

**Minutes of a Meeting of the
Joint Governance Committee of
Adur District and Worthing Borough Councils**

QEII Room, Shoreham Centre, Shoreham-by-Sea

Tuesday 25 September 2018

*Councillor George Barton (Chairman)

Adur District Council:

Councillor Kevin Boram
Councillor David Balfe
*Councillor Paul Graysmark
Councillor Andrew McGregor
Councillor Paul Mansfield
Councillor Barry Mear
*Councillor Peter Metcalfe

Worthing Borough Council:

*Councillor Jim Deen
Councillor Lionel Harman
Councillor Nigel Morgan
*Councillor Louise Murphy
Councillor Jane Sim
Councillor Bryan Turner
Councillor Steve Waight
Councillor Steve Wills

*Absent

The Vice-Chairman, Councillor Kevin Boram, advised he would be chairing the meeting in Councillor George Barton's absence due to ill health. On behalf of the Committee, Councillor Boram wished Councillor Barton a speedy recovery.

The Chairman advised he had received apologies from Councillor Louise Murphy as she could be delayed in attending the meeting. Councillor Paul Graysmark had left the Council and Councillor Jim Deen was on administrative leave.

JGC/032/18-19 Substitute Members

There were no substitute Members.

JGC/033/18-19 Declarations of Interest

There were no declarations of interest.

JGC/034/18-19 Minutes

The minutes of the Joint Governance Committee meeting held on 31 July 2018, were agreed as a correct record.

JGC/035/18-19 Public Question Time

There were no questions from the public.

JGC/036/18-19 Items Raised Under Urgency Provisions

There were no urgent items raised.

JGC/037/18-19 Internal Audit Progress Report

Before the Committee was a report from the Acting Head of Internal Audit, copies of which had been circulated to all Members and a copy is attached to the signed copy of these Minutes as item 6.

The report updated the Committee Members on the current performance of the Internal Audit Section; summary information on the key issues raised in final audit reports issued since the last report to the Committee; the current status on the implementation of agreed audit recommendations and an update on the progress on actions arising from the ADC Leaseholder Charges.

The Acting Head of Internal Audit introduced the report and was pleased to advise internal audit progress for the current year was on track, with 27.9% of the audit work completed as at 31 August 2018. Regarding final audit reports, since the last Committee meeting, three reports had been finalised, all of which were given Satisfactory Assurance. Mr Stothard advised the Committee he felt progress had been going reasonably well, particularly for 17/18 recommendations, and there had been good progress using the audit app in order to update outstanding recommendations.

The Chairman referred to the 2 P1s referred to on page 7 of the report, within the table, Analysis of status of recommendations 2015/16, and asked Mr Stothard when these would be cleared. Mr Stothard said these relating to the Project Management report and the IT Resilience report and the Head of Customer Contact and Engagement updated the Committee Members on their status. The Chairman referred to the four items outstanding in 2016/17 and stated he would be requesting an update on these at the next meeting.

A Member referred to the 16 page briefing note circulated to the Committee Members the day before the meeting and asked for clarification as to its status. He felt that due to its late delivery he had been unable to sufficiently read the document. The Member was advised the paper was produced to give background into the audit recommendations. The document was a briefing note only and did not form part of the papers before the Committee. The Head of Finance agreed she would liaise with Democratic Services to ensure it was published alongside the complete agenda and reports.

Another Member referred to appendix 3 and noted that under the comments for Culture, Theatres Catering, updates had been requested by Internal Audit by email, but no response had been forthcoming. The Member requested that the Acting Head of Internal Audit update the Committee at its next meeting on progress.

Resolved,

The Joint Governance Committee noted the contents of the report.

JGC/038/18-19 Response to Project Management Audit

Before the Committee was a report by the Director for Digital & Resources, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 7.

The report provided the Committee Members with an overview of the corporate Project Management approach being adopted across key council services, and an update on implementation of recommendations following the audit into Project Management across the Councils.

The Head of Customer Contact and Engagement introduced the report and ran through the good progress made in the implementation of project management practices. The Officer explained the three different project management methodologies used depending on the nature of the work, i.e. waterfall, particularly used for capital projects; agile, usually software projects; and same room, mainly service redesign. He stated the audit recommendations had been actioned and continual progress was being made through the project management steering group,

The Chairman felt that when moving through a project certain 'gate' approvals were necessary, for example finance approval when signing major contracts, and felt it was difficult to see, when using the three methodologies, where those 'gates' were in respect of risks and appropriate financial control.

The Head of Finance spoke regarding the capital programme and advised that before any project commenced, depending on the scale of investment, there was a consideration of appraisal options. The Officer advised that projects over £250,000 would come back to Members, either the Executive Members or Joint Strategic Committee, in order that they are fully briefed. Monitoring took place regularly, and once the project was closed there was a review process put in place.

A Member referred to page 21 of the report, Audit recommendation 2, and requested an update on the further peer review on major projects and property investment which took place in September 2018. The Director for Digital & Resources said he had led the workshop which focussed on the detail as to how the projects ran, the documentation, and process and in particular, communication. The Officer advised tasks were underway which would be reported back in six weeks time. He said he was happy to bring back further details to the Committee and the Chairman agreed that would be useful.

Another Member raised a query specifically with regard to digital projects and requested clarification as to whether Members were advised should a project go over budget or was not achieving its objective. The Director for Digital and Resources

explained that in relation to the digital programme it had been reported quarterly for some time through the capital programme update.

The Member also raised a specific query regarding the management of methodologies which the Head of Customer Contact and Engagement answered to the Member's satisfaction.

Resolved,

The Joint Governance Committee noted the progress made in the implementation of project management practices and agreed to receive a further report at a future Committee meeting.

JGC/039/18-19 GDPR Compliance Progress Report

Before the Committee was a report by the Director for Digital & Resources, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 8.

The report was being presented in response to a specific request made at the meeting of the Committee held on 31 July 2018. It provided an overview of the governance approach of the Councils towards GDPR compliance and updated the Committee Members on the actions against audit recommendations in relation to GDPR, together with an overview on how individual services were progressing.

The Head of Customer Contact and Engagement outlined the report for Members and advised an Interim GDPR lead & Data Protection Officer had been appointed whilst recruitment for a permanent postholder was pursued. The Officer stressed local authorities were complex organisations when managing data, having some 168 different strands where they needed to comply with GDPR. There had been two audits carried out earlier in the year which had identified a number of actions to be carried out.

The Officer highlighted page 39, 6.2, of the report which outlined the key areas for compliance, and appendix 2 which showed progress made by Service Area which was continuously progressed.

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Queries were raised with the Officer, which included the possible re-training of Members, and completion of training for those staff not office based. Those queries were answered by the Head of Customer Services and Engagement to the Member's satisfaction.

One Member was concerned as to the cost of GDPR compliance for the Councils despite members of the public having their data stolen by hackers into systems.

The Director for Digital and Resources said that GDPR compliance gave the Councils a good opportunity to look at how we were operating and to review systems in place.

The Member pressed Officers as to the approximate cost involved for compliance to the Councils however, the Head of Customer Services and Engagement explained it was virtually impossible to quantify as Officers were carrying out the compliance work as part of their day to day roles. The Head of Finance however agreed to produce an estimate of staff time and cost for the Committee Members in approximately two weeks time from the date of the meeting.

The Chairman requested when the compliance work would be considered by Internal Audit. Mr Stothard advised the work would be factored in to the schedule and re-visited on a periodic basis, in close liaison with the Director for Digital and Resources and Head of Finance.

Resolved,

The Joint Governance Committee noted the progress being made in terms of improving how data is managed and processed by the Councils, specifically in relation to GDPR.

JGC/040/18-19 Value/Cost of more frequent network penetration testing

Before the Committee was a report by the Director for Digital and Resources, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 9.

The report addressed cyber security associated with the Councils IT systems and data, and explored the value of increasing proactive testing to identify and close vulnerabilities.

The Head of Customer Contact and Engagement briefly outlined the report for Members and followed a request from a previous Committee meeting. The Officer advised that once the cost had been quantified, approximately £15,000 not in the current budget, a growth bid would be submitted as part of the 2019/20 budget round.

Resolved,

The Joint Governance Committee noted the contents of the report.

JGC/041/18-19 Local Government Ombudsman Complaints and Annual Monitoring letters

Before the Committee was a report by the Director for Digital and Resources, copies of which had been circulated to all Members and copies are also attached to the signed copy of these Minutes as Item 10.

The report reviewed the Annual Review letters of the Local Government Ombudsman (LGO) relating to both Councils for the year ended 31 March 2018. It also provided further analysis on other complaints which the LGO had received as part of the new reporting year 2018/19 and those decisions that were outstanding from the previous year and previous reports to the Committee.

The Director for Digital and Resources briefly outlined the report and referred the Committee Members to page 58, 3.6, of the report regarding complaints received. The Officer advised the report author, after carrying out investigative work with other Councils, felt the figures were at a low level compared to other authorities.

A Member asked once a complaint was received by the Ombudsman, how long would it take before remedial action occurred, The Head of Customer Contact and Engagement outlined the complaints procedure, which had its own internal deadlines. He felt that by the time it reached the Ombudsman it would have taken some time already, but the whole process he felt would be a matter of weeks or months. However, the Officer advised Officers tried to resolve complaints at Stage 1 and as a rule very few cases were referred to the Ombudsman.

A Member referred to call recording, in particular, the cost involved and whether under review. The Officer explained it was still being considered, mainly as a training tool, but being monitored.

Another Member asked how staff were being trained to avoid cases being referred and upheld by the Ombudsman. The Officer advised the Customer Insight Team compiled data from service areas and would liaise with Heads of Service to raise any specific issues and provide feedback.

Resolved,

The Joint Governance Committee noted the contents of the report and agreed to receive a further analysis report of the Local Government Ombudsman complaints in March 2019.

JGC/042/18-19 Risks and Opportunities - Updates

Before the Committee was a report by the Director for Digital & Resources, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 11.

The report provided the regular updates on the management of the Councils' risks and opportunities.

The Director for Digital and Resources advised good progress on risk and opportunities management since the last update; the number of high risks now reported was 8, reduced from 13 in March 2018, including 2 in Housing and 3 in Digital. The Officer confirmed the Joint Strategic Committee had received a

progress report in July this year in response to Joint Governance Committee's recommendation.

Resolved,

The Joint Governance Committee noted the progress in managing risks and opportunities and agreed to receive a further progress report in January 2019.

JGC/043/18-19 Scrutiny of Executive Decisions: Report of Requests for Call-in

Before the Committee was a report by the Monitoring Officer, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 12.

The report brought forward a recommendation from the Councils' Joint Overview and Scrutiny Committee for the Joint Governance Committee to consider the current procedures in place for the scrutiny of Executive decision making. In particular, for the Committee to consider whether any amendments are required to the current arrangements relating to requests made to the Monitoring Officer for an Executive decision to be called in.

The Monitoring Officer introduced the report advising that call-in was not a frequent occurrence however, the Joint Overview and Scrutiny Committee (JOSC) would like to have a regular item on their agendas to receive notification of any requests for call-in of decisions that have been rejected by the Monitoring Officer. In addition, where the Monitoring Officer had rejected a request for call-in of a decision, a report to be provided summarising the Monitoring Officer's reasons for the rejection.

The Officer requested the Committee determine whether they would like to delegate to her some amendments to the Procedure Rules that govern the JOSC which forms part of the Constitution which comes under the remit of the Joint Governance Committee.

A Member recognised within the report the Monitoring Officer was referred to as 'she' and requested the gender reference be removed from the Constitution. The Monitoring Officer agreed should be gender neutral.

Resolved,

The Joint Governance Committee:

- (1) considered the contents of the report and agreed the recommendation from the Joint Overview and Scrutiny Committee; and
- (2) advised the Monitoring Officer of a minor amendment that they considered should be made to each Council's Joint Overview and Scrutiny Procedure Rules and the Constitution as a whole.

JGC/044/18-19 Governance of Partnership working between Adur District Council & Worthing Borough Council : The Joint Agreement

Before the Committee was a report by the Monitoring Officer, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 13.

The report advised the agreement between Adur District Council and Worthing Borough Council had been reviewed and that there were proposed amendments for the Joint Governance Committee to consider and make appropriate recommendations to each Council.

The Monitoring Officer introduced the report and explained that the Joint Committee Agreement governed the partnership working arrangement between Adur and Worthing; formed part of the Constitution and had been adopted and signed by both Councils. The Agreement was entered into in 2007, when the partnership started, and to reflect progress over the years was now due for review.

The Monitoring Officer highlighted some of the changes that had been made to the draft Agreement, and advised the formatting of the document had been changed significantly for clarity. When the Councils first entered into the agreement, Schedule 1 related to services that were in the joint arena, however all services were in the joint arena, therefore it has identified items that are reserved for each Council rather than listing those that are joint.

The Officer also advised of amendments to the report was published, paragraph 20, i.e. Audit Commission Act should now read Local Audit and Accountability Act and in respect of Schedule 2 minor amendments to the wording as it reads as though it is a new situation in respect of cost allocation, but has now been established for some time.

The Chairman requested that the document be a track change copy in order for Members to see easily where the changes have been made. It was also confirmed the Head of Finance had reviewed and agreed the draft Agreement.

A Member commented he felt the partnership working had gone extremely well and saved both Councils a considerable amount of money that not only provided savings to taxpayers but also resilience to services.

Following consideration of the report, the Committee Members agreed the use of track changes when amendments were to be agreed within the Constitution.

Resolved,

The Joint Governance Committee considered the proposed draft agreement as amended and recommended approval to both Councils. The Committee Members also agreed the use of track changes when amendments were to be agreed within the Constitution.

All Worthing Committee Members, apart from Councillor Harman, left the meeting before the last item was considered.

JGC/045/18-19 Scheme of Allowances for Adur District Council 2019/20

Before the Committee was a report by the Director for Communities, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 14.

The report requested the Joint Governance Committee consider the report of the Joint Independent Remuneration Panel and make recommendations to Adur District Council on the level of Members' Allowances for the municipal year 2019/20. The recommendations from the Committee on the level of allowances would be proposed at the meetings of Full Council in November 2018.

The Chairman welcomed Mr Hillman and thanked him for not only Chairing JIRP but for producing a diligent piece of work.

The Chairman advised the Conservative Group had discussed the report in detail, and notwithstanding the Panel's view in 6.2 of the report, that Adur Members remain underpaid over their Worthing colleagues, it was their unanimous decision that Members should accept the same rise in allowances as that agreed by the NJC National Pay Bargaining Agreement of 2%. This would give rise to a saving on the budget of £2,004 as set out in the report.

The Democratic Services Officer briefly outlined the report for Members and advised that next year there would be a joint review across Adur and Worthing.

The Officer advised there were two options open to the Committee Members:-

Option 1 - Indexed to the Officer's NJC National Pay Bargaining agreement plus an increase of 2% which would mean an increase in the current budget of £2175; and

Option 2 - An increase tied to the NJC National Pay Bargaining agreement only and approving this option would mean a £2004 saving to the budget.

The Committee Members considered the report and recommended Option 2.

Resolved,

The Joint Governance Committee agreed Option 2 as a recommendation to Adur District Council in respect of setting the level of allowances for 2019/20

The meeting was declared closed by the Chairman at 8.10 pm, having commenced at 6.30pm.

Chairman