

Contact Officer: Nicola Sylvester

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 20th February 2026

- Present: Councillor John Taylor (Chair)
Councillor Bill Armer
Councillor Eric Firth
Councillor James Homewood
Councillor Kath Pinnock
Councillor Angela Sewell
- In attendance: Ruth Calladine, Head of Procurement & Commissioning Support
Greg Charnley, External Auditor, Grant Thornton
Martin Dearnley, Head of Risk & Internal Audit
Samantha Lawton, Service Director, Legal & Commissioning (Monitoring Officer)
Rachel Spencer-Henshall, Deputy Chief Executive and Executive Director for Public Health and Corporate Resources
- Ex-Officio Members: Councillor Nosheen Dad, Cabinet Member, Adult Social Care and Corporate
- Apologies: Councillor Caroline Holt
Councillor Harry McCarthy
Councillor Graham Turner (ex-Officio)
Nicholas Booth (Co-Optee)
Andrew North (Co-Optee)

76 Membership of the Committee

Apologies for absence were received on behalf of Councillor Caroline Holt, Councillor Harry McCarthy, Councillor Graham Turner (Ex-Officio), Nick Booth (Co-Optee) and Andy North (Co-Optee).

Councillor Eric Firth substituted for Councillor Harry McCarthy and Councillor Bill Armer substituted for Councillor Caroline Holt under the provision of Council Procedure Rule 35 (7).

77 Minutes of Previous Meeting RESOLVED –

That the Minutes of the meeting held on the 30th January 2026 be approved as a correct record.

78 Declaration of Interests

No interests were declared.

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79 Admission of the Public

It was noted that Agenda item 13 would be considered in private session.

80 Deputations/Petitions

No deputations or petitions were received.

81 Public Question Time

No questions were asked.

82 External Auditor Progress Update

The Committee received a verbal progress update from the External Auditor, Grant Thornton who confirmed that the Accounts had been signed off by the Committee and that the Audit Plan and associated risks would be brought to the Committee meeting on the 24th April 2026 for consideration.

RESOLVED – That the verbal progress update be noted.

83 Proposed Revisions to Financial Procedure Rules

The Committee received a report outlining the proposed changes to Financial Procedure Rules for the municipal year 2026/27.

The report highlighted that most of the proposed changes which were outlined in section 2 of the report were incremental, with a slightly more significant change in how projects and programmes were included in the capital plan. Moving forward, Council would determine major projects and programme areas, with Cabinet having the discretion to manage programme areas, as well as being required to approve business cases for each type of project (or generically for similar projects within a programme). It was intended that over the next year, officers from Finance and Risk would draw up proposed (more significantly) revised Financial Procedure Rules.

During discussions, the Committee queried project values and how they could be reviewed against items already in the capital plan. The Committee was informed that the proposed changes aimed to clarify the distinction between a project and a programme which had been unclear in the past. There was no financial threshold proposed for defining a major project and delegations remained in place for projects within existing programme areas, which may be approved by Cabinet or officers depending on their scope. The Committee asked for examples of current projects that would now fall under Council approval.

The Committee was further advised that a recent peer challenge had recommended a capital governance review which was being undertaken. Some of the proposed changes to the Financial Procedure Rules arose from early findings but further work was necessary to ensure systems were fit for purpose.

The Committee queried the skills required for oversight of projects and was advised that all projects within the Capital Plan were overseen by Cabinet and Executive Directors, and some of the high value projects were considered by programme boards that were attended by external consultants and project managers, with regular updates provided to Portfolio Holders.

The Committee raised concerns about whether sufficient challenge was currently embedded in governance processes and was advised that additional training could be provided for Members in terms of expertise.

RESOLVED –

1. That the changes as detailed in the report be approved and recommended to Council for approval.
2. Officers to report back to a future meeting of the Committee on how projects which are identified for inclusion in the Capital plan, are then considered by Council.

84

Proposed Revisions to Contract Procedure Rules March 2026

The Committee received a report setting out the proposed changes to Contract Procedure Rules from 1st April 2026.

Contract Procedure Rules ensured that the Council was acting in line with current legislation and other developments in public law when conducting procurement. The report highlighted the proposed changes (as outlined in section 2) which included minor updates to terminology to ensure consistency and clarification of the process to be followed if a breach of the Contract Procedure Rules was identified, revisions to Data Sharing and Processing to align with current practice, inviting suppliers from within the Kirklees (and/or West Yorkshire) area to bid for lower-value contracts and updates to reinforce the requirement that all contracts were actively managed. An illustrative example of the contract award lifecycle and associated processes was set out in Appendix C of the report and provided evidence of the oversight and assurance applied at each stage of the procurement procedure.

During discussion of the item, the Committee was informed that:

- A breach-reporting process had been added which set out the responsibility of all officers to report failures to comply with CPR.
- Rule 3 had been revised to clarify the procurement process required at different spend levels, with below-threshold procurement potentially being restricted to suppliers in Kirklees or the wider West Yorkshire region, in accordance with national legislation.
- Rule 5 had been amended so that direct award from framework agreements was no longer treated as an exemption, although a business case was still required to evidence value for money.
- Rule 6 had been updated with new exemptions to ensure compliance with the Procurement Act.
- Rule 11 had been added, which confirmed the requirement for all contracts entered to have a Contract Manager responsible for managing the contract throughout its lifecycle.
- Rule 12 has been strengthened to ensure that all contract modifications were processed through the Procurement Team for compliance purposes.

The Committee was advised that the updated CPRs complied with the Procurement Act.

RESOLVED –

1. That the proposed amendments to Contract Procedure Rules (CPRs) be noted and recommended for approval by Council on 11 March 2026.
2. That the information provided on the example illustrating the life cycle of a contract be noted.

85

Constitution Updates

The Committee received a report which highlighted the suggested amendments to the Constitution and that it be recommended to Council. It was essential that the Constitution was subject to regular review, and where necessary, amended, to ensure it followed any legal requirements placed on the Council and that it was fit for purpose.

The Committee noted that –

- Appendix A of the report summarised the Monitoring Officers amendments under delegation
- Appendix B of the report included a comprehensive rewrite of the Safeguarding Protocol
- Appendix C of the report covered amendments to Council Procedure Rules
- Appendix D of the report outlined the minor changes to the Protocol for speaking at Planning Committees
- Appendix E of the report included the Corporate Governance and Audit Committee Terms of Reference.

The Committee noted that amendments had been made in relation to the removal of its oversight of Local Government Ombudsman matters. Updated national guidance confirmed that such matters were to be reported to Cabinet and Scrutiny instead. However, a reference had been retained to allow Cabinet to refer issues back to the Corporate Governance and Audit Committee where appropriate.

During discussions, the Committee raised issues around Council motions and the growing volume of businesses related to the West Yorkshire Combined Authority (WYCA), in particular, bus franchising and rail reform, and the need for Members to be fully engaged. The Committee noted the benefits of pre-decision scrutiny for both Kirklees and WYCA matters, and the possible need to review scrutiny structures in the future, taking into account the outcome of the local elections and avoiding placing additional pressure on the Overview and Scrutiny Management Committee, who already had an extensive workload.

The Committee also highlighted the challenges in ensuring information from WYCA meetings was shared consistently.

RESOLVED –

1. That the Monitoring Officer delegations in Appendix A be noted.
2. That the suggested amendments to the following areas set out at paragraph 2 of the report, be recommended to Council:-
 - Councillor Safeguarding protocol
 - Council procedure rules
 - Protocol for Public Speaking at Planning Committee
 - Responsibility for Non-Executive functions - CGA – Terms of Reference
 - Responsibility for Non-Executive functions - Appeals Panel – Terms of Reference
3. That the work of the cross-party Constitution Working Group be noted.
4. That it be noted that the Constitution has been subject to a review and no amendments other than those set out below are required at this time.

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5. That the amendments to the Constitution be noted and recommended to Council for approval.

86 Internal Audit Quarterly Report 3 2025-26 (October 2025 to December 2025)

The Committee received the Internal Audit Quarterly Report 3 2025-26, October 2025 to December 2025. The Council must have an Internal Audit Function.

The report provided information regarding the Regulation of Investigatory Powers Act and the progress on the implementation of recommendation. Approximately half of the annual audit plan had been completed by the end of Quarter 3 due to slightly improved staffing levels, and it was forecast that around 75% of the plan would be delivered by year-end. 77% of completed audits (excluding schools) had received positive assurance, which was broadly consistent with, or slightly better than previous years. The report also included updates on recent work undertaken by the fraud team.

During discussions, the Committee questioned the high proportion of audits unallocated or not started at the end of December, and whether the reduced capacity had resulted in the audit plan focusing on lower-risk areas. The Committee was advised that of the 75% audits forecast for completion, these were a good balance to ensure sufficient coverage for the annual opinion. However, there was a need to maintain oversight of key financial systems which would be reflected in next year's audit plan.

Further discussions took place regarding assurance obtained through other mechanisms outside of internal audit processes and the Committee queried the reasons for the audit of Greenwood Park Café.

In relation to blue badge fraud, the Committee was advised that fraud levels represented a small proportion of total badges, but that misuse, particularly involving badges of deceased individuals or stolen permits, was an ongoing issue.

RESOLVED – That the Internal Audit Quarterly Report 3 2025-26, October 2025 to December 2025 be noted.

87 Exclusion of the Public

RESOLVED- That acting under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically stated in the undermentioned minute.

88 Internal Audit Quarterly Report 3 2025-26 (October 2025 to December 2025)

RESOLVED – That the Committee noted the exempt information, which was an appendix to Minute number 86.

89 Agenda Plan

RESOLVED – That the Agenda Plan for 2025/26 be noted.