

Meeting **GOVERNANCE AND ETHICS COMMITTEE**

Date **Wednesday 13 December 2017 (commencing at 1.00pm)**

membership

Persons absent are marked with 'A'

COUNCILLORS

Bruce Laughton (Chairman)

Nicki Brooks
Steve Carr
Jim Creamer
Richard Jackson
Tony Harper

Mike Pringle
Rachel Madden
Mike Quigley MBE
Phil Rostance
Martin Wright

OFFICERS IN ATTENDANCE

Cherry Dunk
Michael Fowler
Paul McKay



Adult Social Care, Health and Public Protection

Caroline Agnew
Sue Bearman
Glen Bicknell
Phil Dent
Rob Disney
Keith Ford
Andrew Howarth
Jo Kirkby
Laura Mulvany-Law
Nigel Stevenson
Clare Winter



Resources

Tony Crawley

KPMG – External Auditor

Emily Fletcher

Graduate Observer

MINUTES

The Minutes of the last meeting held on 8 November 2017, having been previously circulated, were confirmed and signed by the Chairman.

APOLOGIES FOR ABSENCE

The following temporary changes of membership, for this meeting only, were reported:-

- Councillor Martin Wright had replaced Councillor Andy Sissons
- Councillor Mike Pringle had replaced Councillor Kate Foale
- Councillor Jim Creamer had replaced Councillor Errol Henry
- Councillor Richard Jackson had replaced Councillor John Handley

DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

None

EXTERNAL AUDIT – ANNUAL AUDIT LETTER 2016-17 AND PROGRESS REPORT

The Chairman highlighted his recent visits to the various teams which come under the Committee's remit and thanked officers, on behalf of the Committee for the excellent work being undertaken.

Tony Crawley, KPMG Audit Manager, explained the purpose of the Annual Audit Letter, introduced the progress report and answered Members' queries.

During discussions, Members commented on the following issues:-

- the role of the Committee in overseeing any concerns raised with officers;
- the challenges posed by the new General Data Protection Regulations and the work which the Council had already undertaken to share the best practice of Essex County Council;
- the National Audit Office report on Homelessness and the Homelessness Reduction Act 2017, which it was felt brought additional responsibilities for local authorities, without bringing any additional resources.

RESOLVED: 2017/027

That further consideration be given to the comments made by Members.

UPDATE ON 'LIMITED ASSURANCE' INTERNAL AUDIT REPORTS IN ADULT SOCIAL CARE, HEALTH AND PUBLIC PROTECTION (ASCH&PP) DEPARTMENT

Phil Dent, Audit Team Leader, introduced the reports and gave a presentation highlighting the key messages and themes and the action tracking process.

Paul McKay, Deputy Director ASCH&PP and Cherry Dunk, Group Manager Quality and Market Management responded to Members' queries about commissioning, the need for separate bank accounts for direct payments, the Council's willingness to pursue criminal proceedings where appropriate and the storage of bank details in line with data protection requirements.

RESOLVED: 2017/028

That individual Members contact the relevant officers for further information and individual briefings if required.

INFORMATION GOVERNANCE IMPROVEMENT PROGRAMME UPDATE

Caroline Agnew, Programme Manager, introduced the report, outlining the implications of the new General Data Protection Regulations and the work required by the County Council and other authorities to ensure compliance.

RESOLVED: 2017/029

- 1) That the Committee receive further updates on this issue on a six monthly basis.
- 2) That the approach to developing the Council's information governance function and the additional permanent and temporary resources, as set out in paragraphs 17 to 26 of the report, be agreed subject to approval of allocations from contingency by the Finance and Major Contracts Management Committee.
- 3) That authority be delegated to the Corporate Director for Resources to vary structures and approaches in relation to information governance within the overall budget envelope for the information governance function and Programme.

DISQUALIFICATION CRITERIA FOR COUNCILLORS – DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION

Sue Bearman, Senior Solicitor, introduced the report which sought Members' views in order to finalise the Council's response to this consultation.

Following discussions and further clarifications, Members were in agreement that the proposed approach was correct in requiring that disqualification be applicable where either an order was made by a court or a caution (equivalent to admission of guilt) had been issued.

RESOLVED: 2017/030

That the consultation response be amended, to underline the point about court orders and cautions, and submitted to the Department for Communities and Local Government.

OUTCOMES FROM THE COMPLAINTS PROCESS – APRIL 2016 TO MARCH 2017

Jo Kirkby, Team Manager and Laura Mulvany-Law, Senior Practitioner from the Complaints and Information Team introduced the report which presented a summary of Local Government Ombudsman (LGO) complaints from the 2016-17 financial year.

RESOLVED: 2017/031

That no further actions were required in relation to the issues contained within the report.

OUTCOMES FROM THE COMPLAINTS PROCESS – APRIL 2016 TO MARCH 2017

Jo Kirkby, Team Manager, Complaints and Information Team introduced the report which detailed the LGO complaint decisions received since April 2017.

During discussions, Members raised concerns about Complaint Ref 16 002 738 and sought assurances that social work cases continued to be progressed when reallocated to other members of staff due to staff absence. Officers agreed to provide further details of how the learning from this particular case had informed current practice.

RESOLVED: 2017/032

- 1) That further details of how the learning from complaint reference 16 002 738 had informed current social work practice be shared with Committee Members.
- 2) That all LGO decisions where an investigation had taken place be submitted to the Committee on an ongoing basis, to give a complete picture of those complaints upheld or otherwise.

WORK PROGRAMME

During discussions, Members requested that twice yearly updates be provided to the Committee on Member Development and Training.

RESOLVED: 2017/033

That no further changes to the work programme were required at this stage

The meeting closed at 2.17 pm.

CHAIRMAN