a Cabinet model, and an authority who had moved from a Committee System to a Cabinet model and then back to a Committee System alongside a change of administration.

The Committee heard that further evidence gathering sessions were planned to hear from additional local authorities, after which the Commission would begin to consider evidence from stakeholders within Kirklees.

**RESOLVED** – That the work of the Democracy Commission be noted.

### 8 **Kirklees response to local audit framework consultation**

The Committee received a verbal update from Martin Dearnley, Head of Risk, relating to a recent technical consultation by the Government in relation to local audit frameworks.

The Committee heard that following this technical consultation, the Government recommended that local audit frameworks align their audit committee's make-up to that suggested by the Chartered Institute of Public Finance and Accountancy (CIPFA). One of the recommendations of CIPFA is for audit committees to have two independent members, albeit the Committee noted that the Government would likely legislate for one independent member.

The Committee considered several options relating to the appointment of an independent member, presented by Mr Dearnley. The Committee was informed that any change to include an independent member would need an amendment to the Terms of Reference for the Committee.

**RESOLVED** – That a further report be considered at the next meeting of the Committee with the following recommendations to Council: -

- 1) The appointment of one independent member to be co-opted on to the Committee on an ex-officio basis;
- 2) The payment of £k plus expenses be made per annum to the independent member;
- 3) That no restriction as to geographic area be imposed for the independent member but rather the skill set of the independent member be the deciding factor for appointment to the position.
- 4) That there be no restriction for the independent member as to public or private sector experience.
- 5) That the Terms of Reference for the Corporate Governance and Audit Committee be amended to reflect the appointment of an independent ex-officio member.

### 9 **Proposed revisions to the terms of reference for the Kirklees Health & Wellbeing Board (Reference to Council)**

The Committee considered a report which sought approval for revisions to the Terms of Reference for the Health and Wellbeing Board.

The report outlined that the national, regional, and local context the Board was operating within had undergone significant changes with the passing of the Health

## Corporate Governance and Audit Committee - 15 July 2022

and Care Act 2022. The Act provided a new legislative framework to facilitate greater collaboration within the NHS, local government, and other parties and to support the recovery from the pandemic.

The Committee noted that the Board had no decision taking responsibilities for service provision or finance, but the Board would be represented on the Kirklees Integrated Care Board Committee that would have delegated powers to allocate funding and change service provision.

**RESOLVED** – That the report be referred to the meeting of Council on 7 September with a recommendation that the revised Terms of Reference of the Health and Wellbeing Board be approved.

### 10 **Corporate Emergency Planning and Business Continuity Annual Report**

The Committee received an overview of the work of the Emergency Planning Team.

The Committee noted that the Emergency Planning and Business Continuity Annual Report provided a snapshot of the work of the Emergency Planning Team and provided an assurance to the Committee that Kirklees Council was compliant with the core duties in the Civil Contingencies Act.

The report provided details of resilience matters using the performance headlines (i) Incident Response, (ii) Training and Exercises, (iii) Hazard Warnings, (iv) Counter Terrorism Awareness, (v) Advice to Schools and (vi) Educational Visits.

**RESOLVED** – That the Committee note the report and of the work of the Emergency Planning Team, and that officers be thanked for the clear and concise style of the report.

### 11 **Report of the Members' Allowances Independent Review Panel (Reference to Council)**

The Committee considered a report which sought the approval to Council of the Members' Allowances Scheme for 2022/23, which took into account the recommendations proposed by the Members' Allowances Independent Review Panel (MAIRP) regarding allowances.

The report outlined that Kirklees Democracy Commission recommended that the MAIRP consider linking the annual changes in the rate of Councillor's allowances to the pay rate for local government officer. However, a full root and branch was carried out, and the outcome of the MAIRP was appended to the report. The appendices included recommendations for an increase in the Basic Allowance and some Special Responsibility Allowances (SRA).

**RESOLVED** – That the report be referred to the meeting of Council on 7 September with a recommendation that: -

- 1) Councillors Basic Allowance and SRA's are linked to the pay award for officers and Councillors receive the same annual percentage pay award as those of local government officers.

## **Corporate Governance and Audit Committee - 15 July 2022**

- 2) The Committee broadly supports the IT approach recommended of Councillors sourcing and paying for broadband contracts and subscription to internet-based ink cartridges but that this be considered in a more phased implementation alongside the review of the group size bandings.
- 3) The new group size bandings and political positions are reviewed and reconsidered by the MAIRP, including the allowance attached to the number of Members constituting a Group.
- 4) The SRA for Lead Councillor – Primary Care Networks and Local Health Improvement (formerly Place Partnership Lead), remain at the previous rate for the role of Place Partnership Lead Members from May 2022, until such time that the Lead Councillor role, Primary Care network and Local Health Improvement had been reviewed by this Committee.
- 5) The SRA changes relating to the following Chairs of Committees be agreed: -
  - Overview and Scrutiny Committee
  - Corporate Governance and Audit Committee
  - Licensing and Safety Committee
  - Standards Committee
  - Adoption Panel Member
  - Fostering Panel Member

### **12 Quarterly Report of Internal Audit Q1 2022/23 April 2022 TO June 2022**

The Committee received a report relating to the internal audit work in quarter 1 of 2022/23.

The report advised that Quarter 1 contained 15 pieces of completed work, of which 8 were schools, and follow up audits relating to markets income, and planning (all positive assurances). There were adverse findings in aspects of the management of pool cars, school catering finances and a review of modern slavery arrangements.

The Committee noted that Internal Audit now oversaw the Council's Fraud Investigation Team. The report outlined that there had been 37 referrals during the Quarter 1 period, mainly related to blue badge fraud, right to buy and other tenancy related fraud.

#### **RESOLVED –**

- (i) That the Internal Audit Quarterly Report be noted and that no further action was sought on any matter identified.
- (ii) That it be noted that there has been no Regulation of Investigatory Powers Act activity during the period quarter 1 2022/23.

### **13 Exclusion of the Public**

## Corporate Governance and Audit Committee - 15 July 2022

**RESOLVED** – That acting under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically state in the undermentioned minute

- 14** **Quarterly Report of Internal Audit Q1 2022/23 April 2022 TO June 2022**  
Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information (Variation) Order 2006, namely Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The Committee noted the exempt information, which was an appendix to Agenda Item 12.