

**GOVERNANCE, AUDIT AND PERFORMANCE COMMITTEE held at ZOOM
on THURSDAY, 10 SEPTEMBER 2020 at 7.00 pm**

Present: Councillor E Oliver (Chair)
Councillors G Bagnall, G Driscoll (Vice-Chair), M Foley, A Khan
and S Luck

Officers in attendance: R Auty (Assistant Director - Corporate Services), S Bronson
(Audit Manager), T Falconer (Data Protection Officer), C Gibson
(Democratic Services Officer), O Knight (PFI and Performance
Officer) and A Webb (Director - Finance and Corporate
Services).

GAP8 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Isham and DeVries.

GAP9 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2 June 2020 were approved and would be signed by the Chair as a correct record at the next opportunity.

GAP10 INTERNAL AUDIT PROGRESS REPORT, 16 MAY TO 31 AUGUST 2020

The Audit Manager gave a summary of the report, which detailed work undertaken by Internal Audit since the last report to the Committee on 2 June 2020 and provided an update on implemented and outstanding audit recommendations.

She said that very little internal audit work had taken place after the end of May as the Internal Audit Team had been providing support to the Revenues and Benefits Service. She said that two level 3 recommendations had been implemented during this period and that Internal Audit work had recommenced from 1 September 2020.

The Chair noted the report.

GAP11 INTERNAL AUDIT STRATEGY AND WORK PROGRAMME 2020/21

The Audit Manager gave a summary of the report, which detailed the proposed Internal Audit Strategy and Work Programme for 2020/21.

She said that these documents were being presented later than usual because of staff redeployments. She said that the draft Internal Audit Programme in March had anticipated 300 available days but that this figure had been revised to 185 days. The scope of audit work had been reviewed and updated to take into

consideration new and emerging risks, including Covid-19 Emergency risks. The Audit Manager outlined the risk assessment processes used to compile the 2020/21 Internal Audit Work Programme and specifically referred to the Control Risks Self-Assessments sent to all managers and the use of the Corporate Risk Register. She indicated that the majority of audit assignments would be Audit Reviews targeting the Covid- 19 potential risks that had been identified.

Members were made aware that the Audit Manager was leaving the Council on 6 November 2020. Some concerns were expressed about the affect that this could have on levels of risk without leadership of the Audit Team. The Director - Finance and Corporate Services said that the Internal Audit Service were currently reporting to him and that he was looking at options regarding future delivery of the function, including possible partnership opportunities. He agreed to keep the Committee informed on this matter.

Councillor Bagnall asked who audited the internal auditor. The Director – Finance and Corporate Services confirmed this was the responsibility of the external auditor.

Councillor Luck highlighted the possible significance of a no deal EU exit and the risk effects from an Internal Audit viewpoint.

The Director – Finance and Corporate Services said that an update on the future provision of the Internal Audit function would be given at the next meeting.

Members approved the Internal Audit Strategy and Work Programme 2020/21. There was no dissent to the recommendation.

GAP12 INFORMATION GOVERNANCE ANNUAL REPORT

The Data Protection Officer gave a summary of the report, which provided assurance with regards to Data Protection and Information Governance matters that existed within the Council as of May 2020. He said that positive steps had been taken by the Council following the introduction of the new Data Protection Act 2018 and the Guide to the General Data Protection Regulation (GDPR) to improve the management of Information Governance issues throughout the Council and to promote better awareness of data protection issues to staff. He indicated that the annual report provided evidence as to the progress made each year as well as identifying specific areas for improvements. The report that had been approved by Corporate Management Team (CMT) in May 2020 had included 12 recommendations, some of which had already been implemented.

Councillor Khan asked how service heads were being held accountable.

The Data Protection Officer said that the CMT approved recommendations included Service managers taking ownership of FOI's requests within their areas, the nominations of FOI liaison officers to work alongside the FOI team as well as training being provided by the Data Protection Officer.

In response to various questions from Members, the Data Protection Officer summarised the processes in place to monitor Freedom of Information (FOI) requests and that this information was recorded in a register. He explained that recording and sending out FOI requests was time consuming but that there were very few malicious and vexatious requests.

Councillor Bagnall asked to see all 12 recommendations that had originally been made to CMT.

The Data Protection Officer agreed to circulate this information to Members.

Councillor Driscoll asked for further information in respect of the Table in Paragraph 6.4 of the Appendix that detailed 70% of responses being made within 20 days, 10% in more than 20 days and 20% with no response.

The Data Protection Officer said there were no general patterns but that some service areas were very busy. He would be looking in more detail to see if there were patterns when the results for the next quarter were published.

The Director – Finance and Corporate Services said that as part of the FOI process the public had been warned that responses to requests might take longer due to the Covid- 19 pandemic.

The Chair noted the report.

GAP13 COVID 19 PERFORMANCE INDICATOR REPORT 3

The PFI and Performance Officer gave a summary of the report, which provided the outturn for all Covid- 19 performance indicators for the period 6 July to 9 August 2020. He said that despite continuing pressures imposed on service delivery due to the Covid- 19 pandemic, the data outturns highlighted that services continued to perform well and was broadly similar to last year.

He specifically drew Paragraph 18 of the report to the attention of Members that detailed five particular issues to note.

Councillor Foley asked how the Pay and Display indicators compared to other authorities.

The PFI and Performance Officer said that he would obtain data from the North Essex Parking Partnership and would bring it back to the Committee.

Councillor Khan said that he recognised these were not normal times and that the Council should look at targets for recovery. He suggested monitoring FOI information from a governance perspective.

The PFI and Performance Officer said that he recognised the time lag between the collection and publication of local and national data. He said that in future Essex CCC should be in a position to gather more current data.

The Chair noted the performance of services during the COVID- 19 pandemic as per the recommendation.

ANY OTHER BUSINESS (AOB)

In response to a question from Councillor Khan, the Chair said that AOB was not on the agenda but on this occasion he would take Councillor Khan's question. Councillor Khan raised the issue of the Annual Accounts being brought to the Committee's October meeting and specifically referred to his understanding that the £240,000 Debden Village Hall loan or grant from the MOD or the Army that had been passed on by the Council would appear as a liability in the accounts. He asked the Director – Finance and Corporate Services to arrange for a report to be submitted to the Committee that set out the history of the grant and considered the risks to the Council relating to the grant as well as considering lessons learned.

The Director – Finance and Corporate Services said that a report would be provided at the next meeting and that it would be issued ten days in advance of the meeting and not 'to follow' or tabled on the night.

The Committee thanked the Audit Manager for her efforts and wished her well in the future

The meeting closed at 7:50pm