

Minutes of a meeting of the Corporate Governance Committee held at County Hall, Glenfield on Monday, 2 September 2013.

PRESENT

Mr. E. D. Snartt CC (in the Chair)

Mr. G. A. Boulter CC
Mr. S. J. Hampson CC
Mr. G. A. Hart CC

Mr. K. W. P. Lynch CC
Mr. R. J. Shepherd CC
Mr. L. Spence CC

20. Minutes.

The minutes of the meeting held on 14 June 2013 were taken as read, confirmed and signed.

21. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

22. Questions asked by members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

23. Urgent Items.

There were no urgent items for consideration.

24. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

25. Local Government Governance Review.

The Committee considered a report of the Director of Corporate Resources, the purpose of which was to introduce a presentation by Grant Thornton LLP, one of the leading organisations providing independent assurance, tax and advisory services, which highlighted key areas for discussion arising from their 2013 national Local Government Corporate Governance Review, as well as drawing attention to how this had been used to implement improvements for the County Council's Annual Governance Statement for 2012/13. A copy of the report and the presentation slides are filed with these minutes.

The Chairman welcomed Mr Phil Jones of Grant Thornton LLP to the meeting.

Arising from the discussion, the following points were made:

- The assessment of the County Council's Annual Governance Statement benchmarking position in 2011/12 and 2012/13 had been a useful exercise and resulted in significant improvements being made. The exercise would be carried out again for 2013/14 to monitor progress and ensure further developments were made where possible;
- The County Council's Statement was longer than in previous years as it was now more comprehensive, but it had also been set out in a structured and more useable format. It was also supported by systems and processes which ensured that, in practice, governance issues identified were actioned effectively and monitored by the Committee throughout the year;
- An emerging issue identified nationally related to the need to control the growing number of joint working arrangements and arm's length agreements being put in place, as local authorities increasingly worked in partnership with other key stakeholders and procured more services from external providers. It would be important to ensure that transparency was maintained across those arrangements;
- Data sharing was a significant issue. Increased joint working needed to be supported by the sharing of information necessary to allow those involved to work effectively. However, balancing this against the need to ensure information security and ensuring staff were not able to access personal data they did not require to fulfil their duties was challenging. This was an issue identified in the County Council's Annual Governance Statement and an Action Plan had been put in place to ensure this was managed correctly; controls implemented would be monitored to ensure these remained effective.

RESOLVED:

That the contents of the report and presentation be noted.

26. Code of Conduct for Co-opted Members of the Health and Wellbeing Board.

The Committee considered a report from the County Solicitor, the purpose of which was to present for approval the proposed Code of Conduct for co-opted members of the Health and Wellbeing Board which was to be introduced to ensure the effective governance of the Board. A copy of the report is filed with these minutes.

Arising from discussion, the following points were noted:

- The Health and Wellbeing Board was a unique body in terms of its membership, as the law required several officers to be co-opted members on the Board. It was necessary for such officers to follow a Code which was, in principle, the same as that which applied to Members. However, it was also important to acknowledge the role such officers had on the Board (i.e. they were appointed to the Board to represent their organisation) and ensure that the Code did not work to prevent this;
- In the section of the Code that related to Disclosable Pecuniary Interests, a clear distinction had been drawn between those matters which might be the subject of debate and affected the organisation the officer represented, from those which affected the officer personally. The Committee agreed that to apply the Code more strictly would result in the Board being unable to function.

RESOLVED:

That the County Council be recommended to approve the proposed Code of Conduct for co-opted members of the Health and Wellbeing Board.

27. Annual Report on the Operation of the Members' Code of Conduct 2012/13.

The Committee considered a report of the County Solicitor, the purpose of which was to fulfil the requirement for the Monitoring Officer to report to the Committee on an annual basis on the operation of the Members' Code of Conduct, in accordance with the decision of the Committee on 24 September 2012. The report also set out the actions taken to implement the adoption of a new Code of Conduct from 4 July 2012, to move towards a Code which might be adopted by District Councils across Leicestershire and the arrangements for training of members. A copy of the report is filed with these minutes.

It was noted that a significant amount of work had been undertaken to develop a new standards regime for members of the County Council and to introduce a common Code with District Council's across Leicestershire.

In response to questions regarding the payment of outstanding invoices by Mr Parsons, the former Leader of the County Council, the following information was reported:

- i. Invoice relating to travel expenses for Committee of the Region business (£4,089.84) – Following negotiations with Mr Parsons' solicitors agreement had been reached for the payment of a reduced sum by instalments. Payment was due on 1st September and confirmation of whether funds had been received would be obtained shortly;
- ii. Invoices for the early termination of Mr Parsons' lease car (£752) – £252 had been paid on 1st August. The remainder was to be paid by two instalments of £250 and the first such payment was due on 1st September. Confirmation of whether such funds had been received would be obtained shortly;
- iii. An invoice for the additional 29 journeys had been raised. At the last meeting it had been reported that such costs were estimated to be in the region of £3,500. However, these had now been calculated to total £3,670.66. Two reminders had been sent requesting payment of this sum but no response had been received to date. A third and final reminder would be sent shortly. If still no agreement was reached, or payment made, the matter would be passed to the County Council's legal section for further action;
- iv. A further invoice in the sum of £157 had been raised on 30 August 2013 regarding the lease car. Payment was awaited.

It was suggested that further updates should be provided to the Committee in respect of the above outstanding invoices, as appropriate, until the matter had been resolved.

RESOLVED:

- (a) That the contents of the report be noted;
- (b) That further updates on the progress being made to recover the payment of all outstanding invoices from Mr Parson, the former Leader of the County Council, be provided to the Committee as appropriate.

28. Ombudsman Annual Review and Corporate Complaint Handling.

The Committee considered a report of the County Solicitor, the purpose of which was to inform Member of the Ombudsman Annual Review letter for the Authority for 2012/13 and to provide Members with an update on improvements to the Corporate Complaints Procedures and effective complaints handling. A copy of the report is filed with these minutes.

Arising from discussion, the following points were noted:

- Benchmarking information had not been supplied by the Ombudsman this year, but more detailed information would be included within next year's letter. It was suggested that without such information a true assessment of the County Council's complaint handling procedures could not be made and such information, particularly around any maladministration cases which involved the County Council, was necessary to ensure that improvements could be made for the future;
- Changes had been made to the processes and framework adopted with contractors who provided services on the Council's behalf in light of the compensation payment of £6,000 made by the County Council as the responsible body for Adult Social Care services. The Ombudsman accepted that the County Council had no direct fault in the matter concerned as the service had been provided by a third party;
- The number of commendations had increased, but this was largely due to changes having been made to ensure these were captured and recorded more effectively. It was important to learn which areas were working well, as well as to learn from those areas giving rise to complaints;
- Commendations related to unsolicited feedback from external people and organisations. A simple thank you or a compliment from someone else from within the organisation would not be recorded as a commendation.

RESOLVED:

- (a) That the contents of the report be noted;
- (b) That feedback be provided to the Ombudsman regarding the need for more detailed information in future Annual Report's.

29. Risk Management update.

The Committee considered a report of the Director of Corporate Resources on progress with current risk management initiatives, covering the Corporate Risk Register, an update on Departmental Risk Registers and details of further risk management work and anti-fraud initiatives being undertaken. A copy of the report is filed with these minutes.

The Committee also received a presentation on the risks associated with the Welfare Reform Act. A copy of the presentation slides is filed with these minutes.

Arising from the presentation, the Committee noted the significant implications the reforms could have on the County Council and the need to ensure additional resources were raised to meet the expected costs.

It was noted that there was a single scheme in Leicestershire to deliver the replacement to the Social Fund and work continued to be undertaken with the Districts to co-ordinate these arrangements.

A brochure would be produced and circulated to officers within the Adults and Communities and Children and Young People's Service Departments in October. This would include details of the reforms being made and identify useful points of contact to enable officers to more easily help and support residents through the changes.

RESOLVED:

- (a) That the updated Corporate Risk Register be approved;
- (b) That the contents of the presentation on the risks associated with the Welfare Reform Act be noted and the Director of Corporate Resources be requested to provide a further update on this risk area within the overall financial context of the Medium Term Financial Strategy once this has been agreed next year;
- (c) That the current status of the strategic risks facing the Council be noted;
- (d) That the initiatives to improve the Councils acknowledgement, prevention and pursuit of fraud be supported.

30. Quarterly Treasury Management Report.

The Committee considered a report of the Director of Corporate Resources, which provided an update on the actions taken in respect of treasury management in the quarter ended 30 June 2013. A copy of the report is filed with these minutes.

RESOLVED:

That the contents of the report be noted.

31. Date of next meeting.

It was noted that the next meeting of the Committee would be held on Monday, 23 September 2013 at 10.00am.

10.00 - 11.40 am
02 September 2013

CHAIRMAN