



## Communities Directorate

11 November 2016

**Joint Governance Committee  
6.30pm on Tuesday 22 November 2016  
Gordon Room, Town Hall, Worthing**

**Adur District Council:** Councillors George Barton (Chairman), Kevin Boram (Vice-Chairman), Carol Albury, Ken Bishop, Kevin Boram, Jim Funnell, Paul Graysmark, Emily Hilditch and Barry Mear

**Worthing Borough Council:** Councillors Elizabeth Sparkes (Chairman), Paul Yallop (Vice-Chairman), Paul Baker, Joan Bradley, Alex Harman, Lionel Harman, Steve Wills and Mark Withers

## Agenda

<b>Part A</b>	<b>Page No.</b>
<b>1. Declarations of Interest</b>	-
<p>Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.</p> <p>If in doubt contact the Legal or Democratic Services representative for this meeting.</p>	
<b>2. Minutes</b>	-
<p>To approve the minutes of the Joint Governance Committee meeting held on 27 September 2016, copies of which have been previously circulated.</p>	

<b>3.</b>	<b>Public Question Time</b>	-
	To receive any questions from members of the public.	
	<i>(Note: Public Question Time will operate for a maximum of 30 minutes.)</i>	
<b>4.</b>	<b>Items Raised Under Urgency Provisions</b>	-
	To consider any items the Chairman of the meeting considers to be urgent.	
<b>5.</b>	<b>Annual Audit Letters</b>	<b>5</b>
	To consider letters from the External Auditor, copies attached as item 5.	
<b>6.</b>	<b>Internal Audit Progress Report</b>	<b>49</b>
	To consider a report by the Acting Head of Internal Audit, copy attached as item 6.	
<b>7.</b>	<b>Employment Rules for Senior Officers</b>	<b>69</b>
	To consider a report by the Director for Digital and Resources, copy attached as item 7.	
<b>8.</b>	<b>Amendments to the Constitution</b>	<b>77</b>
	To consider a report by the Director for Digital and Resources, copy attached as item 8.	

**Part B - Not for Publication – Exempt Information Reports**

None.

**Recording of this meeting**

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council’s website as soon as practicable after the meeting. The Council will not record any discussions in Part B of the agenda where the press and public have been excluded.

For Democratic Services enquiries relating to this meeting please contact:

Neil Terry  
Senior Democratic Services Officer  
01903 221073  
[neil.terry@adur-worthing.gov.uk](mailto:neil.terry@adur-worthing.gov.uk)

For Legal Services enquiries relating to this meeting please contact:

Susan Sale  
Solicitor to the Councils  
01903 221119  
[susan.sale@adur-worthing.gov.uk](mailto:susan.sale@adur-worthing.gov.uk)

The agenda and reports are available on the Councils website, please visit [www.adur-worthing.gov.uk](http://www.adur-worthing.gov.uk)



# Adur District Council

Annual Audit Letter for the year ended 31 March 2016

October 2016

Ernst & Young LLP



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In April 2015 Public Sector Audit Appointments Ltd (PSAA) issued ‘Statement of responsibilities of auditors and audited bodies 2015-16’. It is available from the Chief Executive of each audited body and via the PSAA website ([www.psaa.co.uk](http://www.psaa.co.uk))

The Statement of responsibilities serves as the formal terms of engagement between appointed auditors and audited bodies. It summarises where the different responsibilities of auditors and audited bodies begin and end, and what is to be expected of the audited body in certain areas.

The ‘Terms of Appointment from 1 April 2015’ issued by PSAA sets out additional requirements that auditors must comply with, over and above those set out in the National Audit Office Code of Audit Practice (the Code) and statute, and covers matters of practice and procedure which are of a recurring nature.

This Annual Audit Letter is prepared in the context of the Statement of responsibilities. It is addressed to the Members of the audited body, and is prepared for their sole use. We, as appointed auditor, take no responsibility to any third party.

Our Complaints Procedure – If at any time you would like to discuss with us how our service to you could be improved, or if you are dissatisfied with the service you are receiving, you may take the issue up with your usual partner or director contact. If you prefer an alternative route, please contact Steve Varley, our Managing Partner, 1 More London Place, London SE1 2AF. We undertake to look into any complaint carefully and promptly and to do all we can to explain the position to you. Should you remain dissatisfied with any aspect of our service, you may of course take matters up with our professional institute. We can provide further information on how you may contact our professional institute.

A hand with white nail polish is writing on a document with a blue pen. In the background, there is a calculator, a laptop, and a white mug. A yellow rectangular box is overlaid on the left side of the image.

## Executive Summary

## Executive Summary

We are required to issue an annual audit letter to Adur District Council (the Council) following completion of our audit procedures for the year ended 31 March 2016.

Below are the results and conclusions on the significant areas of the audit process.

Area of Work	Conclusion
Opinion on the Council's: ▶ Financial statements	Unqualified – the financial statements give a true and fair view of the financial position of the Council as at 31 March 2016 and of its expenditure and income for the year then ended
▶ Consistency of other information published with the financial statements	Other information published with the financial statements was consistent with the Annual Accounts.
Concluding on the Council's arrangements for securing economy, efficiency and effectiveness	We concluded that you have put in place proper arrangements to secure value for money in your use of resources.

Area of Work	Conclusion
Reports by exception: ▶ Consistency of Governance Statement	The Governance Statement was consistent with our understanding of the Council.
▶ Public interest report	We had no matters to report in the public interest.
▶ Written recommendations to the Council, which should be copied to the Secretary of State	We had no matters to report.
▶ Other actions taken in relation to our responsibilities under the Local Audit and Accountability Act 2014	We had no matters to report.



Area of Work	Conclusion
Reporting to the National Audit Office (NAO) on our review of the Council's Whole of Government Accounts return (WGA).	The Council is below the specified audit threshold of £350 million. Therefore, we did not perform any audit procedures on the consolidation pack, and in accordance with the group auditor instructions we reported this fact to the NAO.

As a result of the above we have also:

Area of Work	Conclusion
Issued a report to those charged with governance of the Council communicating significant findings resulting from our audit.	Our Audit Results Report was issued on 27 September 2016.
Issued a certificate that we have completed the audit in accordance with the requirements of the Local Audit and Accountability Act 2014 and the National Audit Office's 2015 Code of Audit Practice.	Our certificate was issued on 30 September 2016.

In January 2017 we will also issue a report to those charged with governance of the Council summarising the certification work we have undertaken.

We would like to take this opportunity to thank the Council staff for their assistance during the course of our work.

Hassan Rohimun  
Executive Director  
For and on behalf of Ernst & Young LLP

Purpose



## Purpose

### The Purpose of this Letter

The purpose of this annual audit letter is to communicate to Members and external stakeholders, including members of the public, the key issues arising from our work, which we consider should be brought to the attention of the Council.

We have already reported the detailed findings from our audit work in our 2015/16 Audit Results Report to the September Joint Governance Committee, representing those charged with governance. We do not repeat those detailed findings in this letter. The matters reported here are the most significant for the Council.





# Responsibilities



## Responsibilities

### Responsibilities of the Appointed Auditor

Our 2015/16 audit work has been undertaken in accordance with the Audit Plan that we issued in June 2016 and is conducted in accordance with the National Audit Office's 2015 Code of Audit Practice, International Standards on Auditing (UK and Ireland), and other guidance issued by the National Audit Office.

As auditors we are responsible for:

- ▶ Expressing an opinion:
  - ▶ On the 2015/16 financial statements; and
  - ▶ On the consistency of other information published with the financial statements.
- ▶ Forming a conclusion on the arrangements the Council has to secure economy, efficiency and effectiveness in its use of resources.
- ▶ Reporting by exception:
  - ▶ If the annual governance statement is misleading or not consistent with our understanding of the Council;
  - ▶ Any significant matters that are in the public interest;
  - ▶ Any written recommendations to the Council, which should be copied to the Secretary of State; and
  - ▶ If we have discharged our duties and responsibilities as established by thy Local Audit and Accountability Act 2014 and Code of Audit Practice.

Alongside our work on the financial statements, we also review and report to the National Audit Office (NAO) on you Whole of Government Accounts return. The Council is below the specified audit threshold of £350 million. Therefore, we did not perform any audit procedures on the return, and in accordance with the group auditor instructions we reported this fact to the NAO.

## Responsibilities of the Council

The Council is responsible for preparing and publishing its statement of accounts accompanied by an Annual Governance Statement. In the AGS, the Council reports publicly each year on how far it complies with its own code of governance, including how it has monitored and evaluated the effectiveness of its governance arrangements in year, and any changes planned in the coming period.

The Council is also responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

# Financial Statement Audit

## Financial Statement Audit

### Key Issues

The Council's Statement of Accounts is an important tool for the Council to show how it has used public money and how it can demonstrate its financial management and financial health.

We audited the Council's Statement of Accounts in line with the National Audit Office's 2015 Code of Audit Practice, International Standards on Auditing (UK and Ireland), and other guidance issued by the National Audit Office and issued an unqualified audit report on 29 September 2016.

Our detailed findings were reported to the 27 September 2016 Joint Governance Committee.

We identified only one significant risk in planning our audit and our response to that risk is as follows:

Significant Risk	Conclusion
<p>Management override of controls</p> <p>A risk present on all audits is that management is in a unique position to perpetrate fraud because of its ability to manipulate accounting records directly or indirectly, and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively.</p> <p>Auditing standards require us to respond to this risk by testing the appropriateness of journals, testing accounting estimates for possible management bias and obtaining an understanding of the business rationale for any significant unusual transactions.</p>	<p>We obtained a full list of journals posted to the general ledger during the year, and analysed these journals using criteria we set to identify any unusual journal types or amounts. We then tested a further sample of journals that met our criteria back to supporting documentation. This included:</p> <ul style="list-style-type: none"><li>• testing the appropriateness of journal entries recorded in the general ledger and other adjustments made in the preparation of the financial statements;</li><li>• reviewing accounting estimates for evidence of management bias; and;</li><li>• evaluating the business rationale for any significant unusual transactions.</li></ul> <p>We have not identified any material weaknesses in controls or evidence of material management override. We have not identified any instances of inappropriate judgements being applied. We did not identify any transactions during our audit which appeared unusual or outside the Council's normal course of business.</p>



A close-up, shallow depth-of-field photograph of a stack of coins. The coins are stacked vertically, with some showing their edges and others showing their faces. The lighting is warm, highlighting the metallic texture and the embossed details on the coins. A bright yellow rectangular box is overlaid on the left side of the image, containing the text 'Value for Money'.

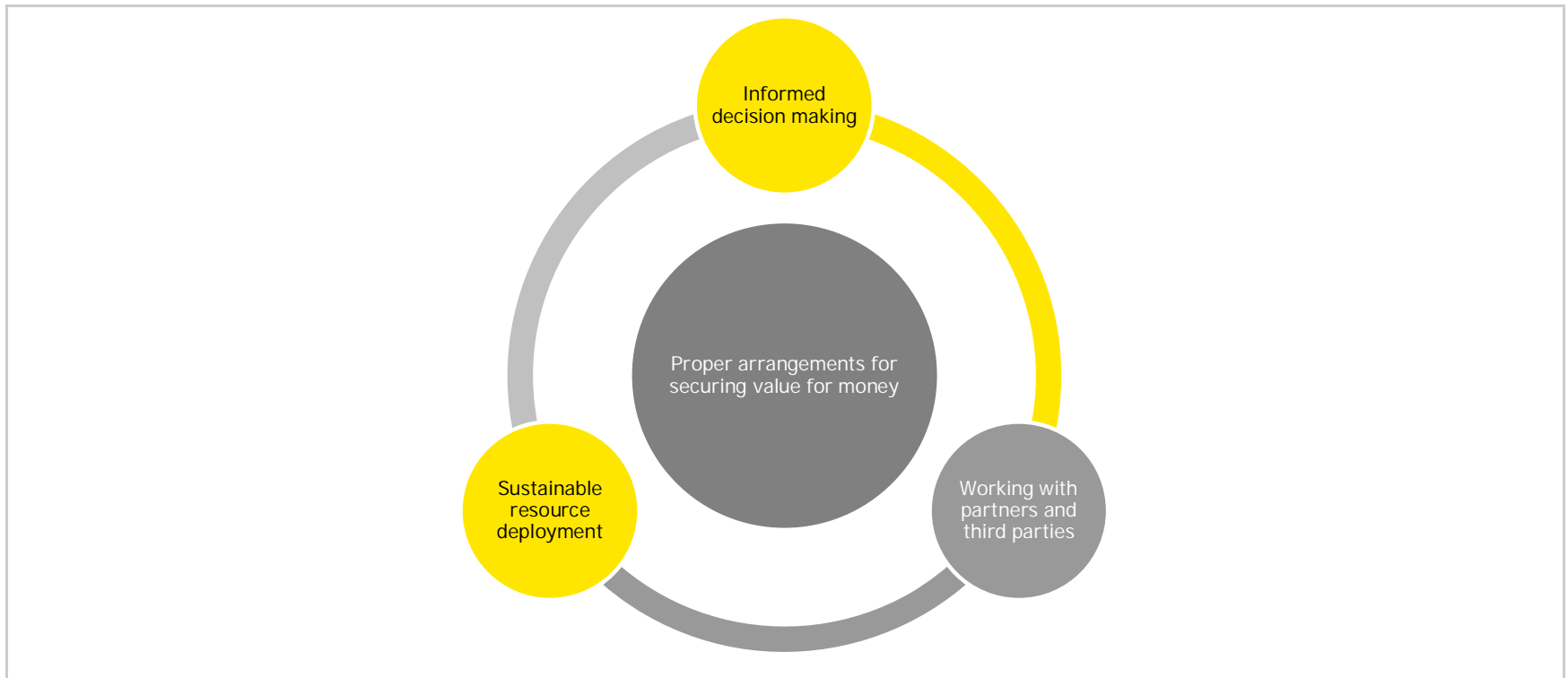
Value for Money

## Value for Money

We are required to consider whether the Council has put in place 'proper arrangements' to secure economy, efficiency and effectiveness on its use of resources. This is known as our value for money conclusion.

Proper arrangements are defined by statutory guidance issued by the National Audit Office. They comprise your arrangements to:

- Take informed decisions;
- Deploy resources in a sustainable manner; and
- Work with partners and other third parties.



We issued an unqualified value for money conclusion on 29 September 2016.

In 2015/16 the Council reported an overspend against budget of £128,000k, having taken action during the year to address overspends.

We concluded that the Council's 2016/17 budget setting arrangements were appropriate. Budget papers clearly identified the financial pressures which the Council is facing and the savings plans in place to deliver a balanced budget.

The Council's medium term financial planning recognises the on-going uncertainty caused by changes to funding and makes sensible assumptions about their impact. For 2017/18 the Council has to deliver a savings target of £2.4 million and as of September 2016 the Council had identified saving plans amounting to £1.2 million. The Council will need to ensure action is taken to address the shortfall and that there are robust plans in place to monitor the delivery of agreed savings or to take mitigating action in the event of slippage. The Council expects to deliver the £2.4 million savings target without needing to utilise any of its reserves. At the 31 March 2016 the Council had £1.7 million of useable reserves, whilst 68% of this is earmarked it does provide the Council with some resilience in the medium term.





Other Reporting  
Issues

## Other Reporting Issues

### Whole of Government Accounts

The Council is below the specified audit threshold of £350 million. Therefore, we did not perform any audit procedures on the consolidation pack and in accordance with the group auditor instructions we reported this fact to the NAO.

### Annual Governance Statement

We are required to consider the completeness of disclosures in the Council's annual governance statement, identify any inconsistencies with the other information of which we are aware from our work, and consider whether it is misleading.

We completed this work and did not identify any areas of concern.

### Report in the Public Interest

We have a duty under the Local Audit and Accountability Act 2014 to consider whether, in the public interest, to report on any matter that comes to our attention in the course of the audit in order for it to be considered by the Council or brought to the attention of the public.

We did not identify any issues which required us to issue a report in the public interest.

### Written Recommendations

We have a duty under the Local Audit and Accountability Act 2014 to designate any audit recommendation as one that requires the Council to consider it at a public meeting and to decide what action to take in response.

We did not identify any issues which required us to issue a written recommendation.

### Objections Received

We did not receive any objections to the 2015/16 financial statements from member of the public.

### Other Powers and Duties

We identified no issues during our audit that required us to use our additional powers under the Local Audit and Accountability Act 2014.

## Independence

We communicated our assessment of independence in our Audit Results Report to the Joint Governance Committee on 27 September 2016. In our professional judgement the firm is independent and the objectivity of the audit engagement partner and audit staff has not been compromised within the meaning regulatory and professional requirements.

## Control Themes and Observations

As part of our work, we obtained an understanding of internal control sufficient to plan our audit and determine the nature, timing and extent of testing performed. Although our audit was not designed to express an opinion on the effectiveness of internal control, we are required to communicate to you significant deficiencies in internal control identified during our audit.

We brought to your attention in our Audit Results Report that there were:

- significant delays in the completion of the year-end bank reconciliation; and
- there was no reconciliation between the Orchard housing system for properties eligible for Rent Rebates and the General Ledger.

In order to operate effectively, controls such as bank and housing rents reconciliations must be completed properly and on a timely basis to obtain a good level of assurance and decrease the likelihood of material misstatements within the financial statements

A close-up photograph of a person's hands holding binoculars to their eyes. The person's face is partially visible in the background, looking through the lenses. A bright yellow rectangular box is overlaid on the left side of the image, containing the text "Focused on your future".

Focused on your  
future



## Focused on your future

Area	Issue	Impact
EU referendum	<p>Following the majority vote to end the UK’s membership of the European Union (EU) in the EU Referendum held on 23 June 2016 there is a heightened level of volatility in the financial markets and increased macroeconomic uncertainty in the UK.</p> <p>All three major rating agencies (S&amp;P, Fitch and Moody’s) took action on the UK Sovereign credit rating and, following the rating action on the UK Government.</p> <p>For entities in the public sector, there is likely to be an impact on investment property valuations if confidence in the wider UK property market falls; and the valuation of defined benefit pension obligations may also be affected.</p> <p>It is too early to estimate the quantum of any impact of these issues, but there is likely to be significant ongoing uncertainty for a number of months while the UK renegotiates its relationships with the EU and other nations.</p>	<p>Many of the issues and challenges that face the UK public sector will continue to exist, not least because continued pressure on public finances will need responding to. Additionally it may well be that the challenges are increased if the expected economic impacts of the referendum and loss of EU grants outweigh the benefits of not having to contribute to the EU and require even more innovative solutions.</p> <p>We are committed to supporting our clients through this period, and help identify the opportunities that will also arise. We will engage with you on the concerns and questions you may have, provide our insight at key points along the path, and provide any papers and analysis of the impact of the referendum on the Government and Public Sector market.</p>



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ED None

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# Worthing Borough Council

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Purpose





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# Responsibilities



## Responsibilities

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  - ▶ Any significant matters that are in the public interest;
  - ▶ Any written recommendations to the Council, which should be copied to the Secretary of State; and
  - ▶ If we have discharged our duties and responsibilities as established by thy Local Audit and Accountability Act 2014 and Code of Audit Practice.

Alongside our work on the financial statements, we also review and report to the National Audit Office (NAO) on you Whole of Government Accounts return. The Council is below the specified audit threshold of £350 million. Therefore, we did not perform any audit procedures on the return, and in accordance with the group auditor instructions we reported this fact to the NAO.

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The Council is also responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

A blurred office desk with a laptop, glasses of water, and financial documents. The scene is brightly lit, likely from a window with blinds in the background. A yellow rectangular box is overlaid on the left side of the image, containing the text 'Financial Statement Audit'.

# Financial Statement Audit

## Financial Statement Audit

### Key Issues

The Council's Statement of Accounts is an important tool for the Council to show how it has used public money and how it can demonstrate its financial management and financial health.

We audited the Council's Statement of Accounts in line with the National Audit Office's 2015 Code of Audit Practice, International Standards on Auditing (UK and Ireland), and other guidance issued by the National Audit Office and issued an unqualified audit report on 29 September 2016.

Our detailed findings were reported to the 27 September 2016 Joint Governance Committee.

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Significant Risk	Conclusion
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A close-up, shallow depth-of-field photograph of a stack of gold coins. The coins are stacked vertically, with some showing their edges and others showing their faces. The lighting is warm, highlighting the metallic texture and the intricate details of the coins' designs. A bright yellow rectangular box is overlaid on the left side of the image, containing the text "Value for Money".

Value for Money

## Value for Money

We are required to consider whether the Council has put in place 'proper arrangements' to secure economy, efficiency and effectiveness on its use of resources. This is known as our value for money conclusion.

Proper arrangements are defined by statutory guidance issued by the National Audit Office. They comprise your arrangements to:

- Take informed decisions;
- Deploy resources in a sustainable manner; and
- Work with partners and other third parties.





We issued an unqualified value for money conclusion on 29 September 2016.

In 2015/16 the Council reported an underspend against budget of £180,000 having taken appropriate action during the year to address overspends.

We concluded that the Council's 2016/17 budget setting arrangements were appropriate. Budget papers clearly identified the financial pressures which the Council is facing and the savings plans in place to deliver a balanced budget.

The Council's medium term financial planning recognises the on-going uncertainty caused by changes to funding and makes sensible assumptions about their impact. For 2017/18 the Council has to deliver a savings target of £2.4 million and as of September 2016 the Council had identified saving plans amounting to £1.6 million. The Council will need to ensure action is taken to address the shortfall and that there are robust plans in place to monitor the delivery of agreed savings or to take mitigating action in the event of slippage. The Council expects to deliver the £2.4 million savings target without needing to utilise any of its reserves. At the 31 March 2016 the Council had £3.0 million of useable reserves, whilst 72% of this is earmarked it does provide the Council with some resilience in the medium term.



Other Reporting  
Issues

## Other Reporting Issues

### Whole of Government Accounts

The Council is below the specified audit threshold of £350 million. Therefore, we did not perform any audit procedures on the consolidation pack and in accordance with the group auditor instructions we reported this fact to the NAO.

### Annual Governance Statement

We are required to consider the completeness of disclosures in the Council's annual governance statement, identify any inconsistencies with the other information of which we are aware from our work, and consider whether it is misleading.

We completed this work and did not identify any areas of concern.

### Report in the Public Interest

We have a duty under the Local Audit and Accountability Act 2014 to consider whether, in the public interest, to report on any matter that comes to our attention in the course of the audit in order for it to be considered by the Council or brought to the attention of the public.

We did not identify any issues which required us to issue a report in the public interest.

### Written Recommendations

We have a duty under the Local Audit and Accountability Act 2014 to designate any audit recommendation as one that requires the Council to consider it at a public meeting and to decide what action to take in response.

We did not identify any issues which required us to issue a written recommendation.

### Objections Received

We did not receive any objections to the 2015/16 financial statements from member of the public.

### Other Powers and Duties

We identified no issues during our audit that required us to use our additional powers under the Local Audit and Accountability Act 2014.

## Independence

We communicated our assessment of independence in our Audit Results Report to the Joint Governance Committee on 27 September 2016. In our professional judgement the firm is independent and the objectivity of the audit engagement partner and audit staff has not been compromised within the meaning regulatory and professional requirements.

## Control Themes and Observations

As part of our work, we obtained an understanding of internal control sufficient to plan our audit and determine the nature, timing and extent of testing performed. Although our audit was not designed to express an opinion on the effectiveness of internal control, we are required to communicate to you significant deficiencies in internal control identified during our audit.

We brought to your attention in our Audit Results Report that there were significant delays in the completion of the year-end bank reconciliation. In order to operate effectively, controls such as bank reconciliations must be completed properly and on a timely basis to obtain a good level of assurance and decrease the likelihood of material misstatements within the financial statements.

A close-up photograph of a person's face as they look through a pair of black binoculars. The person's eyes are focused on the lenses, and their hands are visible holding the device. A bright yellow rectangular box is overlaid on the left side of the image, containing the text "Focused on your future".

Focused on your  
future



## Focused on your future

Area	Issue	Impact
EU referendum	<p>Following the majority vote to end the UK's membership of the European Union (EU) in the EU Referendum held on 23 June 2016 there is a heightened level of volatility in the financial markets and increased macroeconomic uncertainty in the UK.</p> <p>All three major rating agencies (S&amp;P, Fitch and Moody's) took action on the UK Sovereign credit rating and, following the rating action on the UK Government.</p> <p>For entities in the public sector, there is likely to be an impact on investment property valuations if confidence in the wider UK property market falls; and the valuation of defined benefit pension obligations may also be affected.</p> <p>It is too early to estimate the quantum of any impact of these issues, but there is likely to be significant ongoing uncertainty for a number of months while the UK renegotiates its relationships with the EU and other nations.</p>	<p>Many of the issues and challenges that face the UK public sector will continue to exist, not least because continued pressure on public finances will need responding to. Additionally it may well be that the challenges are increased if the expected economic impacts of the referendum and loss of EU grants outweigh the benefits of not having to contribute to the EU and require even more innovative solutions.</p> <p>We are committed to supporting our clients through this period, and help identify the opportunities that will also arise. We will engage with you on the concerns and questions you may have, provide our insight at key points along the path, and provide any papers and analysis of the impact of the referendum on the Government and Public Sector market.</p>



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## Internal Audit Progress Report

### Report of the Acting Head of Internal Audit

#### 1.0 Summary

- 1.1 This report notes the performance of the Internal Audit Section up to the 31<sup>st</sup> October 2016.
- 1.2 This report provides a summary of the key issues raised in final audit reports issued since our last report to this Committee and provides the current status on the follow-up on the agreed audit recommendations made in final audit reports.
- 1.3 This report also provides a summary of fraud work conducted at the Councils.

#### 2.0 Background

- 2.1 Each quarter a report is produced for this Committee which details the Internal Audit Section's performance against the current Annual Internal Audit Plan and summarises the results of audit work carried out.

##### Internal Audit Performance - 2015/16

- 2.2 As reported to the previous meeting of this committee, the 2015/16 Annual Internal Audit Plan was revised to 645.5 days and 45 items of work by the end of the year. Six audits from this plan were postponed to the current year and as at the 31<sup>st</sup> October, 602.5 days (93.3%) of the planned days had been delivered. The remaining 43 days relates to five audits, two of which are complete and under review, two are in progress and one is due to commence shortly.

##### Internal Audit Performance - 2016/17

- 2.3 The 2016/17 Annual Internal Audit Plan presented to the Joint Governance Committee on 22 March 2016 contained 514 days and 38 items of audit work to be undertaken by the Internal Audit Service during the year.
- 2.4 Since approval, the audit plan has been revised to accommodate requests to move audits to different parts of the year and to take account of changes in requirements. The current plan is summarised as:

Period	No of audits planned	No of days planned	% of days planned
Quarter 1 (April – June)	6	81	15.8%
Quarter 2 (July – September)	8	100	19.5%
Quarter 3 (October – December)	12	161	31.2%
Quarter 4 (January – March)	13	172	33.5%
	<b>39</b>	<b>514</b>	<b>100</b>

- 2.5 At 31<sup>st</sup> October, 202 days (39.3%) of the planned days had been delivered against the plan. Attached as **Appendix 1** is a summary of the current status of audits in the plan.

Final Audit Reports

- 2.6 Recommendations made in audit reports are categorised according to their level of priority as follows:

<b>Priority 1</b>	Major issues for the attention of senior management.
<b>Priority 2</b>	Other recommendations for local management action.
<b>Priority 3</b>	Minor matters.

- 2.7 Internal Audit’s assurance opinions accord with an assessment of the controls in place and the level of compliance with these controls. During the course of an audit, a large number of controls will be examined for adequacy and compliance. The assurance level given is the best indicator of the system’s control adequacy. The assurance levels and their associated explanations are:-

<b>Full Assurance</b>	There is a sound system of control designed to achieve the system objectives and the controls are being consistently applied.
<b>Satisfactory Assurance</b>	While there is a basically sound system, there are weaknesses that put some of the system objectives at risk, and/or there is evidence that the level of non-compliance with some of the controls may put some of the system objectives at risk.
<b>Limited Assurance</b>	Weaknesses in the system of controls are such as to put the system objectives at risk, and/or the level of non-compliance puts the system objectives at risk.
<b>No Assurance</b>	Control is generally weak, leaving the system open to significant error or abuse, and/or significant non-compliance with basic controls leaves the system open to error or abuse.

- 2.8 The report attached as **Appendix 2** provides a summary of key issues raised in all final reports issued since our last report to this Committee. Since the previous Committee, three reports have been finalised; of these one was a Full Assurance and two were Satisfactory assurance. No P1 recommendations were raised within these reports.

Follow up of Audit Recommendations

- 2.9 In accordance with the Council’s Follow-Up Protocol, Internal Audit has continued following-up the status of implementation of recommendations contained in final audit reports.

- 2.10 Follow-up audits are undertaken to ensure that all recommendations raised have been successfully implemented according to the action plans agreed with the service managers. The Follow-up Protocol requires implementation of 80% of all priority 2 and 3 recommendations and 100% of priority 1 recommendations. The performance in relation to these targets as at 31st October is shown in the tables below.

2.11 The Audit App, delivered to us by the Digital Team, is now live and we are in the process of providing audit owners and owners of audit recommendations with information and training to allow them to update the system. Going forward the App will be used to produce statistical information on the implementation of audit recommendations, but in the interim, we will continue to manually calculate the information provided to this Committee as detailed in the tables below.

**Analysis of status of recommendations 2013/14**

	Total Due	Imp	%	Carried Over (Not Impl'd)	%	FU & Overdue	%	FU & No Response	%	Total % NOT Impl'd	FU Not Due	Total
<b>P1</b>	16	12	<b>75%</b>	1	6.3%	3	18.7%	0	0%	<b>25%</b>	0	16
<b>P2</b>	111	82	<b>73.9%</b>	24	21.6%	5	4.5%	0	0%	<b>26.1%</b>	0	111
<b>P3</b>	23	17	<b>73.9%</b>	5	21.7%	1	4.4%	0	0%	<b>26.1%</b>	0	23
<b>Other</b>	6	6	<b>100%</b>	0	0%	0	0%	0	0%	<b>0%</b>	0	6
<b>Total</b>	<b>156</b>	<b>117</b>	<b>75%</b>	<b>30</b>	<b>19.2%</b>	<b>9</b>	<b>5.8%</b>	<b>0</b>	<b>0%</b>	<b>25%</b>	<b>0</b>	<b>156</b>

**Analysis of status of recommendations 2014/15**

	Total Due	Imp	%	Carried Over (Not Impl'd)	%	FU & Overdue	%	FU & No Response	%	Total % NOT Impl'd	FU Not Due	Total
<b>P1</b>	37	31	<b>83.8%</b>	1	2.7%	5	13.5%	0	0%	<b>16.2%</b>	0	37
<b>P2</b>	131	101	<b>77.1%</b>	15	11.5%	15	11.4%	0	0%	<b>22.9%</b>	0	131
<b>P3</b>	31	23	<b>74.2%</b>	3	9.7%	5	16.1%	0	0%	<b>25.8%</b>	0	31
<b>Other</b>	7	1	<b>14.3%</b>	0	0%	6	85.7%	0	0%	<b>85.7%</b>	0	7
<b>Total</b>	<b>206</b>	<b>156</b>	<b>75.7%</b>	<b>19</b>	<b>9.2%</b>	<b>31</b>	<b>15.1%</b>	<b>0</b>	<b>0%</b>	<b>24.3%</b>	<b>0</b>	<b>206</b>

**Analysis of status of recommendations 2015/16**

	Total Due	Imp	%	Carried Over (Not Impl'd)	%	FU & Overdue	%	FU & No Response	%	Total % NOT Impl'd	FU Not Due	Total
<b>P1</b>	33	32	<b>97%</b>	0	0%	0	0%	1	3%	<b>3%</b>	8	41
<b>P2</b>	68	34	<b>50%</b>	1	1.5%	18	26.5%	15	22%	<b>50%</b>	23	91
<b>P3</b>	12	6	<b>50%</b>	0	0%	1	8.3%	5	41.7%	<b>50%</b>	8	20
<b>Total</b>	<b>113</b>	<b>72</b>	<b>63.7%</b>	<b>1</b>	<b>0.9%</b>	<b>19</b>	<b>16.8%</b>	<b>21</b>	<b>18.6%</b>	<b>36.3%</b>	<b>39</b>	<b>152</b>



- 2.12 Attached as **Appendices 3, 4 & 5** are tables which summarise the current follow-up status of recommendations made in final audit reports from audits contained in the 2013/14, 2014/15 and 2015/16 Audit Plans. The shaded boxes indicate where changes have occurred since our last report.

### Fraud

- 2.13 At the Committee's meeting on 7 June 2016 we agreed to include a comment on fraud work conducted at the Councils in the future Head of Internal Audit Opinion reports. In order to provide the Committee with further information on the work undertaken to prevent and detect fraud, we plan to provide a summary of fraud work conducted within the Councils within our quarterly reports.
- 2.14 The Councils Corporate Investigations Team, undertake most fraud related work within the Councils. This first update provides details of the work completed by the Councils' Corporate Investigations Team since April 2014 and is attached as **Appendix 6**.
- 2.15 Internal Audit also undertake investigative work as required and co-ordinate the Councils involvement in the Cabinet Office's National Fraud Initiative (NFI). We have recently arranged the submission of the data extracts required for the forthcoming bi-annual data matching exercise. The results of this exercise will be made available to the Councils in January 2017. Once received we will commence investigation of the matches, on a sample basis and an update on progress will be provided at a future meeting of the Committee.

## **3.0 Proposals**

- 3.1 That the Committee note the performance of the Internal Audit Section.
- 3.2 That the Committee note the summary of the key issues raised in final audit reports issued and the current status on the follow-up on Internal Audit recommendations.
- 3.3 That the Committee note the summary of fraud work.

## **4.0 Legal**

- 4.1 There are no legal matters arising as a result of this report.

## **5.0 Financial Implications**

- 5.1 There are no financial implications arising from this report.

## **6.0 Recommendations**

- 6.1 That the Committee note the performance of the Internal Audit Section.
- 6.2 That the Committee note the summary of the key issues raised in final audit reports issued since our last report to this Committee and the current status on the follow-up on Internal Audit recommendations.
- 6.3 That the Committee note the summary of fraud work.

### **Local Government Act 1972**

**Background Papers:** None

**Contact Officer:**

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## **Schedule of Other Matters**

### **1.0 Council Priority**

1.1 The report does not seek to meet any particular Council priorities.

### **2.0 Specific Action Plans**

2.1 (A) Matter considered and no issues identified.  
(B) Matter considered and no issues identified.

### **3.0 Sustainability Issues**

3.1 Matter considered and no issues identified.

### **4.0 Equality Issues**

4.1 Matter considered and no issues identified.

### **5.0 Community Safety Issues (SECTION 17)**

5.1 Matter considered and no issues identified.

### **6.0 Human Rights Issues**

6.1 Matter considered and no issues identified.

### **7.0 Reputation**

7.1 Matter considered and no issues identified.

### **8.0 Consultations**

8.1 (A) Matter considered and no issues identified.  
8.2 (B) Matter considered and no issues identified.

### **9.0 Risk Assessment**

9.1 Matter considered and no issues identified.

### **10.0 Health & Safety Issues**

10.1 Matter considered and no issues identified.

### **11.0 Procurement Strategy**

11.1 Matter considered and no issues identified.

### **12.0 Partnership Working**

12.1 Matter considered and no issues identified.



APPENDIX 1

	Project	Joint	ADC only	WBC only	Field Work complete	Draft Issued	Final Issued	Assurance level	Assurance at previous audit
1	Local Land Charges	*			Y	Y	Y	Satisfactory	Satisfactory
1	Fleet and Transport Management	*			Y	Y			
1	Fire Risk Management	*			Y	Y			
1	Invest to Save Schemes	*			Y	Y	Y	Satisfactory	No previous audit
1	Management of the Council's Commercial Property Portfolio	*			Y	Y			
1	Disability Awareness	*			WIP				
2	Medium Term Financial Strategy	*			Y	Y	Y	Full	Satisfactory
2	Splashpoint Gym Equipment Fact Find			*	Y	Y			
2	Voluntary and Community - Contract Procurement	*			Y	UR			
2	Corporate Governance	*			Y	UR			
2	Disaster Recovery (Extended Follow up)	*			WIP				
2	Programme Management	*			WIP				
2	Contract Management Audit - Mobile Phones	*			WIP				
2	Final Accounts	*			Y	UR			
3	Right to Buy		*		Y	UR			
3	Creditors	*			WIP				
3	Debtors	*			WIP				
3	Census NDR		*		WIP				
3	Rent Collection and Collection of Arrears		*		P				
3	WBC Leisure Trust - Contract Management			*	P				
3	WBC Revenues (Council Tax and NDR)			*	P				
3	WBC Benefits			*	P				
3	Markets		*		WIP				
3	General Ledger	*			P				
3	Theatres Catering			*					
3	Contact Centre	*							
4	Property Management	*							
4	Sheltered Accommodation		*						
4	Fixed Assets	*							
4	Telephony	*							
4	Capital Accounting	*							
4	Treasury Management	*							
4	Payroll	*							
4	Cashiering	*							
4	Risk Management	*							
4	Application System Review	*							
4	Penetration testing	*							
4	Remote Access Protocols/VPN	*							
4	Welfare Reform - support to claimants	*							

KEY

- P In Planning stage
- WIP Work In Progress
- UR Under review

## Key issues from finalised audits

## Appendix 2

Audit Title	Risk Level	Assurance Level & Number of Issues	Summary of key issues raised
Cloud Computing (2015/16)	H	<b>Satisfactory</b> (Four Priority 2 and Three Priority 3 recommendations)	No P1 recommendations were raised
Medium Term Financial Strategy (2016/17)	H	<b>Full</b>	No recommendations were raised.
Invest to Save Schemes (2016/17)	M	<b>Satisfactory</b> (Seven Priority 2 recommendations)	No P1 recommendations were raised



Audit	Final Report Date	Assurance level	Recs not applicable for follow up	Total No of Recs	Number of agreed recs completed	% of recs completed	Recs carried over into next audit	% of recs carried over	Number of recs outstanding	1	2	3	% of recs outstanding	Comments	Comments re outstanding Priority 1 recommendations
<b>Director of Digital &amp; Resources</b>															
<b>Finance</b>															
Annual Governance Statement (control issues)	N/A	N/A	N/A	N/A										N/A	
General Ledger	May-14	Satisfactory	1	7	5	71%	2	29%						Recs were followed up as part of 14/15 audit - 2 were reiterated in 14/15 report	
Cashiering	Jun-14	Satisfactory	1	4	3	75%	1	25%						Self assessment received 7/11/14 - remaining recs were as part of 14/15 annual audit - one complete & one reiterated in 14/15 report	
Creditors	May-14	Satisfactory	1	2	2	100%								Recommendations followed up as part of 14/15 annual audit.	
Debtors	May-14	Satisfactory		3	2	67%	1	33%						Recommendation relates to review of procedures	
Capital Expenditure & Fixed Assets	Dec-14	Satisfactory	1	7			7	100%						Recommendations were followed up a part of annual audit. All were reiterated in 14/15 report	
Treasury Management	Jun-14	Satisfactory		2	2	100%								COMPLETE	
Staff expenses (inc car mileage)	May-14	Satisfactory		2	2	100%								COMPLETED before FU due	
Probity - Staff discounts & Concessions	Mar-14	N/A		5	5	100%								COMPLETE	
Probity - Underbankings	N/A	N/A		N/A										N/A	
Probity audit - Stores	Oct-12	N/A		1	1	100%								COMPLETE - Manager requested to note bolt stock in next year end stock report	
<b>Legal Services</b>															
Corporate Governance	Mar-14	Limited		10	5	50%	5	50%							
DBS checks & requirements	Oct-13	Satisfactory	1	3	3	100%								COMPLETE - Update from the Strategic Head of Human Resources confirmed the DBS check has now been completed for the officer transferred to Southdown leisure	
Legal Services	Dec-13	Limited	1	7	7	100%								COMPLETE	
<b>Business &amp; Technical Services</b>															
Building Maintenance	May-15	Limited	3	7	3	43%	2	29%	2	0	1	1	29%	Met with EhoB&TS on 1/11 - actions were agreed in respect of the O/S 2 recs.	
<b>Digital &amp; Design</b>															
Risk Management	Jul-14	Satisfactory		9	2	22%	7	78%							
<b>Director of Economy</b>															
<b>Growth</b>															
Bailiffs	Nov-14	Limited	4	3	3	100%								COMPLETE	
<b>Director of Communities</b>															
<b>Housing</b>															
Housing Rents	May-14	Satisfactory		2	1	50%	1	50%							
Property Buy Back	Mar-14	Satisfactory	1	1	1	100%								Updated provided on 5 Oct confirms this scheme is no longer going to take place therefore O/S rec no longer applicable.	
<b>Wellbeing</b>															
Local Strategic Partnership	Apr-15	Satisfactory		4	4	100%								COMPLETE	
Safer Communities Partnership	Jun-14	Satisfactory		3	3	100%								COMPLETE	
Community Wellbeing	Mar-14	Limited	1	3	3	100%								COMPLETE	

Anti Social Behaviour Management	Jun-14	Satisfactory	2	4	4	100%								COMPLETE	
<b>Environment</b>															
Foreshore Service	Apr-14	Satisfactory		6	5	83%	1	17%						Over 80% complete so no further FU required. O/s rec was partly implemented.	
Cemeteries & Churchyards	May-14	Satisfactory		1	1	100%								COMPLETE	
Grounds Maintenance	May-14	Limited		5	3	60%			2	1	1	0	40%	2 recs outstanding 3.1 - GM Strategy & 3.2 - working procedures (WIP) update provided confirmed both are still in progress - procedures now due for completion by Dec 16	P1 rec re GM Strategy will be completed as part of Parks & Open Spaces Strategy - revised completion date is now Dec 16
Parks Income Management	Oct-13	Satisfactory		5	5	100%						0		COMPLETE	
Probity - Crematorium Ashes Procedure	Apr-14	Satisfactory		6	6	100%								COMPLETE	
<b>Director of Customer Services</b>															
<b>Revenues &amp; Benefits</b>															
Benefits	Jun-14	Satisfactory		3	2	67%	1	33%						Rec relates to DR plans	
Revenues (Council Tax & NDR)	May-14	Satisfactory		3	2	67%	1	33%						O/s rec relates to updating procedures	
WBC - Business Improvement District	Dec-13	Satisfactory		2	2	100%								COMPLETE	
CenSus NDR	Jun-14	Satisfactory		9	8	89%	1	11%						89% complete - no further FU required	
<b>Waste &amp; Cleansing</b>															
AWCS - Vehicle Maintenance	May-14	Satisfactory		2	2	100%								COMPLETE	
<b>Building Control &amp; Land Charges</b>															
Local Land Charges	Apr-14	Satisfactory		1	1	100%								COMPLETE	
<b>Computer Audits</b>															
Joint website - content & workflow	Nov-13	Satisfactory	1	2	2	100%								Part of OS rec cannot be implemented due to functionality of T4 system - no further FU req'd.	
Network (LAN & WAN)	Apr-15	Limited	1	10	5	50%			5	2	3	0	50%	Updates in respect of all 5 O/S recs have been provided via Audit App - all are in progress and revised deadlines of 31 March 2017 set for completion of actions	P1 recs relate to IOS version & security patch management (not due for implementation until Sept 15) and change & configuration/release management controls (due May 15 & partly implemented)
Data Centre	Nov-13	Satisfactory		4	4	100%								COMPLETE	
House on the Hill	Mar-14	Satisfactory	2	8	8	100%								Updates provided on 28/10 via the Audit App confirmed that the four remaining outstanding recommendations will be covered in the new Cherwell / CenSus contract that is due to be implemented in December 2016, no further follow up therefore required	
				156	117	75%	30	19%	9	3	5	1	6%		

Audit	Final Report Date	Assurance level	Recs not applicable for follow	Total No of Recs	Number of agreed recs completed	1	% of recs completed	Recs carried over into	% of recs carried over	Number of recs outstanding	1	2	3	Other	% of recs outstanding	Comments	Comments re Outstanding Priority 1 recs
<b>Director of Digital &amp; Resources</b>																	
<b>Finance</b>																	
Annual Governance Statements	N/A	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		No Follow up required	
Budgetary Control	Dec-14	Satisfactory		1	1	0	100%									COMPLETE	
General Ledger	Mar-15	Satisfactory		3				3	100%							All recommendations made in 2014/15 have been reiterated in 15/16 audit so none had been implemented	
Cashiering	May-15	Satisfactory		4	3	0	75%	1	25%							15/16 audit has confirmed 3 recommendations from 2014/15 audit have been completed - one (re procedures) is being reiterated in 15/16 report.	
Creditors	Apr-15	Satisfactory		2	1	1	50%	1	50%							15/16 audit confirmed P1 recommendation has been completed - one (re duplicate payment reports) is being reiterated in 15/16 report.	
Debtors	Feb-15	Satisfactory		2	2	0	100%									COMPLETE	
Insurance	Oct-14	Satisfactory		2	2	1	100%									COMPLETE	
Payroll	Sep-15	Satisfactory	3	5	2	0	40%	3	60%							15/16 audit has confirmed 2 recommendations from 2014/15 audit have been completed - 3 are being reiterated in 15/16 report.	
Treasury Management	May-15	Satisfactory		2	2	0	100%									COMPLETE	
Petty Cash	Jan-15	Satisfactory		2	1	0	50%			1	0	1	0	0	50%	Update received on 20/09/16 confirming that the Cash Office Procedure Notes are still to be written	
Staff Loans	Jan-15	Satisfactory		3	3	1	100%									COMPLETE	
Probity audits - inventories	Aug-15	N/A		6						6	0	0	0	6	100%	Issues to be addressed by Chief Financial Officer during next review of Financial Regulation requirements. Updates requested 13/9 & 27/10.	
Probity - cash floats	Oct-14	N/A		1	1	0	100%									COMPLETE	
Business Rates - Forecasting & Income Projection	Feb-15	Satisfactory		1	1	0	100%									COMPLETE	
Pension Scheme- local administration	Oct-14	Full		0												No Follow up required	
<b>Legal Services</b>																	
Corporate Governance	May-15	Satisfactory		6	6	0	100%									COMPLETE	
<b>Business &amp; Technical Services</b>																	
Facilities Management & Security	May-15	Satisfactory		15	8	0	53%			7	0	6	1	0	47%	Update provided 8/11 confirmed 4 completed. 5 reassigned to other officers - revised deadlines set	
Health & Safety	Sep-15	Limited	3	7	6	1	86%			1	1	0	0	0	14%	Update received from Corp H & S Officer confirmed 1 rec (3.4) is still outstanding- Additional chaser email sent on 01/11/16	
Pool Car Pilot	May-15	Satisfactory		5	5	0	100%									COMPLETE	
Term Maintenance Contract Management - Keith Long Electrical	Mar-16	Limited		8	7	5	88%			1	1				13%	Met with HoB&TS 1/11 - only 1 still outstanding - agreed actions and revised deadlines to enable completion	O/S P1 rec relates to loss of order details within the Recorder system
Construction Contract - MTC Adaptations																	
Land Drainage	Jul-15	Satisfactory		5	4	0	80%	1	20%							80% complete - no further follow up - one P2 rec had not been addressed	
Shoreham Centre	Mar-16	Satisfactory	4	1	1	0	100%									COMPLETE	
<b>Digital &amp; Design</b>																	

Risk Management	Jun-15	Satisfactory	1	14	5	0	36%	9	64%							Meeting held on 21/1 with CPO - remaining recs were in progress and further FU would be performed as part of 15/16 audit	
<b>People</b>																	
Agency Staff Arrangements	Dec-14	Satisfactory		4	1	1	25%			3	0	3	0	0	75%	Update referred to new Strategic Head of HR in Sept, assigned to H Christmas - request for update sent on 27/10/16	
<b>Director of Economy</b>																	
<b>Place &amp; Investment</b>																	
External Funding	Apr-15	Limited		10	10	2	100%									COMPLETE - Update provided on 31/10 confirmed 2 O/S recs as completed.	
<b>Growth</b>																	
MSCP Plate Recognition Barrier System - Procurement	Nov-15	Satisfactory		2						2	0	2	0	0	100%	Self Assessment issued 29/2 - no response. Requests for updates sent 24/5 & 8/9 - Additional chaser email sent on 27/10/16	
<b>Director of Communities</b>																	
<b>Housing</b>																	
Housing Rents	May-15	Satisfactory		3	3	1	100%									COMPLETE	
Housing Maintenance	Oct-14	Satisfactory	1	3	3	1	100%									COMPLETE	
Void Management	Apr-15	Limited	1	9	9	0	100%									COMPLETE - Self Assessment response received which indicates all recommendations have been implemented.	
Housing - Homelessness, Advice & Allocations	Jan-15	Limited		29	29	11	100%									COMPLETE	
<b>Wellbeing</b>																	
Hackney Carriage & Private Hire	Jul-15	Satisfactory	1	4	4	1	100%									COMPLETE	
Third Party Commissioning	Nov-15	Satisfactory		1	1	1	100%									COMPLETE - Commissioning Strategy from 2014 being included within new Procurement Strategy	
<b>Environment</b>																	
Beach Huts	May-15	Limited	1	11	11	1	100%									COMPLETE	
<b>Director of Customer Services</b>																	
<b>Revenues &amp; Benefits</b>																	
WBC Benefits	Apr-15	Satisfactory		1	1	0	100%									COMPLETE	
WBC Revenues (Council Tax & NDR)	May-15	Satisfactory		5	5	0	100%									COMPLETE	
CenSus - Benefits	Nov-15	Satisfactory	1	4	3	0	75%	1	25%							Updated provided by Benefits Manager confirmed 2 recs completed. 15/16 audit confirmed 2 further recs actioned but the P1 rec re WO authorisation was re-raised in 15/16 report	
<b>Customer Contact &amp; Engagement</b>																	
Complaints	Dec-14	Limited	2	7	6	1	86%			1	0	1	0	0	14%	Update re outstanding rec requested on 14/9 - Additional chaser email sent (rec 3.2) on 27/10/16	
Register of Electors	Jul-15	Satisfactory	5													No follow up required	
Car Parks	Oct-14	Satisfactory	2	1	1	0	100%									COMPLETE - the service has accepted that the 2 P1 recommendations re reconciliations could not be implemented as processes did not allow. The entire process for collecting car park income has therefore been revised instead.	
<b>Computer Audits</b>																	

Disaster Recovery	Jul-15	Limited		3						3	3	0	0	0	100%	Update provided via Audit App - 3 recs are still being progress. Mazars Computer Auditors currently undertaking detailed follow up work to establish extent of progress. -
HMS Application	Sep-15	Satisfactory	2	3	3	0	100%									COMPLETE
Data Protection & Information Governance	Mar-15	Limited		9	3	1	33%			6	0	2	4	0	67%	Update provided via Audit App confirmed the six remaining recommendations are still in progress. Deadlines revised to 31 Mar 17.
Service Desk (ITIL)	Sep-15	Limited	3	2	2	1	100%									COMPLETE - Updates provided by Audit App confirmed recs are being addressed as part of larger IT projects so are therefore being addressed.
				206	156	31	76%	19	9%	31	5	15	5	6	15%	

Follow Up of Recommendations 2015/16 Audit Plan

	Final Report Date	Assurance level	Recs not applicable for follow up	Total No of Recs	Number of agreed recs completed	% of recs completed	Recs carried over into next audit	%of recs carried over	Number of recs outstanding	1	2	3	% of recs outstanding	Comments	Comments re Outstanding Priority 1 recs
<b>Chief Executive</b>															
<b>Corporate</b>															
Delivery of Corporate Priorities & Surf's Up Agency	May-16	Satisfactory	1	2	1	50%			1	0	1	0	50%	Updates provided on 9/11 confirmed 1 rec as no longer applicable, one will continue to be monitored so have been considered complete. The remaining rec 3.1 is not due for implementation until Dec 16.	
Annual Governance Statements	N/A	N/A												N/A	
Corporate Governance	Jul-16	Satisfactory	1	1			1	100%						N/A - Recommendation carried forward into 16/17 audit	
Risk Management	May-16	Satisfactory		3					3	0	2	1	100%	Update provided on 8/11 confirmed recs still in progress - deadlines revised to 31/3 & 31/1/17.	
Project Management															
Use of Consultants	Jun-16	Limited		11					11	5	6	0	100%	All recommendations due by 31 Dec 16 - follow up notifications enabled to allow for automatic reminders when rec is due	
<b>Communications</b>															
Communications	Mar-16	Limited		8					8	0	8	0	100%	Update requested 14/9 - Chaser email sent on 31/10/16	
<b>Director for Economy</b>															
<b>Place &amp; Investment Growth</b>															
Fixed Assets	Sep-15	Satisfactory		2	2	100%								COMPLETE	
Planning Services	Aug-16	Satisfactory		2	1	50%			1	0	1	0	50%	Request for update sent 31/10/16 - 1 rec confirmed as complete	
Local Development Framework															
Community Infrastructure Levy	May-16	Satisfactory		3	1	33%			2	0	2	0	67%	Update received on 22/09/16 confirmed both remaining recommendations relating to training have not yet been implemented due to there not yet being a need.	
<b>Director for Communities</b>															
<b>Housing</b>															
Housing Rents	Jun-16	Satisfactory		4	3	75%			1	0	1	0	25%	Update provided on 29/7 confirmed 1 rec completed - P1 rec confirmed as actioned 14/9. Update 31/10 confirmed 3.2 as actioned - 1 rec still O/S (3.4) update requested 7/11	
Adur Building Services DSO	Mar-16	Limited	2	15	15	100%								COMPLETE - Update provided on 2/11 confirmed remaining 2 recs have now been completed.	
<b>Wellbeing</b>															
Public Health	Aug-16	Satisfactory		5	4	80%			1	0	1		20%	Updated received in audit app from Janice Hoiles confirming that four of the five recommendations are complete. Implementation deadline for remaining rec revised to Jan 2017	
Empty Property Management	Jul-16	Satisfactory		4	1	25%			3	0	3	0	75%	Update provided 9/11 confirmed 1 rec complete.	
<b>Director for Customer Services</b>															
<b>Revenues &amp; Benefits</b>															
WBC Benefits	Jun-16	Satisfactory		3	3	100%								COMPLETE	
CenSus - Council Tax	Mar-16	Satisfactory	1	4	2	50%			2	0	1	1	50%	requests for update sent 14/9 & 31/10. Paul Willard (CenSus) confirmed progress on rec 3.2 but recommendation yet fully not complete (will be followed up on 16/17 CenSus Ctax audit).	
<b>Waste &amp; Cleansing</b>															



AWCS	Oct-15	Satisfactory		1					1	0	1	0	100%	update provided 7/11 rec in progress - Agreement is in draft - needs to be reviewed by Legal than signed - should be complete by end of Dec 16
<b>Customer Contact &amp; Engagement</b>														
Customer Services														
Electoral Services	Aug-16	Limited	2	14					14	3	8	3	100%	FOLLOW UP DUE MAY 17 - Auto reminders set
<b>Building Control &amp; Land Charges</b>														
Building Control	Nov-15	Satisfactory		5	1	20%			4	0	2	2	80%	Request for update sent 24/5, 14/9 & 31/10.
<b>Director of Digital &amp; Resources</b>														
<b>Finance</b>														
General Ledger	Jun-16	Satisfactory		5					5	0	4	1	100%	Recs not due for implementation until Apr 17
Cashiering	Aug-16	Satisfactory		2	1	50%			1	0	1	0	50%	Update provided on 31/10 confirmed 1 rec as complete. Awaiting update from Chief Cashier re other (procedures).
Creditors	Jul-16	Satisfactory		2					2	0	1	1	100%	FOLLOW UP DUE JULY 17
Debtors	Apr-16	Satisfactory	1	2	2	100%								COMPLETE
Payroll	Apr-16	Satisfactory		4					4	0	3	1	100%	Updates requested 01/11 of all rec owners
Corporate Fraud Management														
Treasury Management	May-16	Satisfactory		2	2	100%								COMPLETE
<b>Legal</b>														
<b>Design &amp; Digital</b>														
Freedom of Information	Nov-15	Limited	4	5	5	100%								COMPLETE - Update provided via Audit App confirmed all recs now complete
Performance Management	Oct-15	Satisfactory		5					5	1	3	1	100%	Requests for updates sent 24/5, 14/9 & 31/10.
Delivery of Digital Strategy														
<b>Business &amp; Technical Services</b>														
Decent Homes - report from 14/15 fact funding	Mar-16	Nil		28	28	100%								COMPLETE - Met with HoB&TS 1/11 - confirmed that all issues are being built into new processes for future contract letting
<b>Computer Audits</b>														
IT Resilience														
Public Services Network	Sep-15	Satisfactory		3					3	0	3	0	100%	Update provided 8/11 by Interim Head of Digital confirmed actions being taken in respect of the 3 outstanding recs.
Cloud Computing	Oct-16	Satisfactory		7					7	0	4	3	100%	FOLLOW UP DUE JAN 17
Google Mail post implementation review														
				152	72	47%	1	1%	79	9	56	14	52%	

### Corporate Investigations Team – Fraud update

Type of fraud	Period	No of investigations	Proven	Area/result	Saving £
<b>Tenancy</b>	01/4/14-31/3/15	58	9	4 Adur/Worthing Homes 1 Housing Services 4 Right to Buy	1,458,000.00
	01/4/15 – 31/3/16	100	22	4 Adur/Worthing Homes 12 Housing Services; 6 Right to Buy	1,620,000.00
	01/4/16 – date	68 (81 pending)	5	5 Housing Services	810,000.00
<b>Council Tax Reduction</b>	01/4/15 – 31/3/16	4		Investigations resulted in overpayments totalling	730.65
	01/4/16 – date	14		Investigations resulted in overpayments totalling	3152.79
<b>Council Tax Discount (Students/Disabled/SPD)</b>	01/4/15 – 31/3/16	136		Investigations resulted in overpayments totalling	38,315.11
	01/4/16 – date	12		Investigations resulted in overpayments totalling	11,744.40
<b>Housing Register</b>	July and September 2015	2762 persons con Housing Register investigated and current circumstances verified.	538 347	Persons removed from Register in Worthing area after being found to have left the area or to already be housed. Persons removed from Register in Adur area after being found to have left the area or to be already housed.	
<b>Project investigating Recover Project residents on behalf of Housing Services</b>	October 2015	48 persons resident from January 2015	6	Persons found to have no local connection.	108,000.00 (based on 18,000 per case)

Type of fraud	Period	No of investigations	Proven	Area/result	Saving £
<b>Council Tax – Single Person Discount</b>	December to March 2016	478 intervention reviews completed (Bands G-H).	83	Cancelled. This is 17% detection rate, higher than national average of 5%.	29,050.00
			8	Cancelled after investigation	(83 x £350). 6950.00
<b>Full SPD Review for WBC</b>	July 16 to date	20,227		Value of cancelled discounts to date is: Band E (annual amount of SPD is £481.87. Band D (annual amount of SPD is £394.26) Band C (annual amount of SPD is £350.45).	42,356.40 18,530.22 16,120.70.
<b>CT &amp; NNDR Write-off referrals</b>	Since September 2015	71	20	Persons have been located, with a combined value of Almost all NNDR arrears have been written-off due to companies being dissolved, and therefore unrecoverable.	11,518.20

#### **Housing Services/Advice:**

An average of 45 enquiries are received per month from Housing, requiring confirmation of previous 5 years address and income history. The number of these queries which has resulted in homeless and emergency accommodation applications being denied, through false statements and no local connection, is unknown. The saving, per case denied would be £54k (Based on three years being average time spent in temporary accommodation).

The Team are currently working through Adur Homes Repair List looking at all properties which have not requested/received repairs on the property in previous two years. This list is continuously updated.

#### **Right to Buy Applications:**

All applications for Right to Buys are verified by the Corporate Investigations Team who check for address history, credit history, bankruptcy, ownership of other properties, existing tenancies with other Housing Associations, and residency at the property.

During 2014/15 15 RTB applications were verified, during 2015/16 35 RTB applications were verified and during 2016/17 to date, 21 RTB applications have been verified on behalf of Adur Homes and Worthing Homes.

From this work 10\* cases of fraud were identified which has result in a saving to Adur & Worthing Homes of £779,000 \* (the average discount being £77,900).

The cases where RTB fraud was identified included

- An applicant who had resided in Wolverhampton for several years.
- An applicant who owned another property.
- An applicant who had married and was living in rented accommodation at another address, leaving her property empty.

**Planned areas of future work:**

Assist in locating debtors where the debt has not been recovered and is due for write-off.

Review of all persons receiving Disabled Discount (all households will need to be visited).

Proactive exercise on CTRS 'Nil Income' claims

Proactive exercise on CTRS Self Employed cases

Proactive exercise on CTRS - Capital and persons over 70

Further review of the Housing Registers

Worthing Homes have requested an exercise on their Repairs List.

Continue working on Adur Homes Repairs List

Investigate all reports of Tenancy Fraud and CTRS Fraud.

**Other areas of work the Team are responsible for:**

HBMS referrals

SFIS – Providing information to the DWP Investigations Team.

Land Registry enquiries

NFI reports

Address checks for Payroll.

**Prosecutions:**

The Team currently have four prosecution cases currently going through the Court system.

**Case 1: Mr BS** - Undeclared income from work in the medical profession, and falsification of documents. The case was false from the outset with an overpayment of CTRS of £4061.22.

**Case 2: Mr IK** - Undeclared income from undeclared self-employed business since 2013. This case included the falsification of P45/P60 documents. CTRS cancelled from outset of claim with an overpayment of £2,169.67.

**Case 3: IG** - Mr IG was an Adur Homes Tenant with a three bedroom property. It was discovered that he already held a tenancy with Brighton & Hove City Council and it was further discovered that his two dependent children had never resided with him.

**Case 4: Ms RI** - Found to have falsely claimed a SPD and that she had had multiple undeclared adult occupants in her property since March 2008. An overpayment of CT SPD was calculated to the value of £6,949.43.

*\*Included in figures within the main table*





Ward: All

## **Elected Member Involvement in the Appointment and Discipline of the Councils' Senior Officers**

### **Report by the Solicitor to the Council and Monitoring Officer**

#### **1.0 Summary**

- 1.1 The Monitoring Officer has undertaken a review of the Councils' existing arrangements for the recruitment, appointment, discipline and dismissal of its Senior Officers and, with a view to ensuring an efficient, streamlined, independent and fair process, has made proposals for change.

If the proposals are adopted by the Councils, they will be subject to consultation with Unison, and consequential changes will need to be made to the Officer Employment Procedure Rules and the Terms of Reference of Staffing Committees within the Councils' Constitutions. Further, it is likely that the Committee structure will change, with the abolition of the Joint Senior Staff (Appeals) Committee. Further, consequential changes will need to be made to the Councils' Recruitment & Selection and Disciplinary Policies.

#### **2.0 Background**

- 2.1 The Councils have set out the procedures relating to the appointment and dismissal of its Senior Officers in the Officer Employment Procedure Rules, which form part of the Constitution. The Rules were last updated in July 2015 when changes were imposed by legislation. The current procedures provide for Officers to deal with the recruitment and appointment, discipline and dismissal, of Senior Officers in some circumstances, whilst such matters relating to other Officers are within the remit of the Councils' three Staffing Committees; the Joint Staff Committee, the Joint Senior Staff Committee and the Joint Senior Staff (Appeals) Committee.

#### **2.2 Head of Paid Service**

The Head of Paid Service is the Councils' Chief Executive and is a statutory post.

The Councils' current procedures provide that the appointment of the Head of Paid Service is dealt with by the Joint Senior Staff Committee (JSSC), who must make a recommendation as to appointment, to Full Council, who are responsible for making such an appointment. Similarly, disciplinary action in respect of the Head of Paid Service must be considered by JSSC, who must receive a report from a panel of the

Councils' Independent Persons if they are considering dismissal, before making a recommendation to Full Council, who are responsible for the ultimate decision.

### 2.3 Chief Finance Officer and Monitoring Officer

Since legislative changes were introduced in 2015, recruitment and dismissal of the Chief Finance Officer and Monitoring Officer, the Councils' two other statutory post holders, must now also be considered by JSSC, who must make a recommendation to Full Council, having considered a report from the panel of Independent Persons in the case of dismissal, for a decision.

### 2.4 Chief Officers

Chief Officers are defined as those postholders who are direct reports of the Councils' Chief Executive, other than administrative staff. For Adur and Worthing Councils' this would include the 4 Director posts, and the posts of Head of Communications and Head of Policy.

#### 2.4.1 Chief Officers - Directors

Current procedures provide that the appointment of Directors is dealt with by JSSC. There is no requirement for approval of the appointment by Full Council. JSSC are however statutorily bound to undertake consultation, via the Monitoring Officer, with both Executives. Similarly, disciplinary action, including dismissal, of Directors is currently dealt with by JSSC, who have the power to dismiss Directors without the involvement of a panel of Independent Persons, or Full Council approval, provided they comply with statutory consultation with the Executives. Directors currently have a route of appeal against dismissal by JSSC, to the Joint Senior Staff (Appeals) Committee (JSS(A)C).

#### 2.4.2 Chief Officers - Non-Directors

Current procedures provide that the Head of Paid Service, or an Officer nominated by him, is responsible for the appointment of Chief Officers who are non-Directors. Such appointment is subject to statutory consultation with both Councils' Executives. The discipline, and dismissal, of Chief Officers who are not Directors, is also currently dealt with by the Head of Paid Service, or an Officer nominated by him, again subject to consultation with the Executives. There is a route of appeal against dismissal from the dismissing Officer to JSSC.

### 2.5 Deputy Chief Officers

Deputy Chief Officers are defined as those who are direct reports of those directly reporting to the Councils' Chief Executive, other than administrative staff. For Adur and Worthing Councils' they would include Heads of Service (other than Head of Legal and Head of Finance) and direct reports of the Head of Policy and Head of Communications.

Current procedures provide that the appointment of a Deputy Chief Officer is dealt with by the Head of Paid Service, or an Officer nominated by him, subject to the

requirements as to statutory consultation with both Councils' Executives. Also, the dismissal of Deputy Chief Officers is dealt with by the Head of Paid Service, or an Officer nominated by him, subject to consultation with the Executives, with a route of appeal against dismissal from the dismissing Officer to JSSC.

### **3.0 Proposals**

#### **3.1 The Councils' Statutory Officers**

Procedures relating to the appointment and dismissal of the Councils' three Statutory Officers (the Head of Paid Service/Chief Executive, the Chief Finance Officer and the Monitoring Officer) are provided for in statute. The Councils' current procedures comply with legislative requirements and therefore no proposals for change are made in respect of the Statutory Officers.

#### **3.2 Chief Officers**

##### **3.2.1 Chief Officers - Directors**

Legislation provides that the appointment and dismissal of Directors may be dealt with either by a Committee of Elected Members of the Councils, or by the Head of Paid Service or an Officer nominated by him. The Councils have chosen, to date, to deal with such appointments by way of JSSC. However, it is considered that such employment matters could be dealt with more swiftly and efficiently by the Head of Paid Service, or an Officer nominated by him, whilst retaining independence and fairness in the procedure. The Monitoring Officer therefore proposes that the appointment and/or discipline, including dismissal of Directors, be dealt with by the Head of Paid Service, or an Officer nominated by him, without the involvement of the JSSC. Members of the Councils would still be involved in such decision-making as it is a statutory requirement that the appointing or dismissing Officer would need to consult, via the Monitoring Officer, with Members of both Councils' Executives before confirming such appointment or dismissal.

If Members are minded to agree with the proposal for appointment and dismissal of Director Chief Officers to be the responsibility of the Head of Paid Service, or an Officer nominated by him, then it is further proposed that there be a route of appeal against a decision to dismiss to another Officer, being the Head of Paid Service, or an Officer nominated by him. Clearly any Officer hearing an appeal would need to be independent of the dismissing Officer; the appeal Officer would either be the Head of Paid Service or an Officer nominated by him, of whom he is satisfied as to competency and independence, and could, in some circumstances, include an external expert if appropriate.

The rules of natural justice would continue to apply to any process and the Officer would be entitled to a fair and impartial hearing, with the right to be heard and/or represented.

##### **3.2.2 Chief Officers - Non-Directors**

The current recruitment and dismissal of such Officers is dealt with by the Head of Paid Service or an Officer nominated by him. However, there is currently a route of appeal against such dismissal to JSSC. It is proposed that the route of appeal against such decisions be to the Head of Paid Service or an Officer nominated by him, enabling the dismissal to be dealt with by a Director, with appeal to the Chief Executive or an alternative independent Director, if appropriate. This would negate the need for the holding of a JSSC meeting to deal with such appeals, but would retain Member involvement, via the statutory consultation process with both Councils' Executives.

### 3.3 Deputy Chief Officers

Currently appointment and dismissal of Deputy Chief Officers is dealt with by the Head of Paid Service or an Officer nominated by him, but with a route of appeal against dismissal to JSSC. The Monitoring Officer further proposes that the route of appeal be to the Head of Paid Service or an Officer nominated by him, allowing for dismissal to be dealt with by a Director, with a route of appeal to the Chief Executive, or another independent Director, if appropriate. Again this would negate the need for JSSC to hear such an appeal, whilst retaining Member involvement through the statutory consultation process with each Council's Executive.

### 3.4 Staffing Committees

The Council currently has three Staffing Committees:-

1. The Joint Staff Committee - this Committee has the power to determine the terms and conditions upon which staff (other than the three Statutory Officers) hold office.
2. Joint Senior Staff Committee - this Committee, if the proposals in this report are accepted, would continue to deal with recruitment and disciplinary matters in respect of the three Statutory Officers, subject to Full Council approval. But its workload would be reduced by no longer dealing with the appointment and dismissal of Chief Officers who are Directors, or appeals against dismissal from Chief Officers who are non-Directors and Deputy Chief Officers.
3. The Joint Senior Staff (Appeals) Committee - if the proposals in this report are accepted, the Council would no longer require a Joint Senior Staff (Appeals) Committee.

- 3.5 Should the proposals in this report be accepted, it would reduce the number of Staffing Committees required by the Council and the number of meetings of such Committees. This is likely to lead to a small saving as such Committees can be time-consuming and costly to resource. It is also likely to lead to such employment matters being dealt with more swiftly and efficiently, without the need to convene Committees, publish agenda and reports. It would however ensure Member involvement continues via the statutory provisions relating to consultation. It would enable a fair and impartial process of dealing with employment matters for Senior

Officers, whilst retaining Member involvement, and a route of appeal to the appropriate level. If accepted, the proposals could lead to minor alterations to political balance. The proposals are subject to consultation with Unison.

#### **4.0 Legal**

- 4.1 The Local Authorities (Standing Orders) (England) Regulations 2001 set out the statutory procedures relating to the appointment and dismissal of Chief Officers and Deputy Chief Officers of a Local Authority.
- 4.2 The Local Authorities (Standing Orders) (England) Regulations 2015 set out the statutory procedures relating to the appointment and dismissal of a Local Authority's statutory Officers.

#### **5.0 Financial implications**

- 5.1 There are no financial implications arising from this report other than a potential saving arising from less Staffing Committee meetings.

#### **6.0 Recommendations**

The Joint Governance Committee is recommended:-

- 6.1 To recommend to both Adur District Council and Worthing Borough Council that the Councils' Officer Employment Procedure Rules be amended to provide for the appointment, discipline and dismissal of Chief Officers who are Directors, to be dealt with by the Head of Paid Service or an Officer nominated by him.
- 6.2 To recommend to Adur District Council and Worthing Borough Council that the Officer Employment Procedure Rules be amended to provide that Chief Officers who are Directors have a route of appeal against dismissal to the Head of Paid Service or an Officer nominated by him.
- 6.3 To recommend to Adur District Council and Worthing Borough Council that the Officer Employment Procedure Rules be amended to provide that Chief Officers who are non-Directors have a route of appeal against dismissal to the Head of Paid Service or an Officer nominated by him.
- 6.4 To recommend to Adur District Council and Worthing Borough Council that the Officer Employment Procedure Rules be amended to provide that Deputy Chief Officers have a right of appeal against dismissal to the Head of Paid Service or an Officer nominated by him.
- 6.5 To recommend to both Adur District Council and Worthing Borough Council that the Councils' Joint Senior Staff (Appeals) Committee be abolished.
- 6.6 To recommend to Adur District Council and Worthing Borough Council that the Monitoring Officer be delegated to make consequential changes to the Councils' Constitutions, including changes to the Terms of Reference of the Staffing Committees.

**Local Government Act 1972**

**Background Papers:**

Officer Employment Procedure Rules  
Worthing Borough Council Constitution

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## **Schedule of Other Matters**

### **1.0 Council Priority**

- 1.1 Matter considered and the issue of Joint Officer Employment Procedure Rules and Joint Staffing Committees relates to the Council priorities relating to partnership working.

### **2.0 Specific Action Plans**

- 2.1 Matter considered and no issues identified

### **3.0 Sustainability Issues**

- 3.1 Matter considered and no issues identified

### **4.0 Equality Issues**

- 4.1 Matter considered and no issues identified

### **5.0 Community Safety Issues (Section 17)**

- 5.1 Matter considered and no issues identified

### **6.0 Human Rights Issues**

- 6.1 Every individual has the right to a fair hearing and it is considered that the proposals comply with the principles of natural justice and the Human Rights Act.

### **7.0 Reputation**

- 7.1 Matters considered and no issues identified

### **8.0 Consultations**

- 8.1 The proposals are subject to consultation with Unison.

### **9.0 Risk Assessment**

- 9.1 Matter considered and no issues identified

### **10.0 Health & Safety Issues**

- 10.1 Matter considered and no issues identified

### **11.0 Procurement Strategy**

- 11.1 Matter considered and no issues identified

### **12.0 Partnership Working**

- 12.1 The Joint Staffing Committees operate under the Joint Committee Agreement and support the principles of partnership working.

Ward: All

## Amendments to the Constitution

### Report by the Solicitor to the Councils and Monitoring Officer

#### 1.0 Summary

1.1 This report seeks to update members of the Joint Governance Committee with recent amendments made to the Councils' Constitutions by the Monitoring Officer.

#### 2.0 Background

2.1 The Monitoring Officer has a duty to maintain an up-to-date version of the Constitution and to ensure that it is publically available. The Monitoring Officer has the authority, as set out in Article 11 of the Constitution, to "make minor and consequential amendments to the Constitution at any time".

#### 3.0 Proposals

##### 3.1 Part 1: Summary and Explanation

Minor amendments have been made to part 1 of the constitution to clarify which officer is responsible for updating which part of the constitution, whilst overall responsibility for maintaining an up to date constitution remains with the Monitoring Officer.

A further amendment provides that, whilst the Constitutions are available on the Councils' internet, we will also provide a hard copy upon request but will make appropriate charges for photocopying and postage.

##### 3.2 Part 2: Articles of the Constitution

Various minor amendments have been made to the articles. These can be summarised as follows:

- to provide that on acceptance of office Members are obliged to comply with the constitution including the code of conduct.
- to provide that on acceptance of a position of employment with the Councils Officers are also obliged to comply with the Councils' constitutions in respect of provisions relating to Officers.

- to clarify that some appointments to outside bodies are made by full Council and others by the Leader, where they relate to Executive functions.
- to reflect changes, imposed by legislation, and authorised by the Councils in 2015, to the procedures for dismissing the Chief Finance Officer and Monitoring Officer, which must now be approved by full Council.
- functions of full Council have been amended to include approval of the ordinary meetings for the forthcoming year
- reference to Governance Committee has been amended to Joint Governance Committee

### 3.3 Part 3: Terms of Reference

Amendments have been made to the terms of reference of Council committees to clarify the quorum for the Planning Committees, the Licensing and Licensing Sub Committees, and the Overview and Scrutiny Committees.

A further amendment has been made to the terms of reference of the Joint Governance Committee for completeness, to include the role of receiving reports from the Joint Independent Remuneration Panel and making recommendations to Council.

### 3.4 Part 4: Scheme of Delegations

Amendments have been made to the Councils Joint Scheme of Delegations to reflect the fact that the Councils no longer have a post of Head of Organisational Development, and that the Councils' Estates team now reports into the Head of Place and Investment rather than the Head of Economic Growth.

### 3.5 Part 4: Access to Information Procedure Rules

A minor amendment has been made to the Access to Information Procedure Rules at paragraph 15, relating to Key and Exempt Decisions which are urgent. Provision exists for special urgency procedures where it is not practicable to give 28 days notice. The procedure requires the consent of the Chairmen of the Overview and Scrutiny Committee and an amendment has been made to include provision for consent to be given by the Vice Chairmen of the Overview and Scrutiny Committee, if the Chairmen are absent.

### 3.6 Part 4: Council Procedure Rules

A minor amendment has been made to the Index to the Council Procedure Rules to refer to Questions by the Public rather than Questions and Statements by the Public, to reflect the fact that the right for the public to make statements was withdrawn last year.

A further amendment has been made to Council Procedure Rules 32.2 dealing with Member Conduct. The rule provided for the ability of the Mayor or Chairman at a meeting of full Council to stand requiring all Members to be silent and sit down. This provision has been extended to the Chairman of Committee meetings.

### 3.7 Part 5: Protocol on Officer Decision-Making

A minor amendment has been made to this document to clarify that when Officers make key decisions under their delegated authority, they should do so, after considering a written report, and they are also required to comply with the principles of decision making as set out in Article 12 of the constitution.

### 3.8 Part 9: Joint Committee Agreement

Various changes to the Joint Committee Agreement were approved by both full Councils in December 2012 but were never implemented. The Monitoring Officer has now made the relevant consequential amendments and signed and sealed a revised Joint Committee Agreement on behalf of both Councils.

## 4.0 Legal

4.1 Article 11, paragraph 11.03, of the Councils' Constitutions sets out the Functions of the Monitoring Officer and states "The Monitoring Officer has the delegated authority to make minor and consequential amendments to the Constitution at any time".

## 5.0 Financial implications

5.1 There are no financial implications arising from this report.

## 6.0 Recommendation

6.1 Members of the Joint Governance Committee are asked to note the contents of this report.

## **Local Government Act 1972**

### **Background Papers:**

Adur District Council Constitution

Worthing Borough Council Constitution

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## **Schedule of Other Matters**

[To be completed on all reports. If no issues are identified under a heading then it should read "Matter considered and no issues identified."]

### **1.0 Council Priority**

1.1 Good governance and an up to date constitution support the Councils priorities relating to partnership working.

### **2.0 Specific Action Plans**

2.1 Matter considered and no issues identified.

### **3.0 Sustainability Issues**

3.1 Matter considered and no issues identified.

### **4.0 Equality Issues**

4.1 Matter considered and no issues identified.

### **5.0 Community Safety Issues (Section 17)**

5.1 Matter considered and no issues identified.

### **6.0 Human Rights Issues**

6.1 Matter considered and no issues identified.

### **7.0 Reputation**

7.1 Good governance arrangements help to protect the reputation of the Councils.

### **8.0 Consultations**

8.1 Matter considered and no issues identified.

### **9.0 Risk Assessment**

9.1 The risk of not having an up to date constitution is that procedures and practices may not be transparent, fair, and consistent and may increase the risk of legal challenge.

### **10.0 Health & Safety Issues**

10.1 Matter considered and no issues identified.

### **11.0 Procurement Strategy**

11.1 Matter considered and no issues identified.

## **12.0 Partnership Working**

- 12.1 Constitutional arrangements enable and support the governance of partnership working.