**Mansfield District Council**

**Governance & Standards Committee Minutes**

**Date: Wednesday 30 March 2022 Time: 6:00 PM Place: Council Chamber**

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| **Present:** | **Councillor Mark Fretwell, Mr. Andrew Hill, Councillor Brian Lohan, Councillor Ann Norman, Councillor Philip Shields, Councillor Andy Sissons, Councillor David M Smith, Councillor Roger Sutcliffe (Late 6.05 pm)** |
| **In Attendance:** | **Sarah Hall, Dawn Edwards, James Biddlestone, Jill Finnesey, Adrian Pullen, Craig Tinsley, Gabriella Wright** |

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|  | **APOLOGIES FOR ABSENCE** |
|  | Apologies were received from Councillor Sissons. |
| **22/12** | **DECLARATIONS OF INTEREST** |
|  | There were no Declarations of Interest. |
| **22/13** | **MINUTES OF THE LAST MEETING** |
|  | Proposed as a true record by Councillor Lohan and seconded by Councillor Norman.  The motion was accepted by the Committee.  RESOLVED:  That the Minutes of the meeting held on 23 February 2022 were a true record of the meeting. |
| **22/14** | **INTERNAL AUDIT PLAN FOR FIRST QUARTER OF 2022/2023 & CHARTER** |
|  | The Corporate Assurance Manager presented a summary of the Internal Audit Plan for the first quarter of 2022-2023 (1st April to 30 June 2022) and the Charter.  The Committee was informed that the approach for the Audit Plan was similar to that in the past. The Members were reminded about the scoring of the risks from Low to High. High risk being the priority that was reviewed each year, a medium risk would be reviewed every three years and a low risk would not be audited unless it had changed or it had been a management request. The Members were informed that this was to ensure that the Audit resources were focussed on the highest risk areas.  The Corporate Assurance Manager presented a summary of Table 1 the Proposed Plan to the Members and then presented a summary of the Internal Audit Charter.  The Committee were reminded that the Charter outlined how the Council provided good value to the organisation through the aims and service provision. The Members were informed that there had been only very minor changes to the Charter which included the reporting structure in the CLT and Heads of Service.  The Corporate Assurance Manager had been advised by the Chair that the Charter referred to Chairman and not Chair within the Charter. The Corporate Assurance Manager advised the Members that this would be amended.  Andrew Hill Independent Member queried if on completion of an Audit the Committee would see the comparison against the previous Audit.  The Corporate Assurance Manager confirmed that the Committee would see a Report that would show the direction level of Assurance for this Audit and the previous two Audits. This would provide a comparison across the board.  The Chair read out the report recommendations.  i) That the Internal Audit Plan for the period 1 April – 30 June 2022 be approved  ii) That the revised Internal Audit Charter be approved  Proposed by Councillor Lohan and seconded by Cllr Norman.  The motion was carried by the Committee.  RESOLVED:  i) That the Internal Audit Plan for the period 1 April – 30 June 2022 be approved  ii) That the revised Internal Audit Charter be approved |
| **22/15** | **APPROVAL OF ACCOUNTING POLICIES – 2021/2022** |
|  | The Head of Finance summarised the report for the Committee. The Committee were informed that each year prior to starting the process of compiling the Accounts. The Council are required to have the Accounting Policies approved before compiling those statements for the current year 2021-2022.  The Committee were informed that the Accounting Policies were attached at Appendix 1 they have not changed from those used in the previous financial year.  The Members were advised that if there were any changes to Policies either from the External Auditors or from any legislative changes between now and the finalising of the Accounts the Committee would be made aware of this.  The Head of Finance informed the Committee that it was recommended that the 2021/22 Accounting Policies be approved for use within the Statement of Accounts.  It was proposed that the recommendations be approved by Councillor Lohan and seconded by Councillor Sutcliffe.  The motion was accepted by the Committee.  RESOLVED:  That the 2021/22 Accounting Policies be approved for use within the Statement of Accounts. |
| **22/16** | **RISK 4 INEFFECTIVE MANAGEMENT of NON–HRA COUNCIL BUILDINGS - UPDATE** |
|  | The Head of People and Transformation presented a summary of the Risk 4 Non HRA Council Buildings Update Report.  The Committee were informed that at the last meeting of the Committee on 23 February 2022, a request was made by the Committee for a more informed update on Risk 4.  The Head of People and Transformation referred the Members to Appendix 1 and provided an update on the Key Controls 4.1 to 4.4.  At 4.1 – Up to date and accurate records maintained. The Officer confirmed to the Committee that over the past 6 months the Facility Management Team had undertaken and renewed all compliance related certification and lightening assessment tests had also been completed. All of the certification had been recorded within the Council’s systems and both computerised and paper based records were available.  Stock Condition Surveys of critical properties identified as phase 1 prioritised as Phase 1 because the properties were accessible by the public had been completed and all of the information had been received and recorded. The Members were informed as the Phase 2 Stock Condition Surveys had not been completed. It was appropriate to keep the scoring at a level 2 medium risk. However, the Officer was confident that this would be moved to a risk 3 by June 2022.  4.2 Up to date PPW programme in place. The Officer stated that through the receipt of Stock Condition Survey Phase 1 – works had been prioritised. However, until the remaining Phase 2 data had been received it would not be possible to provide a full update to the PPW Programme and therefore the risk level had remained at a 2. However, the Officer was confident that this would be moved to a risk 3 by June 2022.  4.3 Effective delivery of the PPW programme. The Officer informed the Members that this was aligned to 4.2 to effectively deliver that programme it was necessary to have the data from Phase 2. It was currently at effective score 1 until Phase 2 surveys had been completed and information reviewed and remedial works identified. The next challenge would be the commission and delivery of the programme, this was based on staffing resource, and also the procurement of the contractors to complete the works. This is increasingly difficult due to supply challenges and availability of contractors. The Officer advised that the intention would be to use a Framework provider to look at procurement opportunities to secure the contracts for the work to be delivered in a timely manner. It was anticipated that by June 2022 the effectiveness score will be at 2 subject to the challenges already mentioned.  4.4 Compliance with statutory requirements by delivering actions identified from condition survey – The Officer advised that once all of the information had been received, the Council would then have a comprehensive picture of all of the asset stock. The Phase 2 Condition Stock Surveys would recorded in the corporate system, any compliance matters identified would be stored within the Health and Safety system and those risks would be prioritised and assigned to the relevant Officer to take control of the delivery of the actions.  The system was in place, the available Phase 1 data was fed into it and it was being delivered. Although progressing well, until the full information was available the score remained at 2. This would remain at 2 until the Officer was fully confident that all of the data sets had been completed and were accessible. It was hoped that this would be achieved by June 2022.  Councillor Sutcliffe queried paragraphs 4.3 and 4.4 related to the Effective Delivery of PPW at the Town Hall. The Member was pleased to see how the Council Chamber had been renovated but noted a water on the ceiling. The Member felt that it was important to ensure that works that had been completed had been completed satisfactorily to prevent further remedial works being required. The Member wanted to understand the steps taken to ensure that issues are resolved as quickly as possible to prevent small issues developing into major issues.  The Head of People and Transformation assured the Members that the Council understood the value of ensuring that the standards received from Contractors was both value for money and of good quality and of a high standard.  The Head of People and Transformation informed the Members that he was aware of some remedial works that were being undertaken in the main hall. The issue referred to by the Member was not related to water ingress but was caused by the type of plaster that the Council had to use due the building being listed.  Temperature variations resulted in some cracks that required isolated repairs. This happened outside of the maintenance period of the contractor. Before any works are signed off snagging and quality assurance was completed to ensure that the required works had been completed satisfactorily.  The issue developed outside of the maintenance warranty period.  Andrew Hill Independent Member commented that he was confident with the process being followed that there was rationale behind the scoring which was pleasing to see and worth noting.  The Chair agreed with the Independent Member’s comments and recognised the effectiveness ratings and plans to achieve the required effectiveness 3 rating.  It was proposed by Councillor Lohan that the recommendations be noted, and seconded by Councillor Sutcliffe.  The motion was carried by the Committee.  RESOLVED:  That the position set out in Appendix 1 for implementing the improvement actions within the Strategic Risks and Opportunities Register be noted. |
| **22/17** | **RISK 4A INEFFECTIVE MANAGEMENT OF COUNCIL HRA BUILDING -UPDATE** |
|  | The Housing Repairs and Asset Manager presented a summary of the report to the Committee on the Management of HRA Assets Update.  The report provided an update on the various compliance programmes in the Housing stock in respect of the management of the HRA assets.  The Members were informed that there were limited lifts within the estate and a Corporate Lift Contract with facilities was being sourced.  Legionella Management remains an ongoing project to meet compliance requirements which include flushing regimes across the housing complexes and Vale Road Depot in accordance with the Council’s Legionella Policy. It also includes measures within Void properties.  Members were informed that the Council had completed the Fire Policy Review that had included liaison with Bassetlaw Council, ASSIST Housing Management to review the arrangements across the different schemes, looking at the responsible persons, evacuation processes and personal evacuation plans etc. Fire Risk Assessments for common areas were being reviewed including and a tender exercise or framework to undertake the Fire Risk Assessments across the blocks of flats was in progress, fire stopping works were being completed for Shelter Schemes as detailed within the report.  Electrical testing as part of the Council’s landlord obligations was being carried out across the housing stock utilising both internal resources and external resources. Budget are in place every year for these works.  Gas servicing was being completed in house. Any properties that the Council were having issues getting access into service issue Boiler certification were being sent to the Legal Team.  The Committee was informed that Asbestos Management Surveys were completed by Envirotec. This is on a rolling programme to ensure full compliance and safety of the tenants.  The Officer advised that Savills had been instructed to complete 30% of the housing stock’s Stock Condition Surveys and Compliance Reviews. This would provide a more informed review of the current state of the properties. The 30% Stock Condition Survey had been completed. The Officer advised that the Council were now awaiting receipt of the survey data to inform a remedial works programme.  The Members were advised that due to a recent change in Legislation that would come into effect during autumn 2022 it would be necessary to install at least one smoke alarm on every storey of the property and to install carbon monoxide alarms in every room which contained a fixed combustion appliance (excluding gas cookers).  The Officer advised that the Council had already commenced these works in readiness. The implications of this would mean a significant increase in costs.  Councillor Lohan queried if this would be a requirement in all Council Housing.  The Officer advised that it would be a requirement in all Council housing that had a fuel burning appliance specifically related to a Boiler or gas fire.  Councillor Smith had a query related to Council flats that have a composite door and queried if they were all fire doors.  The Officer advised that this would be dependent on the Fire Risk Assessment. If required the fire doors would be composite or wood which was dependent on availability.  The Member queried if fire stops were in place in the roof spaces in blocks of flats.  The Officer advised that the Council would ensure compliance with the Fire Risk Assessments in place for flats and other applicable properties.  The Chair asked for an update on the vacancies as identified within the report.  The Officer advised that in general terms there were some issues with recruitment in areas in both trade and office based staff. The Officer informed the Members that the Council were looking at a number of options to improve recruitment processes that included the application process and better promotion of the benefits of working for the Council which included flexi time and pension. The vacant roles have been filled by temporary interim staff.  The report was proposed for noting by Councillor Lohan and seconded by Councillor Norman.  The motion was accepted for noting by the Committee.  RESOLVED:  That the report be accepted for noting |
| **22/18** | **GOVERNANCE AND STANDARDS COMMITTEE WORK PROGRAMME AND TRAINING PROGRAMME FOR 2022/2023** |
|  | The Corporate Assurance Manager informed the Members that the proposed Work Programme for 2022-23 and Training Programme for 2022-2023 were before the Committee for approval and for any additional topics within the remit of the Committee to be added by the Members for approval.  The Members were informed that the structure of the programmes had remained unchanged.  The Corporate Assurance Manager presented a summary of the proposed Work Programme 2022-2023 to the Committee.  The Corporate Assurance Manager advised that an advert for the recruitment of a non-Elected Member would be placed after Easter. Interviews to take place in May. A report would then come back to the Committee with the proposed Candidate for approval of the Committee for recommendation to Council for formal approval of the appointment in July 2022. If two candidates were identified this would be put before the Committee for approval for recommendation to Council for an amendment to the Constitution to increase from two Independent Members to three Independent Members of the Committee.  The Corporate Assurance Manager provided a summary of the proposed Training Programme for 2022 – 2023. The Members were informed that the Training would no longer be via a virtual programme and would be face to face training at the Civic.  The Corporate Assurance Manager advised that the report on the Annual Report on the Procurement Strategy was new to the Committee, that the report would be concerning social value KPI’s and successful elements of the Strategy. The data within the report to validate if the aims and objectives were being achieved.  The Corporate Assurance Manager asked the Committee if there were any other topics from the Members for consideration for the Proposed Work Programme 2022-2023 or the Proposed Training Programme 2022-2023.  The Chair asked for further clarification on the Nottingham City Council Procurement process and if what was happening within Nottingham City Council had impacted on Mansfield District Council’s link with them  The Corporate Assurance Manager advised that regarding procurement that Nottingham City Council were reviewing all of their services and arrangements that were in place with any authority or companies that were being used to ensure that there were no financial losses within the arrangements. The Officer did not feel that this would have any impact on Mansfield District Council, as the Officer was confident that there were no issues related to procurement. It was hopeful that there would be a 3 year agreement with Nottingham City Council. There will be a formal decision to be taken by the Head of Law and Governance on the options going forward.  The Chair had a query related to the Freedom of Information Requests and asked which Committee this rested with as an overview.  The Head of Law and Governance responded that Freedom of Information Request did not fall within the remit of this Committee. The Members were informed that the Council did not report on Freedom of Information Requests. There was a duty on the Council to respond to Freedom of Information Requests within the statutory timeframe. A report is taken to the Portfolio Holder for Corporate and Finance that includes this information, which looks at the compliance issues, this does not go to any Committee.  The Chair asked if this should be a concern.  The Head of Law and Governance did not find this to be a matter of concern as Information and Governance was currently managed by the Shared Legal Services.  This was being brought back in house and therefore there would be more control over this.  The Committee were informed that there had been two successful recruitments for an Information Manager and a Governance Officer for the authority and this may be reviewed in the future.  The Chair read out the recommendations:  i) That the proposed work programme for 2022/2023, amended with any additional topics suggested by the members of the Governance and Standards Committee be approved.  ii) That the proposed training programme for 2022/2023, amended with any additional topics suggested by the members of the Governance and Standards Committee be approved  Councillor Lohan Proposed the motion and it was seconded by Councillor Norman.  The Motions were unanimously accepted by the Committee.  RESOLVED:  i) That the proposed work programme for 2022/2023, amended with any additional topics suggested by the members of the Governance and Standards Committee be approved.  ii) That the proposed training Programme for 2022/2023, amended with any additional topics suggested by the members of the Governance and Standards Committee be approved. |
| **22/19** | **MEMBER COMPLAINT REPORT** |
|  | The Head of Law and Governance presented a summary of the report to the Committee. The Members were advised that since the last report in October that there had been one Member complaint received.  The Members were referred to the detail at Appendix 1. The Committee were informed that the complaint was related to something that a Member had put onto Social Media and there were concerns that the information disclosed should have been confidential. Further information had been sought from the complainant but had not yet been received. It had therefore not been possible to investigate this further without the receipt of more information on the manner of the information that had been disclosed.  The request for further information would be chased but in the event that the information was not received, this would be closed down. The Head of Law and Governance would speak to the subject member concerned to alert them of the issue and to ascertain if they were aware of any issue in this regard. The matter would then be closed.  The Chair queried if the disclosure had been on a personal page.  The Head of Law and Governance advised that it was not.  The Independent Member queried if there was a time frame for receipt of the additional information.  The Head of Law and Governance advised that a reasonable time was allowed for the response taking into consideration factors such as Covid, working arrangements etc. A further two weeks would be given in this case and then the matter would be closed down.  The Member concerned had not yet been approached regarding the alleged misconduct as further information had not been supplied  Councillor Lohan queried the process concerning the report of a breach in the Code of Conduct.  The Head of Law and Governance advised that there were specific arrangements in place for allegations of breaches of the Code of Conduct that stipulate how the matter should be addressed, and the matters that the Head of Law and Governance would be able to close down or make a determination on. Also the matters that would need to be referred back to this Committee for further investigation. The arrangements also stipulate the actions that can be taken.  The Chair advised the Members that the report was for noting by the Committee.  Proposed by Councillor Lohan and seconded by Councillor Norman.  The motion was carried unanimously by the Committee.  RESOLVED:  That the report be noted. |

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