

# AGENDA

## Audit and Governance Committee

Date: **Monday 23 January 2017**

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Time: **10.00 am**

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Place: **Committee Room 1, Shire Hall, St. Peter's Square,  
Hereford, HR1 2HX**

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Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Caroline Marshall on 01432 260249 or e-mail [caroline.marshall3@herefordshire.gov.uk](mailto:caroline.marshall3@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the meeting of the Audit and Governance Committee**

## **Membership**

<b>Chairman</b>	<b>Councillor PD Newman OBE</b>
<b>Vice-Chairman</b>	<b>Councillor FM Norman</b>
	<b>Councillor ACR Chappell</b>
	<b>Councillor EPJ Harvey</b>
	<b>Councillor JF Johnson</b>
	<b>Councillor RL Mayo</b>
	<b>Councillor RJ Phillips</b>
	<b>Councillor J Stone</b>
	<b>Councillor LC Tawn</b>

**AGENDA**

	<b>Pages</b>
<b>1. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES (IF ANY)</b> To receive details any details of members nominated to attend the meeting in place of a member of the committee.	
<b>3. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the agenda.	
<b>4. MINUTES</b> To approve and sign the minutes of the meeting held on 28 November 2016.	7 - 12
<b>5. ANNUAL GOVERNANCE STATEMENT PROGRESS</b> To review progress made in delivering the annual governance statement action plan.	13 - 20
<b>6. WORKING GROUP UPDATE: STANDARDS WORKING GROUP</b> To advise the committee on the work that the standards working group will be carrying out between January to May 2017.	21 - 24
<b>7. CORPORATE RISK REGISTER</b> To consider the quarter 2 (Q2) status of the council's 2016/17 corporate risk register in order to monitor the effectiveness of the performance, risk and opportunity management framework.	25 - 34
<b>8. ACCESS TO INFORMATION</b> Following on from the monitoring officer's annual report, to further inform the committee of performance in the areas of complaints and requests for information made to the council over the past year.	35 - 42
<b>9. WORK PROGRAMME UPDATE</b> To provide an update on the committee's work programme for 2016/17.	43 - 46



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- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the council and all committees and sub-committees and written statements of decisions taken by the cabinet or individual cabinet members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all councillors with details of the membership of cabinet and of all committees and sub-committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the council, cabinet, committees and sub-committees.
- Have access to a list specifying those powers on which the council have delegated decision making to their officers identifying the officers concerned by title.
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HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Audit and Governance Committee held at Committee Room 1, Shire Hall, St. Peter's Square, Hereford, HR1 2HX on Monday 28 November 2016 at 10.00 am**

**Present:** Councillor PD Newman OBE (Chairman)  
Councillor FM Norman (Vice Chairman)

Councillors: EPJ Harvey, JF Johnson, RL Mayo, RJ Phillips, AJW Powers, and J Stone

**In attendance:** Councillors A Seldon and PM Morgan

**Officers:** Annie Brookes, Mark Taylor and Claire Ward, Josie Rushgrove and Chris Jenner

**169. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors ACR Chappell and LC Tawn.

**170. NAMED SUBSTITUTES (IF ANY)**

In accordance with paragraph 4.1.23 of the council's constitution, Cllr AJW Powers attended the meeting as a substitute member for Cllr LC Tawn.

**171. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**172. MINUTES**

**RESOLVED:**

**That the minutes of the meeting held on 22 September 2016 be confirmed as a correct record and signed by the chairman.**

**173. WORKING GROUP UPDATE: COUNCIL CONSTITUTION**

The vice chairman introduced the report and the monitoring officer made a presentation on the revised constitution highlighting the following points:

- A cross political working group had been convened in 2014 to consider how governance arrangements could be improved. The constitution had been revised following extensive consultation with all members and based on the adopted four design principles.

If the revised constitution was approved by Council on 16 December, the following key changes would take place:

- The size of committees would be smaller between 7-9 members.
- There would be three scrutiny committees rather than the existing two with clearer arrangements for task and finish groups and call in.
- There would be a planning and regulatory committee with a licensing sub committee.

- There would be Members' training between January and April 2017, with the new constitution being implemented in May 2017.

The Chairman exercised his discretion to allow members of the working group to speak.

In response to a member's question about the flexibility of the timing of committees being left to the committee chairs, it was confirmed that the working group had discussed this issue in detail. It was noted that the flexibility of meetings could be further discussed in the proposed guidance and training sessions which would take place between January and April.

It was noted that the basis for the new constitution was flexibility. If it was proving to be inflexible, then the committee would have an opportunity to review it.

In answer to a member's questions about the role of group leaders and the attendance at cabinet and being able to speak, it was confirmed that group leaders would have the ability to speak at cabinet as they do under the current constitution. It was further noted that a new part of the constitution enables political groups to be able to feed in their views on key decisions being taken more formally and to have more influence on the decisions being taken.

There was a need to revise the way in which members engage in the decision making process. The member development working group was looking at the training programme for members.

The working group had requested the facility of members of the public and members to ask questions which would encourage greater public engagement and participation.

In response to a member's question about the forward plan, it was confirmed that a forward plan of all key decisions was publically available on the council's website.

It was agreed that an annual review of the constitution would be added to the work programme.

The working group were congratulated and thanked for their work on revising the constitution.

#### **RESOLVED:**

- (a) That the revised constitution be recommended to full Council for adoption.**
- (b) That authority is delegated to the solicitor to the council to make technical amendments (grammatical, formatting and consistency) necessary to finalise the revised constitution.**
- (c) That the standards working support the monitoring officer in undertaking a review of the councillor code of conduct and the associated member codes; and**
- (d) That the monitoring officer be asked to obtain volunteers from the committee to be members of the standards working group.**

#### **174. ANNUAL REPORT OF THE MONITORING OFFICER**

The monitoring officer presented the annual report of the monitoring officer.

It was explained that this would be the last annual report of the monitoring officer as it would in future form part of the annual governance statement. The report did not refer



to the recent Local Government Ombudsman report as this occurred outside of the financial year this report referred to.

Following a query from a member, it was confirmed that the increase in standards complaints was due to the use of social media and the trend was a lack of respect. There would also be an increase in complaints for this year. The standards working group would be revising the code of conduct for approval by Council in May 2017 and there would be a programme of training. It was suggested that the monitoring officer increase the number of independent persons so that the work was more evenly spread.

In relation to freedom of information (FOI) requests, it was noted whether 100 requests per month was high and there was a query as to whether this had been benchmarked against other local authorities. It was agreed that a report be presented to the committee on FOI requests and complaints which benchmarked against other local authorities and showed trends.

The monitoring officer was thanked for the report.

**RESOLVED:**

**That the report be noted and a report on FOI and complaints be added to the work programme**

**175. PROGRESS REPORT ON 2016/17 INTERNAL AUDIT PLAN**

Members were provided with an update on the progress of internal audit work and to bring to their attention key internal control issues arising from the work recently completed.

Members' attention was drawn to the significant findings of the report which were:

- Car Parking Income and Enforcement
- Schools Financial Value Standard

It was noted that the telecare audit had been deferred until quarter 1 of 2017/18 to allow for partial assurance follow ups and an audit of the catering contract.

It was confirmed that the partial finding in relation to one school's financial value standard audit was due to the school's unofficial fund, e.g. fundraising. The school had not audited this fund for approximately three years and would now be putting in a procedure in place for this to happen annually.

In response to a member's question, it was confirmed that the special review was in the report as it had taken SWAP's resources. It related to an individual staffing matter which had been concluded and the findings reported to senior management.

It was confirmed that Councillor Newman would be representing the council on the Member Board of South West Audit Partnership. The officer representative would be the Financial Business Partner pending the appointment of a permanent Section 151 officer.

**RESOLVED:**

**That the report be noted**

**176. 2015/16 ANNUAL AUDIT LETTER**

Members were provided with an update on the annual audit letter.

It was noted that Grant Thornton had provided an unqualified opinion on the council's accounts and on the value for money.

The housing benefit subsidy claim work had been completed and given a reasonably clean bill of health.

In response to a member's question, the materiality definition was explained. The external auditors provide an opinion as to whether the accounts are a fair and true view. The committee's role was to seek assurance that the accounts are accurate. This assurance would come from a variety of sources, including the Section 151 Officer, finance team, annual governance report, auditors.

It was noted that the highways network asset revaluation work which had been required in 2016/17 had been deferred until 2017/18. It was agreed that a report would be added to the work programme in November 2017 to update on the progress.

A question was asked in respect of how close the council were to the £332k reporting of errors. It was explained that the changes to the accounts were around the disclosure notes rather than the figures. The council closes the accounts as soon as possible after the financial year end. By the time the external auditors come in, they might find issues such as an invoice being received over £300k which related to the previous year's accounts or an under/over estimation of depreciation. If these issues were found, they would be identified to the committee.

It was noted in the report that the Local Enterprise Partnership (LEP) accounting and governance arrangements were still evolving. The monitoring officer had reviewed the governance arrangements and was satisfied they were working well but that call in had not been utilised. It was agreed that the monitoring officer would circulate a note on LEP governance to committee members.

Following a member's query, it was confirmed that the external auditors look at the payments which Herefordshire makes to the Worcestershire pension scheme to check that they match. They will also look at the actuary's assumptions for the scheme.

It was noted that it would be challenging to make the social care integration finding robust due to the budget deficits of the Herefordshire Clinical Commissioning Group and Wye Valley NHS Trust.

The capital monitoring recommendations had been accepted by officers. There were no intentions to provide information which could potentially mislead members but there were significant inconsistencies in different reports. Officers have agreed to look at this.

In response to a Member's query, it was confirmed that it was the role of scrutiny to oversee the operational aspects of the waste PFI contract.

**RESOLVED:**

**That the report be noted.**

**177. FUTURE WORK PROGRAMME**

The committee's updated work programme was presented.

**RESOLVED:**

**That subject to the additions agreed during the meeting, the work programme be agreed.**

The meeting ended at 12.34 pm

**CHAIRMAN**





<b>Meeting:</b>	<b>Audit &amp; governance committee</b>
<b>Meeting date:</b>	<b>23 January 2017</b>
<b>Title of report:</b>	<b>Annual governance statement: action plan update</b>
<b>Report by:</b>	<b>Head of corporate governance</b>

## Classification

Open

## Key decision

This is not an executive decision.

## Wards affected

Countywide

## Purpose

To review progress made in delivering the annual governance statement action plan.

## Recommendation(s)

**THAT:**

- (a) **the progress update at appendix 1 be reviewed and the committee determine whether it wishes to recommend any further actions to deliver improvement.**

## Alternative options

- 1 The progress update is for information; the committee may identify issues to be included in the future work programme or recommend actions for management to consider.

## Reasons for recommendations

- 2 To enable the committee to be assured that the agreed action plan is being implemented.

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Further information on the subject of this report is available from  
Annie Brookes head of corporate governance on Tel (01432) 260605

## **Key considerations**

- 3 The council has a responsibility for conducting at least annually a review of the effectiveness of the governance framework including the system of internal control. This is reported through the annual governance statement which provides commentary on how the council's governance framework including the system of internal control can be improved. The annual governance statement process is the key mechanism used by the audit and governance committee to ensure that governance arrangements are sound and seen to be so. The committee approved the statement and supporting action plan at its meeting on 4 July 2016; appendix 1 provides an update (shown as tracked changes) on progress in implementing the agreed action plan which is monitored through the corporate performance processes; it is too early to assess whether the actions have achieved the intended outcome.
- 4 The annual governance statement, which is appended to the signed statement of accounts, and the accompanying action plan will next be reviewed by the committee at its meeting in May 2017.

## **Community impact**

- 5 The council has agreed a set of corporate values which includes a commitment to being open, transparent and accountable; the agreed action plan seeks to deliver improvements which support achievement of this commitment.

## **Equality duty**

- 6 The content of the report has no impact on equality and diversity.

## **Financial implications**

- 7 This report is for information purposes; none identified.

## **Legal implications**

- 8 The Accounts and Audit Regulations 2015 include a requirement for all councils to produce an annual governance statement. This progress report is for information purposes only and does not have any legal implications.

## **Risk management**

- 9 This report is for information purposes; none identified.

## **Consultees**

- 10 None.

## **Appendices**

Appendix 1 – updated annual governance statement action plan.

## **Background papers**

None identified.

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Further information on the subject of this report is available from  
Annie Brookes head of corporate governance on Tel (01432) 260605

1.	<b>Improvement area:</b> Being clear how we do business			
	<b>Improvement outcome/evidence base:</b> There are clear and accessible documents setting out how and why the council conducts its business whether alone or in partnership, and these include clear arrangements for how residents and businesses may engage with the council to achieve its vision for the county.			
	<b>Link to corporate code principles:</b> Provide the best possible service to the people of Herefordshire Define the roles of members and officers, ensure that they work together constructively and improve their effectiveness Be transparent and open: responsive to Herefordshire's needs and accountable to its people			
	<b>Action(s)</b>	<b>Lead *</b>	<b>Timescale</b>	<b>Progress update including challenges and interdependencies</b>
1a	Complete the refresh of the council's constitution, including the code of corporate governance.	CW	16/12/16	Working group meetings schedules, update to audit and governance committee (A&G) in July, questions to groups to be circulated in July with decisions on recommendations in August to be reported to A&G committee in September. <u>All member seminar taken place re revised draft constitution; work presented to AGC on 28 November recommended adoption at full council on 16 December. Revised constitution gives greater prominence to the code of corporate governance and provides greater transparency about how the council operates and how citizens can engage with the council. Codes of conduct, finance and contracts procedure rules to be reviewed as phase 2 by May 17. Implementation guidance, templates and training will be provided for May 17.</u>
1b	Establish a framework and guidance for partnership governance	AB	31/10/16	<u>Achieved. The framework was approved by cabinet on 20 October 2016. The framework provides for a published register of significant partnerships; this will be delivered in early 2017 following implementation of the new council website improving transparency.</u>
1c	Establish and implement a programme for reviewing existing partnership governance arrangements against the agreed framework	AB	31/10/16 then ongoing	<u>The approved framework includes a self assessment process. Initial focus is on strategic partnerships. Work is underway to identify and review strategic partnerships by the end of January 2017. Risks identified in that review will be reported to audit and governance committee, together with actions identified to mitigate those risks. Other partnerships will be reviewed against the framework by end of June 2017.</u>
1d	Complete a council-wide review of contract management, taking account of relevant internal audit recommendations	NS	1/11/16	<u>The contract procedure rules and supporting guidance for staff have been reviewed and will be presented to A&amp;G in March; The updated contract procedure rules take into account recommendations of recent internal audits and will form the foundation for our commercial strategy. Once approved, they will allow for a training programme to be implemented, focussing on both procurement and contract management.</u>

1e	Following review agree commercial strategy linked to the commissioning strategy.	NS	31/1/17	<a href="#">See 1d above</a>
1f	Implement action plan to include training for employees on core elements of contract management and record keeping.	NS	28/2/17	<a href="#">See 1d above</a>
1g	Complete a council-wide review of commissioning	<a href="#">SDR</a> <a href="#">B</a>	1/11/16	<a href="#">A review was undertaken and findings reported to management board. The review focused on key issues relating to opportunities for cross organisational working on commissioning to ensure consistency and clarity whilst delivering financial efficiencies. An action plan was agreed which focused on the relationships between contracts and property assets and the action plan is being implemented to secure further property rationalisation.</a>
1h	Following review agree a cross council approach and strategy to commissioning.	<a href="#">SDN</a> <a href="#">S</a>	<a href="#">31/1/1730/09/17</a>	<a href="#">Following the revision of the contract procedure rules highlighted in 1d above, and the review in 1g above, a revised timetable for the planned review of the commercial and commissioning strategy has been agreed.</a>
2.	<b>Improvement area:</b> The council can demonstrate it is a learning organisation.			
	<b>Improvement outcome/evidence base:</b> <ul style="list-style-type: none"> <li>• Data is accurate, open and accessible (unless there are clear reasons why it should not be in which case these will be explained) leading to reduction in FOI requests;</li> <li>• There are clear processes for reviewing the effectiveness of the council's governance arrangements to ensure that the desired outcomes are achieved;</li> <li>• Performance information is understood and used effectively to deliver improvement;</li> <li>• % of agreed continuous performance improvement programme (CPIP) recommendations implemented;</li> <li>• Audit of performance and risk management arrangements receives at least "reasonable assurance"</li> </ul>			
	<b>Link to corporate code principles:</b> Define the roles of members and officers, ensure that they work together constructively and improve their effectiveness Take sound decisions on the basis of good information Be transparent and open: responsive to Herefordshire's needs and accountable to its people			
	<b>Action(s)</b>	<b>Lead</b> *	<b>Timescale</b>	<b>Progress update including challenges and interdependencies</b>



2a	C-PIP team undertakes a series of time limited reviews of particular areas to identify and implement improvement actions	AN	Ongoing	<p><u>A C-PIP group has been formed to review accuracy of finance data in reports and will report their findings to the section 151 officer and wider management board by the end of January.</u></p> <p><u>Following this focus will be given to the wider use of data to inform decision-making. In parallel to the review of the constitution improvements to the report writing process are underway which include the planned implementation of an online report management system, improved guidance to report authors, availability of plain English writing training, and a programme of report writing sessions to ensure that decision-makers are appropriately informed and that the principles of good decision making are adhered to.</u></p>
2b	Performance risk and opportunity management framework refreshed and embedded	RB	12/16	<p>Draft framework scheduled for Cabinet consideration in July 2016.</p> <p><u>The performance risk and opportunity management (PROM) framework was approved for implementation at cabinet on 21 July 2016. This was communicated to A&amp;G on 22 September 2016.</u></p> <p><u>The service planning guidance that has been drafted reinforces the approach to PROM and performance challenge sessions are now taking place across all directorates.</u></p> <p><u>The corporate risk register is routinely being considered by A&amp;G and from January 2017 onwards, will be considered by management board on a monthly basis.</u></p>
2c	Implement consistent approach to tracking progress re implementation of recommendations/decisions	GH	12/16	<p><u>The audit and governance committee has agreed a process and timetable for reviewing implementation of audit recommendations and this is being implemented.</u></p> <p><u>A trial is underway in the economy, communities and corporate directorate, using the existing Modern.gov system, of a systematic approach to tracking implementation of decisions taken by officers, committees and the executive, and linking to the existing delivery plan performance monitoring process.</u></p>
2d	Complaints and FOI trend data is reported and actively used to inform improvement	GH	Ongoing	<p><u>All complaints and FOI data is collected monthly and monthly reports are sent to directorate performance leads to analyse trends. A six monthly report is discussed at management board discussing trends and to inform improvements within service areas. This data is also analysed at the information governance steering group on a monthly basis and any system improvements required are authorised on a corporate wide basis.</u></p>
2e	Undertake ECC peer review	GH	03/17	<p>Reviews are being undertaken on a service basis rather than a directorate wide basis given the difficulties in seeking comparator models for the whole directorate. To date a review of communications has been completed and a review of highways is scheduled.</p>

				<u>We have worked with local partnerships ltd on the planning service, with the LGA on communications. Public Realm services (including Highways) utilising a framework approach and programme developed through the Midlands Service Improvement Group. Further service based reviews are planned over the next 12 months to ensure all major service areas in the directorate have been reviewed.</u>
2f	Schedule corporate peer review for 2017/18	AN	03/17	<u>To ensure the corporate peer review is informed by sound service review evidence across the council work further peer review activity is being scheduled in relation to the place based elements of the economy, communities and corporate directorate. Discussions will begin with the LGA in March 2017 with a view to scheduling the corporate peer review during 2017/18</u>
3.	<b>Improvement area:</b> The behaviours and culture of the organisation demonstrate the council's values.			
	<b>Improvement outcome/evidence base:</b> Reduction in number of code of conduct complaints upheld (baseline 2015: 1) Reduction in the proportion of complaints that are responded to late (baseline 2015: 5.3%) Decrease in proportion of staff saying they feel bullied or harassed by: <ul style="list-style-type: none"> <li>• Senior managers (baseline 2015: 11%)</li> <li>• Members (baseline 2015: 8%)</li> </ul> Improvements in staff saying : <ul style="list-style-type: none"> <li>• The council has a clear sense of direction (baseline 2015: -14%)</li> <li>• The council is a good place to work (baseline 2015: 22%)</li> </ul>			
	<b>Link to corporate code principles:</b> Define the roles of members and officers, ensure that they work together constructively and improve their effectiveness Require high standards of conduct			
	<b>Action(s)</b>	<b>Lead *</b>	<b>Timescale</b>	<b>Progress update including challenges and interdependencies</b>
3a	Review codes of conduct and related policies	CW	16/12/16	Standards procedure has been reviewed by working group and A&G following MO report in November 2015. Parish councils to be consulted by end of September for implementation. Constitution changes will follow same process as in 1a above <u>Parish council consultation completed and revised procedure went live on 1 December 2016. A&amp;G on 28 November established a working group to review members code of</u>

				<u>conduct, hospitality and gifts rules and the protocol on officer and members relations due to be completed by May 17</u>
3b	Maintain annual programme of training and awareness amongst elected members	CW	Ongoing	Training last provided in June 2015, next training session will follow constitutional review, parish council clerks training scheduled for September 2016. <u>Training provided to Society of Local Council Clerks parish clerks and awareness of register of interests provided to cabinet members. An annual programme of training will be provided once new code is adopted</u>
3c	Work with the C-PiP team to improve awareness amongst staff about appropriate behaviours and correct reporting mechanisms	AN	Ongoing	<u>A C-PiP group has been formed focussing on addressing concerns identified in the staff opinion survey relating to bullying and harassment. Management board received a report from the group in December 2016 and agreed the proposed recommendations which will now be implemented.</u>
3d	Ensure partnership governance arrangements framework and guidance support demonstration of the council's values and vision.	AB	31/10/16	<u>Completed: see 1b above.</u>
3e	Ensure the review of the constitution includes ensuring that the access to information rules support the council's transparency aims.	CW	16/12/16	See 1a above

**\* Lead:**

RB = Richard Ball, assistant director environment and place

AB = Annie Brookes, head of corporate governance

~~SD = Sukhdev Dosanjh, assistant director commissioning adults and wellbeing~~ DE = Donna Etherton, assistant director commissioning and transformation

GH = Geoff Hughes, director for economy, communities and corporate

AGS 2016/17 action plan: update January 2017

AN = Alistair Neill, chief executive

NS = Natalia Silver, assistant director communities

CW = Claire Ward, monitoring officer



<b>Meeting:</b>	<b>Audit and governance committee</b>
<b>Meeting date:</b>	<b>23 January 2017</b>
<b>Title of report:</b>	<b>Working group update: standards working group</b>
<b>Report by:</b>	<b>Solicitor to the council</b>

## **Classification**

Open

## **Key decision**

This is not an executive decision.

## **Wards affected**

Countywide

## **Purpose**

To advise the committee on the work that the standards working group will be carrying out between January to May 2017

## **Recommendation(s)**

**THAT:**

- (a) the scope of the work for the standards working group and the timescales be approved; and**
- (b) the membership of the group be confirmed as listed in paragraphs 5 and 6**

## Alternative options

- 1 There are no alternative options, the code forms part of the constitution and requires review.

## Reasons for recommendations

- 2 A new council constitution will come into effect in May 2017. Reviewing the code of conduct and associated documents will bring them into line with the new constitution.

## Key considerations

- 3 On 28 November 2016, the committee recommended to council the approval of a new constitution. The council subsequently approved the adoption of the new constitution on 16 December 2016 with an implementation date of May 2017.
- 4 As part of the continued revision of the constitution in a phased approach, the committee also gave approval for the membership of the standards working group to be reviewed and for the group to undertake a review of the councillor code of conduct and the associated member codes as follows:
  - member and officer relations;
  - gifts and hospitality, and
  - member use of resources codes
- 5 Following a request for volunteers from the audit and governance committee, the following indicated they would be willing to sit on the working group:
  - Councillor Paul Newman
  - Councillor Felicity Norman
  - Councillor Chris Chappell
- 6 The two standards independent persons, Richard Stow and John Sharman, have also indicated that they are willing to sit on the working group.
- 7 It is anticipated that the review will be completed by the audit and governance committee meeting due to be held on 10 May 2017, with adoption of the new codes at council on 19 May 2017.

## Community impact

- 8 The constitution sets out how the council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The format and content of the revised constitution should help make these arrangements clearer to understand, and show how the public can effectively engage with them.

## Equality duty

- 9 Legislation requires that the council must, in the exercise of its functions, have due regard to the need to:
  - eliminate discrimination, harassment, victimisation and any other conduct

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Further information on the subject of this report is available from  
Claire Ward, solicitor to the council on Tel (01432) 260657

- prohibited by law;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.."

## **Financial implications**

- 10 None arising from the recommendations. The council already makes provision within its existing budgets to enable publication of the constitution on its website and to ensure that members and officers have the training necessary to ensure awareness and understanding of the requirements within the constitution.

## **Legal implications**

- 11 None from this report. The working group will be advised of the legal implications when undertaking their review and the committee will be advised of any legal implication as part of the recommended changes.

## **Risk management**

- 11 If the council's constitution is not accurate, up to date and understood then there is a risk that governance arrangements are not clear and robust leaving the council open to judicial review, contractual challenge or financial risk. The proposed amendments and adoption of the revised constitution seek to mitigate that risk. In addition the audit and governance committee will continue to maintain oversight of the constitution, once adopted, and should any further amendments be necessary will make recommendations to full council accordingly.

## **Consultees**

- 12 None - parish councils will be consulted on any proposed changes.

## **Appendices**

None

## **Background papers**

None







<b>Meeting:</b>	<b>Audit and governance committee</b>
<b>Meeting date:</b>	<b>23 January 2017</b>
<b>Title of report:</b>	<b>Corporate risk register</b>
<b>Report by:</b>	<b>Directorate services team leader</b>

## Classification

Open

## Key decision

This is not an executive decision.

## Wards affected

Countywide

## Purpose

To consider the quarter 2 (Q2) status of the council's 2016/17 corporate risk register in order to monitor the effectiveness of the performance, risk and opportunity management framework.

## Recommendation(s)

**THAT:**

- (a) **the committee determine whether, in light of the information contained within the corporate risk register, it wishes to make any recommendations to improve effective risk management.**

## **Alternative options**

- 1 The committee could choose not to monitor the risk register; this would not be recommended as this would not provide assurance that risk was being managed effectively within the council.

## **Reasons for recommendations**

- 2 To enable the committee to be assured that the council is managing its risk appropriately, in line with its performance, risk and opportunity management framework.

## **Key considerations**

- 3 The corporate risk register is compiled from risks identified at directorate level, which have been escalated along with high-level generic risks, which require strategic management. Entries within the register reflect the risks identified by the management board, endorsed by cabinet, thereby strengthening their strategic perspective, management response and controls.
- 4 The inclusion of risks within any level of risk register does not necessarily mean there is a problem; it reflects the fact that officers are aware of potential risks and have devised strategies for the implementation of mitigating controls.
- 5 Each entry within the register is scored to provide an assessment of the residual level of risk. All risks have been scored based on an assessment of their impact and likelihood. These assessments are made at two points, before any actions are in place (inherent risk) and after identified controls are in place (residual risk).
- 6 Whatever level of residual risk remains, it is essential that the controls identified are appropriate, working effectively and kept under review.
- 7 The corporate risk register is reviewed by cabinet and management board as part of the corporate performance and budget report periodically throughout the year. Following future consideration of the Q3 corporate performance and budget report, management board will receive the corporate risk register every month for consideration, in line with the requirements of the performance, risk and opportunity management framework.
- 8 Cabinet will continue to review the corporate risk register periodically throughout the year as part of the corporate performance and budget report, and audit and governance committee thereafter.

## **Community impact**

- 9 Risk management underpins all aspects of the council's strategic aims.
- 10 The risks within the registers are linked to the projects that are in place to deliver the council's priorities.
- 11 Risk management is an internal management process that is open to scrutiny from councillors and the public at the council's audit and governance committee meetings.

## **Equality duty**

12 There are no equality duty implications arising from this report.

## **Financial implications**

13 There are no financial implications associated with the recommendations.

## **Legal implications**

14 There are no legal implications associated with the recommendations.

## **Risk management**

15 There are no risks arising directly from the report. By reviewing the corporate risk register greater assurance is given that the council is managing its risks appropriately.

## **Consultees**

16 Cabinet considered the Q2 corporate risk register as part of the corporate performance and budget report at its meeting of 3 November 2016.

## **Appendices**

Appendix A Q2 corporate risk register

## **Background papers**

None identified.



Risk Reference Number	Opened	Risk Description	Risk Rating (before controls)	Existing Controls in Place	Risk Rating (after controls)	Risk Owner (Name & Title)
CR.001	Apr-11	<b>Emergency events</b> <b>IF:</b> Significant events happen (severe weather, major flooding, terrorism, animal health outbreak, pandemic influenza risks) <b>THEN:</b> there could be a significant cost implication to the Council in meeting its legal requirements under the Civil Contingencies Act 2004. Failing to respond and recover effectively to major emergencies/incidents could result in loss of life to public or council employee, loss of service, economic damage, environmental impacts and reputational damage through adverse publicity	16	Herefordshire Health Protection Committee process in place, providing assurance to the Health and Wellbeing Board. At sub-regional level, the local Health Resilience Partnership is chaired by the Consultant for Public Health linking with NHS and Public Health England. Oct 16: Multi agency exercise planned for an Animal Health incident and recovery in February 2017. Other exercise are ongoing.	12	Erica Hermon, Head of Law, Governance and Resilience
CR.002	May-11	<b>Health &amp; Safety</b> <b>IF:</b> Herefordshire Council doesn't comply with Health and Safety legislation <b>THEN:</b> there is an increased risk of: employees injured through work activity; council prosecuted by HSE for breaches of legislation; increased insurance claims and insurance premiums; member of public, contractor or employee killed at work, possible corporate manslaughter, loss of reputation and financial costs to the council; sickness rates increase because of lack of compliance with good health, safety and wellbeing practice; increased employer/employee litigation through inconsistent approach to managing health and safety in the workplace; unable to defend H&S claims or disputes; and, fire damage and financial and reputational costs to the council through fire at a council owned building.	16	<u>Strategy</u> - Ongoing work to determine gaps in provision of asbestos, legionella and fire risks, along with statutory building checks. Review of existing H&S strategy and H&S Policy in progress - Committee have received copies of new strategy document and policy in line with strategy. Awaiting feedback on changes - Generally accepted <u>Cultural</u> - Greater emphasis required by Directorates on regular Directorate sessions/H&S group, to allow feedback to staff and improved awareness and response to H&S concerns; included is senior management/top down delivery of H&S. Training for managers conducted Sept/Oct 2016 and awareness has been raised - Further courses to be planned <u>Systems</u> - Improved promotion of existing H&S systems; ongoing delivery of arrangements (In line strategy). Review of Council Strategy and Health and Safety Policy Completed. Update required on designated councillors expected end Oct 2016 <u>Review</u> Review of progress was undertaken at H&S committee meeting in September - Progress slow and behind schedule	12	Erica Hermon, Head of Law, Governance and Resilience
CR.003	Aug-12	<b>Medium Term Financial Strategy</b> <b>IF:</b> we don't have a sustainable Medium Term Financial Strategy <b>THEN:</b> we will not achieve a balanced budget, risk serious service failure.	20	MTFS to 19/20 approved by Council * All savings RAG rated and reviewed, majority green for 16/17 * MTFS linked to Corporate Priorities. Monthly review by leadership Team and DMTs. External Auditor rates Council as low risk, green for financial resilience and budgetary control.	9	Josie Rushgrove, Head of Corporate Finance
CR.005	Apr-13	<b>School Assets</b> <b>IF:</b> There is insufficient condition oversight of school assets <b>THEN:</b> there may be an increase in costs due to unplanned significant spend.	25	Education assets condition surveys to be completed and school capital investment strategy being developed.	16	Jo Davidson, Director of Children's Wellbeing

Risk Reference Number	Opened	Risk Description	Risk Rating (before controls)	Existing Controls in Place	Risk Rating (after controls)	Risk Owner (Name & Title)
CR.006	Apr-13	<b>Fastershire</b> <b>IF:</b> expectations not met through the Fastershire Broadband Project, Business Case Failure and/or failure to meet State Aid requirements <b>THEN:</b> areas identified as modelled to receive NGA may slip out of programme; There may be slippage in delivery timescales and ultimately the constituent experience of retail services may reflect badly on the council's support for a wholesale solution.	15	The contract includes significant controls to manage slippage and NGA coverage reductions and will deliver 100% of premises at 2Mbps. However, the controls in place lead directly to default and compensation which is not necessarily in the authorities interest. Agree via Cabinet Member decision to extend time-lines. BT are required to certify payment eligibility and will be subject to audit. The Fastershire Broadband Strategy 2014-18 has been adopted by the Authorities to address next stage in delivery with progress on that strategy. The business support programme and Digital Inclusion activity will aim to increase take up and optimisation. Full risk register reported to the Fastershire Board. Side agreement agreed with BT to contractually commit to recovery plan submitted. Additional External Funds sought to tackle difficult to reach areas. Revised Broadband Strategy agreed by Cabinet in December 2015. Oct. 16: Procurements underway, with BDUK assurance agreed, for next phase.	10	Natalia Silver, Assistant Director, Communities
CR.007	Jun-13	<b>Litigation</b> <b>IF:</b> litigation claims against Herefordshire Council are successful <b>THEN:</b> this may expose the Council to significant unbudgeted costs and reputational damage.	20	The Council will escalate matters through formal dispute resolution processes as required. The timing of these next steps will be set in response to circumstances. Oct 16: Judgement on matter taken to enforcement in Council's favour. Other matters continue to be progressed through dispute resolution procedures.  Current litigation and mediation response to legal claims is ongoing and managed through Projects Boards.	12	Geoff Hughes, Director, ECC  Natalia Silver, Assistant Director, Communities
CR.008	Feb-14	<b>Information governance</b> <b>IF:</b> staff do not treat the information they access appropriately <b>THEN:</b> this may lead to the risk of referral to the Information Commissioner and/or legal challenge with resultant unbudgeted costs and reputational damage for the Council.	16	A series of mandatory online training modules have been introduced (including Data Protection, Environmental Information Regulations, Freedom of Information, Information Security). All employees must also complete a staff confidentiality agreement in order to acknowledge that they agree to abide by the council's information governance policies. Report to Management Board on cases of data breach. The Council now have in place monitoring arrangements to identify who is doing the training and ensuring that the training is done annually which raises awareness and understanding of the risks across the organisation. Employees cannot have access to the IT systems unless they have signed the confidentiality agreement and we have identified areas of the business that are most at risk due to the information that they hold and have provided further face to face training for these areas.	8	Natalia Silver, Assistant Director, Communities

Risk Reference Number	Opened	Risk Description	Risk Rating (before controls)	Existing Controls in Place	Risk Rating (after controls)	Risk Owner (Name & Title)
CR.010	Apr-14	<b>Staff recruitment/retention</b> <b>IF:</b> We are unable to recruit/retain permanent members of staff across the directorate to undertake key roles and therefore continue to over rely on agency staff <b>THEN:</b> The costs will continue to be excessive and change will not be driven through.	16	Workforce strategy for social care is in place to ensure that where possible we recruit to roles on a permanent basis, and grow our own. Involvement in regional workforce development and agency market management.	9	Jo Davidson, Director of Children's Wellbeing
CR.011	Apr-14	<b>ICT platforms</b> <b>IF:</b> the technology ICT systems/platforms are not appropriate or used to their full effect <b>THEN:</b> we fail to transform our services and cost the organisation more money.	16	Programme Boards for major systems improvements, Agresso, FWI, Adult Care.	6	Nick Mather, Interim Chief Operating Officer
CR.012	Jun-14	<b>Education Outcomes</b> <b>IF:</b> Sufficient Improvement is not made to education outcomes through education strategic plan <b>THEN:</b> Likely to be judged inadequate and require intervention.	16	Education Strategic plan, improvement partnership.	9	Jo Davidson, Director of Children's Wellbeing
CR.013	Sep-14	<b>Children's and Families Act</b> <b>IF:</b> The Children's & Families Act legislation raises awareness with the residents of Herefordshire of entitlement to services <b>THEN:</b> We may be unable to meet requirements from within existing resources, will suffer reputational damage and may face legal challenge through tribunal /judicial review.	20	Children and Young People's Partnership, Development and implementation of CYP Plan, Implementation of CWD Strategy via CHIPP programme test. CWD Strategy as part of CYP Plan has been finalised by CYP partnership.	12	Jo Davidson, Director of Children's Wellbeing
CR.015	Oct-14	<b>Deprivation of Liberty</b> The authority does not meet the statutory requirements for Deprivation of Liberty and individuals are unlawfully deprived of their liberty.	20	Additional investment into DOL's has been made, and weekly performance management of waiting list is in place. regular reporting and review up to Director Level and to Safeguarding Adults Executive Group. Working with external Best Interest Assessors - although these are limited in availability due to national demand. Dols team are checking all referrals for DoLS against list of open safeguarding referrals to ensure these cases are prioritised in terms of implementing DoLS. Other triage criteria are also followed to identify cases where there is a high risk to the individual and a high risk to the Council of litigation. Two full time BIA posts have been created and filled on a one year secondment basis. Further awareness training with staff and providers, additional legal support and constant review and prioritisation of cases waiting for assessment. Programme to train staff as BIAs in place. Independent BIA engagement plan ongoing two additional full time seconded posts created and filled. Multi agency MCA and DoLS policies completed.	12	Stephen Vickers, Assistant Director of Operations AWB

Risk Reference Number	Opened	Risk Description	Risk Rating (before controls)	Existing Controls in Place	Risk Rating (after controls)	Risk Owner (Name & Title)
CR.016	Oct-14	<b>Safeguarding</b> Individuals at risk of abuse are not protected.	16	A Safeguarding Improvement Programme has implemented a new process to embed the principles of Making Safeguarding Personal. This has included changes to the current processes, an improved performance framework and a new audit tool. Progress will continue to be monitored going forward and be fed into DLT, AD Operations and monthly report to DASS and HSAB. Peer challenge including independent auditing has taken place, recommended system and practice actions are included in the MSP review. Processes for identifying learning from AWB case audits and audits undertaken through HSAB PAQA as well as SAR are now in place and monitored through single agency board (DLT) and HSAB. Safeguarding Improvement Plan in place with Peer Challenge to Review Sept 2015.	12	Stephen Vickers, Assistant Director of Operations AWB
CR.017	Oct-14	<b>Demographic Pressures</b> Continued demographic pressures require significant savings to be made or reductions in levels of dependency to manage rising levels of demand across council services.	25	Range of primary and secondary preventative services commissioned including Information, Advice, Signposting, Reablement, Telecare, Rapid Response. Communications strategy and proactive media briefing advising on ASC LA services focus. Proactive screening of cases that are not eligible through reviews and diversion to other services. Ongoing demographic modelling and develop effective demand and market analysis to support working with partners on service models and pathways to more effectively manage or reduce demand and dependency. Implementation of integrated prevention strategy.	16	Martin Samuels, Director of Adults Wellbeing
CR.020	Jun-15	<b>Economic Resilience</b> <b>IF:</b> the Herefordshire economic position does not improve <b>THEN:</b> the county will continue to underperform economically and suffer from low wage levels, low educational attainment, low number of skilled jobs, and a general low market attractiveness.	16	Implementation of the Economic Development Strategy Economic Masterplan being developed. Delivery of the Fastershire project. Preparing and promoting the Local Development Framework. Implementing the delivery of the Enterprise Zone. Securing external funding. Delivery of European Union funded business support schemes. The creation of the Hereford University. Construction of Hereford Western Relief Road.	12	Geoff Hughes, Director for Economy, Communities & Corporate
CR.021	Jun-15	<b>Welfare Reform</b> Impact of further welfare reform is currently not able to be quantified in terms of financial impact on Herefordshire residents with subsequent reduction in payment of council tax, other financial liabilities to the council and increasing pressure for local support to be met by the council.	20	Welfare Rights service in place, IAS service will support individuals into community capacity that gives specialist advice on welfare issues. Review of national guidance and EIA of all new policies.	12	Martin Samuels, Director of Adults Wellbeing



## Corporate Risk Register (September 2016)

Risk Reference Number	Opened	Risk Description	Risk Rating (before controls)	Existing Controls in Place	Risk Rating (after controls)	Risk Owner (Name & Title)
CR.022	Jun-15	<b>Integration</b> The scale and pace of integration work required internally to the council and across health and social care proves to be undeliverable and a new model for integrated and financially viable health and social care pathways does not emerge.	25	Transformation Board and Joint Commissioning Board in place underpinned by refreshed Health and Well Being strategy. Programme Review and Independent Chair/Programme Director in place.	16	Martin Samuels, Director of Adults Wellbeing
CR.023	Jun-15	<b>Council Redesign/Resources</b> Reducing resources in the form of grant, uncertainty and the requirement to deliver transformation at speed combine to increase risk of failure to meet statutory and/or legal duties and powers.	25	Transformation programme within each directorate, corporate plan, refreshed governance and constitution, quarterly performance management reporting and director performance management through appraisal system. Benefits realisation and review arrangements through quarterly performance management.	12	Alistair Neill, Chief Executive
CR.024	Oct-15	<b>System resilience and urgent care</b> The role and responsibility of adult social care alongside system and process is not clearly set out in relation to system resilience and urgent care	16	Social care pathway for prevention of hospital admission and discharge is aligned with WVT. Joint post funded through SRG to manage interface is in place, number of schemes funded through BCF to support urgent care - however this post has now ceased. On call arrangements in place and AMPH/EDT rota is in place. Senior Management attend operational and strategic SRG. IUCS in place. Recently appointed a complex care pathway lead, to lead on EDT OOH provision.	16	Stephen Vickers, Assistant Director of Operations AWB
CR.028	Mar-16	<b>Accommodation Strategy</b> IF: the Programme is not managed to time and budget THEN: there will be significant risks to service delivery and savings plans	12	Secure either Memorandum of Agreements or legal contracts to be in place. A number of decisions on elements of the Delivery Plan remain outstanding. Sep 16: In principle agreement to house children's safeguarding has been formulated but still requires decision to implement. Oct 16: Draft proposals to meet medium term solution have been prepared but are to be approved.	9	Tony Featherstone, Head of Corporate Asset Management
CR.029	Apr-16	<b>Education funding</b> IF the national funding formula for education removes significant funding without removing statutory responsibilities THEN the local authority may not be able to carry out its duties effectively, funding pressure will result, the effectiveness of some schools and outcomes for children will decline	20	Management Board and Leader's briefing aware of implications. Working group established to develop Herefordshire's approach	16	Chris Baird, Assistant Director Education and Commissioning
CR.030	Apr-16	<b>White Paper - Educational Excellence Everywhere</b> IF schools and the local authority focus solely on the possible implications of the White Paper Educational Excellence Everywhere THEN focus will lessen on improving pupil outcomes, particularly the most vulnerable, and on budget control at a time of increasing pressures	20	Local authority establishing a way forward with schools. Working group led by the Director of Children's Wellbeing. Management Board and Leader's briefing aware of implications. Working group established to develop Herefordshire's approach. Continued implementation of the HSIP Framework via Learning and Achievement and a focus on vulnerable groups including implementing work to address closing the gap. Work to be reviewed via Strategic Education Board and HSIP	16	Chris Baird, Assistant Director Education and Commissioning

## Corporate Risk Register (September 2016)

Risk Reference Number	Opened	Risk Description	Risk Rating (before controls)	Existing Controls in Place	Risk Rating (after controls)	Risk Owner (Name & Title)
CR.031	Jul-16	<b>BREXIT</b> IF Negotiating leaving the European Union is yet to commence and will take 2 years <b>THEN:</b> in the interim there is expected to be volatility and uncertainties to affect businesses individuals and funding opportunities.	20	Regular monitoring and reporting to be scheduled as data shared. Oct: Recent announcement indicates that the risk will decrease but there has not been any evidence as yet.	12	Josie Rushgrove, Head of Corporate Finance
CR.032	Jul-16	<b>Pensions re-evaluation</b> <b>IF:</b> A revaluation is due in the summer of 2016 based on the portfolio position as at 31 March 2016, market conditions and valuation assumptions have a major impact on the valuation of the deficit <b>THEN:</b> A pensions working group, national guidelines and valuation experts work together to establish an agreed approach and deficit estimate. Changes in assumptions could result in a need to refresh the MTFS with additional savings to fund	12	Input during summer to group meetings, negotiating with WCC when revaluation data received	9	Josie Rushgrove, Head of Corporate Finance
CR.033	Jul-14	<b>Families First (Troubled Families)</b> <b>IF</b> Families First (Troubled Families) Programme does not deliver <b>THEN:</b> Families outcomes will not improve, savings / efficiencies will not be realised and TF grant will not be paid	16	Continue to develop the Intelligence Hub with Data Analyst and discussion with Family Support team to deliver on planned work.  ICT solution has progressed with provider appointed. system is being implemented over the summer 2016 and scheduled to go live in the Autumn 2016  Commissioned Services and internal service spec on requirements of family support/direct work services to work with these families and match outcomes to TF targets.	4	Gordon Murray, Head of Commissioning
CR.034	Jul-14	<b>Short Breaks Recommissioning</b> <b>IF</b> Short breaks recommissioning is delayed <b>THEN:</b> Significant reputational damage may be caused	16	Discussions to take place with placement officers to ensure that they are able to prioritise workloads	9	Gordon Murray, Head of Commissioning



<b>Meeting:</b>	<b>Audit and governance committee</b>
<b>Meeting date:</b>	<b>23 January 2017</b>
<b>Title of report:</b>	<b>Access to information</b>
<b>Report by:</b>	<b>Information access and records manager</b>

## Classification

Open

## Key decision

This is not an executive decision.

## Wards affected

Countywide

## Purpose

Following on from the monitoring officer's annual report, to further inform the committee of performance in the areas of complaints and requests for information made to the council over the past year.

## Recommendation(s)

**THAT:**

- (a) the information set out in this report regarding requests for information and complaints over the past year be reviewed with regard to any risks arising.

## Alternative options

- 1 There are no alternative options as the report provides a factual summary of performance.

## Reasons for recommendations

- 2 To enable the committee to be assured that high standards of openness and transparency are adhered to.

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Further information on the subject of this report is available from  
Anthony Sawyer on Tel (01432) 260112

## Key considerations

- 3 The council receives requests for information under a range of legislation, this report covers requests under the Freedom of Information Act 2000, the Environmental Information Regulations 2004 (for requests for environmental information), and Section 7 of the Data Protection Act 1998 (for requests by individuals to see personal data held on them). From January to December 2016 the council dealt with 1,169 requests under the Freedom of Information Act, 78 requests under the Environmental Information Regulations, and 57 requests under the Data Protection Act.
- 4 There is currently no requirement for public authorities to publish their figures on the number of information requests received, though this is likely to change in 2017 as the code of practice under Section 45 of the Freedom of Information Act is revised to require authorities employing over 100 members of staff to publish request statistics. It is therefore difficult to provide benchmarking without, ironically, submitting a Freedom of Information request to all other local authorities to ask for comparison figures. Anecdotely, many authorities have however reported that since the Freedom of Information Act came into force in 2005, the volume of requests annually had been rising up until the last 2 years, where a slight fall and plateauing in numbers of requests has occurred.
- 5 Trends over what has been requested over the past year have been licensing information, penalty notices for unauthorised school absence, the street works register, parish clerk contact details, information around public health funerals contract information, library spend and changes to the total number of annualised opening hours over specified periods, electoral information following the EU referendum, the number of staff employed, temporary staff costs, compensation claims, road safety inspection reports, environmental reports, correspondence relating to a particular planning application or neighbourhood plan, and the Southern Link Road. Many of these requests ask for a great deal of information (for example, requests for all correspondence received) which takes a great deal of time for service areas to collate and for the information access team to check through. The requests do however reflect a balance of issues directly affecting our local communities or individuals, and wider issues often requested as far as we can tell by journalists, companies, parliamentary researchers and charities.
- 6 Over the past year, 106 requests were refused in their entirety for exemptions including personal data, information already publically available and commercial sensitivity. One hundred and fifty-seven further requests had exemptions applied to part of the response for exemptions including personal data, commercial sensitivity, information publically available and prevention /detection of crime.
- 7 Information requests are administered by the information access team (IAT), who ask service areas to provide information in response to the requests received. Service areas within the council respond to requests within the statutory time limit, with compliance at the highest level it has ever been at 95% (pending the forthcoming quarter of figures on response rates). Those requests that are responded to late are due to one off problems or staff capacity issues. Most of the late responses are only slightly over the deadline.
- 8 Response rates, trends and amount of redaction is monitored monthly by the council's information governance steering group with reports and recommendations from the information access team. In the last 6 months the information access team have increased the response rate following identification of issues causing delays by

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Further information on the subject of this report is available from  
Anthony Sawyer on Tel (01432) 260112

establishing alternative contact points with service areas to mitigate delays should the usual designated contact point be unavailable.

- 9 Publishing more information certainly helps the council to be more open and transparent, particularly when anticipating what information requests are likely to be made. There has been a notable example of publishing information leading to a reduction in the number of requests on a specific topic being reduced. Since September 2015, the business rates team have published their datasets on the council's website on a monthly basis. In the 6 months October 2015 to March 2016, there had been no great reduction in the number of requests for this data that were received, compared to the same period for the previous year. However, between April 2016 and September 2016 the number of requests received for business rates information has reduced by 28, compared to the same period last year (when the information was not published). Publishing has already made it easier and quicker for those requests that are received to be responded to.
- 10 Complaints data is held by the information access team, including for complaints investigated by the Local Government Ombudsman (LGO). For findings by the LGO of maladministration and injustice (where the council has been found to be "at fault") a decision notice will give recommendations that may include compensation payments. There are also clearly reputational issues for the council if there are such findings.
- 11 To avoid being at fault, generally the council needs to maintain standards of good communication, quick responses, good record keeping, sound decision-making and excellent customer service. Whilst complaints over the past year have covered a wide range of issues, generally themes of poor recording, not getting back to people when we said we would, and taking too long to provide a service have been found. Quarterly reports to directors highlight these areas and recommend action to be taken, so that complaints trend data is actively used to inform improvement as stated in the action plan for the annual governance statement.
- 12 The LGO themselves publish statistics by financial year. The LGO annual report covering April 2015 to March 2016 figures for comparative authorities are as follows:

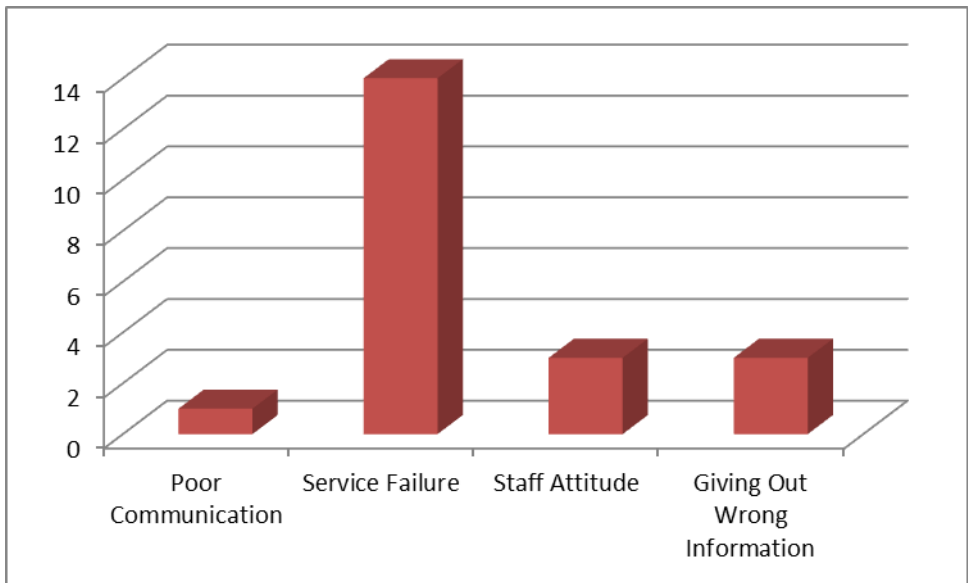
Authority	Not upheld	Upheld	Uphold rate
Bath and North East Somerset	9	9	50%
Bedford Borough	9	2	18%
Central Bedfordshire	4	10	71%
Cheshire East	25	20	44%
Cheshire West and Chester	11	12	52%
Cornwall	26	34	57%
East Riding of Yorkshire	15	10	40%
<b>Herefordshire</b>	15	14	48%
Isle of Wight	5	14	74%

Further information on the subject of this report is available from  
Anthony Sawyer on Tel (01432) 260112

North Somerset	7	15	68%
Northumberland	14	11	44%
Rutland	1	0	0%
Shropshire	15	15	50%
Solihull	5	10	67%
Wiltshire	19	21	53%
York	9	13	59%

- 13 Herefordshire Council is in the lower quartile of comparable authorities. There has been a steady increase in complaints over the past 3 years, which likely reflect changes being made to services and greater awareness of the complaints process. A new process for implementing LGO decisions has been introduced including providing visibility of the decisions through the monitoring officer's reports to cabinet and reporting to directorate management teams and management board.
- 14 The graphs below show the volume of all complaints received by the council for the most recent reported quarter, July to September 2016, by category:

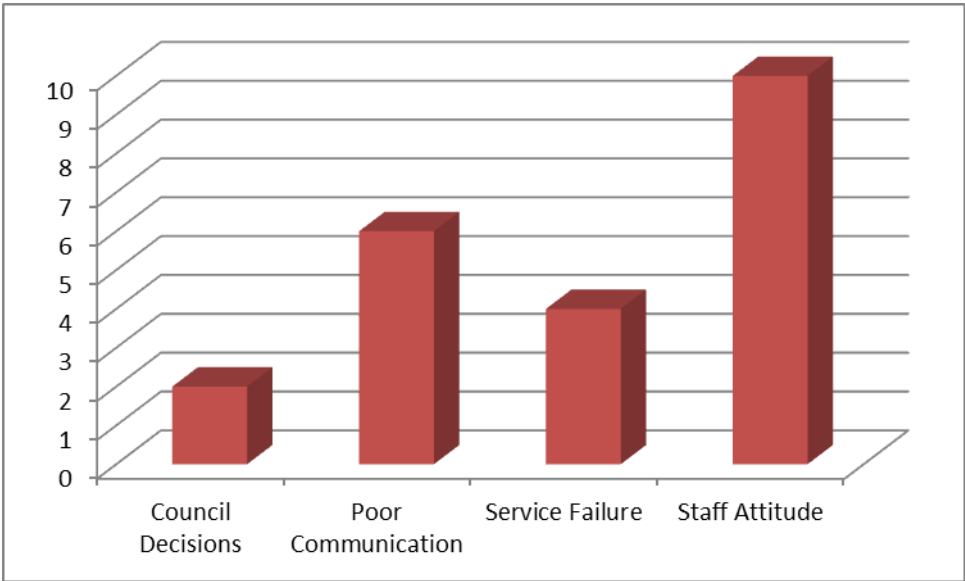
**Adults and Wellbeing**




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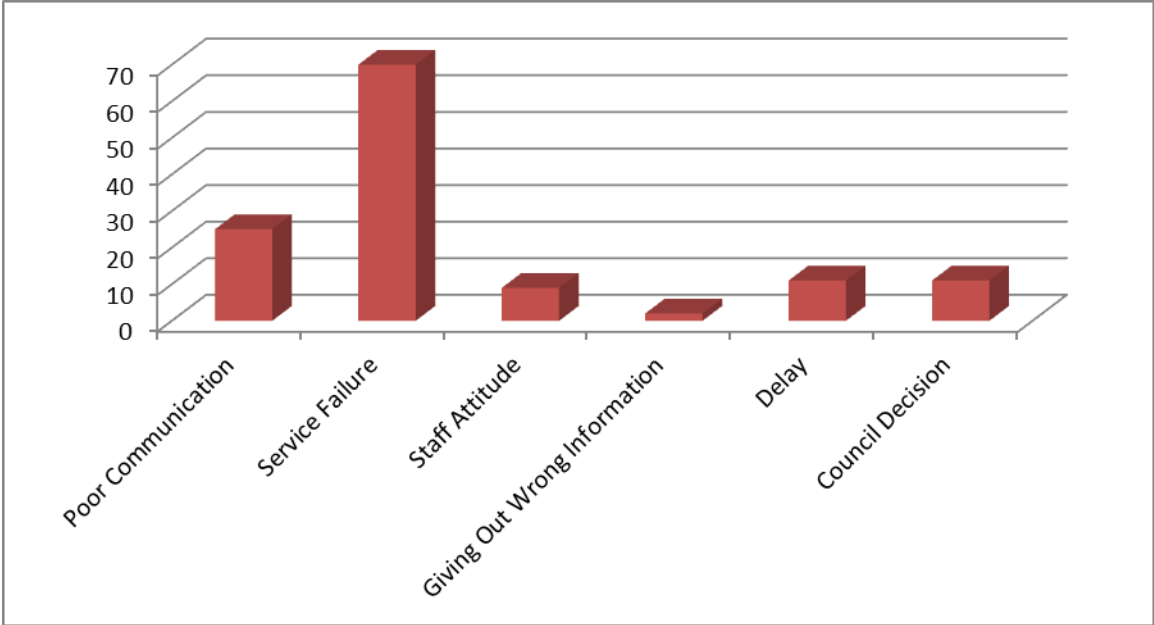
Further information on the subject of this report is available from Anthony Sawyer on Tel (01432) 260112

**Children’s wellbeing**



NB: There is a separate complaints team in children’s wellbeing for certain types of complaint to children’s social care; this graph reflects only complaints handled through the information access team.

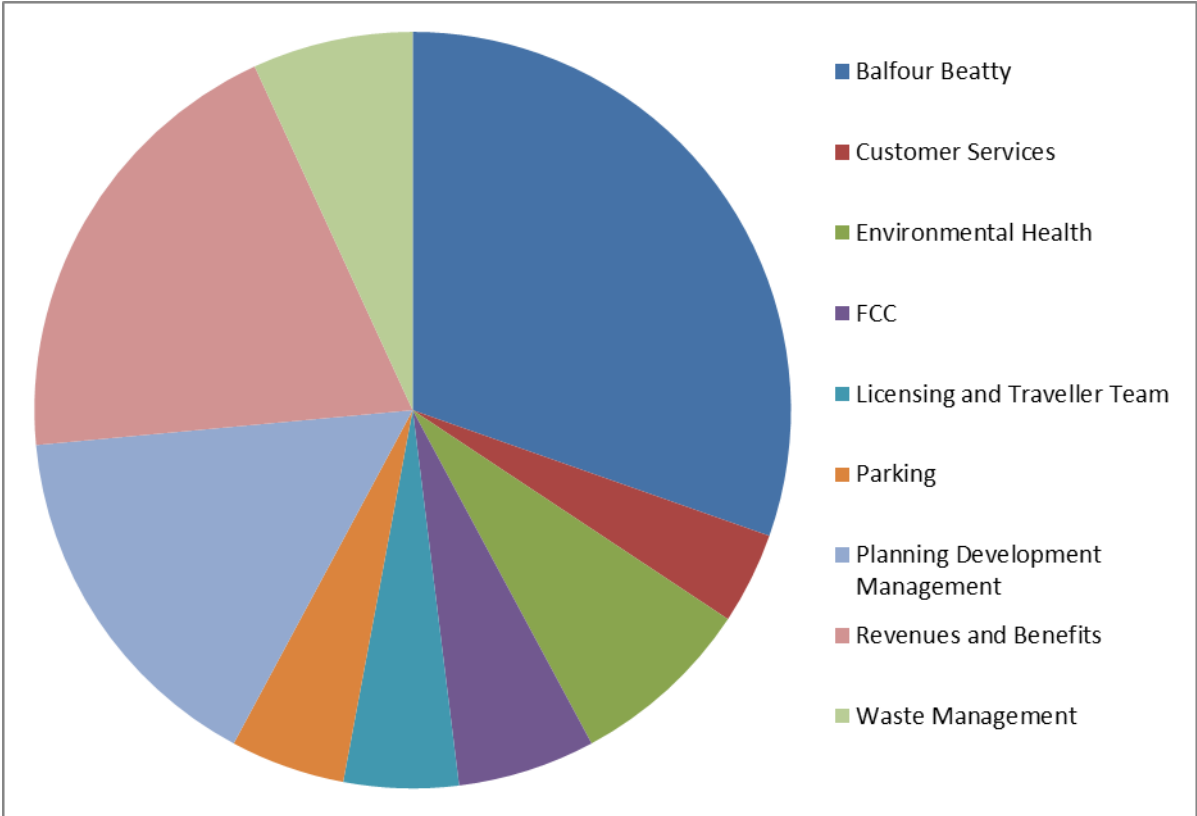
**Economy, communities and corporate**



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Further information on the subject of this report is available from Anthony Sawyer on Tel (01432) 260112

Within economy, communities and corporate, the breakdown of the highest volume of complaints over the same period by services is shown in the chart below:



**Community impact**

15 This report provides information about the council's performance in handling complaints and requests for information from members of the public.

**Equality duty**

16 There are no equality duty implications arising directly from this report, which is for information.

**Financial implications**

17 There are no financial implications arising directly from this report, which is for information.

**Legal implications**

18 There are no legal implications arising directly from this report, which is for information.

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Further information on the subject of this report is available from Anthony Sawyer on Tel (01432) 260112



## **Risk management**

- 19 Effective operational and governance processes mitigate the risk of non-compliance with information legislation and standards, and maintaining high standards of conduct mitigates risks to the reputation of the council.

## **Consultees**

- 20 Not applicable

## **Appendices**

None

## **Background papers**

None identified.





<b>Meeting:</b>	<b>Audit and governance committee</b>
<b>Meeting date:</b>	<b>23 January 2017</b>
<b>Title of report:</b>	<b>Work programme update</b>
<b>Report by:</b>	<b>Democratic services officer</b>

## Classification

Open

## Key decision

This is not an executive decision.

## Wards affected

Countywide

## Purpose

To provide an update on the Committee's work programme for 2016/17.

## Recommendation(s)

**THAT:**

**Subject to any updates made by the committee, the updated work programme for 2016/17 for the audit and governance committee be agreed.**

## Alternative options

- 1 There are no alternative options as regards whether or not to have a work programme as the committee will require such a programme in order to set out its objectives for the coming year.
- 2 The programme was discussed and agreed by the committee in November 2016. However, following discussion, adjustments to timescales and content may be required and amended from time to time.

## **Reasons for recommendations**

- 3 The work programme is recommended as the committee is required to define and make known its work for the coming year. This will ensure that matters pertaining to audit and governance are tracked and progressed in order to provide sound governance for the council.
- 4 The committee is asked to consider any further adjustments.

## **Key Considerations**

- 5 The routine business of the committee has been reflected as far as is known, including the regular reporting from both internal and external auditors.

## **Community impact**

- 6 A clear and transparent work programme provides a visible demonstration of how the committee is fulfilling its role as set out in the council's constitution.

## **Equality duty**

- 7 This report does not impact on this area.

## **Financial implications**

- 8 There are no financial implications.

## **Legal implications**

- 9 The work programme reflects any statutory or constitutional requirements.

## **Risk management**

- 10 The programme can be adjusted in year to respond as necessary to risks as they are identified; the committee also provides assurances that risk management processes are robust and effective.

## **Consultees**

- 11 Internal and external auditors, head of corporate finance and monitoring officer have contributed to the work programme

## **Appendices**

Appendix A – audit and governance work programme 2016-17

## **Background papers**

- None identified.

Audit and Governance Work programme 2016-17	
Meeting	Items
March 2017	<ul style="list-style-type: none"> <li>• Internal audit plan 2017/18</li> <li>• Internal audit charter</li> <li>• Progress report on 2016/17 internal audit plan</li> <li>• External audit plan and progress update</li> <li>• Biannual forecast of revenue and capital outturn</li> <li>• Working group update: standards working group</li> <li>• Contract procedure rules                    }</li> <li>• Finance procedure rules                    }            one report</li> <li>• Counter Fraud procedures                }</li> <li>• Future work programme 2017/18</li> </ul>
May 2017	<ul style="list-style-type: none"> <li>• Annual governance statement</li> <li>• Progress report on 2016/17 internal audit plan</li> <li>• Working group update: code of conduct</li> <li>• Corporate risk register</li> <li>• Internal tracking of audit recommendations</li> <li>• Work programme</li> </ul>

