

## **GOVERNANCE, RISK AND AUDIT COMMITTEE**

**Minutes of the meeting of the Governance, Risk and Audit Committee held on Tuesday, 26 April 2022 at the Council Chamber - Council Offices at 10.00 am**

### **Committee**

#### **Members Present:**

Mr J Rest (Chairman)	Mr S Penfold (Vice-Chairman)
Mr C Cushing	Mr H Blathwayt
Mr P Fisher	Mr A Brown

#### **Members also attending:**

Mr N Dixon (Observer)	Mr R Kershaw (Observer)
Mr E Seward (Observer)	Mr T Adams (Observer)

#### **Officers in Attendance:**

Democratic Services and Governance Officer - Scrutiny (DSGOS), Chief Executive (CE), Democratic Services Manager (DSM), Assistant Director for Finance, Assets, Legal & Monitoring Officer (MO) and HR Manager (HRM)

### **15 TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies were received from Cllr P Butikofer.

### **16 SUBSTITUTES**

Cllr A Brown substituted for Cllr P Butikofer.

### **17 PUBLIC QUESTIONS**

None received.

### **18 ITEMS OF URGENT BUSINESS**

None received.

### **19 DECLARATIONS OF INTEREST**

None declared.

### **20 MINUTES**

Public minutes of the meeting held on 30<sup>th</sup> March 2022 were approved as a correct record and signed by the Chairman.

### **21 EXCLUSION OF THE PRESS AND PUBLIC**

It was proposed by Cllr A Brown and seconded by Cllr H Blathwayt that under section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve

the likely disclosure of exempt information as defined in paragraph 1 & 2, Part 1 of schedule 12A (as amended) to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons.

## **RESOLVED**

**That under section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 & 2, Part 1 of schedule 12A (as amended) to the Act.**

### **22 EXEMPT MINUTES**

Discussion of the exempt minutes from 30<sup>th</sup> March 2022 is included within the exempt minutes appendix.

### **23 DESK TOP REVIEW OF FORMAL EMPLOYMENT PROCESSES, SO AS TO IMPROVE CORPORATE LEARNING**

Discussion of the Desktop Review of Form Employment Processes is included within the exempt minutes appendix.

#### **\*The meeting returned to public session to agree resolutions\***

- i. The Chairman confirmed that the Committee had voted to approve the exempt minutes from the meeting held on 30<sup>th</sup> March 2022.
- ii. The Chairman noted that the Committee had received the Desktop Review and had acknowledged some weaknesses in the process and advice in relation to the disciplinary process. He added that the Committee considered that this had been addressed by training and a strengthening of the procurement and exemption procedure, as per the management response of 30<sup>th</sup> March 2022. The statement was proposed by Cllr H Blathwayt and seconded by Cllr S Penfold, with the Committee voting five in favour and one against.
- iii. The Chairman noted that the second recommendation was that the Constitution Working Party consider the separation of roles of those presenting, advising and investigating disciplinary matters in consultation with HR and the ACAS requirements. The recommendation was proposed by Cllr A Brown and seconded by Cllr H Blathwayt, with the Committee voting unanimously in favour.
- iv. The Chairman noted that the final recommendation was for the Council to write to the Secretary of State to express its concerns that the EY audit process took an excessive period of time. The recommendation was proposed by Cllr S Penfold and seconded by Cllr H Blathwayt, with the Committee voting unanimously in favour.
- v. Cllr N Dixon was provided with an opportunity to make a statement as an observer of the meeting, and stated for the record that the first recommendation raised sincere concerns that it had ducked key issues and left many serious questions unanswered, whilst not following the spirit or letter of the Nolan Principles, which had been engaged in the matters discussed.

- vi. Cllr S Penfold asked whether the dates needed to be tightened up for the letter to the Secretary of State, to which the CE replied that the letter would relate specifically to the audit of the period from May-December 2019, which would equate to an eighteen month delay. It was suggested that the times concerned would be addressed fully within the letter sent to the Secretary of State.
- vii. Cllr C Cushing stated that he had voted against the first recommendation as he felt that there were matters that had still not been addressed, and because he felt that the Nolan Principles had not been upheld as expected.

#### **RESOLVED**

- 1. That the Committee received the Desktop Review and had acknowledged some weaknesses in the process and advice in relation to the disciplinary process. The Committee considered that this had been addressed by training and a strengthening of the procurement and exemption procedure, as per the management response of 30<sup>th</sup> March 2022.**
- 2. That the Constitution Working Party consider the separation of roles of those presenting, advising and investigating disciplinary matters relating to statutory officers (following confirmation from HR that this does not breach ACAS requirements).**
- 3. That the Council to write to the Secretary of State to express its concerns that the EY audit process took an excessive period of time.**

The meeting ended at 12.43 pm.

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Chairman