

The **AUDIT AND STANDARDS COMMITTEE** met at **WARWICK** on the **18th November 2008**.

Present: -

Independent Members

John Bridgeman CBE (Chair)
Rob Jeanes
Bob Meacham OBE

County Councillors

Sarah Boad
Les Caborn
Tim Naylor
John Vereker CBE

Officers

Reuben Bergman, Deputy Head of Human Resources
Greta Needham, Head of Law and Governance
Jane Pollard, Corporate Legal Services Manager.
Garry Rollason, Audit and Risk Manager,
John Wright, Committee Manager

1. General

(1) Apologies for absence

Apologies for absence were received from Councillors Mick Jones and Bob Stevens, Mark Magowan and David Carter.

(2) Welcome to New Members

The Chair welcomed Rob Jeanes and Bob Meacham who had both recently been appointed as independent members of the Committee.

(3) Members' Disclosures of Personal and Prejudicial Interests

None

(4) Minutes of the Audit and Standards Committee meeting held on 22 September 2008.

Resolved that the minutes of the meeting held on 22 September 2008 be approved and signed by the Chair as a correct record.

(5) Matters Arising.

(a) Future Items

The Committee noted the timetable of forthcoming items which will be considered by the Committee and requested it be added to the minutes of the meeting.

(b) Minute 4 (b) Investigation under the Member Code of Conduct

The Committee noted Councillor Kanwardeep Singh had undertaken the training required by the Committee.

(c) Minute 4 (d) Contract Standing Orders for Schools

The Committee considered the steps being taken to ensure that schools engage with the requirements of the revised Standing Orders and agreed that a further report be reported to the next meeting of the Committee.

2. Standards Board for England – Case Review 2008 Digest

The Committee considered the report of the Strategic Director of Performance and Development on the content of the Standards Board Case Review 2008 Digest.

Resolved that the content of the Standards Board Case Review 2008 Digest be noted.

3. Code of Conduct for Local Authority Members and Employees – A consultation

The Committee considered the report of the Strategic Director of Performance and Development on consultation from the government entitled “Communities in control: Real people, real power: Codes of conduct for local authority members and employees – A consultation paper”. The consultation paper invited views on proposals for revising the Local Authorities (Model Code of Conduct) Order 2007 and the Relevant Authorities (General Principles) Order 2001. It also sought views on the proposed introduction of a model code of conduct for local government employees.

The Committee made the following points in relation to the proposals relating to the code relating to councillors

- Consultation question 1 The separation of the official capacity and private life was welcomed
- Consultation question 4 The consultation proposed that a breach would occur if an offence was committed that would be a criminal offence if committed in this country. Members welcomed the proposal but expressed concern that standards of proof may be lower in some countries which could result in convictions that would be harder to achieve in this country.

- Consultation question 5 Concern was expressed that ethical investigations should not be delayed until the completion of the criminal process as in some cases this could take many years. Members considered that Councils should have the discretion to decide whether or not to carry out an investigation on a case by case basis.
- Consultation question 11 The definition of criminal offence should be expanded to include being issued with a caution.
- The proposed duty to abide by the law was unnecessary and bureaucratic as everyone was required to abide by the law

The Committee considered the proposal to create a code of conduct for officers and made the following points:

- The definition of which officers the code should apply to was too vague
- A number of professions already had their own code of conduct and the introduction of a new code could lead to duplication or confusion between the requirements of the differing codes. If a code was to be introduced it would need to unify all the existing codes of conduct.
- The issues likely to be covered by an employee code of conduct could already be addressed under an employees contract of employment
- The Committee did not feel that the case for the introduction of an employee code of conduct had been met.

Resolved that the Cabinet be informed of the views of the Committee on the consultation document.

4. Local Assessment Procedure

The Committee considered the report of the Strategic Director of Performance and Development on the process to be adopted in the handling of complaints under the member code of conduct and to ensure there was clarity over the process and expectations around Assessment and Review Sub-Committees.

Resolved that the local assessment procedure, as detailed in the appendix to the report submitted, be approved.

AUDIT ITEMS

5. Health and Safety Annual Report

The Committee considered the report of the Strategic Director of Performance and Development on the annual health and safety report for 2007/08. The report detailed the specific arrangements for the management of health and safety both corporately and within the six directorates, a summary of developments over the last year, performance against key targets over the year and key priorities for 2008/2009. It was noted that the report would be considered by the Resources Overview and Scrutiny Committee in January.

Members made the following comments

- The report should include an indication of the severity of accidents and if different the severity of accidents in schools
- The report listed the number accidents per directorate but needed to show that number in relation to the number of staff in each directorate

- Concern was expressed that some directorates had a low number of officers that were competent to deal with health and safety issues but acknowledged that some training was planned
- The performance targets set out in appendix B of the report should be reviewed to see if they needed to be raised
- The report should detail the number of claims against the Council for health and safety issues and the amounts of compensation that had been paid out (distinguishing between employees and third parties if possible)
- Bench marking information.

Resolved that

- (1) the report be noted;
- (2) the comments made by the Committee be addressed in the report submitted to the Resources Overview and Scrutiny Committee; and
- (3) a further report be submitted to the next meeting of this Committee

6. Corporate Governance Action Plan

The Committee considered the report of the Strategic Director of Performance and Development on the progress made both corporately and by individual Directorates in response to the 2007 Corporate Governance audit. Members were assured that progress was being made against all the targets set out in the report. The Action Plan was updated quarterly and would next be reported to the Cabinet in February 2009. Members were keen to ensure that the necessary actions were taken as failure to do so would detrimentally effect the outcome of the next corporate governance audit.

Resolved that the progress being made both corporately and by Directorates in response to the 2007 Corporate Governance audit be noted.

7. Update of Case File Recording

The Committee considered a report on the progress made within Adult Social Care in the area of case recording. The report detailed the progress that had been made since May. Of the six targets three had been exceeded, one had been met and two were slightly below the target.

Members discussed whether the targets which were currently set at 90% should be raised as there was concern that the 10% of cases not covered by the target could mean that some assessments could be missed. Consideration was given as to whether the target should be increased to 100%. The Committee was informed that the performance against the target could be affected by the timing of the audit of each case file. If a case file had recently been opened the case may not have progressed far enough for all the activities covered by the targets to have taken place which would then show that the targets had not been achieved. Members felt that it was not appropriate for the Audit and Standards committee to review the targets and suggested that it was a matter for the Adult and Community Services Overview and Scrutiny Committee.

Members were also concerned that concentration by officers on paperwork would be carried out at the expense of spending time with clients but were

reminded that use of laptops and tablets meant that files could be updated more easily and efficiently.

The Committee was informed that, in comparison to many other authorities, Warwickshire was far more proactive in its approach to case file management

Resolved that

- (1) the report be noted;
- (2) the Adult and Community Services Overview and Scrutiny Committee be requested to review the performance targets for case file recording;
- (3) a further report be submitted to this Committee in twelve months time.

8. Any Other Business

Councillor Boad reported on her recent attendance at the Standards Board for England annual conference She stated that she had found the event very informative and recommended that other members of the Committee should attend in future.

9. Dates of Future meetings

24 February 2009
8 June 2009

10. Report Containing Confidential or Exempt Information

Resolved that members of the public be excluded from the meeting for item 11 and below on the grounds that their presence would involve the disclosure of confidential or exempt information as defined in paragraphs 1,2 and 7 of the Local Government Act 1972.

11. Internal Audit Report for the Period 1 April 2008 to 30 September 2008.

The Committee considered the report of the Strategic Director of Performance and Development which summarised on the results of internal audit work during the period 1 April 2008 to 30 September 2008.

The Committee reviewed the results of the 24 audits which had been completed and were concerned at the audit of Etone Community School which had shown there was no assurance provided by the controls in place. The committee were informed of the reasons why a lack of financial management had developed at the school and the steps which had been put in place since the audit to rectify the situation. The Committee was informed that all recommendations due to be implemented had been actioned.

The Committee also considered the HR Service centre and were informed that a number of problems had been experienced when the centre was created in integrating the systems of the Directorates. The audit had identified a number of issues which needed to be resolved. Significant progress had been made but much remained to be done in terms of introducing robust and consistent processes. The Committee was concerned that the comments and recommendations of the internal audit should be taken on board by the end of

March 2009 as an external audit was due to take place in early 2009 and it would be important to avoid further negative comments on the service.

Members noted that the post of “Warwickshire’s Project Management Approach Officer” had yet to be filled. Members requested an assurance at the next meeting of the Committee that the post had been filled and also requested details of the priority tasks of the post holder.

The Committee was informed that there were no further areas of concern to the audit team.

Resolved that

- (1) the report be noted:
- (2) a report be submitted to the next meeting of the Committee of the post of “Warwickshire’s Project Management Approach Officer”;

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Chair of Committee

The Committee rose at 11:40 p.m.