

## Governance and Ethics Committee

Wednesday, 06 September 2023 at 10:30

County Hall, West Bridgford, Nottingham, NG2 7QP

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### AGENDA

1	Minutes of last meeting held on 19 July 2023	3 - 6
2	Apologies for Absence	
3	Declarations of Interests by Members and Officers:- (see note below)	
4	Local Government and Social Care Ombudsman Decisions June to July 2023 Report	7 - 20
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#### Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Kate Morris (Tel. 0115 804 4530) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>



Meeting GOVERNANCE AND ETHICS COMMITTEE

Date Wednesday 19 July 2023 (commencing at 10.30am)

**membership**

### **COUNCILLORS**

Philip Owen (Chairman)  
Johno Lee (Vice-Chairman)

Richard Butler	Sue Saddington - <b>Apologies</b>
Samantha Deakin - <b>Apologies</b>	Helen-Ann Smith
Errol Henry JP	Nigel Turner
Andy Meakin	Roger Upton
Michael Payne - <b>Apologies</b>	

### **SUBSTITUTE MEMBERS**

Councillor Steve Carr substituting for Councillor Samantha Deakin  
Councillor Chris Barnfather substituting for Councillor Mrs Sue Saddington  
Councillor Jim Creamer substituting for Councillor Michael Payne

### **OFFICERS IN ATTENDANCE**

Shelagh Mitchell	- Children and Families
Glen Bicknell	- Chief Executives
Heather Dickinson	
Richard Elston	
Andrew Howarth	
Kate Morris	
Marjorie Toward	
Nigel Stevenson	
Angela Wendels	
Martin Carnaffin	- Place

### **OTHERS IN ATTENDANCE**

Zak Francis	- Grant Thornton, External Auditor
Andrew Smith	

## **1. MINUTES**

The Minutes of the last meeting held on 14 June 2023, having been previously circulated, were confirmed and signed by the Chairman.

## **2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from:

- Councillor Samantha Deakin (Other Reasons)
- Councillor Michael Payne (Medical Reasons)
- Councillor Mrs Sue Saddington (Medical)

## **3. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

None.

## **4. UPDATE ON LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN DECISIONS (MAY TO JUNE 2023)**

The report set out information about two complaints against the Council where fault was found by the Local Government and Social Care Ombudsman. Members were given the opportunity to ask questions of officers and seek assurance about actions put in place from the relevant departments regarding those complaints.

Members sought and received assurance that communication style would be reviewed by Via, ensuring standard information was delivered in a sensitive manner.

Members also sought and received assurance that no confidential information was disclosed to third parties in the second case to be considered.

### **RESOLVED: 2023/32**

That members note the findings of the Local Government and Social Care Ombudsman and welcome the lessons learned and actions taken to the findings.

## **5. EXTERNAL AUDIT PLAN 2022-23**

The report and appendix outlined the Plan for the external audit of Nottinghamshire County Council and the Nottinghamshire Pensions fund for 2022/23 and set limits for materiality. External Auditors highlighted that the timeframes were extended compared to previous years due to sector wide pressures.

### **RESOLVED: 2023/33**

That Members to note the External Auditor's Audit Plan for 2022/23

## **6. ANNUAL FRAUD REPORT 2022-23**

### **RESOLVED: 2023/33**

That the Committee notes the content of the Annual Fraud Report 2022/23

**7. INTERNAL AUDIT PROGRESS TERM 3 2022-23 AND TERM 2 PLAN 2023-24**

**RESOLVED: 2023/34**

That the Committee notes the outcome of the Internal Audit work carried out in Term 3 – 2022/23 and the planned coverage of Internal Audit's work in Term 2 of 2023/24 be progressed to help deliver assurance to the Committee in priority areas

**8. WORK PROGRAMME**

**RESOLVED: 2023/31**

That the work programme be agreed.

The meeting closed at 11:19am

CHAIRMAN



**06 September 2023**

**Agenda Item: 4**

## **REPORT OF THE SERVICE DIRECTOR FOR CUSTOMERS, GOVERNANCE AND EMPLOYEES**

### **LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN DECISIONS JUNE 2023 TO JULY 2023**

#### **Purpose of the Report**

1. To inform the Committee about Local Government & Social Care Ombudsman's (LGSCO) decisions relating to the Council since the last report to Committee was completed and therefore any decisions after 15<sup>th</sup> June 2023.

#### **Information**

2. Members have asked to see the outcome of Ombudsman investigations regularly and promptly after the decision notice has been received. This report therefore gives details of all the decisions received since the last report to this Committee which was held on 19<sup>th</sup> July 2023.
3. The LGSCO provides a free, independent and impartial service to members of the public. It looks at complaints about Councils and other organisations. It only looks at complaints when they have first been considered by the Council and the complainant remains dissatisfied. The LGSCO cannot question a Council's decision or action solely on the basis that someone does not agree with it. However, if the Ombudsman finds that something has gone wrong, such as poor service, a service failure, delay or bad advice and that a person has suffered as a result, the LGSCO aims to get the Council to put it right by recommending a suitable remedy.
4. The LGSCO publishes its decisions on its website ([www.lgo.org.uk/](http://www.lgo.org.uk/)). The decisions are anonymous, but the website can be searched by Council name or subject area.
5. A total of five decisions relating to the actions of this Council have been made by the Ombudsman in this period. Appendix A to this report summarises the decisions made in each case for ease of reference and Appendix B provides the full details of each decision.
6. Full investigations were undertaken into one complaint. Appendix A provides a summary of the outcomes of the investigation. Where fault was found, the table shows the reasons for the failures and the recommendations made. If a financial remedy was made the total amount paid or reimbursed is listed separately.

7. There was fault found in the investigated case. This case was in Childrens. The complaint is about the Council failing to find a suitable special school for Mrs F's daughter and put in place suitable alternative provision when her school could no longer meet her needs. Mrs F complained about how the Council delayed consulting specialist placements once it identified she needed to be at a special school, communicated poorly with her, delayed accepting a placement offer at a suitable independent school; and failed to arrange suitable alternative provision until a suitable special school was found. The Council was found at fault and as a result has apologised to Ms X, paid a distress payment and remedy for the loss of education from July 2021. The Council wasn't found at fault in how it reviewed the EHCP twice, considered Mrs F's views and amended the plan within timescales. The service is reviewing its procedures, work is well underway, as is the recruitment for the staff required.

### **Other Options Considered**

8. The other option considered was not bringing regular reports to the Committee detailing the decisions made by the Local Government and Social Care Ombudsman. This option was rejected as by not having oversight of this report the Committee would not receive assurances that the learnings from Ombudsman cases were leading to improvements in services.

### **Reasons for Recommendation/s**

9. To enable members to scrutinise complaints dealt with by the Council that went to the Ombudsman and to inform them of the service improvements being made for the benefit of residents as well as colleagues.

### **Statutory and Policy Implications**

10. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Data Protection and Information Governance**

11. The decisions attached are anonymised and will be publicly available on the Ombudsman's website.

### **Financial Implications**

12. The details of any financial payments are set out in Appendix A. £7700 will come from Childrens services.

### **Implications for Service Users**

13. All of the complaints were made to the Ombudsman by service users, who have the right to approach the LGSCO once they have been through the Council's own complaint process.



## **RECOMMENDATION/S**

- 1) That members note the findings of the Local Government and Social Care Ombudsman and welcome the lessons learned and actions taken in response to the findings

**Marjorie Toward**

**Monitoring Officer and Service Director – Customers, Governance and Employees**

**For any enquiries about this report please contact:**

Richard Elston Team Manager – Complaints and Information Team

### **Constitutional Comments (HD (Standing))**

14. Governance & Ethics Committee is the appropriate body to consider the content of this report. If the Committee resolves that any actions are required, it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments (SES 27/06/2023)**

15. The financial implications are set out in paragraph 12 of the report.
16. The details of the financial payments are set out in Appendix A.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All



## APPENDIX A

### DECISIONS NOT TO INVESTIGATE FURTHER

DATE	LGO REF	PROCEDURE	COMPLAINT SUMMARY	REASON FOR DECISION
11.7.23	23003703	Corporate	Complaint about the Council terminating its contract with a care home provider	The Ombudsman cannot investigate matters which are better pursued in the Courts. The Ombudsman does not investigate councils' complaint handling where they are not investigating the core issue giving rise to the complaint.
18.7.23	23003231	Corporate	Mr X complained the Council attempted to remove his children from the family home after he decided they would be home schooled. Mr X said he and his family have been caused distress and upset by the Council's actions.	Ombudsman decided not to investigate as they're unlikely to find fault with the Council's decision and actions
20.6.23	22017211	Adults	Mr X complains the Council is failing to meet his needs since changing his social worker, leaving him without the support he needs. He wants the Council to give him the same social worker as before	The Ombudsman cannot deliver the outcome he is looking for and therefore discontinued its investigation.
31.7.23	23002290	Corporate	Complaint by Mrs X on Mr X's behalf that care home A would not allow her to do Mr X's washing; lost some of his clothing; lost a tooth from one of his dentures.	We could not add to the care home's investigation to find the lost items, investigation would not result in a different outcome, and the matter does not cause such significant injustice to her or Mr X to justify us investigating

**THERE WERE NO FULL INVESTIGATIONS WHERE NO FAULT FOUND**

**FULL INVESTIGATIONS WHERE FAULT FOUND**

<b>DATE</b>	<b>LGO REF ANNEX PAGE NO</b>	<b>PROCEDURE</b>	<b>COMPLAINT SUMMARY</b>	<b>DECISION</b>	<b>RECOMMENDATION</b>	<b>FINANCIAL REMEDY</b>	<b>STATUS OF AGREED ACTION</b>
21.7.23	22016518	Corporate	Mrs F complained the Council failed to find a suitable special school and put in place suitable alternative provision for her daughter when her school could no longer meet her needs	The Council not at fault for how it amended the EHCP but is at fault for causing delays in finding Child X a suitable school placement, it had not always responded to Mrs F's communication or kept her informed about progress; and its delays and failures meant Child X only received a part-time education	The Council is to apologise to Ms F The Council agreed to pay for distress and lost education and recruit additional staff to its SEND Team to effectively manage caseloads; review and refine its current Education, Health and Care plan system and processes, improve the way it tracks and monitors children and young people who are not in school full-time or receive alternative provision; and ensure all its staff has up to date training and accountability	£7700	Actions underway and will be complete on time

## **The Ombudsman's final decision**

Summary: Mrs F complained the Council failed to find a suitable special school and put in place suitable alternative provision for her daughter when her school could no longer meet her needs. The Council agreed it was at fault and proposed a remedy. We found its remedy was not enough to acknowledge the loss of educational provision its faults caused Mrs F's daughter. The Council agreed with our recommendations.

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## **The complaint**

1. The complainant, whom I shall refer to as Mrs F, complained about how the Council managed her daughter's education. She said it:
  - delayed consulting specialist placements once it identified she needed to be at a special school;
  - communicated poorly with her;
  - delayed accepting a placement offer at a suitable independent school; and
  - failed to arrange suitable alternative provision until a suitable special school was found.
2. As a result, Mrs F said her daughter experienced a loss of education and distress due to the impact on her mental health. Mrs F said she also experienced distress due to the stress and trouble this caused.

## **The Ombudsman's role and powers**

3. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
4. We cannot investigate late complaints unless we decide there are good reasons. Late complaints are when someone takes more than 12 months to complain to us about something a council has done. (*Local Government Act 1974, sections 26B and 34D, as amended*)

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5. If we are satisfied with an organisation's actions or proposed actions, we can complete our investigation and issue a decision statement. (*Local Government Act 1974, section 30(1B) and 34H(i), as amended*)
  6. Under the information sharing agreement between the Local Government and Social Care Ombudsman and the Office for Standards in Education, Children's Services and Skills (Ofsted), we will share this decision with Ofsted.

## **How I considered this complaint**

7. As part of my investigation, I have:
  - considered Mrs F's complaint and the Council's responses;
  - discussed the complaint with Mrs F and considered the information she provided;
  - considered the information the Council provided in response to my enquiries; and
  - considered the relevant law and guidance to the complaint.
8. Mrs F and the Council had an opportunity to comment on my draft decision. I considered any comments received before making a final decision.

## **What I found**

### **Relevant law and guidance**

#### **Education, Health and Care Plans**

9. Statutory guidance 'Special educational needs and disability Code of Practice: 0 to 25 years' ('the Code') sets out the process for carrying out EHC assessments and producing EHC plans. The guidance is based on the Children and Families Act 2014 and the SEN Regulations 2014.
10. A child with special educational needs may have an Education, Health and Care (EHC) plan. This sets out the child's needs and what arrangements should be made to meet them. The EHC plan is set out in sections. We cannot direct changes to the sections about education, or name a different school. Only the tribunal can do this.
11. EHC plans must be reviewed every 12 months. Within four weeks of a review meeting, a council must notify the child's parent of its decision to maintain, amend or discontinue the EHC plan. If it decides to amend the plan, it should start the process of amendment "without delay".
12. Where a council proposes to amend an EHC plan, it must send the child's parent the proposed amendments. The child's parent has 15 days in which to comment on the draft amendments. If the council decides to continue to make amendments after receiving the comments, it must issue the amended EHC plan as soon as practicable and within eight weeks of the date it sent the proposed amendments to the parents

#### **Alternative provision**

13. Councils must "make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any

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- period receive suitable education unless such arrangements are made for them”. (Education Act 1996, section 19(1))
14. Suitable education means efficient education suitable to a child’s age, ability and aptitude and to any special educational needs they may have. (Education Act 1996, section 19(6))
  15. The Council must consider the individual circumstances of each particular child and be able to demonstrate how it made its decision.
  16. The education provided by a council must be full-time unless a council determines that full-time education would not be in the child’s best interests for reasons of the child’s physical or mental health. (Education Act 1996, section 3A and 3AA)
  17. We have issued guidance on how we expect councils to fulfil their responsibilities to provide education for children who, for whatever reason, do not attend school full-time. (Out of school... out of mind? How councils can do more to give children out of school a good education, published in 2016)
  18. We made six recommendations. Councils should:
    - consider the individual circumstances of each case and be aware that a council may need to act whatever the reason for absence (with the exception of minor issues that schools deal with on a day-to-day basis) – even when a child is on a school roll;
    - consult all the professionals involved in a child's education and welfare, taking account of the evidence in coming to decisions;
    - decide, based on all the evidence, whether to require attendance at school or provide the child with suitable alternative education;
    - keep all cases of part-time education under review with a view to increasing it if a child's capacity to learn increases;
    - adopt a strategic and planned approach to reintegrating children into mainstream education where they are able to do so; and
    - put whatever action is chosen into practice without delay to ensure the child is back in education as soon as possible.
  19. Our focus report states local authorities should not assume that schools shoulder the entire responsibility for a child’s education.
  20. Statutory guidance (Children missing education statutory guidance for local authorities) sets out that the “school should agree with their local authority, the intervals at which they will inform local authorities of the details of pupils who fail to attend school regularly, or have missed ten school days or more without permission.” This applies to all schools, including academies.

### **What happened**

21. Mrs F is the parent of a child (Child X), who has several health and development conditions which impacts her ability to receive and engage with education.
22. Child X’s special educational needs (SEN) were set out in her EHC Plan, which also listed a mainstream school (School Y) as her place of education.
23. In Summer 2021 Mrs F asked for an early annual review of Child X’s EHC Plan with the support of School Y. This was because School Y could no longer met Child X’s needs.

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24. The Council attended the annual review, and confirmed it intended to amend the EHC Plan a month later.
  25. The Council issued Child X's final Amended EHC Plan in October 2021. This set out her special educational needs (SEN) and listed School Y in Section I. However, it said this was until a suitable placement could be found, as Child X needed a specialist school.
  26. The Council consulted with three schools, which included a school Mrs F suggested. However, it told her in early 2022 the consultations had not led to a placement offer.
  27. Mrs F asked the Council to also consult with independent schools and requested an early annual review due to the lack of progress and communication from the Council.
  28. The Council consulted two further school and an independent school Mrs F suggested.
  29. Over the following two months the Council confirmed it was only the independent school which could meet Child X's needs. It also allocated another officer to Child X's case, as Mrs F was not satisfied with the lack responses she had to her concerns.
  30. The Council's officer told Mrs F the independent school could offer Child X a place for the 2022/2023 academic year, but this had to be approved by the Council first.
  31. Mrs F asked the allocated officer for updates and chased this up when she did not get any responses.
  32. In April 2022 an early annual review meeting for Child X's EHC Plan was held. The Council also sent consultations to five schools and again to the independent school. The main discussion of the meeting was the allocation of a school placement for Child X.
  33. Over the following month the Council shared its draft EHC Plan for Child X with Mrs F. She made comments and chased the Council for its final amended EHC Plan.
  34. In response to the Council's consultation, the independent school said it could meet Child X's needs, but it no longer had space for the 2022/2023 academic year.
  35. Mrs F asked the Council for an urgent call to discuss the matter but did not receive a call back. So, she complained to the Council.

### **Mrs F's complaint**

36. Mrs F told the Council it had:
  - delayed consulting specialist placements once it identified she needed to be at a special school;
  - communicated poorly with her;
  - delayed accepting a placement offer at a suitable independent school, which could meet Child X's needs; and
  - failed to arrange suitable alternative provision until a suitable school was found.



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37. In response the Council accepted it had failed to consult enough schools which had caused delay. It also said its officer had not kept her properly informed during the consultation process and it should have told her about the officer's period of absence.
38. The Council said it would review its consultation process with schools to address some of the issues Mrs F had experienced, consider how it could resolve issues with approvals of special school placements, and it would make best endeavours to find Child X the specialist school she needed.
39. The Council subsequently consulted with a large number of schools, including independent schools.
40. In Autumn 2022 Mrs F complained to the Council again, as a school had still not been confirmed for Child X. She said the independent school had confirmed it could meet Child X's needs but the Council had failed to accept its offer for the 2022/2023 academic year. She disagreed with the Council's decision to also consult mainstream schools and said Child X's lack of proper education and therapy continued in School Y. She said the Council should accept the independent school's offer of a placement for the academic year 2023/2024 and put suitable alternative provision in place until then.
41. Mrs F also requested for Child X to receive Education Other Than At School (EOTAS). She said she did not get a response as the allocated officer was on leave.
42. In its responses the Council told Mrs F:
- it had carried out further searches for a suitable special school for Child X without success for the 2022/2023 academic year;
  - the independent school had confirmed it could meet Child X's needs, but it was never able to offer a place for 2022/2023 and did not have space until the 2023/2024 academic year. The Council had therefore continued its search for a suitable school. However, the independent school had since withdrawn its offer as it could no longer meet Child X's needs;
  - it apologised it had not managed to resolve finding a suitable school place for Child X since its previous complaint response, but would continue to consult with schools to find a suitable placement;
  - it was School Y's responsibility in the first instance to provide alternative provision to Child X. The Council became involved because it became clear it needed help. It had since supported School Y in its efforts to arrange alternative provision for Child X;
  - her request for EOTAS had to be properly considered by the Council. It apologised it did not progress this or respond during its officer's absence. However, it had since found EOTAS criteria had been met and its team would work with Mrs F to arrange this.
43. Mrs F was not satisfied with the Council's responses and the steps it had taken to find Child X a suitable school placement and alternative provision until this was in place. She asked the Ombudsman to consider her complaint.
44. Child X was removed from School Y's roll in December 2022. The Council arranged some EOTAS provision for three hours per week in early 2023 and worked to increase the provision.

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45. Mrs F has since told us the EOTAS provision the Council has arranged between January has been very limited, and Child X has continued to be without a suitable education since.
46. In response to our enquiries, the Council accepted:
- it had failed to consult schools as widely as it should have which caused delays in finding Child X a suitable school placement;
  - the independent school did offer a school placement for the start of the summer term in 2022 for Child X;
  - it had not always responded to Mrs F's communication or kept her informed about progress; and
  - its delays and failures meant Child X only received a part-time education.
47. The Council proposed a remedy of £4,000 to acknowledge the loss of educational provision Child X had experienced between October 2021 to July 2023, and £500 for the distress and time Mrs F had experienced. It also made suggestions to the service improvements it would make which included:
- recruiting additional staff;
  - review and refine its current EHC plan system and process, including how it consults with schools and makes its decisions on placements;
  - improve the way it tracks and monitors children and young people who are not in school full-time or receive alternative provision; and
  - ensure all its staff has the knowledge and skills to enable them to have greater accountability for the children with EHC plans they are responsible for.

### **Analysis and findings**

48. Mrs F's complaint relates to matters which started in Summer 2021. Her complaint is therefore late. However, I have found it appropriate to exercise my discretion to consider her concerns. This is because she has continued to work with the Council to resolve the issues throughout and raised her complaint to it without delay.

### **The Council's faults**

49. The Council agreed it was at fault for:
- its failure to consult schools as widely as it should which caused delays in finding Child X a suitable school placement;
  - the independent school did offer a school placement for start of the summer term in 2022 for Child X;
  - it had not always responded to Mrs F's communication or kept her informed about progress; and
  - Child X had only received a part time education between October 2021 to July 2023.
50. I also found the Council at fault for incorrectly informing Mrs F the independent school had never been able to accept Child X before the 2023/2024 academic year. This was because it offered Child X a place for the start of the summer term in 2022.

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### **EHC plan process**

51. The Council reviewed Child X's EHC plan twice after Mrs F and School Y requested this. I found no fault in the process the Council followed to do so. This is because it considered their views and finalised the amended EHC plans within the statutory timescales.

### **Injustice**

52. The Council agreed Child X experienced a loss of educational provision. However, I am not satisfied the Council's proposed remedy is enough to remedy the injustice Child X experienced. In reaching my view I am conscious:
- Mrs F and School Y told the Council Child X's needs could not be met by the school in 2021 and during the early annual review in July 2021;
  - the Council therefore had a duty to ensure Child X received the full-time education he was entitled to through suitable alternative provision from July 2021;
  - while Child X did attend School Y from July 2021 to December 2022, the educational provision he could access was very limited to the extent School Y described this as childminding; and
  - the EOTAS provision Child X received between January to July 2023 was very limited and only increased recently.
53. The Council also agreed Mrs F experienced distress and spent time raising her concerns to the Council. I found the Council's proposed remedy of £500 to be appropriate to acknowledge the distress Mrs X experienced as a result of its handling of her concerns and the time this has taken.
54. I found the Council's proposed service improvement recommendations to be appropriate. This is because these should ensure its service improves, prevents unnecessary delays in the consultation process with schools, and arranges suitable alternative provision for children who cannot access the education available to them.

### **Agreed action**

55. To remedy the injustice the Council caused to Mrs F and Child X, the Council should, within one month of the final decision:
- a) apologise to Mrs F in writing, and pay her £500 to acknowledge the distress and uncertainty the Council's faults caused her, including the unnecessary time and trouble she had to bring her concerns to its attention and to arrange some educational provision for Child X;
  - b) pay Mrs F £7,200, to use as she sees fit, to acknowledge the loss of education Child X experienced between July 2021 to July 2023.
- In total the Council should pay Mrs F £7,700.
56. Within three months of the final decision the Council should also:
- c) share with the Ombudsman evidence it has completed its proposed service improvement recommendations, which were to:
    - recruit additional staff to its SEND Team to effectively manage caseloads;
    - review and refine its current Education, Health and Care plan system and processes, including how it consults with school and reaches its decisions on placements;

- 
- improve the way it tracks and monitors children and young people who are not in school full-time or receive alternative provision; and
  - ensure all its staff has the knowledge and skills to enable them to have greater accountability for children with Education, Health and Care plans they are responsible for.
57. The Council should provide us with evidence it has complied with the above actions.

### **Final decision**

58. There was fault which caused an injustice. The Council has accepted my recommendations, it is on this basis I have completed my investigation.

### **Investigator's decision on behalf of the Ombudsman**

**6 September 2023****Agenda Item: 5****REPORT OF THE SERVICE DIRECTOR FOR CUSTOMERS, GOVERNANCE  
AND EMPLOYEES****LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN'S ANNUAL REVIEW  
LETTER 2022/23****Purpose of the Report**

1. To inform the Committee about Local Government & Social Care Ombudsman's (LGSCO) Annual Review letter.

**Information**

2. The LGSCO provides a free, independent and impartial service to members of the public. It looks at complaints about Councils and other organisations. It only looks at complaints when they have first been considered by the Council and the complainant remains dissatisfied. The LGSCO cannot question a Council's decision or action solely on the basis that someone does not agree with it. However, if the Ombudsman finds that something has gone wrong, such as poor service, a service failure, delay or bad advice and that a person has suffered as a result, the LGSCO aims to get the Council to put it right by recommending a suitable remedy.
3. The LGSCO publishes its decisions on its website ([www.lgo.org.uk/](http://www.lgo.org.uk/)). The decisions are anonymous, but the website can be searched by Council name or subject area. A copy of the LGSCO's annual letter is uploaded onto their website and the Council's performance data can be found as part of an interactive map [your council's performance interactive map](#)
4. The LGSCO's Annual letter is attached at Annex A. The Ombudsman has been focussed on doing the most it can with the resources they have, prioritising cases where it is in the public interest to investigate. As a result, they are less likely to carry out investigations into 'borderline' issues and are therefore finding a higher proportion of fault. This has led to the uphold rate has increasing again this year. The Ombudsman have reported a steadily increasing uphold rate for several years. The Council had an upheld rate of 81% which is higher than previous years but this is comparable with similar authorities
5. In total the Council received 966 complaints during the year 2022/23. The Ombudsman received 82 complaints in relation to this Council during the year and made decisions on 57 cases. In 2021/22 the Council received 897 complaints. LGSCO received 82 complaints and made decisions in 85 cases. Even though there were more complaints in 2022/23 there were less cases going to the Ombudsman showing work being done on earlier resolution is beginning to have an impact.

6. 34 of the Ombudsman cases for the Council were in Childrens and Education services, 26 in Adults, with the remaining 22 in Highways or other services. A lot were not investigated as the Ombudsman adapts to a new way of working. Full investigations were undertaken in 26 complaints of the 82 cases.
7. The LGSCO upheld 81% of the 26 complaints that they investigated (compared to an average of 80% in similar authorities). He is satisfied that we successfully implemented 100% of recommendations made and in a timely fashion. The Council is looking at how it can provide satisfactory remedies before reaching the Ombudsman. There are various actions that are taking place. The complaints team are carrying out workshops across the Council around complaint handling and providing remedy is part of that, the Ombudsman guidance to remedy is to be used when fault is identified when dealing with the complaint, we will liaise with the Ombudsman for further support and liaise with Councils who have a higher % of satisfactory remedy.
8. The letter refers specifically to the Public Report (already reported to this Committee in November 2022) The Ombudsman asked that the Council took prompt action after the decision and these have been completed and satisfied by the Ombudsman.

## **Statutory and Policy Implications**

9. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Data Protection and Information Governance**

10. The decisions referred to in this report are anonymised and will be publicly available on the Ombudsman's website.

## **Other Options Considered**

11. No other options considered because it's important the Committee have oversight of the annual LGO report highlighting the Council's performance for the year.

## **Reasons for Recommendations**

12. To enable Members to scrutinise complaints that went to the Ombudsman and be aware of the annual report and the learnings the Council is implementing.

## **Implications for Service Users**

13. All of the complaints were made to the Ombudsman by service users, who have the right to approach the LGSCO once they have been through the Council's own complaint process

## **RECOMMENDATION/S**

- 1) That members consider whether there are any actions they require in relation to the issues contained within the report.

**Marjorie Toward**

**Monitoring Officer and Service Director – Customers, Governance and Employees**

**For any enquiries about this report please contact:**

Richard Elston, Team Manager – Complaints and Information Team

### **Constitutional Comments (HD (Standing))**

14. Governance & Ethics Committee is the appropriate body to consider the content of this report. If the Committee resolves that any actions are required, it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments**

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All





19 July 2023

*By email*

Mr Smith  
Chief Executive  
Nottinghamshire County Council

Dear Mr Smith

### **Annual Review letter 2022-23**

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

### **Complaint statistics**

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

**Complaints upheld** - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with

that of similar organisations, rather than previous years, to better understand your organisation's performance.

**Compliance with recommendations** - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

### **Your organisation's performance**

During the year, we [issued a public report](#) about your Council's handling of a complaint about Free Early Education Entitlement. Our investigation found the Council did not meet its duty to work with a provider to ensure a parent had access to a free place. We also found the Council did not properly address the complaint before it came to us.

We recommended the Council apologise to the complainant and make payments for distress, and the time and trouble taken to complain. We also asked the Council to refund the complainant 50% of the charges paid when they should have been receiving funded hours and review the provider's policy and practice to prevent recurrence.

The Council did not initially accept our recommendations however we are pleased it then complied with them in a timely manner.

In another case, it was disappointing to see that your Council, having agreed to a specific financial remedy, failed to communicate accurately with the complainant, sending them a letter which did not offer the full amount. While you promptly corrected this, after being notified by my staff, it protracted the process and likely added to the complainant's distress.

### **Supporting complaint and service improvement**

I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling

code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

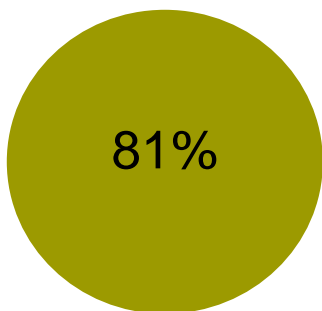
In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training) or get in touch at [training@lgo.org.uk](mailto:training@lgo.org.uk).

Yours sincerely,



Paul Najsarek  
Interim Local Government and Social Care Ombudsman  
Interim Chair, Commission for Local Administration in England

### Complaints upheld



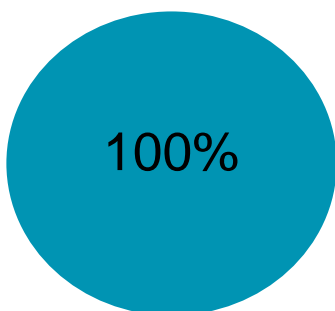
**81%** of complaints we investigated were upheld.

This compares to an average of **80%** in similar organisations.

**21**  
upheld decisions

Statistics are based on a total of **26** investigations for the period between 1 April 2022 to 31 March 2023

### Compliance with Ombudsman recommendations



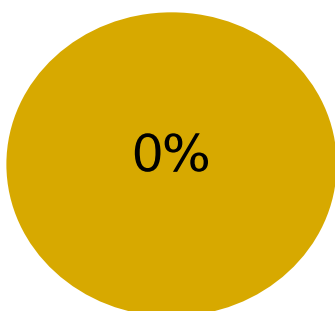
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **100%** in similar organisations.

Statistics are based on a total of **16** compliance outcomes for the period between 1 April 2022 to 31 March 2023

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

### Satisfactory remedy provided by the organisation



In **0%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **6%** in similar organisations.

**0**  
satisfactory remedy decisions

Statistics are based on a total of **21** upheld decisions for the period between 1 April 2022 to 31 March 2023

**6 September 2023**

**Agenda Item: 6**

## **REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND EMPLOYEES**

### **MEMBERS' TRAVEL AND SUBSISTENCE SCHEME**

#### **Purpose of the Report**

1. In line with the committee's request, the report provides an opportunity for members to consider the members' travel scheme. It asks members to consider whether they would endorse a review of the processes associated with the scheme by the Council's Internal Audit function.

#### **Information**

2. At its meeting on 14 June 2023, members of the Governance and Ethics Committee raised questions about the Members' travel scheme and the types of duties for which travel expenses can be claimed.
3. The travel scheme for members sits in Section 10 of the Council's Constitution alongside the Councillors' allowances scheme (Appendix A). Part D of Section 10 sets out provisions for travelling and subsistence. It also states that all travel arrangements must be in accordance with the County Council's Travel and Accommodation Policy which is appended to the relevant section of the Constitution.

#### **Travel allowances**

4. Section 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003 sets out that a scheme for travel and subsistence allowance should, in addition to travelling by car, include travel by bicycle or any other non-motorised form of transport. The duties for which allowances are paid are specified within the scheme and must fit within one or more of the following categories, which are set out in the Regulation (summarised below):
  - a. A meeting of the authority, any committee or sub-committee of the authority, of any body to which the Council makes an appointment (or any committee or sub-committee thereof)
  - b. Any meeting authorised by the authority (or a committee or sub-committee), or a joint committee where either two or more political groups have been invited, or if the authority is not divided into political groups, at least two members are invited

- c. A meeting of any association of authorities of which the authority is a member
  - d. A meeting of the executive or any of its committees
  - e. Where a standing order requires a member(s) to be present when tender documents are opened
  - f. Performing any duty where the authority is empowered or required to inspect or authorise the inspection of premise
  - g. Performing any duty in connections with arrangements made by the authority for the attendance of pupils at any school
  - h. Any other duty approved by the authority for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees
5. Schedule 2 sets out duties for which travelling allowances may be paid. The Nottinghamshire scheme provides for payment of travel expenses for duties that meet the criteria listed above. It also sets out arrangements and exceptions regarding:
- Training and learning events, including conferences and seminars
  - Political group meetings
  - Travel outside Nottinghamshire
6. Included within the scheme are two general duties:
7. **Duty 3:** *“[Travel] Anywhere in the County area, in connection with the functions of the County Council and related to your role as an elected representative.”* Where a Councillor makes a claim for activity under duty 3 of the scheme, they must clearly state the purpose of the visit on their travel claim form.
- Duty 7:** *“Travel expenses may be payable for events not covered...[in duties 1 to 6] but this will be with approval of the Monitoring Officer in consultation with the Chair of the governance and Ethics Committee.”*
8. Duty 3 provides scope for members to claim travel expenses under duties e to g as set out in the Regulations. Both duties 3 and 7 of the Nottinghamshire scheme also provide the local arrangements and requirements around clause h of the duties set out in the Regulations.
9. Duty 3 allows members to claim travel expenses for, amongst other things, casework and attending parish council meetings within their Division. The combination of duties 3 and 7 also provide scope for dealing with unexpected events and activities related to them. This could cover supporting constituents during localised incidents like flooding, or more widely during the pandemic to help meet the Council’s statutory duty to promote the wellbeing of adults with needs for care and support.
10. The list of approved duties within the Nottinghamshire scheme was agreed by Council on 13 July 2017 and forms part of the scheme of members allowances approved in both 2021 after the last main County elections and 2022 after the change in Council governance arrangements.

11. The arrangements for Councillors align with County Council employees' terms and conditions. In addition to Councillors, these arrangements also apply to statutory co-optees, members of education appeals panels, Independent Persons and other co-opted members.
12. The scheme provides for members to claim travel allowances when using their own vehicle, including a bicycle, or public transport. It also sets out the circumstances under which claims can be made for journeys by taxi.
13. Each year, in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, the Council must publish payments made to each Councillor under the Members' allowance scheme, including travelling and subsistence allowance.
14. Over the last four years, the total cost of travel and the average cost of travel per member are set out in the table below:

	<b>Total mileage costs</b>		<b>Average cost per Cllr</b>	
2019/20	£	56,666.52	£	858.58
2020/21	£	7,730.90	£	117.13
2021/22	£	32,249.15	£	488.62
2022/23	£	44,265.85	£	670.69

**Formulation and review of a scheme for Members' travel and subsistence**

15. Any scheme for travel and subsistence is made following receipt of recommendations from the Council's Independent Remuneration Panel (IRP). Whilst the Council is not required to follow the Panel's recommendations, it must take them into consideration. Similarly, any changes to the scheme must proceed following receipt of recommendations from the IRP. This is a time-consuming process as it would involve convening the Panel, collection and analysis of benchmarking data from those Council's considered by CIPFA to be most similar to Nottinghamshire County Council, and collecting evidence from members. There would also be an internal resource impact as well as a direct financial cost associated with calling a meeting of the IRP.
16. The implementation and application of the scheme is reviewed periodically by the Council's Internal Audit function. The last audit of travel allowances was undertaken in April 2015, before the list of approved duties was updated. Given the time since the last audit and the fact that no audit has been undertaken since the policy has been updated, it would not be unreasonable to request an audit to provide assurance over processes associated with the Members' allowance scheme. The benefit of this approach is that it would involve reviewing the operational application of the scheme rather than reviewing the terms and scope of the scheme itself.

**Other Options Considered**

17. Members could request a review of the scheme by the IRP; as noted above, this would be time consuming. It would also incur costs which have not been included in the service's budget as well as demand officer resource for researching and supporting the Panel.

## **Reason/s for Recommendation/s**

18. The report has been produced for Committee at the request of Members.
19. Commissioning a review through Internal Audit would provide assurance to members around the scheme. Where Internal Audit identifies any areas for improvement, it would make recommendations, which should give assurance to members about the scheme and how it is being used.

## **Statutory and Policy Implications**

20. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

21. Any review by Internal Audit would need to be factored into the Internal Audit plan and the hours available. If the work is undertaken as an addition to its work programme, there will be an additional cost that would need to be absorbed through the Council's internal audit arrangements.

## **Human Resources Implications**

22. The current travel and subsistence arrangements are consistent with those in place for County Council employees.

## **Implications for Residents**

23. When the Members' Allowance Scheme was reviewed in July 2017, Members agreed to increased flexibility to support Councillors conducting casework and supporting their constituents.

## **Implications for Sustainability and the Environment**

24. When supporting residents and carrying out their duties as Councillors, Members will need to consider the most appropriate method for doing this. Members' travel choices are a contributory factor to the Council's commitment for its activities to be carbon neutral by 2030 and achieving a net zero Nottinghamshire by 2050.
25. Councillors may seek to engage with residents in different ways that support sustainability and have less impact on the environment but each Member would need to determine what was appropriate on a case-by-case basis. Members can choose to take advantage of technology where it is appropriate to do so, and the Council can support this by providing training and support on the tools available.



26. Further work could be done to identify alternative drop-in points for Councillors that might assist them in managing mileage.

## **RECOMMENDATIONS**

- 1) That the contents of the report be noted.
- 2) That members consider whether to recommend an internal audit is carried out to provide assurance over the processes associated with Members' travel claims.

**Marjorie Toward**  
**Service Director, Customers, Governance and Employees**

**For any enquiries about this report please contact:**

Jo Toomey, Advanced Democratic Services Officer Tel. 0115 977 4506

E-mail: [jo.toomey@nottsc.gov.uk](mailto:jo.toomey@nottsc.gov.uk)

### **Constitutional Comments (HD – 15/8/2023)**

27. In addition to its general remit for issues relating to governance, Governance and Ethics Committee has the authority to resolve any issues arising from the Members Allowances Scheme within its terms of reference and therefore has the authority to determine the recommendations within the report.

### **Financial Comments (SES 16/08/2023)**

28. There are no specific financial implications arising directly from this report.

29. Any review by Internal Audit would need to be factored into the Internal Audit plan and the hours available. If the work is undertaken as an addition to its work programme, there will be an additional cost that would need to be absorbed through the Council's internal audit arrangements.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- [Local Authorities \(Members' Allowances\) \(England\) Regulations 2003](#)
- Agenda and minutes of Nottinghamshire County Council meeting on 13 July 2017

### **Electoral Division(s) and Member(s) Affected**

- All



## SECTION 10

### COUNCILLOR INFORMATION

#### PART 1 – COUNCILLORS' ALLOWANCES SCHEME

1. This scheme, which may be cited as the **Nottinghamshire County Council Members' Allowances Scheme**, was approved by Nottinghamshire County Council on 24 November 2022, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations").
2. This Scheme replaces all previous Members' Allowances Schemes.
3. The Allowances mentioned in this scheme shall:
  - be implemented with effect from 25 November 2022
  - be updated in line with the headline pay award for Local Authority staff.
4. Any other amendments to the scheme will be determined solely by the County Council (following receipt of recommendations from the Independent Remuneration Panel unless the amendments are broadly within the spirit and overall cost envelope of the existing scheme).
5. In this scheme:
  - "councillor" means a Member of Nottinghamshire County Council who is a councillor;
  - "Independent Person" means a person appointed by the Council to provide their views regarding complaints under the Code of Conduct for Councillors and Co-opted Members;
  - "statutory Co-optee" means a person (other than a councillor) who is statutorily appointed to membership of a Council committee (other than the Health and Wellbeing Board) or an independent member of the Nottinghamshire Police and Crime Panel;
  - "year" means the 12 months ending with 31 March.

#### PART A – ALLOWANCES FOR COUNCILLORS

##### BASIC ALLOWANCE

6. Subject to paragraphs 12, 14 and 19, for each year a Basic Allowance of £15,894.98 shall be paid to each councillor.

## **SPECIAL RESPONSIBILITY ALLOWANCES**

7. Subject to paragraphs 12, 14 and 19, for each year a Special Responsibility Allowance shall be paid to those councillors who have been appointed or recognised by the Council or have been notified to the Chief Executive by their Group as holding the special responsibilities in relation to the authority that are specified in Schedule 1 to this scheme.
8. Subject to paragraphs 12, 14 and 19, the amount of each such allowance shall be the amount specified against that special responsibility in Schedule 1.
9. No councillor may receive more than one Special Responsibility Allowance. In the event that a councillor holds more than one position for which a Special Responsibility Allowance is payable then they shall receive whichever of the applicable Allowances which they select.

## **ATTENDANCE ALLOWANCE**

10. No attendance allowance shall be payable under this scheme, either for Council duties per se, or in respect of appointments to outside bodies.

## **RENUNCIATION**

11. A councillor may by notice in writing given to the Chief Executive elect to forego any part of their entitlement to an allowance under this scheme.

## **PART-YEAR ENTITLEMENTS**

12. In accordance with the requirements of the Regulations, pro-rata payments of Basic Allowance or Special Responsibility Allowances shall be payable to eligible councillors in any of the following circumstances:
  - a. if an amendment to this scheme changes the amount to which a councillor is entitled by way of a Basic Allowance or a Special Responsibility Allowance;
  - b. where the term of office of a councillor or their appointment to a role eligible for Special Responsibility Allowance begins or ends otherwise than at the beginning or end of a year.

## **LONG-TERM SICKNESS**

13. Nothing in this section overrides the provisions of the Local Government Act 1972 relating to vacation of office by failure to attend meetings throughout a period of six months.
14. In the event of long-term sickness absence full Special Responsibility Allowance shall be payable to eligible councillors, reducing to 50% after six months and

ceasing after 12 months. The Council's Governance and Ethics Committee may vary this in exceptional circumstances.

15. If a councillor is appointed to deputise for a councillor on long-term sickness the Governance and Ethics Committee may create a deputising allowance payable after the first three months.

### **MATERNITY / SHARED PARENTAL LEAVE AND ADOPTION LEAVE**

16. In the event of absence for maternity/shared parental leave or adoption full Special Responsibility Allowance shall be payable to eligible councillors for a period of up to six months.

### **PAYMENT**

17. Payment of Basic and Special Responsibility Allowances shall be made in equal instalments. The frequency of those instalments shall be monthly.

### **TRAVEL AND SUBSISTENCE ALLOWANCES**

18. Travel and in some circumstances subsistence allowances may be claimed by councillors. The arrangements for these allowances are included in Part D of this scheme.

### **DEPENDANTS' CARERS' ALLOWANCES**

19. Councillors may claim up to £7.50 per hour per child for child care and up to £19.80 per hour per dependant (subject to the provision of receipts) (to be uprated further by the Monitoring Officer, in consultation with the Chairman of Governance and Ethics Committee, where evidenced this is appropriate) for other dependants in respect of expenses for the care of their children or other dependants when attending meetings of the Council, its subordinate bodies or other approved duty as described in Schedule 2 to this scheme.
20. Only one payment of Dependants' Carers' Allowance may be claimed in respect of the household of each councillor.
21. Payments, which will not be payable to a member of the claimant's own household, will be made only when supported by a receipt.
22. In circumstances of particular difficulty the Monitoring Officer, in consultation with the Chairman of Governance and Ethics Committee, is authorised to increase the allowance payable.

### **PART B – ALLOWANCES FOR STATUTORY CO-OPTees, OTHER CO-OPTED MEMBERS AND INDEPENDENT PERSONS**

23. That all statutory Co-optees, other Co-opted Members and Independent Persons be entitled to receive an allowance of £665.

### **ATTENDANCE ALLOWANCE**

24. No attendance allowance shall be payable under this scheme, either for Council duties per se, or in respect of appointments to outside bodies.

### **RENUNCIATION**

25. A Statutory Co-optee, other Co-opted Member or Independent Person may by notice in writing given to the Chief Executive elect to forego any part of their entitlement to an allowance under this scheme.

### **PART-YEAR ENTITLEMENTS**

26. Pro-rata payments of the above allowance shall be paid in any of the following circumstances:

- a. if an amendment to this scheme changes the amount applicable;
- b. where the term of office begins or ends otherwise than at the beginning or end of a year.

### **PAYMENT**

27. Payment of the above allowance shall be made in equal instalments. The frequency of those instalments shall be monthly in arrears.

### **TRAVEL AND SUBSISTENCE ALLOWANCES**

28. Travel and in some circumstances subsistence allowances may be claimed. The arrangements for those allowances are included in Part D of this Scheme and a description of the duties for which they may be claimed is shown at Schedule 2 to this scheme.

### **PART C – ALLOWANCES FOR EDUCATION APPEAL PANEL MEMBERS**

29. For the purposes of the payment of financial loss allowance under Section 173(4) of the Local Government Act 1972, Members of Education Appeal Panels are to be treated as Members of the authority.

30. Subject to providing sufficient documentary evidence identifying actual financial loss, allowances up to a maximum of £229.00 per day may be claimed by Panel Members for attendance at Panel meetings.

31. Travel allowances may be claimed by Panel Members. The arrangements for those allowances are included at Part D of this scheme. Lunch will be provided by the Council at no charge for Panel meetings.

32. Panel Members may routinely claim £30 each financial year towards the costs of printing hearing paperwork (receipts are not required). Where the volume of

hearings and printing by individual Panel Members results in additional costs then the Team Manager, Democratic Services may authorise one further payment of £30 in any financial year.

## **PART D – TRAVELLING AND SUBSISTENCE**

33. The provisions contained in this part are aligned with the terms and conditions for County Council employees and any future changes to employee terms and conditions will also be reflected by changes to this part.

### **TRAVELLING ALLOWANCE**

34. This part is in accordance with Sections 174-175 and Regulations made under the Local Government Act 1972. It applies to Councillors, Statutory Co-optees, Members of Education Appeals Panels, Independent Persons and other Co-opted Members.
35. Travelling allowances may be claimed in respect of each occasion on which one of the persons described above carries out a duty as described in Schedule 2 to this Scheme.
36. All travel arrangements must be in accordance with the County Council's TRAVEL AND ACCOMMODATION POLICY, which is appended to this scheme.
37. If a claimant uses their own motor car or one belonging to a member of their family, or otherwise provided for their use and subject to the claimant having the appropriate insurance, the rate for travel, which is the same as for officers using their own vehicles on a casual basis, shall be as follows:

<b>up to 10,000 miles</b>	<b>over 10,000 miles</b>	
45.0p	25.0p	
Motor Cycles		24.0p
Cycles		20.0p
Public Transport Rate		22.6p

38. The distance claimed for mileage should be the shortest most reasonable journey by road from the point of departure to the point at which the duty is performed, and similarly from the duty point to the place of return.
39. If a claimant travels by taxi, the claim must not exceed:
- in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity actually paid;
  - in any other case, the amount of the fare for travel by appropriate public transport.

- c. Any claims by Members for travel costs where the Council has provided shared transport will only be payable in exceptional circumstance and subject to the agreement of the Team Manager (Democratic Services).

### **SUBSISTENCE ALLOWANCES**

40. This part is in accordance with Sections 174-175 and Regulations made under the Local Government Act 1972. It applies to Councillors, Statutory Co-optees, other Co-opted Members and Independent Persons.
41. Subsistence allowances may be claimed only in exceptional circumstances such as overnight stays on occasions on which a person described above carries out a duty as specified in Schedule 2 to this scheme.
42. When carrying out approved duties within the UK and subsistence is payable due to exceptional circumstances, the amounts shown below may be claimed.
  - a. Breakfast – where leave home before 7.00 am - £4.48
  - b. Lunch – where away from base for whole of lunch period (12.00 and 2.00 pm) - £6.17
  - c. Tea – if work continues after 6.30 pm - £2.43
  - d. Evening meal – if work continues after 8.30 pm - £7.64
  - e. Tea and evening meal allowances are not normally payable on same day.
  - f. Out of pocket expenses – single night - £3.63  
– weekly rate - £14.55
43. Councillors, Statutory and other Co-optees and Independent Persons may aggregate daily subsistence allowances.
44. Where a Councillor, Statutory and other Co-optee or Independent Person attends a UK conference or other event which involves an overnight stay, hotel accommodation will be booked and paid for by Travel and Transport Services in accordance with the TRAVEL AND ACCOMMODATION POLICY. In exceptional circumstances where this has not been possible, the County Council will reimburse reasonable expenses, provided they are supported by receipts and subject to a maximum overnight expenditure on accommodation of £115.00 (including VAT).
45. Where a claimant attends a conference or other event which is held outside the UK, they may claim the amounts shown in the Council's TRAVEL AND ACCOMMODATION POLICY.



## SCHEDULE 1

## SPECIAL RESPONSIBILITY ALLOWANCES

Band	% of Leader's SRA	Amount of Allowance (pa)	Current role
1	100	£37,274.61	<ul style="list-style-type: none"> <li>Leader of the Council</li> </ul>
2	70	£26,092.24	<ul style="list-style-type: none"> <li>Deputy Leader of the Council</li> </ul>
3	66	£24,601.25	<ul style="list-style-type: none"> <li>Cabinet Members</li> </ul>
4	60	£22,364.77	<ul style="list-style-type: none"> <li>Chairmen of Main Committees (as defined by the Independent Remuneration Panel)</li> </ul>
5	50	£18,637.31	<ul style="list-style-type: none"> <li>Chairman of County Council*</li> </ul>
6	49.5	£18,450.93	<ul style="list-style-type: none"> <li>Leader of an Opposition Group</li> </ul>
7	45	£16,773.57	<ul style="list-style-type: none"> <li>Chairmen of scrutiny Select Committees</li> </ul>
8	33	£12,300.62	<ul style="list-style-type: none"> <li>Deputy Cabinet Members</li> </ul>
9	30	£11,182.38	<ul style="list-style-type: none"> <li>Vice-Chairmen of Main Committees (as defined by the Independent Remuneration Panel)</li> </ul>
10	24	£8,945.91	<ul style="list-style-type: none"> <li>Vice-Chairman of the County Council*</li> </ul>
11	23	£8,573.16	<ul style="list-style-type: none"> <li>Vice-Chairmen of scrutiny Select Committees</li> </ul>
12	18	£6,709.43	<ul style="list-style-type: none"> <li>Deputy Leader of an Opposition Group</li> <li>Business Manager of an Opposition Group</li> </ul>
13	14.66	£5,466.46	<ul style="list-style-type: none"> <li>Opposition Group Spokespersons**</li> </ul>
14	12	£4,472.95	<ul style="list-style-type: none"> <li>Chairman of the Nottinghamshire Police and Crime Panel (where that person is a County Councillor or an Independent Co-opted Member)</li> </ul>

### Note

- \* These SRAs include an element for clothing. Sections 3(5) and 5(4) (as appropriate) of Part 1 of the Local Government Act 1972, enables the County Council to make a reasonable payment to the Chairman and Vice-Chairman to enable them to meet the expenses of their office.
  
- \*\* The number of Opposition Group Spokespersons must not exceed more than 50% of the number of committees for which a Chairman's SRA is payable, not including any Committees for which the Groups have already been offered a Vice-Chairman position (this figure will be rounded down to the nearest Spokesperson role – e.g. 13 Committees = 6 Spokespersons). The Opposition Groups will decide which committees they wish to appoint these roles for.

## **SCHEDULE 2**

### **APPROVED DUTIES (TRAVELLING AND SUBSISTENCE ALLOWANCES)**

#### **FOR COUNCILLORS**

#### **APPROVED DUTIES (TRAVELLING AND SUBSISTENCE ALLOWANCES) FOR COUNCILLORS**

Travel Expenses will be paid to Members when they are undertaking their duties as a County Councillor.

Duties covered include:-

1. Attendance at Council meetings or Joint Committees and attendance at Council offices or establishments.
2. Attendance at conference, seminars or other training or learning events, in connection with the functions of the County Council and related to your role as an elected representative, where no fee is payable. (N.B. Travel Claim Form must clearly state the title of the event).
3. Anywhere within the County area, in connection with the functions of the County Council and related to your role as an elected representative (N.B. Travel Claim Form must clearly state the purpose of the visit).
4. Attendance at any meeting or events of Outside Bodies or organisation to which you have been appointed by the Council unless a fee or allowance is paid by that body to you to cover such expenses. If such a body has its own travel scheme, claims should be made to that body.
5. Meetings of Political Groups are not covered unless they have been arranged solely for the purpose of discussing County Council business or are requested by the Chief Executive to discuss a particular issue.
6. Travel outside of the County Council administrative boundaries is also claimable where it can be evidenced that this is essential for County Council related business or conference, seminar or training or learning event where no fee is payable.
7. Travel expenses may be payable for events not covered above but this will be with approval of the Monitoring Officer in consultation with the Chair of the Governance and Ethics Committee.

#### **FOR STATUTORY CO-OPTees, OTHER CO-OPTED MEMBERS AND INDEPENDENT PERSONS**

Travel expenses will be paid to Statutory Co-optees, other Co-opted Members and Independent Persons when they are:-

1. Attending any meeting of the Council at which they are a properly appointed member.
2. Attending an event in connection with their role.
3. In the case of Independent Co-opted Members of the Nottinghamshire Police and Crime Panel, such costs will be recoupable through the Home Office grant received by the County Council as host authority to the Panel.

### **MEMBERS OF EDUCATION APPEALS**

May claim travel allowance in respect of meetings and training events in connection with their role as Panel Members.

### **FOREIGN TRAVEL**

No member, Co-optee or Independent Person can travel abroad on County Council business without prior approval in accordance with the Travel and Accommodation Policy.

### **SUBSISTENCE**

Subsistence is only claimable in exceptional circumstances and will only be paid on receipt of actual expenses incurred and detail of meals provided. This will only apply to stays of under 72 hours. Subsistence will not be paid for any stay in excess of this without prior approval of the Monitoring Officer in consultation with the Chair of Governance and Ethics Committee.

## **APPENDIX**

### **ADMINISTRATIVE MATTERS**

#### **SUBMISSION OF CLAIMS**

1. Claims are processed through Democratic Services and paid through the payroll system.
2. The following deductions will be applied to late claims:
  - a. 6-12 months' delay – 10% reduction
  - b. more than 12 months' delay – 20% reduction
  - c. more than 2 years' delay – referral to Governance & Ethics Committee for consideration.

#### **INCOME TAX**

3. Tax will be deducted from payments of Basic Allowance and Special Responsibility Allowances. This will be at the standard rate of tax unless a Member makes arrangements with his Tax Inspector for a tax code to be allotted and notified to the County Council.
4. The County Council deals with:

HM Inspector of Taxes  
(Nottingham 1)  
Castle Meadow  
Castle Meadow Road  
Nottingham  
NG2 1AB
5. A return of tax deducted from allowances is made to the Inland Revenue at the end of each financial year and a P60 is provided to each councillor.
6. Arrangements have been made with the Inspector of Taxes (Nottingham 1) whereby Councillors on application can obtain, where appropriate, tax relief on their expenses of office. Further guidance is available from the Chief Finance Officer.

#### **SOCIAL SECURITY**

7. Contributions
  - a. National insurance contributions are payable on any payment of Basic Allowance and Special Responsibility Allowances provided the gross amount reaches a lower earnings limit in a certain period, unless a certificate of non-

liability is produced (supplied by the Contributions Agency). The Chief Finance Officer will advise on the detailed operation of the scheme.

### 8. Benefits

- a. The receipt of Basic and Special Responsibility Allowances affects benefits. Councillors should notify the Benefits Agency of amounts received.
- b. The contribution paid by Councillors counts toward the full range of contributory benefits.

### **PART 2 – TRAVEL AND ACCOMMODATION POLICY**

1. This policy (the Nottinghamshire County Council Travel Policy) covers the approval and booking arrangements for travel and accommodation required in connection with the Council's business. It does not apply to travel and accommodation required in connection with direct service delivery e.g. school, trips, service users' outings, where the relevant Departments will have their own procedures.
2. This policy replaces all previous policies, decisions and/or precedents relating to travel undertaken in connection with the business of the Council.
3. The power to amend this policy is reserved to the full Council.
4. The practices in this policy shall, as far as possible, reflect the contents of the County Council's Members' Allowances Scheme and the Terms and Conditions of Service for Employees (see paragraph 9 of the Financial Regulations and D7 and D10 of the Personnel Handbook).
5. In the event that a conflict arises between this Policy and the Members' Allowances Scheme the Monitoring Officer and the Chief Executive will mediate and determine the matter following consultation with the Leader.

#### **General principles**

6. The policy is based on the following principles:
  - a. the proper conduct of business, and the overall efficiency of the Council;
  - b. transparency and accountability;
  - c. achieving Best Value in the use of the Council's resources, benefiting the community, the Council and councillors;
  - d. meeting the needs of those with disabilities and/or health problems.

#### **Approval processes**

7. Any travel covered within Schedule 2 of the Councillors' Allowances Scheme may be undertaken without prior approval.
8. All other travel must be approved in advance in accordance with the following:

Participant	Description	Approval required from
Councillors, Statutory and other co-opted members	(a) All travel within mainland UK not described in Schedule 2 of the Members' Allowances Scheme.	The relevant Committee for Committee related travel or Governance and Ethics Committee for all other issues.
	(b) Outside the UK	Governance and Ethics Committee
Officers	(a) Within the UK	Relevant chief or other officer in accordance with departmental procedures
	(b) Outside the UK	Relevant Corporate Director with a quarterly report to Governance and Ethics Committee

9. The County Council recognises that, in cases of genuine urgency, it may not be possible to obtain formal approval from the relevant committee prior to the expected date of travel. In these cases, the Urgency Procedure (Part Five of the Constitution) should be used.

### **Booking arrangements**

10. With the exception of travel by private car in connection with the day to day business of the Council, all arrangements and/or bookings for travel and accommodation approved under this policy must be made by Transport and Travel Services in the Place Department.
11. Provisional bookings will not be made unless approval has been given in accordance with paragraph 8 of this policy.

### **Method of travel**

12. At all times, the chosen method of travel must be the most cost-effective method, taking into account the value of time saved, anticipated subsistence and other expenses and any other relevant matters.

### **Travel within the UK (mainland)**

13. Public transport should normally be used, unless the use of private/self-drive hire/civic cars is proved to be the most cost effective option, taking into account mileage charges, anticipated subsistence, other expenses and any other relevant consideration including but not limited to those at paragraph 14.



14. The use of private cars to attend events out of the County area must be determined in relation to the following criteria:
  - a. cost in comparison to other options;
  - b. availability of public transport;
  - c. business requirements;
  - d. disability or health considerations.
15. Other options which must be considered prior to approving the use of private cars are:
  - a. car sharing;
  - b. use of hire cars/pool cars;
  - c. use of civic cars.
16. Any travel by train within mainland UK will usually be standard class fare unless travel by other classes of ticket is cheaper overall.
17. Any councillor or officer requesting first class rail travel must give reasons which shall be recorded in the register referred to the section below.
18. Councillors are encouraged to purchase appropriate railcards if eligible, in which case the Council will reimburse two-thirds of the cost. Councillors should advise Transport and Travel Services that they have a railcard at the time of booking, to ensure that a reduced price ticket is obtained.
19. Air travel within mainland UK will be permitted only where the cost/convenience brings benefits to the Council.

### **Travel to Northern Ireland/Republic of Ireland/Outside the UK**

20. Where available, and subject as follows, economy class should be used for all air, sea or land (i.e. rail) travel where this the most cost effective.
21. The County Council recognises that there will be occasions where it is not appropriate to use economy class i.e. where there are health or disability issues to be considered. In these cases, a higher class of travel may be permitted, wherever possible, subject to prior approval being by Governance and Ethics Committee.

### **Accommodation**

22. Mid-range hotels of good standard with appropriate business facilities will be chosen within safe and reasonable access to where the business of the visit is to take place.

23. For conferences, the added value of all-inclusive packages will be evaluated against making separate hotel arrangements.

### **Subsistence and other expenses**

#### **Within the UK (including Northern Ireland)**

24. All costs of the approved method of travel will be paid by the County Council.
25. Subsistence allowances may be claimed in exceptional circumstances. They will be the same for councillors, Statutory Co-optees, other co-opted Members and officers. Details of the amounts which may be claimed are in the Members' Allowances Scheme.
26. Claims should be made on the forms provided as follows:
  - a. officers – from their Department;
  - b. councillors and others covered by the Members' Allowances Scheme – from Democratic Services.
27. Receipts should be obtained for all expenditure incurred.

#### **Outside the UK**

28. Accommodation will be booked and paid for by Transport and Travel Services in the Place Department on behalf of the County Council.
29. Subsistence allowance may be claimed for actual reasonable expenses incurred on meals, beverages, transport within the foreign country, laundry, 'phone calls etc.
  - a. The current maximum amount for subsistence per 24 hours for countries within the European Union is £75.00 (plus £10 per day for unreceipted out of pocket expenses).
  - b. For travel to other destinations, Transport and Travel Services will calculate a maximum amount for subsistence per 24 hours. That amount will be notified to relevant committee when approval is sought for the travel to be undertaken.
30. The above rates assume that all meals (excluding breakfast) will have to be paid for from the subsistence allowance. If meals are provided as part of the visit and at no personal cost to the Council's representative(s) the daily allowance will be reduced by 20% for each meal provided.
31. Receipts must be obtained wherever practicable for all claimable expenditure. Where this is not possible, a written statement will be required from the person claiming allowances.

### **Administration of the policy**

32. All travel tickets and/or accommodation required under this policy must be booked through Transport and Travel Services in the Place Department.
33. Before any bookings are made, Transport and Travel Services will require written confirmation of approval. Where the cost is to be met by a Department, the appropriate budget code(s) for the expenditure will also be required.
34. Subject to normal formalities, Transport and Travel Services can arrange advances of cash, foreign currency and travellers' cheques. Any unspent cash/currency or travellers' cheques must be returned to Transport and Travel Services within one month of return from the visit.
35. All claim forms, together with receipts and details of expenses incurred must be submitted within one month of return from the visit.
36. County Council credit cards must only be used for claimable expenses incurred in carrying out the County Council's business and all receipts/vouchers in respect of any expenditure met in this way must be passed to Financial Services within one month of return from the visit.
37. Where the Council's representative wishes, for personal reasons, to extend their stay at the destination to which they have travelled, this is permitted on the strict understanding that no additional cost falls to be met by the Council and that all expenses in connection with the extension of stay are reimbursed before the date of outward travel.
38. Where the Council's representative is accompanied by a partner, the Council must be reimbursed for all expenses to be incurred in respect of travel arrangements made by Transport and Travel Services in respect of the partner before the date of outward travel.

### **Record keeping**

39. Transport and Travel Services will maintain a public register of the following information in respect of each item or travel undertaken under this policy:
  - a. name of traveller/participant;
  - b. purpose of travel/visit;
  - c. dates of travel;
  - d. destination;
  - e. method/class/cost of travel and/or accommodation;
  - f. cost of insurance;

- g. amount(s) of allowances paid;
  - h. details of the date approval was given and the identity of the decision maker (including details of specific additional approvals from time given in respect of, for instance, travel by other than standard class);
  - i. the date on which the Council's representative(s) submitted a report on the outcome/value of the visit, where appropriate.
40. The register shall be available for public inspection and shall be published on the Council's website.
41. Annual reports shall be made which shall give:
- a. details of the totality of travel undertaken under this policy;
  - b. information as to occasions upon which other than standard/economy class travel or its equivalent has been used.

**6 September 2023**

**Agenda Item: 7**

## **REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND EMPLOYEES**

### **WORK PROGRAMME**

#### **Purpose of the Report**

1. To review the Committee's work programme.

#### **Information**

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the Committee's agenda, the scheduling of the Committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and Committee meeting. Any member of the Committee is able to suggest items for possible inclusion.
3. The attached work programme includes items which can be anticipated at the present time.

#### **Other Options Considered**

4. The option to not present a work programme to the Committee was rejected as it would not allow forward planning or management of agenda items.

#### **Reason/s for Recommendation/s**

5. To assist the Committee in preparing and managing its work programme.

#### **Statutory and Policy Implications**

6. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

- 1) That Committee considers whether any changes are required to the work programme.

**Marjorie Toward**

**Service Director, Customers, Governance and Employees**

**For any enquiries about this report please contact:**

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### **Constitutional Comments (EH)**

7. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

### **Financial Comments (NS)**

8. There are no financial implications arising directly from this report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All

**GOVERNANCE & ETHICS COMMITTEE – WORK PROGRAMME (as at 6 September 2023)**

<b>Report Title</b>	<b>Brief Summary of agenda item</b>	<b>Lead Officer</b>	<b>Report Author</b>
<b>18 October 2023</b>			
Update on Local Government and Social Care Ombudsman Decisions	To consider any recent findings of the Local Government Ombudsman in complaints made against the County Council	Marie Rowney	Richard Elston
EHC Annual Review update report	To update the committee on performance against national targets	Peter McConnochie	Robert Briggs
Financial Regulation Waivers	To report on the number and value of financial waivers granted through 2021/22	Nigel Stevenson	Kaj Ghattaora
Update on use of resources by Councillors	Annual update to the Committee on the use of resources by Councillors	Marjorie Toward	Jo Toomey
<b>29 November 2023</b>			
Update on Local Government and Social Care Ombudsman Decisions	To consider any recent findings of the Local Government Ombudsman in complaints made against the County Council	Marie Rowney	Richard Elston
Whistleblowing Policy Review	To consider the outcome of the review	Marjorie Toward	Heather Dickinson/ Catherine Haywood
Internal Audit Term 1 Progress and Term 3 Plan 2023/24	To consider proposed audit coverage for Term 3	Nigel Stevenson	Simon Lacey
Annual Audit Findings report 2022/23	To consider the Annual Audit Findings	Nigel Stevenson	Glen Bicknell
Statement of Accounts	To seek approval for the 2021/22 Statement of Accounts and present the External Auditor's Audit Findings Report	Nigel Stevenson	Glen Bicknell
Follow-Up of Internal Audit recommendations – 6 monthly update	To consider an update on progress with implementing agreed actions from Internal Audit reports	Nigel Stevenson	Simon Lacey
<b>10 January 2024</b>			
Update on Local Government and Social Care Ombudsman Decisions	To consider any recent findings of the Local Government Ombudsman in complaints made against the County Council	Marie Rowney	Richard Elston
Internal Audit Charter	To review the Charter for the operation of internal audit in the Council	Nigel Stevenson	Simon Lacey
Regulation of Investigatory Powers Annual Report	To consider the use of Investigatory Powers <a href="#">Page 55 of 58</a>	Marjorie Toward	Heather Dickinson

Governance Update	To consider progress against the Governance Action Plan for 2022/23	Nigel Stevenson	Simon Lacey
Counter Fraud Report	To update the committee on work undertaken to date in 2023/24	Nigel Stevenson	Simon Lacey
Review of Arms Length Organisations	To review the governance arrangements of Arms Length Organisations	Nigel Stevenson	Derek Higton
<b>28 February 2024</b>			
Update on Local Government and Social Care Ombudsman Decisions	To consider any recent findings of the Local Government Ombudsman in complaints made against the County Council	Marie Rowney	Richard Elston
Annual Audit Report 2022/23	To inform Members of the External Auditors' Annual Audit Report	Nigel Stevenson	Glen Bicknell
Internal Audit Term 2 Progress 2023/24 and Term 1 Plan 2024/25	To consider proposed audit coverage for Term 1	Nigel Stevenson	Simon Lacey
Corporate Governance Update	To receive an update on progress against the Annual Governance Statement action plan for 2022/23	Nigel Stevenson	Simon Lacey
<b>17 April 2024</b>			
Update on Local Government and Social Care Ombudsman Decisions	To consider any recent findings of the Local Government Ombudsman in complaints made against the County Council	Marie Rowney	Richard Elston
Review of the improvements to communication	To review the impact of the measures introduced by Adult Social Care Financial Services following corporate review and in response to LGSCO decision findings	Sue Batty	Nicola Peace
Statement of Accounts – 2023 – 24 Accounting Policies	To review and approve the proposed accounting policies used in creating the Statement of Accounts for 2023/24	Nigel Stevenson	Glen Bicknell
Governance and Ethics Committee Annual Report	To consider the draft annual report	Nigel Stevenson	Simon Lacey
<b>19 June 2024</b>			
Update on Local Government and Social Care Ombudsman Decisions	To consider any recent findings of the Local Government Ombudsman in complaints made against the County Council	Marie Rowney	Richard Elston
Assurance Mapping Annual Report	To review the assurance provided from the map in 2022/23 and consider coverage for 2023/24	Nigel Stevenson	Simon Lacey



Internal Auditor's Annual Report	To consider the Head of Internal Audit's annual opinion of the arrangements for governance, risk management and control	Nigel Stevenson	Simon Lacey
Head of Internal Audit's Annual Report 2023/24	To inform the Committee of the Annual Report for 2023/24 and opinion on adequacy of arrangements for governance, risk management and control	Nigel Stevenson	Simon Lacey
Follow-Up of Internal Audit recommendations – 6 monthly update	To consider an update on progress with implementing agreed actions from Internal Audit reports	Nigel Stevenson	Simon Lacey
Use of the Councillors Divisional Fund 2023/24	To provide an annual update on the use of the Councillor's Divisional Fund for 2022/23	Marjorie Toward	Keith Ford
<b>24 July 2024</b>			
Update on Local Government and Social Care Ombudsman Decisions	To consider any recent findings of the Local Government Ombudsman in complaints made against the County Council	Marie Rowney	Richard Elston
Term 3 Progress 2023/24 and Term 2 Plan 2024/25	To consider proposed audit coverage for Term 2	Nigel Stevenson	Simon Lacey
Annual Fraud Report 2022-23	To review the incidence of fraud over the year and an update on risks and mitigations	Nigel Stevenson	Simon Lacey

