

Governance, Risk and Audit Committee



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16th September 2022

A meeting of the **Governance, Risk and Audit Committee** of North Norfolk District Council will be held in the **Council Chamber - Council Offices** on **Tuesday, 27 September 2022** at **2.00 pm**.

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Members of the public who wish to ask a question or speak on an agenda item are requested to notify the committee clerk 24 hours in advance of the meeting and arrive at least 15 minutes before the start of the meeting. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public. Further information on the procedure for public speaking can be obtained from Democratic Services, Tel: 01263 516047, Email: matthew.stembrowicz@north-norfolk.gov.uk.

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so must inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

Please note that Committee members will be given priority to speak during the debate of agenda items

Emma Denny
Democratic Services Manager

To: Mr J Rest, Mr S Penfold, Mr C Cushing, Mr H Blathwayt, Dr P Bütikofer and Mr P Fisher

All other Members of the Council for information.
Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance
If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

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Email districtcouncil@north-norfolk.gov.uk **Web site** www.north-norfolk.gov.uk

A G E N D A

1. TO RECEIVE APOLOGIES FOR ABSENCE

2. SUBSTITUTES

3. PUBLIC QUESTIONS

To receive public questions, if any.

4. ITEMS OF URGENT BUSINESS

To determine any items of business which the Chairman decides should be considered as a matter of urgency pursuant to section 100B(4)(b) of the Local Government Act 1972.

5. DECLARATIONS OF INTEREST

1 - 6

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The code of conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest.

6. MINUTES

7 - 14

To approve as a correct record, the minutes of the meeting of the Governance, Risk & Audit Committee held on 14th June 2022.

7. EY EXTERNAL AUDIT - INITIAL AUDIT PLAN

15 - 60

To review and note the Initial External Audit Plan.

8. **PROGRESS AND FOLLOW UP REPORT ON INTERNAL AUDIT ACTIVITY: 1 APRIL 2022 TO 16 SEPTEMBER 2022** 61 - 78

Summary: This report examines the progress made between 1 April 2022 to 16 September 2022 in relation to delivery of the annual internal audit plan for 2022/23 and provides details of any outstanding internal audit recommendations.

Conclusions: The report contains an update on progress against the Internal Audit Plan for 2022/23 and progress against the completion of internal audit recommendations.

Recommendations: **It is recommended that the Committee receives internal audit progress and progress against internal audit recommendations within the period covered by the report.**

Cabinet member(s):
All

Ward(s) affected:
All

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9. **MONITORING OFFICER'S ANNUAL REPORT 2021/2022** 79 - 96

To receive and note the Monitoring Officer's Annual Report.

10. GOVERNANCE, RISK & AUDIT COMMITTEE - ANNUAL REPORT 2021-22 97 - 102

Summary: This report aims to provide the Council with an outline of the role, purpose and background of the Governance, Risk & Audit Committee, as well as a summary of the work undertaken throughout both the 2021-22 municipal year.

Conclusions: Despite significant ongoing delays caused to the 2019/20 accounts sign-off and external audit process by issues beyond the Council's control, the Committee continued to meet its obligation to provide oversight of the Council's governance procedures, corporate risk and internal/external audits.

Recommendations: **It is recommended that Council notes the report, affirms the work of the Governance, Risk & Audit Committee, and considers any concerns raised within the report.**

Reasons for Recommendations: To inform Council of the work of the Governance, Risk and Audit Committee in 2021-22.

Cabinet member(s): All
Ward(s) affected: All

Contact Officer, Matt Stembrowicz, Democratic Services & telephone number, Governance Officer, 01263 516047, and e-mail: Matthew.Stembrowicz@north-norfolk.gov.uk

11. PROCUREMENT EXEMPTIONS REGISTER 6 JUNE 2022 TO 6 SEPTEMBER 2022 103 - 104

To review and note the Procurement Exemptions Register.

12. CORPORATE RISK REGISTER 105 - 138

To review and note the Corporate Risk Register.

13. GOVERNANCE, RISK AND AUDIT COMMITTEE UPDATE AND ACTION LIST 139 - 146

Update 1:

Reply from Jane Hunt MP regarding the whistleblowing regime and length of time taken by external bodies to investigate disclosures. (see attached)

Update 2:

Future requirement for Audit Committees to appoint an independent person. (see attached)

Update 3:

HR response to disciplinary proceedings recommendation –

“RESOLVED

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”

“NNDC’s constitution should not within the context of employment law, be mandating how formal processes should be conducted. The ACAS code of practice, provides detailed advice to organisations and managers (including advice about roles and responsibilities), in how disciplinary and grievances should be conducted. Further, and in the case of statutory officers, the nationally agreed terms and conditions of Chief Officers & Chief Executive Officers clearly define how such a formal process should be completed.

The benefits of maintaining the status quo in terms of arrangements for the operation of an EAC, include, but not limited to:

- Transparency
- Fairness
- Responsive – the ability to respond to changes in national advice and guidance when the ACAS code / model procedure is updated
- Flexibility
- Access of information
- Ease of application from external advisers such as lawyers and independent persons

To confirm, my advice as the Council’s HR lead should be that when an EAC is convened, or there is a requirement for one to be convened, that the ACAS code of practice is considered and applied as the circumstances dictate, alongside the model procedure, with no local amends in the constitution.”

14. GOVERNANCE, RISK AND AUDIT COMMITTEE WORK PROGRAMME 147 - 150

To review the Governance, Risk & Audit Committee Work Programme.

15. EXCLUSION OF THE PRESS AND PUBLIC

To pass the following resolution, if necessary:

“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 _ of Part I of Schedule 12A (as amended) to the Act.”