

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

QEII Room, Shoreham-Centre, Shoreham-by-Sea

27 September 2022

Councillor Andy McGregor (Chairman)
Councillor Rob Wilkinson (Vice-Chairman)

Adur District Council:

Councillor Catherine Arnold
Councillor Tony Bellasis
Councillor Kevin Boram
*Councillor Lee Cowen
Councillor Gabe Crisp
Councillor Jim Funnell

Worthing Borough Council:

Councillor Mike Barrett
Councillor Ibsha Choudhury
Councillor Councillor Rita Garner
*Councillor Dan Hermitage
*Councillor Charles James
Councillor Nigel Morgan
Councillor Steve Waight
Councillor Andy Whight

*Absent

JGC/21/22-23 Substitute Members

Councillor Debs Stainforth substituted for Councillor Lee Cowen
Councillor Jon Roser substituted for Councillor Dan Hermitage
Councillor Dan Coxhill substituted for Councillor Charles James

JGC/22/22-23 Declarations of Interest

There were no declarations of pecuniary interest.

JGC/23/22-23 Minutes

The minutes of the Joint Governance Committee meeting held on 28 July 2022 were agreed as a correct record.

JGC/24/22-23 Public Question Time

No questions from the public were received.

JGC/25/22-23 Items Raised under Urgency Provisions

There were no urgent items raised.

JGC/26/22-23

Statement of Accounts 2020/21 for Adur District Council and Worthing Borough Council - Completion of audit

Before the Committee was a report from the Director for Digital, Sustainability & Resources, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 6.

The audits of Adur District Council's and Worthing Borough Council's 2020/21 Statements of Accounts were now complete. The External Auditor's Annual Audit Report, elsewhere on the agenda, contained the External Auditor's findings arising from their audit. The 2020/21 financial statements had been adjusted in respect of the External Auditor's work.

The report briefed members on the impacts to the statement of accounts arising from the conclusion of the audit.

Members considered the audit fees, noting that they were also covered in item 7 on the agenda, and the procurement strategy for appointing external Auditors.

Resolved

The Joint Governance Committee

- i. noted the final changes made to the accounts as detailed in section 3.6 of the report; and
- ii. noted that the Chairmen of the Committee exercised their delegation to approve the final version of the accounts including changes agreed with auditors to conclude the audit.

JGC/27/22-23

2020-21 Auditor's Annual Reports

Before the committee were two reports from the Councils' External Auditor, copies of which had been circulated to all Members and copies of which are attached to the signed copy of these Minutes as Item 7.

The reports provided opinions on the Council's financial statements (going concern and consistency of the statement of accounts 202/21 and other information published with the financial statements) and reports by exception (Value for Money (VFM), consistency of the annual governance statement and public interest report and other auditor powers).

As a result of the work carried out, the auditor's had also:-

- 1) Issued a report to those charged with governance of the Council communicating significant findings resulting from the audits; and
- 2) Issued a certificate confirming that they had completed the audit in accordance with the requirements of the Local Audit and Accountability Act 2014 and the National Audit Office's 2020 Code of Audit Practice.

Members gave consideration to the audit fees covered in the report and sought clarification in relation to the procurement strategy applied for appointment of the external auditor. Officers advised that the Councils participated in a national framework when

appointing an external auditor and the fee adjustment had been expected and would need to be accommodated.

Resolved

The Joint Governance Committee noted the contents of the reports.

JGC/28/22-23 2020-21 Audit Planning Reports

Before the committee were two reports from the Councils' External Auditor, copies of which had been circulated to all Members and copies of which are attached to the signed copy of these Minutes as Item 8.

The report set out how the external auditors intended to carry out their responsibilities as auditor. Its purpose was to provide the Joint Governance Committee with a basis to review the proposed audit approach and scope for the 2021/22 audit in accordance with the requirements of the Local Audit and Accountability Act 2014, the National Audit Office's 2020 Code of Audit Practice, the Statement of Responsibilities issued by Public Sector Audit Appointments (PSAA) Ltd, auditing standards and other professional requirements.

It was also to ensure that the audit was aligned with the Committee's service expectations. The plans (which were broadly the same for Adur and Worthing Councils) summarised the auditor's initial assessment of the key risks driving the development of an effective audit for Adur District Council and Worthing Borough Council, and outlined the planned audit strategy in response to those risks.

The report was intended solely for the information and use of the Joint Governance Committee and management, and was not intended to be and should not be used by anyone other than these specified parties.

A Member asked a question regarding the condition of HRA properties and its effect on valuation. Officers confirmed that stock condition should be taken into account when valuing properties.

Resolved

The Joint Governance Committee noted the contents of the reports.

JGC/29/22-23 Response to IT audit findings and update

Before the Committee was a report from the Director for Digital, Sustainability 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 was presented by Paul Brewer, Director for Digital, Sustainability & Resources and had been produced as a response to concerns raised by the Joint Governance Committee in relation to IT and information governance / data protection services at the Councils.

It followed the presentation by the internal audit team at the committee meeting on 28th July 2022 which provided an overview of 4 internal audits relating to those services.

This report provided additional information, context and updates to provide a fuller and more up to date picture of the arrangements in place and the progress made since audits were completed.

During consideration of the item, the Committee discussed a number of key issues including:-

- the number of staff who had not undertaken the Information Governance Refresher Training (152 had not refreshed in 2022);
- the security of cloud systems;
- the appointment of a Data Protection Officer;
- Mobile Device Management;
- timescales for systems recovery; and
- the testing of systems and backup.

Resolved

The Joint Governance Committee noted the contents of the report.

** The Meeting was adjourned at 8.05pm and reconvened at 8.10pm*

JGC/30/22-23 Modernising and Updating the Councils' Constitutions

Before the Committee was a report from 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 10.

Following an internal governance review by the Councils' Monitoring Officer, opportunities were identified for amending and modernising both Councils' Constitutions to ensure that they were legally compliant, complete, supported effective and sound decision-making, and reflected the character, culture and priorities of the two authorities.

At its meeting on 31 May 2022, the Joint Governance Committee approved the creation of a Working Group to consult on the proposed changes to the Constitutions, and agreed to receive this report with a view to recommending final draft Constitutions for approval by the Councils at their meetings in October 2022.

The report:

1. Highlighted the results of the consultation exercise held during July and August;
2. Updated the Joint Governance Committee on the work of the Working Group in its review of the Constitutions;
3. recommended amendments to the Constitutions.

The Committee received and debated a series of recommendations from the Joint Overview & Scrutiny Committee in relation to the proposed constitution changes,

including the chairing of the Councils' Overview & Scrutiny Committees and associated statutory guidance.

In relation to the Membership of JOSC, Cllr Steve Waight proposed that paragraphs 3.2 and 3.3 be replaced with the following alternative wording:-

The Chair of the [Overview & Scrutiny Committee] [Joint Overview & Scrutiny Committee] shall be appointed by the Council. The Chair will first be offered to a member of a Political Group that does not form part of the Administration or an ungrouped Member, with the Vice-Chair being drawn from any other Political Group.

The proposal was seconded by Cllr Debs Stainforth and supported following a vote (14 in favour, 2 against).

In relation to Minority Reports, Cllr Andy McGregor proposed that paragraph 12.8 be amended to add 'Support will be provided by the Scrutiny Officer'. Cllr Debs Stainforth seconded the proposal, which was unanimously supported.

In relation to the Party Whip, Cllr Debs Stainforth proposed adopting the following wording as a new paragraph 16.3 'Scrutiny is seen as impartial and stays separate from party politics. Scrutiny councillors should use their political skills and understanding of the needs of local people to shape the discussions, whilst not acting in a party political manner or using the discussions to further party political objectives'.

The proposal was seconded by Cllr Catherine Arnold and unanimously supported by the Committee.

Cllr Kevin Boram proposed the additional recommendation set out in the report at paragraph 5.5 regarding 'deputations'. Cllr Nigel Morgan seconded the proposal, which was unanimously supported by the Committee.

Resolved

The Joint Governance Committee -

- (i) acknowledged the work undertaken by the Working Group;
- (ii) noted the responses to the consultation programme;
- (iii) endorsed the amendments to the Constitutions proposed by the Working Group and those put forward by the Joint Overview and Scrutiny Committee, as detailed above;
- (iv) recommended the revised Constitutions to:
 - the Joint Strategic Committee for comment at its meeting on 11 October 2022, and
 - both Full Councils for approval at their meetings on 18 October 2022 (Worthing) and 20 October 2022 (Adur).

** Worthing Councillors Roser, Choudhury, Garner, Wight, Coxhill, Morgan and Waight left the meeting at 9.35pm in accordance with the Joint Committee Agreement.*

JGC/31/22-23 Conferment of Honorary Aldermen and Honorary Alderwomen

Before the Committee was a report from 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 11.

The report sought approval for a protocol in relation to the conferment of Honorary Aldermen and Honorary Alderwomen at Adur District Council (ADC).

The Committee was asked to recommend to Adur District Council, the conferring of the title of Honorary Alderwoman to Liza McKinney and Debbie Kennard and the title of Honorary Alderman to Brian Boggis and Geoff Howitt

The recommendations in the report were proposed by Councillor Kevin Boram, seconded by Councillor Gabe Crisp and unanimously supported by the Committee.

Resolved

The Joint Governance Committee -

1. considered and approved the Appointment of Honorary Aldermen and Honorary Alderwomen Protocol as set out in Appendix A;
2. recommended to Adur District Council the conferring of the title of Honorary Alderwoman to Liza McKinney and Debbie Kennard and the title of Honorary Alderman to Brian Boggis and Geoff Howitt;
3. recommended to Adur District Council:

That a special meeting of the Council be arranged under section 249(1) of the Local Government Act 1972 for the specific purpose of conferring the titles of Honorary Alderwoman to Liza McKinney and Debbie Kennard and Honorary Alderman to Brian Boggis and Geoff Howitt

The meeting was declared closed by the Chairman at 9.40 pm, it having commenced at 6.30 pm

Chairman